



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

February 3, 2022

The meeting of the Plan Commission, Village of Tinley Park, Illinois, was held in the Council Chambers located in the Village Hall of Tinley Park, 16250 Oak Park Avenue, Tinley Park, IL on February 3, 2022.

CALL TO ORDER – ACTING CHAIRMAN SHAW called to order the Regular Meeting of the Plan Commission for February 3, 2022 at 7:00 p.m.

Lori Kosmatka called the roll.

Present and responding to roll call were the following:

Angela Gatto
Frank Loscuito
Eduardo Mani
Acting Chairman Ken Shaw
Kurt Truxal

Absent Plan Commissioners:

Chairman Garrett Gray
James Gaskill
Andrae Marak

Village Officials and Staff:

Dan Ritter, Planning Manager
Lori Kosmatka, Associate Planner

Petitioners:

Ramzi Hassan, on behalf of Cornerstone Centre, LLC
Derek Hassan, on behalf of Cornerstone Centre, LLC
Robyn Jones, on behalf of Francesca Restaurant Group
Bob Quellos, on behalf of FC Studio
Rachel Crowl, on behalf of FC Studio

Members of the Public:

None

COMMUNICATIONS –

There were no communications from Village Staff.

APPROVAL OF MINUTES - Minutes of the January 20, 2022 Regular Meeting of the Plan Commission were presented for approval. A motion was made by COMMISSIONER GATTO. The motion was seconded by COMMISSIONER MANI to approve the January 20, 2022 minutes. ACTING CHAIRMAN SHAW asked for a voice vote; all were in favor. He declared the motion carried.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE FEBRUARY 3, 2022 REGULAR MEETING

ITEM #1 WORKSHOP – RJ’S SEAFOOD BUILDING ADDITION AND PATIO, 18201 HARLEM AVENUE – SPECIAL USE FOR PUD AND SITE PLAN/ARCHITECTURAL APPROVAL

Consider recommending that the Village Board grant Ramzi Hassan on behalf of Cornerstone Centre, LLC a Special Use for a Substantial Deviation from the Cornerstone Centre Planned Unit Development with Exceptions from the Zoning Ordinance located at 18201 Harlem Avenue in the B-4 (Office and Service) Zoning District. The granting of this request will allow for site modifications including the construction of a 525 SF building addition with a restaurant patio for RJ’s Seafood to the north of the existing building. Site Plan and Architectural Approvals are also required as part of the redevelopment.

Present Plan Commissioners: Angela Gatto
Frank Loscuito
Eduardo Mani
Acting Chairman Ken Shaw
Kurt Truxal

Absent Plan Commissioners: Chairman Garrett Gray
James Gaskill
Andrae Marak

Village Officials and Staff: Dan Ritter, Planning Manager
Lori Kosmatka, Associate Planner

Petitioners: Ramzi Hassan, on behalf of Cornerstone Centre, LLC
Derek Hassan, on behalf of Cornerstone Centre, LLC
Robyn Jones, on behalf of Francesca Restaurant Group
Bob Quellos, on behalf of FC Studio
Rachel Crowl, on behalf of FC Studio

Members of the Public: None

ACTING CHAIRMAN SHAW invited staff to start with the presentation of this item.

Lori Kosmatka, Associate Planner, summarized the Staff Report for the Commission that was attached to the Plan Commission packet and will be attached to the minutes. She reviewed the background and proposal. Background included the existing site’s history, zoning, and land uses. She noted it was part of the Cornerstone Centre PUD. The proposed use will be a new concept by Francesca’s Restaurant Group including a building addition, trellised patio, lighting, landscaping, several planters, and building modifications including a new Nanawall operable door partition, and removal of one trash enclosure on the Cornerstone Centre development. The addition would allow for more space for a cooler, ice, point of sales station, and a trash holding area. The patio and new door partition would allow for better customer transition from inside to outside. The plantings and fence are intended to help beautify and screen the area. The changes to the PUD includes increase in building density, changes to site plan, and reduction in setbacks. Waste management and logistics were noted, including the property owner’s work to convert the tenants to using a single waste hauler with shared and labeled receptacles. RJ’s Seafood staff will walk trash out of the holding area nightly to the enclosure. Architectural renderings and material descriptions were also presented. The trellis and planters will be black to provide a contrast to the building’s brick and stone, while matching the black awnings. The building addition will be similar to or matching the existing building. Lighting will meet code and include 8 wall

sconces on the trellis posts and 12 surface/ceiling downlights on the beams. Signage will comply with the sign code. She presented a summary of open items and noted the petitioners were present.

ACTING CHAIRMAN SHAW asked if the Petitioner would like to speak. The Petitioner declined. He asked staff which of the open items might need discussion from the Commission versus which items were only noted for reference.

Lori Kosmatka responded that notable open items for discussion are trash management, screening, whether plantings on the west wall if it is a green wall or not, and whether there is enough information available to discuss the walkway planters.

ACTING CHAIRMAN SHAW asked each Commissioner for comments.

COMMISSIONER LOSCUITO said he believes the project looks great and will be a good addition to the Village. He asked for clarification on Open Item #3 regarding trash enclosures. Currently there are three enclosures. He asked if each occupant currently has different contracts with different haulers, and if the proposed solution is to put them under one contract.

Lori Kosmatka noted that the property owner is present to answer questions. She stated that previously tenants were under different contracts, and that staff has been working with the property owner to try to get the tenants under one hauler. She noted the owner is working to consolidate and label dumpsters with Homewood Disposal, and provided a letter included in the agenda packet.

The property owner noted when they took over the shopping center years ago, every tenant had a separate contract for their own trash, with their own receptacles behind the building near their back doors. Those existing trash enclosures were under-utilized to begin with. He noted they already have new contracts in place with Homewood Disposal, and that they are waiting for some of these companies to move their receptacles to fit the new receptacles inside the enclosures. Everything has been logistically figured out. He stated Homewood is confident there is more than enough room with the remaining two trash enclosures to support all the tenants including RJ's Seafood. There will now be shared dumpsters, shared recycling bins, and shared grease traps. Everything will be labeled accordingly so the tenants will know where their trash and recycling should go. He anticipates everything to be enclosed with in the next week or so.

Dan Ritter noted the property owners have been good working with the Village on this issue which was identified during the consideration to remove one of the three enclosures. Staff had noted there were issues at that time and that removing an enclosure could make it worse. It appears now the property owners are half way there. If the tenants have their own dumpsters, they could end up unenclosed again. If the property owners do sell the property, staff wants to see that trash issues could be enforced with the next owners who might not otherwise have this knowledge, but can keep the trash maintained. Sometimes it is easier for the tenants to manage their own trash, and difficult to manage fitting everything into tight enclosures. However, if you have one hauler who manages it directly with the owner, you can increase service pickups if there are problems.

COMMISSIONER LOSCUITO asked if their trash will be kept in the building addition, and how far the distance is to be walked nightly to the closest enclosure.

Dan Ritter noted that it was brought up as a concern since it is relatively far, being the whole length of the building and going in front of other tenants. Sometimes restaurants may have security concerns. The grease would also be transported and there can be some leaks.

Robyn Jones on behalf of Francesca's Restaurant Group noted there's only one path along the north side of the building and then walking south. The plan is to transport trash after hours so as to not interface with any customers. The holding area keeps the trash secure throughout the day. She noted it is 210 feet.

Dan Ritter noted this situation has been present in other buildings where there is not a back exit, such as Just Shrimp. In this case, you have to do maintenance like power washing on the sidewalks in case something gets on them.

ACTING CHAIRMAN SHAW noted it's something to consider at the planning stage, and at that point it is a property maintenance issue.

Robyn Jones noted there is no back sidewalk so this is the most direct way.

Dan Ritter noted one alternative, if there issue, could be to build a third enclosure in the parking lot. However, for now, everyone is hoping the contract solution will work. If there is an ongoing issue, we could look at that. It would take away some parking and be near the roadway. There are not too many alternatives.

ACTING CHAIRMAN SHAW asked Commissioner Loscuito if there were any more questions on the subject of trash. Hearing none, he noted that this is such an important issue, rather than going back and forth on topics, he asked the other Commissioners for their input on this topic now.

COMMISSIONER TRUXAL stated he had concerns. He asked what was directly behind the building

Dan Ritter noted there was a 10-foot setback of grass, and the other side of the property line abutted with residential which also has a setback.

COMMISSIONER TRUXAL asked if there was a roadway between the setback and residential area.

Dan Ritter confirmed there is no roadway.

Bob Quellos on behalf of FC Studio noted that area has a six foot tall white privacy fence

COMMISSIONER TRUXAL asked if the existing trash enclosure is accessed from 182nd Street. He asked where the pickup is. It looks like there is a driveway that leads to it.

Dan Ritter stated that currently they come in from the parking lot. The building addition will be in the area of that existing northern trash enclosure. The addition will also help buffer the patio from the residents.

COMMISSIONER TRUXAL was concerned that grease and garbage is being run down the sidewalk on a nightly basis which would be problematic. He wondered if they should be made to walk on the parking lot instead of the sidewalks or not. There don't appear to be many options. He had originally thought the trash could be put behind the addition, but that would not be accessible.

Dan Ritter noted there is a utility easement there. Ten feet setback, rather than a larger setback, is already a waiver of the code. Ten feet is the bare minimum.

COMMISSIONER TRUXAL noted the fencing on the north wall will act as a sound barrier. He asked if there's any stipulation that it should remain if another restaurant takes over the space.

Dan Ritter responded it is part of the approved site plan, which will be attached as part of the PUD's substantial deviation. Staff could clarify that.

ACTING CHAIRMAN SHAW stated it is effectively part of the structure for approval.

COMMISSIONER TRUXAL stated his concern was if a new owner wants to open up the wall. This is an important sound barrier for the residents on the north side.

Lori Kosmatka noted they would have to come back for another consideration of a substantial deviation.

Dan Ritter concurred and said if there is a concern, it's best to err on the side of over clarifying. A condition can be added that if the patio is going to be occupied, they must have the approved landscaping and fence wall.

ACTING CHAIRMAN SHAW stated he would like to give Commissioners time to ask all the questions, but currently is looking for questions specific to the trash issue.

COMMISSIONER GATTO had no comment.

COMMISSIONER MANI stated his concerns were addressed.

ACTING CHAIRMAN SHAW noted it sounded like the trash issue was self-identified when the petitioner applied and that work was being done. He asked if going to a single trash hauler is being dictated by the owner to the tenants as leases are being renewed. He asked if this was a requirement in the lease.

The property owner responded yes.

ACTING CHAIRMAN SHAW noted it appears the addition will become part of the existing building, to be entered from the patio through a double door and the main building.

Lori Kosmatka clarified the existing building has a surrounding walkway with the patio located to the north.

Dan Ritter noted there is a door on the addition for employees only so the public will not access there.

ACTING CHAIRMAN SHAW noted if the addition is effectively just a part of the building. It will not only have trash but will also have a walk-in cooler and point-of-sale station.

Dan Ritter noted the addition also helps the petitioner pick up more space. The Village has received requests before to put coolers on the outside of a building, which our code does not really allow. It has to be enclosed in a building. If the trash area were not included with the cooler, then the petitioner would be transporting trash at a higher rate to the south enclosure.

ACTING CHAIRMAN SHAW asked Commissioner Loscuito for the balance of the topics.

COMMISSIONER LOSCUITO noted he liked the design. He asked if the outdoor space would only be used seasonally, or also in the winter, possibly closed off and heated.

Robyn Jones responded it would be seasonal.

ACTING CHAIRMAN SHAW asked if there are specific hours of operation that the Village would limit other than the standard noise ordinances.

Dan Ritter noted that the Village does not really regulate business hours. Liquor licensing can regulate hours by the Village's Liquor Commission. The Village does not typically hold the applicant to specific hours from a zoning perspective.

ACTING CHAIRMAN SHAW noted that the liquor licensing of hours would be a separate procedure.

COMMISSIONER TRUXAL noted the design was beautiful. He asked if there were any thoughts of having live entertainment, such as a small band, that might be a concern for residents.

Robyn Jones responded they do not have plans for that. The patio area is intended to be an extension of the dining room, not necessarily a banquet space. This use would just be for dining only.

COMMISSIONER GATTO agreed with the other Commissioners in that the design looks great. The issue she sees is with the trash enclosures, but she feels assured that the property manager will address it. She asked why the restaurant group did not go into the space at The Boulevard development. She noted that when plans for The Boulevard came to the Plan Commission, that Francesca's had wrote saying they would come to that space with an outdoor seating area. She feels the current proposal is strange in regards to this.

Robyn Jones responded she did not recall this.

Dan Ritter responded it may have just been a letter of interest with the developer but he didn't think it was any type of formal agreement to locate there. The only formal interest was from the former owner of Dancing Marlin that had gone through the incentive agreement process, but that fell through.

COMMISSIONER MANI stated he liked the design. He'd like to make sure the addition matches or is similar to the existing building and is not a bad afterthought.

ACTING CHAIRMAN SHAW noted that the potential for live entertainment on the outside might go along with the Village's music branding theme and could make a nice environment in a classy restaurant. He asked Commissioner Truxal if he is proposing a condition regarding live entertainment.

COMMISSIONER TRUXAL responded no. He stated it was just a question in consideration of the residences across the street. With the fence wall on the north and the brick wall on the east, sound should go up or to the south. It is not a big issue, but is something to think about if it is a problem down the road. There could be an opportunity for a choir or a one-piece band to perform. He does not propose a condition or stipulation for this.

Dan Ritter noted that the restaurant could be a good neighbor. There are also codes to enforce any problems. He does not suspect they will have full bands performing with complaints. Perhaps an acoustic performance could work, or else performance could be considered indoors in the north side of the existing building where the walls will open up.

ACTING CHAIRMAN SHAW noted it is an important topic. The Village does have existing noise ordinances though. He likes the design and concept. Having been a neighbor in this type of environment, he suspects neighbors may appreciate this change instead of a garbage truck's beeping noises to back up when retrieving trash. The proposal is a more attractive solution. The landscaping and the wall is a nice visual. He asked if the cedar fence wall is ventilated or solid.

Bob Quellos responded it would be wood slats without openings.

ACTING CHAIRMAN SHAW noted the deciduous Crimson Spire Oaks are tall. He asked if the foliage will be low to the ground. He feels the look of the trees will be attractive and help deaden sound.

Robyn Jones responded the landscape architect specified those.

ACTING CHAIRMAN SHAW asked if there's been any communication or feedback with the townhome associations or residents.

Lori Kosmatka responded no. There was a sign posted facing 182nd Street, and letters were mailed to residents beyond the 250-foot radius. The Village has not received any calls.

ACTING CHAIRMAN SHAW asked if it was a notice for this meeting or for the public hearing.

Lori Kosmatka responded it was noticed for the public hearing.

Dan Ritter noted this is typical of the process. Staff has to publish within a certain advance of the public hearing. Sometimes feedback is not yet available for the workshop portion. Staff can keep the Commission apprised if any feedback is received.

ACTING CHAIRMAN SHAW concurred that is how the process works so the public has an opportunity before decisions are made.

Dan Ritter noted staff had branched out further than the minimum in order to capture the residential development as opposed to 90% of the block.

Lori Kosmatka confirmed all the Glenswilly owners were mailed notices.

Dan Ritter noted those residents would be the ones most affected by the proposal.

ACTING CHAIRMAN SHAW asked staff to show the list of open items. Regarding open item #5's height of fountain grass, he was not entirely sure what the concern was. It looks like a living wall.

Bob Quellos responded it is not a living wall.

ACTING CHAIRMAN SHAW asked if the concern from staff is if the height is too tall or not tall enough.

Lori Kosmatka responded that when researching this type of planting, it appears to be a low height which contrasts with what is shown in the proposal.

ACTING CHAIRMAN SHAW commented it is important to know which one it is. He asked if it were a live wall, if it would present a different problem.

Dan Ritter responded staff would just like to know what it is. A living wall would be unique. The planting specification and the rendering don't match.

ACTING CHAIRMAN SHAW discussed open item #6 regarding architectural compatibility of color and aesthetics. He felt the design of the overall project looks nice. It is a nice contrast to the main building. He feels that if another patio is put on another end, it should be consistent. He has no concerns with the architecture as proposed. He noted a couple of the other Commissioners had already commented that the project is good looking. He asked staff if there has been enough feedback received.

Lori Kosmatka noted the considerable scale of the trellis and fence wall with the, colors and Nanawall feature, and is satisfied with the Commission's feedback on this.

ACTING CHAIRMAN SHAW noted it is also nicely capped. He asked if the petitioners had any questions or comments.

Robyn Jones and the property owners had no questions.

Dan Ritter offered the petitioner to explain what RJ's Seafood will be.

Robyn Jones noted she could if the presentation was available.

Dan Ritter noted the presentation was in the agenda packet. He provided the option for the presentation to be done at the public hearing.

ACTING CHAIRMAN SHAW noted that when he realized who the company was representing this proposal, it gave him additional comfort. He is very familiar with the Francesca's organization. They are very experienced, which raises the bar to show the applicant has thought out issues. This is a good partnership opportunity with the Village.

Dan Ritter noted that newer restaurants can be tricky with tight margins and finances.

ACTING CHAIRMAN SHAW thanked the petitioner for their time. It will be a little more formal at the public hearing, but staff will help you work out details until then. The public hearing will be February 17th.

COMMISSIONER MANI thanked the petitioner for bringing their project to Tinley Park.

COMMENTS FROM THE PUBLIC – ACTING CHAIRMAN SHAW asked if there were comments from the public. Hearing none, he asked to for the Good of the Order.

GOOD OF THE ORDER –

Dan Ritter reviewed the following Good of the Order items:

- Dunkin drive-through was approved by Village Board.
- Magnuson Residences were approved by the Village Board. A bond will be required, with deadlines for a permit.
- Pete's office warehouse additions were approved by Village Board and is in for permit. They are doing the originally approved and office additions. They are moving forward on the grocery building and anticipate to get going in Spring. The grocery will be new construction with another 20,000-30,000 square feet of additional retail alongside it and will be along the back row by the former Aldi's. They've attached retail in other locations such as Willowbrook. It will bring activity to the area.
- DR Horton (Oak Ridge) was approved by Village Board, and is progressing on final plans. They will likely come back to Plan Commission in Spring for final approval and to start work soon after.
- Starbucks at Harlem has their permit. If they haven't moved the earthwork yet, they will soon.
- Smoothie King has resubmitted their latest revision and hopes to get building in Spring.
- Popus Popcorn has their permit ready for the buildout. The landlord was doing some work as a whitebox right now. It will be the first commercial tenant of The Boulevard. It will be a family friendly shop which will be a nice combination with The Scoop. They have not yet specified when they will open.
- The Village's new Management Analyst is anticipated to possibly begin in March. The Village made a job offer. The role will have a range of duties including code updates, analysis of processes and codes and administrative work.
- The Village has made a job offer for the Business Retention Expansion position. The new hire could possibly begin in March.
- The Golf Show will be at the Convention Center this weekend.
- The Village agreed to buy the Lincoln Way school district owned property at 191st St and Harlem Ave. This is the vacant land, not the former Lincoln Way North High School. The Village is excited to get control of the land, and will look for master developers. Previously the Developers would have had to negotiate with the school district while going through zoning entitlement with the Village, which reduced interest. Now the Village will have control to sell it and expedite the process. There is a creek and some drainage challenges. There are also some access challenges that were a hurdle for Woodman's previously. Though there are challenges, they can be worked out and it will be a great location for retail off the expressway, on Harlem Avenue, and in Will County.

ACTING CHAIRMAN SHAW noted a comment about Magnuson. He was involved and aware the entire time of the project. He is aware of the challenges for everyone, especially Staff. He felt staff did a great job and appreciates the effort. The project was a great object lesson for understanding how the zoning and planning process works. It shows how important it is to have staff and elected officials doing the work and asking questions. He noted every vote is a deciding vote because everybody votes. The deciding vote is not the last person who votes. He is optimistic that project will eventually conclude with a nice set of apartments. He entertained a motion to close the meeting.

CLOSE MEETING -

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER LOSCUITO to adjourn the February 3, 2022 Plan Commission meeting.

ACTING CHAIRMAN SHAW asked for a voice vote; all were in favor. He declared the motion carried and adjourned the meeting at 8:12 P.M.

PLAN COMMISSION STAFF REPORT

February 3, 2022 - WORKSHOP

Petitioner

Scott Harris, on behalf of
RJ's Seafood LLC

Property Location

18201 Harlem Avenue

PIN

28-31-306-046-0000

Zoning

B-4 PUD (Office & Service
Business, Cornerstone
Centre PUD)

Approvals Sought

Special Use Permit
Site Plan Approval

Project Planner

Lori Kosmatka
Associate Planner

RJ's Seafood Building Addition and Patio

18201 Harlem Avenue



EXECUTIVE SUMMARY

RJ's Seafood LLC is part of the Francesca's Restaurant Group, and requesting a Special Use Permit and Site Plan/Architecture Approval for a building addition as part of their new restaurant. RJ's Seafood is new restaurant tenant will be occupying a portion of the existing Cornerstone Centre building at 18201 Harlem Avenue, formally occupied by the Tin Fish restaurant.

As part of their occupancy, the Petitioner is proposing a 525 sq. ft. building addition with a patio for outdoor dining and other site improvements to the north and west of the existing tenant space. In order to accommodate the addition, the applicant proposes to remove the existing dumpster enclosure, a shed, and a paved loading area. The building addition will provide additional interior space for a walk-in cooler and trash holding area.

The property is within the Cornerstone Centre Planned Unit Development (PUD) and consists of three lots within the Urban Design Overlay District. The northern lot contains the building with the subject site, and is zoned B-4 PD. The rest of the development is zoned B-3 PD. Due to its location in a PUD, any increase in building density must be approved by a substantial deviation. Additionally, Exceptions to the Zoning Ordinance are being requested as part of the Substantial Deviation.

EXISTING SITE & HISTORY

The proposed work is within the Cornerstone Centre Planned Unit Development (PUD) at the northeast corner of Harlem Avenue and 183rd Street. The PUD consists of two rectangular multi-tenant buildings and an outlot building. The existing tenant space, previously occupied by Tin Fish Restaurant, is at the north end of the northern building facing Harlem Avenue. In addition to centralized access points off Harlem Avenue and 183rd Street, there is a drive aisle access on 182nd Street.

Between the northern building and 182nd Street is a trash enclosure and shed with a block wall. The ground includes a curbed concrete walk abutting the building, uncurbed concrete pavement accessing the trash enclosure, and a strip of landscaping going beyond the north property line to the sidewalk on 182nd Street. There is a 10-foot public utility easement along the northern and eastern property lines. The rear (east) of the building is within the easement and has a partial mulch groundcover.

There is a high occupancy and a considerable amount of active uses on the development. In addition to the proposed restaurant, the northern building's tenants include a physical therapy business and an AT&T store. The southern building has several tenants including Stacks Breakfast Brunch & Lunch, Mr. Riko Loko Dessert Bar, 350 Brewing Co., Runa Izakaya, Al's Beef, and other service-related uses. Currently, the development has three trash enclosures shared between all of the tenants. A separately owned bank outlot also exists that is currently unoccupied. The bank site has a cross access and cross-parking agreement with the overall center but has its own trash enclosure.



Aerial Location Map of 18201 Harlem Ave.



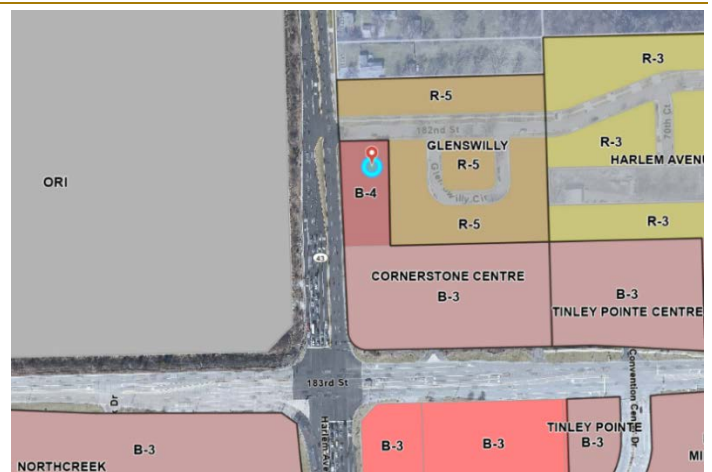
Looking at northwest corner of existing tenant space

ZONING & NEARBY LAND USES

The Cornerstone Centre Planned Unit Development (PUD) consists of three lots. The PUD was adopted in 1998. The northern lot contains the building with the subject site, and is zoned B-4 PD. The southern lot and outlot are zoned B-3 PD. The property is also within the Urban Design Overlay District but is not applicable as an existing developed site.

The surrounding area includes residences that abut the development's "L" shape, including the north side of 182nd Street, and to the rear (east) of the northern building.

The Zoning Ordinance identifies the B-4 Office and Service Business Zoning District use as *"normally small in size, and*



Zoning Map

is intended to serve as a buffer or transition between residential and commercial areas". The B-4 uses are "primarily to provide office space for service-type businesses". The B-4 zoning at the northern building was specifically designated in this development due to its reduced rear yard setback and close proximity to residential homes to the north and east. The B-4 district limits the intensity of use as it is within close proximity to residences, compared to the B-3 zoning district. As part of the PUD drive-thru restaurants were prohibited overall in the development.

SPECIAL USE FOR SUBSTANTIAL DEVIATION TO THE PUD / ZONING EXCEPTION

The Petitioner proposes site improvements for RJ's Seafood, a new concept restaurant within the Francesca's Restaurant Group. Specifically, a building addition was needed to house a new cooler and storage area for trash. Per Section VII.B.6. of the Zoning Ordinance, this project is considered a Substantial Deviation from the approved Planned Unit Development due to an increase in building density, changes to the site plan, and further reduction in zoning ordinances required setbacks. A Substantial Deviation requires approval of a Special Use. The proposal includes an increased encroachment into the 50-foot front yard setback which deviates from the Village's Zoning Ordinance code requirements. Deviations from Village's Zoning Ordinance are considered Exceptions rather than Variations when located within a PUD and do not require the standard Findings of Fact, as required with a Variation. Alternatively, Exceptions are looked at in terms of their conformance to their overall PUD's design and goals.

PROPOSED USE

RJ's Seafood Restaurant will be a full-service, sit-down seafood-oriented restaurant. RJ's Seafood is the latest concept, operated by Francesca's Restaurants Group. Francesca's Restaurant Group, founded in 1992 by restaurateur Scott Harris, currently has six concepts across 23 locations and two states. These include 14 Francesca's Restaurants, 2 Davanti Enoteca, 4 Fat Rosie's Taco & Tequila Bar, Disotto, Joe's Imports, and Vasili's.

The applicant proposes a building addition with a patio and other site improvements to the north and west of the existing tenant space. The Petitioner will replace an existing dumpster enclosure and shed adjacent to the walkway surrounding the northern building with a building addition and a permanent outdoor trellised concrete patio. The building addition will have a set of double doors facing Harlem, and the north face of the existing building will be modified to have a Nanawall operable partition system with an air curtain leading to the patio. The building addition will house a walk-in cooler, enclosed trash holding area, ice bins, and a POS station. The concrete patio will be filled in to be flush with the building's walkway. New permanent planters and a 9-inch concrete barrier curb would provide additional protection for patio occupants from the drive aisle. A new solid wood fence and landscaping are proposed to help mitigate and/or avoid potential noise or visibility issues from the patio to the neighboring residences to the north.

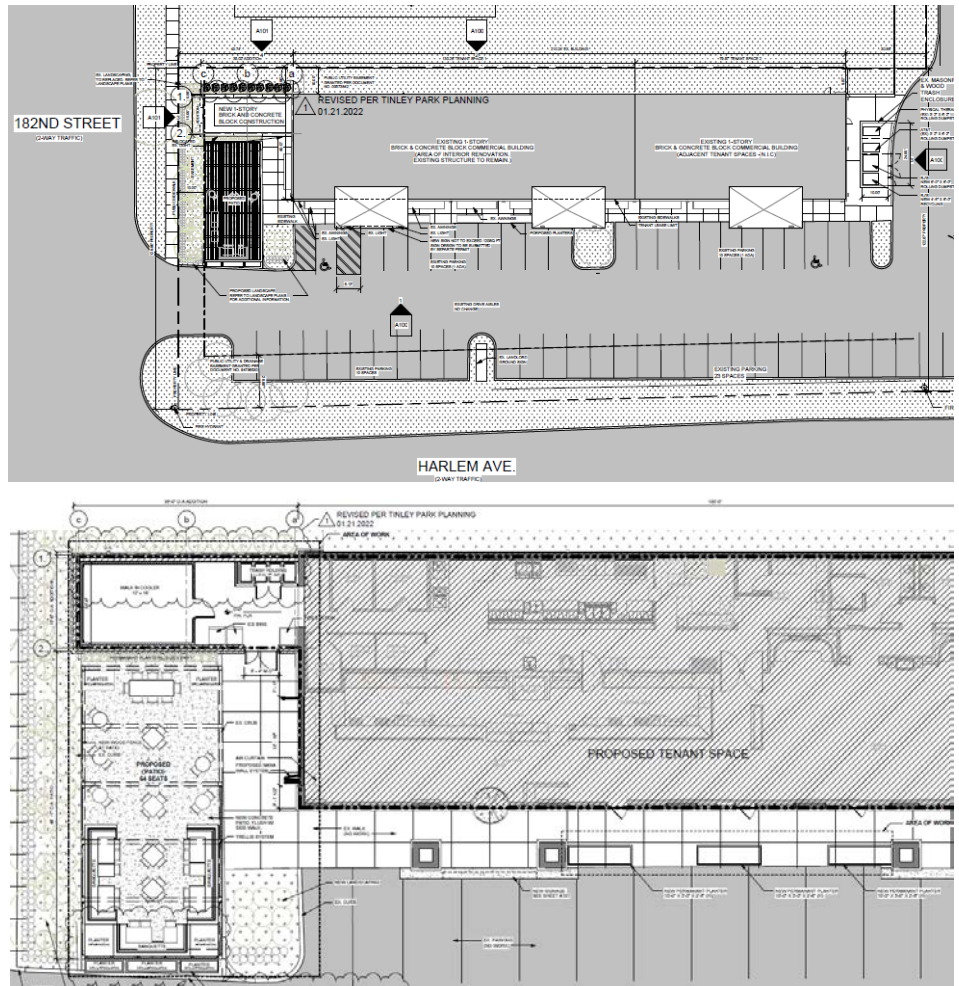
SITE PLAN

The applicant has provided overall and detail site plans which indicate the areas of work at the north end of the building facing 182nd Street. The 525 sq. ft. building addition (35'x15") and 1120 sq. ft. concrete patio (22'-0" x angled 50'-6" to 51'-6") will be between the building's north surrounding walkway. It is positioned to be setback 10 feet from the north property line. The concrete patio includes open seating and banquette within the trellis, as well as a 62 sq. ft. planter area outside the trellis. The rear (east) wall of the addition will be flush with the existing building. Between the patio's west edge and drive aisle there will be permanent fibre glass reinforced planters and a 9-inch concrete barrier curb. More permanent planters are proposed at the addition's west wall (sizes vary) and on the inside corners of the patio's trellis. Also, three large planters are proposed further south on the building's west (front) surrounding walkway. Fencing is proposed around the north, west, and part of the south sides of the patio.

The Petitioner has provided civil engineering drawings for the site improvements, and has submitted the proposal to MWRD for determination on whether an MWRD permit will be required or not. MWRD may need to consider the current site improvements along with previous ones cumulatively for the entire development. The Petitioner's civil engineer notes an MWRD application will be provided upon determination of involvement from the District. Staff is recommending that the site plan approval be conditioned upon final engineering and Building Department review and approval.

Open Item #1: Confirm and note the square footage of building addition and concrete patio on the site plan.

Open Item #2: Staff is recommending the site plan approval be conditioned upon final engineering and Building Department review and approval.



Site Plan (Overall & Detail)

WASTE MANAGEMENT

Part of the Petitioner's proposal involves removing an existing trash enclosure to accommodate the building addition and patio. This will reduce the development's shared enclosures from three to two. The property owner and manager of Cornerstone Centre has noted it is difficult to monitor individual tenant trash services and receptacle placement, which has led to issues keeping all dumpsters within the enclosures. To avoid continued issues and due to the proposed reduction in enclosure space, the property owner has worked to have all tenants under one contract with a single waste hauling company. Homewood Disposal Services was chosen and has agreed to monitor waste removal and to reduce, share, and label receptacles. They have noted they can increase service frequency as needed for the entire three building development. The property owner notes that Homewood Disposal will provide room for a grease container as well as trash and recycling for RJ's Seafood Restaurant. The two remaining trash enclosures are at the south end of the northern building, and northeast of the southern building. The trash at RJ's Seafood will be held in the addition, and an employee will walk it nightly to the dumpster at the south end of the northern building.

The shopping center's two shared trash enclosures are only likely to work in this proposed situation of a single uniform trash hauler contract that is managed by the property owner. Staff is recommending a condition of approval on the PUD Deviation that requires all dumpsters and grease containers be stored in enclosures per village code requirements and that the property owner manages a single contract that shares the two enclosures with all tenants. This will ensure the proposed situation is maintain in the future and by future property owners.

The Petitioner proposes landscaping to help screen the new patio area and add beautification to the site. New landscaping is proposed at the north to help screen the patio area from the residences across 182nd Street which are in close proximity to the site. The three overgrown evergreens will be removed, and replaced with four crimson spire oak trees north of the patio area as well as numerous plantings which provide full branching to the ground (yews and hydrangeas). Autumn moor grass is also provided. The oaks are deciduous, but when in season, they will provide additional buffering to the fence wall also included in the proposal. The fence wall will along the north side of the property louvered trellis. The oaks, yews, hydrangeas, and



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Overall the proposed landscaping changes are design to keep an attractive looking site within a limited area. Additionally, the landscaping has been designed to help buffer views and noise to the patio form neighboring residential properties.

Open Item #4: Discuss the proposed screening (landscaping and fencing) from the nearby residences.

Open Item #5: Discuss height of piglet dwarf fountain grass on the addition's west wall.

ARCHITECTURE

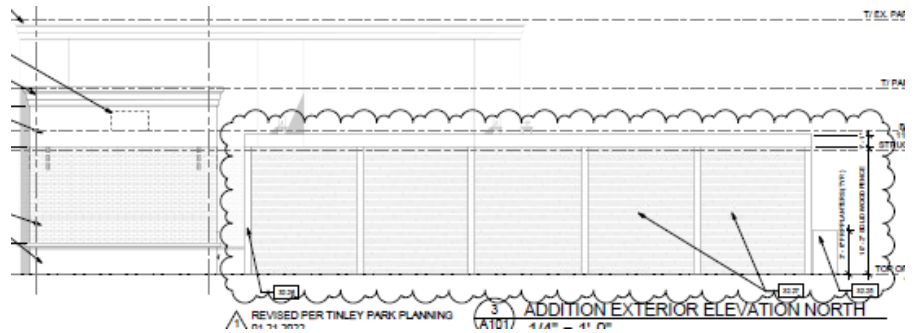


Proposed Rendering Looking East

The addition's materials are proposed to match the existing building. The existing building is mostly a combination of brick and painted stucco, topped with a cornice. The existing base is split face CMU, separated below the brick with a horizontal band. The existing building also has awnings and light fixtures with a set of three small stone decorative rectangular elements below. The addition will be very similar to the existing building, with materials arranged to visually match and align. Materials will include the cornice and stucco to match existing, brick (Hebron, Brandywine color), and a stone base (Readingrock, Rockface/chiseled finish, Crème Buff color) with a horizontal band. The colors appear similar to existing building. The addition includes the three decorative rectangular elements, two sets on the north façade, and one set on the rear (east) façade. The west (rear) façade will have a roof scupper with combined overflow box and downspout. The scupper and downspout are similar to the other tenants further south along that façade of the existing building. The addition will have a set of hollow metal double doors on the west façade, facing Harlem Avenue. The addition will be 15' high, which is inclusive of a deep parapet which will conceal the addition's new rooftop condenser unit, as shown dashed in on the exterior elevations. The existing building is 20'-6" high.



Existing (L), Proposed (R)



Northeast rendering (L), North elevation (R)

The proposed fence will be solid privacy-style cedar in a dark walnut finish. The north fence will be a 10'-2" wall above the finish surface at the patio, whereas the west and south sides will be 52" high to help open up the patio. The height of the solid fence wall is substantial. The trellis over the patio will be a louvered canopy in a black finish to match the awnings. The patio will include an open seating and a banquette. Light fixtures are proposed on the trellis posts and beams.

Several planters are proposed around the tenant space. The patio area will have permanent FRP fiberglass reinforced in a black color. Between the patio's west edge and drive aisle there will be 3'-6" tall black planters. The drawings identify two smaller planters flanking a larger one. The west elevation (sheet A101) incorrectly shows them as 2'-6". Five permanent planters are proposed at the addition's west wall (sizes vary). Four planters are also on the inside corners of the patio's trellis.

The Petitioner has not yet identified the final specifications of the three large walkway planters west of the existing tenant space, but has provided a manufacturer's specification sheet showing available options. The Petitioner notes the final color will be based on having material samples from the manufacturer to allow all parties to select a finish in line with the existing building façade. The samples have been ordered. Staff has noted that these walkway planters, which will require permit review, should have material equal to or complementing the existing brick/stone materials, and that potential future additional planters throughout the Cornerstone Centre development should be in the same style with general availability. Consultation should be made with the property owner on this. Staff suggests the planters be removable if tenant spaces break up in the future.

Two of the existing building's three existing light fixtures on the north façade will remain. The easternmost light fixture will be removed to accommodate the building addition.

The existing building's north façade will be modified to have a Nanawall operable partition system in aluminum and glass, with a finish matching the building's existing storefront systems, which are a reddish brown. It will replace the existing single door with flanking windows. The existing black awning will remain.

There is some variety of color and design from the proposal to the existing building. Though the Nanawall partition framing and the building addition (stucco, brick, and stone) will be similar to the existing building, the patio's planters and trellis are proposed black, and the fence's color is a dark walnut (likely darker than the renderings portray). The black will be similar to the existing building's black awnings, but the visual effect of the color should be considered given the scale of trellis, fencing, and planters.

Open Item #6: Discuss the architectural compatibility (color, aesthetics, etc.) among the proposed site improvements (addition, patio, fencing with trellis, planters) and the existing building. Consider the height of the north fence wall.

Open Item #7: Confirm/correct heights of patio planters on the drawings.

Open Item #8: Discuss the design and permanence of three large walkway planters west of the existing tenant space in relation to potential additional planters throughout the development.

LIGHTING

Two types of light fixtures are proposed in the trellis which include eight wall sconces on the posts and 12 surface ceiling downlights on the beams. The fixtures do not have up-lighting or sag lenses which meet the Zoning Ordinances code requirement prohibiting sag lenses. The downcast nature avoids offsite glare from occurring when the light source is visible.

The photometric plan shows the north curb as zero-foot candles, and no higher than 0.10 foot candles around the north property line. The proposal meets the Zoning Ordinance's code requirement of maximum 0.10 foot candles at the property line from nonresidential to residential properties.

SIGNAGE AND PARKING

An illuminated wall sign is proposed on the west entry of the existing tenant space. The signage will be 40 square feet (14'-0" x 2'-9 1/2"), halo lit, with dark blue steel letters in the Bernound font. The sign plan was amended in 2019 to remove previous requirements for sign type, style, color, and font and matches the zoning ordinance requirements for wall signage. The existing ground signs will be utilized with new tenant panels and no changes to the structures. The proposed signs comply the Sign Plan and Zoning ordinance requirements.



Proposed Wall Signage

SUMMARY OF OPEN ITEMS

Staff identified the following open items for discussion at the workshop:

- 1. Confirm and note the square footage of building addition and concrete patio on the site plan.**
- 2. Staff is recommending the site plan approval be conditioned upon final engineering and Building Department review and approval.**
- 3. Discuss the removal of the development's northernmost trash enclosure and staff's recommended condition related to the requirements that the property owner manages a single waste hauler contract on the property.**
- 4. Discuss the proposed screening (landscaping and fencing) from the nearby residences.**
- 5. Discuss height of piglet dwarf fountain grass on the addition's west wall.**
- 6. Discuss the architectural compatibility (color, aesthetics, etc.) among the proposed site improvements (addition, patio, fencing with trellis, planters) and the existing building. Consider the height of the north fence wall.**
- 7. Confirm/correct heights of patio planters on the drawings.**
- 8. Discuss the design and permanence of three large walkway planters west of the existing tenant space in relation to potential additional planters throughout the development.**

STANDARDS FOR SITE PLAN APPROVAL

Section III.T.2. of the Zoning Ordinance requires that the conditions listed below must be met and reviewed for Site Plan approval. Specific findings are not required but all standards shall be considered to have been met upon review from the Plan Commission.

Architectural

- a. Building Materials: The size of the structure will dictate the required building materials (Section V.C. Supplementary District Regulations). Where tilt-up or pre-cast masonry walls (with face or thin brick inlay) are allowed vertical articulation, features are encouraged to mask the joint lines. Concrete panels must incorporate architectural finishes that comply with "Building Articulation" (Section III.U.5.h.) standards. Cast in place concrete may be used as an accent alternate building material (no greater than 15% per façade) provided there is sufficient articulation and detail to diminish it's the appearance if used on large, blank walls.
- b. Cohesive Building Design: Buildings must be built with approved materials and provide architectural interest on all sides of the structure. Whatever an architectural style is chosen, a consistent style of architectural composition and building materials are to be applied on all building facades.
- c. Compatible Architecture: All construction, whether it be new or part of an addition or renovation of an existing structure, must be compatible with the character of the site, adjacent structures and streetscape. Avoid architecture or building materials that significantly diverge from adjacent architecture. Maintain the rhythm of the block in terms of scale, massing and setback. Where a development includes outlots they shall be designed with compatible consistent architecture with the primary building(s). Site lighting, landscaping and architecture shall reflect a consistent design statement throughout the development.
- d. Color: Color choices shall consider the context of the surrounding area and shall not be used for purposes of "attention getting" or branding of the proposed use. Color choices shall be harmonious with the surrounding buildings; excessively bright or brilliant colors are to be avoided except to be used on a minor scale for accents.
- e. Sustainable architectural design: The overall design must meet the needs of the current use without compromising the ability of future uses. Do not let the current use dictate an architecture so unique that it limits its potential for other uses (i.e. Medieval Times).
- f. Defined Entry: Entrance shall be readily identifiable from public right-of-way or parking fields. The entry can be clearly defined by using unique architecture, a canopy, overhang or some other type of weather protection, some form of roof element or enhanced landscaping.
- g. Roof: For buildings 10,000 sf or less a pitched roof is required or a parapet that extends the full exterior of the building. For buildings with a continuous roof line of 100 feet or more, a change of at least five feet in height must be made for every 75 feet.
- h. Building Articulation: Large expanses of walls void of color, material or texture variation are to be avoided. The use of material and color changes, articulation of details around doors, windows, plate lines, the provision of architectural details such as "belly-bands" (decorative cladding that runs horizontally around the building), the use of recessed design elements, exposed expansion joints, reveals, change in texture, or other methods of visual relief are encouraged as a means to minimize the oppressiveness of large expanses of walls and break down the overall scale of the building into intermediate scaled parts. On commercial buildings, facades greater than 100 feet must include some form of articulation of the façade through the use of recesses or projections of at least 6 inches for at least 20% of the length of the façade. For industrial buildings efforts to break up the long façade shall be accomplished through a change in building material, color or vertical breaks of three feet or more every 250 feet.
- i. Screen Mechanicals: All mechanical devices shall be screened from all public views.
- j. Trash Enclosures: Trash enclosures must be screened on three sides by a masonry wall consistent with the architecture and building material of the building it serves. Gates must be kept closed at all times and

constructed of a durable material such as wood or steel. They shall not be located in the front or corner side yard and shall be set behind the front building façade.

Site Design

- a. Building/parking location: Buildings shall be located in a position of prominence with parking located to the rear or side of the main structure when possible. Parking areas shall be designed so as to provide continuous circulation avoiding dead-end parking aisles. Drive-through facilities shall be located to the rear or side of the structure and not dominate the aesthetics of the building. Architecture for canopies of drive-through areas shall be consistent with the architecture of the main structure.
- b. Loading Areas: Loading docks shall be located at the rear or side of buildings whenever possible and screened from view from public rights-of-way.
- c. Outdoor Storage: Outdoor storage areas shall be located at the rear of the site in accordance with Section III.O.1. (Open Storage). No open storage is allowed in front or corner side yards and are not permitted to occupy areas designated for parking, driveways or walkways.
- d. Interior Circulation: Shared parking and cross access easements are encouraged with adjacent properties of similar use. Where possible visitor/employee traffic shall be separate from truck or equipment traffic.
- e. Pedestrian Access: Public and interior sidewalks shall be provided to encourage pedestrian traffic. Bicycle use shall be encouraged by providing dedicated bikeways and parking. Where pedestrians or bicycles must cross vehicle pathways a cross walk shall be provided that is distinguished by a different pavement material or color.

STANDARDS FOR A 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;
- 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;
- 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;
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
- 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
- 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.
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.

It is also important to recognize that a Special Use Permit does not run with the land and instead the Special Use Permit is tied to the Petitioner. This is different from a process such as a variance, since a variance will forever apply to the property to which it is granted. Staff encourages the Plan Commission to refer to Section X.J.6. to examine the conditions where a Special Use Permit will expire.

RECOMMENDATION

Following a successful workshop, proceed to a Public Hearing at the February 17, 2022 Plan Commission meeting.

LIST OF REVIEWED PLANS

Submitted Sheet Name	Prepared By	Date On Sheet
Application (Redacted)	Petitioner	8/31/21
RJ's Seafood Business Plan Presentation	FRG	n/a
2013 ALTA/ACSM Survey of Cornerstone Centre Development	Tech3 per FCS	6/2013
Narrative	FCS	n/a
Architectural Drawings	FCS	1/21/22
Civil Plans	EVA	1/21/22
Condensing Unit Spec at Addition	Manufacturer per FCS	n/a
Landscape Plan	PS	1/21/22
Planter Spec at Patio	Manufacturer per FCS	n/a
Planter Spec at Existing Tenant Walkway (Storefront Sidewalk)	Manufacturer per FCS	n/a
Photometric Plan at Patio	KSA	1/12/22
Lighting Spec – Patio L12 Luminis Light	Manufacturer per FCS	n/a
Lighting Spec – Patio L13 Bowman Light	Manufacturer per FCS	n/a
Landlord Letter Regarding Waste	Property Owner	1/24/22
Waste and Grease Removal Plan	Property Owner	n/a

FRG = Francesca's Restaurant Group

Tech3 = Tech3 Consulting Group

FCS = FC Studio

EVA = EVA Design and Engineering

PS = Pamelaself Landscape Architecture

KSA = KSA Lighting & Controls