



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

October 6, 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 October 6, 2022.

CALL TO ORDER – ACTING CHAIRMAN SHAW called to order the Regular Meeting of the Plan Commission for October 6, 2022 at 7:00 p.m.

Lori Kosmatka, Associate Planner called the roll.

Present and responding to roll call were the following:

Acting Chairman Shaw
James Gaskill
Eduardo Mani
Angela Gatto
Brian Tibbetts
Kurt Truxal

Absent Plan Commissioners:

Chairman Garrett Gray
Andrae Marak
Terry Hamilton

Village Officials and Staff:

Daniel Ritter, Interim Community Development Director
Lori Kosmatka, Associate Planner

Petitioners:

Richard Silverman, on behalf of MJK Real Estate Holding Company, LLC

Members of the Public:

None

COMMUNICATIONS- There were no communications from Staff.

APPROVAL OF THE MINUTES - Minutes of the September 15, 2022 Regular Meeting of the Plan Commission were presented for approval. A motion was made by COMMISSIONER MANI, seconded by COMMISSIONER TIBBETTS to approve the September 15, 2022 minutes as presented. 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 OCTOBER 6, 2022 REGULAR MEETING

ITEM #1: PUBLIC HEARING – CHIPOTLE NEW CONSTRUCTION, 7121 159th STREET – SPECIAL USE FOR A PUD, SITE PLAN/ARCHITECTURAL APPROVAL, AND PLAT OF SUBDIVISION

Present Plan Commissioners: Acting Chairman Ken Shaw
James Gaskill
Angela Gatto
Eduardo Mani
Brian Tibbetts
Kurt Truxal

Absent Plan Commissioners: Chairman Garrett Gray
Andrae Marak
Terry Hamilton

Village Officials and Staff: Daniel Ritter, Interim Community Development Director
Lori Kosmatka, Associate Planner

Petitioners: Richard Silverman, on behalf of MJK Real Estate Holding Company, LLC

Members of the Public: None

ACTING CHAIRMAN SHAW introduced Item #1. He stated he received certification of the public hearing notice as being published in the local newspaper. He asked for a motion to open the Public Hearing.

COMMISSIONER GATTO made a motion to open the public hearing, seconded by COMMISSIONER MANI. ACTING CHAIRMAN SHAW requested a voice vote asking if any were opposed to the motion; hearing none, he declared the motion carried.

ACTING CHAIRMAN SHAW invited staff to start with the presentation of this item. He asked if there was previously a Workshop on this item.

Lori Kosmatka, Associate Planner, responded yes, the Workshop was at the September 15th Plan Commission meeting. She presented the Staff Report. She presented the physical material samples proposed for the building's exterior façade and trash enclosure. She noted the Petitioner is here to answer questions.

Petitioner, Richard Silverman, on behalf of MJK Real Estate Holding Company, LLC, was sworn in. The company is a third generation development company out of Northfield, Illinois. They are the preferred developer for Chipotle. This will be their fifth Chipotle in their third state. He is available for any questions on Chipotle and their overall design and pickup window.

ACTING CHAIRMAN SHAW invited Commissioners to comment.

COMMISSIONER TRUXAL noted all his questions were answered at the previous meeting. It's a beautiful building and addition to the Village.

COMMISSIONERS GASKILL and TIBBETTS had no comment.

COMMISSIONER GATTO said it looks great.

COMMISSIONER MANI concurred and noted his comments were responded to from the last Workshop.

ACTING CHAIRMAN SHAW noted the design looks impressive. He recognized there are challenges with the site.

The Petitioner noted he wished the site was bigger, but they will make it work. Staff has been wonderful to work with regarding the design of the building and site configuration. These issues were sorted out before coming here. Staff, the developer, and the tenant Chipotle are all on the same page.

ACTING CHAIRMAN SHAW noted he was not at the Workshop, but he read through the meeting minutes and had no questions. He understood a new plat was delivered. He asked if we were looking at a motion that would be conditioned on the review of the new plat, or if that was necessary.

Lori Kosmatka, Associate Planner, responded that the previous plat with the May date was provided in the packet and the motion has the conditions provided for the plat revision. We are working with them now to have those conditions reflected on the plat.

ACTING CHAIRMAN SHAW understood it would be subject to engineering review as typical.

Daniel Ritter, Interim Director noted that the reading of the motion could simply reference the staff report.

ACTING CHAIRMAN SHAW asked if there were any questions or comments from the Commission. Hearing none, he asked if there were any questions or comments from the public. Hearing none, he entertained a motion to close the Public Hearing.

COMMISSIONER GASKILL made a motion to close the Public Hearing, seconded by COMMISSIONER TRUXAL. ACTING CHAIRMAN SHAW requested a voice vote. Hearing no opposition, he declared the motion carried. He asked Staff to present the standards.

Lori Kosmatka, Associate Planner, presented the Standards.

ACTING CHAIRMAN SHAW asked for clarification that there was not a formal PUD on this property.

Dan Ritter, Interim Director, responded. He noted this issue of retroactively placing a PUD on the property also came up with Tinley Plaza as well. For years, staff reports noted that the ordinance could not be found. In 1978, our current zoning ordinance was written. A PUD was identified there at that time. It might have been development with certain conditions, but not necessarily a PUD. Since 1978 it was erroneously called a PUD. Thus we have to do a retroactive placement of a PUD on it to clean it up.

ACTING CHAIRMAN SHAW asked if what we are recommending approval tonight be applicable to the entire development or just Chipotle.

Dan Ritter, Interim Director, responded the only thing changing is just the Chipotle site, but the PUD is for the entire property. It's just taking all the things erroneously approved before and making them legitimate now. Staff guided the Petitioner to request this for the whole site. We appreciate him working with the current ownership group to make it cleaned up.

ACTING CHAIRMAN SHAW noted that similar to the sunroom item, approaching an approval not just for a particular property, but holistically has a lot of value and efficiency. He entertained the motions.

Motion 1 – Special Use for a Planned Unit Development

COMMISSIONER TRUXAL made a motion to recommend that the Village Board approve a Special Use for a Planned Unit Development (Tinley Park Shopping Plaza), in accordance with the listed plans, Findings of Fact, and list of Exceptions as noted in the October 6, 2022 Staff Report, to retroactively place a PUD over the property and permit construction of a Chipotle Mexican Grill on property located at 7061-7135 159th Street, subject to the following conditions:

1. The Special Use for Planned Unit Development approval is subject to the Final Engineering Plan review and approval by the Village Engineer, MWRD, and IDOT.
2. The IDOT Highway Permit for all work within the IDOT right-of-way shall be submitted to the Village prior to the issuing of the building permit.
3. Approval is subject to the approval of the Final Plat by the Village Board and recording of the Plat with the County Recorder of Deeds prior to issuance of any permits.

Motion seconded by COMMISSIONER GATTO. Vote taken by Roll Call; all in favor. ACTING CHAIRMAN SHAW declared the motion carried.

Motion 2 – Plat

COMMISSIONER GASKILL made a motion to recommend that the Village Board grant approval to the Petitioner Richard Silverman on behalf of MJK Real Estate Holding

Company, LLC,, Final Plat Approval for the Tinley Park Shopping Plaza Subdivision dated May 26, 2022, subject to the following conditions:

1. The Final Plat is subject to final review and approval by the Village Engineer and Village Attorney prior to recording.
2. The cross-access (ingress/egress) easement shall be revised to include the entrance and main drive aisle connecting all three lots. The existing easement shall be extended from the east side of 71st Court to the east property line of Proposed Lot 3. These changes shall be made prior to Village Board review.
3. The nine-stall cross parking easement must be recorded either on the Plat of Subdivision or as a separate plat of easement at the same time as the Plat of Subdivision is recorded, which are required to be recorded prior to the issuing of the building permit. The cross-parking agreement shall state the Village's approval will be required to cancel or adjust the agreement.

Motion seconded by COMMISSIONER TIBBETTS. Vote taken by Roll Call; all in favor. ACTING CHAIRMAN SHAW declared the motion carried.

Motion 3 – Site Plan and Architectural Approval

COMMISSIONER GATTO made a motion to grant the Petitioner, Richard Silverman on behalf of MJK Real Estate Holding Company, LLC, Final Site Plan and Architectural Approval to permit the construction of a Chipotle Mexican Grill restaurant at 7121 159th Street in the B-2 (Community Shopping) zoning district, in accordance with the plans submitted as referenced in the October 6, 2022, Staff Report and subject to the following conditions:

1. Site Plan Approval is subject to final engineering plan review and approval.
2. Site Plan Approval is subject to approval of the requested Special Use for Planned Unit Development (PUD) and the Final Plat of Subdivision by the Village Board.
3. The pickup window shall not permit any on-site ordering and is for picking up previously placed orders only. Future adjustments/uses of the pickup lane shall submit a revised parking/traffic analysis indicating compliance with original approval. Any conversion to a drive-thru lane on this site requires approval of a Substantial Deviation.

Motion seconded by COMMISSIONER MANI. Vote taken by Roll Call; all in favor. ACTING CHAIRMAN SHAW declared the motion carried.

ACTING CHAIRMAN SHAW noted that this item was unanimous on all the items. It is anticipated to go to Village Board on October 18, 2022. He noted that staff would be in touch with the Petitioner on the next steps. He asked if this meeting will be for approval or just first reading.

Daniel Ritter, Interim Director noted it is for both first reading and approval. Typically a PUD wouldn't, but this is a unique situation where we not approving anything entirely new.

ACTING CHAIRMAN SHAW noted the name of the PUD.

Daniel Ritter, Interim Director noted that the Petitioner chose to name it Tinley Park Shopping Center.

Receive Comments from the Public

- None

Good of the Order

Daniel Ritter, Interim Director, presented the following:

- Daniel Ritter and Lori Kosmatka recently attended the APA State Planning Conference. It was in the old Chicago Post Office. A lot of the history of the building was kept.
- The APA Illinois Plan Commissioner training is finalized for November 3rd, which is a Regular Meeting, starting at 7:00pm, and should take about 2 to 2 ½. Hours. Commissioners are welcome to ask questions. An experienced team including a land use attorney will lead the training. It will serve as both new and refresher training. It's also open to Trustees and the public to better understand our process and procedure. He thanked Jarell Blakely to schedule and coordinate the training.
- The Village Board approved the Vogt Subdivision, the Bettenhausen Auto Group Special Use Permit for The Garage on Oak Park Avenue, and the St. Julie Billiard Sign Variation.
- Loyola is moving quickly on construction.
- Holiday Inn had supply chain issues, but is coming to a close now. They anticipate a November 3rd ribbon-cutting.
- Smoothie King and Starbucks on Harlem should be open in the next month. Smoothie King has struggled to get one material, but otherwise is mostly close to completion. Starbucks is without power or gas but otherwise would be ready to open.

ACTING CHAIRMAN SHAW was happy to hear about Loyola. He asked if there's a communications for ribbon-cuttings that the Plan Commissioners could receive. He's been to a few and it's refreshing and satisfying to go to one after seeing a project get completed after going to Plan Commission. It's even nice to see ones that do not go to Plan Commission in order to have context and awareness of what's going on in the community.

Daniel Ritter, Interim Director, noted that they will be added to the list. Some of the ribbon-cuttings may be for projects that do not go to Plan Commission.

COMMISSIONER MANI made a motion to adjourn the Meeting. Second by COMMISSIONER GASKILL. ACTING CHAIRMAN SHAW requested a roll call vote. Hearing no opposition, he declared the Meeting Adjourned at 7:37pm.



Petitioner

Richard Silverman, on
behalf of MJK Real Estate
Holding Company, LLC

Property Location

7061-7135 159th Street
(Full Shopping Center)

7121 159th Street
(Chipotle)

PIN

28-19-100-012-0000

Zoning

B-2 (Community
Shopping)

Approvals Sought

Special Use for PUD
Site Plan Approval
Plat Approval

Project Planner

Lori Kosmatka
Associate Planner

PLAN COMMISSION STAFF REPORT

October 6, 2022 – Public Hearing

Chipotle Outlot New Construction

SEC 159th Street & 71st Court / 7121 159th Street



EXECUTIVE SUMMARY

The Petitioner, Richard Silverman on behalf of MJK Real Estate Holding Company, LLC is requesting a Special Use for a Planned Unit Development (PUD), Site Plan/Architectural Approval, and Plat of Subdivision. The requests are to retroactively create a PUD over the full lot (including all deviations/exceptions previously approved in error), and for the proposed new construction of an outlot building with a drive-up pre-order pick-up window for Chipotle.

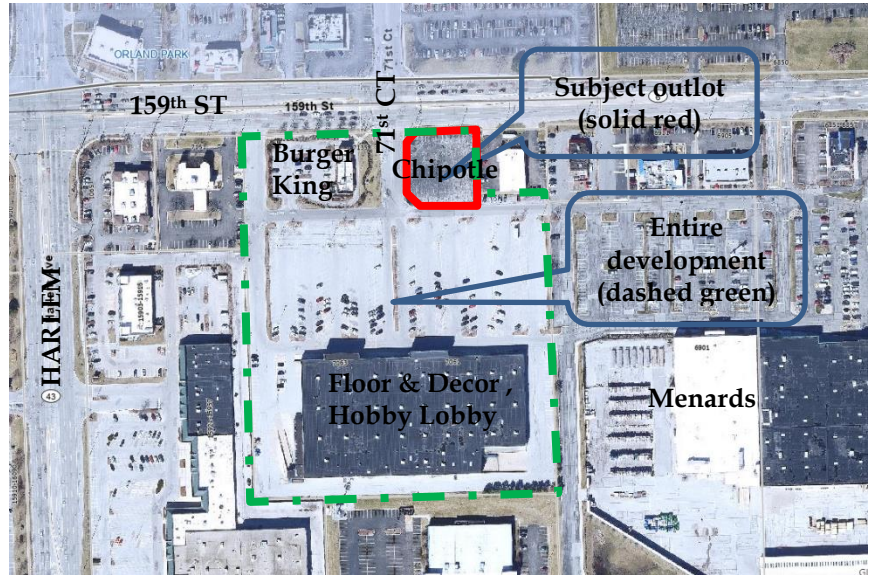
The site changes and PUD approval include the outlot to the west (Burger King at 7135 159th Street), and anchor building to the south (Floor & Décor and Hobby Lobby at 7061-7063 159th Street). The proposed changes are only for the new outlot building to be located at 7121 159th Street. Chipotle will relocate from their nearby location at 15980 Harlem Ave in the Park Center Plaza. The new construction would fill the currently vacant parking lot parcel in a prominently visible location along a heavily used arterial roadway. The site will have the patio and main entry on the north side fronting 159th Street to allow for pedestrian connectivity with vehicular ingress and egress at the south via a cross access easement. The site has been designed for sufficient drive-up stacking and site circulation.

Proposed Exceptions to the Zoning Ordinance include a drive-thru/pick-up lane use, front yard parking, reduced parking stalls, and sign face area of the north wall sign. However, the drive-thru will only be for drive-up pre-order pick-ups (similar to the existing location at 7226 191st Street). The proposed pick-up window will have a lower traffic demand and quicker wait times than a traditional drive-thru.

Changes from the September 15, 2022 Plan Commission workshop are indicated in **Red**.

EXISTING SITE & HISTORY

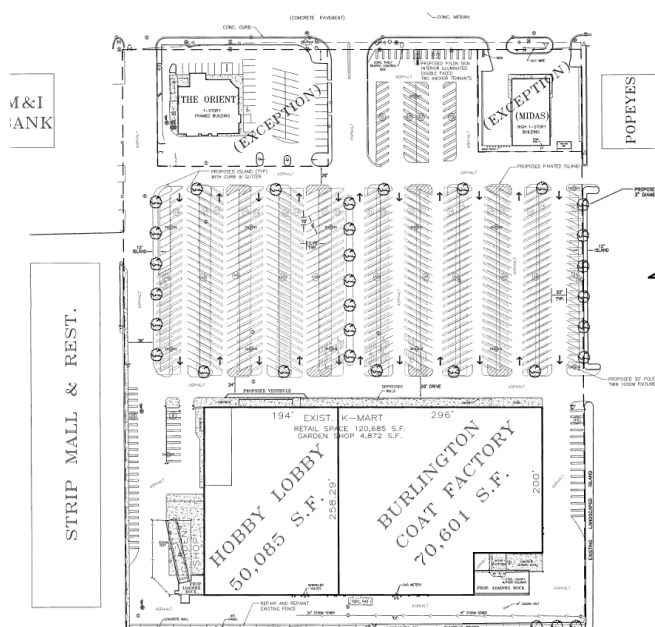
The subject property is a vacant parking lot located at the southeast corner of 159th Street and 71st Court near the intersection of Harlem Avenue, in front of the Floor & Décor and Hobby Lobby building, and between Burger King and Midas. The property is currently part of a 511,008 sq. ft. lot which includes the Burger King outlot and the large anchor building currently occupied by Floor & Décor and Hobby Lobby. There are no other vacancies surrounding these developments, as it is part of a larger shopping area with several outlots, anchor, and in-line tenants, including the Tinley Park Plaza redevelopment.



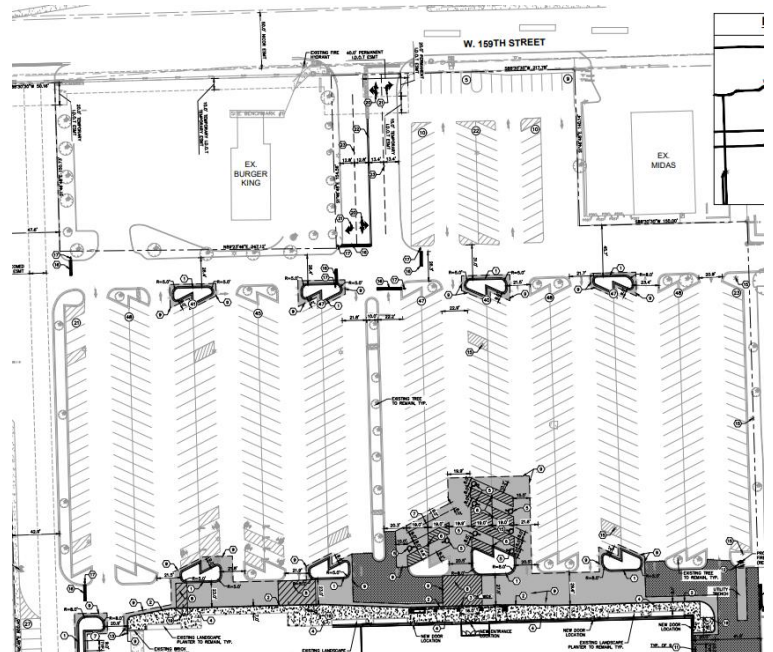
Location Map

The lot including the subject property was annexed into the Village in 1968. The Floor & Décor/Hobby Lobby building was one of the first commercial developments in the area and was constructed around 1971 for K-Mart Corporation prior to being renovated for occupation by two tenants (Burlington and Hobby Lobby) in 1998. That building was more recently renovated in 2021 when Floor & Décor began occupying the space (previously by Burlington). Parking lot improvements such as new landscaped islands with a slight reduction in parking were included.

The Burger King outlot, located at the northwest corner of the lot, was developed per Ordinance #2009-O-034, approved in 2009. That ordinance erroneously referenced the Brementowne Mall Planned Unit Development (PUD). Approved variations from that ordinance include reduced parking (25 vs. 29 stalls), reduced minimum lot area (12 versus 20 acres), and increased signage (200.3 sq. ft. versus 120 sq. ft.). The Burger King replaced a previously existing vacant restaurant on the site in 2010. The lot was believed to be in a PUD for many years due to a mapping error carried over from a Zoning Map in 1978. The non-existent PUD was erroneously amended over the years, most recently for the development of the Burger King site and allowance for a drive-thru in the B-2 zoning district.



1998 Site Plan



2021 Site Plan per Floor & Décor renovation

The site was developed before the current version of the Zoning Code (adopted in 1978) and before the Village's first PUD ordinance was adopted. Due to its age, much of the site development is considered "legal non-conforming" to current code requirements. The non-conforming aspects of the site are permitted to remain as they are. However, the Village works to bring sites closer into compliance whenever possible, while also understanding that meeting every aspect of new codes may not be possible on redevelopment sites.

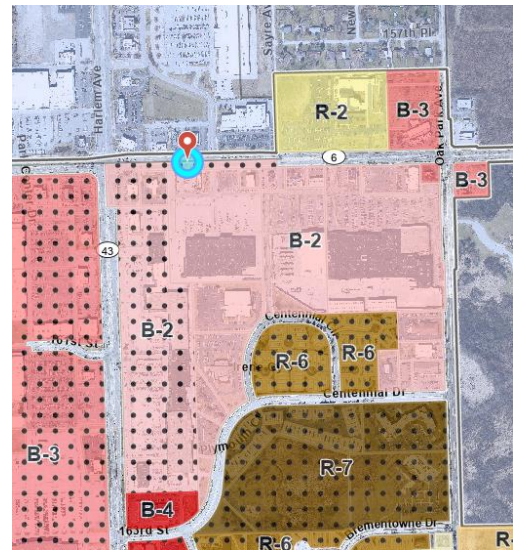
The currently proposed Chipotle development for the subject property's outlot will bring the site into full conformance, similar to what was done with a similar situation on the neighboring Tinley Park Plaza in 2020. Since the site is currently non-conforming due to this error, staff is recommending placing a PUD retroactively on the site that will bring the site and previous approvals into conformance.

ZONING & NEARBY LAND USES

The property is located in the B-2 (Community Shopping) zoning district. The Zoning Ordinance states the B-2 zoning district provides a wide variety of retail-type businesses along with personal uses and other complementary uses. The uses not only serve local residents, but also neighboring communities and transients for goods and services usually found in larger shopping centers. Highway-oriented uses are discouraged in this district.

Surrounding zoning:

- South: B-2 Community Shopping (Centennial Lanes bowling)
- East: B-2 Community Shopping (Midas, Menards, Popeye's, Pepe's Mexican Restaurant, etc.)
- North (Across 159th Street): Village of Orland Park's BIZ (General Business District) zoning, similar to Tinley Park's B-2 and B-3 zoning (Bialy's House of Pancakes, Meijer, variety of commercial outlots and inline tenants)
- West: B-2 Community Shopping, Tinley Park Plaza PUD (several outlot, anchor and inline tenants; PNC Bank, Starbucks, Burlington, Amazon Fresh, etc.)



PROPOSED USE AND EXCEPTIONS

The proposed new construction on the outlot will serve as a Chipotle Mexican Grill. The Petitioner's narrative states that the proposed location is desired due to an established market with high brand awareness and synergy with nearby businesses, access via a lighted intersection on 159th Street, and an ability to have a freestanding building with a pick-up window.

The building will be approximately 2,327 sq. ft. with a pre-order pick-up lane. Some Chipotle locations, including the recently developed one in Brookside Marketplace, successfully operate the pre-order pick-up concept as it provides added convenience for customers and employees. The restaurant will also offer dine-in and patio seating. Chipotle is a national fast casual dining establishment specializing in Mexican cuisine which includes customization of entrees with longer ordering and preparation times, thus more suitable for the pre-order pick-up concept rather than a traditional drive-thru.

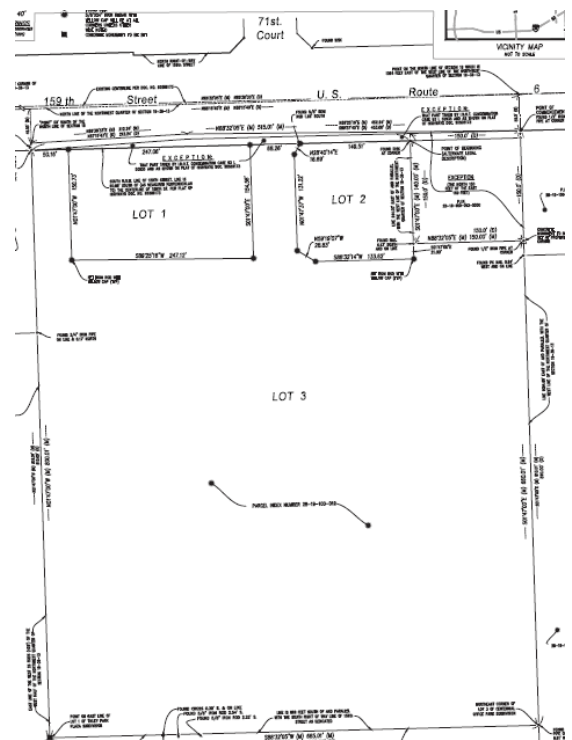
A new Planned Unit Development will be retroactively created for these properties. Proposed Exceptions to the Zoning Ordinance include a drive-thru/pick-up lane use, front yard parking, reduced parking stalls on-site (19 stalls provided versus 28 minimum required), and sign face area of the north wall sign (37.81 sq. ft. provided vs. 34 sq. ft. maximum required).

Open Item #1: Consider the overall proposed use and Exceptions to the Zoning Ordinance.

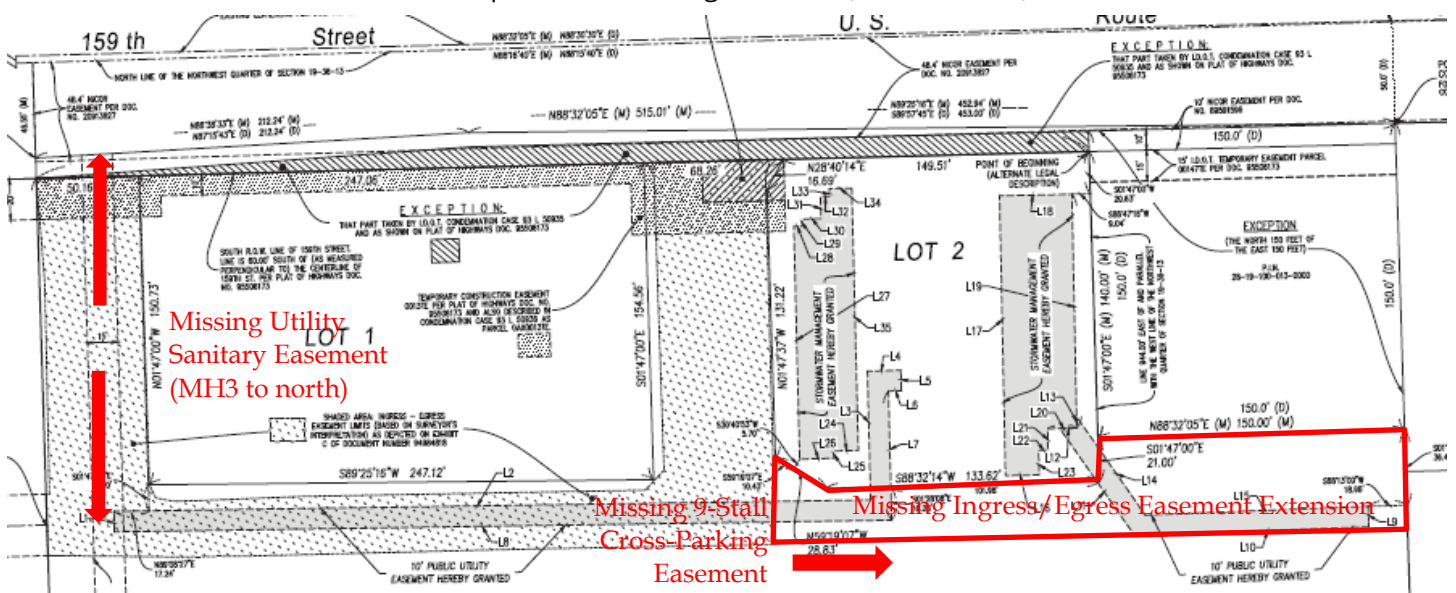
FINAL PLAT OF SUBDIVISION

The properties include the areas serving Floor & Décor and Hobby Lobby (7061-7063 159th Street), Burger King outlot (7135 159th Street), and the future Chipotle outlot (7121 159th Street), totaling 511,008 sq. ft. The proposed plat of subdivision, titled “Tinley Park Shopping Center”, will divide the land into three lots, where the existing Burger King property will be Lot 1 (outlot, 37,713 sq. ft.), the new Chipotle development will be Lot 2 (outlot, 25,184 sq. ft.), and the Floor & Décor/Hobby Lobby building will be within Lot 3 (448,111 sq. ft.)

The final plat of subdivision as currently submitted includes existing easements as well as proposed easements for public utilities and stormwater management. However, an extended ingress/egress (access) easement and cross-parking easement are not yet shown on the plat. The Petitioner has noted that in order to provide the minimum required amount of parking as required by code, that nine parking stalls will be located off-site on the Floor & Décor/Hobby Lobby parking lot, south of the future Chipotle outlot. Additionally, the extension of the ingress/egress easement is requested to run south of the Chipotle outlot and the Midas outlot (which is the 150 ft. long plat exception east of the Chipotle outlot) to meet the east property line. In other words, the ingress/egress easement would extend east of 71st Court (where it currently terminates) to the easternmost edge of the entire development (east property line of proposed Lot 3) to provide access to the other commercial developments east along the block (Menards, etc.).



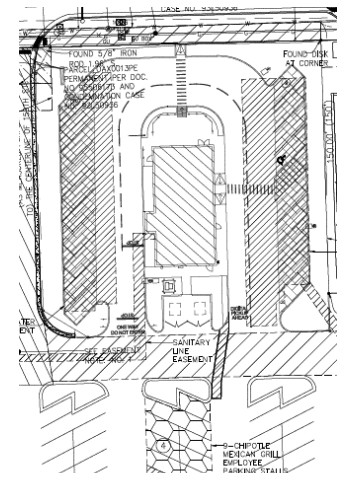
Proposed Plat of Subdivision (3 Lots): “Tinley Park Shopping Center”, Sheet 1



Easement Detail on Proposed Plat of Subdivision, Sheet 2

The Village Engineer has also required that a utility easement be provided between Manhole 3 and the north property line if the development is going to utilize the existing sanitary service to Floor & Decor.

The easements are reflected elsewhere in the submittal. The Petitioner recently submitted revised final engineering drawings which include depiction of the extended ingress/egress, cross parking (9 Chipotle employee stalls), and utility sanitary easement (Manhole 3 to north property line) on the Utility Easement Exhibit. The ingress/egress easement extension will need to be identified on the plat of subdivision, while the parking easement can be recorded under a separate document simultaneously with the plat of subdivision.



9 Stall Cross Parking & Drive-
aisle crosswalk (Utility
Easement Exhibit rec'd 9/27/22)

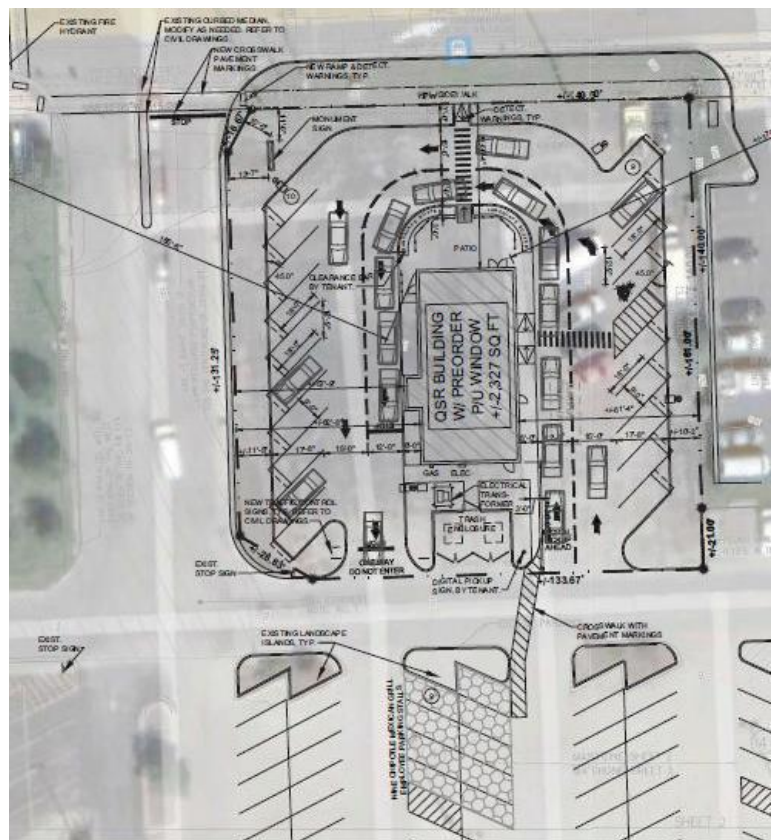
Temporary construction easements are also shown on the plat of subdivision, which are typically not shown on plats of subdivision, which are permanent, recorded documents. The Petitioner notes this is due to a court condemnation case.

~~Open Item #2: Review the proposed plat of subdivision. Consider condition of approval to require the nine-stall cross-parking easement which may be included in the Plat of Subdivision or recorded separately at the same time. The Cross-access easement shall be revised to include the entrance and main drive aisle connecting all three lots.~~

Village staff has not yet received a revised plat of subdivision to note the easements, but will do so prior to the Village Board meeting. At minimum, the cross-access and utility easements are required to be shown on the plat of subdivision. Staff recommends a condition of approval to require the nine-stall cross-parking easement shall be included in the plat of subdivision or recorded separately at the same time. Staff also recommends conditioning that the cross-access easement shall be revised to include the entrance and main drive aisle connecting all three lots.

SITE PLAN

The existing site is a vacant lot on the south side of 159th Street and is only accessed on the south via cross access easement with the Floor & Décor/Hobby Lobby's property. The proposed Chipotle new construction will keep the same access along the south. The access will be a separate double-lane ingress east of the building and a single-lane egress west of the building. The vehicle circulation will be entirely counterclockwise. The pick-up lane will wrap around the building and can accommodate up to 11 vehicles. There will be surrounding additional width for vehicles to circulate the site and park in the angled stalls along the east and west. Staff feels the site has sufficient drive-up stacking and site circulation.



Revised Site Plan (architectural), rec'd 9/27/22

Pedestrian connectivity will be possible via a new sidewalk and crosswalk which is required for this development, and will lead to the main entry on the north side fronting 159th Street. The Village Engineer has provided feedback on requirements. The Geometry Plan on the civil drawings (GSG Consultants, Sheet 6) reflect the details so that it is accessible and can connect across 71st Court to the Burger King outlot. These include the cut median, crosswalk, stop bar, and ramp. These improvements were not noted in the

ARCHITECTURE

The architecture of the Chipotle new construction is clean and contemporary with mostly rectangular massing, with some accent details. The pick-up window is bumped out five ft. and is slightly taller than the rest of the single-story building. There are also canopies with flanking wall sconce lights at the pick-up window and the main entry. The building also has a parapet with metal coping. Most of the glazing is clear, except for opaque glass along the employee areas which include the three windows on the west and the single door on the south. At the south of the building, there is a six foot tall trash enclosure.



North and West Elevations



South and East Elevations



Trash Enclosure South & North Elevations



The building will have a concrete brick veneer (4"x4"x16" half high), with the manufacturer identified as Heritage Collection, Designer Concrete Brick by County Materials, with colors mostly as "White (C) with white mortar", and the pick-up as "Slate (B) with dark gray mortar". The slate color serves as a visual accent that breaks up the expanse of white brick. **The Petitioner provided physical material samples at the Workshop, and updated the elevations to better depict the slate color (as gray rather than brown).**



The trash enclosure's architectural CMU material, as previously noted, has a split face integrally colored finish per manufacturer Northfield Block (or equal), and though it is listed as "ironwood gray (NW)", the physical material sample appears as an off-white color complementary to the white brick. Code requires that trash enclosures have a masonry wall consistent with the architecture and building material of the building it serves.

Brick soldier coursing is also proposed over individual windows on the north and east, becoming a continuous band wrapped on the west and south. The soldier coursing serves as an architectural accent in addition to the canopies, sconces, and bumpout's color and massing. The patio will include a three ft. high open metal fence railing painted in a dark gray color ("Knights Armor" color) depicted in the Exhibit Plans (by Wilkus Architects).

Responding to Workshop feedback regarding the roof access ladder on the south façade, the Petitioner now shows the swing gate on the architectural elevations. Overall, at the Workshop, the Plan Commission felt the exterior materials and colors of the building, trash enclosure, and patio fence railing were compatible. The Commission also felt the quantity, appearance, and location of architectural accents were appropriate.

~~**Open Item #4: Review physical material samples. Discuss exterior material compatibility and colors of the Chipotle main building with the trash enclosure and patio fence railing. Consider the quantity, appearance, and location of architectural accents (sconce lighting, soldier coursing, etc.).**~~

SIGNAGE

The Petitioner's exterior signage proposal includes three wall signs, one monument (ground) sign, and two accessory drive-thru signs.

Three identical Wall Signs are proposed as face lit LED channel letters and logo on red and brown aluminum backer walls. The Wall Signs are proposed on the north, east, and south façades. Each wall sign is 37.81 sq. ft. (14'-10.5" x 2'-6.5"), comprised of a single boxed area of the backer walls for the logo and lettering. Zoning code requires that buildings under 10,000 sq. ft. gross floor area in the B-2 Zoning District have a maximum sign face area of one sq. ft. per one linear foot of building frontage not to exceed 120 sq. ft. The building's east/west linear footage is 66'-8", while the north linear footage is only 34'-0".

The proposed north wall sign along 159th Street will require an Exception to the Zoning Ordinance since the proposed 37.81 sq. ft. exceeds the 34 sq. ft. code allowance by 3.81 sq. ft. The sign's size is proposed for consistency with the other signs and visibility due to the building's north setback (56'-4" from the property line) and that it is on a heavily travelled corridor.



A freestanding monument (ground) sign is proposed at the northwest part of the outlot. The ground sign's location, height, sign face area, and panel information are in the Jones Sign drawing package and is also generally depicted in the Soos Associates architectural drawings. The sign (including base) is 10 ft. tall with a sign face area (excluding base) of 59.69 sq. ft. (9'-4" x 6'-4.75"). There will be two single-faced polycarbonate faces with translucent and opaque vinyl. The architect's drawing indicates there will be a masonry base matching the building with a masonry sill above the base.



Two signs accessory to drive-thru uses are also proposed, and both meet Zoning Code requirements. A double-faced illuminated directional sign (stating "digital pickup") is proposed in the landscaped area near the trash enclosure, approximately six feet from the south property line at the entrance of the pick-up lane. A single-faced breakaway clearance bar is also proposed, which indicates maximum clearance height at the pick-up window. No advertising, business names, or logos are placed on it.

~~**Open Item #5: Discuss whether size of north wall sign is appropriate. This sign does not meet Zoning code requirements and thus requires an Exception.**~~

At the Workshop, the Commission reviewed the signage, and felt the size of the north wall sign was appropriate for the requested Exception.

PARKING

The Site Plan identifies 59 total seats (43 indoor and 16 outdoor), and eight employees. Based on these numbers provided, the Zoning code requires 28 stalls (one parking stall for every three seats, and one stall per employee). The Site Plan proposes 28 parking spaces as 19 parking stalls on-site and nine parking stalls for employees off-site to the south within the Floor & Décor/Hobby Lobby parking lot. An Exception to the Zoning Ordinance is required as not all of the parking is included on-site within the outlot (proposed subdivision's Lot 2).

The Petitioner's Exhibit Plans by Wilkus Associates on behalf of Chipotle's standards however appear to show a less intense use of only 38 indoor seats, not the listed 43 per the Soos Associates Site Plan. Despite this discrepancy on the seat count in the plans, staff has utilized the more intense request as part of their analysis.

Chipotle's proposed 19 stalls on the Chipotle site, and nine off-site employee parking stalls within the Floor & Décor/Hobby Lobby parking lot both appear appropriate to the area. While specific parking counts weren't conducted, staff noticed that the Floor & Décor/Hobby Lobby site has a significant amount of open parking, including on nights and weekend peak times. The Floor & Décor/Hobby Lobby parking lot could also consider adding spaces in the future by redesigning the ADA accessible stalls to share drive aisles, however, there does not appear to be a need for that additional parking at this time. The cross parking of Chipotle's nine parking stalls within the Floor & Décor/Hobby Lobby parking lot may be appropriate, but in order for it to help defend the request for the reduced parking count, the cross-parking of these nine stalls will need to be recorded in an easement with an agreement provided to the Village.

Having the parking identified in a recorded easement will ensure that the cross-parking will remain. The cross-parking easement will help justify the parking reduction as it cannot be cancelled by just the property owners. If the easement and agreement are provided, then Staff will not have concerns with the proposed parking based on the proposed dining and retail users in the area. Staff recommends conditioning approval upon the provision of the agreement executed and recorded prior to permit issuance for the Chipotle development at the Plat of Subdivision.

~~Open Item #6: Discuss whether the proposed parking of 19 on-site stalls and a recorded easement of 9 off-site is appropriate for the Chipotle development.~~

At the Workshop, the Plan Commissioners felt the proposed parking with the off-site parking and its related requirements were appropriate. The Petitioner's resubmittal of the Site Plan continues to have the same 59 total seats with eight employees.

LIGHTING

Exterior lighting is comprised of wall sconce lighting along the building and site light poles. There are four proposed site/parking light poles. Two are located near the northeast and northwest parts of the site near the parking lot. The third is located on the east side of the lot, and the fourth is at the south, near the trash enclosure. The proposed lights are downcast LED and mounted at 25'. The submitted photometric plan meets the code requirement of maximum 2.0 foot candles at the property lines.



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 has provided draft Findings in the Staff Report for the Public Hearing.

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

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - ***The proposed PUD and Exceptions are safe for the public, employees, and neighboring properties.***
- 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 development of the outlot from a vacant lot to a restaurant use allows for more use of the property. The proposed PUD is mostly existing and developed and similar to neighboring development patterns.***
- 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;
 - ***Neighboring properties are already developed as part of a heavily traveled arterial corridor, and the proposal will not negatively affect any future development or redevelopment of the neighboring properties.***
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
 - ***The existing site will be developed with adequate utilities and access roads, drainage, and other necessary facilities. The majority of the PUD is already developed with just the Chipotle outlot parcel being proposed to change.***
- 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
 - ***The site layout allows for safe circulation for customers, employees, delivery trucks, and the general public. The restaurant will schedule deliveries off hours so as to not conflict with restaurant operations.***
- 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 all other Village code requirements will be met.***
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.
 - ***The development of the outlot from an unused parking lot to a restaurant use will contribute directly to the economic development of the community as a whole. Sales are expected to increase from the existing nearby chipotle location.***

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.

MOTIONS TO CONSIDER

If the Plan Commission wishes to act on the Petitioner's requests, the appropriate wording of the motions are listed below. The protocol for the writing of a motion is to write it in the affirmative so that a positive or negative recommendation correlates to the Petitioner's proposal. By making a motion, it does not indicate a specific recommendation in support or against the plan, it only moves the request to a vote. The conditions listed below are recommended by staff but can be added to, changed, or removed by the Commission based on their discussion of the approval of recommendation.

Motion 1 Special Use for a Planned Unit Development:

"...make a motion to recommend that the Village Board approve a Special Use for a Planned Unit Development (Tinley Park Shopping Plaza), in accordance with the listed plans, Findings of Fact, and list of Exceptions as noted in the October 6, 2022 Staff Report, to retroactively place a PUD over the property and permit construction of a Chipotle Mexican Grill on property located at 7061-7135 159th Street, subject to the following conditions:

- 1. The Special Use for Planned Unit Development approval is subject to the Final Engineering Plan review and approval by the Village Engineer, MWRD, and IDOT.*
- 2. The IDOT Highway Permit for all work within the IDOT right-of-way shall be submitted to the Village prior to the issuing of the building permit.*
- 3. Approval is subject to the approval of the Final Plat by the Village Board and recording of the Plat with the County Recorder of Deeds prior to issuance of any permits.*

Motion 2 - Plat:

"...make a motion to recommend that the Village Board grant approval to the Petitioner Richard Silverman on behalf of MJK Real Estate Holding Company, LLC,, Final Plat Approval for the Tinley Park Shopping Plaza Subdivision dated May 26, 2022, subject to the following conditions:

- 1. The Final Plat is subject to final review and approval by the Village Engineer and Village Attorney prior to recording.*
- 2. The cross-access (ingress/egress) easement shall be revised to include the entrance and main drive aisle connecting all three lots. The existing easement shall be extended from the east side of 71st Court to the east property line of Proposed Lot 3. These changes shall be made prior to Village Board review.*
- 3. The nine-stall cross parking easement must be recorded either on the Plat of Subdivision or as a separate plat of easement at the same time as the Plat of Subdivision is recorded, which are required to be recorded prior to the issuing of the building permit. The cross-parking agreement shall state the Village's approval will be required to cancel or adjust the agreement.*

Motion 3 (Site Plan and Architectural Approval):

"...make a motion to grant the Petitioner, Richard Silverman on behalf of MJK Real Estate Holding Company, LLC, Final Site Plan and Architectural Approval to permit the construction of a Chipotle Mexican Grill restaurant at 7121 159th Street in the B-2 (Community Shopping) zoning district, in accordance with the plans submitted as referenced in the October 6, 2022, Staff Report and subject to the following conditions:

- 1. Site Plan Approval is subject to final engineering plan review and approval.*
- 2. Site Plan Approval is subject to approval of the requested Special Use for Planned Unit Development (PUD) and the Final Plat of Subdivision by the Village Board.*
- 3. The pickup window shall not permit any on-site ordering and is for picking up previously placed orders only. Future adjustments/uses of the pickup lane shall submit a revised parking/traffic analysis indicating compliance with original approval. Any conversion to a drive-thru lane on this site requires approval of a Substantial Deviation.*

LIST OF REVIEWED PLANS

Submitted Sheet Name		Prepared By	Date On Sheet
1	Application	Petitioner	4/13/22
2	Response to Standards for Special Use / PUD	Petitioner	n/a
3	Applicant Narrative	Chipotle	4/13/22
4	Zoning Submittal (Existing Conditions/Surveys, Plat of Subdivision, Site Plan, Landscape Plan/Specifications, Photometric/Lighting Plan, Floor Plan, Exterior Elevations, Building Section, Roof Plan, Exterior Perspectives, Monument Sign, Trash Enclosure)	Petitioner/Soos & Associates	9/27/22
5	Chipotle Exhibits (Floor plan / interior seating detail, railing detail)	Wilkus Architects	9/2/22
6	Signage	Jones Sign	8/31/22
7	Lighting Cut Sheets (Wall sconce and site parking light)	Mirada & Contech Lighting	n/a
8	Civil Drawings (Final Engineering)	GSG Consultants, Inc.	9/27/22