



**MINUTES OF THE PLAN COMMISSION
VILLAGE OF TINLEY PARK,
COOK AND WILL COUNTIES, ILLINOIS
FEBRUARY 16, 2017**

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on February 16, 2017 at 7:35 p.m.

ROLL CALL

Plan Commission: Kevin Bergthold
John Domina
Anthony Janowski
Peter Kroner
Mark Moylan (arrived at 7:42)
Ken Shaw
Tim Stanton
Ed Matushek III, Chairman

Absent Plan Commissioner(s): Lori Kappel

Village Officials and Staff: Paula Wallrich, Interim Community Development Director
Stephanie Kisler, Planner I
Patrick Connelly, Village Attorney
Patrick Hoban, Economic Development Manager
Barbara Bennett, Commission Secretary

CALL TO ORDER

PLAN COMMISSION CHAIRMAN MATUSHEK called to order the Regular meeting of the Plan Commission for February 16, 2017 at 7:35 p.m.

COMMUNICATIONS

There were none.

APPROVAL OF MINUTES

Minutes of the February 2, 2017 regular meeting of the Plan Commission were presented for approval. A motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER JANOWSKI, to approve the Minutes with the following amendments:

Suggested Amendments:

- COMMISSIONER JANOWSKI noted on page 1, page 6, and page 11 his name was omitted and he was in attendance. Name should be added.
- COMMISSIONER JANOWSKI noted on page 4 the Motion regarding Site Plan Approval was made by COMMISSIONER JANOWSKI and seconded by COMMISSIONER DOMINA.
- COMMISSIONER JANOWSKI noted on page 7 there is a typo, swelling should be dwelling.
- COMMISSIONER KRONER noted on page 3, paragraph 5 it should be noted that he stated he wanted staff to know PVC fencing should be considered precedence.
- COMMISSIONER KRONER noted on page 8, paragraph 9 COMMISSIONER KRONER asked that the table that staff put together regarding the amount of parking for Accessory Residential Use percentages per square footage should be removed.
- COMMISSIONER KRONER noted that he commented on page 9, paragraph 2: “COMMISSIONER KRONER expressed his concern that first floor laundry should be a prohibited use in the Legacy District.”

A motion was made by COMMISSIONER SHAW, seconded by COMMISSIONER DOMINA, to approve the Minutes as amended. The motion was approved unanimously by voice call. CHAIRMAN MATUSHEK 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 16, 2017 REGULAR MEETING

ITEM #1: WORKSHOP: TEXT AMENDMENTS TO THE VILLAGE OF TINLEY PARK ZONING ORDINANCE (SECTION XII: LEGACY CODE) & MAP AMENDMENTS FOR CORRECTIONS TO SCRIVENER'S ERRORS

Continued discussion per direction of the Village Board and the Plan Commission regarding the Legacy Plan and Legacy Code, including the following topics:

- Street Level Commercial Requirements
- Permitted, Special, and Prohibited Land Uses
- Landscape buffers
- Scrivener's errors related to legal descriptions and District boundaries

Present were the following

Plan Commissioners: Kevin Bergthold
John Domina
Anthony Janowski
Peter Kroner
Mark Moylan
Tim Stanton
Ken Shaw
Ed Matushek III, Chairman

Absent Plan Commissioner(s): Lori Kappel

Village Officials and Staff: Paula Wallrich, Interim Community Development Director
Stephanie Kisler, Planner I
Patrick Connelly, Village Attorney
Patrick Hoban, Economic Development Manager
Barbara Bennett, Commission Secretary

1. STREET LEVEL COMMERCIAL REQUIREMENTS

PAULA WALLRICH, Interim Community Development Director, stated there was a CAC (Citizen Advisory Committee) meeting after the last Plan Commission meeting. She reported back to them the comments of this Commission. The CAC agreed with the Commission's comments and there was more discussion as to what would be considered Accessory Residential Uses. There was discussion on how wide the lobbies should be. They were advised that Staff is currently doing the research on lobbies now. The CAC did agree that Special Use is a good idea and they felt that a lobby with a doorperson and mail is a logical and acceptable Accessory Residential Use in a Mixed-Use Development.

CHAIRMAN MATUSHEK stated that requiring a lobby to a residence being a Special Use could create a huge problem and it is not something the Commission wants to see every week just because someone

needs an entrance lobby or a rental office. Beyond that, the consensus seems to be that the Commission is leaning towards a Special Use or anything other than that on Street Level Commercial.

MS. WALLRICH stated Staff is bringing back the comments that were recommended by the Commission to be placed in the proposed Text Amendments. She noted that a PDF of the draft Text Amendments highlighted within the Legacy Code was included in the meeting packet. She stated most of the discussion at the last Workshop was on Street Level Commercial and Accessory Residential Uses.

MS. WALLRICH discussed the definitions for “Street Level Commercial” and “Accessory Residential Uses”. She stated at the CAC they also discussed what “Street Level” meant. Also, she added that Staff recommends requiring a minimum depth of fifty feet (50’) for commercial spaces to avoid shallow commercial units along the street frontage. Another community that has implemented this regulation in their downtown area is Glenview, Illinois. She added that these definitions address various possible development scenarios for mixed-use development in areas where “Street Level Commercial” is required. Depending on the length of frontage of the building it is possible that there is a need for Accessory Residential Uses at the street level. While dwelling units are prohibited, some of the common areas (health clubs, laundries, leasing offices and parking) may need to be located at the street level. The critical issue here is that the façade maintains a commercial presence. She stated that per the Plan Commission and Citizen Advisory Committee’s recommendation, Accessory Residential Uses was added to the list of Special Uses in Table 3.A.2. on page 55 of the Legacy Code.

STEPHANIE KISLER, Planner I, presented examples of four (4) mixed-use buildings in Tinley Park. The percentage or maximum width that a residential lobby could be permitted on the street level was shown in a table. Staff recommends adding a requirement that the lobby frontage appear commercial in character when located adjacent to commercial spaces. She asked the Commission for their opinions on an appropriate regulation for the size of residential lobbies that would be allowed at street level on the street frontage.

MS. WALLRICH noted her recommendation would be a 15’ or 10% average or the lesser of each for the size of the lobby. She added that other communities don’t regulate this. She mentioned another option is to just say a residential lobby is allowed and not worry about the size.

COMMISSIONER KRONER noted size of the lobby should not be an issue.

COMMISSIONER JANOWSKI noted there could be doors in the lobby that enter into commercial. It should be left up to the designers.

MS. KISLER confirmed that the Commission was in favor of adding “Residential Lobby” to the list of Permitted Uses in Table 3.A.1 on page 55. She stated that she will draft this change for review at the next meeting.

COMMISSIONER MOYLAN asked if laundry on the first floor would be prohibited.

MS. WALLRICH stated anything on the first floor that is not commercial would have to go through the Special Use process.

COMMISSIONER KRONER stated that the Commission does not want laundry allowed on the first floor.

PATRICK CONNELLY, Village Attorney, stated we can address the location for residential laundry facilities in the definition for Accessory Residential Uses.

COMMISSIONER JANOWSKI stated the intent of first floor commercial is to create income.

MS. WALLRICH stated we seem to be in agreement on what Street Level Commercial means and at the next Public Hearing Staff can bring a final draft of the proposed Text Amendments.

2. PERMITTED, SPECIAL AND PROHIBITED LAND USES

MS. KISLER noted the modifications to the list of permitted/prohibited uses are:

- Prohibited: “Medical Marijuana dispensing facility” and “Retail sales of tobacco, hookah, cigarette, cigar, e-cigarette, and vapor products as a primary use.”
- Special Use: Per the comments from the last meeting, Staff separated “Cigar or hookah lounge as a primary use (with or without retail sales as an accessory use)” and added it to the Special Use category. “Accessory Residential Uses on the Street Level in a mixed-use building” was also added to the Special Use list.
- A caveat was added for “Accessory Residential Uses” that it must maintain the same commercial architectural character or appearance as the street level commercial spaces.
- A sentence was added in Table 3.A.1. in the Residential category to clarify that “Accessory Residential Uses are permitted in multi-family structures and on upper floors of mixed-use structures.”

MS. WALLRICH noted that Accessory Residential Uses can go on street level if it is only a single use residential building. COMMISSIONER KRONER asked if those would have to come before the Commission for approval. MS. WALLRICH responded only if it was a mixed-use building. The districts allow a solid residential building except where the red “Street Level Commercial Required” dots are on the map. In the Downtown Core and Neighborhood Flex there are red dots in some areas.

COMMISSIONER KRONER asked about the buildings that face Oak Park Avenue or North and South Street. MS. KISLER noted there are some parcels that do not have red dots and therefore don’t have the street level requirement. The Neighborhood General District only allows residential uses for new development.

MS. WALLRICH stated the point is to protect the street level commercial.

COMMISSIONER SHAW and COMMISSIONER JANOWSKI noted in the future the Village should explore expanding the boundaries of the Legacy District.

COMMISSIONER KRONER asked what is considered an Accessory Use and a Primary Use.

MS. KISLER responded in the ordinance it states An Accessory Use is a use naturally and normally incidental to, subordinate to and auxiliary to the permanent use. A Principal Use is defined as the main or dominant use of land or buildings as distinguished from a subordinate or accessory use.

MR. CONNELLY stated the Village is the interpreter of its own code.

CHAIRMAN MATUSHEK suggested we be consistent with our Zoning Ordinance and use the term “Principal Use” rather than “Primary Use”.

3. LANDSCAPE BUFFERS

MS. WALLRICH stated the code as it is written did not take into consideration some other unusual situations where a landscape bufferyard should be required.

Proposed Text Amendments:

- A 5' minimum Bufferyard in accordance with Table 3.F.1. is required in the following circumstances:
 - a. **Adjacent Non-Legacy Code Areas**
A bufferyard is required between any property within the Legacy District (except for Single-Family Detached structures) and any property outside of the Legacy District.
 - b. **Between Commercial and Non-Commercial Use**
A bufferyard is required between commercial and noncommercial uses. In order to promote shared parking facilities, properties with a commercial component are not required to provide bufferyards when adjacent to property that also includes a commercial component. (Consideration will be given to waive the bufferyard requirement if the adjacent property is not within the Legacy District but also includes a commercial component).
 - c. **Between Residential Uses**
A bufferyard is required between a Single-Family Detached structure and any other residential use.
 - d. **Auto-related uses**
A bufferyard is required adjacent to a surface parking lot or parking area (including driveways) that abuts a use outside of the Legacy Code Area except as provided in "b. Between Commercial and Non-Commercial Uses" above.
 - e. **Alley Buffer**
A bufferyard is not required between a parcel within the Legacy Code Area and an alley; however, a bufferyard is required between an alley and a parcel located outside of the Legacy Code Area.

4. SCRIVENER'S ERRORS RELATED TO LEGAL DESCRIPTIONS AND DISTRICT BOUNDARIES

MS. WALLRICH explained that Staff sent out 887 letters to every property owner in the Legacy District, property owners of the fourteen properties proposed to be rezoned, and the properties within 250' of the properties proposed for rezoning. Staff sent Certified and U.S. Mail to fourteen properties that were affected by the scrivener's errors. There is also information on the Village website under the "Quick Links" to help explain the Public Hearings.

A RESIDENT from the audience stated she received a letter and really did not understand it. She also asked if it would be possible to get definitions and explain the NF and R-4 zoning districts. CHAIRMAN MATUSHEK suggested the resident stay after the meeting and he would be glad to help her understand the letter.

MS. WALLRICH most of the letter is a large legal description for each Zoning District within the Legacy District. It also notifies the property owners of the upcoming Public Hearing for the Map Amendments (Rezoning) and the Text Amendments.

COMMISSIONER JANOWSKI and COMMISSIONER KRONER advised Staff to add descriptions on the Village website's "Quick Link" and suggested Staff call the fourteen people who were affected by the scrivener's errors to explain the letter.

5. UPDATING VARIOUS FIGURES AFFECTED BY THE SCRIVENER'S ERRORS AND UPDATING LABELS AND PAGE NUMBERS

MS. KISLER noted there is one parcel that was not fully included within the Legacy District and that this parcel needs to be fully included within the boundary of the district. She added that many figures will need to be updated to show this change. She added there is also a label on Figure 2.E.2. on page 44 that needs to be changed which currently says "Neighborhood General" where it should say "Neighborhood Flex". Page numbers referenced on page 43 in the Neighborhood Flex Zoning District will also be corrected.

SUMMARY

In Summary MS. KISLER:

- Went through the proposed Amendments
- Went through the Plan Commission Comments from the last meeting.
- Resident Concerns
- Addressed the Citizen Advisory Committee Comments
- Talked about Commercial Tenant Depth
- Discussed Accessory Residential Uses
- Discussed Residential Lobbies will be permitted
- Will edit the definition for Accessory Residential Uses to prohibit laundry facilities on the street level
- Discussed Map Amendments (Rezoning) and the letters that were sent out
- Discussed the draft Legacy Code pages with the amendments highlighted

CHAIRMAN MATUSHEK thanked MS. WALLRICH and MS. KISLER for all their hard work.

MS. WALLRICH thanked the CAC for the 10 meetings held on this issue.

MS KISLER stated Staff will:

- Insert the comments from this Workshop
- Provide the draft of the Text Amendments and the new pages
- Provide more information on the Map Amendments

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE FEBRUARY 16, 2017 REGULAR MEETING

ITEM #2: PUBLIC HEARING: TEXT AMENDMENT TO THE VILLAGE OF TINLEY PARK ZONING ORDINANCE (SECTION II AND SECTION IX) RELATED TO SIGN REGULATIONS

Consider recommending that the Village Board approve Text Amendments to Section II (Definitions) and Section 1X (Sign Regulations) of the Village of Tinley Park Zoning Ordinance. The proposed Text Amendments include but are not limited to: regulations for sign face area, sign height, quantity of signs, location of signs, sign materials, regulations for signage in the B-5 Zoning District, sign regulations for special areas and particular uses, temporary signs, nonconforming signs, and definitions for terms related to signage.

Present were the following

Plan Commissioners: Kevin Bergthold
John Domina
Anthony Janowski
Peter Kroner
Mark Moylan
Tim Stanton
Ken Shaw
Ed Matushek III, Chairman

Absent Plan Commissioner(s): Lori Kappel

Village Officials and Staff: Paula Wallrich, Interim Community Development Director
Stephanie Kisler, Planner I
Patrick Connelly, Village Attorney
Patrick Hoban, Economic Development Manager
Barbara Bennett, Commission Secretary

A motion was made by COMMISSIONER MOYLAN, seconded by COMMISSIONER DOMINA, to open the PUBLIC HEARING: TEXT AMENDMENT TO THE VILLAGE OF TINLEY PARK ZONING ORDINANCE (SECTION II AND SECTION IX) RELATED TO SIGN REGULATIONS at 9:15 p.m. The motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

CHAIRMAN MATUSHEK noted that Village Staff provided confirmation that appropriate notice regarding the Public Hearing was published in the local newspaper in accordance with State law and Village requirements.

A Motion was made by COMMISSIONER MOYLAN, seconded by COMMISSIONER DOMINA, to re-notice the Public Hearing to a later date. The motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

A Motion was made by COMMISSIONER SHAW, seconded by COMMISSIONER DOMINA close the Public Hearing at 9:17 p.m. The motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

RECEIVE COMMENTS FROM THE PUBLIC

RESIDENT #1 expressed how impressed he was with this meeting. He also noted this was the first Commission Meeting that was on Facebook Live and he has had great comments.

GOOD OF THE ORDER

MS. WALLRICH gave a summary of current projects. She also introduced the new Economic Development Manager, Patrick Hoban.

- Tinley Park Mental Health Center – Met with Doug Farr of Farr Associates. A Steering Committee Meeting is scheduled for March 13th and open houses are tentatively set for April 12th and May 10th.
- Demolitions are proceeding on Carm's Beef, the Clark gas station on Oak Park Avenue, and the former Roger's Hair Salon.
- Primal Cut Steak House is scheduling a soft opening on March 17th.
- There was a bid opening for the Lincoln-Way school district property at 191st Street and Harlem Avenue. The qualified bidder was Woodman's Grocery Store.
- South Street – hoping to see progress.
- Staff noted that original bricks from the Bremen Cash Store are not available, but columns are being stored by the Historical Society and may potentially be able to be used in a new project.
- Banging Gavel Brewery is planning to locate within the historic Vogt Building and preliminary discussions are starting.

MS. KISLER gave a summary of other current projects, including:

- Branding – The Brand Leadership Team met last night and is working toward implementing action items to earn the music brand.
- Fence Regulations – Staff is working with the ZBA to get feedback on Text Amendments for the Village's Fence Regulations.
- New plans are in for the Residences at Brookside Glen project along Magnuson Lane near 191st Street and 80th Avenue.
- Staff is reviewing plans for remodeling of the McDonald's at 17171 Harlem Avenue.

COMMISSIONER JANOWSKI stated he wanted to express thanks to COMMISSIONER SHAW and COMMISSIONER DOMINA and anyone else who has made the ultimate sacrifice for their military service and would like to add The Pledge of Allegiance to the future Agendas. Comments from the Commission were positive and they all agreed that it would be a good idea.

ADJOURNMENT

There being no further business, a Motion was made by COMMISSIONER SHAW, seconded by COMMISSIONER MOYLAN, to adjourn the Regular Meeting of the Plan Commission of February 16, 2017 at 9:35 p.m. The motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN MATUSHEK declared the meeting adjourned.