



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

June 7, 2018

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Plan Commissioners: Ken Shaw, Chairman
Peter Kroner
Eduardo Mani
Chuck Augustyniak
Angela Gatto
Tim Stanton

Absent Plan Commissioner(s): Lucas Engel
John Curran
Garrett Gray

Village Officials and Staff: Kimberly Clarke, Planning Manager
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guest(s): Bryan Donley

CALL TO ORDER

PLAN COMMISSION CHAIRMAN SHAW called to order the Regular Meeting of the Plan Commission for June 7, 2018 at 7:00 p.m.

COMMUNICATIONS

None at this time

APPROVAL OF MINUTES

Minutes of the May 3, 2018 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER GATTO, seconded by COMMISSIONER AUGUSTYNIK, to approve the Minutes as presented. The Motion was approved by voice call. CHAIRMAN SHAW declared the Motion approved as presented.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE JUNE 7, 2018 REGULAR MEETING

**Item #1 PUBLIC HEARING: VERIZON WIRELESS – 8201 W. 163RD STREET
SITE PLAN APPROVAL AND SPECIAL USE PERMIT WITH VARIATIONS**

Consider granting Site Plan approval and consider a request for a Special Use Permit from the Petitioner, Bryan Donley on behalf of Verizon Wireless, to construct a new monopole with antennas and ground equipment located within the ComEd Easement with the common address of 8201 W, 163rd Street. Additionally the following Variations are requested:

1. A sixty-one (61) foot height Variation from Section III.W.2.A where the height limitation for monopole is 100' (with 5' for a lightning rod); and
2. A Variation from Section III W 5.c. to allow the installation of a steel platform with operational equipment where the ordinance requires a masonry façade for a shelter for related ground equipment.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman
Peter Kroner
Eduardo Mani
Tim Stanton
Chuck Augustyniak
Angela Gatto

Absent Plan Commissioner(s): Lucas Engel
John Curran
Garrett Gray

Village Officials and Staff: Kimberly Clarke, Planning Manager
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guest(s): Bryan Donley

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER GATTO to open the Public Hearing for Verizon Wireless – 8201 W. 163rd Street. 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 Hearing stand and be sworn in.

KIMBERLY CLARKE, Planning Manager noted this is a Public Hearing for Site Plan Approval for the construction of the ground equipment and associated landscaping for a new wireless facility and also a Special Use Permit with Variations. The Variation is a sixty-one foot height Variation where the height is permitted for a free standing tower of 100'. Initially there was a request for a Variation for the installation of a steel platform with operational equipment which is no longer needed. The applicant has agreed to construct a masonry structure as per the Village code.

Ms. Clarke displayed a photo of the location where the wireless facility will be located adjacent to the first transmission tower located south of 163rd Street in between Richards Drive and 82nd Avenue within a 215-foot wide easement owned by ComEd. To the left is an existing 8' bike path. In 2012 there was a ground structure and pole at this location. To the north of this there is an existing wireless facility.

There is one open item which has been resolved. Other Village owned properties were explored to see if there were opportunities to locate per the requirement of the Ordinance. There would be a potential site that is close enough, which is Fire Station #2, however the challenge is the Village is looking at redeveloping this site for a new station and they are still in the design phase and would not be able to allocate land at this time.

The only changes to the original site plan are that the applicant will be constructing a masonry building rather than a steel platform. This will be enclosed by a 6' Vinyl fence as requested by the Commissioners, rather than a wood fence. There is also a new landscaping plan which incorporates some other approved species of evergreens clustered so it is not so linear and has some dimension. They will be installed in groupings of 3 at a height of 8'.

MS. CLARKE displayed an image of the brick building. Staff recommends the Petitioner use the lighter taupe face brick color rather than the darker red face brick to blend in with the grass area. The Vinyl fence would also be a taupe color to blend in with the building.

CHAIRMAN SHAW asked the Petitioner to speak.

Bryan Donley, on behalf of Verizon Wireless noted he feels they have met all the requirements that were brought up at the workshop and they have worked with staff to allow this to blend in to the look the Village is asking for. This exact location was chosen to mirror the design from 2008 to 2015 of US Cellular that occupied this space. This will blend in with the existing transmission lines.

CHAIRMAN SHAW asked for questions from the Commissioners.

COMMISSIONER KRONER asked about PVC fencing and if there was a problem with it. Mr. Donley replied they will do whatever is required by the Commission

COMMISSIONER STANTON asked about the building and evergreen height. Mr. Donley replied the building is 9' and the evergreens are 8'.

CHAIRMAN SHAW asked for any objectors.

There were none.

CHAIRMAN SHAW asked for a Motion from the Commission close the Public Hearing.

A Motion was made by COMMISSISONER AUGUSTYNIAK, seconded by COMMISSISONER STANTON to close the Public Hearing on Verizon Wireless. The Motion was approved by voice call. CHAIRMAN SHAW declared the Motion approved.

CHAIRMAN SHAW asked Ms. Clarke to go through the Standards as follows:

Standard for Special Use:

Section X.J.5. of the Zoning Ordinance lists standards that need to be considered by the Plan Commission. The Plan Commission is encouraged to consider these standards (listed below) when analyzing a Special Use request. Staff will provide draft Findings in the Staff Report for the Public Hearing.

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 proposed wireless facility equipment will operate similarly to the previous equipment that was on this site as well as the existing equipment that is north of this site. The riser tower will be installed within the existing electrical transmission tower and the equipment shelter will be enclosed by a 6' solid vinyl fence and evergreen landscape material. The fence enclosure will be secured with a locked gate and the shelter will also be secured and locked. The additional cell antenna on the electrical transmission tower will improve the coverage for that carrier in the area.
- 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;**
There are existing 156' electrical transmission towers throughout the entire length of this easement. The proposed wireless facility equipment is proposing to use this existing structure to incorporate their equipment. The Petitioner is providing a 6' solid vinyl fence and evergreen landscaping around the proposed equipment shelter.
- 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 site is within an existing 215' wide ComEd Easement. There are existing electrical transmission towers located within the easement. The surrounding property has already been developed surrounding the site. The construction of a new riser pole within an existing electrical transmission tower will not impede the normal and orderly development of the surrounding property.
- d. **That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;**
The subject property has operated in the past as a cell tower site and has satisfactorily utilized the existing road system. A paved 8 foot wide bike path exists on the site with access to 163rd Street. The Petitioner will be constructing an additional access road off the existing bike path to gain access to their equipment.
- 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**
Access to the site is from 163rd Street and then onto an existing 8 foot wide bike path. The petitioner will construct an additional path to the equipment from the bike path. The access will only be from the utility companies needing to do work on the equipment. There should be very little traffic to and from this site.
- f. **That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission. The Village Board shall impose such conditions and restrictions upon the premises benefited by a Special Use Permit as may be necessary to ensure compliance with the above standards, to reduce or minimize the effect of such permit upon other**

properties in the neighborhood, and to better carry out the general intent of this Ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this Ordinance.

The pole exceeds the maximum height limitations and requires a special use review as part of the approval process. The proposed improvement conform to the intent of all other aspects of Village Ordinances.

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

The addition of additional cell antennas on the tower will improve the coverage for that carrier in the area which may improve the ability for increase business in the area.

The landscape improvements will improve the overall aesthetics of the site which indirectly improves the economic development of the community of Tinley Park.

Variation Standards:

- 1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.**

The property would continue to be used by ComEd for their electric transmission tower.

- 2. The plight of the owner is due to unique circumstances.**

The Petitioner is utilizing an existing 142' tall electric transmission tower to incorporate a riser pole and antenna. ComEd requires that there be a minimum five (5) foot separation from the antenna and their structure which puts the wireless facility structure at 161' total in height.

- 3. The Variation, if granted, will not alter the essential character of the locality.**

The Petitioner is using an existing 142' tall electric transmission tower to camouflage their equipment in. The additional height for the riser pole will alter the essential character of the locality.

A Motion was made by COMMISSIONER STANTON seconded by COMMISSIONER GATTO to recommend to the Village Board the granting to the Petitioner, Bryan Donley, on behalf of Verizon Wireless, Site Plan Approval for the proposed property located at 8201 W. 163rd Street in accordance with the plans submitted and listed herein with the following conditions:

- The proposed 6 foot fence around the shelter by made of vinyl instead of wood and be a taupe color.
- The face brick of the structure match the taupe fence around it.
- Outstanding Public Works and Engineering items must be addressed prior to issuance of a building permit;

AYES: KRONER, MANI, GATTO, STANTON, AUGUSTYNIAK AND CHAIRMAN SHAW

NAYS: NONE

CHAIRMAN SHAW declared the Motion unanimously approved.

A Motion was made by COMMISSISONER AUGUSTYNIAK, seconded By COMMISSIONER MANI to recommend to the Village Board the granting of the following Special Use Permit to the Petitioner, Bryan Donley, on behalf of Verizon Wireless located at 8201 W. 163rd Street, 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 sixty-one (61) foot height Variation from Section III.W.2.A where the height limitation for a free standing tower is 100'

AYES: KRONER, MANI, GATTO, STANTON, AUGUSTYNIAK AND CHAIRMAN SHAW

NAYS: NONE

CHAIRMAN SHAW declared the Motion unanimously approved.

Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER GATTO to recommend to the Village Board the granting of the following Special Use Permit to the Petitioner, Bryan Donley., on behalf of Verizon Wireless located at 8201 W. 163rd Street, 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:

- The proposed 6 foot fence around the shelter by made of vinyl instead of wood and be a taupe color.
 - The face brick of the structure match the taupe fence around it.
 - Outstanding Public Works and Engineering items must be addressed prior to issuance of abuilding permit
- The Special Use Permit will allow for the installation of a new 161-foot riser pole tower within an existing ComEd transmission tower and the construction of a masonry brick shelter for related ground equipment enclosed by a six (6) foot vinyl fence.

AYES: KRONER, MANI, GATTO, STANTON, AUGUSTYNIAK AND CHAIRMAN SHAW

NAYS: NONE

CHAIRMAN SHAW declared the Motion unanimously approved.

COMMISSIONER SHAW noted all Motions have been approved and this will go to the Village Board on June 19, 2018.

COMMISSIONER KRONER noted that on behalf of the Plan Commission he thanked Mr. Donley for his cooperation while dealing with this Petition. He noted they came to the meeting prepared.

7204 W. 191ST STREET

SITE PLAN APPROVAL AND SPECIAL USE PERMIT WITH EXCEPTIONS

Consider granting Site Plan approval and consider a request for a Special Use Permit as a Substantial Deviation with Exceptions to the Brookside Marketplace Planned Unit Development from the Petitioner, Christina Suarez of Black and Veach on behalf of Tesla Motors, to construct a Supercharging Station within the parking area of lot 13 in the B-3 Zoning District with the common address of 7204 W. 191st Street.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman
Peter Kroner
Eduardo Mani
Chuck Augustyniak
Angela Gatto
Tim Stanton

Absent Plan Commissioner(s): Lucas Engel
John Curran
Garrett Gray

Village Officials and Staff: Kimberly Clarke, Planning Manager
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guests: None

A Motion was made by COMMISSIONER KRONER, seconded by COMMISSIONER AUGUSTYNIAK to open the Public Hearing for Tesla Supercharging Station at 7204 W. 191ST Street. 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.

COMMISSIONER KRONER asked what the delay is. KIMBERLY CLARKE, Planning Manager replied the Petitioner has presented new design plans to the land owner and it is being held up waiting approval from the land owner. No work has been started and it is pending the new design.

COMMISSIONER KRONER and CHAIRMAN SHAW stated the Petitioner needs to show up at the next meeting to advise the progress even though they may not be ready.

A Motion was made by COMMISSIONER MANI seconded by COMMISSIONER AUGUSTYNIAK to Table the Public Hearing for Tesla Supercharging Station at 7204 W. 191ST Street as requested by the Petitioner to June 21, 2018. 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 MAY 3, 2018 REGULAR MEETING

Item # 3 WORKSHOP: HAITHAM ABUZIR-6787 W. 159TH STREET

SITE PLAN APPROVAL AND SPECIAL USE PERMIT WITH VARIATIONS

Consider granting Site Plan approval and consider a request for a Special Use Permit from the Petitioner, Haitham Abuzir, to construct a residential apartment on the second floor in the B-3 Zoning District with the common address of 6787 W. 159th Street. Additionally the following Variations are requested:

1. Section V.C.2- To reduce the minimum useable floor area per dwelling by 82 square-feet to permit the construction of a one bedroom apartment that is less than the required 800 square feet to 718 square feet.
2. Section III A.7 - To permit parking within a required front yard along 159th Street and Oak Park Avenue.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman
Peter Kroner
Eduardo Mani
Tim Stanton
Chuck Augustyniak
Angela Gatto

Absent Plan Commissioner(s): Lucas Engel
John Curran
Garrett Gray

Village Officials and Staff: Kimberly Clarke, Planning Manager
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guest(s): None

Due to the Petitioner's illness and inability to attend this meeting this workshop has been continued to June 21, 2018. CHAIRMAN SHAW noted this was previously brought before the Commission by the previous owner. MS. CLARKE noted she would present the previous meeting minutes at the June 21, 2018 meeting.

GOOD OF THE ORDER

1. Paula is off and business is as usual. There will be several items in the future and attendance is important.

COMMENTS FROM THE COMMISSION

COMMISSIONER KRONER advised the Commission that he has resigned his position effective immediately and this will be his last meeting. He thanked staff and all the other Commissioners.

CHAIRMAN SHAW noted he thanked COMMISSIONER KRONER for his service and was a good example.

PUBLIC COMMENT:

None at this time.

ADJOURNMENT:

There being no further business, a Motion was made by PLAN COMMISSIONER STANTON, seconded by PLAN COMMISSIONER AUGUSTYNIAK, to adjourn the Regular Meeting of the Plan Commission of June 7, 2018 at 7:42 p.m. The Motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN SHAW declared the meeting adjourned.