



**MINUTES OF THE PLAN COMMISSION**  
**VILLAGE OF TINLEY PARK,**  
**COOK AND WILL COUNTIES, ILLINOIS**  
**JULY 21, 2016**

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on July 21, 2016 at 7:30p.m.

**ROLL CALL**

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

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

**CALL TO ORDER**

PLAN COMMISSION CHAIRMAN MATUSHEK called to order the Regular meeting of the Plan Commission for July 21, 2016 at 7:30 p.m.

**APPROVAL OF MINUTES**

A motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER JANOWSKI to approve the minutes of the July 7, 2016 meeting of the Plan Commission. Vote by voice. 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 #1: PUBLIC HEARING  
THE TRAIN STATION – 16902 OAK PARK AVENUE, UNIT 3 – SPECIAL USE  
PERMIT FOR A RECREATIONAL USE AND HOURS OF OPERATION**

Consider a proposal from 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 5:00am and 10:00pm 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 Bergthold  
John Domina  
Anthony Janowski  
Lori Kappel  
Peter Kroner  
Ed Matushek III, Chairman  
Mark Moylan  
Ken Shaw  
Tim Stanton

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

Guest: Julianna Grover on behalf of The Train Station

A motion was made by CHAIRMAN MATUSHEK, seconded by COMMISSIONER JANOWSKI, to open the Public Hearing at 7:34 p.m. CHAIRMAN MATUSHEK declared the Motion approved.

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, presented a proposal from 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.

MS. KISLER added the Legacy Code dictates that any businesses operating between the hours of 2:00 a.m. to 6:00 a.m. require a Special Use Permit (Section XII.3.A.). She noted that it is Staff's interpretation that the proposed use (group fitness training classes) is 'similar and compatible' to a Special Use category

and thus the Applicant must obtain a Special Use Permit to operate the business as proposed. She added that this property is located at 16902 Oak Park Avenue and will be combining two (2) units. The interior remodel has been completed. This business is allowed to open their doors presently on a 1:1 client/trainer basis, which is classified as a personal service versus a recreational use. In order to convert to more than one (1) client per trainer, the Special Use Permit is required. She also noted that the building is currently divided into five (5) tenant spaces. The current tenants are Best One Nail & Massage and Imagine Peace Studio (salon) with the remaining two (2) vacant commercial spaces being combined for the proposed Special Use. There is also one (1) three-bedroom apartment that is occupied. The apartment is located on the second floor above the occupied units and not above the proposed tenant space for The Train Station. She added that the site has seventeen (17) parking spaces.

MS. KISLER reviewed slides on a PowerPoint presentation, noting the site and providing photos of the site. She then reviewed the open items discussed at the prior Plan Commission meeting on July 7, 2016 and provided follow up information. The three (3) open items included in the Staff Report included:

1. Conditions related to sound.
  - The Applicant stated that loud music is not used since the trainer is continually communicating with clients throughout the sessions.
2. Conditions related to class sizes.
  - The Applicant stated that she is ok with the Plan Commission placing conditions on class sizes.
3. Required improvements to landscaping, parking, access drive, and alley.
  - The Applicant stated that they will only be working on the interior remodel of the tenant space. The property manager met with Staff to discuss the suggested improvements to the exterior of the building. The property manager agreed to add one or two trees along the Oak Park Avenue parkway and also agreed to have the property owner sign the Plat of Easement for the alleyway at the rear of the building. The Plan Commission mentioned possible buffer solutions for the west property line, such as landscaping or a fence. The property manager agreed that she could look into this if the Plan Commission wanted to require this improvement but stated that they have not had any issues with the adjacent single-family residential property to-date. The Plan Commission also raised questions about security at the site. The property manager stated that they have not had any security issues since purchasing the property in 2006. The Applicant noted that she would be using her own security cameras for her tenant space.

MS. KISLER noted that the property manager was unable to attend this evening. The property manager, or her father (property owner), will be available at the Village Board meeting to answer any questions. She noted that the property manager stated that she is comfortable with all proposals made, but phasing may be necessary.

CHAIRMAN MATUSHEK inquired about what was stated at last meeting regarding trees being put in on Oak Park Avenue and 169<sup>th</sup> Street. MS. KISLER explained there are currently trees along 169<sup>th</sup> Street but the Village's Landscape Architect provided a recommendation for two (2) or three (3) new parkway trees along Oak Park Avenue. Also explained was the option of buffer landscaping or fencing along the west property line adjacent to the neighboring residential lot. Further recommendations from the landscape architect can be provided at another time to assist in the decision process for the Commissioners.

COMMISSIONER JANOWSKI asked if there have been any conversations with the single-family property owners. These residents were present in the audience MS. KISLER indicated that this could be addressed later in the meeting when the residents speak.

MS. KISLER discussed security questions that the Plan Commissioners had inquired about at the previous meeting. The property manager stated that there have been no security issues since purchasing the property since 2006. She raised the concern that due to the early morning and late evening hours, there could potentially be security issues and noted that the presence of security cameras can have a positive impact on this concern. If recommended as conditions, Staff recommends a deadline of October 1, 2016 for the security cameras as well as the landscaping.

MS. KISLER provided the following Findings for a Special Use for the record:

- a. **That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;**
  - The proposed Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare because the business operations are wholly enclosed in the building and will provide clients with education and training to lead healthier lifestyles.
- b. **That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;**
  - The proposed Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity and will not substantially diminish and impair properties within the neighborhood because the Special Use is compatible with the other tenants of the building and the adjacent properties. The Special Use will allow for the building to be fully occupied for the first time since the property owner purchased the building in 2006. The property owner may increase the property value by making various site improvements as recommended by the Plan Commission and required by the Village Board.
- c. **That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;**
  - The proposed Special Use will not impede the normal and orderly development and improvement of surrounding property because the surrounding area is already developed and the Special Use will be located within two (2) formerly vacant tenant spaces in an existing building.
- d. **That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;**
  - The site currently exists and adequate utilities, access roads, drainage, etc. have already been provided.
- e. **That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and**
  - Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets at the existing property. Additionally, the property owner will sign a Plat of Easement to formalize the existence of a rear alley, which will aid in providing adequate ingress and egress between 169th Street and the properties to the south.

- f. **That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission. The Village Board shall impose such conditions and restrictions upon the premises benefited by a Special Use Permit as may be necessary to ensure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the general intent of this Ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this Ordinance.**
- The Special Use will conform to all other applicable regulations for the site.
- g. **The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.**
- The Special Use contributes directly and indirectly to the economic development of the community as a whole because the Applicant will provide training and education to clients that will aid in them developing a healthier lifestyle. This use is also filling vacant tenant spaces in the Legacy District/Downtown Tinley and will provide the community with a new type of service. The Special Use is compatible with the area and has proven to have a successful business model in another community.

COMMISSIONER KRONER inquired about current lighting and asked if the rear of the building had adequate lighting. MS. KISLER stated that yes, it does. If there are concerns, the Commission can make that a condition as well.

COMMISSIONER SHAW inquired about the current sizes of parking spaces in the rear parking area. MS. KISLER stated that they did not provide a Plat of Survey but a request for the plat has been made to the property manager. The plat would give the exact dimensions of the parking spaces. She noted that it appears that the aisle meets the minimum width required by the Legacy Code; however, the parking stalls themselves may not be accurately striped to meet the required sizes. This can be addressed with re-striping the parking stalls. COMMISSIONER SHAW stated that it seemed that there was not adequate room for a landscape buffer west of the parking stalls. MS. KISLER agreed that there was not room for the landscape buffer; however, the commercial property owner could work with the adjacent residential property owner to provide landscaping on their property. She stated that this could be a condition that the Plan Commission places on the Special Use, but it must directly relate to the impact of the Special Use.

PAULA WALLRICH, Interim Community Development Director, stated that a condition can be made based on the perceived impact of the Special Use. She noted that conditions must mitigate the impacts caused by the Special Use. She also added that this is an existing property and has limited ways to implement improvements to the site, unlike new projects on vacant sites where there are more options.

COMMISSIONER JANOWSKI asked about the noise reduction coefficient and if there were specific regulations for noise in the Neighborhood General Zoning District. MS. KISLER noted that standards for noise exist in the Zoning Ordinance, but only in the manufacturing districts.

COMMISSIONER JANOWSKI noted that the site exceeds the parking requirements. He inquired if the residents to the west would like to see landscaping between their property and the rear parking lot.

COMMISSIONER SHAW inquired about sidewalks. He asked if the sidewalks along Oak Park Avenue are currently ADA compliant. MS. KISLER stated that there is not a sidewalk in the public right-of-way at this location; instead, there is a barrier to keep patrons of the businesses from backing into Oak Park

Avenue. She added that the Legacy Plan calls for public sidewalks to be installed when front yard parking is removed. COMMISSIONER SHAW further inquired if this project triggered the removal of the front yard parking and addition of a public sidewalk. MS. WALLRICH stated that a Special Use does not trigger this requirement and that it is important to note that the public sidewalk will be added as properties redevelop.

CHAIRMAN MATUSHEK noted for the record that there is a requirement for trees along Oak Park Avenue. He added that he thought that the addition of trees in the parkway would have a positive impact on the neighborhood and would be a reasonable condition.

CHAIRMAN MATUSHEK introduced Ms. Julianna Grover. He inquired about her feelings regarding limitations on the business's class sizes.

JULIANNA GROVER, owner of The Train Station, stated she is comfortable placing a limitation on the number of clients and trainers/coaches. She is looking for two to three (2-3) clients for every one (1) coach. She added they would typically employ two (2) coaches during each one (1) hour session. She noted also that the reason they are seeking the 5:00 a.m. start time is that for the people who train before they head downtown for work and the earlier time makes it easier for their schedule. She also noted that the radio isn't on loud and they already checked with the neighboring business to make sure they could not hear the music. She further stated that they had not officially opened yet because they are waiting on equipment. She noted that she has clients booked starting Monday, July 25, 2016.

CHAIRMAN MATUSHEK stated that MS. GROVER mentioned having two to three (2-3) clients per coach. He stated that previously she had requested just two (2) clients per coach. MS. GROVER stated they could stay with two (2) clients per coach, but seemed concerned about expansion. She noted that the business started in Oak Lawn and has no limitations on clients or coaches. Her current business model in Oak Lawn is three (3) clients to one (1) coach. She added the building square footage is the same in Oak Lawn as in this Tinley Park location. She added that it help future expansion needs if they could have more coaches or have a 3:1 ratio.

CHAIRMAN MATUSHEK inquired about parking if class sizes go to a 3:1 ratio. MS. KISLER stated that the parking is measured by the square footage of the tenant spaces, not by the use and the anticipated customers. She added that other zoning districts not within the Legacy District do have parking regulations related to the use and the potential numbers of customers.

COMMISSIONER JANOWSKI inquired about Ms. Grover's comfort with two (2) trainers. He stated that the he did not want to hinder the growth of the business. MS. GROVER stated that they would be looking for two to three (2-3) coaches. She noted that the busy times were prior to regular work hours and after regular work hours.

COMMISSIONER KRONER asked MS. GROVER if she is comfortable with a condition for the Special Use Permit reading "sound must not be heard through the tenant's walls so as to not cause a nuisance to adjacent tenants of the building or surrounding properties." MS. GROVER stated that she is comfortable with the proposed condition.

COMMISSIONER KRONER inquired if MS. GROVER was comfortable with two (2) trainers rather than four (4) trainers. MS. GROVER responded that she would prefer four (4) trainers so that they would have the opportunity to expand. She noted that lower ratios of clients to trainers cause a more expensive session for the client.

CHAIRMAN MATUSHEK stated that the request is now for a 3:1 ratio with up to four (4) trainers. He asked MS. GROVER if she is comfortable with that. MS. GROVER stated that they were ok with a maximum of three (3) clients per every one (1) trainer with a maximum of four (4) trainers.

CHAIRMAN MATUSHEK reviewed the open items and stated that the Commission has covered the landscaping, sound, and class size.

COMMISSIONER JANOWSKI discussed the condition relating to sound and voiced concern for how it seemed vague. He recommended using a measureable decibel level rather than a subjective phrase. He suggested a limitation of 90 decibels or compliance with ASTM E90. COMMISSIONER SHAW stated that he agrees with COMMISSIONER JANOWSKI and stated the conditions should not be subjective but enforceable for today and in the future.

COMMISSIONER KRONER inquired about the business owner's affiliation with Capitol Nutrition. MS. GROVER stated that Capitol Nutrition is one of her sponsors for bodybuilding.

CHAIRMAN MATUSHEK asked if there were any further questions. Seeing none, he then requested the neighbors to the west of the subject property to speak.

RALPH HILTON, 6815 169<sup>th</sup> Street, introduced himself and his wife Donna. He stated that they have lived there for the past 21 years. Their primary concern is parking because they do not want business parking in front of their home. He inquired about the final determination on the client to trainer ratio.

CHAIRMAN MATUSHEK stated that currently they are at three (3) clients to one (1) trainer. He noted that MR. HILTON's concerns could be mitigated by a reasonable limitation of clients and trainers.

MR. HILTON inquired if there was an ordinance that prohibits parking for businesses in a residential district. MS. KISLER stated that 169<sup>th</sup> Street is a public street and parking is allowed on public streets except for between 2:00am and 5:00am.

MR. HILTON stated he understands the Village's parking requirements related to the square footage of the tenant spaces. He stated that he has concerns with where the clients and trainers will park if there is a higher ratio of clients and trainers. CHAIRMAN MATUSHEK stated that the Commission was discussing keeping the 2:1 ratio and now have agreed to a 3:1 ratio due to the anticipated need for expansion in the future.

MR. HILTON stated that if there were an agreement to keep the business parking out of the residential district he does not see a problem. MS. WALLRICH stated that it would be hard to administrate that due to no ordinances in place. CHAIRMAN MATUSHEK stated that the Commission could recommend limitations on the class sizes but cannot regulate parking on a public street. MS. WALLRICH stated that there is a commercial parking lot that may be able to be utilized across the street as well. MR. HILTON noted that the lot across the street is not normally full in the years he has lived there and suggested a shared parking agreement.

MR. HILTON also raised concerns about hearing the business open and close at early and late hours. He noted that he wants the business to do well, but wants the business to be cognizant that he lives next door and doesn't want to hear doors slamming or music playing. He mentioned that he could speak with the property owner about adding landscaping between their parking lot and his yard.

CHAIRMAN MATUSHEK stated again that MR. HILTON's concerns may be best accommodated by limitations on class sizes. He addressed MS. GROVER by asking if three (3) trainers would work instead of four (4).

MS. GROVER asked if she could make a couple of points related to the discussion. She said that her clients are referred to as "Fit Fam", which often consists of husbands, wives, and best friends and often times these individuals are driving to the sessions together. She added that they do not have a parking issue at the Oak Lawn location. She said the clients are respectful to not park in front of someone's house. She further explained that the early class will have few clients and the evening class ends at 10:00 p.m.

COMMISSIONER KRONER discussed ordinances regarding required parking spaces. He noted that the property has two (2) extra spaces than required according to the ordinance. He agreed that the best way to alleviate the parking concerns was to limit the class sizes and number of trainers.

COMMISSIONER SHAW inquired if there was a way to discourage clients from parking wherever they want to and instead guide them to park in certain locations.

MR. HILTON inquired about potential signage regarding where parking can be prohibited during certain hours.

CHAIRMAN MATUSHEK continued by asking MR. HILTON if the current landscaping between the parking lot and his property was satisfactory. MR. HILTON stated that they were fine with the current landscaping.

DONNA HILTON inquired about the calculation of parking for all the businesses there being done. MS. KISLER stated that the analysis accounted for the square footages of all tenant spaces in the building, not just the subject use. She also recommended that MS. GROVER discuss with her clients that they should fill the parking lot first, then use the front parking lot, and only use 169<sup>th</sup> Street for parking when absolutely necessary. MS. HILTON stated that that would be ideal.

MS. KISLER suggested that an agreement could be made between the property owners to share parking.

MS. WALLRICH stated that the Legacy Code does not require parking based on the uses of the building. She stated that she believes that a parking problem could be a good problem to have in a downtown area unless it negatively impacts residents.

COMMISSIONER KRONER proceeded to clarify the conditions for the Special Use Permit. He noted that the condition related to the landscaping in the west bufferyard may no longer be necessary since the adjacent residents are content with the current landscaping.

CHAIRMAN MATUSHEK began to recap the conditions, stating the consensus of the Commission, regarding to sound, wished to recommend that the sound cannot exceed the ASTM E 90 limitation. He also clarified the class size limit of three (3) clients to one (1) trainer or a 3:1 ratio.

MS. WALLRICH noted that The Train Station is just one (1) of three (3) commercial tenants in the building and reminded the Commission that any of these uses can change over time. The number of clients frequenting the businesses can change over time as well.

CHAIRMAN MATUSHEK stated that these changes would be reviewed in the future when the uses changed. MS. WALLRICH reminded the Commission that if the use is permitted there is only



administrative review based on the standards of the current code. The Plan Commission and Village Board only review Special Uses.

COMMISSIONER KRONER requested discussion about the client ratio as well as maximum total of trainers. CHAIRMAN MATUSHEK recapped the discussion of the 3:1 client/trainer ratio and a maximum of four (4) trainers. He asked MS. GROVER to confirm that she was ok with these conditions. MS. GROVER agreed that the 3:1 client/trainer ratio with a maximum of four (4) trainers works best for their business model. She stated that she would directly communicate with her clients regarding the parking concerns.

CHAIRMAN MATUSHEK stated that the property owner would also be responsible for planting a minimum of two (2) parkway trees along Oak Park Avenue by October 1, 2016.

COMMISSIONER KRONER noticed someone in the audience wanting to speak. CHAIRMAN MATUSHEK swore in JOAN HUTCHISON.

MS. HUTCHISON introduced herself and stated that she is the owner of the Hutchison building just north of the Petitioner's parking lot. She also stated that there is not room to accommodate the overflow parking within her parking lot. CHAIRMAN MATUSHEK stated that parking should be worked out without impacting the MS. HUTCHISON's building at this time.

There being no further questions or comments, with no other additions to the Findings of Fact as published and incorporating those Findings into the record, a Motion was made by COMMISSIONER JANOWSKI to recommend the Village Board grant the Applicant, Julianna Grover of The Train Station, a Special Use Permit for the operation of a business involving recreational uses (including group personal training, fitness, and nutritional education) and operating between the hours of 5:00am and 10:00pm at 16902 Oak Park Avenue, Unit 3 in the NG (Neighborhood General) Zoning District and Elmore's Oak Park Avenue Estates subdivision, with the following conditions:

1. The Train Station tenants, located at 16902 Oak Park Avenue, shall comply with the ASTM E 90 Noise Reduction Co-Efficient to adjacent tenants of the building or surrounding properties;
2. That class sizes must not exceed three (3) clients per trainer, with a maximum of four (4) trainers allowed at any one time to ensure that adequate parking is available;
3. That a Plat of Easement for an alley at the west side of the building must be signed by the property owner by October 1, 2016 and recorded by the Village; and
4. That two (2) parkway trees be installed along the Oak Park Avenue frontage by October 1, 2016.

The Motion was seconded by COMMISSIONER SHAW.

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

NAY: None

ABSENT: None

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

A motion was made by COMMISSIONER MOYLAN, seconded by COMMISSIONER JANOWSKI to close the Public Hearing at 8:41 p.m. THE MOTION WAS APPROVED UNANIMOUSLY by voice call. PLAN COMMISSION CHAIRMAN MATUSHEK declared the Motion approved.

#### **PUBLIC COMMENT**

CHAIRMAN MATUSHEK inquired if there were any comments from the audience. No one from the audience indicated that they would like to speak.

#### **ADJOURNMENT**

A Motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER JANOWSKI to adjourn the Regular Meeting of the Plan Commission of July 21, 2016 at 8:42 p.m. The Motion was unanimously approved by voice call. CHAIRMAN MATUSHEK declared the meeting adjourned.