



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

NOVEMBER 2, 2017

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on November 2, 2017 at 7:00p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Plan Commissioners: Ken Shaw, Chairman
Lucas Engel
Eduardo Mani
Angela Gatto
Peter Kroner (Arrived at 7:20p.m.)
John Curran
Chuck Augustyniak

Absent Plan Commissioner(s): Garrett Gray
Tim Stanton

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

CALL TO ORDER

PLAN COMMISSION CHAIRMAN SHAW called to order the Regular Meeting of the Plan Commission for November 2, 2017 at 7:00 p.m.

COMMUNICATIONS

No communications at this time.

APPROVAL OF MINUTES

Minutes of the October 19, 2017 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER CURRAN, seconded by COMMISSIONER ENGEL, to approve the Minutes with corrections noted by COMMISSIONER KRONER in writing (below in italic).

Corrections: On page 17 top paragraph in the second to last sentence of the paragraph should read: "They would commit to coloring the foundation stone similar to the photo that was submitted in the Staff Report (page 15 of 33). His initial question was to 'consider' changing the color of the foundation stone; Petitioner responded that they would 'consider' but did not commit to changing. He then asked them to change the color of the foundation stone to a color scheme

similar to the photo submitted in the Staff Report (page 15 of 33). The Petitioner then agreed to change the foundation stone color as requested.”

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 NOVEMBER 2, 2017 REGULAR MEETING

ITEM #1: STUDIO Q – 17708 OAK PARK AVENUE

PUBLIC HEARING: SPECIAL USE PERMIT

CONSIDERATION FOR RECOMMENDATION: SPECIAL USE PERMIT

Consider recommending that the Village Board grant the Petitioner, Qiana Grant of Studio Q, a Special Use Permit to allow a recreational business use (including group fitness classes) at 17708 Oak Park Avenue in the NG (Neighborhood General) Zoning District.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman
Lucas Engel
Eduardo Mani
Angela Gatto
Peter Kroner (Arrived at 7:20p.m.)
John Curran
Chuck Augustyniak

Absent Plan Commissioner(s): Garrett Gray
Tim Stanton

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

Guests: Qiana Grant, Petitioner, Studio Q

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER AUGUSTYNIAK, to open the Public Hearing for a Special Use Permit request for Studio Q. 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 MALMBORG, Planner I, presented a slide explaining the Order of Public Hearing, which is also noted on the reverse side of the Agenda.

MS. MALMBORG noted the Petitioner is requesting a Special Use Permit to allow a recreational business use (including group fitness classes) at 17708 Oak Park Avenue in the Neighborhood General Zoning District within the Legacy District.

MS. MALMBORG noted the Summary of Open Items.

1. Consider conditions related to sound. The Petitioner spoke to the Gateway Learning Center next door and was advised the hours of operation are opposite that of Studio Q's proposed hours. Sound should not be an issue while children are being tutored. Cuzin's Bar and restaurant to the east has live entertainment and should not present an issue.
2. The Petitioner is required to install a bike rack to provide parking for at least two bikes. The Legacy Code requires this. The Petitioner has agreed to work with the property owner to install a bike rack. Staff encouraged the use of a larger bike parking area that all tenants could share to meet the Village's bike parking requirement.

MS. MALMBORG also noted there is no issue with parking because there is a large parking lot just south of the tenant space.

CHAIRMAN SHAW asked for comments from the Petitioner. QIANA GRANT of Studio Q explained she has a long history of experience in dance. She has been teaching dance since 2005. This will give an opportunity to people to come in and learn dance and be involved in fitness classes. MS. GRANT stated the property manager is aware of the need for bike racks.

CHAIRMAN SHAW asked the Petitioner if there have been any comments from Gateway Learning Center or Cuzin's Bar. MS. GRANT replied there have been none.

Motion was made by COMMISSIONER AUGUSTYNIAK, seconded by COMMISSIONER CURRAN, to close the Public Hearing. Vote by voice. CHAIRMAN SHAW declared the Motion carried.

Motion was made by COMMISSIONER GATTO, seconded by COMMISSIONER ENGEL, to recommend that the Village Board grant the Petitioner, Qiana Grant of Studio Q, a Special Use Permit to allow a recreational business use (including group fitness classes) at 17708 Oak Park Avenue in the NG (Neighborhood General) Zoning District with the following conditions:

1. That sound shall not exceed 50 dB when measured from outside the tenant space (exterior of the building or within the adjacent tenant space). Sound shall not cause a nuisance to other tenant spaces or surrounding properties. The Petitioner will be required to do soundproofing if there are valid complaints regarding noise.
2. That bike parking for at least two (2) bikes be provided at the site.

AYES: PLAN COMMISSIONERS CURRAN, ENGEL, MANI, GATTO, AUGUSTYNIAK,
and CHAIRMAN SHAW

NAYS: NONE

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 NOVEMBER 2, 2017 REGULAR MEETING

ITEM #2: THE RESIDENCE OF BROOKSIDE GLEN – SOUTHWEST CORNER OF 191ST STREET AND MAGNUSON LANE

PUBLIC HEARING: SPECIAL USE PERMIT

CONSIDERATION FOR APPROVAL: SITE PLAN

CONSIDERATION FOR RECOMMENDATION: SPECIAL USE PERMIT

Consider granting Site Plan Approval and consider recommending that the Village Board grant the Petitioner, Andrea Crowley of Griffin & Gallagher, LLC on behalf of Karli Mayher and KJM-Vandenberg Brookside Joint Venture, a Special Use Permit for a Substantial Deviation from the Brookside Glen Planned Unit Development and any related Exceptions to develop a one hundred forty-four (144) unit multi-family residential project (a.k.a. The Residence of Brookside Glen) at the properties generally located west of Magnuson Lane and John Michael Drive in the southwest corner of 191st Street and Magnuson Lane.

Present were the following:

Plan Commissioners:	Ken Shaw, Chairman Lucas Engel Eduardo Mani Angela Gatto Peter Kroner (Arrived at 7:20p.m.) John Curran Chuck Augustyniak
Absent Plan Commissioner(s):	Garrett Gray Tim Stanton
Village Officials and Staff:	Paula Wallrich, Interim Community Development Director Stephanie Malmborg, Planner I Patrick Connelly, Village Attorney Barbara Bennett, Commission Secretary
Guests:	Karli Mayher, Developer Scott Shalvis, Architect Andrea Crowley, Attorney Steve Gregory, Eriksson Engineering Assoc.

A Motion was made by COMMISSIONER AUGUSTYNIAK, seconded by COMMISSIONER GATTO, to open the Public Hearing a Special Use Permit for a Substantial Deviation from the Brookside Glen Planned Unit Development and any related Exceptions to develop a one hundred forty-four (144) unit multi-family residential project 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 MALMBORG, Planner I, presented the Staff Report. She displayed a PowerPoint explaining the Site Plan and the request for a Special Use Permit for a Substantial Deviation from the Brookside Glen Planned Unit Development along with three Exceptions from the Zoning Ordinance for front yard setback, building height, and floor area ratio (FAR).

MS. MALMBORG explained the zoning and nearby land uses. She noted the Summary of Open Items:

1. Consider an Exception for the front yard setback to allow the structures to be set back about 18' to 27' from the east property line.
2. Consider an Exception for the building height to allow the structures at a maximum building height of 65'.
3. Consider an Exception for floor area ratio to allow a FAR of .0656.
4. Minor revisions are required on the Landscape Plan.
5. Information is needed about the plans for security and management of the property.
6. Lighting is required near all entrances/exits to the structures. The Petitioner must submit plans showing adequate lighting provided by fixtures complimentary to the architectural style of the structures.
7. Revise elevations to include reddish brown brick accents on the club house.
8. Provide material sample for the foundation of the building.

MS. MALMBORG explained the history of the project as noted in the Staff Report. Currently, the Petitioner is requesting a site plan with four (4) multi-family apartment buildings and a club house. There is surface parking and semi-underground parking garage that runs under the whole length of the buildings. The buildings are connected by terraces that are above the semi-underground parking garage that include landscaping and recreational areas. The subject property is zoned R-6.

MS. MALMBORG explained the Brookside Glen Planned Unit Development. In 1990, the 828-acre subdivision was annexed into Tinley Park. The master plan called for condo/apartments on the subject property per the annexation documents. She noted that it is important to understand that the PUD inherently provides flexibility in its planning and zoning.

MS. MALMBORG discussed the Petitioner's request in more detail including the request for Site Plan Approval and a Special Use Permit for Substantial Deviation from Brookside Glen Planned Unit Development to allow four (4) multi-family apartment structures with thirty-six (36) dwelling units per building for a total of 144 units where nine (9) condo buildings with a total of 144 units was previously approved in 2000 per Ordinance 2000-O-006. The Petitioner is also requesting an Exception of the Village requirement for front yard setback to allow the structures to be set back about 18' to 27' from the east property line and a request for a nine-foot (9') Exception for the building height to allow the structures at a maximum building height of 65' where 56' is the maximum per Ordinance 2000-O-006. The Petitioner is also requesting an Exception of the Village requirement for Floor Area Ratio to allow an FAR of 0.656 where 0.6 is the maximum.

MS. MALMBORG presented images of the Site Plan with four (4) residential buildings and a fifth building for a club house wrapping around the curvature of Magnuson Lane. She noted there is a considerable amount of green space on the property and the Petitioner is providing many amenities. She noted that the Petitioner is providing the same luxury amenities that were incorporated into the

Petitioner's previous plans for two (2) residential structures earlier this year. MS. MALMBORG also displayed renderings of the buildings and provided the parking breakdown as noted in the Staff Report. The Petitioner included 64 land-banked parking spaces on the site, which will be constructed if additional parking is needed. The direction to complete the land-banked parking spaces will come from Staff if there are shortages of parking on-site.

MS. MALMBORG noted the Village Engineer has reviewed the plans and provided a memo in the last meeting packet that estimates the trips generated by the proposed development. This area was master planned for this amount of density at this site. There will be a connection on 191st Street when Magnuson Lane is completed, which must be done before the proposed project can open. There are intersection improvements planned for the intersection of 191st Street and 80th Avenue. Will County plans to design the improvements in 2019 and construct the improvements in 2020. There are also plans to widen the bridge on 80th Avenue that extends over Interstate 80.

MS. MALMBORG noted the location of the trash enclosures. She also stated the distance between the adjacent townhomes and the southernmost residential building was about two hundred feet (200'). She added that the Petitioner is providing the following amenities:

1. Semi-underground garage parking
2. A 5,320± square foot club house
 - a. Fitness center
 - b. Locker rooms
 - c. Billiard room
 - d. Lounge
 - e. Office
 - f. Party room
 - g. Free Wi-Fi
3. Outdoor pool
 - a. Cabanas
 - b. Fire pit
 - c. Seating areas
4. Outdoor terraces
 - a. Grilling stations with sink
 - b. Seating areas
 - c. Fireplace/fire pits
 - d. Pergola
 - e. Green roofs (the first 20 feet of the terraces will have a green buffer)
5. Outdoor gaming areas
6. Bike storage
7. Electric car charging stations
8. Disk golf baskets
9. Outdoor exercise circuits
10. Fireplace/fire pits with pergolas
11. Open space
12. Dog park

MS. MALMBORG said the Petitioner has moved the dog park from the south side of the buildings to the north side of the buildings as a result of previous concerns from the nearby residents.

MS. MALMBORG presented the elevations of the residential buildings. The buildings are four (4) stories in the center and three (3) stories at end of the buildings with tall windows and ceiling heights on the top floor and end units on the third floor. The ground around the foundation will be bermed and heavily

landscaped. The Petitioner provided samples of the proposed building materials, which were placed on the table in front of the Plan Commission. The proposed freestanding signage meets all applicable codes within the Zoning Ordinance.

MS. MALMBORG discussed the current status of the Open Items as follows:

1. Consider an Exception for the front yard setback to allow the structures to be set back about 18' to 27' from the east property line. The R-6 requires a 25' minimum and the UD-1 requires a 20' maximum. The proposed setbacks meet the intent of both of these codes.
2. Consider an Exception for the building height to allow the structures at a maximum building height of 65'. Compared to the Brookside Place complex it will be within inches of the same height from afar because the proposed property is 10' lower in elevation. They are requesting the mean roof height of 65'. The ceilings are taller in the proposed building which would be considered an amenity.
3. An exception of 0.056 to the Village requirement for floor area ration to allow a FAR of 0.656 where 0.6 is the maximum FAR allowed. This proposed building plan is closer to meeting the requirements than any of the other existing buildings in the area.
4. Minor revisions are required on the Landscape Plan. Will be resolved prior to the building permit release.
5. Information is needed about the plans for security and management of the property. On Site property management. Resolved.
6. Lighting is required near all entrances/exits to the structures. The Petitioner must submit plans showing adequate lighting provided by fixtures complimentary to the architectural style of the structures. Resolved.
7. Revise elevations to include reddish brown brick accents on the club house. Resolved.
8. Provide material sample for the foundation of the building. The Petitioner has supplied samples. Resolved.

MS. MALMBORG discussed the questions from both the Commissioners and the residents from the 10/19/2017 Workshop as noted in the Staff Report.

CHAIRMAN SHAW asked for feedback from the COMMISSIONERS.

CHAIRMAN SHAW asked if the landscaping, drainage, carbon monoxide detectors, ground sampling, and other items would be part of the permitting or engineering review process. MS. MALMBORG indicated that it would be reviewed during the building permit process. CHAIRMAN SHAW also asked about Magnuson Lane being completed to 191st Street and if construction traffic would go that way. He would like to require that. PAULA WALLRICH, Interim Community Development Director, replied that was correct and that 191st Street is a County road and permission from the County would be required. CHAIRMAN SHAW stated, assuming the County would give permission; he would like to require that construction traffic utilize the Magnuson Lane/191st Street access point rather than Greenway Boulevard/80th Avenue.

CHAIRMAN SHAW asked if the Petitioner had comments.

KARLI MAYHER, Developer, presented a video clip of a news item on ABC regarding suburban apartment rentals. The video stated that there is 95% occupancy in the suburban apartment rentals.

STEVE GREGORY, Eriksson Engineering Assoc., thanked MS. MALMBORG for her thorough presentation and introduced his team and explained that the Petitioner is prepared to meet all the landscape requirements. He noted the height of the buildings would be within one foot (1') of the

existing buildings due to the fact that there is a ten-foot (10') difference in the grade at this site compared to the existing Brookside Place development across 80th Avenue. He noted that working with Staff and the residents they tried to meet the requirements for the setbacks. Regarding the floor area ratio (FAR), this is the less than what it would have been with the previously-approved nine (9) residential building plan. He stated they originally came in with a conceptual eight (8) residential building plan, then the two (2) residential building plan, and now the new four (4) residential building plan which will allow them to continue to provide the luxury amenities. The goals are the same as the Village's – a positive economic impact. MR. GREGORY discussed the club house and details of the amenities. There will be a minimum one (1) year lease and they will follow all the Village's requirements regarding noise. He went over answers to the questions from Commissioners and residents noted in the Staff Report.

COMMISSIONER KRONER noted he had viewed some of the examples of the developer's previous construction. He referenced the Petitioner's slide that displayed other residential projects and asked whether the stonework around the front door of one of the single-family residential images is actual stonework. MS. MAYHER replied that it was. COMMISSIONER KRONER stated he felt this looked closer to what was originally presented on the color elevations. He stated the material sample for the foundation looks like cinder block and the foundation shown in the rendering looks more upscale than the sample. MS. MAYHER replied that a lot of the foundation will be covered with berming and landscaping. COMMISSIONER KRONER stated the foundation will still be showing until the landscaping matures. MS. WALLRICH noted that Staff actually directed the developer toward a solid color due to the fact that the brick is multi-color and it would look too busy with a colored pattern on the foundation stonework as well. From an aesthetic perspective, the solid buff color is more attractive than a multi-colored stone and is consistent with the mortar color. COMMISSIONER KRONER asked why they would submit this material sample when they showed something different on their plans. He noted that in the past the Petitioner did not follow through with what was committed. He said when you make a commitment in a public forum, you should stand by it. MS. MAYHER replied they could paint the foundation material, but the company did not have time to get those samples for the meeting tonight. MS. WALLRICH stated the monotone stone was what was recommended by Staff and in her experience painted stamped masonry does not hold up as well. She noted this stone is not a CMU and is not constructed in rows like a CMU, instead it is designed in a random pattern and is more upscale. She reiterated that it does not look like cinder block. CHAIRMAN SHAW noted the sample is different than the rendering due to more variation and deeper mortar joints on the rendering. He said when the Commissioners are looking at the sample and the rendering there is a disconnect. MS. WALLRICH pointed out that the rendering is illustrative and the brick on the rendering is not the sample chosen by the Commission at the last meeting. The chosen brick is multi-colored and that is why it looks appropriate in the rendering with multi-colored foundation. She stated that with multi-color brick it would be too busy to have the foundation multi-colored as well. Samples of that actual brick and the foundation color recommended by Staff was on display for the Commission. CHAIRMAN SHAW asked if either product conformed to Village codes. MS. WALLRICH replied yes they do meet Village codes.

CHAIRMAN SHAW asked the COMMISSIONERS for additional comments and questions for the Petitioner.

COMMISSIONER AUGUSTYNIAK noted he liked the dog park being moved to the north side of the site.

COMMISSIONER KRONER complimented the Petitioner, Village Staff, and Village Attorney, regarding the considerable amount of time spent to get questions answered. In past meetings residents felt shut out and didn't get answers to questions. He stated he hopes we have met the needs to get questions answered from the last workshop. He thanked the residents for coming to the meeting.

COMMISSIONER MANI said he echoes the comments of COMMISSIONER KRONER regarding the foundation.

COMMISSIONER CURRAN noted they have done a fine job of answering all these questions.

CHAIRMAN SHAW asked what commitment there is to continue to provide the amenities over time to support it is a high end development. MS. WALLRICH replied this is a Special Use and the approvals are made with conditions and in accordance with plans. The project must meet those conditions and plans. She also stated Staff's job is to maximize the rents by creating value through the architecture and building materials. She noted that by increasing the cost of the project there is some inherent assurances to maintain those amenities that are necessary to command the rents the owner needs to maintain his profit margin. She noted that the owner will do whatever is necessary to make the development capable of commanding those rents. If the building falls into disrepair they will not be able keep the rents up and the bottom profit line will suffer. She said in a project like this you will build in value by providing quality amenities for the residents.

CHAIRMAN SHAW noted the video they presented was good and very timely. He asked if the size and the capacity of the elevators is covered under staff review. MS. WALLRICH noted the elevators will be within fire standards and will be able to accommodate a stretcher. They will also serve as freight elevators. CHAIRMAN SHAW asked about single phase development and asked approximately what the build out time would be. MS. MAYHER replied about eighteen (18) months from start to finish. CHAIRMAN SHAW asked about the height comparison. He said the comparison between the proposed development and the existing Brookside Place development was made in the Staff Report. He noted that this is based on a distant vantage point. He said a more proper comparison would be a closer building. MR. GREGORY noted the ends of the buildings are three (3) stories and only the middle of the buildings are four (4) stories and the ends of the buildings are lower, which is what you will see first.

CHAIRMAN SHAW asked for any final points from the Commissioners. He then invited members of the public to speak.

MICHAEL STOCKLOSE thanked the Commissioners. He then questioned the building heights. He asked if they could get away with shorter ceilings, in order to meet the building height. He was glad you did a traffic study, but that was based on today's traffic and it does not apply to future traffic. There was nothing talked about AC louvers which was brought up on the previous submittal. The construction traffic entering on 191st and he doesn't want to see construction traffic. There should be traffic control, stop signs, if people can bypass the light on 191st and 80th avenue, it will become a thru street. He stated he wanted improved transparency and better documentation as to why this was approved. He stated he wanted this review to be done with more transparency.

PLAN COMMISSIONER KRONER stated he visited a complex on 355 & Butterfield Road and the louvres don't look bad on those buildings. He stated he was comfortable with the louvres. He also stated that nothing gets done just because it was done a certain way 20 years ago. He affirmed that the Commission is as transparent as they can be and he will try and get the answers to their questions.

JEAN MADDEN questioned the traffic pattern. About 3 weeks ago a school bus broke down and there was a great movement of traffic through the subdivision to avoid the traffic. Her biggest concern is the infrastructure and the absence of sidewalks. The 80th Avenue Bridge has not been fixed. There are a lot of accidents because people have nowhere to walk. My concern is traffic.

MS. MALMBORG explained the proposed schedule for the completion of improvements on 80th Avenue Bridge. She noted it is being studied and is moving forward. She also noted that sidewalks will be installed with the project.

PLAN COMMISSIONER KRONER noted the developer will be putting sidewalks in from the beginning to the end of the property.

CHAIRMAN SHAW noted the Village does have a track record of having plans that do not come to fruition. My understanding is such things as sidewalks, if we can find a reasonable way to put in sidewalks beyond their property. MS. WALLRICH replied sidewalks are a requirement of the PUD and the whole development.

RESIDENT – Traffic patterns make it very difficult to turn at certain times of the day. The rents are up now but what happens when that changes. What happens if this development goes into disrepair and they have trouble renting at the high prices? The Resident also questioned the statement that the property taxes would be \$350,000. MS. MAYHER noted this is an estimate. CHAIRMAN SHAW stated there are no incentives being given to this developer in the manner of a tax break. The resident then questioned why these are apartments rather than condos? PATRICK CONNELLY, Village Attorney replied that legal ownership is not proper for a Zoning hearing. The developer has probably crunched numbers and feels that apartments will be profitable. CHAIRMAN SHAW noted this is a business decision. If it makes sense economically this is their decision.

BRIAN GODLEWSKI expressed concerns regarding the improvement of the pond in the area. He also had concerns about the condos being called multi-family, condo/townhomes vs. apartments, FAR not being brought up originally, the comparison of this development to the existing buildings across the street and the Market Study. He stated that townhome and condo market is much better than apartments and feels that the Village needs more condo/townhomes. In some cases the market value decreased around apartments. He also stated that he felt the Petitioner should have requested the FAR as an exception in the application.

MS. WALLRICH replied this developer is not the owner of the pond. The owner of that property will be responsible for maintaining the pond. MS. WALLRICH explained the difference between a Deviation vs. Exception and noted that the Petitioner is requesting a deviation from what was previously approved—the 4 building proposal versus 9 building proposal and for apartments instead of condos. She explained these are deviations not exceptions because the code doesn't regulate the number of buildings or ownership. Conversely the Petitioner is requesting some exceptions to the code such as height, setback and FAR because these issues are regulated by the code and therefore they need to be noted as part of the PUD deviation. She complimented Brian on his research of the code and explained the complexities and interrelationships between FAR and bulk regulations. She noted the inherent flexibility of a PUD and that the intent of a PUD is to suspend code and design a project more creatively.

CHAIRMAN SHAW noted the Plan Commission has not tracked the housing mix as we should. We have no basis to say what is needed and suggested we consider this in the future.

RESIDENT - In order to have Variances approved, it should not affect the property value. He questioned whose responsibility is it to determine the affect? The viability of the buildings is in question. He noted the lack of information seems to favor the developer not the community and questioned the developer's experience?

CHAIRMAN SHAW noted the Special Use with Exceptions to the Code.

ATTORNEY CONNELLY stated it is the Petitioner's job to meet the standards required for approval.

CHAIRMAN SHAW asked the resident about the setback requirement he had mentioned. The resident replied back in 2000 going over 3 stories was not in the best interest of the community. The setback was to be 250'.

MS. WALLRICH noted that setback was one of the exceptions the Petitioner is requesting and that the setback proposed was between the setback required by code and what the overlay district required. CHAIRMAN SHAW noted in response to Mr. Godlewski's question about including the FAR in the application that often the requests made by the Petitioner change as we go through the process; what they are requesting is not necessarily what gets recommended.

CHAIRMAN SHAW asked for an opinion from the Village Attorney as to whether there should be further discussion before hearing a motion is made to close the Public Hearing to ensure there is a consensus of the Commissioners or whether there may still be some additional questions. He questioned whether the Commissioners had all the information they needed to make a decision. He asked the Village Attorney if he should close the Public Hearing if more information is needed that should be on the public record and if the public hearing were continued would it require additional notice or should it be continued to a date certain? CHAIRMAN SWAH noted that the hearing could be continued to a future date in order to answer further questions.

ATTORNEY CONNELLY replied it depended on what the information is. If there is something that could be done at the next meeting, you can continue it at the next hearing. He stated he preferred not to go beyond the next meeting, but if there is something that needs a month, close the hearing and re-notice it for a month.

CHAIRMAN SHAW asked each of the Commissioners if there was more information needed to be able to make a decision this evening before he closed the Public Hearing.

COMMISSIONER KRONER asked about traffic control and whether the Commission can condition approval on traffic controls at the intersections. ATTORNEY CONNELLY replied that is not possible. A separate recommendation could be made to the Village Board. MS. WALLRICH replied that you can direct Staff to look at this and it could be brought to the Public Safety Committee for consideration.

COMMISSIONER SHAW advised we should make that recommendation. He then asked again if the Commissioners needed additional information. All Commissioners replied they did not need more information. COMMISSIONER SHAW asked for a motion to close the Public Hearing.

Motion was made by PLAN COMMISSIONER CURRAN, seconded by PLAN COMMISSIONER AUGUSTYNIAK, to close the Public Hearing. Vote by voice. CHARIMAN SHAW declared the Motion carried.

CHAIRMAN SHAW noted within the Staff Report there are the Standards for Special Use. There are 5 points to consider. They are Site Plan Approval, Special Use for a Substantial Deviation and the three exceptions: Setback, Height and FAR. He stated that he felt these could be considered at one time and did not need separate consideration as has been with previous recommendations. He asked before making a motion, are there any further discussions or deliberation from the Commissioners?

CHAIRMAN SHAW then noted the Standards for Special Use and the Finding of Facts in the Staff Report. Are there any additions or questions on those from the Commission? MS. WALLRICH noted there are Standards for PUD, Standards for Residential PUD's, Standards for Site Plan and Standards for

Special Uses. Some are redundant, the Standards for PUD's are often reflected in creating new PUD's, but just to be thorough, we want you to look at those and most are not applicable to the Deviation. The most critical ones are the Special Use Standards and Site Plan Standards. CHAIRMAN SHAW stated regarding the setback, obviously we have overlapping, conflicting setback requirements and to that end, outside of this, I think it would be important for us to consider, especially with the undeveloped commercial space in the middle, that any undeveloped space that falls within this with conflicting setbacks, that we clarify this point. If there is some change we need to make it before the next development comes up. MS. WALLRICH replied the commercial would not be an issue since the Overlay District applies to commercial. CHAIRMAN SHAW asked if any of the Commissioners had any concerns regarding setback, height or FAR of this? All Commissioners replied no. CHAIRMAN SHAW noted if there are no further comments from the Commissioners he would entertain a Motion on this matter.

Motion was made by PLAN COMMISSIONER ENGEL, seconded by PLAN COMMISSIONER CURRAN, to recommend that the Village Board grant the Petitioner, Andrea Crowley of Griffin & Gallagher, LLC on behalf of Karli Mayher and KJM-Vandenberg Brookside Joint Venture, Site Plan Approval, in accordance with plans as noted in the List of Submitted Plans within the Staff Report and attached to the Plan Commission Meeting Packet, to develop a one hundred forty-four (144) unit multi-family residential project within four (4) residential structures connected by semi-underground parking. The proposed plans include various private residential amenities such as a 5,320± square foot club house, outdoor terraces, outdoor pool and cabanas, electric car charging stations, a dog park, fitness center, fire pits, and landscaping.

The Plan Commission also moves to recommend that the Village Board grant the Petitioner, Andrea Crowley of Griffin & Gallagher, LLC on behalf of Karli Mayher and KJM-Vandenberg Brookside Joint Venture, a Special Use Permit for a Substantial Deviation from the Brookside Glen Planned Unit Development (within Ordinance 2000-O-006) to develop a one hundred forty-four (144) unit multi-family residential project within four (4) residential structures connected by semi-underground parking.

Ordinance 2000-O-006 allows one hundred forty-four (144) dwelling units within nine (9) buildings. The proposed Substantial Deviation will reduce the number of residential structures from nine (9) to four (4). The club house will be located between the residential structures above the semi-underground parking garage. The subject property is generally located west of Magnuson Lane and John Michael Drive in the southwest corner of 191st Street and Magnuson Lane. The parcel identification numbers of the lots are 19-09-11-200-015-0000 and 19-09-11-200-013-0000. The Plan Commission also adopts the Standards for a Planned Unit Development, Standards for Site Plan Approval, and Findings of Fact for a Special Use Permit drafted in the Staff Report and discussed at this meeting.”

...The project includes the following exceptions:

1. An exception to the Village requirement for the front yard setback to allow the residential structures to be set back about 18' to 27';
2. A nine foot (9') exception to the maximum building height requirement within Ordinance 2000-O-006 to allow the structures at a building height of 65' where 56' is the maximum height allowed; and
3. An exception of 0.056 to the Village requirement for floor area ratio (FAR) to allow a FAR of 0.656 where 0.6 is the maximum FAR allowed.

...The Plan Commission recommends the following conditions:

3. That the Final Landscape Plan must be approved by the Village's Landscape Architect and Village Staff prior to release of the building permit;
4. That the Petitioner provides amenities in accordance with the plans;
5. All proposed residential amenities must be completed prior to issuance of final Certificate of Occupancy;
6. The public improvements (sidewalk, lighting, street trees, and intersection improvements) along Magnuson Lane toward 191st Street must be completed prior to issuance of the final Certificate of Occupancy

AYES: PLAN COMMISSIONERS CURRAN, ENGEL, GATTO, and CHAIRMAN SHAW

NAYS: PLAN COMMISSIONERS AUGUSTYNIAK, KRONER, and MANI

CHAIRMAN SHAW declared the Motion approved.

GOOD OF THE ORDER

COMMISSIONER KRONER asked to put forth a Motion to recommend to the Board that Staff looks at the stop signs at the intersections for the project. He wanted to see this happen before the development starts. CHAIRMAN SHAW stated we can make a recommendation to the Board. We should make a Motion that this goes before the next Public Safety Committee meeting to install stop signs at the intersection.

Motion was made by PLAN COMMISSIONER KRONER, seconded by PLAN COMMISSIONER MANI to recommend to the Village Board at the next Public Safety Meeting that 4-way stop signs are installed at the intersections of that area. Vote by voice. CHAIRMAN SHAW declared the Motion approved.

MS. WALLRICH gave a list of the future projects.

1. South Street Boulevard
2. Lakota survey on the Plaza amenities and locations on web site.
3. Waiting for Woodman plans
4. McDonalds Proposal – similar to other McDonalds on Harlem.
5. CD Committee Meeting on November 14
6. Mayor initiative – economic development on downtown area. Patrick Hoban working on it. Permanent improvements to bring older buildings up to date.
7. Design Guidelines
8. Working on a new software update to our department.
9. Aldi sign size recommended (medium size) – framed and ready for install
10. Portillo's work started – working at night.

CHAIRMAN SHAW discussed how Oak Lawn has a mechanism for minority votes to explain their votes. He noted that given the split vote tonight he felt it would be helpful to the Village Board understand the dissenting votes. ATTORNEY CONNELLY replied there can be a mechanism as to why Commissioners voted no. This could be an important context to bring to the Village Board.

PLAN COMMISSIONER KRONER noted the residents and staff did a fine job of getting everything together. He had concerns about home value and that the developer did not provide what they promised with respect to the foundation material. He noted that the Tracy Cross study on the last proposal was flawed and felt that these flaws were not addressed. He stated that many residents have concerns about the impact of the project on home values and this issue was not addressed. MS. WALLRICH stated there was no resistance on the developer's part to give the Commission what they wanted, that it was staff's recommendation for the color of the foundation material.

PUBLIC COMMENT

Resident #1 – The Plan Commission did not consider or negotiate the height.

Resident #2 – There could have been a great compromise on height. The FAR is 50% greater than the allowable.

ADJOURNMENT

There being no further business, a Motion was made by PLAN COMMISSIONER AUGUSTYNIAK, seconded by PLAN COMMISSIONER ENGEL, to adjourn the Regular Meeting of the Plan Commission of November 2, 2017 at 10:16 p.m. The Motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN SHAW declared the meeting adjourned.