



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

**AUGUST 2, 2018**

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on August 2, 2018 at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Plan Commissioners: Ken Shaw, Chairman  
Eduardo Mani  
Tim Stanton  
Lucas Engel  
Garrett Gray  
Chuck Augustyniak  
Stephen Vick  
MaryAnn Aitchison – Arrived at 7:03

Absent Plan Commissioner(s): Angela Gatto

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

Guest(s): Jim Richert, Paul Brown, Simon Yu, Neal Hummitsch

**CALL TO ORDER**

PLAN COMMISSION CHAIRMAN SHAW called to order the Regular Meeting of the Plan Commission for August 2, 2018 at 7:00 p.m.

**COMMUNICATIONS**

None at this time

**APPROVAL OF MINUTES**

Minutes of the July 19, 2018 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER VICK, 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 AUGUST 2, 2018 REGULAR MEETING**

**Item #1 PUBLIC HEARING: JAMES RICHERT-6811 HICKORY STREET  
SITE PLAN APPROVAL WITH A VARIATION**

Consider granting Site Plan approval to the Petitioner, James Richert of Banging Gavel, to construct a 164 sq. ft. detached accessory structure for the property located at 6811 Hickory Street (also known as the Vogt Building) in the DC (Downtown Core) Zoning District with a request to consider granting the following Variation:

A Variation from Section III.H. (Table 2) of the Zoning Ordinance to permit a 164 sq. ft. detached accessory structure in a front yard where it is only permitted within a rear yard.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman  
Eduardo Mani  
Tim Stanton  
Lucas Engel  
Garrett Gray  
Chuck Augustyniak  
Stephen Vick  
MaryAnn Aitchison

Absent Plan Commissioner(s): Angela Gatto

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

Guest(s): Jim Richert

A Motion was made by COMMISSIONER AUGUSTYNIK, seconded by COMMISSIONER GRAY to open the Public Hearing for Banging Gavel, James Richert – 6811 Hickory Street, Site Plan Approval with a Variation. 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 request for approval of a Site Plan with a Variation to construct a 164 sq. ft. detached accessory structure to provide washroom facilities to be utilized by the customers dining in the outdoor patio for the property located at 6811 Hickory St.

Ms. Clarke displayed a graphic of the site which is in the Downtown Core and is within the Legacy District. This is a site plan approval with a Variation from Section III.H (Table 2) of the Zoning Ordinance to permit a 164 sq. ft. detached accessory structure in a front yard where it is only permitted within a rear yard. The site is unique due to the historical value. This is an interesting re-use of the building with Banging Gavel, a brewery and a restaurant at this location. There is a need for additional restrooms outside, adjacent to the beer garden and patio area. The only restroom facilities offered now are on the second floor of the building. To preserve the historic nature of the building there is not a lot of room to add restrooms in the building. This is seen as a convenience. Staff is in support of allowing this. The current plan has been revised showing accent color replicating the existing building. The original plans have also been revised that remove the encroachment on the property line with the accessory structure. Staff also requested a revised depiction of the proposed wood fencing around the air handlers on the south side of the building. Originally the doors to the accessory structure were facing Oak Park Avenue and they have now been revised to face the principal structure. This Variation is unique and staff feels it is warranted based on the constraints of the site and the preservation of the historical building. All open items have been addressed.

CHAIRMAN SHAW asked for comments from the Petitioner. There were none.

CHAIRMAN SHAW asked for comments or questions from the Commissioners.

COMMISSIONER ENGEL requested confirmation that the doors will be put on the interior side of the building. Ms. Clarke replied the plan has been revised to show the doors on the interior side of the building

COMMISSIONER AUGUSTYNIAK asked what the capacity of the restrooms and the table count of the patio would be. He also asked what months the patio would be open. Ms. Clarke replied there would be one women's and 1 men's bathroom, and the men's would have a toilet and urinal. Mr. Richert replied the table count is approximately 150 seats and the months of patio operation would be from May to October. Ms. Clarke replied the restrooms in the building would accommodate this count, the outside restrooms are for additional convenience.

CHAIRMAN SHAW asked for comments from the Public. A woman from the audience asked if there would be music playing on the patio. The woman did not want to come to the podium and be sworn in and she noted she would speak to the Petitioner outside the Public Hearing. Mr. Richert replied he would be available to answer any questions she may have.

A Motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER AUGUSTYNIAK to close the Public Hearing for Banging Gavel, James Richert – 6811 Hickory Street, Site Plan Approval with a Variation. The Motion was approved by voice call. CHAIRMAN SHAW declared the Motion approved.

CHAIRMAN SHAW asked Ms. Clarke to go through the Standards.

#### **STANDARDS FOR SITE PLAN APPROVAL:**

Section III.T.2. of the Zoning Ordinance requires that Planning Staff must find that the conditions listed below must be met. Staff will prepare draft responses for these conditions within the next Staff Report.

- a. That the proposed Use is a Permitted Use in the district in which the property is located.  
*Accessory structures are permitted in the DC District however not within the front yard. The owner will be redeveloping the principal building into a brewery/restaurant and will be adding an outdoor seating for a beer garden on the east side of the building. In an effort to promote the Village's brand and provide entertainment for patrons at the beer garden, the Petitioner is providing an outdoor stage area where musicians and entertainers can easily hook up their equipment and provide musical performances. The stage will also feature a drop-down screen that will show major sporting events. The Petitioner hopes to promote a community setting in the beer garden. The incorporation of an exterior washroom will provide for a convenient location for*

washrooms for the times the beer garden is occupied. Otherwise, all customers will have to go to the 2<sup>nd</sup> floor of the principal building which is not as convenient. The overall patio will be screened with fencing and landscaping and the overall architecture of the accessory structure attempts to blend in with the principal building.

- b. That the proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses.  
*The proposed accessory structure is set back as close to the main building as possible. The property will be fenced in with a four-foot (4') tall ornamental fence. Landscaping improvements are proposed for the outdoor seating area, including new shrubs, perennials, and trees.*
- c. That the vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient, and convenient movement of traffic, not only within the site but on adjacent roadways as well.  
*The incorporation of the accessory structure will not impact vehicular ingress/egress. The plans will conform to the ADA requirements and provide for safe movement in and around the outdoor beer garden. The original plans proposed a bar in this location however the owners recognize additional bathrooms will add to the customer's use of the outdoor beer garden.*
- d. That the Site Plan provides for the safe movement of pedestrians within the site.  
*The site plan provides for adequate pedestrian movement within the site. The layout and furniture design of the outdoor patio has not been finalized. At the time of building permit, ADA requirements and Fire Department requirements will be reviewed for compliance.*
- e. That there is a sufficient mixture of grass, trees, and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses and will provide a pleasing appearance to the public; any part of the Site Plan area not used for buildings, structures, parking, or access-ways shall be landscaped with a mixture of grass, trees, and shrubs.  
*The site is subject to the approved landscape plans that were presented and reviewed when the project originally came forward in 2017.*
- f. That all outdoor trash storage areas are adequately screened.  
*The site plan proposes an enclosed trash area on the south side of the building with access off the main parking lot.*

#### **STANDARDS FOR A VARIATION:**

Section X.G.4. of the Zoning Ordinance states the Plan Commission shall not recommend a Variation of the regulations of the Zoning Ordinance unless it shall have made Findings of Fact, based upon the evidence presented for each of the Standards for Variations listed below. The Plan Commission must provide findings for the first three standards; the remaining standards are provided to help the Plan Commission further analyze the request. Staff will prepare draft responses for the Findings of Fact within the next Staff Report.

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 principle use is providing the required number of washroom facilities for the proposed use, however the washrooms are located on the 2<sup>nd</sup> floor of the building. With the potential to have large crowds occupying the outdoor beer garden, it made sense to provide them a more accessible washroom option. The Vogt building and the proposed business is unique to the downtown and requires a different approach to design.*
2. The plight of the owner is due to unique circumstances.

*The Legacy Code encourages outdoor dining opportunities. The Vogt building is a historical asset to the downtown and because of that, the owner is trying to keep the building in good historic standing which limits the ability to modify the exterior and interior floor plan. All the washrooms are offered on the second floor of the building which is generally not where new restaurants would place them. Therefore, the proposed accessory structure was proposed in order to offer an accessible washroom option on the ground level that would blend in with the overall building and outdoor patio design as much as possible.*

3. The Variation, if granted, will not alter the essential character of the locality.  
*The structure is approximately 146 sq. ft. and is just less than 12 feet in height. The placement of the structure is approximately 62 feet setback from Oak Park Avenue and 20 feet from the principal building which still allows for pedestrian access around it. The structure will be constructed of a Hardie board siding and painted to tie into the principal building and blend in with the overall landscape of the patio. There will be landscaping installed on the southern lot line adjacent to the parking lot to help screen the structure.*
4. Additionally, the Plan Commission shall also, in making its determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the Petitioner have been established by the evidence:
  - a. The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;  
*The property has been approved for an outdoor patio and there is nowhere physically on the site this structure can be added except within the outdoor patio area. In order to maintain the historic classification of the structure, the owner is limited to what improvements can be made to the interior and exterior of the building. The washrooms for the brewery will be located on the 2<sup>nd</sup> floor of the building which is not as convenient for those customers outside in the beer garden.*
  - b. The conditions upon which the petition for a Variation is based would not be applicable, generally, to other property within the same zoning classification;  
*This property is unique because of its historical significance. There are no other buildings in the downtown that have the same constraints as this property does.*
  - c. The purpose of the Variation is not based exclusively upon a desire to make more money out of the property;  
*The property complies with the minimum required restrooms. The additional restrooms are a convenience for those customers utilizing the outdoor beer garden.*
  - d. The alleged difficulty or hardship has not been created by the owner of the property, or by a previous owner;  
*The owner agreed to subdividing their property so that the Village could maintain a public parking lot adjacent to this structure. This will be a benefit to the overall downtown and by doing this, the owner has reduced the amount of land available to him to use for his brewery.*
  - e. The granting of the Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and  
*All efforts are being made through architecture, location and landscaping to incorporate this structure within the overall theme of the site.*
  - f. The proposed Variation will not impair an adequate supply of light and air to an adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

*The adjacent property is being redeveloped for a future wine bar use with outdoor seating in the front and in the rear of the property. The construction of an accessory structure in the front yard will not diminish the property values within the neighborhood due to the fact it will comply with all current building codes and its design is to blend in with the overall site. The accessory structure will be within the outdoor seating area of the business and will not impact traffic on the streets in any way.*

CHAIRMAN SHAW commented that this could yield a reasonable return without the structure, he noted it could but this is something the Plan Commission may request simply for the convenience to the public.

A Motion was made by COMMISSIONER GRAY seconded by COMMISSIONER STANTON to recommend to the Village Board the granting to the Petitioner, James Richert of Banging Gavel Properties, LLC, Site Plan Approval at the property located at 6811 Hickory Street in accordance with the plans submitted and listed herein.

Subject to the following conditions:

1. Prior to Village Board approval submit a rendering of wood fence to screen the proposed air handlers.

AYES: MANI, ENGEL, STANTON, AUGUSTYNIAK, GRAY, AITCHISON, VICK AND CHAIRMAN SHAW

NAYS: NONE

CHAIRMAN SHAW declared the Motion unanimously approved.

A Motion was made by COMMISSIONER STANTON seconded by COMMISSIONER AUGUSTYNIAK to recommend to the Village Board the granting to the Petitioner, James Richert of Banging Gavel Properties, LLC, the following Variations in the DC (Downtown Core) Zoning District located at 6811 Hickory Street in accordance with the plans submitted 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.

1. A Variation from Section III.H. (Table 2) of the Zoning Ordinance to permit a 164 sq. ft. detached accessory structure in a front yard where it is only permitted within a rear yard.

AYES: VICK, AITCHISON, AUGUSTYNIAK, GRAY, MANI, ENGEL, STANTON AND CHAIRMAN SHAW

NAYS: NONE

CHAIRMAN SHAW declared the Motion unanimously approved.

Ms. Clarke noted this will go to the Village Board for approval on August 21.

**FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION**

**SUBJECT: MINUTES OF THE AUGUST 2, 2018 REGULAR MEETING**

**Item #2 PUBLIC HEARING: TWO MEN & A TRUCK-7420 & 7430 DUVAN DRIVE  
SITE PLAN APPROVAL WITH VARIATIONS**

Consider granting Site Plan approval to the Petitioner, Paul Brown of Two Men and a Truck, on the properties at 7420 & 7430 Duvan Drive in the ORI MU-1 Zoning District with a request to consider granting the following Variations:

1. Section VIII.A.7 - To permit parking to be located within a front yard.
2. Section V.C.10.B.6 - To reduce the required off-street parking area setback for industrial developments to encroach more than 25% into the established front yard setback to permit a setback of 12.29 feet instead of a required setback of 24 feet.
3. Section III.J.2.a.(1) - To permit a fence to be located 12.29 feet into the primary front yard.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman  
Eduardo Mani  
Tim Stanton  
Lucas Engel  
Garrett Gray  
Chuck Augustyniak  
Stephen Vick  
MaryAnn Aitchison

Absent Plan Commissioner(s): Angela Gatto

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

Guest(s): Paul Brown

A Motion was made by COMMISSIONER AUGUSTYNIAK, seconded by COMMISSIONER GRAY to open the Public Hearing for Two Men & a Truck – 7420 & 7430 Duvan Drive, Site Plan Approval with Variations. 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.

Dan Ritter, Senior Planner noted this is a request for approval of a Site Plan with three Variations. Two Men and a Truck is a moving company planning to relocate their business into an existing building and develop a vacant parcel next to it. The property consists of two (2) separate parcels that will function as a single zoning lot with a total of 2.25 acres in area. Per

code, this will require a deed restriction to be placed on both properties that require they will stay under the same ownership as long as the business is operating.

The existing sites were built in the 70's or 80's on Duvan Drive in the Duvan Drive Industrial Park which is a mixed area with many auto-oriented businesses. Some of the properties have redeveloped landscaping and upgrades to the current standards and is slowly being transitioned to a more modern design. The zoning is currently ORI MU-1 (Office and Restricted Industrial, Mixed Use Duvan Drive Overlay District). There is difficulty in redeveloping the lots due to the narrow size.

The Site Plan involves the construction of a parking lot along with landscaping and a stormwater detention facility area to meet the MWRD requirements on the property located next to their primary building. The parking lot will be primarily for trucks which will include (16) spaces for trucks, eight (8) additional employee spaces in addition to the parking spaces that are on the east side of the building. The Petitioner's goal is to construct the parking lot to store his trucks. There is multi-family residential to the rear/north of the property which will require bufferyard landscaping and a 6'-8' privacy fence. During the workshop, a PVC fence and an additional consistent treeline was recommended. Also recommend was a condition to add a motion requiring removal of the parking lot and installation of grass be placed on the Site Plan and Variation approval if the property is sold separately. This also exists in the deed restriction which has been reviewed by the Village attorney. This will be recorded prior to the issuance of a permit. Additionally, sidewalk connections were discussed. Duvan Drive as a whole would need a Master Plan to ensure there was enough room for sidewalks in the future. Due to the lack of engineering review comments, a recommended condition has been added requiring that the approval is subject to addressing all engineering comments and obtaining an MWRD permit.

The parking exceeds the minimum parking requirements. The existing site has forty-one (41) parking spaces including two (2) accessible spaces on the east side of the building. Sixteen (16) additional truck parking spaces and eight (8) standard employee spaces will be added on the west side of the building. There will be forty-nine (49) standard spaces and Sixteen (16) truck spaces.

The Petitioner will be utilizing an existing wall sign structure located on the building. The current ground sign will be removed and there are no plans at this time to replace it.

Most of the architecture of the building will be staying the same. Some modifications will be made to the west side of the building to add overhead and pedestrian doors. The parking area will be screened by PVC fencing along Duvan Drive to create an aesthetically pleasing frontage.

The Petitioner will install five (5) wall mounted LED wall lights on the building to illuminate the new parking lot. The lighting on the existing site will be upgraded to match.

The Petitioner's landscape plan required a number of waivers from the Landscape Code and bufferyard requirements. The parking lot is unique as it will not be used for standard parking. Full sized trucks will need to maneuver through the lot so the interior landscaping would not be practical. The Petitioner has increased the landscaping on the perimeter to the north to buffer the multi-family residences as well as to the south. Staff has recommended a consistent treeline buffer to the north. The Petitioner has agreed to PVC rather than wood fencing along the north side of the parking lot and existing building to screen the dumpster enclosure and mechanical equipment.

Three Variations are being requested as follows:

Section VIII.A.7 - To permit parking to encroach into the front yard along Duvan Drive. ***A Variation is being requested to expand the parking lot into the front yard by 24 feet for additional truck parking spaces and allow the property to be more functionally useful. The parking lot will be the same depth and align with the adjacent parking lot to the west of the subject property.***



Section V.C.10.B.6 - To reduce the required off-street parking area setback for industrial development to encroach more than 25% into the established front yard setback to have a setback of 12.29 feet instead of a required setback of 24 feet along Duvan Drive. **This Variation will allow the expansion of the parking lot into the front yard for additional truck parking spaces and allow the property to be more functionally useful. The parking lot will be the same depth and align with the adjacent parking lot to the west of the subject property.**

Section III.J.2.a.(1) - To permit a fence to be located in front of the required building setback line. **A Variation is being requested to install a six foot (6') high fence in front of the building line. The fence will be located at the front parking lot line for security purposes.**

CHAIRMAN SHAW asked if the Commissioners had comments or questions.

COMMISSIONER AUGUSTYNIAK asked for clarification on the deed restrictions requiring grass to be added if the property is sold. Mr. Ritter replied the required parking lot removal only applies if the lots are separately sold.

CHAIRMAN SHAW asked the Petitioner if he wanted to make any comments. He replied no further comments.

COMMISSIONER AUGUSTYNIAK asked if the Petitioner would be consolidating other locations into this spot and what type of trucks he has. Mr. Brown replied he would be consolidating three (3) of his locations into this site. The trucks are all 26' box trucks, no semis, all 2016 and newer and all gasoline powered.

COMMISSIONER GRAY asked about the setback on Duvan Drive. Mr. Ritter replied some of the locations are a zero (0) setback.

COMMISSIONER GRAY asked about the landscape plan showing some of the trees are planted in the right of way. Mr. Ritter replied the trees could be shifted slightly to the north. Public Works had no negative comments on this. There are right of way tree requirements in the parkway.

CHAIRMAN SHAW noted there should be a clear path for future sidewalks. This property lies within the TIF which could be used to fund future sidewalks.

CHAIRMAN SHAW asked for questions or comments from the Public. None.

A Motion was made by COMMISSIONER AUGUSTYNIAK, seconded by COMMISSIONER ENGEL to close the Public Hearing for Two Men and a Truck, 7420 & 7430 Duvan Drive. Site Plan Approval with Variations. The Motion was approved by voice call.

CHAIRMAN SHAW declared the Motion approved.

CHAIRMAN SHAW asked Mr. Ritter to go through the Standards:

#### STANDARDS FOR SITE PLAN APPROVAL

Section III.T.2. of the Zoning Ordinance requires that Planning Staff must find that the conditions listed below must be met. Staff will prepare draft responses for these conditions within the next Staff Report.

- a. That the proposed Use is a Permitted Use in the district in which the property is located.
  - *Warehouse and light-industrial uses are permitted in the ORI MU-1 Zoning District. Moving the applicant's headquarters to this location and the design of a landscaped parking lot will bring new life*

- to a transitioning area, in need of new investment. If the lots are ever placed under different ownership, the new parking lot will be required to be removed, as parking is not permitted as a primary use.*
- b. That the proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses.
    - *The proposed landscaping will improve the curb appeal of the site and increase overall aesthetics of the area. The landscaping to the north will add increased screening from the residential properties. The plan will reduce the number of nonconformities and increase on-site drainage detention.*
  - c. That the vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient, and convenient movement of traffic, not only within the site but on adjacent roadways as well.
    - *The parking lot addition will be used by employees only and will not be open to the public or visitors. There is a designated turn-around area that will allow trucks to maneuver the site safely. There is limited design options for parking trucks on a narrow site.*
  - d. That the Site Plan provides for the safe movement of pedestrians within the site.
    - *The site's location in an industrial park with no sidewalks and limits the opportunity to add pedestrian amenities. Visitors and employees will have access through the existing parking lot on the east side of the building. Space exists at the front of the site if a public sidewalk is ever installed along Duvan Drive.*
  - e. That there is a sufficient mixture of grass, trees, and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses and will provide a pleasing appearance to the public; any part of the Site Plan area not used for buildings, structures, parking, or access-ways shall be landscaped with a mixture of grass, trees, and shrubs.
    - *Interior lot landscaping is limited due to the site layout and need for truck movement throughout the site. The applicant is adding additional perimeter landscaping on the property to meet the intent of the landscaping codes. The site will be among the first properties to be developed under the current code requirements and will be a benchmark for future redevelopment.*
  - f. That all outdoor trash storage areas are adequately screened.
    - *The trash enclosure and exterior mechanical equipment will be screened with natural color PVC fencing.*

## STANDARDS FOR VARIATIONS

Section X.G.4. of the Zoning Ordinance states the Plan Commission shall not recommend a Variation of the regulations of the Zoning Ordinance unless it shall have made Findings of Fact, based upon the evidence presented for each of the Standards for Variations listed below. The Plan Commission must provide findings for the first three standards; the remaining standards are provided to help the Plan Commission further analyze the request.

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.
  - a. *The site has been vacant for many years and is difficult to develop on its own. Due to landscape and detention requirements, parking in the front yard allows the property to increase its usefulness and yield a reasonable return. The existing building on the eastern lot is fixed and cannot be modified to meet all the landscaping requirements.*
2. The plight of the owner is due to unique circumstances.

- a. *The Variations are needed due to this only being a partial redevelopment of a narrow lot and that the existing site's footprint is set. The need for trucks to safely access and maneuver the new parking lot creates limited space to change the layout. The owner is trying within the constraints of the site to incorporate as much parking as possible with as few landscape waivers and Variations as possible.*
3. The Variation, if granted, will not alter the essential character of the locality.
  - a. *The parking lot encroachment will align with the neighboring property's parking lot line. Other older properties in the area also have similar front yard parking encroachments and fencing. The overall design of the development and the incorporation of more landscaping will improve the area's landscaping.*
4. Additionally, the Plan Commission shall also, in making its determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the Petitioner have been established by the evidence:
  - a. The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
    - *The total number of truck parking stalls would be reduced and would not make the site attractive to redevelop. The need for detention and volume control limits the usefulness of the site.*
  - b. The conditions upon which the petition for a Variation is based would not be applicable, generally, to other property within the same zoning classification;
    - *This property has unique issues in regards to developing a property for use with an adjoining property and existing building. The vacant lot's narrowness and the location of the existing building give this site a unique situation that is generally not replicated elsewhere.*
  - c. The purpose of the Variation is not based exclusively upon a desire to make more money out of the property;
    - *The petitioner is looking to make the site useful and safe for his business to be able to occupy. The site will greatly improve the aesthetics of the area and is not based solely on increasing the value of the property.*
  - d. The alleged difficulty or hardship has not been created by the owner of the property, or by a previous owner;
    - *The site was subdivided and developed prior to current codes and standards that make the site difficult to develop meeting all requirements while still be useful.*
  - e. The granting of the Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
    - *The new buffer landscaping and fence to the north will greatly increase the screening of this property and the overall industrial area from the multi-family residential buildings to the north. The parking lot and fencing will help to increase security and allow for proper storage of vehicles on the site.*
  - f. The proposed Variation will not impair an adequate supply of light and air to an adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

- *The Variations will increase the usefulness of the site and will not be a public nuisance. The development is likely to increase property values within the Duvan Industrial Park and may help to promote future redevelopment in the area. The increased landscaping will increase the look and environmental quality of the area.*

A Motion was made by COMMISSIONER ENGEL seconded by COMMISSIONER AUGUSTYNIAK to recommend to the Village Board the granting to the Petitioner, Paul Brown of Two Men and a Truck, Site Plan Approval in accordance with the plans submitted and Standards for Site Plan Approval proposed by Village Staff as may be amended by the Plan Commission at this meeting.

Subject to the following conditions:

1. The parking lot and all associated material located on the 7430 Duvan Drive site shall be completely removed and replaced with grass if the property is sold or under different ownership then the property located at 7420 Duvan Drive.
2. All Public Works and Engineering comments must be addressed and an MWRD permit must be obtained prior to permitting.

AYES: MANI, ENGEL, STANTON, AUGUSTYNIAK, GRAY, AITCHISON, VICK AND CHAIRMAN SHAW

NAYS: NONE

CHAIRMAN SHAW declared the Motion unanimously approved.

A motion was made by COMMISSIONER AUGUSTYNIAK, seconded by COMMISSIONER MANI to consider recommending that the Village Board grant the Petitioner, Paul Brown of Two Men and a Truck, the following Variations in the ORI MU-1 (Office and Restricted Industrial, Mixed Use Duvan Drive Overlay) Zoning District located at 7420 & 7430 Duvan Drive in accordance with the plans submitted 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.

1. Section VIII.A.7 - To permit parking in a front yard along Duvan Drive.
2. Section V.C.10.B.6 - To reduce the required off-street parking area setback for industrial developments to encroach more than 25% into the established front yard setback to have a setback of 12.29 feet instead of a required setback of 24 feet along Duvan Drive.
3. Section III.J.2.a.(1) - To permit a fence to be located in front of the required building setback line.

Subject to the following conditions:

1. The parking lot and all associated material located on the 7430 Duvan Drive site shall be completely removed and replaced with grass if the property is sold or under different ownership then the property located at 7420 Duvan Drive.

AYES: VICK, AITCHISON, AUGUSTYNIAK, GRAY, MANI, ENGEL, STANTON AND CHAIRMAN SHAW

NAYS: NONE

CHAIRMAN SHAW declared the Motion unanimously approved.

Mr. Ritter noted this will go to the Village Board for approval on August 21.

**FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION**  
**SUBJECT: MINUTES OF THE AUGUST 2, 2018 REGULAR MEETING**

**Item #3      CONSIDERATION FOR APPROVAL: INTERNATIONAL AUTOS ORLAND PARK - 8301 W. 159<sup>TH</sup> STREET**  
**SITE PLAN APPROVAL**

Consider granting Site Plan approval to the Petitioner, Simon Yu of Simon Design Group, on the property 8301 W. 159<sup>th</sup> Street in the B-5 Zoning District with a request to expand the existing parking lot and construct a 9,066 square foot building addition.

Present were the following:

Plan Commissioners:      Ken Shaw, Chairman  
                                 Eduardo Mani  
                                 Tim Stanton  
                                 Lucas Engel  
                                 Garrett Gray  
                                 Chuck Augustyniak  
                                 Stephen Vick  
                                 MaryAnn Aitchison

Absent Plan Commissioner(s): Angela Gatto

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

Guest(s):                      Simon Yu

Kimberly Clarke, Planning Manager noted International Autos is requesting Site Plan approval for a building and parking lot expansion. There is no Variation required as they are complying with all code requirements. Ms. Clarke displayed an image of the planned building. The existing site is approximately three (3) acres. Historically the site has been occupied by a dealership since 2003. This new dealership will be for Land Rover and Jaguar. They currently share a site with Subaru and this will allow them to have their own stand-alone location. This property has been vacant for approximately one month.

The subject property is located on 159<sup>th</sup> Street which is a major arterial road controlled by IDOT and zoned B-5 (Automotive Service). This section of 159<sup>th</sup> Street is commonly referred to as “Dealership Row” due to the number of dealerships that exist along this corridor. The use will be for a showroom, service area, customer waiting area and an employee area. They will be increasing their service areas by 4,900 sq. ft. with five (5) new overhead doors. There will also be a 4,100 sq. ft. front expansion to increase the showroom. The parking lot in the rear will give them an additional sixty (60) stalls for vehicles. In the previous approvals for Kia, there were similar requirements because of the pond in the rear and the parking lot expansion, there will have to be a retaining wall which will be partially on the 20 feet rear yard public utility easement. Staff is asking for a retaining wall agreement to be established between the owner and the Village to make sure if anything happens to the wall or the easement there is an agreement to take care of that. Staff is also making everything subject to engineering and they will have to go through the MWRD process. They do have plans and permits with them, but it will be necessary to verify those applications are still valid. It will also be necessary to firmly identify where the inventory, customer and employee parking will be.

Overall the site will be pretty much the same with an improvement to some of the landscaping that has not survived over time. The current landscape plan provided is from 2015 is only for the rear parking lot expansion. Staff has requested a final landscape plan that will encompass the entire site.

The proposed architecture is a panel system all grey color metallic aluminum composite material. In the rear of the building, at the service bay area, there will be corrugated metal. This is a deviation from the Village building code which states it has to be brick masonry. This is similar to what is out there now, they will just be adding to it and blending the additions in. This is what all the dealerships are using now. The rear of the building is not visible to 159<sup>th</sup> Street.

Parking is not an issue. The Petitioner is in compliance with the number of wall signs shown on the drawings. Staff has received a lighting plan and will make sure it complies with .5 candles at the property line. They will be using all LED lighting.

The open items are:

1. The Petitioner will need to enter into a retaining wall agreement for the construction of a wall within the existing 20 foot public utility easement.
2. The Petitioner will need to submit engineering plans for review. All approvals are subject to engineering.
3. Submit a final landscape plan to be reviewed by staff prior to building permit issuance.
4. Revise the site plan to identify parking stalls dedicated for employees, inventory and customer parking.
5. Prior to building permit issuance, submit a photometric plan including cut sheets of light fixtures to ensure the plan is in compliance with Village Code of .5 foot candles at the property line.

CHAIRMAN SHAW asked for questions or comments from the Commissioners.

COMMISSIONER GRAY asked for clarification on the retaining wall. Ms. Clarke replied on the south parking lot addition there is a retaining wall on the west side and adjacent to the 20' easement. On the original plan, it was slightly over 3' and it is being reviewed by the Village engineers for any necessary modification. There is also an existing 6' privacy fence on the south property line and a chain link fence on the west side.

CHAIRMAN SHAW asked if there have been any concerns from neighboring properties. Ms. Clarke replied the rear fence is newer due to complaints from the residents and that is why the fence was replaced/repared. The vegetation will be replaced in that area as necessary.

COMMISSIONER STANTON asked about security cameras. Mr. Simon Yu replied there would be security cameras installed. Ms. Clarke asked about outdoor speakers. Mr. Yu replied the other dealership does not have them and he is not sure about this dealership.

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

#### STANDARDS FOR SITE PLAN APPROVAL

Section III.T.2. of the Zoning Ordinance requires that Planning Staff must find that the conditions listed below must be met.

- a. That the proposed Use is a Permitted Use in the district in which the property is located.  
*Vehicle sales, automobile parts and accessories, and on-site repairs or alterations is a permitted use in the B-5 Automotive Service District.*
- b. That the proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses.

*The proposed expansion of the parking lot will be adequately screened from the adjacent properties with the incorporation of landscaping along the perimeter. Currently the residential property is screened by the existing six foot (6') privacy fence along the rear lot line.*

- c. That the vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient, and convenient movement of traffic, not only within the site but on adjacent roadways as well.  
*The access points off of 159<sup>th</sup> Street will remain as currently exists. Circulation of the parking lot will be subject to the Fire Department review.*
- d. That the Site Plan provides for the safe movement of pedestrians within the site.  
*The nature of the business use does not warrant much pedestrian traffic within the site. The majority of the pedestrians will be the employees who will more than likely be in the vehicles. The site provides for pedestrian walkways around the building where customers will be allowed.*
- e. That there is a sufficient mixture of grass, trees, and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses and will provide a pleasing appearance to the public; any part of the Site Plan area not used for buildings, structures, parking, or access-ways shall be landscaped with a mixture of grass, trees, and shrubs.  
*The plan proposes the installation of landscaping along the rear and east lot line. The existing landscape islands will remain and any new ones will have landscaping planted within them per code.*
- f. That all outdoor trash storage areas are adequately screened.  
*There is an existing trash enclosure on the east side of the building area near that will be used.*

COMMISSIONER GRAY, seconded by COMMISSIONER STANTON made a motion to grant the Petitioner, Simon Yu of Simon Design Group, Site Plan Approval in accordance with the plans submitted by the Applicant and Standards for Site Plan Approval proposed by Village Staff as may be amended by the Plan Commission at this meeting.

Subject to the following conditions:

1. The owner will need to enter into a retaining wall agreement for the construction of a retaining wall within the existing 20' public utility easement.
2. The Petitioner will need to submit engineering plans for review. All approvals are subject to engineering.
3. The Petitioner will need to submit a final landscape plan for the entire site.

AYES: MANI, ENGEL, STANTON, AUGUSTYNIAK, GRAY, AITCHISON, VICK AND CHAIRMAN SHAW

NAYS: NONE

CHAIRMAN SHAW declared the Motion unanimously approved.

Ms. Clarke noted this is final due to no Variations and will not need to go before the Village Board for adoption.

**TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**

**FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION**

**SUBJECT: MINUTES OF THE AUGUST 2, 2018 REGULAR MEETING**

**Item #4 WORKSHOP: SIP WINE BAR – 17424 OAK PARK AVENUE  
SITE PLAN APPROVAL AND VARIATIONS**

Consider granting Site Plan Approval and consider recommending that the Village Board grant the Petitioner, Neal Hummitsch of SIP Wine Bar, Variations from the Legacy Code to modify an existing building and construct an addition with commercial space and a 1,100 square apartment on the property located at 17424 Oak Park Avenue in the DC (Downtown Core) Zoning District.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman  
Eduardo Mani  
Tim Stanton  
Lucas Engel  
Garrett Gray  
Chuck Augustyniak  
Stephen Vick  
MaryAnn Aitchison

Absent Plan Commissioner(s): Angela Gatto

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

Guest(s): Neal Hummitsch

Dan Ritter, Senior Planner noted that the existing site consists of a nonconforming historical home in the Legacy District that was constructed in 1893 and is historically referred to as the Dini Home. This home is mentioned in the Legacy Plan for its historical significance due to the age and architectural character. The SIP Wine Bar is requesting an addition on the south side to include commercial space on the first floor and a 1,100 square foot apartment on the second floor with several Variations. Most recently this property was “Attic Door” and prior to that was “Tinley Video”. The existing site is a single building with a parking area to the rear and north of the property. The Legacy Plan mentions preserving, rehabbing and strengthening existing historical structures including this original home. There was a 1, 900 square foot addition added in 1993 which is not considered historical, but it does utilize similar materials and roof peak. The property was recently subdivided due to lot line issues.

The site is zoned DC (Downtown Core) with Mickeys to the south, Citi Bank to the east and the Vogt Building (future Banging Gavel) to the North. The property to the west is a drive aisle and parking lot which will be utilized by the Banging Gavel and SIP Wine Bar and is currently owned by the Village. This lot is zone R-4 (Single Family Residential) and is not in the Legacy District and has residential garages on it.

The proposed use is a self-serve wine bar and a full-service restaurant which includes a kitchen. There will be indoor seating, a small standing room area and 2 outdoor patios, a small one in front and a larger one on the rear. The Petitioner has had discussions with the Banging Gavel owner to have shared events between the two businesses. The new addition



will also include a partial basement that will be storage for the restaurant and a second floor 1,100 square foot 1 bedroom apartment with a separate stairwell.

The site plan will include a 2-story addition to the south side of the property and will include in the rear a large patio and stairwell to the apartment. The rear patio will be enclosed by a knee wall and will have a metal canopy roof over it. The front patio on Oak Park Avenue will be enclosed by a 3-4' fence and buffered by landscaping. The design of the addition will work with the existing site of the home. It will keep the character of the existing historic home. The setback and peaks and style of the original home will be matched. One of the open items is to correct the setback on the south side property line between Mickey's parking lot and the building. There is approximately one-foot six inches (1'6") from the back of the curb on Mickey's lot to the property line in addition to the one-foot two-inch (1'2") proposed setback to the addition. The Legacy Code requires alley dedications of 25' at the rear of the property. Because this property backs up to a property that is not in the Legacy Code there is extra space added on. The Petitioner has agreed to this dedication.

The Petitioner has added landscaping to several locations on the property. More curbing has also been added to give a clear driving lane for traffic. The landscape consultant has recommended incorporating some historically significant air loom plants. Per public works and police, staff recommended one street tree where 2 would typically be used. The plans will be updated and the Petitioner will work with Mickey's to replace landscaping as needed during construction.

The new addition will closely mirror the historical design and residential character of the original home. There is an open item regarding the use of vinyl siding on the existing home and the new siding being used will be Hardie Board. In general, the same siding would be used, but due to being able to match the existing siding and the financial considerations the Hardie Board is planned. The outdoor patio areas will be using high-quality materials and will maintain a residential appearance. The rear patio will use similar columns and architectural details as the front of the home. The front fence will be a 3-4' wrought iron design. On the south side of the property, fake windows will be used to break up the expanse of the wall and that is an open item to discuss if these are actually beneficial or unappealing.

The signage will be flat wall signage on the front of the building and a 5.5' tall single-faced monument sign at the north entrance. There will be a Variation for that sign as it cannot be placed a full ten (10') away from the property line. Staff recommends not placing the wall sign on the front façade over the banding on the building. Staff recommend reducing the size of the sign or change the location of the sign and light on the property

The lighting will be wall mounted gooseneck lights that are in compliance with the Legacy Code light fixtures. There will be lantern style lights on the front porch to keep the residential character of the home.

The parking on the site will be shared parking between Banging Gavel and SIP and other public parking at the train station. The residential unit will require one (1) parking spot. There are four (4) parking spaces on-site with one space being used specifically for the apartment. The Petitioner has noted he anticipates potentially using golf carts or a small bus to transport customers from the public parking for added convenience.

The list of Variations are as follows:

1. Section 2.A.7 to permit a minimum public frontage buffer width of three feet (3') instead of the minimum of six feet (6').  
*The public frontage is proposed as it exists today and is consistent with the existing frontage and alignment of public improvements throughout the block. Requiring an increase to the public frontage would require land dedication that could make outdoor dining and commercial use of the site less feasible.*
2. Section 2.A.8 to permit a private frontage design other than the frontages permitted in Table 2.A.5.  
*The private frontage is proposed to tie into the existing setback and design of the site. Changes in the private site frontage would not preserve and would likely detract from the historical significance and residential character of the site based upon its age (ca. 1893) and Victorian architectural style.*

3. Section 2.A.9 to permit an addition to be two (2) stories instead of the minimum three (3) stories.  
*The new addition will tie in with the existing homes height and architectural design. The original structure was a residential home with historical significance due to its age (ca. 1893) and Victorian style architecture. The proposed addition and site changes have been designed in keeping with that original historical and residential design.*
4. Section 2.A.9 to permit a front yard setback of fourteen feet two inches (14' 2") instead of the maximum five feet (5').  
*The private frontage is proposed to tie into the existing setback and design of the site. The original structure was a residential home with historical significance due to its age (ca. 1893) and Victorian style architecture. The proposed addition and site changes have been designed in keeping with that original historical and residential design.*
5. Section 2.A.9 to permit a north side yard setback of ten feet (10') instead of the maximum five feet (5').  
*The private frontage is proposed to tie into the existing setback and design of the site. The original structure was a residential home with historical significance due to its age (ca. 1893) and Victorian style architecture. The proposed addition and site changes have been designed in keeping with that original historical and residential design. Placing an addition on the home to meet a setback would detract from its historical integrity.*
6. Section 3.B.6.a to permit the transparency of a ground-level street facing façade of a commercial space to be less than 60%.  
*The private frontage is proposed to tie into the existing setback and design of the site. The original structure was a residential home with historical significance due to its age (ca. 1893) and Victorian style architecture. The proposed addition and site changes have been designed in keeping with that original historical and residential design. The window locations and design will match the existing windows and keep a residential feel to the property.*
7. Section 3.B.6.b to permit the maximum height of the top of the window sills to be greater than 30" above the adjacent sidewalk.  
*The private frontage is proposed to tie into the existing setback and design of the site. The original structure was a residential home with historical significance due to its age (ca. 1893) and Victorian style architecture. The proposed addition and site changes have been designed in keeping with that original historical and residential design. The window locations and design will match the existing windows and keep a residential feel to the property.*
8. Section 3.C.3.d to permit one (1) residential parking space to be open to the sky and not covered.  
*The original structure was a residential home with historical significance due to its age (ca. 1893) and Victorian style architecture. The proposed addition and site changes have been designed in keeping with that original historical and residential design. Building a garage or underground parking is not feasible on the existing site and would detract from its historical integrity.*
9. Section 3.F.10.a to permit the waiver of a bufferyard requirement between a property Legacy District and property not in the Legacy District.  
*The property to the north is a parking lot and drive aisle owned by the village. While it is not technically in the Legacy District, it serves two (2) legacy district sites and is a very unique situation. The code requirement is typically more for developments that directly abut a residential property, not public parking/access. Planting landscaping between these properties would also hinder any potential future alley connection.*
10. Section 4.E to permit a monument sign to be located three feet (3') instead of the required ten feet (10') from a property line or drive aisle.  
*The setbacks are difficult to meet due to the site layout already being set by a historically significant building. The proposed ground sign location was determined to be the best location that keeps with the intent of the code in regards to aesthetics and safety while also identifying the business for vehicles and pedestrians.*

CHAIRMAN SHAW asked the Petitioner, Neal Hummitsch to speak.

Mr. Hummitsch noted his plan is to do something different, with small plate food and wine. He feels the house is great for this. He will be adding a full kitchen, sprinklers and ADA bathrooms which would not be possible without the addition.

CHAIRMAN SHAW asked the Commissioners if they had questions or comments.

COMMISSIONER ENGEL asked about the new siding and if it will match the existing siding and if there were examples. Mr. Ritter replied they would match the Hardie Board to as close as possible in color. Mr. Hummitsch replied this is very expensive trying to meet the code. Mr. Hummitsch's architect replied from a design status he will try to avoid any instance where one material will be joining the other material so there will not be a stark contrast.

CHAIRMAN SHAW asked if the existing Vinyl siding is in good shape. Mr. Ritter replied it is in good shape and anything that is not will be repaired or replaced. The roof structure will also be modified and the new areas will be Hardie Board. The main structure will be the existing Vinyl. If in the future the siding needs to be replaced, it will be Hardie Board.

Kimberly Clarke noted they will be utilizing the Code Compliance Grant and the Retail Build-out Grants maximizing the \$70,000.00 available.

COMMISSIONER MANI asked about the intent of the lighting. The architect replied the lighting will be low lumen LED lights for the seating and then accent lighting for the signage.

Mr. Ritter asked if there was something that that was recommended to be done so that the sign and lighting do not cover the architectural band on the front of the home. The code states the sign should try to avoid architectural features.

CHAIRMAN SHAW asked about a blade sign rather than a monument sign. The architect replied the monument sign is at an angle at the main entrance as a directional sign.

COMMISSIONER GRAY concurs that the signs as proposed look good. He asked about the three parking spots and one being dedicated to the residence and what the other two would be used for. Mr. Hummitsch replied that the two spots will not be designated. He asked about the hours of operation. Mr. Hummitsch replied the hours would be before lunch and up to 10:00 pm. The customers will dictate the need for the hours. The summer hours may be different than the winter hours. He has been working with the owner of the Banging Gavel to have a vehicle to transport customers from the train station parking to the location.

COMMISSIONER AUGUSTYNIAK asked about the patio area's months of operation and what the capacity is. Mr. Hummitsch replied the patio would be open in the summer months and the capacity is sixty (60) on the patio. In the restaurant there will be twenty-four (24) tables, outside will have twenty-four (24) tables and there will be fifty (50) additional standing room spots. The total would be approximately one hundred twenty-five (125). There is no bar, it is a self-serve counter.

COMMISSIONER STANTON asked about entertainment and security cameras. Mr. Hummitsch replied there will be no entertainment and they would have security cameras. There would also be lighting to illuminate the parking area.

CHAIRMAN SHAW asked about a parking lot agreement with Mickey's. Mr. Hummitsch replied there is not agreement with Mickey's There are no plans to use their lot.

A woman from the audience asked about the rear parking lot and how it would affect the garages on the apartment building to the west. Mr. Ritter replied there is twenty-five feet from the property line to the garages and there is an alleyway on the private lot where there will never be a building.

CHAIRMAN SHAW noted the fake windows on the rear of the building does not look good. His preference would be Hardie Board in that area. Mr. Ritter noted that the staff preference would also be to not use the fake windows.

CHAIRMAN SHAW asked for the Open Items.

**OPEN ITEMS:**

1. Revise plans to show the correct setback on the south side property line between Mickey's parking lot and the building. There is approximately one-foot six-inch (1'6") from the back of curb on Mickey's parking lot to the property line in addition to the one-foot two-inch (1'2") proposed setback to the addition.
2. Vinyl siding will remain on the existing historic home while fiber cement siding will be used on the new additions, as required by code. It will be difficult to make the transition between these different materials seamless in color and look. It could be beneficial in regards to the aesthetics, historical integrity and more financially feasible to make the change to matching fiber cement siding now. If vinyl siding is permitted to remain, a condition requiring the aluminum siding to be replaced with identical fiber cement siding should be added to clarify this requirement going forward. (No Concerns)
3. Revise plans to indicate that the existing siding material is vinyl and not aluminum.
4. The front façade wall sign location is located over the architectural trim of the building. Staff recommends considering making the sign smaller, moving the sign to a different location or flipping the light and wall sign locations on the addition as alternatives to the Petitioner's proposed location. Remove the fake windows on the rear of the building.
5. Clarification is needed for the color of the light fixtures and revised plans are needed to be consistent on the chosen color.
6. Consider requested Variations from the Legacy Code to promote retaining the architectural and historical integrity of the site known as the Dini Home based on the proposed project and responses to the Standards for a Variation supplied by the Petitioner.

The Public Hearing for this will be on August 16, 2018

**COMMENTS FROM THE COMMISSION**

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 ENGEL, to adjourn the Regular Meeting of the Plan Commission of August 2, 2018 at 9:36 p.m. The Motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN SHAW declared the meeting adjourned.