



**MINUTES OF THE PLAN COMMISSION
VILLAGE OF TINLEY PARK,
COOK AND WILL COUNTIES, ILLINOIS
JULY 7, 2016**

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on July 7, 2016 at 7:30p.m.

ROLL CALL

Plan Commissioners: Kevin Bergthold
Lori Kappel
Ken Shaw
Tim Stanton
John Domina
Ed Matushek III, Chairman

Absent Plan Commissioners: Mark Moylan
Peter Kroner
Anthony Janowski

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

CALL TO ORDER

PLAN COMMISSION CHAIRMAN MATUSHEK called to order the Regular meeting of the Plan Commission for July 7, 2016 at 7:30 p.m.

APPROVAL OF MINUTES

A motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER SHAW to approve the minutes of the June 16, 2016 meeting of the Plan Commission. Vote by voice. PLAN COMMISSION CHAIRMAN MATUSHEK declared the Motion approved.

A motion was made by COMMISSIONER SHAW, seconded by COMMISSIONER STANTON, to open the Public Hearing on Bailey's Bar & Grill (17731 Oak Park Avenue – Variation for a Ground Sign within the Legacy District) at 7:35 p.m. The motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

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.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE JULY 7, 2016 REGULAR MEETING

**ITEM #1: PUBLIC HEARING
BAILEY'S BAR & GRILL – 17731 OAK PARK AVENUE – VARIATIONS FOR A
GROUND SIGN WITHIN THE LEGACY DISTRICT**

Consider a proposal from Ronald Bailey, on behalf of Bailey's Bar & Grill, for the following Variations concerning ground signage on an existing site located at 17731 Oak Park Avenue, Tinley Park, Illinois:

1. A one foot, six-inch (1'6") Variation from the required setback from the south property line;
2. A one foot, six-inch (1'6") Variation from the required setback from the entry/access drive (to the north of the proposed sign); and
3. A nine foot (9') Variation from the required setback from the west property line.

All of which constitute Variations from Section XII.4.E., Table 4.E.1. (Legacy Code, Sign Regulations) of the Zoning Ordinance where a "Monument – Ground" type sign is required to be located ten feet (10') from all property lines and entry/access drives.

Present were the following:

Plan Commissioners: Kevin Bergthold
Lori Kappel
Ken Shaw
Tim Stanton
John Domina
Ed Matushek III, Chairman

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

Guest: Tammy Bailey on behalf of Bailey's Bar & Grill

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, gave an overview of the proposed Variations concerning ground signage on an existing site located at Bailey's Bar and Grill at 17731 Oak Park Avenue. She noted that Staff has reviewed the petition for Variations from the required setback for a ground sign and feels this is the most sensible location for new a ground sign on the property. There are many signs on Oak Park Avenue that do not meet the 10' setback, which means that they are considered legal nonconforming signs, and the proposed sign is not out of character with these existing signs.

MS. KISLER proceeded to review the Standards for Granting a Variation and provided Findings of Fact for the record:

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.
 - There are limited alternate locations for the proposed ground sign that would have adequate visibility from Oak Park Avenue except for the proposed site, which requires a Variation.
2. The plight of the owner is due to unique circumstances.
 - The Applicant planned to erect a freestanding sign within the specified landscaped area when he redesigned the parking lot configuration in 2013. This landscaped island cannot accommodate the proposed ground sign without a Variation.
3. The Variation, if granted will not alter the essential character of the locality.
 - There are other ground signs along Oak Park Avenue that do not meet the 10' setback requirement.

CHAIRMAN MATUSHEK asked if the Applicant had anything to add to the record. TAMMY BAILEY indicated that she did not have any information to add.

CHAIRMAN MATUSHEK inquired about landscaping requirements for the sign. MS. KISLER noted that Section IX of the Zoning Ordinance was recently amended to include more specific landscaping requirements around the base of ground signs and that a condition of approval of a building permit would reflect the required square footage of landscaping. She added that the site's existing landscaping is extensive and well maintained and believes that the Applicant will provide nice landscaping near the proposed sign.

A motion was made by COMMISSIONER SHAW to recommend that the Village Board grant the Applicant, Ronald Bailey on behalf of Bailey's Bar & Grill, Variations concerning a proposed ground sign at 17731 Oak Park Avenue, including:

1. A one foot, six-inch (1'6") Variation from the setback requirement from the south property line;
2. A one foot, six-inch (1'6") Variation from the setback requirement from the entry/access drive (to the north of the proposed sign); and
3. A nine foot (9') Variation from the setback requirement from the west property line.

All of these requests are Variations from Section XII.4.E., Table 4.E.1. (Legacy Code, Sign Regulations) of the Zoning Ordinance, where a "Monument –Ground" type sign is required to be located ten feet (10') from all property lines and entry/access drives.

These Variations would allow the Applicant to construct a new ground sign that would be located at an eight foot, six-inch (8'6") setback from the south property line, an eight foot, six-inch (8'6") setback from the entry/access drive, and a one foot (1') setback from the west (Oak Park Avenue) property line at 17731 Oak Park Avenue in the NG (Neighborhood General) Zoning District and within O. Rueters and Company's Tinley Park Gardens Subdivision.

The motion was seconded by COMMISSIONER STANTON.

AYE: Plan Commissioners John Domina, Kevin Bergthold, Lori Kappel, Ken Shaw,

Tim Stanton, and Chairman Ed Matushek

NAY: None

ABSENT: Plan Commissioners Anthony Janowski, Peter Kroner, and Mark Moylan

THE MOTION WAS APPROVED UNANIMOUSLY by roll call. CHAIRMAN MATUSHEK declared the Motion approved.

A motion was made by COMMISSIONER BERGTHOLD, seconded by COMMISSIONER KAPPEL to close the Public Hearing at 7:45 p.m. 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 JULY 7, 2016 REGULAR MEETING

**ITEM #2: PUBLIC HEARING
THE ATTIC DOOR – 17424 OAK PARK AVENUE – VARIATION FOR A
GROUND SIGN WITHIN THE LEGACY DISTRICT**

Consider a proposal from Wade Randolph of Effective Signs, on behalf of The Attic Door, for the following Variation concerning ground signage on an existing site located at 17424 Oak Park Avenue, Tinley Park, Illinois, including:

1. A nine foot (9') Variation from Section XII.4.E., Table 4.E.1. (Legacy Code Sign Regulations) of the Zoning Ordinance, where a "Monument – Ground" type sign is required to be located ten feet (10') from all property lines and entry/access drives.

This Variation would allow the Applicant to replace an existing ground sign with a new ground sign that would be located at a one foot (1') setback from the east (Oak Park Avenue) property line at 17424 Oak Park Avenue in the DC (Downtown Core) Zoning District.

Present were the following:

Plan Commissioners: Kevin Bergthold
Lori Kappel
Ken Shaw
Tim Stanton
John Domina
Ed Matushek III, Chairman

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

Guest: Wade Randolph of Effective Signs on behalf of The Attic Door

A motion was made by COMMISSIONER BERGTHOLD, seconded by COMMISSIONER KAPPEL, to open the Public Hearing on The Attic Door (17424 Oak Park Avenue – Variation for a Ground Sign within the Legacy District) at 7:46 p.m. The motion was approved unanimously by voice call. CHAIRMAN MATUSHEK declared the Motion approved.

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, gave an overview of the proposed Variation concerning ground signage on an existing site located at The Attic Door at 17424 Oak Park Avenue. She noted that there were no concerns from Staff for the Variation request. The majority of the existing ground signs along Oak Park Avenue do not meet the ten foot (10') setback requirement and are considered legal nonconforming signs since there were erected prior to the adoption of the Legacy Code. In this case, the Applicant is replacing an existing sign which is currently less than one foot (1') from the east property line. The required setback for a ground sign is ten feet (10'); therefore, a Variation is required for the proposed sign's lesser setback of one foot (1') from the property line. There is inadequate area between the front of the building and the property line for the Applicant to meet the required ten foot (10') setback. Additionally, Staff noted that the proposed sign complies with other setback regulations for the entry/access drive and south property line and does not require a Variation for these setbacks.

MS. KISLER proceeded to review the Standards for Granting a Variation and provided Findings of Fact for the record:

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.
 - If the Applicant installed a sign meeting the ten foot (10') setback requirement, the new sign would not fit between the required setback and the building since the sign is 5'10" wide and the available space between the required setback and the building 5'6".
 - The sign could be reduced in size to fit within that 5'6" wide area; however, a sign meeting the required set back would be 13'6" from the sidewalk, which is substantially further away from the street than the existing sign, which is about 3'11" from the sidewalk, and the ability for potential customers to see the sign is diminished.
2. The plight of the owner is due to unique circumstances.
 - The Applicant's request is unique because they propose to replace an existing sign with a new sign in relatively the same location. The Applicant is not asking to have a sign closer to the property line than the existing sign; in fact, the new sign would be 7" further west from the existing sign in order to meet a 1' setback from the property line.
 - The Applicant's building does not provide much space for a freestanding sign that would meet the setback requirement due to the building setback being closer to Oak Park Avenue. Staff notes that there are many signs within the Legacy District that do not meet the 10' sign setback requirement so the placement of the sign is not unique.
3. The Variation, if granted will not alter the essential character of the locality.
 - The sign will not alter the character of the locality since it will be in roughly the same place as the existing sign. Other freestanding signs within the Legacy District do not meet the current requirement for a 10' setback.

CHAIRMAN MATUSHEK asked if the Applicant had anything to add to the record. WADE RANDOLPH indicated that he did not have any information to add.

CHAIRMAN MATUSHEK inquired about landscaping requirements for the sign. MS. KISLER noted that Section IX of the Zoning Ordinance was recently amended to include more specific landscaping requirements around the base of ground signs and that a condition of approval of a building permit would reflect the required square footage of landscaping. She added that the site's existing landscaping is extensive and well maintained and believes that the Applicant will provide nice landscaping near the proposed sign.

A motion was made by COMMISSIONER BERGTHOLD to recommend that the Village Board grant the Applicant, Wade Randolph of Effective Signs, on behalf of The Attic Door, the following Variation concerning a proposed ground sign at 17424 Oak Park Avenue:

1. A nine foot (9') Variation from Section XII.4.E., Table 4.E.1. (Legacy Code Sign Regulations) of the Zoning Ordinance, where a "Monument – Ground" type sign is required to be located ten feet (10') from all property lines and entry/access drives.

This Variation would allow the Applicant to replace an existing ground sign with a new ground sign that would be located at a one foot (1') setback from the east (Oak Park Avenue) property line at 17424 Oak Park Avenue in the DC (Downtown Core) Zoning District.

The motion was seconded by COMMISSIONER STANTON.

AYE: Plan Commissioners John Domina, Kevin Bergthold, Lori Kappel, Ken Shaw, Tim Stanton, and Chairman Ed Matushek

NAY: None

ABSENT: Plan Commissioners Anthony Janowski, Peter Kroner, and Mark Moylan

THE MOTION WAS APPROVED UNANIMOUSLY by roll call. CHAIRMAN MATUSHEK declared the Motion approved.

A motion was made by COMMISSIONER BERGTHOLD, seconded by COMMISSIONER SHAW to close the Public Hearing at 7:55 p.m. 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 JULY 7, 2016 REGULAR MEETING

ITEM #3: THE TRAIN STATION – 16902 OAK PARK AVENUE, UNIT 3 – SPECIAL USE PERMIT

Consider a proposal from the Applicant, Julianna Grover of The Train Station, for a Special Use Permit to operate a business involving recreational uses (including group personal training, fitness, and nutritional education) and operating between the hours of 5:00 a.m. and 10:00 p.m. at 16902 Oak Park Avenue, Unit 3 in the NG (Neighborhood General) Zoning District and Elmore’s Oak Park Avenue Estates subdivision.

Present were the following:

Plan Commissioners: Kevin Berghold
Lori Kappel
Ken Shaw
Tim Stanton
John Domina
Ed Matushek III, Chairman

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

Guest: Julianna Grover on behalf of The Train Station

CHAIRMAN MATUSHEK introduced the agenda item and requested that Staff give a report.

STEPHANIE KISLER, Planner I, gave an overview of the request for a Special Use Permit for The Train Station at 16902 Oak Park Avenue, Unit 3. Any business operating between the hours of 2:00 a.m. and 6:00 a.m. requires a Special Use Permit. Due to the proposed 5:00 a.m. start time, a Special Use Permit is required. She noted this location is a mixed-use building. She further stated there are 17 existing parking spaces and she noted 13.46 parking spaces are required for the commercial property and 1.5 parking spaces are required for the residential unit. There is also additional parking on the street. Signage for the business has not been proposed at this time.

MS KISLER also noted, in an effort to be more business-friendly, Staff determined the business is permitted to open now without a Special Use Permit but only operating as a “personal service”, meaning one-on-one sessions rather than group sessions. If a Special Use Permit is granted, the Applicant would be allowed to operate the business using the small groups of clients per trainer as proposed. Additionally, the business cannot operate prior to 6:00 a.m. until a Special Use Permit is granted.

MS. KISLER then summarized the Open Items for the Plan Commission’s consideration:

1. Consider conditions related to sound
2. Consider conditions related to class sizes.
3. Consider required improvements to landscaping, parking, access drive, and alley.

MS. KISLER then summarized Staff's suggestions for site improvements per the requirements of the Legacy Code:

- Landscaping – Adding parkway trees along Oak Park Avenue and 169th Street
- Parking Lot – Reducing width of driveways/curb cuts and adding green space and sidewalk
- Access Drive – Reducing size and adding landscaping
- Alley – Formalize an alley easement for ingress and egress at the rear of the property

MS. KISLER stated that she had contact with the property owner/property manager and had discussed the suggested site improvements. She asked the Plan Commissioners to provide guidance on which requirements are feasible for the site and which improvements should be prioritized.

MS. KISLER also noted a Public Hearing is required for Special Use Permit and has been scheduled for the regular Plan Commission meeting on Thursday, July 21, 2016.

CHAIRMAN MATUSHEK asked the Applicant if she felt she could operate her business if the Commission made restrictions on the class sizes due to limited parking in the area. Landscaping and parking lot/alleyway improvements will be addressed with the owner of the property.

JULIANNA GROVER, owner of The Train Station, stated that there would be no loud music playing because they have to be able to communicate to the clients and cannot do so with loud music. She noted that there would only be up to eight (8) clients and four (4) trainers in the location at one time. She stated that they do not have large group classes.

COMMISSIONER STANTON inquired about security cameras at the site. MS. GROVER stated they have their own 24-hour security cameras for their tenant space.

COMMISSIONER BERGTHOLD questioned if a fence would be appropriate along the west property line between this property and the adjacent single-family residential property. MS. KISLER stated she would speak with the property owner about this request. She also noted that some existing sites cannot meet the landscape buffer requirement due to the constraints of the existing dimensions on the site. She noted that the property owner could ask permission to complete landscaping on the adjacent single-family residential property, but they would need their permission to do work on another person's property. She further noted that the Village does not require permits for landscaping.

PAULA WALLRICH, Interim Community Development Director, noted that the provision relating to buffer requirements was rescinded along with the other recent Legacy Code Text Amendments.

COMMISSIONER SHAW asked for clarification on the alley dedication. MS. KISLER stated that the Legacy Plan and Legacy Code call for alleyways behind certain properties to aid in redevelopment so that parking would eventually be in the rear of buildings and not in the front of buildings in the Legacy District. The property two parcels south (Liberty Building) has already completed an easement for the alleyway and a plat has already been drawn up for this property and the property one parcel south (Amazing Smiles). She noted that she had also discussed this with the property owner and they are agreeable to formalizing the alley easement at the rear of the property since it would not change the existing parking lot layout.

MS. GROVER continued to discuss her business. She noted they do not have walk-ins; instead, everything is by appointment. She stated that their business currently has 320 clients at their Oak Lawn location. She added that her passion is transforming lives. She noted that The Train Station is the fastest growing training company on the south side of Chicago.

COMMISSIONER SHAW thanked the Applicant for their presentation and welcomed them to Tinley Park.

CHAIRMAN MATUSHEK requested that Staff discuss the proposed improvements with the property owner and have them attend the next meeting.

ADJOURNMENT

There being no further business, a Motion was made by COMMISSIONER BERGTHOLD, seconded by COMMISSIONER SHAW to adjourn the Regular Meeting of the Plan Commission of July 7, 2016 at 8:27 p.m. THE MOTION WAS UNANIMOUSLY APPROVED by voice call. CHAIRMAN MATUSHEK declared the meeting adjourned.