

NOTICE OF THE MEETING OF THE PLAN COMMISSION

The meeting of the PLAN Commission is scheduled for
January 7, 2021 beginning at 7:00 p.m.

A copy of the agenda for this meeting is attached hereto and
can be found at www.tinleypark.org.

NOTICE - MEETING MODIFICATION DUE TO COVID-19

Pursuant to Governor Pritzker's Executive Order 2020-07, Executive Order 2020-10, Executive Order 2020-18, Executive Order 2020-32, Executive Order 2020-33, Executive Order 2020-39, and Executive Order 2020-44, which collectively suspends the Illinois Open Meetings Act requirements regarding in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, issued on June 26, 2020, the Commission members may be participating in the meeting through teleconference.

Pursuant to Governor's Executive Order No. 2020-63 and CDC guidelines, no more than 25 people or 50% of the maximum capacity will be allowed in the Council Chambers at any one time, so long as attendees comply with social distancing guidelines. Anyone in excess of maximum limit will be asked to wait in another room with live audio feed to the meeting until the agenda item for which the person or persons would like to speak on is being discussed or until the open floor for public comments.

Meetings are open to the public, but members of the public may continue to submit their public comments or requests to speak telephonically in advance of the meeting to clerksoffice@tinleypark.org or place requests in the Drop Box at the Village Hall by noon on January 7, 2021 . Please note, written comments will not be read aloud during the meeting. A copy of the Village's Temporary Public Participation Rules & Procedures is attached to this Notice.

Kristin A. Thirion
Clerk
Village of Tinley Park

**VILLAGE OF TINLEY PARK
TEMPORARY PUBLIC PARTICIPATION RULES & PROCEDURES**

As stated in Gubernatorial Executive Order 2020-07 issued on March 16, 2020 and Gubernatorial Executive Order 2020-10 issued on March 20, 2020, both extended by Gubernatorial Executive Order 2020-18 issued on April 1, 2020, all public gatherings of more than ten people are prohibited. In-person public participation is not defined as an essential activity.

The Mayor of Tinley Park is issuing the following rules for all Village Board and other public meetings in order to promote social distancing as required by the aforementioned Executive Orders and the requirements of the Open Meetings Act:

Written Comments

After publication of the agenda, email comments to clerksoffice@tinleypark.org. When providing written comments to be included as public participation at a public meeting, clearly identify the following in the subject line:

- The date of the meeting;
- The type of meeting for the written comments (e.g. Village Board meeting, Zoning Board of Appeals meeting, Plan Commission meeting, etc.);
- Name and any other identifying information the participant wishes to convey to the public body;
- The category of public participation (e.g., Receive Comments from the Public, Agenda Items, etc.);
- For specific Agenda Items, identify and include the specific agenda item number;
- The entire content of the comments will be subject to public release. The Village of Tinley Park is under no obligation to redact any information.

The contents of all comments will be provided to the relevant public body for their review. **Written comments will not be read aloud during the meeting. If you wish to publicly address the public body, you may request to participate via teleconference as described below.**

Comments must be submitted by 12:00 pm on the day of the meeting. However, it is strongly recommended that comments be emailed not less than twenty-four (24) hours prior to the meeting so the appropriate Board members, Commissioners, Board members, and Committee members have sufficient time to review the comments prior to the meeting.

Live Public Participation During Meeting

After publication of the agenda, those wishing to participate in a live telephone call option at a public meeting must register by 12:00 pm on the day of the meeting. A Village representative will call the participant at the relevant portion of the meeting and the participant will be allowed to participate telephonically at the meeting. To participate in a live telephone call during the meeting, a request shall be submitted by email to clerksoffice@tinleypark.org. The following information must be included the subject line:

- The date of the meeting;
- The type of meeting for the written comments (e.g. Village Board meeting, Zoning Board of Appeals meeting, Plan Commission meeting, etc.);
- Name and any other identifying information the participant wishes to convey to the public body;
- The category of public participation (e.g., Receive Comments from the Public, Agenda Items, etc.); and
- For specific Agenda Items, identify and include the specific agenda item number.

If the participant provides an email address, they will receive a confirmation email that their request has been logged. If the participant provides an email address and does not receive a confirmation email, they may call (708) 444-5000 during regular business hours to confirm the application was received.

Upon successful registration, the participant's name will be placed on an internal Village list. On the date and during relevant portion of the meeting, the participant will be called by a Village representative. The Village representative will call the provided telephone number and allow the phone to ring not more than four (4) times. If the call is not answered within those four (4) rings, the call will be terminated and the Village representative will call the next participant on the list.

The public comment should be presented in a manner as if the participant is in attendance at the meeting. At the start of the call, the participant should provide their name and any other information the participant wishes to convey. For comments regarding Agenda Items, identify and include the specific agenda item number. The participant should try to address all comments to the public body as a whole and not to any member thereof. Repetitive comments are discouraged. The total comment time for any single participant is three (3) minutes. Further time up to an additional three (3) minutes may be granted by motion. A participant may not give his or her allotted minutes to another participant to increase that person's allotted time.



**AGENDA FOR REGULAR MEETING
VILLAGE OF TINLEY PARK
PLAN COMMISSION**

**January 7, 2021 – 7:00 P.M.
Council Chambers
Village Hall – 16250 S. Oak Park Avenue**

Regular Meeting Called to Order

Roll Call Taken

Communications

Approval of Minutes: Minutes of the December 3, 2020 Regular Meeting

**ITEM #1 PUBLIC HEARING – WHISTLE EVENTS & CATERING, 7537 159TH STREET -
SPECIAL USE PERMIT AND PARKING VARIATION FOR A BANQUET
FACILITY**

Consider recommending that the Village Board grant Stephanie Mikesell, on behalf of Heyday LLC (D/B/A Whistle Events & Catering), a Special Use Permit for a Banquet Facility with a parking Variation located in the Bremmentowne Mini-Mall at 7537 159th Street in the B-1 (Neighborhood Shopping) zoning district.

Good of the Order

Receive Comments from the Public

Adjourn Meeting



**MINUTES OF THE REGULAR MEETING OF THE
PLAN COMMISSION, VILLAGE OF TINLEY PARK,
COOK AND WILL COUNTIES, ILLINOIS**

December 3, 2020

The meeting of the Plan Commission, Village of Tinley Park, Illinois, was held in the Council Chambers located in the Village Hall of Tinley Park, 16250 Oak Park Avenue, Tinley Park, IL on December 3, 2020.

At this time, CHAIRMAN GRAY, stated the meeting was being held remotely consistent with Governor Pritzker's Executive Order 2020-07, Executive Order 2020-10, Executive Order 2020-18, Executive Order 2020-32, Executive Order 2020-33, Executive Order 2020-39, and Executive Order 2020-44, which collectively suspends the Illinois Open Meetings Act requirements regarding in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, issued on June 26, 2020, the members of the Plan Commission will be participating in the meeting through teleconference.

A live stream of the electronic meeting was broadcasted at Village Hall. Pursuant to Governor's Executive Order No. 2020-43 and CDC guidelines with no more than 25 people or 25% of the maximum capacity was allowed in the Council Chambers at any one time, so long as attendees complied with social distancing guidelines. CHAIRMAN GRAY confirmed Commissioners and Staff were able to communicate. All replied affirmatively. CHAIRMAN GRAY then addressed ground rules for the effective and clear conduct of Plan Commission business.

Secretary Bennett called the roll.

Present and responding to roll call were the following:

Chairman Garrett Gray (Participated electronically)
Steven Vick (Participated electronically)
Angela Gatto (Participated electronically)
Kehla West (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Frank Losciuto (Participated electronically)
James Gaskill

Absent Plan Commissioners:

Mary Aitchison

Village Officials and Staff:

Kimberly Clarke, Community Development Director
Paula Wallrich, Planning Manager (Participated electronically)
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

CALL TO ORDER

PLAN COMMISSION CHAIRMAN GRAY called to order the Regular Meeting of the Plan Commission for December 3, 2020 at 7:00 p.m.

COMMUNICATIONS

Paula Wallrich, Planning Manager noted there was a letter presented by a resident regarding the Crana Homes project. This letter was distributed to the Plan Commissioners and would be read and made part of the record during that public hearing.

CHAIRMAN GRAY welcomed the new Plan Commissioner Frank Losciuto.

APPROVAL OF MINUTES

Minutes of the November 19, 2020 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER WEST, seconded by COMMISSIONER MANI to approve the minutes as presented.

AYE: COMMISSIONERS GATTO, VICK, GASKILL, ENGEL, MANI, WEST, LOSIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

DRAFT

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE DECEMBER 3, 2020 REGULAR MEETING

ITEM #1 Public Hearing – Crana Homes – 19100 80th Avenue - Special Use Permits – Substantial Deviation

Consider recommending that the Village Board grant Frank Bradley of Crana Homes, Concept Site Plan approval for property located at the southwest corner of 80th Avenue and 191st Street (8001 191st St.), in the Brookside Glen Planned Unit Development. The request, if granted, will allow the Petitioner to develop final plans in accordance with the approved Concept Site Plan which includes the construction of fifty duplex homes comprising 24.5 acres and commercial uses comprising 6.6 acres.

Present Plan Commissioners: Chairman Garrett Gray (Participated electronically)
Steven Vick (Participated electronically)
Angela Gatto (Participated electronically)
Kehla West (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Frank Losciuto (Participated electronically)
James Gaskill

Absent Plan Commissioners: Mary Aitchison

Village Officials and Staff: Kimberly Clarke, Community Development Director
Paula Wallrich, Planning Manager (Participated electronically)
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guests: Mark Kurensky – Architect (Participated electronically)

CHAIRMAN GRAY asked for a motion to open the public hearing.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER VICK to open the public hearing for Crana Homes.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

CHAIRMAN GRAY noted he had confirmation of the legal notice for this public hearing being published in the local newspaper as required by state law.

Paula Wallrich, Planning Manager, presented the Staff Report. She noted that the Staff Report has been distributed to the Plan Commission, the Applicant and is posted on the website in its entirety. The staff report is attached to these minutes and made a part of the meeting record.

Ms. Wallrich read a letter received from Mr. Michael Stocklose, 19303 Enclave Lane. This letter will be attached and made part of these minutes.

Ms. Wallrich commented on some of the suggestions in the letter.

1. Regarding any of the traffic considerations on 80th Avenue those would have to be reviewed with the county and the Village engineer to see if full access could be accommodated at that location.
2. Regarding stop signs on Greenway she suspects it would not meet the standards for stop signs but it can be presented to the Village traffic engineer to see whether it would be warranted.
3. Construction traffic can be kept off Greenway.
4. Maintenance free would be something the builder would have to consider, as mentioned this is not in our Tinley Park Code.
5. Regarding the entrance monument, this would be something Mr. Bradley would have to take into consideration.
6. Regarding the colors, the design that has been presented is only for illustrative purposes. She agrees that we do not want a monotony of housing.

CHAIRMAN GRAY asked the applicant for comments and swore him in.

Mark Kurenski, Architect noted he wanted to thank staff for their staff report. He is in concurrence with what was just said. He was given a copy of Mr. Stocklose's comments and he feels they can work through them to his satisfaction. He looks forward to any comments.

CHAIRMAN GRAY asked for comments from the Commissioners.

COMMISSIONER WEST noted the concerns about traffic and turning in and out and stated especially because this is going to be an active adult community with garages out front, these concerns need to be taken seriously. We need to make sure the traffic off the busy road is addressed. If they are going to aim at that demographic and encourage a degree of walkability they must be aware of people coming off quickly from the busy street as it undermines the purpose of doing that. We do not want to undercut the design elements that make it more pedestrian-friendly. The commenter wrote about this and the developer said they would take that into consideration. That is a valid point.

COMMISSIONER LOSUITO noted the concept looks good. He likes the fact that it is hybrid for the community with incorporating commercial. He also likes bringing some different types of homes into Tinley Park to make it more diversified.

CHAIRMAN GRAY noted he wanted to echo Commissioner Loscuito as well as some of the commissioners from the workshop. This does seemingly fit the area and it is a good hybrid in terms of having the commercial frontage on 191st. The design that has been presented looks clean including the architectural design. As some of the commissioners said in the workshop that the target audience being active older adults and having the bedrooms on the first floor would be addressing a need. He also echoes what Commissioner West said regarding the left hand turn over the double lanes on 80th Avenue. As Mr. Stocklose mentioned this should be something to consider due to the target audience on these homes especially during rush hour. He also concurs with the construction traffic being kept off Greenway. He also echoes a little bit of variation on the homes. Overall, he thinks this is a good concept plan. He likes the access points on the development being limited to 3 exits/entrances and the 4th one being attached to the business drive aisle. He noted he had received a call from a resident that lives in Brookside Glen asking if there was any consideration for a park area in the design.

Ms. Wallrich replied that when the PUD was approved, the required open space was taken care of at that time. It serves the entire Brookside community. There is a fairly large open space that includes a bike trail in that area. They have already met the open space requirement for the Brookside PUD.

CHAIRMAN GRAY asked for public comment and swore in the residents.

Mr. Michael Stocklose noted he had looked at this plan and asked if they will be using the detention pond to the west in front of the Magnuson apartments?

Kimberly Clarke, Community Development Director replied that yes this was designed to take care of all the detentions on the west side.

Mr. Stocklose inquired about the guest parking areas for the resident's guests and will they be incorporated into this plan?

Ms. Wallrich replied that is an excellent comment and when they get down to the details of that commercial area it will be taken into consideration and the code has those requirements as well.

Mr. Mike Cutrano inquired about whether a tot lot park could be put in in the middle of the development. He also inquired if the streets would be dedicated.

Ms. Wallrich replied they would be dedicated public streets.

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER WEST to close the public hearing on Crana Homes.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

A Motion was made by COMMISSIONER GATTO, seconded by COMMISSIONER VICK to grant the Petitioner, Frank Bradley of Crana Homes, Concept Site Plan Approval for the property located at 8001 191st Street in the Brookside Glen PUD in accordance with the plans submitted in the December 3, 2020 staff Report and listed herein.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

This item will go to the Village Board on Tuesday, December 15, 2020

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE December 3, 2020 REGULAR MEETING

ITEM #2 Workshop/Public Hearing – South Street Development - 6701-6755 South Street – Amendment to Variation- Projection Sign

Consider recommending that the Village Board grant David Sosin, Attorney on behalf of South Street Development, LLC approval of an amendment to Ordinance 2018-O-066 to allow the projection sign to be back-lit.

Present Plan Commissioners: Chairman Garrett Gray (Participated electronically)
Steven Vick (Participated electronically)
Angela Gatto (Participated electronically)
Kehla West (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Frank Losciuto (Participated electronically)
James Gaskill

Absent Plan Commissioners: Mary Aitchison

Village Officials and Staff: Kimberly Clarke, Community Development Director
Paula Wallrich, Planning Manager (Participated electronically)
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guests: Dan McMillan, Development Team

Kimberly Clarke, Community Development Director, presented the Staff Report. She noted that the Staff Report has been distributed to the Plan Commission, the Applicant and is posted on the website in its entirety. The staff report is attached to these minutes and made a part of the meeting record.

CHAIRMAN GRAY asked for comments from the Applicant.

Dan McMillan, Development Team thanked Kimberly for pointing out to them that the sign color should be red to go along with the awnings on the building. The sign with the sign-lighting will help it to be viewed from Oak Park Avenue. He needs a sign for commercial as well as the apartments.

CHAIRMAN GRAY asked for comments from the commissioners.

COMMISSIONER WEST noted that this is a reasonable request.

COMMISSIONER GATTO noted she echoes this and thinks it will look great in the downtown area.

COMMISSIONER LOSCIUTO agrees that the sign will look good with the red letters.

COMMISSIONER VICK agrees that the color change is good and will look nice. The lighting will make it pop and draw people to the building.

COMMISSIONER MANI agrees the lighting will look nice and will not be obtrusive to the people living in the apartment.

COMMISSIONER ENGEL has no concerns and the color scheme will work.

CHAIRMAN GRAY agrees with all the other commissioners and noted good job to Kimberly for recommending the color change. This will look top notch and will look very nice.

CHAIRMAN GRAY asked for a motion to open the public hearing.

A Motion was made by COMMISSIONER VICK, seconded by COMMISSIONER WEST to open the public hearing for Crana Homes.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

CHAIRMAN GRAY noted he had confirmation of the legal notice for this public hearing being published in the local newspaper as required by state law.

Anyone who would like to speak on this matter will be sworn in after the staff presentation.

Ms. Clarke noted the Legacy Code and Variation Standards.

CHAIRMAN GRAY asked for comments from the public. There were none.

A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER GATTO to close the public hearing for Crana Homes.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER LOSCIUTO to recommend that the Village Board grant an amendment to Ordinance 2018-O-066 to the Petitioner, David Sosin, on behalf of South Street Development, LLC, for property located at 6701-6755 W. South Street allowing for a side-illuminated projection sign in accordance with the plans submitted and listed herein and adopt Findings of Fact submitted by the Applicant and as proposed by Village Staff, and as may be amended by the Plan Commission at this meeting.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

This item will go to the Village Board on Tuesday, December 15, 2020.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE December 3, 2020 REGULAR MEETING

ITEM #3 Workshop/Public Hearing – Text Amendment – Temporary and 7460 Duvan Drive Medical Office Use MU-1 District

Consider a proposed text amendment to the Tinley Park Zoning Ordinance amending Section V.B. Schedule I (Schedule of Permitted Uses-By Use Type) allowing “Business and professional offices, including medical” as a Special Use in the MU-1 (Duvan Drive Mixed Use Overlay) and amending Section V.C.11 (Temporary Uses) to permit temporary use approvals related to local, state, and federal emergency or public health declarations. The proposed text amendments would allow for medical offices (including COVID-19 testing) in the MU-1 zoning district as a Special Use and would also amend the Temporary Use section to give the Village Board greater flexibility to permit COVID-19 testing or other temporary uses that may be necessary in an emergency situation.

Present Plan Commissioners: Chairman Garrett Gray (Participated electronically)
Steven Vick (Participated electronically)
Angela Gatto (Participated electronically)
Kehla West (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Frank Losciuto (Participated electronically)
James Gaskill

Absent Plan Commissioners: Mary Aitchison

Village Officials and Staff: Kimberly Clarke, Community Development Director
Paula Wallrich, Planning Manager (Participated electronically)
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guests: Amer Sweiss, Petitioner (Participated electronically)

Dan Ritter, Senior Planner, presented the Staff Report. He noted that the Staff Report has been distributed to the Plan Commission, the Applicant and is posted on the website in its entirety. The staff report is attached to these minutes and made a part of the meeting record. It was noted that staff received inquiries of the request from two businesses, Two Men and a Truck and Tinley Auto. Both were satisfied after learning about the appointment-only and traffic measures put in place with the request. Neither wanted to make a formal public comment on the request.

CHAIRMAN GRAY asked for comments from the commissioners.

CHAIRMAN GRAY noted he worked on Duvan Drive for 30 years and it is a unique zoning district. There are several different types of businesses, some with truck traffic. The street is narrower than necessary for these big trucks. Many times, the trucks have to navigate backwards to get into a loading dock and they are basically restricting access on Duvan Drive as they are making their three-point turns. Depending on what part of the day there are trucks parked on Duvan Drive to wait to unload. Even though it does seem like a patchwork quilt, he thinks that staff should be careful not to use the MU-1 district as an “aisle of misfit toys” for uses that don’t fit anywhere else then just throw it in Duvan. The fit has to be right here as well. Some of the businesses have high visibility near Harlem, but as you

get into Duvan Drive there is a lot of truck traffic. This is something he has witnessed first-hand. He wants to make staff and the commissioners aware that there is a lot of truck traffic.

He had an email from Paul Brown of Two Men and a Truck. He states that Duvan Drive has so much heavy truck traffic that it can be a serious issue with the amount of traffic that is backed up on the street. A Covid testing Center would not be an issue with normal traffic, but Duvan Drive has a lot of existing heavy truck traffic. He mentions that Two Men and a Truck has 15 trucks, Aries has a heavy fleet and tow trucks are always trying to maneuver out of body shops and semi-trucks are constantly parked on either side of the street during the day waiting to load or unload.

CHAIRMAN GRAY notes that he concurs with Paul Brown's synopsis of the situation on Duvan Drive. In regards to the former emissions center, when it would get close to the deadline the facility would have a line of traffic parked on Duvan Drive waiting to get in. This is in addition to all the other traffic previously mentioned. To staff in order to add a new business to this area it must be the right fit. There are no pedestrian walkways in this area, you have to walk on the street or on the grass.

CHAIRMAN GRAY asked for a motion to open the public hearing.

A Motion was made by COMMISSIONER VICK, seconded by COMMISSIONER WEST to open the public hearing for Text Amendments.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

CHAIRMAN GRAY noted he had confirmation of the legal notice for this public hearing being published in the local newspaper as required by state law.

Anyone who would like to speak on this matter will be sworn in after the staff presentation.

Mr. Ritter noted there will be two motions. He understands that the fit needs to be right in order to be put in this area. The comments about pedestrian walkways are valid. It would be nice to have sidewalks. Sidewalks are limited in all of the industrial parks and it does not make sense because these areas need walkability too. It would be a nice use of TIF funds to put sidewalks in at least on one side of Duvan Drive.

CHAIRMAN GRAY asked for comments from the Commissioners.

There were none.

CHAIRMAN GRAY asked for comments from the Applicant and swore him in.

Mr. Amer Sweis, Petitioner for Covid Testing Center noted he wanted to thank the staff and the speed of the project pushing this forward quickly. A key component to this is that they are only accepting appointment with no walk-in traffic. The is a key component to avoid any traffic. When people come to the site, they are pre-registered, they drive into the testing center, and stay in their cars. The majority of the work is done when appointments are pre-scheduled. When they come in it is a quick check-in to confirm their identification and then the test. It is a quick 2 to 3-minute process per patient. We are conscious to not overschedule people and will not have a jam and employees aren't rush or directing traffic. We want to make this flawless with no traffic jam. It is important to the success of the center.

Mr. Ritter noted to Mr. Sweis that some of the comments make sense to the larger aspects of the proposed text amendments, but the site-specific comments might be more useful in the next public hearing for their Special Use.

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER WEST to close the public hearing for Text Amendments.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

Motion 1 – Temporary Uses

COMMISSIONER WEST, seconded by COMMISSIONER ENGEL made a motion to recommend that the Village Board approve the proposed Text Amendment to Section V.C.11. (Temporary Uses) of the Village of Tinley Park Zoning Ordinance, as indicated in the Staff Report dated December 3, 2020. The proposed Text Amendment will provide for emergency or disaster-related temporary uses in the Village with conditions.”

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

Motion 2 – Medical Office in MU-1

COMMISSIONER LOSCIUTO, seconded by COMMISSIONER MANI made a motion to recommend that the Village Board approve the proposed Text Amendment to Section V.B. Schedule I (Schedule of Permitted Uses) of the Village of Tinley Park Zoning Ordinance as indicated in the Staff Report dated December 3, 2020. The proposed Text Amendment amends portions of Section V.B. Schedule I to allow “Business and professional offices, including medical” as a Special Use in the MU-1 (Mixed Use Duval Drive Overlay) Zoning District.”

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

This item will go to the Village Board on Tuesday, December 15, 2020

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE December 3, 2020 REGULAR MEETING

ITEM #4 Workshop/Public Hearing – NAS Covid Testing Center – 7460 Duvan Drive – Special Use

Consider recommending that the Village Board grant Amer Sweis, on behalf of NAS Testing Center (tenant) a Special Use Permit, upon amendment of the Zoning Ordinance, to allow a Medical Business and Professional Office at 7460 Duvan Drive in the MU-1 (Duvan Drive Mixed-Use Overlay) zoning district. Upon amendment of the Zoning Ordinance to allow a special use permit to be requested, this request would permit a drive-thru medical testing facility at this location previously designed as a drive-thru emissions facility with conditions.

Present Plan Commissioners: Chairman Garrett Gray (Participated electronically)
Steven Vick (Participated electronically)
Angela Gatto (Participated electronically)
Kehla West (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Frank Losciuto (Participated electronically)
James Gaskill

Absent Plan Commissioners: Mary Aitchison

Village Officials and Staff: Kimberly Clarke, Community Development Director
Paula Wallrich, Planning Manager (Participated electronically)
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guests: Amer Sweiss, Petitioner (Participated electronically)

Dan Ritter, Senior Planner, presented the Staff Report. He noted that the Staff Report has been distributed to the Plan Commission, the Applicant and is posted on the website in its entirety. The staff report is attached to these minutes and made a part of the meeting record. It was noted, that the Village of Oak Lawn was contacted by staff and they have not had any known issues of complaints with the Petitioner's current location.

CHAIRMAN GRAY asked for comments from the commissioners.

COMMISSIONER LOSCIUTO noted his concern with the traffic on Duvan and 175th Street. He hopes that with the appointment requirement that it would resolve this issue. This was his only concern.

COMMISSIONER WEST echoes the previous concern. With the appointments being scheduled it should help to avoid traffic backup issues.

COMMISSIONER GATTO wants to make sure the only people coming to this are by appointment. Once Covid is over, what will this be used for?

Mr. Sweis replied that after Covid is over he will be using this site for vaccines and other types of medical testing.

Mr. Ritter noted the temporary use is for one year and if it is extended it will have to be approved by the Village Board each time. This request is more permanent since they have some vision of being able to use it going forward. Covid has changed a lot of the processes of testing and medical appointments as well. People may want to avoid typical hospitals or doctors' offices in the future. This provides a quick and simple way without even leaving the car.

CHAIRMAN GRAY inquired about the typical number of vehicles he would service during the day.

Mr. Sweis replied that typically they see about 150 people per day at his other site in Oak Lawn, but this site would be able to handle more. Everything is scheduled by appointment. If people just drive in he will not see them. We never have stacked vehicles at that location.

CHAIRMAN GRAY noted with the stacking at that site there are 3 vehicle bays that can be used every 6 minutes. This could give 30 vehicles per hour times 12 hours would be 360. If you are only seeing 150 per day, you would not be working at capacity. If someone comes in without an appointment, how do they make an appointment. What is the time between appointments. Is this an app on your phone?

Mr. Sweis replied that most of the appointments are booked the same day, but a few are far in advance.

CHAIRMAN GRAY noted if someone was turned away they could drive around the block and make an appointment and return right away. We want to make sure traffic spillage does not occur.

Mr. Sweis noted there usually are not openings and making an appointment right away would probably not happen.

CHAIRMAN GRAY inquired if they would be staying after Covid? This was noted to be a temporary 12-month lease until a vaccine is made available. Will you shut down the facility when the vaccine comes out? What would be the next step?

Mr. Sweis replied that even with a vaccine, testing will still continue. The vaccine is for a limited amount of people. Once people take the vaccine they will still have to be tested to see if they are negative or positive to avoid spreading to those without it. The schedule will be based on a week to week analysis with a slow start. If there is a huge spike in demand, we will adjust. If there were 1000 people a day though, we would not be able to handle that.

CHAIRMAN GRAY inquired if the Tinley Auto and Two Men and a Truck, that reached out regarding the traffic were satisfied with Mr. Ritter's discussion.

Mr. Ritter replied that both were content after his discussion with them about the petitioner's plan. They wanted to make sure it was appointment only and avoid spillage onto Duvan Drive as we discussed here. With the Special Use we included a specific condition that it has to be by appointment only, no traffic can go on Duvan Drive and no off-site parking. It is enforceable if needed, but Mr. Sweis has done this before and seems confident he can manage it.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER WEST to open the public hearing for the Covid Testing Center.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

CHAIRMAN GRAY noted he had confirmation of the legal notice for this public hearing being published in the local newspaper as required by state law.

Anyone who would like to speak on this matter will be sworn in after the staff presentation.

CHAIRMAN GRAY asked for comments from the Applicant and swore him in.

Mr. Amer Sweis thanked staff and the Commission. We all have people who have been affected by Covid. This service can be a life or death situation for people. He looks forward to working with the Village.

CHAIRMAN GRAY asked for comments from the Commissioners.

There were none.

CHAIRMAN GRAY asked for comments from the Public.

There were none.

A Motion was made by COMMISSIONER WEST, seconded by COMMISSIONER MANI to close the public hearing for the Covid Testing Center.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

Mr. Ritter presented the Standards for Special Use

COMMISSIONER GATTO seconded by COMMISSIONER GASKILL made a motion to recommend that the Village Board grant a Special Use Permit to the Petitioner, Amer Sweis on behalf of NAS Testing Center, for a Special Use for a Medical Office with a drive-thru testing facility to be located at 7460 Duvan Drive and adopt Findings of Fact as proposed by Village Staff in the December 3, 2020 Staff Report, subject to the following conditions:

1. All medical testing shall be conducted by appointment only. All stacking shall occur in the designated vehicle stacking area. Patient appointments and traffic shall be actively managed to avoid any off-site parking.
2. Site landscaping shall be maintained and replaced per the approved Landscape Plan by April 30, 2021.
3. Any building, fire, or code enforcement items shall be addressed prior to occupancy.”

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

This item will go to the Village Board on Tuesday, December 15, 2020

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE December 3, 2020 REGULAR MEETING

ITEM #5 Workshop/Public Hearing – MedPro Health Providers, LLC – 16820 Oak Park Avenue – Site Plan, Final Plat Approval, Special Use and Variations

Consider recommending that the Village Board grant MedPro Health Providers, LLC (Contract Purchaser) a Special Use Permit to allow a mixed-use structure and Variations from the Zoning Code (Heritage Site maximum investment threshold, minimum dwelling size, covered residential parking) to allow for the redevelopment of the property located at 16820 Oak Park Avenue in the NG (Neighborhood General) zoning district. The request includes Site Plan and Final Plat approval to allow for redevelopment of a detached single-family residential dwelling to a mixed-use building. The first floor and basement will be occupied by the Petitioner’s office-based business, and an apartment will be located on the second floor with a connected first floor kitchen.

Present Plan Commissioners: Chairman Garrett Gray (Participated electronically)
Steven Vick (Participated electronically)
Angela Gatto (Participated electronically)
Kehla West (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Frank Losciuto (Participated electronically)
James Gaskill

Absent Plan Commissioners: Mary Aitchison

Village Officials and Staff: Kimberly Clarke, Community Development Director
Paula Wallrich, Planning Manager (Participated electronically)
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guests: Riz Villasenor, Petitioner (Participated electronically)

Dan Ritter, Senior Planner, presented the Staff Report. He noted that the Staff Report has been distributed to the Plan Commission, the Applicant and is posted on the website in its entirety. The staff report is attached to these minutes and made a part of the meeting record.

CHAIRMAN GRAY asked for comments from the Applicant.

Riz Villasenor introduced his company, MedPro Health Provider. They are a home health company based in Tinley Park. He thanked staff and the Commission. Currently they are leasing a third floor office space across from the old K-Mart on Harlem Avenue and his business has changed substantially. His business is considered front-liners with the Covid. They offer six disciplines and they are licensed with the State of Illinois. They do nursing, physical therapy, occupational therapy, home health aid and medical social work. We take care of the senior population in their homes. The office in this new building makes sense since we are a home health agency. Everything we do is done electronically, so the nurses and therapists don’t go to the office. The majority of his staff due to Covid are working from home. We can have a fully remote operation for the healthcare workers. This location would only be

him and a few administrative office staff. We are proud to know some of the history of the property and that this used to be the home of the first and only female mayor of Tinley Park, Ms. Rose Brown.

CHAIRMAN GRAY asked for comments from the commissioners.

COMMISSIONER GASKILL inquired about the second floor apartment with the kitchen on the first floor. Will this apartment be for rent? He cannot imagine a person having to go downstairs to go to the kitchen. This is just a way for them to reduce the property tax.

Mr. Ritter replied this is not the typical setup. It is being left at its current location mainly for cost savings, but does meet building code requirements. They would have to remove one of the bedrooms to add the kitchen on the second floor. Mr. Ritter noted they could live in it, rent it, or leave it vacant; that would be up to them. Without the decrease in property tax assessment, this conversion and redevelopment would not be being pursued.

CHAIRMAN GRAY inquired if there is an area in the kitchen for a table.

Mr. Ritter replied he is not sure if they have finalized the floor plan, but that there may be room in the kitchen.

Mr. Villasenor replied the area of the stairs and the kitchen would be enclosed. When the area is closed there would be room for a small table.

CHAIRMAN GRAY noted on the plan there is a room for the kitchen that is 135 sq. ft. and sees that they could potentially fit a table there.

COMMISSIONER WEST inquired if the main entrance to the building is by the stairs and the kitchen?

Mr. Ritter replied the main entrance is by the front of the building. There is also a back entrance that would go directly into the office space. People entering the office will not be going through the apartment kitchen, as it is not permitted by the building code.

CHAIRMAN GRAY noted the square footage for the apartment is less than the required square footage for a 2 bedroom. However, making it a one bedroom also would be deficient. There is some basement area that is not being counted. This is an innovative way to reuse a historic building that has been vacant. Someone with leg issues would not be running up the stairs. This would work for a bachelor or a single person. He also agrees with all the open items. He would like confirmation on the Plat of Consolidation. If this is approved tonight, will they need this Plat for the December 15th Board Meeting?

Mr. Ritter replied that he would need the Plat prior to the meeting and has been warned it will be continued if not received in time.

A Motion was made by COMMISSIONER VICK, seconded by COMMISSIONER GATTO to open the public hearing for the MedPro Health Providers, LLC.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

CHAIRMAN GRAY noted he had confirmation of the legal notice for this public hearing being published in the local newspaper as required by state law.

Anyone wishing to speak will be sworn in after the staff presentation.

CHAIRMAN GRAY asked for comments from the Applicant.

No comment.

CHAIRMAN GRAY asked for comment from the public.

There was none.

CHAIRMAN GRAY asked for comment from the Commissioners.

There was none.

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER WEST to close the public hearing for the MedPro Health Providers, LLC.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

Mr. Ritter presented the standards for Special Use, Variations, Legacy Code and Site Plan.

Motion 1 - Site Plan

A motion was made by COMMISSIONER GATTO, seconded by COMMISSIONER GASKILL to grant the Petitioner, Riz Villasenor, on behalf of MedPro Health Providers LLC, Site Plan Approval for the property located at 16820 Oak Park Avenue in the NG, Neighborhood General, zoning district, in accordance with the plans submitted in the December 3, 2020 Staff Report and listed herein and subject to the following conditions:

1. Prior to any occupancy, the commercial space shall have all permitted building work complete to convert the space to a commercial use including a buildout, fire suppression, and fire alarm system permits.
2. A photometric study shall be completed to determine how to best light the site and building in compliance with Village standards. Site lighting shall be installed with the required parking lot work.
3. The following project deadlines shall be met:
 - a. Parking lot work, including replacement of all asphalt and required site lighting shall be completed by June 30, 2021.
 - b. Proposed landscaping shall be installed by June 30, 2021. The final landscape plan, including plant species and placement shall be approved by Village Staff prior to planting.
 - c. The commercial and residential apartment construction work/occupancies may be phased with Building Official approval of the building permit. All work for the conversion to a mixed-use building shall be completed by December 31, 2021.
4. A Final Plat of Subdivision consolidating the two lots and providing for cross-access to the north shall be submitted to the Village for review and approved by the Village Board.
5. Site Plan Approval is subject to approval of the Special Use Permit, Variations, and Final Plat by the Village Board.
6. Site Plan Approval is subject to final engineering plan review and approval by the Village Engineer.”

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

Motion 2 - Special Use

COMMISSIONER ENGEL, seconded by COMMISSIONER MANI made a motion to recommend that the Village Board grant the Petitioner, Riz Villasenor, on behalf of MedPro Health Providers LLC, a Special Use Permit to convert a Heritage Site from a detached single-family home to a mixed-use building at 16820 Oak Park Avenue in the NG (Neighborhood General) zoning district, in accordance with the plans submitted and listed herein and adopt Findings of Fact as proposed in the December 3, 2020 Staff Report, subject to the following conditions:

1. The commercial and residential apartment construction work/occupancies may be phased with Building Official approval of the building permit. All work for the conversion to a mixed-use building shall be completed by December 31, 2021.”

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

Motion 3 - Variations

COMMISSIONER GASKILL, seconded by COMMISSIONER WEST made a motion to recommend that the Village Board grant the three Variations as listed in the December 3, 2020 Staff Report, to the Petitioner, Riz Villasenor, on behalf of MedPro Health Providers LLC, at the property located at 16820 Oak Park Avenue in the NG, Neighborhood General, zoning district, in accordance with the plans listed and adopt Findings of Fact as proposed in the December 3, 2020 Staff Report.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

Motion 4 – Final Plat

COMMISSIONER LOSCIUTO, seconded by COMMISSIONER GATTO made a motion to recommend that the Village Board grant approval to the Petitioner, Riz Villasenor, on behalf of MedPro Health Providers LLC, a Final Plat for consolidation of two lots public cross-access to be granted to the north along the driveway on the property at 16820 Oak Park Avenue, in accordance with the plans listed in the December 3, 2020 Staff Report, subject to the following conditions:

1. The Final Plat shall include consolidation of the two lots and cross-access to the property to the north along the existing driveway.

2. The Final Plat is subject to review and approval by Village Planning Staff, Village Attorney, and the Village Engineer.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

This item will go to the Village Board on Tuesday, December 15, 2020

GOOD OF THE ORDER:

1. The Brixmor project is well underway and they will be pouring foundations within the next couple weeks.
2. The Chipotle project in Brookside Marketplace has submitted their plans for construction and are taking over the Bank of America building
3. At Tuesday's Village Board it was announced that a restaurant user has been identified for the Boulevard on South Street. This is the owner of the Dancing Marlin in Frankfort and is looking to do a new venture here in Tinley Park. This will be an Italian Tapas style restaurant. The Village may offer an incentive to help them get launched.
4. We have been utilizing grant money to assist our restaurants that have been hit hard by Covid. We will be giving them money to offset their costs and stay open during the winter months for heaters and tents. We have 9 applications in and 5 have been approved and they will get up to \$5000,00 per application. We are excited to see that this money is being utilized.
5. The next meeting on December 17th has been cancelled. Merry Christmas to all.

COMMENTS FROM THE PUBLIC:

There were none

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER ENGEL to adjourn the December 3, 2020 Plan Commission meeting.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, LOSCIUTO, WEST and CHAIRMAN GRAY.

NAY: NONE

CHAIRMAN GRAY declared the Motion approved by voice call at 10:12 P.M.

PLAN COMMISSION STAFF REPORT

January 7, 2021- PUBLIC HEARING

Applicant

Stephanie Mikesell, on behalf of Whistle Events and Catering

Property Location

7537B W. 159th Street

Zoning

B-1(Neighborhood Shopping District)

Request

Special Use
Parking Variation

Project Planner

Paula J. Wallrich, AICP
Planning Manager

Whistle Events and Catering

Special Use/Parking Variation for a Banquet Facility

EXECUTIVE SUMMARY



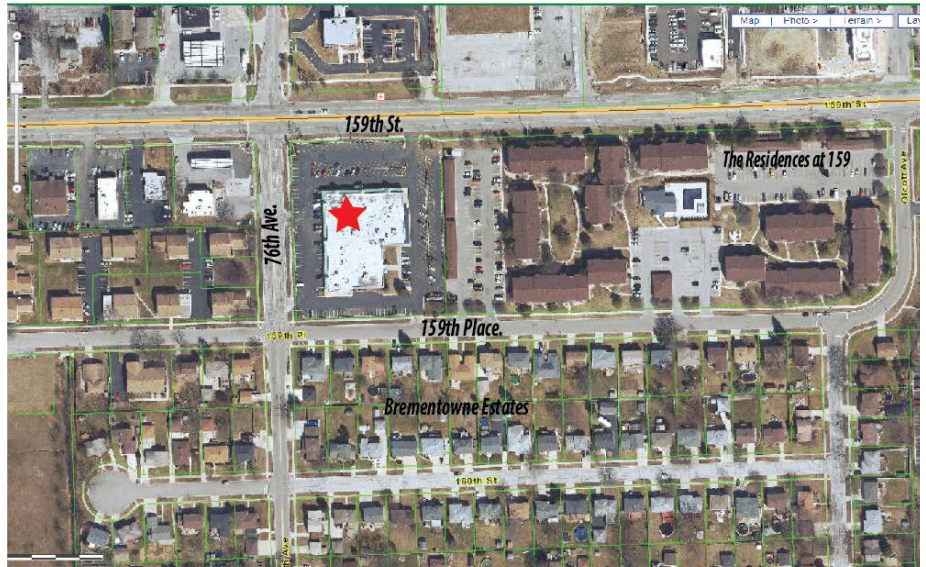
The Applicant, Stephanie Mikesell, on behalf of Whistle Events and Catering, is requesting a Special Use and a parking Variation for a Banquet Facility located at 7537A W. 159th Street. The property is zoned B-1 (Neighborhood Shopping District) and is located in the Brentowne Mini-Mall. The Village Board recently adopted Ordinance 19-O-48 (Exhibit A) which limits banquet facilities in the B-1 District to a tenancy no greater than 4,000 sq.ft. in area. It also requires parking to be provided at a ratio of 1.5 spaces per 100 sq. ft. of usable floor area.

The Whistle Sports Bar & Grill currently operate the banquet space adjacent to the restaurant/bar under its ownership and business license. The restaurant/bar and banquet space share common walls with a doorway separating the two spaces. The Applicant's plan is to close the doorway (rebuild the wall) so that they can operate the banquet space independent of *The Whistle Sports Bar & Grill*. As an independent business with a business and liquor license distinct from *The Whistle Sports Bar & Grill*, it will meet the definition of a Banquet Facility and therefore require a Special Use and is subject to a different parking requirement than a restaurant. The petitioner will operate the new event space under the name *Whistle Events and Catering (WEC)*.

The Public Hearing for this Special Use Request was originally noticed for February 20, 2020; it was tabled to March 5, 2020 after the workshop (minutes are attached). The Plan Commission requested a parking study to assess the adequacy of parking for the proposed use. The Public Hearing was not held and the subsequent COVID epidemic prohibited the ability to obtain a meaningful parking study. With renewed hopes that their business will be able to recover post-COVID, the Petitioners wish to move forward with their Special Use Permit/Variation request.

BACKGROUND

Bremontowne Mini-Mall was constructed in 1973 at the southeast corner of 159th Street and 76th Avenue. The ± 28,000 sq. ft. commercial center provides retail and commercial services to adjacent residents as a neighborhood shopping center zoned B-1. Preceding the construction of the mall, *Bremontowne Estates Subdivision* developed south and west of the shopping center. Bremontowne Estates is comprised of predominately single family homes with some multi-family development on the north side of 159th Place west of 76th Avenue. *The Residences at 159*



apartment complex (previously Orlan Creek Apartments) was constructed immediately east of the shopping center in 1974. Over time the area continued to develop with residential uses and commercial expansion along 159th Street. The center has experienced multiple ownership with tenancy makeup and occupancy rates changing with the marketplace and economic climate.

The ±29,070 sq.ft. shopping center comprises 16 tenant spaces with 7 vacancies. The Applicant has stated that the high taxes and restrictive zoning has made it difficult to recruit and maintain tenancy. He considers *The Whistle* to be an important tenant that serves as an anchor for the center. Significant improvements have been made by the tenant that improve the aesthetics of the center. As occupancy increases the Applicant has plans to continue the façade and landscaping improvements.

The Whistle Sports Bar & Grill opened in June of 2017. The bar and grill operate out of a 4,450 sq.ft. tenant space located in the northeast corner of the center with approximately 120 seats and an occupancy limit of 166 people. The owner, Mark Mikesell, has experienced success with his establishment and was provided a gaming license in August 2017. With the success of his business, his wife Stephanie and business partner Bobby Sanfilippo, decided to embark on a new business venture for catering events. They approached Village staff stating the new business venture (*Whistle Events and Catering-WEC*) will be a separate, privately held, Illinois company distinct from the *Whistle Bar & Grill*.

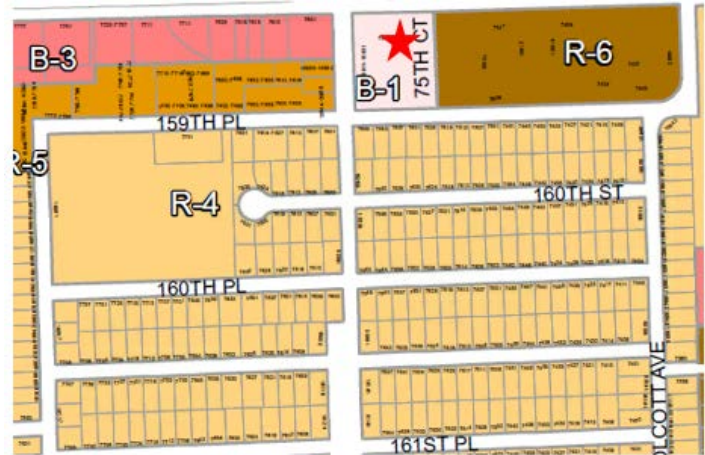
Prior to the adoption of Ordinance 19-O-48, Banquet Facilities were only identified as permitted uses in the ORI (Office and Restricted Industrial) and M-1 (General Manufacturing) zoning districts. With the adoption of the text amendment, a definition for a *Banquet Facility* was created and size and parking parameters for banquet uses in the B-1, B-2, B-3 and B-4 districts were identified. Banquet Facilities are now allowed as a Special Use in all of the Business Districts except B-5, and allowed as a permitted use in the B-3 district provided it is in a standalone structure that is no greater than 30,000 Gross Floor Area. They remain as permitted uses in the ORI and M1 district.

The Petitioners submitted plans for the new tenant space in August of 2019 and were issued a building permit in September 2019 to remodel the tenant space adjacent to *The Whistle Sports Bar & Grill* for purposes of constructing an expansion of the restaurant to handle special events. A doorway was constructed between the two tenant spaces which allowed the new tenant space to function under the same business and liquor license as *The Whistle Sports Bar & Grill*. An occupancy permit was issued on February 6, 2020.

With the adoption of the Banquet text amendment, the Petitioners decided they wanted to operate the new tenant space distinct from *The Whistle Sports Bar & Grill* under the name *Whistle Events and Catering (WEC)*. As a separate business they will be required to obtain a Special Use Permit for a Banquet facility and will need to eliminate the connecting doorway between the two businesses.

ZONING DISCUSSION

The subject property is zoned B-1 (Neighborhood Shopping District) and is bordered by 159th Street on the north, the 7-11 convenience store/gas station to the west zoned B-3 (General Business and Commercial) and multi-family uses zoned R-5 (Low Density Residential) just south of the 7-11 store. South of the center are single family homes zoned R-4 (Single Family Residential) and immediately east of the subject parcel is an apartment complex (Residences at 159) zoned R-6 (Medium Density Residential).



The B-1 District is intended “to provide an area for retail and service establishments to supply convenience goods or personal services for the daily needs of the residents living in adjacent residential neighborhoods. The district is designed to encourage shopping centers with planned off-street parking and loading and to provide for existing individual to small groups of local stores.”

With the adoption of the new text amendment a Banquet Facility was defined as:

BANQUET FACILITY: “A facility that is available for lease for private events including, but not limited to weddings, anniversaries, corporate or family parties and other similar celebrations. Such use may or may not include on-site kitchen or catering facilities”.

Per the Business Plan submitted by the applicant (Exhibit B.), “*Whistle Events and Catering* has the objective of providing excellent food and service for everyone’s Catering and Private Party needs. Our target market will be catering and providing a party room to local business and residents.”

The proposed *Whistle Events and Catering* meets the definition of a Banquet Facility. The tenant space is 2,120 s.f. and includes a warming kitchen and bar area. It is designed with 76 seats with an overall occupancy limit of 99 people. Food will be catered from outside vendors.

PARKING VARIATION

Due to the episodic nature of a banquet facility, parking and traffic circulation are important issues to address as part of the zoning analysis for the requested Special Use. As part of the application process that began in February of 2020, Staff recommended the Applicant conduct a parking study for the site. The Applicant provided some information at the workshop on February 20, 2020 including the following: “On February 9th of 2020 we were at full capacity at *The Whistle Sports Bar and Grill*. Meanwhile, the event location had 90 guests present. I surveyed the parking lot during max capacity with all other businesses open, besides the chiropractor being the only business closed, in which, this business only has a maximum of four clients at any given time. With this being said, the parking lot had vacancy of 30 spaces.”

In addition, the police conducted an informal study on two separate weekends in February of 2020. The following table summarizes their findings.

TABLE A.

| Parking study conducted by TP Police (total # of seats =204; total occupancy limit -265; 185 parking spaces) | | | |
|---|-------------|-----------------------------|-----------------------------------|
| Date | Time | # of occupied spaces | # of Vacant parking spaces |
| 2.7.20 (Friday) | 6:00 pm | 102 | 83 |
| | 9:00 pm | 116 | 69 |
| | 12:00 am | 44 | 141 |
| 2.8.20 (Saturday) | 6:00 pm | 84 | 101 |
| | 9:00 pm | 96 | 89 |
| | 12:00 am | 45 | 140 |
| 2.14.20 (Friday) | 6:00 pm | 76 | 109 |
| | 9:00 pm | 87 | 98 |
| | 12:00 am | 43 | 142 |
| 2.15.20 (Saturday) | 6:00 pm | 108 | 77 |
| | 9:00 pm | 106 | 79 |
| | 12:00 am | N/A | N/A |
| 2.16.20 (Sunday) | 12:00 pm | 88 | 97 |
| | 2:00 pm | N/A | N/A |
| 2.21.20 (Friday) | 6:00 pm | 114 | 71 |
| | 9:00 pm | 119 | 66 |
| | 12:00 am | 46 | 139 |
| 2.22.20 (Saturday) | 6:00 pm | 117 | 68 |
| | 9:00 pm | 162 | 23 |
| | 12:00 am | 103 | 82 |
| 2.23.20 (Sunday) | 12:00 pm | 115 | 70 |
| | 2:00 pm | 65 | 120 |
| 2.28.20 (Friday) | 7:00 pm | 144 | 41 |
| | 9:00 pm | 80 | 105 |
| | 12:00 am | 47 | 138 |
| 2.29.20 (Saturday) | 6:00 pm | 183 | 2 |
| | 9:00 pm | 83 | 102 |
| | 12:00 am | 61 | 124 |
| 3.02.20 (Sunday) | 12:00 pm | 72 | 113 |
| | 3:00 pm | 100 | 85 |

Shortly after this informal study, the COVID epidemic significantly impacted the business at The Whistle, making a parking study meaningless. It has been ten months since the onset of COVID and with continued uncertainty regarding its impact on businesses such as these two businesses, the Applicants are requesting to move forward with their plans to separate the businesses. Recently Staff received the following from Mr. Mikesell: *"We have taken care of the parking situation and freed up to 25 spaces for UFC or any other special event nights. Our staff will no longer be parking onsite on days those events occur. We have secured parking for EMPLOYEES at Marquette Bank instead of the patrons, at the recommendation of the board and plan commissioners. We felt it would be more efficient and safer for employees to park elsewhere instead of our customers. Pre-COVID, at the worst of times, we would be just a couple of spots short for a very limited time. By removing roughly 25 employee spots from the parking lot any/all of the issues will be rectified."*

Per the table above it appears there was adequate parking for the majority of the time with the exception of February 29th, which was the night of a UFC fight. These events appear to be very popular at The Whistle; therefore the ability to park employees off site will prove to be helpful. Additionally, there is on-street parking available in the area. It is

also important to note that per code, banquet facilities can be up to 4,000 sq. ft. in size; the WEC is almost half of that at 2,120 sq. ft. in size. As stated above; the banquet space has been in operation since February of 2020 and could continue to operate under the business license for The Whistle without any further consideration of parking if the owners chose to do so.

As stated many times by staff "parking is an imperfect science". Parking requirements vary greatly depending on the use. Even with the same use, such as restaurant uses for example, parking needs can be impacted by the size, success, type of operation (fast casual vs fine dining), hours of operation and location resulting in no single parking ratio working for all business types. Despite COVID, the banquet facility operated without incident with respect to parking. There are several vacancies in the building, however since the property is under single ownership the potential to limit future conflicting uses and parking demand is possible.

There are 185 parking spaces that surround the Brementowne Mini-Mall. The majority of the parking fields are on the north (54 spaces), west (52 spaces) and the east (51 spaces). There are 28 spaces on the south side of the property. The entrance for *The Whistle Sports Bar & Grill* is on the east side of the building; they primarily use the 51 spaces on the east side of the center as well as some of the north parking field. WEC will have its entrance on the north side of the building. Currently the north side of the mall includes one vacancy (3,000 sq. ft.) and the fast casual Burrito Jalisco restaurant. The remaining commercial tenants primarily use the west parking field where there are two vacant tenant spaces. The south parking area primarily services the professional offices which maintain daytime hours and do not conflict with the parking needs of *The Whistle*. Below is a breakdown of the tenant spaces (occupied and vacant) for the Brementowne Mini-mall along with the parking requirements as outlined in the Village Code.

TABLE B

| ADDRESS | USE | SIZE (SQ. FT.) | PARKING REQUIREMENT |
|-----------------|-----------------------------------|----------------|------------------------|
| Occupied | | | |
| 7537A | The Whistle | 4,450 | 54 |
| 7537B | Whistle Events and Catering (WEC) | 2,120 | 32 |
| 7537 | Burrito Jalisco | 3,000 | 15 |
| 15911 | Rosati's carry out | 1,200 | 7 |
| 15915 | Tinley Wine & Spirits | 5,000 | 33 |
| 15923 | Barbershop | 1,000 | 9 |
| 15931 | Alamal Alarabi grocery | 3,000 | 20 |
| Suite 100 | The Whistle office space | 700 | 3 |
| Suite 200 | Office | 1,200 | 5 |
| SUBTOTAL | | | 178 |
| 7545 | Office/retail* | 3,000 | 12-20 |
| 15919 | Office/retail | 700 | 3-5 |
| 15927 | Office/retail | 700 | 3-5 |
| Suites 300-600 | Office | 3,000 | 12 |
| SUBTOTAL | | | 26-38 |
| TOTAL | | | 208-220 (23-35) |

*a range is provided since the future use is unknown

Unfortunately, the parking ratios outlined in the Village's code are outdated and do not cover all landuses. There is really no 'standard of the industry' between communities and most communities rely on parking studies from professional parking consultants or reference some of the published parking manuals. Staff has utilized the Institute of Transportation Engineers (ITE) "Parking Generation Manual" for many of the Village's parking needs. This 5th edition was published in 2019 and is based on numerous studies under different circumstances and environments. Similar to the statement above, "parking is an imperfect science", the manual cautions "users to use professional judgement in applying all data contained in this report. (Users) need to be cognizant of site and area characteristic that can affect parking demand (e.g., availability of transit services, demand management strategies, parking pricing, shared parking) and of the continued need for additional data.)"

To illustrate a few of the inadequacies of the existing parking regulations, for example, staff notes there is no advantage for shared parking opportunities in the Village Code. Per Section VIII A., regarding **“Joint Parking Facilities: Two or more buildings or uses may collectively provide the required off-street parking; however, the number of parking spaces shall not be less than the sum of the requirements for the various individual uses computed separately.** Therefore, there is no advantage given for shared parking situations. For retail uses there is a requirement of 1 parking space per 150 sq.ft. of gross leasable floor area (6.6 spaces/1,000 sq.ft.) and the code only provides an advantage of .1 space per 1,000 sq.ft. for a planned shopping center which requires 6.5 spaces per 1,000 sq.ft. However, the ITE manual states the average parking supply ratios for Shopping Centers in their study sites ranged from 4.7 spaces /1,000 sq.ft. in multi-use urban settings to 5.1 spaces /1,000 sq.ft. They gathered their data from strip, neighborhood, community, town center and regional shopping centers. Some of the centers contained non-merchandising facilities, such as office buildings, movie theaters, restaurants, post offices, banks, health clubs and recreational facilities.

As a point of comparison the Tinley Park Plaza (Brixmor) was originally approved at a ratio of 4.64 spaces/1,000 sq.ft and the recent approval for new retail increased that to only 4.76 spaces per 1,000 sq.ft. Utilizing any of these ratios (4.64 to 5.1/1,000sq.ft.) significantly reduces the parking demand for the Brentwood Mini-mall from 212-224 spaces to 130-149 spaces—well below the 185 parking spaces provided on-site. It is important to note however that these ratios attempt to cover all uses in a center- including restaurants which are often considered to have high parking needs. The importance of providing this information is merely to illustrate that parking is at best—a good guess. The other factor to consider in multi-tenant situations is that parking needs are fluid. As occupancy changes so does the overall parking demand. The single ownership of the center does provide some control in that the landlord will presumably protect all uses by making sure there is compatibility amongst the tenants for parking usage.

In summary, even though there is evidence that parking requirements have a wide range of ratios, the Village has an adopted parking code that was recently updated to accommodate banquet facilities. Per the Village code the proposed banquet facility requires 32 spaces. If all the vacant spaces were leased to office uses a variation of 23 spaces is required; if leased to retail a Variation of 35 spaces is required.

STANDARDS FOR A VARIATION

Section X.G.4. of the Zoning Ordinance states the Plan Commission shall not recommend a Variation of the regulations of the Zoning Ordinance unless it shall have made Findings of Fact, based upon the evidence presented for each of the Standards for Variations listed below. The Plan Commission must provide findings for the first three standards; the remaining standards are provided to help the Plan Commission further analyze the request. Staff has prepared the following draft responses for the Findings of Fact for review.

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.
The Variation for parking is requested to allow a banquet use that is currently operating (and can continue to operate) under the business license of The Whistle Bar & Grill. The Variation will allow for the WEC to operate as a separate business which the Applicant states is necessary to continue its successful operation.
2. The plight of the owner is due to unique circumstances.
The Variation is required due to the parking requirements of a multi-tenant shopping center. The parking code does not provide for shared parking opportunities.
3. The Variation, if granted, will not alter the essential character of the locality.
The use currently exists as an accessory operation of the restaurant and bar. If the Variation is granted it will not change the overall parking needs of the center. The applicant has provided for off-site parking for employees if the need arises.

4. Additionally, the Plan Commission shall also, in making its determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the Petitioner have been established by the evidence:
 - a. The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
 - b. The conditions upon which the petition for a Variation is based would not be applicable, generally, to other property within the same zoning classification;
 - c. The purpose of the Variation is not based exclusively upon a desire to make more money out of the property;
 - d. The alleged difficulty or hardship has not been created by the owner of the property, or by a previous owner;
 - e. The granting of the Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
 - f. The proposed Variation will not impair an adequate supply of light and air to an adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

STANDARDS FOR A SPECIAL USE

As a separate business entity, the WEC requires a Special Use Permit. The Commission may place conditions on approval of a Special Use that are uniquely attributable to the perceived impact of the proposed use. It is also important to recognize that a Special Use Permit does not run with the land and instead the Special Use Permit is tied to the Applicant. Therefore, the Commission can take into consideration the business practices and other items typically included in a Business Plan.

As with all Special Use applications, the Commission must recognize the unique characteristics of the proposed use that does not allow it to be *"properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location."* The proposed banquet use falls under the special use category that is *"entirely private in character, but of such nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities."* The Plan Commission is encouraged to consider these standards when analyzing the Special Use request. The Applicant has provided a response to these standards and is attached to this report as Exhibit C. Staff will provide a draft Findings at the Public Hearing.

Section X.J.5. of the Zoning Ordinance lists standards that need to be considered by the Plan Commission. The Plan Commission is encouraged to consider these standards (listed below) when analyzing a Special Use request. Draft findings have been provided by Staff for review below. The Petitioner has provided responses in the attached document.

Section X.J.5. of the Zoning Ordinance no Special Use shall be recommended by the Plan Commission unless said Commission shall find:

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare; **The approval of the banquet use is similar to existing uses in the center and will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The Applicant has taken special precautions for potential parking issues should they arise.**
- b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; **The surrounding area is fully developed. The center has been in operation since 1973 with a variety of uses, some of which have resulted in higher parking demands. The proposed use currently exists.**
- c. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district; **The surrounding area is fully developed. The proposed use currently exists.**
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided; **The center has been in operation since 1973 and had operated with adequate utilities, access roads, drainage, and/or other necessary facilities.**
- e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and **The center has been in operation since 1973 and had operated with adequate utilities, access roads, drainage, and/or other necessary facilities.**
- f. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission. The Village Board shall impose such conditions and restrictions upon the premises benefited by a Special Use Permit as may be necessary to ensure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the general intent of this Ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this Ordinance. **A parking variation is required and has been requested. The requested use meets all other code requirements.**
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole. **The granting of the Special Use will allow the banquet use to continue as a separate business.**

MOTIONS TO CONSIDER

If the Plan Commission wishes to take action on the Petitioner's requests, the appropriate wording of the motions is listed below. The protocol for the writing of a motion is to write it in the affirmative so that a positive or negative recommendation correlates to the Petitioner's proposal. By making a motion, it does not indicate a specific recommendation in support or against the plan.

Motion 1 – Variation

"...make a motion to recommend that the Village Board grant a parking Variation to the Petitioner, Stephanie Mikesell, on behalf of Whistle events and Catering, for property located at 7537B 159th Street, and adopt Findings of Fact as proposed in the January 7, 2021 Staff Report.

Motion 2 - Special Use

"...make a motion to recommend that the Village Board grant the Petitioner, Stephanie Mikesell, on behalf of Whistle events and Catering, a Special Use Permit for a Banquet Facility for property located at 7537B 159th Street.

[any conditions that the Commissioners would like to add]

STANDARDS AND CRITERIA FOR A SPECIAL USE Section X.J. of the Village of Tinley Park Zoning Ordinance requires that no Special Use be recommended by the Plan Commission unless the Commission finds that all of the following statements, A-G listed below, are true and supported by facts. Petitioners must respond to and confirm each and every one of the following findings by providing the facts supporting such findings. The statements made on this sheet will be made part of the official public record, will be discussed in detail during the public meetings and will be provided to any interested party requesting a copy. Please provide factual evidence that the proposed Special Use meets the statements below. If additional space is required, you may provide the responses on a separate document or page.

A. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

The addition of the banquet hall will not be detrimental to or endanger the public in anyway. In fact we are occupying a vacant space that meets building codes and can accommodate the necessary parking that is required.

B. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

All activity at this location will be held inside, with this being said, property will not be impaired. Our business will not impact other businesses parking spaces. As known, there are 185 total parking spaces and The Whistle and Whistle Events require only 91 parking spaces. On February 9th of 2020 we were at full capacity at The Whistle Sports Bar and Grill. Meanwhile, the event location had 90 guests present. I surveyed the parking lot during max capacity with all other businesses open, besides the chiropractor being the only business closed, in which, this business only has a maximum of four clients at any given time. With this being said, the parking lot had vacancy of 30 spaces.

C. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

We are within a pre-existing shopping center.

D. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided.

Yes, there are adequate facilities to support use.

E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

The existing shopping center has four means of ingress and egress.

F. That the Special Use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission.

We will comply to all regulations that are required and recommended by the village board and the planning commission. As stated above, we have more adequate parking than actual need-basis to support the additional events and catering location.

G. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.

The fabrication of the events and catering side was built into a pre-existing shopping center. However, upon construction this location had been vacant for several years prior to the build-out. The addition can prove that it can help generate revenue for the city of Tinley Park by providing a location in which other businesses, private events, and the chamber of commerce can host events. These events may be to show gratitude to their employees, to celebrate personal events, and/or the celebration of life.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE FEBRUARY 20, 2020 REGULAR MEETING

ITEM #2 WORKSHOP: WHISTLE BANQUET FACILITY - 7537 159TH STREET

Consider recommending that the Village Board grant Stephanie Mikesell and Bobby Sanfilippo, on behalf of Whistle Events and Catering, a Special Use Permit for a Banquet Facility located in the Brementowne Mini-Mall at 7537 159th Street in the B-1 (Neighborhood Shopping) zoning district.

Present were the following:

Plan Commissioners: Garrett Gray, Chairman
 Mary Aitchison
 Eduardo Mani
 Curt Fielder
 James Gaskill
 Angela Gatto
 Stephen Vick

Absent Plan Commissioner(s): Tim Stanton
 Lucas Engel

Guests: Mark Mikesell, Petitioner
 Robert Sanfilippo, Petitioner

Paula Wallrich, Planning Manager, presented the Staff Report for Whistle Events and Catering (WEC). The Applicants, Stephanie Mikesell and Bobby Sanfilippo, on behalf of Whistle Events and Catering, are requesting a Special Use Permit for a Banquet Facility located in the Brementowne Mini-Mall at 7537 159th Street in the B-1 (Neighborhood Shopping) zoning district.

Ms. Wallrich reported that the property is zoned B-1 (Neighborhood Shopping District) and is located in the Brementowne Mini-Mall. The Village Board recently adopted Ordinance 19-O-48 which limits banquet facilities in the B-1 District to no greater than 4,000 sq. ft. in area. It also requires parking to be provided at a ratio of 1.5 spaces per 100 sq. ft. of usable floor area. It is the intention of the Applicants to restructure the event space currently operating under the business and liquor license of the Whistle Sports Bar & Grill (WSBG) into an independent business operating under the name Whistle Evens and Catering (WSBG).

The WSBG currently operates the event space adjacent to the restaurant/bar under the same business and liquor license as the Whistle Sports Bar & Grill. They would like to run the catering business independent of that. Per the amended code for stand-alone banquet facilities they will need a Special Use to operate independently from WSBG because they are located in a B-1 district.

The Brementowne residential subdivision preceded the Brementowne Mini-Mall. In 1974 the apartment complex immediately to the east of Brementowne Mini-Mall was constructed. The mall is surrounded by residential uses but fronted the 159th Street commercial corridor. The Mall is comprised of 28,400 sq. ft. Of the twelve tenant spaces available there are five vacant spaces. Three of these are retail on the north end of the west side and two of them are office areas on the south side. The WSBG opened in June of 2017. They occupy 4,450 sq. ft. and are located in the northeast corner of the center with approximately 128 seats

and an occupancy limit of 166 people. Ms. Wallrich noted that with their success they would like to expand to an event and catering business.

Ms. Wallrich then outlined the chronology of events related to the Special Use request noting that in May of 2019, the Petitioners approached the Village to obtain a liquor license for the new business. At that time, they were unaware that banquet facilities were not allowed in B-1 and therefore could not operate a banquet facility in the Brementowne Mini-mall. Staff outlined the only option they have was to open the banquet business as part of the existing WSBG business with a door connecting the two businesses. Mr. Sanfilippo stated at that time that he wanted an independent business known as WEC. Staff advised them that the only option was to present a Text Amendment to the Village Board. The text amendment process began in June of 2019 when it was presented to the Community Development Committee for review. Ms. Wallrich noted that at that meeting the overwhelming issue was parking in the B-1 district. As a result of that meeting the maximum size for a banquet facility was reduced from 5,000 sf to 4,000 sq. ft. She noted that the B-1 district is the most limited business district due to its close proximity to residential areas. She emphasized the need to make sure there was no parking spillage into the residential areas. She stated that we must be respectful of the residential character of the neighborhoods.

Ms. Wallrich outlined the next step in the process was to take the text amendment to the Plan Commission and then to the Village Board where they also expressed concern about parking in the B-1 district. The Village Board recommended that the parking requirements be changed from 1.0 parking spaces per 100 sq. ft. to 1.5 spaces per 100 sq. ft. The Text Amendment was adopted in September of 2019.

The WBSG submitted their application to extend their business into the adjacent tenant space for an event space. They were told they had to keep a doorway between the two and the plans were approved with the doorway connecting the two spaces. The building permit was issued in September 2019. Upon final inspection it was noticed that the doorway between the two was not installed as required by the approved building plans and the inspection failed. Subsequently a doorway was constructed and on February 6, 2020, the Occupancy Permit was issued. Prior to issuance of the Occupancy Permit the applicants stated they wanted a separate business and liquor license from WBSG however staff again informed them that they needed a Special Use to accomplish that. The applicant filed a Special Use application on February 11, 2020.

Ms. Wallrich then presented the zoning for the project noting that the subject property is zoned B-1 (Neighborhood Shopping District) and is bordered by 159th Street on the north, the 7-11 Convenience store to the west zoned B-3 (General Business and Commercial) and multifamily uses zoned R-5 (Low Density Residential) just south of the 7-11 store. South of the center are single family homes zoned R-4 (Single Family Residential) and immediately east of the subject parcel is an apartment complex (Residences at 159) zoned R-6 (Medium Density Residential).

She noted that the B-1 District is intended “to provide area for retail and service establishments to supply convenience goods or personal services for the daily needs of the residents living in adjacent residential neighborhoods. The district is designed to encourage shopping center with planned off-street parking and loading and to provide for existing individual to small groups of local stores”.

Ms. Wallrich then explained the new definition that was adopted with the new text amendment which defines a Banquet Facility as:

BANQUET FACILITY: “A facility that is available for lease for private events including, but not limited to weddings, anniversaries, corporate or family parties and other similar celebrations. Such use may or may not include on-site kitchen or catering facilities”.

She explained that the applicants have supplied a business plan in the packet which states “Whistle Events and Catering has the objective of providing excellent food and service for everyone’s Catering and Private Party needs. Our target market will be catering and providing a party room to local business and residents”

Ms. Wallrich noted they will not be producing the food there; they will be catering from the outside or from the WSBG.

Ms. Wallrich then instructed the Commission that with Special Use the Commission will be reviewing at the proposed use and evaluate its impact on the surrounding uses.

Ms. Wallrich noted the two standards that she encourages the Commission to look at would be “b” and “f”.

Ms. Wallrich identified the Standards for Special Use.

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- c. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
- e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- f. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission. The Village Board shall impose such conditions and restrictions upon the premises benefited by a Special Use Permit as may be necessary to ensure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the general intent of this Ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this Ordinance.
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community.

Ms. Wallrich noted that Staff’s biggest concern is the parking. There are 185 parking spaces that surround the Brementowne Mini-Mall. She referenced a graphic that indicated there were spaces on the north (54 spaces), west (52 spaces) and the east (51 spaces); there are 28 spaces on the south side of the property. The entrance for The WSBG is on the east side of the building WEC will have its entrance on the north side of the building which includes one vacant tenant space. The remaining commercial tenants primarily use the west parking field where there are two vacant tenant spaces. The south parking area primarily servicing the professional offices where there are two vacant spaces.

Ms. Wallrich then proceeded with a discussion on the parking situation at Brementowne Min-Mall. Overall, without taking individual users, such as restaurants, into consideration, the ±28,400 sq. Ft. center requires 190 parking spaces at a ratio of one parking space per 150 sq. ft. (Section III S.2.) Restaurants are required to provide one space for each three seats plus one space for each employee (Section VIII A.10.) The WSBG has 128 seats/15 employees; therefore 58 spaces are required. Banquet Facilities in the B-1 are required to provide 1.5 parking spaces per 100 sq. ft. The proposed WEC comprises 2120 sq. ft. therefore 32 parking spaces are required. These two uses alone have a total parking requirement of 90 spaces or 47% of the existing parking, leaving 100 spaces for the balance of the tenants in the center (occupied and vacant). Deducting the square footage of these two spaces from the total for the center (28,400 sq. ft. for the Whistle, 6,570 sq. ft. for WEC) results in 21,830 sq. ft. left for remaining tenant or vacant spaces, again without considering the use of the tenant spaces. . This balance of tenant space translates to a parking need of 146 spaces (using the general formula of one parking space per 150 sq. ft.) resulting in a deficit of 46 parking spaces. She noted that even this uses the generic formula of one space per 150 sq. ft. there are two restaurants in the center.

Ms. Wallrich identified a table summarizing the parking statistics:

| | AREA (SQ. FT.) | PARKING REQ. | PARKING PROVIDED | PARKING DEFICIENCY |
|-------------------------|----------------|--------------|------------------|--------------------|
| Brementowne Mall | 28,397 | 190* | 185 | 5 |
| Whistle Bar/Grill | 4,450 | 58 | | |
| WEC | 2,120 | 32 | | |
| Other tenants/vacancies | 21,830 | 146 | | |
| Total for tenants | | 236* | | 46 |

* Based on general commercial uses at 1 space/150 sf- does not account for special requirements for restaurants, medical or professional offices or personal services

Ms. Wallrich requested the Police Department to do a parking evaluation on a Friday evening at 9:00. The Police stated there was 116 cars parked in the lot. Staff is requesting the Applicant do a Professional Parking Study to make sure the parking does not impact the neighborhood.

CHAIRMAN GRAY invited the Petitioners to comment.

Mr. Mikesell and Mr. Sanfilippo both approached the podium. Mr. Mikesell thanked Paula and the Commission for their time.

Mr. Mikesell stated that he opened the Whistle in 2017 which has been very successful. They want to open an Events and Catering business separate from WSBG They are already operating the Bar and Grill and the Catering Business. Whether there are two businesses or one business there will be the same parking needed. The other businesses in the Mall don't have a lot of cars at the same time. The Chiropractor has 4-5 cars during the day. The Liquor store has 3-4 cars at any time. The Mexican Restaurant has 10-12 cars and the Grocery store has 10-12 cars. They will be doing bridal showers and funeral lunches during the day and won't be too busy on the event side. He noted that when the restaurant is at capacity with two parties there is still about 20 spaces open. Many of the neighbors from the

residential area park on the lot instead of their driveways. We do not want to tow them. They want to operate as separate businesses. They do not see the parking as an issue.

Ms. Wallrich noted that the code requires a Special Use if you wish to operate a banquet facility separate from the existing sports bar. The code was amended purposefully so that the Village Board can consider potential impacts from a banquet use on adjacent uses and in this case to protect adjacent residential property. They can continue to operate as they are as an extension of the WSBG and the parking will be handled through typical enforcement mechanisms. The specific concern regarding parking for this project is if there are vacancies in the Mall that when filled will impact the parking count.

CHAIRMAN GRAY asked for comments from the Commissioners:

COMMISSIONER VICK noted he lives right over there and has patronized some of the businesses. He has noted there is adequate parking in the lot. When there are big games on Sunday the lots are fuller. The peak times for the other businesses are different from the Whistle.

Ms. Wallrich noted the banquet facility has a seating capacity of 78 and a fire capacity of 99.

COMMISSIONER GASKILL noted his concern would be the parking. With the spaces per sq. ft. it takes up half the lot.

COMMISSIONER AITCHISON noted when some business are busy others are not. I have been to the Whistle and have not had a problem with parking. The only concern would be on Sunday when there is a Bear's game.

COMMISSIONER FIELDER noted it is already operating as a banquet facility under the Whistle. Will we have time to prove that parking is not an issue? Can we give them 6 months to see how it works out? At this time the parking is working. If the landlord fills up the Mall it could become a problem. Parking may or may not be an issue if the Mall is full.

Ms. Wallrich replied, the parking situation could continue to be monitored however they are requesting to separate the businesses. The Special Use was created to allow for an independent Banquet Facility which requires a different parking requirement from a restaurant use. They have expressed they do not want to keep the two businesses together. There are 128 seats designed by the architect and a fire occupancy of 166 for WSBG; the event space has 76 seats with an occupancy of 99. Between the two spaces the total is 204 seats designed with a maximum occupancy of 265.

COMMISSIONER GATTO noted she was there on the night of a fight and the parking lot was full. She had to drive around the parking lot three times to get a parking spot. People were parking on the street. This was a night when people were occupying the banquet area. If they are having a banquet facility that holds 90 people and the bar & grill, it could be a problem. I feel they should have a parking study done.

Mr. Mikesell noted he has never had problems with parking on a Sunday night. He noted they could be in touch with Marquette Bank for shared parking. Mr. Ritter noted Marquette Bank is in Orland Park and across a busy 4 lane commercial roadway (159th Street). Ms. Wallrich noted the Ordinances for Orland are similar to Tinley Park and do not allow off premise parking. COMMISSIONER MANI noted if a study on the parking would be done, it would have to be done when the Mall is completely full.

COMMISSIONER VICK noted both spaces are up and operating. The two businesses would need an administrative side to help cut the cost. The parking now is not an issue as they have been operating now.

Ms. Wallrich noted if the vacancies become occupied that could be a problem and we would not want to be in a position to put pressure on an existing business that could result in closing it down. We

encouraged the Applicants to apply for a Special Use in the beginning prior to beginning construction and they elected not to do that. There are vacancies and the mall owner will try to get them occupied.

Mr. Mikesell noted there is no room at the Mall for another restaurant. If they do fill up the Mall will they ask him to shut down?

COMMISSIONER GRAY noted the plan all along was to have two separate entities. In June of last year, the ball was rolling on the banquets. Why didn't they wait to see what the protocols are for the Special Use? They do have a good business. A parking study should be conducted by a professional. As other business come in there could be potential for parking problems.

Mr. Mikesell replied they did not realize there was a parking problem when they had already signed the 5-year lease. We did not realize this was a B-1. If we would have known all this we would not have signed the lease. He noted they are open until 2:00 am and the other businesses are not open at that time. We have made \$100,000 in donations to the community and we have a quarter million investment in the property. If he knew he had to do a professional parking study we would have already done that. He will investigate it.

Ms. Wallrich noted the Public Hearing has been noticed for March 5, 2020.