



MINUTES OF THE PLAN COMMISSION

VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS

FEBRUARY 4, 2016

The regular meeting of the Plan Commission was held in the Council Chambers of Village Hall on February 4, 2016 at 7:30 p.m.

ROLL CALL

Plan Commissioners:	Bob McClellan Gina Miller Mark Moylan Art Pierce Tim Stanton
Absent Plan Commissioner(s):	Bill Reidy Tom Mahoney Rita Walker, Chairman
Village Officials and Staff:	Amy Connolly, Planning Director Paula Wallrich, Deputy Planning Director Stephanie Kisler, Planner David Niemeyer, Village Manager Michael Mertens, Assistant Village Manager Tom Melody, Village Attorney David Seaman, Mayor Michael Pannitto, Trustee Jacob Vandenberg, Trustee Brian Younker, Trustee Bernard Brady, Trustee Debra Kotas, Commission Secretary

CALL TO ORDER

Acting Plan Commission Chairman Art Pierce called to order the regular meeting of the Plan Commission for February 4, 2016 at 7:32 p.m.

APPROVAL OF MINUTES

Minutes of the January 21, 2016 regular meeting of the Plan Commission were presented for approval. A motion was made by COMMISSIONER MOYLAN, seconded by COMMISSIONER STANTON to approve the Minutes as presented. THE MOTION WAS APPROVED UNANIMOUSLY by voice call. ACTING PLAN COMMISSION CHAIRMAN PIERCE declared the motion approved.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE FEBRUARY 4, 2016 MEETING

ITEM #1: BROOKSIDE MEADOWS PHASE II – NORTH OF LAPORTE ROAD AND WEST OF LONGMEADOW DRIVE – FINAL PLAT OF APPROVAL

Consider a proposal from Crana Homes, represented by Ted Virgilio of Brankecki-Virgilio & Associates, Inc. for property located north of LaPorte Road and west of Longmeadow Drive, within the Brookside Meadows subdivision. The Petitioner requests approval of the Final Plat of Subdivision for the Brookside Meadows Planned Unit Development Phase II. The Brookside Meadows Planned Unit Development was approved in 2006 by the Plan Commission and Village Board. The Final Plat for Phase II includes a total of fifteen (15) buildings with a total of fifty-eight (58) single-family attached residential units.

Present were the following:

Plan Commissioners:	Bob McClellan Gina Miller Mark Moylan Art Pierce Tim Stanton
Absent Plan Commissioner(s):	Bill Reidy Tom Mahoney Rita Walker, Chairman
Village Officials and Staff:	Amy Connolly, Planning Director Paula Wallrich, Deputy Planning Director Stephanie Kisler, Planner David Niemeyer, Village Manager Michael Mertens, Assistant Village Manager Tom Melody, Village Attorney David Seaman, Mayor Michael Pannitto, Trustee Jacob Vandenberg, Trustee Brian Younker, Trustee Bernard Brady, Trustee Debra Kotas, Commission Secretary
Guest(s):	Ted Virgilio, Branecki-Virgilio & Associates, Inc.

TED VIRGILIO, Engineer for Branecki-Virgilio & Associates, Inc. is seeking Final Plat Approval for Phase II of the Brookside Meadows Planned Unit Development. He reported Phase II is a continuation of Brookside Meadows Phase I. He stated plans and engineering were done for the entire development, however, due to the economic conditions at the time the developer elected to proceed with only Phase I of the development which included forty-four (44) townhomes

and twenty-one (21) single-family homes. He explained Phase II will consist of fifteen (15) buildings having a total of fifty-eight (58) townhomes. He reported sewer and water will be extensions of what was installed in Phase I and stormwater detention was included in the engineering of the entire development.

PAULA WALLRICH, Deputy Planning Director, presented the Staff Report. She reviewed the site location that is west of the Fairfield Glen Subdivision and south of Arbury Hills. She reported the Brookside Meadows Planned Unit Development was approved in 2006 by the Plan Commission and Village Board and the Final Plat for Phase I being approved in 2007. She noted Phase II includes fifty-eight (58) multi-family units with fifty-six (56) proposed as 4-unit, and two (2) proposed as 3-unit buildings. She reported the minor landscape issues have been corrected and the Landscape Plan has been approved by Staff, and final engineering comments have been addressed, therefore, no outstanding issues remain and the Plan Commission no longer needs to condition their approval.

COMMISSIONER MOYLAN raised concerns regarding the lack of road connections into this phase of the development. He expressed safety concerns with only one road into the subdivision. He suggested connecting Beechnut Drive from the north.

MR. VIRGILIO reported when the subdivision was initially presented, negotiations took place with surrounding areas including Frankfort Township, Frankfort, and Mokena regarding road connections. He stated that originally, there were plans to connect all roads; however, some of the surrounding entities denied this. Since final conceptual plat and final engineering was originally approved in this manner, he stated that the developer is not agreeable to connect Beechnut Drive with the subdivision and has elected to leave the alignment as originally proposed.

There being no further questions or comments from Commissioners for the Petitioner or Staff, COMMISSIONER MCCLELLAN made a motion recommending to the Village Board Final Plat Approval for Brookside Meadows Phase II, north of LaPorte Road and west of Longmeadow Drive.

The Motion was seconded by COMMISSIONER MILLER.

AYE: Plan Commissioners Bob McClellan, Gina Miller, Mark Moylan, Art Pierce, and Tim Stanton

NAY: None

ABSENT: Plan Commissioners Bill Reidy, Tom Mahoney, and Chairman Rita Walker

THE MOTION WAS APPROVED UNANIMOUSLY by voice vote. ACTING PLAN COMMISSION CHAIRMAN PIERCE declared the Motion approved.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE FEBRUARY 4, 2016 MEETING
ITEM #2: THE RESERVE AT TINLEY PARK – NORTHEAST CORNER OF OAK PARK AVENUE AND 183RD STREET – SITE PLAN APPROVAL

Consider a proposal from Mr. David Petroni, on behalf of Buckeye Community Sixty-Nine, LP, for Site Plan Approval for property located at the northeast corner of Oak Park Avenue and 183rd Street (PIN 28-31-416-005-0000) and within the NF (Neighborhood Flex) Zoning District and the Village's Legacy District. The Petitioner is proposing to construct a three-story, forty-seven (47) unit multi-family residential building with related site improvements, including landscaping and stormwater detention.

Present were the following:

Plan Commissioners:	Bob McClellan Gina Miller Mark Moylan Art Pierce Tim Stanton
Absent Plan Commissioner(s):	Bill Reidy Tom Mahoney Rita Walker, Chairman
Village Officials and Staff:	Amy Connolly, Planning Director Paula Wallrich, Deputy Planning Director Stephanie Kisler, Planner David Niemeyer, Village Manager Michael Mertens, Assistant Village Manager Tom Melody, Village Attorney David Seaman, Mayor Michael Pannitto, Trustee Jacob Vandenberg, Trustee Brian Younker, Trustee Bernard Brady, Trustee Debra Kotas, Commission Secretary
Guest(s):	David Petroni, Buckeye Community Hope Foundation

Prior to presentations by the Petitioner and Staff, MAYOR DAVE SEAMAN addressed the audience and the Plan Commission. He stated he understands the public is upset and their presence this evening is evidence of that. He stated the process fell short in terms of getting input on all projects and was a flaw in adoption of the Legacy Code in catching the steps necessary in the process. He is requesting the Board retain special counsel, a subject matter expert in zoning, to review current Code and provide counsel to the Planning Department and the Plan Commission in terms of how

those codes can be revised in a way to best meet the needs of the public in terms of having input and the information necessary to facilitate decision making. He is also seeking to appoint four (4) citizens to join in the effort and have an opportunity to participate in the process and conversation with the subject matter expert so when it comes to the point of presenting this to the Planning Committee of the Board and the Plan Commission there will be a much more full input. MAYOR SEAMAN selected MATT COUGHLIN, TRENT RIDGWAY, CHARLEY SMITH, and ROXANE DEVOS TYSSSEN to work with the Planning Staff, the Planning and Zoning Committee of the Village Board, and the subject matter expert retained by the Village.

MAYOR SEAMAN proceeded to explain some of the challenges with Legacy Code. He noted it is a new, form-based code and though it was adopted several years ago, there has been nothing to apply it to since nothing has been happening in the downtown area due to recession. He suggested looking closely at the downtown area because there should be a lot of focus there in terms of density and other consequences that occur in that type of downtown development. He explained the intent of the process was to eliminate government input or intrusion. He stated the subject matter expertise will make this more clear and facilitate the Village Board in taking corrective action and provide Staff with more direction in the future. He concluded by stating with public input and participation it is the intent to make these codes better to do what is best for Tinley Park.

TRUSTEE JACOB VANDENBERG, 17248 S. Harlem, also wished to address the Plan Commission and members of the audience. As Chairman of Planning and Zoning, he requested members of the Plan Commission table agenda item #2, The Reserve. He reported conducting his own due diligence on the process and transparency of the project and not allowing threats to derail proper vetting of the project. He addressed MR. PETRONI of Buckeye Community Sixty-Nine LP, stating he is not requesting this item be tabled due to affordable housing and that he and the community will not be accused of improper motives.

TRUSTEE VANDENBERG reported reading 2,500 documents including email correspondence between Village Staff, the project developer, and the development team members. He stated he was disgusted and appalled in the material he was privy to as a Trustee and feels shocked and betrayed. He stated the correspondence seemed improper at a minimum and included information such as timelines, maneuvers, loopholes, and exclusions of Trustees from information with the end result as the zoning process being circumvented. He believes there was insufficient time for himself and the Board of Trustees to examine the project adding an uninformed vote is not a valid vote. He believes the development had no intention of building to Village codes.

Due to volume of data, TRUSTEE VANDENBERG requested to table this agenda item indefinitely. He is requesting his fellow colleagues place a moratorium on any Legacy District development. He is also requesting to retain an independent investigator to review the events surrounding the project and interaction with Village Staff.

TRUSTEE VANDENBERG referred to a zoning compliance letter that he was copied on. He reported he was first given this memorandum on 02/01/2016 and upon review, did not recall every receiving the memorandum. He stated he checked email and also requested the Village IT Department to search the Village server but could not find evidence it was ever sent. He reported bringing this to the attention of the Board and also requested the Village Manager conduct an internal investigation.

In conclusion, TRUSTEE VANDENBERG requested the Plan Commission table this item until it can be determined what occurred during the process and be able to adequately vet the project in accordance with Tinley Park zoning codes and laws of the State of Illinois.

COMMISSIONER MCCLELLAN stated in light of what was stated by several Trustees and the Mayor at the Village Board Meeting of 02/02/2016, he does not believe the Plan Commission is in a position to vote for Site Plan Approval for the project at this time. He clarified this is not a denial of project but made a motion to refer it back to the Planning Department for further review.

The Motion was seconded by COMMISSIONER MOYLAN.

AYE: Plan Commissioners Bob McClellan, Gina Miller, Mark Moylan, Art Pierce, and Tim Stanton

NAY: None

ABSENT: Plan Commissioners Bill Reidy, Tom Mahoney, and Chairman Rita Walker

THE MOTION WAS APPROVED UNANIMOUSLY by voice vote. ACTING PLAN COMMISSION CHAIRMAN PIERCE declared the Motion approved.

ACTING PLAN COMMISSION CHAIRMAN PIERCE opened the meeting to public comment.

MATT COUGHLIN, 17245 68th Court, thanked members of the Plan Commission for the decision made this evening. He stated that as civil servants it is the expectation that the public is never misled or information held back. He added the citizens of Tinley Park expect due process and those responsible taken to task.

WILLIAM PURCELL, 6743 Pointe Drive, inquired if there will be open meetings with the members selected by MAYOR SEAMAN. TOM MELODY, Village Attorney, acknowledged proper notice will be provided regarding this project. MR. PURCELL also expressed concern regarding decreased property values.

NORM SHEEHAN, 6862 W. 173rd Place, requested transparency with no "closed door" sessions.

CAMILLE TESS, 194th and Harlem, inquired how public notice regarding the project will be given. DAVID NIEMEYER indicated notice will be given via press release to the newspapers, Village website and those registered to receive Village emails.

A member of the audience raised concerns regarding those individuals giving public comment being requested to state their address as a possible violation of the Open Meetings Act. MR. MELODY stated no one has demanded these individuals give their address and are not required to provide that information unless they so choose.

BETH MCKERNAN inquired if during the investigation it was found that Staff acted inappropriately or misrepresented, will there be dismissals. She also inquired who will be responsible for the cost of the investigation. MR. MELODY reported that the Plan Commission has no jurisdiction over employees.

MIKE PAUS, 17204 S. 71st Avenue, reported buying his condominium at a severe premium in 2006 comparing it with its current value. He asked the Plan Commission if this development will help or hurt property values in the area.

LESLIE VAICIK, 6419 W. 181st Street, volunteered to also serve on the committee proposed by MAYOR SEAMAN.

MARLENE LEES, 7959 W. 163rd, stated concentrating low-income families in a single area does not create a good quality of life and is a detriment to their survival and is willing to provide information from research regarding this. As a realtor, she stated this development will increase the crime rate and affect area property values.

ED MATUSHEK, 17612 Webster Ct., former Trustee, commented Staff did not have proper direction and requires more guidance from the Village Board. He expressed safety concerns with the development allotting only one (1) parking space per unit and there being no public transportation in the area.

SCOTT JENDRA, 18423 Century Ct., expressed safety concerns stating that public housing increases the crime rate in an area and it is the responsibility of a governing body to protect people.

KAREN NICHOLSON stated she is a realtor in Tinley Park and recently listed a townhome in South Pointe, just south of the proposed development; however, the buyer withdrew their offer once they heard about this development.

STEVE EBERHARDT requested the Plan Commission review the documents submitted to the Illinois Housing Development Authority (IHDA) by the developer. He commented the Planning Director is in no position to provide a legal opinion regarding commercial vs. non-commercial noting the documents provided by the developer indicate no commercial use on the property; however, MR. PETRONI reported a rental office on the first floor of the building. He reported reviewing the Legacy Code and other zoning codes that reflect no definition for "commercial". He reviewed IHDA requirements that were not complied with.

RON ZAWILINSKI expressed safety concerns with the developments close proximity to Central Middle School.

TRENT RIDGWAY, 16836 Odell, thanked the Plan Commission for denial of the cell phone towers. He complimented the Plan Commission on their efforts. He stated he works in the financial industry and offered to provide any expertise needed.

LOUIE LAPORTE reported being a retired Chicago police officer who recently moved to Tinley Park. He stated he is not in favor of low-income housing and believes it will bring trouble to the area.

MONICA RUBAN, 183rd & Ridgeland, stated she is not against low-income housing; however, is against citizens having to abide by codes that others are not. She explained the process she went through, with the assistance of Staff, in having to obtain a variance to replace an existing fence that was not in compliance with current codes.

MAUREEN MARTIN stated the longer it takes to consider this project, the more negative press will potentially occur and will further lower property values. She requested that this be a quick process.

MIKE GLOTZ also expressed concerns with the amount of parking allotted for this development. He questioned the amount of property taxes this development will generate. He also expressed concerns regarding the contractor selected for the project.

NANCY O'CONNOR reviewed the timeline for text amendment changes to the Legacy Code noting final approval by the Village Board 10/06/2016. She questioned why a letter, presumably sent in July 2016 by the Planning Director to the Illinois Housing Development Authority (IHDA) on behalf of Buckeye Construction, indicated the project meets all Village codes when changes to the code had not yet been approved.

CHRISTY HEINS, 7501 Hanover, requested accommodations be made in the other areas of Village Hall for the overflow crowd of people so they are able to hearing the proceedings more clearly. She also volunteered to serve on the concerned citizens committee selected by MAYOR SEAMAN.

It was suggested by an audience member to move any future meetings to a different venue.

TRUSTEE MICHAEL PANNITTO complimented TRUSTEE VANDENBERG on his efforts. He thanked the citizens indicating they won everything they could have won. He thanked the Plan Commission for their service and their decision to table this item. He acknowledged the process is tremendously flawed.

DIANE GALANTE, 8340 Queen Victoria Lane, inquired why the amount of property tax being generated on a particular project is not a consideration when making a decision. She stated the amount of property tax being generated from this development will not cover the education costs of sending children in this development to the area schools. She questioned the need for this development in the Village.

DAVID NIEMEYER, Village Manager, stated that Village Staff appreciates the public's input. He assured Staff will work with the elected officials to continue to ensure Staff does better at findings ways to disseminate and relay information on projects. He reported further information regarding this particular development, including Police Department review, is now on the website. He agreed to work with whatever process the Village Board chooses. He reported he and full-time members of the Staff reside in the Village, care deeply about the Village, and are here to do what is best for the Village in a professional, legal manner.

BETH MCKERNAN inquired what Village Staff feels is positive about bringing this development to Tinley Park. MR. NIEMEYER reported it is only Staff's responsibility to review codes and procedures and ensure they are in compliance. MS. MCKERNAN noted the amount of foreclosed homes within the Village and does not believe there is a need for this development within the Village. She inquired if there were any other applications for low-income, subsidized housing. MR. NIEMEYER indicated he was not aware of any others at this time.

LISA HOFF stated it appears that some individuals are not working within legal codes and guidelines. She expressed frustration regarding not getting specific answers.

ADJOURNMENT

There being no further business, a motion was made by COMMISSIONER STANTON seconded by COMMISSIONER MOYLAN to adjourn the regular meeting of the Plan Commission of February 4, 2016 at 8:58 p.m. THE MOTION WAS UNANIMOUSLY APPROVED by voice call. ACTING PLAN COMMISSION CHAIRMAN PIERCE declared the meeting ADJOURNED.