



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

September 20, 2018

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on September 20, 2018 at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Plan Commissioners: Ken Shaw, Chairman
Eduardo Mani
Angela Gatto
MaryAnn Aitchison
Lucas Engel
Garrett Gray

Absent Plan Commissioner(s): Tim Stanton
Chuck Augustyniak
Stephen Vick

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

Guest(s): Devon Glenn, Brad Hoepfner, Dr. Cynthia Cecott, James Cecott, Charles Cecott, Michael Matthys

CALL TO ORDER

PLAN COMMISSION CHAIRMAN SHAW called to order the Regular Meeting of the Plan Commission for September 20, 2018 at 7:00 p.m.

COMMUNICATIONS

None at this time

APPROVAL OF MINUTES

Minutes of the September 6, 2018 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER MANI, 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 SEPTEMBER 20, 2018 REGULAR MEETING

Item #1 WORKSHOP/PUBLIC HEARING: FERGUSON ENTERPRISES, INC. -7950 UNIT A, B, C 185TH STREET, GRANTING A SPECIAL USE PERMIT

Consider recommending that the Village Board grant the Petitioner, Ferguson Enterprises, Inc. a Special Use Permit to allow to allow a retail show room at 7950 W. 185th Street Suite A, B, C in the ORI (Office and Restricted Industrial) District.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman
Eduardo Mani
Angela Gatto
MaryAnn Aitchison
Lucas Engel
Garrett Gray

Absent Plan Commissioner(s): Tim Stanton
Chuck Augustyniak
Stephen Vick

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

Guests: Devon Glenn

CHAIRMAN SHAW noted the Workshop and Public Hearing will be combined into one meeting tonight.

A Motion was made by COMMISSIONER GATTO, seconded by COMMISSIONER AITCHISON to open the Public Hearing for Ferguson Enterprises, Inc. -7950 Unit A, B, C 185th Street, Granting a Special Use Permit. 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.

Daniel Ritter, Senior Planner gave a presentation and displayed photos as noted in the Staff Report for Ferguson Enterprises, Inc. They are seeking approval for Special Use Permit to operate a business involving a retail showroom and sales at 7950 185th Street, Suites A-C in the ORI PD (Office and Restricted Industrial, Hickory Creek Planned Unit Development) Zoning District.

The proposed business would occupy 32,458 Square feet of space in the industrial building. 10,494 square feet of the space will be utilized as a showroom for bath, kitchen, plumbing and lighting supplies and 3,148 square feet will be utilized as a sales and will call pickup counter for the company's products. The rest of the space will be used as office and warehouse space.

The principal use is considered "warehousing, wholesale establishments and distribution facilities" which is a permitted use within the Hickory Creek Planned Unit Development. Due to the retail component of the business, the Village's Zoning Ordinance requires that the Applicant obtain a Special Use Permit. The retail sales and showroom are typically utilized by contractors or other design professionals who are going to the site as a destination. The showroom and sales are also expected to be open to the public.

The site has a total of approximately 156 parking spaces. 101 parking spaces including required ADA parking, are located in the front of the building. There are 55 additional spaces located in the rear of the building and primarily utilized by employees. The petitioner has four showroom employees, two counter associates, two warehouse associates, two drivers and 12 office associates for a total of 22 employees. It is expected that up to eight customers may be on the site at any given time. The parking spaces based on the Zoning Code calculations would be 29. The parking is expected to be sufficient.

CHAIRMAN SHAW asked the Petitioner to speak.

Devon Glenn, Financial Director at Ferguson, noted the showroom would be mostly a selection center featuring appliances, plumbing fixtures and lighting allowing customers to come in and make selections to be distributed from their warehouse in Addison, IL. Customers rarely will be taking any product from this location. The only time that would occur would be if there is a floor model that would be sold to a customer. They are looking to expand the destination showroom to this area.

CHAIRMAN SHAW asked for questions or comments from the Commissioners.

COMMISSIONER GRAY inquired how many customers would be expected outside contractors. He also inquired if there would be internal modifications made to the building. Ms. Glenn replied most of the customers would be coming in by appointment. Generally the appointments would take approximately 1-3 hours. In a given day there would be 4-6 customers per day. Ms. Glenn replied that the modifications would be limited to adding wall partitions to separate the spaces and also interior hanging electrical lighting. They would be staging areas to show a working kitchen to the customers.

CHAIRMAN SHAW clarified that this Petitioner is a tenant. He also inquired about sidewalks in the area. As this is a tenant and not an owner, they would not be required to add sidewalks. CHAIRMAN SHAW also noted that staff would be working with the owner of this property to upgrade some of the landscaping deficiencies. Mr. Ritter replied in the future that would be a consideration for new owners adding sidewalks. He also noted the landscaping deficiencies would be considered Code Enforcement issues and will be addressed.

CHAIRMAN SHAW inquired about the parking and if other tenants in this building came to the Plan Commission with similar Special Use requests would there be enough parking. Mr. Ritter replied that there would be enough parking as long as it would not be a full retail store.

CHAIRMAN SHAW inquired about the signage. Mr. Ritter replied staff has discussed this with the Petitioner and they are fine with their signage meeting the Code requirements.

CHAIRMAN SHAW asked for comments from the public.

None at this time.

A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER GATTO to close the Public Hearing on Ferguson Enterprise, Inc. 7950 185th Street, Unit A-C. The Motion was approved by voice call. CHAIRMAN SHAW declared the Motion approved.

CHAIRMAN SHAW asked Mr. Ritter to note the Standards for a Special Use and noted there are no Open Items.

Mr. Ritter noted the Standards for a Special Use as follows:

- 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 Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare because it is generally compatible with other uses in the same building and within the surrounding area. Other uses in the Hickory Creek Planned Unit Development include several warehouse-type businesses.
- b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity because the use is compatible with the other business uses nearby. All business will be conducted within the building. The Special Use will not substantially diminish or impair property values because it will occupy a tenant space that has been vacant and the tenant will abide by Village ordinances and applicable codes.
- 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 Special Use will not impede the normal and orderly development and improvement of surrounding property because the immediately surrounding area is already improved and the proposed use will be conducted wholly within the tenant space leased to the Petitioner. The building already exists and the Petitioner will only be making modifications to the interior of the tenant space. The only exterior modification would be signage that is compliant with the Zoning Code allowances.
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
 - Adequate utilities, access roads, drainage, etc. have been provided for the site when it was constructed in 2002. There have been no known issues and no changes are proposed to the existing utilities, roads, drainage, or other infrastructure at or near the site. The customer base is typically destination-driven and will likely be construction and design professionals.
- 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
 - Adequate measures have been taken to provide ingress and egress to minimize traffic congestion in the public streets by providing adequate parking at the site. The site has 156 parking stalls that are shared between the four (4) tenant spaces, which meet the intent of the Village's standards for off-street parking. The tenant will use less than their applicable share of parking stalls on the site and there are no known issues with parking or traffic in the area.
- 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 Petitioner has indicated that they will meet all other Village ordinances and codes.
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.
- The Special Use will contribute to economic development within the Village because it will occupy a vacant tenant space and provide goods and services that complement the surrounding area's businesses and increase area employment.

CHAIRMAN SHAW asked the Petitioner how it was that they chose Tinley Park as a location for this showroom. Ms. Glenn replied that after a demographic search to expand the showroom and selection center, Tinley Park was chosen due to the fact that they did not have a big presence in this area and it was in an area that would allow traffic to come and view their products. They have shipping centers in Addison and Rockford and between the two, they would be able to cover this area very well.

A motion was made by COMMISSIONER GRAY, seconded by COMMISSIONER GATTO to recommend that the Village Board grant the Petitioner, Ferguson Enterprises, Inc., a Special Use Permit to operate a business involving retail and wholesale, incidental, similar and compatible to a permitted principal use (warehousing, wholesale, and/or distribution) at 7950 185th Street, Suite A-C in the ORI PD (Office and Restricted Industrial, Hickory Creek Planned Unit Development) Zoning District and adopt the Findings of Fact proposed by Village Staff and the Plan Commission at this meeting.”

AYES: MANI, GRAY, ENGEL, AITCHISON, GATTO AND CHAIRMAN SHAW.

NAYS: NONE

CHAIRMAN SHAW declared the Motion unanimously approved.

This will be presented to the Village Board on October 2, 2018 for adoption.

VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE SEPTEMBER 20, 2018 REGULAR MEETING

Item #2 WORKSHOP: VETERINARY CLINIC- 17745-17749 OAK PARK AVENUE SITE PLAN APPROVAL AND GRANTING VARIATIONS

Consider granting Site Plan Approval to modify the exterior of the existing one-story commercial building and consider recommending that the Village Board grant the Petitioner, Cynthia Cecott, the following Variations requested:

1. A Variation from Section XII.2.D.10.b to apply the Heritage Site Standards exceeding 50% of the property's market value in site improvements.
2. A 19 parking stall Variation from Section XII.2.D.10.c. (Table 2.D.7) to reduce the required number of street level commercial parking to eight (8) parking stalls where the required number is 26 parking stalls.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman
Eduardo Mani
Angela Gatto
MaryAnn Aitchison
Lucas Engel
Garrett Gray

Absent Plan Commissioner(s): Tim Stanton
Chuck Augustyniak
Stephen Vick

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

Guests: Brad Hoepfner, Dr. Cynthia Cecott, James Cecott, Charles Cecott, Michael Matthys

Kimberly Clarke, Planning Manager, gave a presentation and displayed photos as noted in the Staff Report regarding The Veterinary Clinic of Tinley Park, 17745-17749 Oak Park Avenue requesting Site Plan approval and Variations from the Legacy Code. The Variations will permit the petitioner to complete site improvements that exceed the maximum 50% Property market value threshold for the property to remain classified as a Heritage Site and a Variation of 19 parking spaces from the 27 required.

This business is looking to do exterior and interior improvements. The property is zoned Neighborhood General and is within the Legacy District. They are in the Heritage Site and when the Code was made many of the properties in this area were made non-conforming. Per the Code, improvements can be made up to the threshold of 50% of the market value which is less restrictive than if the property was outside the Legacy Code. The non-conforming section of the Code states you can do normal maintenance and repair and anything beyond that the property would have to come into conformance

with the Zoning. When the Public Hearing comes forward they are looking for a Variation from the 50% threshold. As we look at the site there is also a parking deficiency that is requiring an additional Variation request.

As shown in the Staff Report, Ms. Clarke displayed the site at the northeast corner of Oak Park Avenue and 178th Street. The subject site is on two parcels being used as one zoning lot 15,827 square feet in total area with a 6,720 square foot single-story building constructed sometime before 1970 that is divided into three separate tenant spaces. The Veterinary Clinic has been there for approximately nine years. Recently they have purchased the building and as the owner the Petitioner is looking to improve the building and expand their operation. The parking is a product of its time. There is a row of angled parking on the north side of their private property. There is an access drive aisle behind the building that is adjacent to the residential area to the east. There is parking on the south side of the building that is technically on the Village right-of-way. The survey shows the south building elevation is built right up to the right-of-way line. The west elevation facing Oak Park Avenue had parking stalls that were partially on the Village right-of-way. Several years ago, the Village requested that parking be removed as a result of meeting the landscape Code at that time. It was removed and replaced with square patches of landscaping. At one time there was more parking than there is now, but that parking was backing out onto Oak Park Avenue which was a safety and encroachment issue.

The Neighborhood General Zoning allows only residential uses. The property is considered a Heritage Site because it is a standalone commercial use. To the north is Bailey's Restaurant and Bar. To the east is a residential neighborhood. To the west is a townhome development and a large office complex. To the south is a vacant piece of land. When the vacant property to the south develops in the future it will be residential.

The Veterinary Clinic of Tinley Park is a full service veterinary medical facility primarily for dogs and cats. There are currently four employees. With the expansion, the employees are expected to increase to eight.

With the change of ownership, the Heritage Site triggers site improvements. There are requirements for parking, landscaping and the dedication of an alley. The Legacy Plan proposes that this lot be connected in the rear with alleys with the anticipation that when it redevelops it will be residential and would reduce the amount of curb cuts on Oak Park Avenue. The Village is looking for an easement in the back rather than a formal dedication. The back of the property as it exists today is a drive aisle of about 25'. A 25' easement would allow use the continued use of this property and meet the intent of the Legacy Plan for future development.

Ms. Clarke displayed a revised site plan, proposed elevation and floor plan as shown in the Staff Report and PowerPoint.

In 2008 there was a Parking Use and Maintenance Agreement for the stalls along 178th Street that has expired. Staff will be checking with the Village Attorney to verify the continued need for this agreement. As this is technically the Village right-of-way it would indemnify the Village for any liability.

The Variation from the 50% site improvement for Heritage Sites is the first of its kind. Staff has looked at this request seriously and researched what can be done to the Legacy Code to be more flexible in the Neighborhood General District. Staff recognized there are some buildings that need consideration. In the Variation review, staff took into consideration some valid factors to review this particular Variation request.

The voluntary improvements are the amounts that are considered in the 50%. The landscaping that has to be done is triggered by the Village Code so anything required by the Code is not included in the 50%. The expansion of the interior space and the exterior façade improvements being proposed are included in the 50%. The Petitioner is proposing approximately \$274,000 in voluntary, owner initiated improvements that are beyond the 50% of the market value and therefore requires a Variance. The standard being used for this property is that this property is an existing building in fairly decent shape; the ownership of the property is owner-occupied; the longevity of the existing non-conforming use; the ability for the property to be converted to function as a mixed-use and the impact of the continuation of the non-conforming use on the redevelopment potential of the area. Staff explored the possibility of making this a mixed-use building to try and meet the intent of the Legacy Plan, but there were concerns as to whether this one story building could

support a second story and also the extreme cost for the Petitioner at this time. Adding an apartment on the first floor in the back was not attractive. The use of a Veterinary Clinic is an allowed use.

Ms. Clarke presented an image of how the market value is determined as follows per the Assessor's page.

28-31-208-006-0000 =	\$39,513 (2018 Assessed Value)
28-31-208-007-0000 =	<u>\$39,399</u> (2018 Assessed Value)
Total Assessed Value is =	<u>\$78,912</u>
Level of Assessment is =	<u>x .25</u>
Market Value =	\$315,648
Heritage Site 50%	<u>\$157,824</u>
<u>Proposed Voluntary Improvements</u>	<u>\$274,140</u>

Ms. Clarke went through the following open items for discussion at the workshop:

1. Staff recommends a condition of the Site Plan Approval and Variations require a 25' alley easement in the rear of the property.
2. Consider placing parkway trees along Oak Park Avenue.
3. Provide staff with more details of the proposed signs.
4. The on-site parking lot must be ADA compliant.
5. Investigate the need for a Parking Use and Maintenance Agreement with the new owner to maintain parking stalls on 178th Street.
6. Require the installation of a bike rack to provide parking for at least one (1) bike.
7. Condition the Site Plan approval on requiring all nonconforming exterior light fixtures be replaced with lights that conform to the Villages regulations for glare.
8. Consider granting a Variation to exceed the 50% threshold for cost of site improvements on a Heritage Site in the Neighborhood General (NG) Zoning District.
9. Considering granting a Variation to reduce the required number of parking stalls.

CHAIRMAN SHAW asked for a presentation from the Petitioner.

Michael Matthys, Architect noted the Petitioner Dr. Cynthia Cecott purchased the building where she was previously a tenant with the Veterinary Clinic. Dr. Cecott wanted to maintain her business in Tinley Park. Per Bank of American where the loan is held, it is a requirement that Dr. Cecott occupies 50% of the building. The building is broken up in the three units and she will be extending the interior to approximately 60% of the total building. She will be adding a sprinkler system which requires a new water main to the building. Planters will be added on the north side of the building to address staff's landscaping comments. She would like the parking Variance to be for the entire building to include the future tenant so as not to have to come before the Village in the future for another Variance. All the open items will be addressed and a Landscaping Plan will be presented identifying the species of the trees. He asked staff how high the threshold would be moved up. Ms. Clarke replied there would not be a percentage used. The threshold will be tied to the plans presented. He would like an allowance for a build-out for the future tenant in the third space of the building. The increased lobby space will allow for a division for the cats and dogs.

CHAIRMAN SHAW asked for comments from the Commissioners.

COMMISSIONER GATTO noted she was glad to see improvements to this property. She asked Dr. Cecott if she had problems with parking. Dr. Cecott replied that she has an informal agreement with Bailey's that she can use their parking as the hours of operation are different. With half of the building being vacant, she does not have a parking issue at this time.

COMMISSIONER AITCHISON asked about a cap on the tenant build-out. Ms. Clarke replied staff would discuss this with the attorney. The Variance would allow the improvements to exceed the 50%.

COMMISSIONER GRAY asked about the parking. In the future, it could cripple the ability to rent out the space due to the parking limitation. He asked what type of business would be a potential tenant. Dr. Cecott replied she did not know as since the space has been vacant, there has not been any interest in the space due to the condition. There would not be a restaurant, it could be something with the opposite hours of the vet clinic. COMMISSIONER GRAY asked about the signage. Mr. Matthys replied the signage would be within the Ordinance and no Variation would be requested. Ms. Clarke replied regarding the parking, the site will dictate the type of business allowed. There is a fixed amount of parking and staff has the right to say this could not be the right space for the tenant due to the parking.

CHAIRMAN SHAW asked about the direction in the parking lot. He questioned if there was enough width in the back to add parking with a one-way drive aisle. Potentially there could be room to stripe out four additional parallel spaces. He asked about the possibility to add a second floor on this building. Mr. Matthys replied to be cost effective it would be better to tear down this building and build a new one on the site. There was some possibility of that in the future due to the tax benefits though. Ms. Clarke noted they would be eligible for some of the Oak Park Playbook grants as well.

This will go to the PLAN COMMISSION on October 4, for a Public Hearing.

GOOD OF THE ORDER:

1. Bremen Station will come before the Plan Commission in October for a Workshop
2. Oak Park Playbook Grants are available.
3. Plaza final design meeting issues looking to start work in Spring
4. Boulevard going to COW on 10/9/18 for Incentive
5. Economic Development – discussion on Legacy Plan
6. Residences have applied for foundation Permits
7. Directors and Managers going through Six Sigma Training
8. Kimberly – out next week for the APA Conference in Springfield

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 MANI, seconded by PLAN COMMISSIONER GATTO, to adjourn the Regular Meeting of the Plan Commission of September 20, 2018 at 8:44 p.m. The Motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN SHAW declared the meeting adjourned.