



**MINUTES OF THE REGULAR MEETING OF THE
PLAN COMMISSION, VILLAGE OF TINLEY PARK,
COOK AND WILL COUNTIES, ILLINOIS**

AUGUST 3, 2017

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on August 3, 2017 at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Plan Commissioners: Peter Kroner
Lucas Engel
Eduardo Mani
Garrett Gray
Ken Shaw, Chairman

Absent Plan Commissioner(s): John Curran
Tim Stanton
Angela Gatto
Bill LeMonnier

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

CALL TO ORDER

PLAN COMMISSION CHAIRMAN SHAW called to order the Regular Meeting of the Plan Commission for August 3, 2017 at 7:30 p.m.

COMMUNICATIONS

STEPHANIE KISLER, Planner I, reminded the Commissioners that the American Planning Association's Illinois Chapter (APA-IL) is holding their annual State conference in Naperville on September 13-15, 2017. If any Commissioners are interested in the conference there is a limited budget that would allow for some Plan Commission members to attend.

APPROVAL OF MINUTES

Minutes of the July 20, 2017 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER ENGEL, to approve the Minutes. The Motion was approved by voice call. CHAIRMAN SHAW declared the Motion approved.

Minutes of the July 13, 2017 Special Joint Meeting of the Plan Commission and Zoning Board of Appeals were presented for approval. A Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER ENGEL, to approve the Minutes. The Motion was approved by voice call. CHAIRMAN SHAW 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 AUGUST 3, 2017 REGULAR MEETING

PUBLIC HEARING: INNOVATIVE DECKS – 6926 183RD STREET – SIGN VARIATIONS

Consider recommending that the Village Board grant the Petitioner, Ken Zomparelli on behalf of Innovative Decks, the following Variations for a ground sign at 6926 183rd Street in the NF (Neighborhood Flex) Zoning District:

1. A two foot (2') Variation from Section XII.4.E. of the Zoning Ordinance to allow a twelve foot (12') tall ground sign where ten feet (10') is the maximum allowable height;
2. A ten foot (10') Variation from Section XII.4.E. of the Zoning Ordinance to allow for a ground sign where the required setback for a ground sign is ten feet (10') from the property line; and
3. A ten foot (10') Variation from Section XII.4.E. of the Zoning Ordinance to allow for a ground sign where the required setback for a ground sign is ten feet (10') from the access drive.

The sign was altered without a permit and these Variations would allow the Petitioner to keep the sign as it was installed. The sign is twelve feet (12') tall, has a sign face area of 30.5 square feet, is located two feet, six inches (2'6") into the public right-of-way, and contains a manual changeable copy sign (which is prohibited).

Present were the following:

Plan Commissioners: Peter Kroner
Lucas Engel
Eduardo Mani
Garrett Gray
Ken Shaw, Chairman

Absent Plan Commissioner(s): John Curran
Tim Stanton
Angela Gatto
Bill LeMonnier

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

Petitioner: Ken Zomparelli, Innovative Decks

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER GRAY, to open the Public Hearing on Innovative Decks – 6926 183rd Street – for sign variations. The Motion was approved unanimously by voice call. CHAIRMAN SHAW declared the Motion approved.

CHAIRMAN SHAW 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 SHAW 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 PowerPoint and stated Petitioner, KEN ZOMPARELLI, has requested Variances for the freestanding sign that was already erected on the site at 6926 183rd Street. There are three Variation requests. In summary, the location of the sign is currently 2.5' into the public right-of-way from the south property line and also it is within the access drive. Code requires a 10' setback from both those aspects. The 3rd Variation is for the height of the sign because it is 12' rather than the maximum of 10'. At the last meeting it was discussed that there may be a compromise on the location of the sign if the height and the landscaping on the base of the sign is brought into compliance. On the PowerPoint and the Staff Report there is an image of a potential change to the sign to bring it into compliance by bringing it down to 10' in height and add landscaping at the base.

MS. KISLER stated the Petitioner's property is zoned Neighborhood Flex within the Legacy District. The properties adjacent to it on the east and west are unincorporated. This area considered the "southern gateway" into the downtown district.

MS. KISLER noted the Petitioner has already erected the sign and changes were made to the sign without permits. Staff would like to make sure that the sign becomes properly permitted and the sign meets regulations or becomes legal by the granting of a variation. The history is noted in the Staff Report.

MS. KISLER showed a photo of the site and noted the sign is within the circle drive and the Petitioner has sited one of the reasons for wanting the higher sign is in order to see the sign over vehicles that park next to it. Staff suggested that the Petitioner ask his employees to park elsewhere so as not to block the sign. MS. KISLER displayed photos of the signs at the property since 1998 showing the sign changes and the landscaping changes throughout time. A previous signs in 2008 had a message board and the current sign has a message board, which is prohibited. The message board would have to be removed. There are not any permits on file that reflect approval of the signs in the photos. The Petitioner was looking to make improvements to the sign but the changes that were made do not meet current code. Due to the unique layout of the site with the driveway and the access points it might not be feasible to move the sign to meet the setback requirements. It has been discussed with Public Works as to whether or not they would approve an encroachment waiver for the sign to remain within the public right-of-way. Public Works did say they could approve it; however, the Petitioner would have to sign off saying if for some reason the right-of-way was needed he would have to move the sign at his own expense. Staff also suggested a more cost effective option of adding landscaping would be to put freestanding planters at the base if the sign. The intent is to have 2 sq. ft. of landscaping per every 1 sq. ft. of sign face area.

MS. KISLER noted the three Standards for Variations that must be considered are:

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.
2. The plight of the owner is due to unique circumstances.
3. The Variation, if granted, will not alter the essential character of the locality.

MS. KISLER noted the following recommendations from the Staff Report:

- Consider the best location for the sign on the property.
- Consider if the sign should be allowed to be within the public right-of-way.
- Consider if the sign should be allowed to be taller than 10'.
- Consider if landscaping should be added to the base of the sign.
- Consider some type of compromise between height and location.

CHAIRMAN SHAW asked for comments from the Petitioner.

KEN ZOMPARELLI, Innovative Decks, stated the Staff's rendering of the potential changes to the sign has given him an idea of what he could do to change the sign; however, he prefers to leave the sign as it is now. MR. ZOMPARELLI voiced concerns regarding parking and visibility of the sign if he was to move it back and lower the height. Making the sign smaller will cheapen it and reduce the functionality of it. The purpose of the sign is to be visible. The Petitioner is willing to remove the message board on the sign and put flowers at the base. The sign has always been there and the Village annexed me with that sign there and it should be grandfathered in. This decision is totally up to your Commission.

CHAIRMAN SHAW stated this Public Hearing is only to recommend to the Village Board our findings. This Commission does not ultimately make the decision to grant or deny variances.

PAULA WALLRICH, Interim Community Development Director, stated the role of the Plan Commission is also to work with the Petitioner to see if there is some spirit of compromise that makes it a more approvable project. One of the biggest complaints here is that cars park in the way of the sign. If the Petitioner was to change the circle drive to provide a parking lot in the front area cars would not have to park in front of the sign. The sign could be moved to make it consistent with setbacks. The Commission and Staff have been trying to work with this Petitioner to help with the existing condition and get it to the most approvable state. The Petitioner should work to reduce the height of the sign.

MR. ZOMPARELLI stated he would prefer not to change the sign. It took all day to do that sign and it would take a couple days to tear it down and rebuild it. The posts are the same posts that have been there. All that was done was improvement of the sign to make it safe because it was smashed into with the bobcat. I try to make my business look as respectable as possible.

MS. KISLER stated no one is arguing the fact that you improved the sign and maintained it, but it was done without a permit and now we are here tonight to make sure whatever gets approved is a legal sign on your property.

COMMISSIONER KRONER asked how many times the Petitioner had redone the sign since 1989. MR. ZOMPARELLI replied at least three times. COMMISSIONER KRONER asked if each time he got a permit with the exception of this one. MR. ZOMPARELLI stated yes he did get permits. The last time was in 2008 and prior to that was with Cook County which was complicated with the Highway Department. He said he changed the posts one time.

MS KISLER stated the permit that was found was from 2008 depicts a sign that was triangular where a post would have been added. That sign does not exist today, so it should be noted that the approved sign was not erected. MR. ZOMPARELLI stated he pulled a permit for that sign, but decided not to erect that sign. MS. KISLER stated that is the only sign that we have a permit for in our files. The point we are trying to make is that he needs a permit to make changes to a sign. In the future he needs to check to make sure you have the correct permits before making changes.

COMMISSIONER KRONER stated we appreciate the business and you are well respected in the town. Your sign says everything for you, this is a nice sign. I would like to ask a couple questions. I would not have a problem with granting the Variations for the setbacks but I do have a problem with the height Variation. I have an issue making special consideration for any business especially in the Legacy District, where we are trying to maintain strict set of standards being business-friendly at the same time making sure everyone follows within the same parameters of each other. My question is if we pass a Motion on some of the Variations would you agree to add the landscaping that Staff requests within 30 days of approval by the Village of your Variances? Would you also agree to remove the message portion of the sign within 30 days of the Village passing the Variance?

MR. ZOMPARELLI agreed; however, he needs 60 days to do it. COMMISSIONER KRONER asked if he would also agree to sign the Public Works encroachment document within 60 days of being granted the Variance. MR. ZOMPARELLI agreed. He noted the posts are the same as they were before. COMMISSIONER KRONER disagreed as there are now added decorations on the top of the posts which increased the height. I understand what you are saying but we have to follow within the standards of the Village. This is strictly my opinion; I don't want to speak for anyone else. I think the sign is an outstanding sign and I don't want you to take it down and put up the old sign. That would be counterproductive to your business and counterproductive to the Village as well.

CHAIRMAN SHAW asked for any questions from the Commissioners. COMMISSIONER MANI asked for clarification regarding the previous sign that was permitted in 1994 when the County and IDOT sent a letter regarding the sign being in the right-of-way. MR. ZOMPARELLI replied that was when we removed the cedar posts because they were rotten. The Village was aware of the change of posts and the location and the inspectors signed off on it. COMMISSIONER MANI noted we should not set a precedent of allowing the sign to be location in the right-of-way.

COMMISSIONER ENGEL asked how long the sign has been there and that the previous sign looks considerably lower than the current sign and the sign did not negatively affect the business. MR. ZOMPARELLI replied at least 10 years and in 2008 was about the time we changed the posts to the vinyl posts and the reason we raised it was because of people parking in front of it. There are also large trucks that need to drive by it.

CHAIRMAN SHAW noted the property was annexed into the Village in 1994. The earliest photo and permit we have is 1998. Is that the sign that was there when it was annexed into the Village? Since that time every part of the sign has been replaced since 1998. Since 2008 the pavers were redone and you would not have had people parking in front of it. There are three Variations being requested, two are regarding the setback. With respect to the height Variation as previously pointed out the sign was much lower and because of parking you raised it. With the additional requirements regarding removing the message board, adding the landscaping and signing the Public Works encroachment document and in the spirit of compromise would you consider lowering the sign? MR. ZOMPARELLI replied he thought the sign was on the property line and stated he would do it if necessary, but he would not be happy about it and would prefer the sign being higher because of the parking.

CHAIRMAN SHAW noted that some of the Findings of Facts by the Applicant are not accurate and we want to make sure we do not accept those.

CHAIRMAN SHAW asked for comments from the public. Hearing none, he asked for the Petitioner's rebuttal. MR. ZOMPARELLI stated the sign has been the same for the last decade. I will be losing the message board. This will hurt my business. Give 60 days and I will try to take care of it.

Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER GRAY, to close the Public Hearing. Vote by voice. CHARIMAN SHAW declared the Motion carried.

There was discussion on separating the motions into the variance requests for location and the variance request for sign height.

Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER GRAY, to grant the Petitioner, KEN ZOMPARELLI on behalf of Innovative Decks, the following Variations for a ground sign at 6926 183rd Street in the NF (Neighborhood Flex) Zoning District.

1. A ten foot (10') Variation from Section XII.4.E. of the Zoning Ordinance to allow for a ground sign where the required setback for a ground sign is ten feet (10') from the property line; and
2. A ten foot (10') Variation from Section XII.4.E of the Zoning Ordinance to allow for a ground sign where the required setback for a ground sign is ten feet (10') from the access drive.

These Variations would allow the Petitioner to keep the sign in the current location as it was installed. The sign has a sign face area of 30.5 square feet, is located two feet, six inches (2'6") into the public right-of-way.

With the following conditions:

1. That landscaping is added to the base of the sign within 60 days of approval by the Village Board
2. That the manual changeable copy must be removed within 60 days of approval by the Village Board.
3. Owner would need to sign the Public Encroachment document as put forth by the Public Works Department of the Village of Tinley Park within 60 days of approval by the Village Board.

AYES: PLAN COMMISSIONERS KRONER, GRAY, ENGEL, and CHAIRMAN SHAW

NAYS: PLAN COMMISSIONER MANI

CHAIRMAN SHAW declared the Motion approved.

Motion was made by COMMISSIONER ENGEL, seconded by CHAIRMAN SHAW, to grant the Petitioner, KEN ZOMPARELLI on behalf of Innovative Decks, the following Variation for a ground sign at 6926 183rd Street in the NF (Neighborhood Flex) Zoning District.

1. A two foot (2') Variation from Section XII.4.E. of the Zoning Ordinance to allow a twelve foot (12') tall ground sign where ten feet (10') is the maximum allowable height.

This Variation would allow the Petitioner to keep the sign at the current height of twelve feet (12') tall.

AYES: NONE

NAYS: PLAN COMMISSIONERS KRONER, GRAY, ENGEL, MANI, and CHAIRMAN SHAW.

CHAIRMAN SHAW declared the Motion failed.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE AUGUST 3, 2017 REGULAR MEETING

M. BLOCK AND SONS, INC. – 18800 OAK PARK AVENUE – SITE PLAN APPROVAL, MINOR DEVIATION FROM THE TINLEY PARK CORPORATE CENTER/FIRST INDUSTRIAL PLANNED UNIT DEVELOPMENT & EXCEPTION FROM THE ZONING ORDINANCE

Consider granting the Petitioner, Jeff Musielewicz of Peak Construction Company on behalf of M. Block and Sons, Inc., Site Plan Approval and approving a Minor Deviation from the Tinley Park Corporate Center/First Industrial Planned Unit Development and an Exception from the Zoning Ordinance to allow for security improvements at the site including: fencing, gates, security guard houses, and related site improvements.

Present were the following:

Plan Commissioners:	Peter Kroner Lucas Engel Eduardo Mani Garrett Gray Ken Shaw, Chairman
Absent Plan Commissioner(s):	John Curran Tim Stanton Angela Gatto Bill LeMonnier
Village Officials and Staff:	Paula Wallrich, Interim Community Development Director Stephanie Kisler, Planner I Barbara Bennett, Commission Secretary
Petitioner:	Jeff Musielewicz, Peak Construction Co. Bob Reynolds, M. Block & Sons, Inc.

CHAIRMAN SHAW stated it is possible to approve this project tonight.

STEPHANIE KISLER, Planner I, stated the Petitioner is requesting a Site Plan Approval, a Minor Deviation, and an exception. This is based on the need for security improvements for the building located at 18801 Oak Park Avenue.

MS. KISLER displayed photos of the site and noted that this business has been at this location since 2012. They have had some issues with theft in the past. Staff spoke to the Police Department, who confirmed that they had eight (8) cases of theft reported since 2014. They currently have their own security staff and this project would add physical security improvements to the site. They are proposing to install guard rail, fencing, barrier gates, and two (2) guard stations. Trucks would have to enter and exit at the security houses.

MS. KISLER note the zoning of the site is M-1 PD (General Manufacturing, Planned Unit Development) and is part of the Tinley Park Corporate Center/First Industrial Planned Unit Development (PUD). The nearest residential area is north of I-80.

MS. KISLER stated there is a diagram in the Staff Report that shows the proposed the alteration of the southeast entrance drive to allow a wider turning radius for trucks. There is a need for increased width to accommodate multiple trucks entering and exiting the site. Additionally, this business will be sharing this particular access point with the adjacent 300,000 square foot building that will be under construction in the coming months. She also noted that employees use this entry drive to get to an employee parking lot on the east side of the building. She added that the Petitioner informed Staff this evening of the need to increase the proposed width from the original plan showing 38' to 60' wide.

COMMISSIONER GRAY stated he measured the current drive, which is 28' from edge of asphalt to edge of asphalt and 31' from back of curb to back of curb. From the back of curb there is 3' with a water main and 4' directly west is a fire hydrant. In one of their plans there is hydrant relocation and a light fixture that needs to be relocated. The grade is bermed up so there would also have to be some modification to the berm. He stated he would like to hear more details as to how they plan to deal with the relocations if they plan to widen the drive to 60'.

MS. KISLER noted this was sent to Engineering and nothing was mentioned about it the relocations; however, they may have reviewed the plan showing the 38' wide access drive rather than the 60' wide access drive.

MS. KISLER presented photos of the proposed fence, which is the requested exception from the front yard setback requirements for fencing. This line of fencing will be set back about 4' from the south property line.

CHAIRMAN SHAW asked for comments from the Commission the Petitioner.

JEFF MUSIELEWICZ, Peak Construction Company, stated in answer to the question about the hydrant and utility relocations the water main is coming directly from the east and all that would be required is extending the feed to the hydrant. We would also do the same this with the light pole.

MS. KISLER noted the location of the water main on the presentation.

CHAIRMAN SHAW noted that any Site Plan Approval will be subject to engineering approval at building permit stage.

COMMISSIONER KRONER asked about security cameras. MR. MUSIELEWICZ replied there are security cameras on the top of building. COMMISSIONER KRONER asked about extending the fence to the whole length of the building. MR. MUSIELEWICZ stated the idea was to be able to see the pond. We would not be opposed to that, but the fact is that we are tenants leasing the property and we have already expended a significant dollar amount, in conjunction with the landlord, to do all the improvements. We would have to discuss this with the landlord. We chose a more decorative fence and to extend beyond the pond would double the amount of fencing. We are also doing a significant amount of improvements on the inside of the building.

CHAIRMAN SHAW noted this fencing provides security from vehicular traffic rather than pedestrian traffic. If they were concerned about foot traffic, they probably would have proposed extending the fencing further. He asked if the guard houses will be manned. He added, for aesthetics, if it would be

possible to add landscaping at the end of the fence. MR. MUSIELEWICZ replied they will be manned during two shifts. They would consider a landscape feature at the end of the fence.

MS. KISLER stated the Standards for Site Plan Approval as noted in the Staff Report:

- a. That the proposed Use is a Permitted Use in the district in which the property is located.
- b. That the proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses.
- c. That the vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient, and convenient movement of traffic, not only within the site but on adjacent roadways as well.
- d. That the Site Plan provides for the safe movement of pedestrians within the site.
- e. That there is a sufficient mixture of grass, trees, and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses and will provide a pleasing appearance to the public; any part of the Site Plan area not used for buildings, structures, parking, or access-ways shall be landscaped with a mixture of grass, trees, and shrubs.
- f. That all outdoor trash storage areas are adequately screened.

CHAIRMAN SHAW noted hearing no further comments from the Commission or the Public asked for a Motion.

MOTION was made by COMMISSIONER KRONER, seconded by COMMISSIONER ENGEL, to grant the Petitioner, Jeff Musielewicz of Peak Construction Company on behalf of M. Block and Sons, Inc., the following approvals:

1. Site Plan Approval;
2. A Minor Deviation from the Tinley Park Corporate Center/First Industrial Planned Unit Development; and
3. A forty-six foot (46') Exception from Section V.B. of the Zoning Ordinance to allow an ornamental fence at a four foot (4') setback from the south property line where the required setback is fifty feet (50').

These approvals will allow for security improvements at 18801 Oak Park Avenue including: fencing, gates, security guard houses, and related site improvements in accordance with plans as noted within the List of Submitted Plans within the Staff Report.

...with the following conditions:

1. Add landscaping at the end of the decorative fencing.
2. The project is subject to Building Permit Review.

AYES: PLAN COMMISSIONERS KRONER, MANI, GRAY, ENGEL, and CHAIRMAN SHAW

NAYS: NONE

CHAIRMAN SHAW declared the Motion approved.

RECEIVE COMMENTS FROM THE PUBLIC

There were none.

GOOD OF THE ORDER

PAULA WALLRICH, Interim Community Development Director, reminded the Commissioners that the start time for the next meeting will be 7:00 p.m. She also noted the following project updates:

1. There will be a meeting regarding The Residences of Brookside Glen tomorrow.
2. Committee of Whole meeting will be next Tuesday. COW Meetings are now being held quarterly.
3. She is working on a Text Amendment to the municipal code on Chickens
4. Staff is working on Text Amendments for Outdoor Sales Display and Truck Leasing and these will come to the Plan Commission at the next meeting.
5. Waiver of the Building Code regarding sheds to allow a greenhouse without a concrete foundation.
6. Request for a temporary planner to cover Stephanie's honeymoon and Paula's medical leave.
7. B&B Warehousing has had complaints about odor. They have installed ozone machines.
8. Demo of Roger's Salon
9. Met with Banging Gavel and waiting to receive their site plan and landscape plan to bring before the Plan Commission.
10. Met with Trustee Glotz to talk about fences. Text Amendments will be coming before the Commission in the future.

CHAIRMAN SHAW reminded the Commissioners to respond to requests for attendance to make sure there is a quorum at the meetings.

ADJOURNMENT

There being no further business, a Motion was made by COMMISSIONER GRAY, seconded by COMMISSIONER MANI, to adjourn the Regular Meeting of the Plan Commission of August 3, 2017 at 9:12 p.m. The Motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN SHAW declared the meeting adjourned.