



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

APRIL 5, 2018

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on April 5, 2018 at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Plan Commissioners: Ken Shaw, Chairman
Peter Kroner
Tim Stanton
Lucas Engel
Eduardo Mani
Garrett Gray
Chuck Augustyniak

Absent Plan Commissioner(s): John Curran
Angela Gatto

Village Officials and Staff: Michael Glotz, Trustee
Paula Wallrich, Community Development Director
Kimberly Clarke, Planning Manager
Patrick Connelly, Village Attorney (Arrived at 7:24 pm)
Barbara Bennett, Commission Secretary

Guest(s): Mark Zamiar, Lyman Tieman, Leonard McEnery, Scott Pritzheit, Brian Hertz, Mike Werthmann

CALL TO ORDER

PLAN COMMISSION CHAIRMAN SHAW called to order the Regular Meeting of the Plan Commission for April 5, 2018 at 7:01 p.m.

COMMUNICATIONS

CHAIRMAN SHAW noted a request to change the order of the Agenda Items. Item #2 will be moved forward to Item #1.

APPROVAL OF MINUTES

Minutes of the March 15, 2018 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER ENGEL, to approve the Minutes as presented. 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 APRIL 5, 2018 REGULAR MEETING
Item #1 PUBLIC HEARING: LANKFORD-PAINTING DIVISION- 18521 SPRING CREEK DRIVE-SPECIAL USE PERMIT FOR A CONTRACTOR OFFICE & SHOP IN THE ORI DISTRICT

Consider a request for a Special Use Permit from the Petitioner, Mark Zamiar of Lankford-Painting Division, to operate a contractor shop and office at 18521 Spring Creek Drive within the ORI (Office and Restricted Industrial) Zoning District. The Special Use will allow the applicant to move their business operations from their current location to the Village of Tinley Park.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman
Peter Kroner
Tim Stanton
Lucas Engel
Eduardo Mani
Garrett Gray
Chuck Augustyniak

Absent Plan Commissioner(s): John Curran
Angela Gatto

Village Officials and Staff: Michael Glotz, Trustee
Paula Wallrich, Community Development Director
Kimberly Clarke, Planning Manager
Patrick Connelly, Village Attorney (Arrived at 7:24 pm)
Barbara Bennett, Commission Secretary

Guest(s): Mark Zamiar, Petitioner

A Motion was made by COMMISSIONER AUGUSTYNIAK, seconded by COMMISSIONER STANTON, to open the Public Hearing for the Lankford-Painting Division - 18521 Spring Creek Drive. The Motion was approved 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 Public Hearing stand and be sworn in.

KIMBERLY CLARKE, Planning Manager, explained the Petitioner, Mark Zamiar, on behalf of Lankford Construction Company is seeking a Special Use Permit to expand their operation of a painting contractor shop. He would like to move his office to the North Creek Business Park which is a Planned Unit Development approved in 1991. Within that property is a commercially developed area zoned ORI (Office and Restricted Industrial). Contractor's Offices and Shops are listed as a Special Use in the ORI Zoning District; they will be utilizing the existing two story interior office space with a storage warehouse and two overhead doors. MS. CLARKE displayed the Zoning Map that illustrated this is within an office business park off of Spring Creek Drive. The Petitioner will be occupying units G and H which are currently vacant. The plan is to relocate the Painting Division and to bring over seven (7) full time employees. There will also be other employees that will come in to pick up the necessary equipment to go out on site. In researching this site staff was unable to locate any record of previous Special Uses for contractor's being granted for this site. This building was built in approximately 2003. The Petitioner provided a floor plan which included approximately 5000 sq. ft. on two floors with two (2) overhead doors. The second floor will be utilized for office space. There are approximately 60 parking stalls for the entire building. There will be seven (7) employees working in the office. In the shop area there will be a driver and shop helper. There will be four (4) vehicles parked overnight outside. The ORI district permits open storage of vehicles which will not exceed eight thousand (8,000) pounds.

CHARIMAN SHAW asked the Petitioner, Mr. Zamiar to make his presentation.

Mr. Zamiar explained in 2002 the Painting Division of Lankford Construction was started with offices in Midlothian. This is a Union painting contractor that does commercial and industrial painting both locally and nationally. Recently they have done work in Tinley Park and Orland Park. He has outgrown the space in Midlothian and has been actively looking for space. He was referred to this space and after looking at it found it was perfect for this business. A lease was signed approximately one month ago. There are other general contractors in this building. The vehicles that are parked outside are professional looking and are always washed and kept clean. Mr. noted that they have an outdoor lot in Posen where trailers and scaffolding is kept. He requested the Planning Commission recommend to the Village Board approval to move into this location.

COMMISSIONER KRONER asked if there would be any combustible or flammable barrels or containers being stored in this building. Mr. Zamiar replied that there would be paint thinner and some gas cans that would be kept in large flammable cabinets. The industry has changed and that type of paint is not used anymore. MS. WALLRICH noted that this handled with the Building Permit.

COMMISSIONER AUGUSTYNIAK asked about the support staff. Mr. Zamiar replied that currently there are 25 to 30 painters and when they are busy it could be up to 70. Estimates are done on computers with multiple screens. There are project managers, payroll and a shop guy, Johnnie who starts at 6:00 in the morning and delivers items to the jobs. During the day Sherwin Williams will come in with a box truck and drop off materials. There are many General Contractors in this area and our company is similar to them in professionalism. The company has been in business since 1952 and we have up to 400 employees nationwide. This company has a General Contractor's license in every state of the union. There are 80 travelling Superintendents that go from state to state.

CHAIRMAN SHAW asked if there was any Public Comment. There was none.

A Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER MANI to close the Public Hearing on Lankford Painting Contractor's Office and Shop. Vote by voice. CHAIRMAN SHAW declared the Motion carried.

MS. CLARKE presented the Findings of Fact as follows:

X.J.5. Standards: No Special Use shall be recommended by the Plan Commission unless said Commission shall find:

- 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 business will occupy solely inside the existing building and be subject to all Villages Codes prior to being granted an occupancy permit. The applicant will have on average up to four (4) company vehicles overnight outside.
- 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 business is locating in an established office/restricted industrial park that was designed for a mix of ORI uses and B-3 uses.
- 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 majority of the area is already developed. The use of a contractor office and shop will not impede the development of the surrounding area as the operations will be solely contained inside the existing building. The applicant will be utilizing the existing amenities of the property as they are constructed today.
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
The property has been developed with all the necessary utilities, access road and drainage being addressed at the time the building was developed. There are no known issues regarding these items at this time.
- 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
There are two (2) access drives that access onto Spring Creek Drive which lead vehicles north to 183rd Street.
- 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.
No Variances are required.
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.
This will be a new business to area that will have at least seven (7) employees working full-time in the office at this location. The employees can patron the existing retail establishments in the area.

CHAIRMAN SHAW asked the Commissioners if they had any other comments. Finding no other comments CHAIRMAN SHAW asked for a Motion.

A Motion was made by COMMISSIONER GRAY, seconded by COMMISSIONER KRONER to recommend to the Village Board the granting of the following Special Use to the Petitioner, Mark Zamiar, on behalf of Lankford Construction Company, located at 18521 Spring Creek Drive Unit G & H, consistent with the List of Submitted Plans as attached herein and adopt Findings of Fact submitted by the Applicant and Findings of Fact proposed by Village Staff as may be amended by the Plan Commission at this meeting:

A Special Use from Section V.B (Schedules of Regulations) Schedule I-Contractors' Offices and Shops in the ORI (Office and Restricted Industrial) District.

AYES: PLAN COMMISSIONERS STANTON, ENGEL, MANI, KRONER, GRAY, AND CHAIRMAN SHAW.

NAYS: NONE

CHAIRMAN SHAW declared the motion unanimously approved.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE APRIL 5, 2018 REGULAR MEETING

Item #2 LENNY'S FOOD AND FUEL - 19420 HARLEM AVENUE PUBLIC HEARING:

Consider a request from the Petitioner, Leonard McEnery, a map amendment rezoning the subject parcel to B-3 (General Business and Commercial District) with Special Uses to allow the continuation of the existing Automobile Service Station and Automobile Car Wash.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman
Peter Kroner
Tim Stanton
Lucas Engel (left at 9:16)
Eduardo Mani
Garrett Gray
Chuck Augustyniak

Absent Plan Commissioner(s): John Curran
Angela Gatto

Village Officials and Staff: Michael Glotz, Trustee
Paula Wallrich, Community Development Director
Kimberly Clarke, Planning Manager (left at 10:00 pm)
Patrick Connelly, Village Attorney (Arrived at 7:24 pm)
Barbara Bennett, Commission Secretary

Guest(s): Lyman Tieman, Attorney, Scott Pritzheit, Planning and Architecture.
Lenard McEnery, Petitioner, Brian Hertz, Mike Werthmann

A Motion was made by COMMISSIONER AUGUSTYNIAK, seconded by COMMISSIONER STANTON, to open the Public Hearing for the Lenny's Food and Fuel - 19420 Harlem Avenue. The Motion was approved 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 Public Hearing stand and be sworn in.

PAULA WALLRICH, Community Development Director explained the purpose of the Public Hearing is for a Map Amendment rezoning the property to B-3 upon annexation and the granting of a Special Use for an Automobile Service Station and Automobile Car Wash. The Village Board will consider the Plan Commission's recommendation for Annexation in May. The property is located at 19420 S. Harlem and the existing uses on the property are the convenience store, the fueling station for automobiles and trucks, a car wash and outdoor dispensing and filling of propane. The corporate boundaries are immediately adjacent at the northwest corner of the property which is the contiguity needed to complete the annexation. There are two (2) structures on the property, one is the C-Store and a Car Wash. There are also two (2) canopies; one for vehicular fueling and one for truck fueling. At the March 13th Committee of the Whole Meeting the Village Board reviewed the Annexation Agreement and the Petition for Annexation and after review they directed staff to proceed with the rezoning and the Special Use request by the Applicant. The zoning in the area is currently Will County C-2 (Local Commercial), immediately west is single-family Tinley Park zoning of R-2 and southwest of that is Will County's R-4 single family zoning. North of the subject property in the Village is B-4 (Office and Service Business) and another office use zoned C-2 (Local Commercial) in Will County. To the south the property is all in Will County with a bank zoned C-2 (Local Commercial). The Comprehensive Plan indicates commercial uses in this area.

During Staff's review, two possible zonings the property were considered. The options are B-3 or B-5. A Service Station is allowed in a B-5 as a Permitted Use and it is allowed as a Special Use in the B-3 District. She noted that even though a Service Station is a Permitted Use in the B-5, there are other uses that are permitted in that District that would be a concern in this location. , In addition, some of the uses that are currently on the property are not permitted in the B-5. MS.WALLRICH indicated there is also some consistency with the pattern of the zoning in the area for B-3. She noted that the B-5 District is primarily on 159th and includes mostly automotive dealerships. There is one gas station on 159th, but all other gas stations and car washes in the Village are zoned B-3 uses. Therefore staff's recommendation is to consider B-3 as the appropriate zoning district.

MS. WALLRICH noted that in the workshop there was a lot of discussion about signs. The Zoning Ordinance stipulates that as an annexation, any existing signs are annexed as they currently exist and as a result of annexation become legal non-conforming signs. The Ordinance specifically contemplates existing signs prior to annexation and recognizes that there are certain investments made in the existing signage and through the annexation process allows them to become legal non-conforming. There were some concerns expressed by the Commission at the Workshop an requested the Petitioner look at the Village's code in comparison to the County Code and try to bring the existing signs into conformance with Tinley Park's Code. MS. WALLRICH noted that the Village is slightly more restrictive than Will County and allows some types of signs that Tinley Park doesn't. MS. WALLRICH directed the Commission to view the tables on pages 4 & 5 of the Staff Report indicating there are three (3) instances where the existing signs do not meet Village Code with respect to size and that there are three (3) manual changeable copy signs on the property that are prohibited. She noted there were also cases where the number of signs exceeded Village Code. MS. WALLRICH noted there are other service stations in Tinley Park that had changeable copy signs and are either grandfathered as part of an annexation or they existed prior to the code change that prohibited manual changeable signs. Staff has spoken to the Petitioner's Attorney and recommended possible sign changes. The recommendations are noted in the staff report.

MS. WALLRICH noted staff conducted a landscape audit of the subject parcel and found there were deficiency of two (2) street trees, three (3) understory trees, and some foundation plantings around the

south monument sign. These deficiencies are noted in the Annexation Agreement with required compliance within 3 months.

MS. WALLRICH noted the Commission requested the Petitioner to conduct a traffic study. The study was prepared by KLOA, Transportation and Parking Planning consultants. A copy of the study was attached. The Petitioner has requested annexation so that he can expand his business similarly to his other facility on 191st Street; this includes the sale of packaged liquors and video gaming. The traffic study did include comparisons and projections.

MS. WALLRICH discussed the parking on the subject property. She explained how parking ratios are an imperfect science. Included on pages 6, 7 and 8 of the Staff Report are tables with the results of a staff survey of the subject property as well as Mr. McEnery's station on 191st St. noting the current parking at different times and dates. On the subject property there are 52 parking spaces at this time. She noted that additional parking could be provided south of the detention pond. There are two (2) spaces for trucks on the west side of the property. A condition could be made to have these spaces marked. It is also recommended that signs be posted stating no idling of trucks and no overnight parking. She noted that the staff survey indicated available parking whenever the site was visited. She stated that the parking north of the car wash was included in the parking count.

At the workshop some of the residents raised issues about Public Safety. A record of police reports from the Will County Sherriff's office was included. MS. WALLRICH informed the Commission that the Tinley Park Chief of Police spoke with the Mokena Chief of Police to discuss Public Safety issues related to the service station on 191st that also sells packaged liquors and has Video Gaming. The Mokena Chief stated they have had no public safety issues at that location at 191st St. and 88th Ave. regarding alcohol or gaming machines and that he considers the business an asset and not problematic.

Another issue that was brought to staff's attention had to do with Property Values. The Tinley Park Village Treasurer, Brad Bettenhausen, did a spreadsheet illustrating the percentage of increase of property values in the Village and near the subject property. A copy of this spread sheet was distributed.

Other issues were Service Station adjacency, Packaged Liquor adjacency and Video Gaming adjacency which are addressed in the Staff Report. MS. WALLRICH noted that there were no other examples of service station adjacent to single family homes in the Village. She presented tables indicated other examples Single Family adjacency to packaged liquor sales and video gaming. She noted that the subject property was generally further away from single family uses and a greater buffer was provided. In the examples she presented she noted that the other situations typically just provide a fence.

CHAIRMAN SHAW asked the Petitioner to give a presentation.

Lyman Tieman, Attorney, gave a presentation. He noted the facility is currently built and operating in Will County. The Petitioner desires to expand his business in a similar fashion to his other service station at 8810 W. 191st St. that includes the sale of packaged liquor and video gaming. Mr. Tieman gave a history of the business and process with Will County noting that it was their intent to develop in the County and they had received preliminary approvals however the County revised their liquor and gaming policy thus prohibiting the subject property from being eligible to have packaged liquor and video gaming. He explained that the Special Use approvals for the Drive up and the Car Wash were Court ordered.

Michael Werthmann, of KLOA gave a presentation regarding the traffic evaluation conducted in front of the Service Station at the intersection of Harlem Avenue and 194th St. in unincorporated Will County. A copy of the report is distributed and part of the packet. He noted that Harlem Avenue carried a significant

amount of traffic and projected the new Video Gaming and Packaged Liquor sales would not have a significant impact on current traffic volumes.

Brian Hirtz, Engineer gave a presentation regarding the available truck parking, noting that there was adequate space to park two trucks along the west access drive and still have adequate space for 2-way traffic.

COMMISSIONER KRONER asked about the ample available truck parking. He noted there is nothing marked for trucking and it does not look like there is truck parking. Mr. Hirtz replied that there could be striping done for the truck parking.

Mr. Tieman noted there are two other stations that have packaged liquors in Tinley Park and that the B-3 district allows for the sale of packaged liquors. He noted that the Village Attorney has stated the Village will create a separate classification which allows for the sale of packaged liquor, not for on premises consumption, but from a facility that would be designated as a Truck Stop under the Illinois Gaming Act. This is not a Truck Stop other than from the State's legislation when they set up the definition for the Gaming Act.

Mr. Tieman noted that all the existing signage was permitted by the County of Will. There are some discrepancies between what exists and what is required by Tinley Park. The Petitioner has considered this and has spent a lot of money, time and effort with the current signage. He would like to keep what is there right now with the exception of a "Pet Wash" Sign that could be removed. With that in mind the Zoning Ordinance allows for existing signage as part of the annexation process to come into the Village as legal non-conforming. He asks that the Commission consider that. There are several signs in the Village that are legal non-conforming.

CHAIRMAN SHAW asked the Commissioners for questions.

COMMISSIONER STANTON asked for clarification on the signage. Mr. Tieman replied that one monument sign for the Gas Station is 1'8" too high and the other monument sign for the Car Wash is only 10" too high.

COMMISSIONER ENGEL asked about the 24 hour gaming on the 191st St. location. What is the estimated tax revenue if we annex this gas station to the Village? MS. WALLRICH replied the estimated revenue is \$408,000 per year which is a combination of all revenue based on information Mr. McEnery provided and our Treasurer reviewed. Mr. McEnery replied the tax revenue from video gaming at the Mokena location was \$87,000. MS. WALLRICH stated that per the Treasurer's instructions she cannot break down the estimated \$408,000 annual revenue because the sales tax is proprietary information provided by the State of Illinois.

COMMISSIONER ENGEL asked about the zoning adjacent to the current location. He asked if the current zoning was there when the residents moved in. Mr. Tieman replied the zoning was there at the time the subdivision was built. The subject property was zoned both C-2 or C-3, both which allowed Service Stations.

COMMISSIONER KRONER asked about previous letters sent to the Petitioner from Mayor Zabrocki and Mayor Sieman asking him to insure the signage met the Tinley Park regulations; he asked the Petitioner why that was not done. Mr. Tieman replied Will County did not require what Tinley Park required and at that time we had no intentions of trying to annex to Tinley Park. Mr. McEnery noted there is a new sign Ordinance and asked what the previous sign Ordinance was when the Gas Station was built.

CHAIRMAN SHAW noted some of the changes to the signage would be a hardship to the Petitioner and asked if the Petitioner is agreeable to make any changes to the changeable copy signs. Mr. McEnery replied he is negotiable but would like some time to make those changes. COMMISSIONER KRONER replied that this is not acceptable as there are now too many sign. MS. WALLRICH stated this could be part of the Annexation Agreement and could include timing for compliance.

COMMISSIONER GRAY concurs with the other Commissioner on the stance with the signs.

COMMISSIONER ENGEL asked if this is part of the Staff's recommendation, will the Petitioner comply. Mr. McEnery replied he is negotiable. He would consider changing the changeable copy signs to electronic signs, but would like some time to do that.

MS. WALLRICH summarized the recommended changes:

- Remove the "No Cook County Tax" sign and the additional "Dunkin Donuts" sign.
- Remove the two changeable copy signs on the C-Store.
- Remove the changeable copy sign on the car wash. (An electronic message sign could be put up but there is a 20% size requirement so the electronic message sign would not be as big as the manual changeable copy sign that currently exists).
- Remove the "Pet Wash" sign.

COMMISSIONER SHAW clarified the removable signage that would be recommended on the Annexation Agreement.

COMMISSIONER MANI asked about the landscaping and suggested adding two (2) rows evergreens to screen the residential area. MS. WALLRICH replied the current landscaping exceeds the code. Scott Pritzheit, Architect replied the current landscaping meets and far exceeds the requirement of both Will County and Tinley Park.

COMMISSIONER GRAY asked about the analysis of increasing the traffic by 20% after a liquor license is in force. Mr. Werthmann replied the Petitioner noted the liquor sales may increase his sales volume by about 20%. In the morning this is probably an over projection. From the gaming projection there would be 5 seats and some of those people may already be there. The gaming positions may turn over 2 times within an hour. A video was taken for six hours, and most of the time there were 2 cars waiting to enter Harlem Avenue. The cars waiting never lasted more than a minute or two.

COMMISSIONER KRONER asked about the truck traffic. Mr. Werthmann replied in the morning there were 6 trucks entering and exiting. Overall there were mostly passenger vehicles. On average there were 53 sales on the commercial pumps. There was no backup noticed.

CHAIRMAN SHAW noted this was a single day sample on the traffic study. Mr. Werthmann replied that most of the time a traffic study is done on one day. This was a busy day compared to the study that was done for Will County study however; the previous study did not include the Car Wash. Studies have shown that 60% to 75% of the traffic is already on the road.

COMMISSIONER KRONER asked about parking and how many business licenses are at this location. He noted there are more than three (3) businesses at this location. What is the correct amount of parking spaces required? The spaces for vacuuming the cars are included in the total parking spaces. He stated that Staff has taken a very liberal approach to the parking spaces. In the staff report it is mentioned that

there is space to increase the parking and he questioned where that would be. MS. WALLRICH noted that there was room south of the detention area.

Mr. McEnery replied that he thought there are three (3) licenses issued by the County for the property. There is a Beggars Pizza license, a Dunkin Donuts and Occupancy License which includes a cigarette license. MS. WALLRICH presented a photograph and the inside of the convenience store noting the Beggars Pizza business is not a stand-alone business with employees, and is just a heated box displaying pizza slices. She noted that in Tinley Park it would not require a separate business license, nor would the car wash. However, the Dunkin Donuts is under separate ownership and a separate business license would be required.

In response to questions regarding parking along the north side of the car wash where there are vacuums MS. WALLRICH noted that there are no signs prohibiting using the parking for other uses. The Dunkin Donuts can be considered a carry out but since there were two tables and 8 seats at the other end of the convenience store. Staff considered it an eating or drinking place and assigned 10 parking spaces to that use. There are various ways to assign the parking but she reminded the Commission that the ratios in the code did not specifically address gas station convenience stores.

COMMISSIONER KRONER asked about the parking for semi-trucks, noting that there is no place for the trucks to park.

CHAIRMAN SHAW asked for questions or concerns regarding the property values. He noted the studies are based on EAV's and they are not reliable.

COMMISSIONER GRAY asked about decibel levels and asked if they were measured. He asked if they encroach on the standard of 65 decibels at the lot line. MS. WALLRICH replied this is in the County so we would not have measured it. If there was a complaint and he was in the Village the noise levels would be measured.

COMMISSIONER KRONER asked about the economic value to the Village and how was the \$408,000 arrived determined. MS. WALLRICH noted this could not be disclosed. It was broken down between Video Gaming tax, sales tax, property tax and licenses. CHAIRMAN SHAW noted the information was given to the Village and they have done their due diligence and the amount has been verified.

CHAIRMAN SHAW asked for clarification regarding the reason annexation was not considered previously. In the workshop a statement was made that a boundary agreement and is why an annex could not be done at that time. Mr. Tieman replied the first choice was to go to the County as the property was already there and under County jurisdiction and was already zoned. They did not want to annex to Tinley Park. Mr. Tieman noted the boundary agreement cut the property in half. The boundary agreement was signed on June 18, 1996 and amended on November 7, 2006. By virtue of the amendment, changes were made to the boundary lines. This amendment was for a period of nine (9) years and expired on November 6, 2015. As of November 7, 2015 there was no boundary line. MS. WALLRICH noted there would have been great difficulty annexing to Frankfort as there is no contiguity.

CHAIRMAN SHAW asked for comments from the objectors.

#1: Camille Tess: Lives in Tinley Park. Commented on landscaping issues and property values, parking issues and kids buying liquor at Lenny's going to Hollywood Amphitheater. She noted that this area is all single-family homes. Discussed letters previously presented to Commission and letters from previous mayors.

#2: Beth Kendall: Lives in Tinley Park. Commented on issues of “Truck Stop”. Lives in Tinley Trails and neighborhood is negatively impacted by this business. Traffic issues – trying to get out on Harlem Avenue due to traffic at gas station. This is not a “Win–Win” for Tinley Park, think of the residents.

#3: Linda Arnold: Presented letter and chart from HUD to the Commission. Request the Commission denies annexation. FHA will not issue mortgage due to flammable tanks on property. Commented on property values, truck/car parking, public safety, and 24 hour Video Gaming and hazardous materials.

#4: Angelyn Zmuda: Read a letter from neighbor that was not available to come to meeting. Letter requesting Commission to deny the recommendation.

#5: Andy Tess: Commented on all issues. Commented on previous denials from Will County. Requested Commission to deny the recommendation.

#6: Sandy Reanie: Read a Letter from her husband asking for denial of recommendation. Truck traffic based on estimates on 191st St. location. Harlem Avenue traffic much higher. Need longer traffic study rather than one day? Presented IDOT traffic study.

#7: Glen Arnold: Commented on issues and dangers to children due to traffic. Commented on previous denials from Will County and letters from Mayors.

#8: Adrian Jaszek: Commented on traffic noise. Asked Petitioner if they would consider annex without Video Gaming and packaged liquor sales. Mr. McEnery replied “No Comment”.

#9: Dale Carlson: Commented on Signs.

#10: Resident: Commented on traffic study. The traffic study should be done over weeks not one day.

#11: Norwood Woodline: Commented on traffic and trying to get out of subdivision onto Harlem Avenue. Noise and pollution from trucks entering and exiting the station. Public Safety issues from Gas Station. Alcohol will bring more crime.

#12: Diane Galanti: Commented on Hazardous materials on property. MS. WALLRICH replied the fire code would address that. Ms. Galanti asked the Petitioner if he would consider annexation without Gaming and packaged liquor sales. Mr. McEnery replied “No Comment”. She noted that she does not live close, but is interested in residents in area. Why does this have to be considered a Truck Stop? MS. WALLRICH replied this is a State Gaming definition. Tinley Park does not have a code for Truck Stop. Attorney Connelly agreed with Ms. Wallrich’s statement. MS. WALLRICH suggested Ms. Galanti come to the office and she can explain it to her.

#13: Sandy Reanie: Read Letter (presented to Commissioners) Commented on traffic in area and danger to children in area. 700 residents signed petition to stop this with the original request. Children and bus stops in area. Property values decreasing.

#14: Norwood Woodline: Why are we not following all the codes on signs and landscaping? MS WALLRICH replied that the code allows all existing signs, however the Commission requested compliance with Village Code. Staff worked with the Petitioner to bring the signs into closer compliance. She further explained that this is a recommending Commission to the Village Board. Conditions can be placed on the Special Use for the Service Station and Car Wash for additional landscaping or signs that are uniquely and specifically attributable to the perceived negative impacts of the requested Special Uses.

Staff does not typically make recommendations, however in this case since the Code allows the signs to continue but the Commission requested compliance so Staff has made recommendations.

#15: Denise Lenz: Manager of Lenny's station. Noted truck traffic is only an estimate and that Mr. McEnery provided his best estimate. A study was done and there was more truck traffic on the study. The traffic on Harlem southbound is difficult and it is not necessarily the Gas Station traffic. This does not mean a semi-truck is blocking traffic. A stop sign or light could be put in.

#16: Resident – The big problem is the Gaming and the Alcohol.

Mr. McEnery commented on the fact that this was a vacant piece of property that was always going to be a gas station. It was zoned properly to be a gas station. The County had Video Gaming and Liquor sales and we applied for it. This was an approved use at this location. The County Board was forced to vote against it due to politics at that time.

CHAIRMAN SHAW asked for final questions/comments from the Commissioners.

COMMISSIONER KRONER asked if there was an Ordinance on how close diesel fueling stations can be from single-family homes. Should it be 500 feet? Attorney Connelly replied that State Gaming requirements require Video Gaming to be 500 feet away from schools and churches. He will check on the Village Ordinance regarding Gas stations.

CHAIRMAN SHAW asked for a consensus from the Commissioners that due to the late hour if the hearing should be closed or continued to date certain.

COMMISSIONER KRONER would like to continue it.

ATTORNEY CONNELLY noted it would be a good idea to leave the Public Hearing open and come back at the next Plan Commission Meeting on April 19, 2018.

A Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER GRAY to continue the Public Hearing on Lenny's Food N Fuel to the next Plan Commission Meeting on April 19, 2018. The Motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN SHAW declared the Motion approved.

GOOD OF THE ORDER

None at this time.

PUBLIC COMMENT:

None at this time.

ADJOURNMENT

There being no further business, a Motion was made by PLAN COMMISSIONER AUGUSTYNIAK, seconded by PLAN COMMISSIONER MANI, to adjourn the Regular Meeting of the Plan Commission of April 5, 2018 at 11:55 p.m. The Motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN SHAW declared the meeting adjourned.