



## MINUTES OF THE PLAN COMMISSION

### VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS

**NOVEMBER 19, 2015**

The regular meeting of the Plan Commission was held in the Council Chambers of Village Hall on November 19, 2015 at 7:30 p.m.

#### **ROLL CALL**

Plan Commissioners: Jeff Ficaro  
Bob McClellan  
Gina Miller  
Mark Moylan  
Art Pierce  
Bill Reidy  
Tim Stanton  
Rita Walker, Chairman

Absent Plan Commissioner(s): Tom Mahoney

Village Officials and Staff: Amy Connolly, Planning Director  
Stephanie Kisler, Planner  
Paula Wallrich, Deputy Planning Director  
Debra Kotas, Commission Secretary

#### **CALL TO ORDER**

Plan Commission Chairman Walker called to order the regular meeting of the Plan Commission for November 19, 2015 at 7:31 p.m.

#### **APPROVAL OF MINUTES**

Minutes of the October 22, 2015 Special Joint Meeting of the Plan Commission and Zoning Board of Appeals were presented for approval. A motion was made by COMMISSIONER REIDY, seconded by COMMISSIONER PIERCE to approve the Minutes as presented. THE MOTION WAS APPROVED UNANIMOUSLY by voice call. PLAN COMMISSION CHAIRMAN WALKER declared the motion approved.

Minutes of the November 5, 2015 regular meeting of the Plan Commission were presented for approval. A motion was made by COMMISSIONER FICARO, seconded by COMMISSIONER MCCLELLAN to approve the Minutes as presented. THE MOTION WAS APPROVED UNANIMOUSLY by voice call. PLAN COMMISSION CHAIRMAN WALKER 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 19, 2015 MEETING**

**PUBLIC**

**HEARING #1: BRIXMOR DEVELOPMENT (TINLEY PARK PLAZA)-15917 S. HARLEM AVENUE-  
SPECIAL USE FOR A SUBSTANTIAL DEVIATION TO THE TINLEY PARK PLAZA  
PLANNED UNIT DEVELOPMENT, AMENDING SIGN REGULATIONS**

Consider a proposal from Mr. Brad Ratajczak, Brixmor Property Group, for a Special Use for a Substantial Deviation amending the sign regulations of the Tinley Park Plaza Planned Unit Development. The proposed Sign Amendment will consolidate all sign regulations for in-line and outlot tenant spaces in Tinley Park Plaza and allow for a consistent design approach and approval process.

Present were the following:

Plan Commissioners:	Jeff Ficaro Bob McClellan Gina Miller Mark Moylan Art Pierce Bill Reidy Tim Stanton Rita Walker, Chairman
Absent Plan Commissioner(s):	Tom Mahoney
Village Officials and Staff:	Amy Connolly, Planning Director Stephanie Kisler, Planner Paula Wallrich, Deputy Planning Director Debra Kotas, Commission Secretary
Guest(s):	Brad Ratajczak, Brixmor Property Group

CHAIRMAN WALKER opened the Public Hearing at 7:32 p.m. requesting anyone present who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

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 and sent to area storeowners.

BRAD RATAJCAK, representing Brixmor Property Group, thanked Village Staff for continued efforts in amending sign regulations for Tinley Park Plaza that were mostly acceptable to both the Village and Brixmor.

PAULA WALLRICH, Deputy Planning Director, presented the Staff Report. She reminded Commissioners that new sign amendments for the outlot were approved in June, however, these did not address sign regulations for the in-line stores that remain unchanged from 1985 and not conducive with current market trends, including the new Planet Fitness.

MS. WALLRICH reported the content and approvals of the original PUD continue to be intact with an advantage in terms of square footage due to the length and depth of the Plaza, thus allowing 1.5 square foot of signage for every 1 foot of frontage, compared to 1 square foot of signage for the rest of the Village. She reviewed a Table comparing the Village Sign Ordinance requirements, the original PUD sign requirements, and proposed PUD regulations.

MS. WALLRICH explained rather than calculate the area of every letter and spacing on the sign, a geometric shape will be drawn around the sign to determine the sign area. She reported this type of calculation will also be defined in the Village-wide Sign Ordinance. She also reported the use of color indicative of the respective business brand or logo will be included in sign area calculations.

MS. WALLRICH explained during the research process, Brixmor requested comparison with Brookside Marketplace. She proceeded to review a Table showing advantages to Tinley Park Plaza in terms of height.

Because of existing stores in the Plaza, Staff wanted to ensure the Plaza was not entirely non-conforming. MS. WALLRICH proceeded to review a Table outlining conforming and non-conforming signs at Tinley Park Plaza including: Walts (height/area non-conformity); Famous Footwear (4" height non-conformity); Lumber Liquidators (area non-conformity due to the length of the business name); and, Dollar Tree (6" height non-conformity). She explained though these minor non-conformities are present, they will continue to exist as non-conforming.

In conclusion, MS. WALLRICH explained that in-line stores with tenant spaces <25,000 square feet will have a maximum lettering height of 36" and overall sign height of 84", and those tenant spaces >25,000 square feet will have a maximum lettering height and total sign height of 84".

MS. WALLRICH reported Brixmor agrees with the proposed amendments, except Planet Fitness is requesting a sign on the 27' pylon sign that is a legal non-conforming sign. She explained Village Ordinance does not allow changes to a legal non-conforming sign without it being brought into compliance, including solely a sign face. She noted Planet Fitness will have two (2) conforming, ground-mounted signs at the north and south ends of the Plaza, in addition to their wall sign, therefore, Staff does not believe a hardship exists.

ASSIGNED COMMISSIONER MCCLELLAN reported meeting with the Petitioner who is in agreement with everything except for a request for a face sign on the 27' pylon sign. He also explained Village Ordinance prohibits changes since this is a non-conforming sign. He stated since Planet Fitness will have a clearly visible wall sign in addition to the 2 ground mounted signs, he does not believe a hardship is warranted. ASSIGNED COMMISSIONER FICARO concurred.

MR. RATAJCZAK requested some flexibility on changing a panel on the non-conforming pylon sign to accommodate a tenant with which a lease deal was made with prior to this discussion. He stated to further the success of the business within the Village, it will be disheartening to the business owner to not just be able to change a panel on the pylon sign rather have it remain an unused white, blank sign.

CHAIRMAN WALKER again reiterated the Ordinance regarding out-of-date signage within the Village.

CHAIRMAN WALKER noted there was no one in the audience to propose any questions, comments or objections for either Staff or the Petitioner.

ASSIGNED COMMISSIONER FICARO requested the following Findings of Fact be submitted for the Special Use Permit to allow for a Substantial Deviation of the Tinley Park Plaza (TPP) Planned Unit Development amending the Sign Regulations governing in-line and outlot signage:

- 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 sign amendments will clarify regulations for all signage in the Plaza, provide for uniformity within the PUD, and improve the administrative review for permits. The proposed amendments will allow for current trends in signage that the current outdated regulations would prevent such as branding for lettering style. Signage is an integral part of the success of a business and the proposed sign plans encourage signage will assist the general public in way-finding to the various businesses.

- 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 will it substantially diminish and impair property values within the neighborhood.

The proposed sign amendments will provide opportunity for new and current signs to be updated which will improve the aesthetics of the Plaza. The amendments are consistent with the previous regulations regarding area which acknowledges the setback for the in-line stores from Harlem Avenue.

- 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 sign amendments will not deter or detract from the normal and orderly development of the surrounding area; the amendments will most likely result in more attractive signage which will improve the Plaza and consequently the surrounding area.

- D. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.

The proposed sign amendments will improve the administration and aesthetics of signage in the Plaza. It is the intent of the proposed amendments to encourage more attractive signage which in turn should attract more business to the Plaza.

There being no questions or comments to the aforementioned Findings of Fact, COMMISSIONER FICARO made a motion recommending the Village Board grant the Applicant, Brixmor Development, a Special Use for a Substantial Deviation from the approved Tinley Park Plaza PUD, amending the Sign Regulations as proposed for the Tinley Park Plaza and adopt the Findings of Fact as proposed by Village Staff and the Plan Commission at this meeting.

The Motion was seconded by COMMISSIONER MCCLELLAN.

AYE: Plan Commissioners Jeff Ficaro, Bob McClellan, Gina Miller, Mark Moylan, Art Pierce, Bill Reidy, Tim Stanton, and Chairman Rita Walker

NAY: None

ABSENT: Plan Commissioner Tom Mahoney

THE MOTION WAS APPROVED UNANIMOUSLY by voice vote. PLAN COMMISSION CHAIRMAN WALKER declared the Motion approved.

A motion was made by COMMISSIONER PIERCE, seconded by COMMISSIONER FICARO to close the Public Hearing at 7:53 p.m. THE MOTION WAS APPROVED UNANIMOUSLY by voice call. PLAN COMMISSION CHAIRMAN WALKER 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 19, 2015 MEETING**

**PUBLIC**

**HEARING #2: TEXT AMENDMENTS TO SECTION XII (LEGACY CODE) OF THE TINLEY PARK ZONING ORDINANCE-VILLAGE OF TINLEY PARK**

Consider recommending that the Village Board grant approval to an Ordinance to amend Section XII (Legacy Code) of the Tinley Park Zoning Ordinance by the following:

- a. Amend Section 3 (General Provisions) Table 3.A.2. to remove “Package Liquor Stores” from the list of uses requiring a Special Use and add “Package Liquor Stores” to the list of Prohibited Uses;
- b. Amend Section 3 (General Provisions) Table 3.A.2. to add as a Permitted use the sale of “Boutique Alcohol” which includes the sale of artisan distilled spirits, fine wine, and micro-brew or craft beers;
- c. Amend Section 3 (General Provisions) to provide special conditions related to the approval of a Special Use for a “Winery, distillery, or brewery, including sales and tasting”;
- d. Amend Definitions to add corresponding definitions for the proposed amendments.

Present were the following:

Plan Commissioners: Jeff Ficaro  
Bob McClellan  
Gina Miller  
Mark Moylan  
Art Pierce  
Bill Reidy  
Tim Stanton  
Rita Walker, Chairman

Absent Plan Commissioner(s): Tom Mahoney

Village Officials and Staff: Amy Connolly, Planning Director  
Stephanie Kisler, Planner  
Paula Wallrich, Deputy Planning Director  
Debra Kotas, Commission Secretary

CHAIRMAN WALKER opened the Public Hearing at 7:53 p.m. requesting anyone present who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

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.

PAULA WALLRICH, Deputy Planning Director, presented the Staff Report. She noted the Plan Commission recently reviewed and performed comprehensive Legacy Code updates, however, the package liquor use amendments were removed from consideration to allow more research. She reported concern at the Board level in eliminating all package liquors from Legacy District due to new “boutique” alcohol stores that are becoming the market trend in many downtown areas including micro-brews, wineries and distilleries.

MS. WALLRICH explained the amendment would include language that would allow for these types of Permitted uses “including boutique stores that sell and/or serve artisan-distilled spirits, fine wine or micro-brew/craft beer,...”, and move “package liquors” from Special Use to Prohibited Use. She stressed the Plan Commission will not be approving any type of liquor classification, however, licensing will remain under direction of the Village Liquor Commissioner.

MS. WALLRICH reported in discussions with both Assigned Commissioners, COMMISSIONER PIERCE and COMMISSIONER REIDY, both were supportive of prohibiting “package liquors” in the Legacy District and the addition of “boutique alcohol sales”.

MS. WALLRICH reported the Police Department expressed concerns regarding possible video gaming, music and serving food, however, these are not zoning issues and again would be under the direction of the Mayor and the Village liquor license body.

MS. WALLRICH added the proposed amendments will also provide additional conditions for wineries, distilleries and brew pubs that wish to operate in the downtown area mostly relating to the discharge of waste products and odor emissions. She also stated it further clarifies “on-site consumption” only.

AMY CONNOLLY, Planning Director, reported a meeting of the Main Street Commission was held recently at which time she reviewed the proposed text amendments. The following comments/suggestions were made:

- encourage local production;
- consider prohibit gaming amusements machines and jukeboxes;
- serve food or food trucks;
- conditions on live music due to mixed-use buildings;
- midnight vs. 2:00 am. closing time;
- prohibit sale of kegs;
- limit interior square footage

CHAIRMAN WALKER commented she liked the idea of serving food from neighboring restaurants and having 1-2 piece live music.

ASSIGNED COMMISSIONER PIERCE stated he believes boutique stores would attract new businesses and people to the Legacy District.

COMMISSIONER REIDY stressed that the Assigned Commissioner review was kept to zoning/land use requirements under the direction of the Plan Commission rather than those issues under the direction of the Village Liquor Commission.

COMMISSIONER MILLER inquired what constitutes a “premium cigar” under the restrictions of use of tobacco products. MS. CONNOLLY stated that State Law and Village Ordinance prohibits any type of tobacco use.

CHAIRMAN WALKER noted there was no one in the audience to propose any questions, comments or objections.

COMMISSIONER PIERCE made a motion recommending the Village Board amend Section XII of the Tinley Park Zoning Ordinance (the 2011 Legacy Code for Downtown Tinley Park), as presented in a draft Ordinance dated November 19, 2015, specifically:

- To amend Section 3, Table 3. A.1, under the first category “Commercial” and “Retail/Service” to add the following clause “*including boutique stores that sell and /or serve artisan distilled spirits, fine wine, or micro-brew/craft beer,*” after “specialty goods/foods stores,” and before “financial institutions,”;
- To delete from Section 3 the term “Package liquor stores” from the Special Use list in Table 3.A.2 and add

“Package liquor stores” as a Prohibited Use;

- To amend Section 3, Table 3.A.2, under Special Uses add “*on-site consumption*” to read as follows: Winery, distillery, or brewery, including sales, *on-site consumption*, and tasting;
- To amend Section 3, A. Uses, and add the following as *Section 5*:

*Wineries, distilleries and breweries are allowed as a Special Use in the Legacy District in accordance with the procedures set forth in Section X.J of the Zoning Ordinance and the conditions identified below:*

1. *Conform to all applicable requirements of the Illinois Liquor Control Act;*
2. *Provide a waste disposal plan to the Village which identifies whether discharge will be to a municipal sewer or if primary and secondary treatment of the effluent will occur on site;*
3. *Follow MWRD pretreatment guidelines; (as recommended by Public Works)*
4. *Control odor emissions and provide on-site control methods; and*
5. *Provide ‘clean-in-place’ (CIP) methods for decontaminating equipment that utilize the best of industry standards.*

- To amend the Definition Section to include definitions for **Boutique Store, Boutique Alcohol Store, Artisan-Distilled Spirits, Fine Wine, Micro-Brew/Craft Beer, Package Liquor Store, and Tavern.**

The Motion was seconded by COMMISSIONER REIDY.

AYE: Plan Commissioners Jeff Ficaro, Bob McClellan, Gina Miller, Mark Moylan, Art Pierce, Bill Reidy, Tim Stanton, and Chairman Rita Walker

NAY: None

ABSENT: Plan Commissioner Tom Mahoney

THE MOTION WAS APPROVED UNANIMOUSLY by voice vote. PLAN COMMISSION CHAIRMAN WALKER declared the Motion approved.

A motion was made by COMMISSIONER REIDY, seconded by COMMISSIONER MOYLAN to close the Public Hearing at 8:14 p.m. THE MOTION WAS APPROVED UNANIMOUSLY by voice call. PLAN COMMISSION CHAIRMAN WALKER declared the motion approved.

### **OTHER BUSINESS**

In an effort to determine if the Village’s parking lot requirements are too excessive or ineffective, AMY CONNOLLY, Planning Director, requested members of the Plan Commission who are near retail shopping centers on Black Friday, one of the busiest shopping days of the year, be cognizant if adequate parking needs are being met.

### **ADJOURNMENT**

There being no further business, a motion was made by COMMISSIONER REIDY seconded by COMMISSIONER PIERCE to adjourn the regular meeting of the Plan Commission of November 19, 2015 at 8:20 p.m. THE MOTION WAS UNANIMOUSLY APPROVED by voice call. PLAN COMMISSION CHAIRMAN WALKER declared the meeting ADJOURNED.