



MINUTES OF THE PLAN COMMISSION

VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS

March 2, 2017

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on March 2, 2017 at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent Plan Commissioner(s): None

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

CALL TO ORDER

PLAN COMMISSION CHAIRMAN MATUSHEK called to order the Regular meeting of the Plan Commission on March 2, 2017 at 7:30 p.m.

COMMUNICATIONS

There were none.

APPROVAL OF MINUTES

Minutes of the February 16, 2017 regular meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER JANOWSKI, seconded by COMMISSIONER MOYLAN, to approve the Minutes as presented. 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 MARCH 2, 2017 REGULAR MEETING

ITEM #1: PUBLIC HEARING: MAP AMENDMENTS (REZONINGS) FOR FOURTEEN PROPERTIES TO CORRECT SCRIVENER'S ERRORS IN THE LEGAL DESCRIPTIONS FOR THE DC, DG, DF, NG, NF, AND CV ZONING DISTRICTS

Consider recommending that the Village Board approve Map Amendments (Rezoning) for various properties within and/or near the Legacy District as a result of proposed corrections to Scrivener's Errors in the legal descriptions for the districts. The affected properties include:

1. PIN 28-31-200-013-0000 (17533 Oak Park Avenue) to be rezoned from DG and B-4 to DC;
2. PIN 28-31-200-014-0000 (17514 Oak Park Avenue) to be rezoned from DG to DC;
3. PIN 28-30-308-007-0000 (6822 173rd Place) to be rezoned from R-4 to DF;
4. PIN 28-30-308-006-0000 (6824 173rd Place) to be rezoned from R-4 to DF;
5. PIN 28-30-308-005-0000 (6832 173rd Place) to be rezoned from R-4 to DF;
6. PIN 28-30-405-035-0000 (17234 66th Court) to be rezoned from R-5 to DG;
7. PIN 28-30-405-036-0000 (17232 66th Court) to be rezoned from R-5 to DG;
8. PIN 28-30-405-016-0000 (17224 66th Court) to be rezoned from R-5 to DG;
9. PIN 28-30-115-037-0000 (17048 Oak Park Avenue) to be rezoned from B-1 to NG;
10. PIN 28-30-302-055-0000 (6853 172nd Street) to be rezoned from NF to R-4;
11. PIN 28-30-302-056-0000 (6847 172nd Street) to be rezoned from NF to R-4;
12. PIN 28-30-302-057-0000 (6841 172nd Street) to be rezoned from NF to R-4;
13. PIN 28-30-301-049-0000 (17201 68th Court) to be rezoned from NF to R-4; and
14. PIN 28-30-301-050-0000 (17205 68th Court) to be rezoned from NF to R-4.

Present were the following:

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

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

A Motion was made by COMMISSIONER SHAW, seconded by COMMISSIONER MOYLAN, to open the Public Hearing. 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. Additionally, he noted that Staff sent out letters and placed phone calls to affected property owners.

CHAIRMAN MATUSHEK requested anyone present in the audience who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

PAULA WALLRICH, Interim Community Development Director, gave an overview of the Map Amendments and Text Amendments up for discussion. There were Text Amendments that were rescinded back in May of 2016, which were originally adopted in October 2015. As a consequence of the Text Amendments being rescinded, Staff was asked to review the rescinded Text Amendments, analyze them and provide recommendations. The rescinded Text Amendments contained the Scrivener's Errors that are the subject of the first public hearing and additionally include five other topics which will be covered in the remaining scheduled Public Hearings. .

A Public Hearing was held on June 16, 2016 and subsequent meetings with the Citizen Advisory Committee and the Plan Commission provided additional input related to these amendments and resident concerns expressed at the Public Hearing. Plan Commission workshops were held on November 3, 2016, February 2, 2017, and February 16, 2017 and the Commission's input has been incorporated into the proposed Text Amendments and Map Amendments outlined in the Staff Report.

The Village sent over 600 letters to notify the public of the Public Hearings. Letters were sent to all properties within the Legacy District, property owners of the fourteen (14) properties affected by the proposed Map Amendments, and all properties within 250 feet of the properties affected by the proposed Map Amendments. Information was posted on the Village Website and Facebook page. Calls have also been made to the fourteen (14) properties affected by the proposed Map Amendments. To-date the Village has received very few calls about the letters (less than 5).

STEPHANIE KISLER, Planner I, presented the Staff Report and gave an overview Map Amendments also known as rezonings. These rezonings are a consequence of Scrivener's errors. There were typos in the original legal description for the different districts in 2011 which affected the fourteen (14) properties. These Map Amendments will correct the legal descriptions.

The affected properties include:

1. PIN 28-31-200-013-0000 (17533 Oak Park Avenue) to be rezoned from DG and B-4 to DC;
2. PIN 28-31-200-014-0000 (17514 Oak Park Avenue) to be rezoned from DG to DC;
3. PIN 28-30-308-007-0000 (6822 173rd Place) to be rezoned from R-4 to DF;
4. PIN 28-30-308-006-0000 (6824 173rd Place) to be rezoned from R-4 to DF;
5. PIN 28-30-308-005-0000 (6832 173rd Place) to be rezoned from R-4 to DF;
6. PIN 28-30-405-035-0000 (17234 66th Court) to be rezoned from R-5 to DG;
7. PIN 28-30-405-036-0000 (17232 66th Court) to be rezoned from R-5 to DG;
8. PIN 28-30-405-016-0000 (17224 66th Court) to be rezoned from R-5 to DG;
9. PIN 28-30-115-037-0000 (17048 Oak Park Avenue) to be rezoned from B-1 to NG;
10. PIN 28-30-302-055-0000 (6853 172nd Street) to be rezoned from NF to R-4;
11. PIN 28-30-302-056-0000 (6847 172nd Street) to be rezoned from NF to R-4;
12. PIN 28-30-302-057-0000 (6841 172nd Street) to be rezoned from NF to R-4;
13. PIN 28-30-301-049-0000 (17201 68th Court) to be rezoned from NF to R-4; and
14. PIN 28-30-301-050-0000 (17205 68th Court) to be rezoned from NF to R-4."

CHAIRMAN MATUSHEK noted these are corrections to the Legal Descriptions to match the Map. He thanked Staff for the hard work to get this corrected.

COMMISSIONER DOMINA asked if there were any property tax implications in approving these Amendments.

MS. WALLRICH replied that this is a decision of the tax assessor's office, but it is usually based on land use rather than zoning classifications.

A Motion was made by COMMISSIONER MOYLAN, seconded by COMMISSIONER SHAW, to close the Public Hearing. The Motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

CHAIRMAN MATUSHEK stated with no further comment he asked for a motion.

A Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER SHAW, to recommend that the Village Board approve Map Amendments (Rezoning) 1: (A-N) for fourteen (14) properties with the following PIN #'s:

1. PIN 28-31-200-013-0000 (17533 Oak Park Avenue) to be rezoned from DG and B-4 to DC;
2. PIN 28-31-200-014-0000 (17514 Oak Park Avenue) to be rezoned from DG to DC;
3. PIN 28-30-308-007-0000 (6822 173rd Place) to be rezoned from R-4 to DF;
4. PIN 28-30-308-006-0000 (6824 173rd Place) to be rezoned from R-4 to DF;
5. PIN 28-30-308-005-0000 (6832 173rd Place) to be rezoned from R-4 to DF;
6. PIN 28-30-405-035-0000 (17234 66th Court) to be rezoned from R-5 to DG;
7. PIN 28-30-405-036-0000 (17232 66th Court) to be rezoned from R-5 to DG;
8. PIN 28-30-405-016-0000 (17224 66th Court) to be rezoned from R-5 to DG;
9. PIN 28-30-115-037-0000 (17048 Oak Park Avenue) to be rezoned from B-1 to NG;
10. PIN 28-30-302-055-0000 (6853 172nd Street) to be rezoned from NF to R-4;
11. PIN 28-30-302-056-0000 (6847 172nd Street) to be rezoned from NF to R-4;
12. PIN 28-30-302-057-0000 (6841 172nd Street) to be rezoned from NF to R-4;
13. PIN 28-30-301-049-0000 (17201 68th Court) to be rezoned from NF to R-4; and
14. PIN 28-30-301-050-0000 (17205 68th Court) to be rezoned from NF to R-4.”

within and near the Legacy District as a result of proposed corrections to Scrivener’s Errors in the legal descriptions for the DC, DG, DF, NG, NF, and CV Zoning Districts, as noted in the Staff Report and the attached Revised Legal Descriptions for the Legacy Zoning Districts.”

AYE: PLAN COMMISSIONERS JOHN DONIMA, KEVIN BERGTHOLD, ANTHONY JANOWSKI,
LORI KAPPEL, PETER KRONER, MARK MOYLAN, KEN SHAW, TIM STANTON, AND
CHAIRMAN ED MATUSHEK

NAY: None

ABSENT: None

The Motion was approved unanimously by roll 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 MARCH 2, 2017 REGULAR MEETING

ITEM #2: PUBLIC HEARING: TEXT AMENDMENTS TO SECTION XII (LEGACY CODE) OF THE VILLAGE OF TINLEY PARK ZONING ORDINANCE RELATED TO THE TOPIC OF UPDATING VARIOUS FIGURES AND LABELS

Consider recommending that the Village Board approve Text Amendments related to the topic of updating various figures and labels and include but are not limited to: updating figures within the Legacy Code to reflect corrections to Scrivener's Errors in legal descriptions for each district, correcting the label on and correcting certain page numbers.

Present were the following:

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

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

A Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER SHAW, to open the Public Hearing. 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.

CHAIRMAN MATUSHEK requested anyone present in the audience who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

STEPHANIE KISLER, Planner I, noted the need to update various figures and labels within the Legacy Code to reflect corrections to Scrivener's Errors in legal descriptions for each district, correction the label on a figure, and correction certain page numbers.

MS. KISLER gave a summary of each of the twenty-one (21) Proposed Text Amendments relating to the topic of updating various figures and labels (A-U) as noted in the Staff Report.

CHAIRMAN MATUSHEK stated with no further comment he asked for a Motion to close the Public Hearing on Item #2.

A Motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER JANOWSKI, to close the Public Hearing. The Motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

COMMISSIONER STANTON made a Motion, seconded by COMMISSIONER SHAW, to recommend that the Village Board approve Text Amendments related to the topic of updating various figures and labels, including Amendments 2: (A-U) as noted in the Staff Report as presented by Staff and more fully set forth on page 7 of the Staff Report.

AYE: PLAN COMMISSIONERS JOHN DONIMA, KEVIN BERGTHOLD, ANTHONY JANOWSKI, LORI KAPPEL, PETER KRONER, MARK MOYLAN, KEN SHAW, TIM STANTON, AND CHAIRMAN ED MATUSHEK

NAY: None

ABSENT: None

The Motion was approved unanimously by roll 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 MARCH 2, 2017 REGULAR MEETING

ITEM #3: PUBLIC HEARING: TEXT AMENDMENTS TO SECTION XII (LEGACY CODE) OF THE VILLAGE OF TINLEY PARK ZONING ORDINANCE RELATED TO THE TOPIC OF STREET LEVEL COMMERCIAL

Consider recommending that the Village Board approve Text Amendments related to the topic of street level commercial and include but are not limited to: adding definitions for “street level commercial”, “accessory residential uses”, “commercial”, “residential”, “street level”, and “residential lobby”, adding a required depth for street level commercial spaces, adding “accessory residential uses on the street level” to the list of Special Uses, and reformatting the “General Standards” tables for each district to read more clearly.

Present were the following:

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

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

A Motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER MOYLAN, to open the Public Hearing. 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.

CHAIRMAN MATUSHEK requested anyone present in the audience who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

CHAIRMAN MATUSHEK swore in MICHAEL PAUS.

PAULA WALLRICH, Interim Community Development Director, gave a summary of the Text Amendments relating to Street Level Commercial. MS. WALLRICH stated there were a lot of questions regarding the definition of Street Level Commercial. Staff was directed to see how Street Level Commercial was defined or regulated in other communities. Fourteen other communities were investigated with the majority of the communities prohibiting dwelling units on the first floor. MS. WALLRICH went over the definitions and clarifications of Street Level Commercial, Accessory Residential Uses, Street Level Commercial, Residential, and Residential Lobby as noted on pages 104-107 in the 2011 Legacy Code Definitions.

MS. Wallrich also explained “A-S” of the proposed Text Amendments relating to the topic of Street Level Commercial as noted on page 9-10 of the Staff Report.

CHAIRMAN MATUSHEK stated that it makes good sense that the Legacy Code follows the Legacy Plan and that it makes no sense to not require Commercial on the first floor in the central core area. Much of what was explained is in an effort on the part of staff and the Commission to make sure the definitions are clear. If there are changes in the future it would have to go before the elected officials for changes. CHAIRMAN MATUSHEK thanked staff and the Commissioners. COMMISSIONER SHAW asked about items S & B. He wants to be clear about parking being an Accessory Use. He asked if the whole first floor could be taken up by a parking facility.

MS. WALLRICH replied only if it was granted a Special Use Permit which requires Plan Commission review and Village Board approval. The only accessory use allowed on the first floor is a lobby.

CHAIRMAN MATUSHEK noted no further comments from the Commission and asked for comments from MICHAEL PAUS.

MICHAEL PAUS stated he wanted to be clear on accessory uses encompassing a gym because there is history of a gym on the whole first floor of a building in Tinley Park. If someone elected to do this again, would that still have to come through as Special Use.

MS. WALLRICH replied it would still have to come before the Plan Commission if it were to be used exclusively by the residents.

MS. KISLER added that a gym open to the public would also requires a Special Use in the Legacy District.

CHAIRMAN MATUSHEK noted hearing no further comments from the Commission or the Public he asked for a Motion to close this Public Hearing.

A Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER JANOWSKI, to close the Public Hearing. The Motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

COMMISSIONER MOYLAN made a Motion, seconded by COMMISSIONER STANTON, to recommend that the Village Board approve Text Amendments related to the topic of Street Level Commercial, including Amendments 3: (A-S) as noted in the Staff Report to include definitions of Street Level Commercial, Accessory Residential Uses, Commercial, Residential, Street Level, Residential Lobby and adding a depth requirement for Street Level Commercial spaces and adding Accessory Residential Uses on the Street Level to the list of Special Uses.

AYE: PLAN COMMISSIONERS JOHN DONIMA, KEVIN BERGTHOLD, ANTHONY JANOWSKI, LORI KAPPEL, PETER KRONER, MARK MOYLAN, KEN SHAW, TIM STANTON, AND CHAIRMAN ED MATUSHEK

NAY: None

ABSENT: None

The Motion was approved unanimously by roll 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 MARCH 2, 2017 REGULAR MEETING

ITEM #4: PUBLIC HEARING: TEXT AMENDMENTS TO SECTION XII (LEGACY CODE) OF THE VILLAGE OF TINLEY PARK ZONING ORDINANCE RELATED TO THE TOPIC OF PERMITTED, SPECIAL, AND PROHIBITED LAND USES

Consider recommending that the Village Board approve Text Amendments related to the topic of Permitted, Special, and Prohibited land uses and include but are not limited to: adding “cigar or hookah lounge” to the list of Special Uses, adding “medical marijuana dispensing facility”, and “retail sales of tobacco, hookah, cigarette, cigar, e-cigarette, and vapor products as a primary use” to the list of Prohibited Uses.

Present were the following:

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

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

A Motion was made by COMMISSIONER JANOWSKI, seconded by COMMISSIONER KRONER, to open the Public Hearing. 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.

CHAIRMAN MATUSHEK requested anyone present in the audience who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

CHAIRMAN MATUSHEK swore in MICHAEL PAUS.

STEPHANIE KISLER, Planner I, noted this item specifically relates to cigar, hookah, tobacco type uses and medical marijuana dispensing facilities.

The proposed Text Amendments relating to the topic of Permitted, Special, and Prohibited land uses include:

- A. Adding “Cigar or hookah lounge as a principal use (with or without retail sales as an accessory use)” to the list of Special Uses in Table 3.A.2. on Page 55.
- B. Adding “Retail sales of tobacco, hookah, cigarette, cigar, e-cigarette, and vapor products as a principal use” to the list of Prohibited Uses in Table 3.A.2. on Page 55.

C. Adding “Medical marijuana dispensing facility” to the list of Prohibited Uses in Table 3.A.2. on Page 55.

CHAIRMAN MATUSHEK stated in the past meetings the Commission has had discussion about whether it makes sense to add hookah lounges as a Special Use allowance. He stated that he doesn’t think that is the greatest idea. Cigar lounges are more in keeping with some of the restaurant districts. He asked if some of the other Commissioners would like to comment on this.

COMMISSIONER SHAW stated in Item A, he was in favor of moving both the cigar and hookah lounges to Prohibited Use. In trying to hear the consensus of the other Commissioners he would be okay with splitting the two and putting the cigar lounge in Special Use and the hookah lounge in prohibited use depending on the legality of separating the two. The reason for this is based on where the downtown is right now in its redevelopment. He stated that if the downtown currently more robust and thriving he might have a different stance on this. This type of business may hinder the redevelopment of the downtown area.

CHAIRMAN MATUSHEK agreed with this.

COMMISSIONER KAPPEL stated it depends on whether a person’s preferred leisurely activity involves smoking a cigar or hookah. She stated that since we accommodate the drinkers it is unfair to those that don’t drink and would prefer to smoke. She stated that Hookah Lounges should be a Special Use.

COMMISSIONER BERGTHOLD stated he does not think Hookah Lounges should be a Prohibited Use. It is an unnecessary hindrance on future developers. He felt it could draw in crowds and bring in potential business to surrounding developments. He stated that he felt both should be Special Use.

COMMISSIONER MOYLAN stated he is for leaving the cigar lounge in Special Use and putting the hookah lounge in Prohibited Use. HE stated he did not think hookah is appropriate for the downtown area.

COMMISSIONER STANTON agreed with COMMISSIONER SHAW emphasizing that the desire it to create a family environment in the Central Core. He felt Hookah Lounges should be Prohibited Use.

COMMISSIONER DOMINA stated the cigar lounge in Special Use and hookah should be in Prohibited Use.

COMMISSIONER JANOWSKI concurs with cigar in Special Use and hookah in Prohibited Use.

COMMISSIONER KRONER agrees with cigar in Special Use and hookah in Prohibited Use.

CHAIRMAN MATUSHEK stated we can amend the packet.

PATRICK CONNELLY, Village Attorney, stated you can take each one separately after the close of the Public Hearing. The person making the motion can add the cigar lounge as a Special Use and the hookah lounge as a Prohibited Use.

MICHAEL PAUS stated that he is in favor of the hookah lounge being Special Use. He added that he opposed adding Medical Marijuana Dispensing Facility as a Prohibited Use. It is basically saying that Tinley Park stigmatizes Medical Marijuana which is a position he disagrees with.

CHAIRMAN MATUSHEK noted this is not Prohibited Use throughout the Village. This only applies to the downtown district.

CHAIRMAN MATUSHEK noted hearing no further comments from the Commission or the Public he asked for a Motion to close this Public Hearing.

A Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER JANOWSKI, to close the Public Hearing. The Motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

COMMISSIONER KRONER made a Motion, seconded by COMMISSIONER MOYLAN, to recommend that the Village Board approve Text Amendments related to the topic of Permitted, Special, and Prohibited Uses - Letter A as noted in the Staff Report, adding “Cigar lounge as a principal use (with or without retail sales as an accessory use)” to the list of Special Uses in Table 3.A.2. on Page 55.

AYE: PLAN COMMISSIONERS JOHN DONIMA, KEVIN BERGTHOLD, ANTHONY JANOWSKI, LORI KAPPEL, PETER KRONER, MARK MOYLAN, KEN SHAW, TIM STANTON, AND CHAIRMAN ED MATUSHEK

NAY: None

ABSENT: None

The Motion was approved unanimously by roll call. CHAIRMAN MATUSHEK declared the Motion approved.

COMMISSIONER KRONER made a Motion, seconded by COMMISSIONER SHAW, to recommend that the Village Board approve Text Amendments related to the topic of Permitted, Special, and Prohibited Uses - Letter B as noted in the Staff Report, adding “Retail sales of tobacco, hookah, cigarette, cigar, e-cigarette, and vapor products as a principal use” to the list of Prohibited Uses in Table 3.A.2. on Page 55.

AYE: PLAN COMMISSIONERS JOHN DONIMA, KEVIN BERGTHOLD, ANTHONY JANOWSKI, LORI KAPPEL, PETER KRONER, MARK MOYLAN, KEN SHAW, TIM STANTON, AND CHAIRMAN ED MATUSHEK

NAY: None

ABSENT: None

The Motion was approved unanimously by roll call. CHAIRMAN MATUSHEK declared the Motion approved.

COMMISSIONER KRONER made a Motion, seconded by COMMISSIONER DOMINA, to recommend that the Village Board approve Text Amendments related to the topic of Permitted, Special, and Prohibited Uses - Letter C as noted in the Staff Report, adding “Medical marijuana dispensing facility” to the list of Prohibited Uses in Table 3.A.2. on Page 55.

AYE: PLAN COMMISSIONERS JOHN DONIMA, KEVIN BERGTHOLD, ANTHONY JANOWSKI, LORI KAPPEL, PETER KRONER, MARK MOYLAN, KEN SHAW, TIM STANTON, AND CHAIRMAN ED MATUSHEK

NAY: None

ABSENT: None

The Motion was approved unanimously by roll call. CHAIRMAN MATUSHEK declared the Motion approved.

COMMISSIONER KRONER made a Motion, seconded by COMMISSIONER MOYLAN, to recommend that the Village Board approve Text Amendments related to the topic of Permitted, Special, and Prohibited Uses - Letter D as noted in the Staff Report, adding Hookah Lounges to the list of Prohibited Uses in Table 3.A.2. on Page 55.

COMMISSIONER BERGTHOLD noted that he feels this is a mistake.

AYE: PLAN COMMISSIONERS JOHN DONIMA, ANTHONY JANOWSKI, PETER KRONER,
MARK MOYLAN, KEN SHAW, TIM STANTON, AND CHAIRMAN ED MATUSHEK

NAY: PLAN COMMISSIONERS KEVIN BERGTHOLD, LORI KAPPEL

ABSENT: None

The Motion was approved by roll 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 MARCH 2, 2017 REGULAR MEETING

ITEM #5: PUBLIC HEARING: TEXT AMENDMENTS TO SECTION XII (LEGACY CODE) OF THE VILLAGE OF TINLEY PARK ZONING ORDINANCE RELATED TO THE TOPIC OF LANDSCAPE BUFFERYARDS

Consider recommending that the Village Board approve Text Amendments related to the topic of Landscape bufferyards and include but are not limited to: requiring a five-foot (5') wide bufferyard in certain circumstances.

Present were the following:

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

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

A Motion was made by COMMISSIONER SHAW, seconded by COMMISSIONER STANTON, to open the Public Hearing. 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.

CHAIRMAN MATUSHEK requested anyone present in the audience who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

PAULA WALLRICH, Interim Community Development Director, stated as a side bar she wanted to thank MR. MICHAEL PAUS for his suggestion of the format to allow separate motions for groups of text amendments.

MS. WALLRICH stated that the reason for the bufferyard was to make adequate screening of automobile use areas such as screening headlights glare into someone's bedroom. She gave a summary of the proposed Text Amendments relating to the topic of Landscape Bufferyards.

A Motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER SHAW, to close the Public Hearing. The Motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

COMMISSIONER JANOWSKI made a Motion, seconded by COMMISSIONER KRONER, to recommend that the Village Board approve Text Amendments related to the topic of Landscape Bufferyards, including Amendment 5: (A) as noted in the Staff Report on page 12 adding the requirement of a five foot (5') wide bufferyard in certain circumstances.

AYE: PLAN COMMISSIONERS JOHN DONIMA, KEVIN BERGTHOLD, ANTHONY JANOWSKI,
LORI KAPPEL, PETER KRONER, MARK MOYLAN, KEN SHAW, TIM STANTON, AND
CHAIRMAN ED MATUSHEK

NAY: None

ABSENT: None

The Motion was approved unanimously by roll call. CHAIRMAN MATUSHEK declared the Motion approved.

PATRICK CONNELLY, Village Attorney, stated staff will prepare separate Ordinances and it will be presented to the Board on March 21 with 2 readings. He stated that he was very impressed with everyone and that the staff and the Commission have been incredible. The amount of work put in on this by everyone has been impressive. All discussions have been outstanding. He felt that no one could argue that this process was not thorough.

CHAIRMAN MATUSHEK thanked everyone for their hard work on these Text Amendments.

COMMENTS FROM THE PUBLIC

MICHAEL PAUS stated he echoed what MR. CONNELLY stated and he appreciates the Village listening to his recommendation to split up the Amendments. He also apologized for mispronouncing the Commissioner's names.

CHARLEY SMITH stated he was asked to serve on the CAC and stated there was so much passion by that group. We came together to come up with a resolution that was good for our Village. He complimented Stephanie and Paula on their patience and professionalism.

GOOD OF THE ORDER

PAULA WALLRICH, Interim Community Development Director, noted:

- Aldi will be assuming the lease space for the former Euro Fresh and will provide a new façade.
- The new Economic Development Manager, Patrick Hoban, is great and working very hard.
- A bid was accepted for the Lincoln-Way School site on 191st Street property for a Woodman's Grocery Store which will comprise 246,000 SF.
- The departments of Planning, Building and Economic Development have been reorganized under the Community Development Department. This will help to make sure everything is carried out correctly and completely to building permit and occupancy.

ADJOURNMENT

There being no further business, a Motion was made by COMMISSIONER SHAW, seconded by COMMISSIONER DOMINA, to adjourn the Regular Meeting of the Plan Commission of March 2, 2017 at 9:04 p.m. THE MOTION WAS UNANIMOUSLY APPROVED by voice call. PLAN COMMISSION CHAIRMMAN MATUSHEK declared the meeting adjourned.