



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

February 2, 2023

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 2, 2023.

CALL TO ORDER –CHAIRMAN GRAY called to order the Regular Meeting of the Plan Commission for February 2, 2023 at 7:02 p.m.

Lori Kosmatka, Associate Planner called the roll.

Present and responding to roll call were the following:

Chairman Garrett Gray
Angela Gatto
Terry Hamilton
Eduardo Mani
Andrae Marak
Ken Shaw
Kurt Truxal

Absent Plan Commissioners: James Gaskill

Village Officials and Staff: Dan Ritter, Community Development Director
Lori Kosmatka, Associate Planner
Michael O. Whalen, Associate Planner

Petitioners: Steve Shaqra, Tinley Childcare Academy, LLC
Tiffanie Townsend, Tinley Childcare Academy, LLC
Corrie Mangan, Tinley Childcare Academy, LLC

Members of the Public: Kehla West

COMMUNICATIONS – Odyssey item continuation. Continued indefinitely.

APPROVAL OF THE MINUTES - Minutes of the January 19, 2023 Regular Meeting of the Plan Commission were presented for approval. A motion was made by COMMISSIONER TRUXAL, seconded by COMMISSIONER GATTO to approve the January 19, 2023 minutes as presented. CHAIRMAN GRAY 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 2, 2023 REGULAR MEETING

ITEM #1: PUBLIC HEARING – TINLEY CHILDCARE ACADEMY LLC, 7012 171ST STREET – SPECIAL USE PERMIT

Consider recommending that the Village Board grant Tinley Childcare Academy LLC a Special Use for a Day or Child Care Center at 7012 171st Street in the B-3 (General Business & Commercial) Zoning District.

Present and responding to roll call were the following:

Chairman Garrett Gray
Angela Gatto
Terry Hamilton
Eduardo Mani
Andrae Marak
Ken Shaw
Kurt Truxal

Absent Plan Commissioners: James Gaskill

Village Officials and Staff: Dan Ritter, Community Development Director
Lori Kosmatka, Associate Planner
Michael O. Whalen, Associate Planner

Petitioners: Steve Shaqra, Tinley Childcare Academy, LLC
Tiffanie Townsend, Tinley Childcare Academy, LLC
Corrie Mangan, Tinley Childcare Academy, LLC

Members of the Public: Kehla West

CHAIRMAN GRAY introduced Item #1. COMMISSIONER GATTO made a motion to open the public hearing. Second was made by COMMISSIONER SHAW. CHAIRMAN GRAY requested a voice vote. Hearing no opposition, the motion was declared carried.

CHAIRMAN GRAY confirmed that he received certification of public legal notice being posted. He invited staff to present their report.

Lori Kosmatka, Associate Planner, presented the staff report.

CHAIRMAN GRAY confirmed the Petitioner was present and offered the opportunity to speak at the dais.

Steve Shaqra, Tiffanie Townsend, and Corrie Mangan were sworn in.

Steve Shaqra thanked the Plan Commission, Dan Ritter, and Lori Kosmatka for expediting the public hearing for this item. Steve said he is operating a daycare to fulfill a need for families.

Tiffanie Townsend introduced herself as the longtime Director of Antico Academy, soon to be named Tinley Childcare Academy. She expressed her love of her job caring for children.

Corrie Mangan introduced herself as the longtime Assistant Director of Antico Academy, soon to be named Tinley Childcare Academy. She expressed her love of her job caring for children.

CHAIRMAN GRAY asked the Commissioners if they had any questions or comments, beginning with COMMISSIONER GATTO.

COMMISSIONER GATTO said she had no questions.

COMMISSIONER MANI stated that he was glad the daycare center was continuing operation. He added that he had no further comment.

COMMISSIONER SHAW asked about the conditions of approval. He asked if the conditions were the same as those imposed on the previous Special Use Permit obtained by a former Petitioner who ultimately did not pursue acquiring the business. Lori Kosmatka confirmed that the conditions were the same. COMMISSIONER SHAW confirmed that his questions were answered.

COMMISSIONER MARAK said he had no comment.

COMMISSIONER TRUXAL said he is glad the business will continue.

COMMISSIONER HAMILTON said that he is also glad the business will continue.

CHAIRMAN GRAY agreed that he is glad the business will continue to operate in the same manner as it does currently. He stated that he is okay with the project, so long as the parking is reconfigured. He stated he had no further comment, and said that the Petitioners may be seated if they did not have any additional comments.

Dan Ritter said that this is what he likes to see for special uses, where things stay similar when the operator changes. He said it is typically the case that new operators of businesses often state that their business model is the same as the previous business, but what is actually proposed is different. He added that this case was unique because the existing staff would continue working at the daycare.

CHAIRMAN GRAY asked for comment from members of the public.

Kehla West was sworn in. She stated that her child attends Antico Academy and that she was excited the business is planning to remain the same. She stated that she understood the issue with the site is parking. She stated she has never had to wait for a parking space and that pickup and drop off are quick. She added that she believed parking for the property is appropriate.

CHAIRMAN GRAY asked if any other member of the public wished to speak on the matter. Seeing no one, he requested a motion to close the public hearing. COMMISSIONER SHAW made a motion to close the public hearing. Second was made by COMMISSIONER MANI. CHAIRMAN GRAY requested a voice vote. Hearing no opposition, the motion was declared carried. He asked Staff to present the Standards.

Lori Kosmatka presented the standards.

COMMISSIONER SHAW asked how many SUPs there are in the development. He said it seems like a good use that should be allowed by right. Lori Kosmatka explained that Contractors' Offices and Shops is a Special Use because there is the potential for the use being somewhat intense. COMMISSIONER SHAW said that he understood.

There was one motion for this item.

CHAIRMAN GRAY entertained Motion #1.

Motion 1 – Special Use Permit for a Day or Childcare Center

COMMISSIONER GATTO made a motion to recommend that the Village Board grant a Special Use Permit to the Petitioner, Tinley Childcare Academy LLC a Special Use Permit to operate a Day or Childcare Center at 7012 171st Street in the B-3 (General Business & Commercial) Zoning District, according to the submitted plans and adopt the Findings of Fact as listed in the February 2, 2023, Staff Report with the following conditions:

1. The property owner must manage parking, drop-offs, pick-ups, and visitations on-site to avoid any stacking issues or blockage of roadways.
2. Provide one accessible parking space with access aisle which will meet Illinois Accessibility Code requirements.

COMMISSIONER MANI seconded the motion. The vote was taken by roll call; all were in favor.

Present and voting in the affirmative:

COMMISSIONER GATTO
COMMISSIONER HAMILTON
COMMISSIONER MANI
COMMISSIONER MARAK
COMMISSIONER SHAW
COMMISSIONER TRUXAL
CHAIRMAN GRAY

CHAIRMAN GRAY declared the motion carried.

CHAIRMAN GRAY noted that the item will go to the Village Board on February 7, 2023.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE FEBRUARY 2, 2023 REGULAR MEETING

ITEM #2: WORKSHOP –PUBLIC HEARING NOTICE PROCEDURES – POLICY PROPOSAL
Discuss proposed public hearing notice policy.

Present and responding to roll call were the following:

Chairman Garrett Gray
Angela Gatto
Terry Hamilton
Eduardo Mani
Andrae Marak
Ken Shaw
Kurt Truxal

Absent Plan Commissioners: James Gaskill

Village Officials and Staff: Dan Ritter, Community Development Director
Lori Kosmatka, Associate Planner
Michael O. Whalen, Associate Planner

Petitioners: None.

Members of the Public: None.

CHAIRMAN GRAY introduced Item #2, which is a workshop item.

Dan Ritter thanked Jarell Blakey for doing the legwork on this project. He explained that the proposed resolution is before the Plan Commission because it directly related to the Commission's authority. He added that the proposed policy is intended to document and formalize the public notice policies the Village already follows.

Dan Ritter presented the staff report. He added to the presentation that the state-required newspaper posting is the legal minimum requirement for public notice, but that is insufficient as far fewer people read the newspaper as in the past. He said the Village policy is mostly staying the same, except for creating a two-tier system where large projects will have much larger signs developers will provide, and smaller projects will continue to use the Village's smaller signs. He added that many similar communities require large projects to have large developer-provided signs. He reminded the Commission that the item was not a public hearing.

CHAIRMAN GRAY asked the Commissioners if they had any questions or comments, beginning with COMMISSIONER HAMILTON.

COMMISSIONER HAMILTON said that many people do not look at the newspaper and posting on social media, like Facebook, may be more effective.

Dan Ritter said that social media posting is not proposed in this policy. He said he believes that the Village currently posts an agenda or a link to the public meeting stream. He added that many of the Village accounts are more focused on marketing the Village, rather than general business items. He said he would check with the Marketing Department. Finally, he said that agendas are posted on the website, but that there perhaps may be a more visible location for these agendas.

COMMISSIONER TRUXAL said that patch.com might also be a good location.

Dan Ritter said that we can reach out to the patch.com, especially for larger projects.

COMMISSIONER TRUXAL asked what the sign is made of.

Dan Ritter said the sign is made of metal, similar to a metal realtor sign.

COMMISSIONER TRUXAL asked if signs are posted by the Public Works Department.

Dan Ritter said that the Zoning Administrator posts signs.

COMMISSIONER GATTO asked if there was any text on the signs indicating that signs should be returned to Village Staff.

Dan Ritter says there is not, but that the Village's name is all over. He added that sign deposits used to be required of developers, but that the process became too cumbersome. He added that a sticker could be added to the sign to tell people to return.

COMMISSIONER MARAK mentioned that QR codes might be valuable to be added to the signs.

COMMISSIONER GATTO confirmed that the QR codes can be changed to link to different links without requiring a new QR code to be generated.

Dan Ritter said the signs include a link to the website. Dan said QR codes would be challenging for developer-posted signs, but the small signs the Village has could be useful.

COMMISSIONER MARAK said the existing bulletin emails could be a good location for plan commission updates which he thinks goes out every two weeks and has better reach than the newspaper.

Dan Ritter stated that legislation has been introduced at the state level to repeal the newspaper policy, but that it has frequently failed.

CHAIRMAN GRAY said he agrees with COMMISSIONER MARAK about the email bulletins. He said he reads them but might not read the whole thing. It will be more accessible to more people since notices are posted in an odd section of the newspaper. CHAIRMAN GRAY asked whether

projects could be mapped so that residents and business owners could check what projects are in proximity to their homes/locations.

Dan Ritter said he can ask our GIS consultant about that idea. He mentioned the Village has a “story map” for certain projects and other Village events.

COMMISSIONER SHAW said he’s seen the Village posting maps and that other jurisdictions, like Woodridge, do something similar.

COMMISSIONER TRUXAL asked about the Village newsletter. He suggested adding a letter to utility bills.

Dan Ritter said the newsletter is more marketing focused but that he could ask about adding more information to the newsletter.

COMMISSIONER TRUXAL suggested just adding a link to the newsletter.

COMMISSIONER MARAK asked if they do something like that for Village Board meetings.

Dan Ritter said that may be something separate. He said adding the project titles and a link might be helpful. He added that the Marketing Department might have suggestions as to how to get more community awareness and engagement since they focus heavily on communications.

CHAIRMAN GRAY says the purpose of the discussion and adding additional information streams to catch a wider net to notify more people with other methods besides mailing and signs.

Dan Ritter said we send more letters for controversial projects. Dan added that in the past, for some larger, high-profile projects like The Boulevard and Magnuson Apartments, the Village did more of a push on social media.

COMMISSIONER SHAW it would be important to define the objective of the policy. He said that sending notice to properties 250’ from a project site is sufficient, because the intent is to notify neighbors, not necessarily to promote public engagement. The COMMISSIONER said that a baseline policy is sufficient, and that Staff can choose to exceed the policy when it’s determined by Staff to be appropriate. He added that he felt people will disengage if there’s too much communication general business of the Plan Commission. He talked about the importance of efficient government. He said he did not think that the objective of this policy was not to fill seats in the chamber for fence variations.

Dan Ritter said there are things where we really do want public engagement, like when the Village is working on planning projects.

CHAIRMAN GRAY asked what is the driver of this policy? Is there an instance where someone was upset that they didn’t receive notice?

Dan Ritter said that there have been instances in the past where residents and business owners were

upset about not receiving notice, and that this policy will hold Staff accountable and also help the public understand how Staff handles public notice. Dan said it's good government to document a policy.

COMMISSIONER SHAW said it's a good idea to document policy.

COMMISSIONER MANI agreed with COMMISSIONER SHAW that 250' is sufficient for mailings. He also stated that he liked the idea of sending email blasts because it does not carry a cost for the Village. He said that he has done work in other states, like Florida, where the responsibility of posting public notice signs and sending out notice letters to neighbors is on the developer, rather than the municipality.

COMMISSIONER GATTO asked what other communities do.

Dan Ritter responded that most other municipalities put the responsibility of posting public notice signs on the developer. He said that some communities (especially the counties) require that the developer also send the neighbor mailings, which Staff is not proposing at this time. He said he prefers the mailings be done by the Village so that we can be certain they are done correctly. He added that with small projects, it just makes more sense for the Village to handle the posting of notice signs.

COMMISSIONER MANI said in his experience in Florida, the municipality provides the developer with a list of property owners and the developer sends out the mailings.

Dan Ritter said the larger signs are helpful.

COMMISSIONER GRAY said small signs work in walkable areas, but there's much less visibility for drive-by traffic.

COMMISSIONER SHAW said there was a time when Tinley Park was not so business-friendly, so he liked keeping the mailings in house. He asked again, what is the Village trying to achieve. He added that with big projects the Village wants the public to know about, for example, a new grocery store is opening, and those signs can almost serve as a marketing opportunity for the Village. He added that he felt that for small projects, even posting a sign might be unnecessary because it might invite controversy for small, straightforward projects. He said there should be an administrative judgement call.

Dan Ritter said many municipalities do not post signs for small residential projects, like fence variations.

COMMISSIONER SHAW said the current noticing policies were in response to a project several years ago caused substantial backlash. He said any time we can scale back while keeping our objective in mind, it's a good idea.

CHAIRMAN GRAY said in some locations, like the D. R. Horton project, there's limited sign visibility with the project being at the corner of the Village.

Dan Ritter said the policy should say that multiple signs may be required at Staff's discretion.

CHAIRMAN GRAY asked if the cost of signs is placed on the Developer now. He asked if the application fees help to cover the cost of notice requirements.

Dan Ritter said sign costs will be the responsibility of the Developer.

COMMISSIONER SHAW said that developer-provided sign policy should be required, but that staff has the authority, in certain circumstances, to waive the requirement.

Dan Ritter said he does not want to waive the requirement on his own, but perhaps in unique circumstances it might be appropriate.

COMMISSIONER MANI said the administrative authority to waive can create a gray area that could be a problem in the future where some projects get the requirement waived while others do not.

Dan Ritter said that he does not like when policies are left open ended because of those gray areas. He said Staff can add language that adds a little flexibility.

COMMISSIONER SHAW said we should be doing the most efficient thing while still doing what is legally required.

COMMISSIONER MARAK disagreed with COMMISSIONER SHAW that the objective is not necessarily to be as efficient as possible. He said he thinks for small projects its important that neighbors know about projects in their neighborhoods. The COMMISSIONER said for large projects, like text amendments and large development projects, its important to get residents involved because these projects can shape the future of the Village. He said he thinks that even large public outreach for small projects will not fill the seats, but people may show up for large projects. He appreciated how the hearings for Odyssey and Magnuson had large public involvement. He said he felt that an increased push about Plan Commission meetings would not necessarily lead to a big influx of attendance.

COMMISSIONER SHAW said he did not want what he said to be misunderstood and that he agreed with COMMISSIONER MARAK. What he meant by efficiency was to avoid a situation where residents in the Village disengage generally with the Village if there's too much general business items happening at meetings. He said that we want to reserve big pushes for public engagement to happen when its most appropriate, like working on a new comprehensive plan. He said its at that point where you want to fill the seats since the projects will have a big impact on the future of the Village.

Dan Ritter said he would speak with the Marketing Department and didn't want to speak for them.

COMMISSIONER MARAK said that the bulletins are intended to project a certain image of the Village.

Dan Ritter suggested a separate mailing list for the Plan Commission, where the public can opt in to receiving additional notices. He said that signing up for the mailing list would be something appropriate to be pushed out in village newsletters.

Multiple COMMISSIONERS agreed with this idea.

COMMISSIONER SHAW said he shares invitations for public meetings on his personal Facebook page.

CHAIRMAN GRAY asked if there were any additional questions. He called on COMMISSIONER GATTO.

COMMISSIONER GATTO had no additional comments.

COMMISSIONER HAMILTON asked about the durability of the signs, and asked whether they were in the style of political signs.

Dan Ritter said the developers would provide larger, plywood signs mounted on posts. He added that working with sign companies in the area will help improve consistency.

COMMISSIONER HAMILTON asked whether political-style signs would fulfill the proposed signage requirements?

Dan Ritter said they would not be allowed because they aren't durable. He said large development signs will be substantial.

CHAIRMAN GRAY asked if there was any further discussion needed and whether Dan Ritter needed any additional feedback from the Commission.

Dan Ritter said no. He said Staff has been given enough direction and will make some adjustments.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE FEBRUARY 2, 2023 REGULAR MEETING

ITEM #2: PUBLIC HEARING – ODYSSEY CLUB TOWNHOMES MODEL CHANGE – SPECIAL USE FOR PUD SUBSTANTIAL DEVIATION AND SITE PLAN/ARCHITECTURAL APPROVAL

Consider recommending that the Village Board grant Anthony DeAngelis on behalf of Inter-Continental Real Estate & Development a Special Use for a Substantial Deviation to the Odyssey Club Planned Unit Development at Olympus Drive & Apollo Court in the R-5 PD (Low Density Residential, Odyssey Club PUD) zoning district.

****To be continued until resubmittal received.**

Present and responding to roll call were the following:

Chairman Garrett Gray
Angela Gatto
Terry Hamilton
Eduardo Mani
Andrae Marak
Ken Shaw
Kurt Truxal

Absent Plan Commissioners: James Gaskill

Village Officials and Staff: Dan Ritter, Community Development Director
Lori Kosmatka, Associate Planner
Michael O. Whalen, Associate Planner

Petitioners: None.

Members of the Public: None.

CHAIRMAN GRAY introduced Item #3 to be continued indefinitely.

CHAIRMAN GRAY requested a motion to continue the public hearing to a future date.

Dan Ritter said the item was remanded back from the Village Board because there are open items with Staff and the Village Attorney relating to the homeowners association. He said the developer of the property is actively working on resolving the issues. Dan Ritter said Staff are requesting to continue the item indefinitely until the open items are resolved, at which time the item will be re-noticed and scheduled to come before the Plan Commission.

COMMISSIONER TRUXAL made a motion to continue the public hearing for Item #3 as noted

on the agenda until all association issues are resolved as determined by the Village Attorney.

COMMISSIONER GATTO seconded the motion. The vote was taken by voice vote. All agreed to continue the item indefinitely.

Good of the Order

Lori Kosmatka noted that COMMISSIONER TIBBETTS resigned from the Plan Commission and a replacement has already been found. She stated that the replacement was the previous Chairman of the Village Zoning Board of Appeals, Steve Sepessy. She added the new Plan Commission member will be appointed at the next Village Board meeting.

Lori Kosmatka said that online permitting is moving forward, with commercial and residential already coming online. She said that minor permits are already online.

Dan Ritter thanked Jarell Blakey for handling the online permitting project. He added that an online payment program will hopefully be implemented soon.

Lori Kosmatka noted that the previously proposed masonry variation at 7413 Duvan Drive will be instead receiving a permit to remove the existing paint from the building's façades and the masonry will be stained, bringing the building into compliance with the Village Zoning Ordinance. Dan Ritter added that the work will not occur until spring due to the weather.

Dan Ritter noted that Michael O. Whalen is working on bringing a workshop item relating to fence ordinances.

Dan added that the permits for the Magnuson apartment project have been granted. He added that prefabricated panels are already on order and active building construction will begin in upcoming weeks. He said the clubhouse will be the first building to be constructed. The apartment buildings will begin shortly after.

Receive Comments from the Public

None were present.

CHAIRMAN GRAY requested a motion to adjourn the meeting.

COMMISSIONER TRUXAL made a motion to adjourn the Meeting. Second by COMMISSIONER MANI. CHAIRMAN GRAY requested a voice vote. Hearing no opposition, he declared the Meeting Adjourned at 8:25 p.m.

PLAN COMMISSION STAFF REPORT

February 2, 2023 – Public Hearing

Tinley Childcare Academy LLC – Child Care Special Use

7012 171st Street

Petitioner

Steve Shaqra on behalf
of Tinley Childcare
Academy LLC

Property Location

7012 171st Street

PIN

28-30-113-006-0000

Zoning

B-3, General Business &
Commercial

Approvals Sought

Special Use Permit

Project Planner

Lori Kosmatka
Associate Planner



EXECUTIVE SUMMARY

The Petitioner, Steve Shaqra, on behalf of Tinley Childcare Academy LLC, is seeking approval for a Special Use Permit for a Day or Child Care Center at the single-tenant building at 7012 171st Street in the B-3 General Business & Commercial Zoning District.

There is currently a state-licensed childcare center at the property offering daycare, after-school, and summer camp services operating as Antico Academy. Previous Special Use Permit approvals indicate the site has been operating as a childcare center since 1982. The Petitioner purchased the property last December from the previous owner of Antico Academy and is continuing the operations under new ownership. The Illinois Department of Children and Family Services (DCFS) previously approved the site but will need to reapprove the new facility with a new operator. The Petitioner is currently undergoing the new DCFS approval process while the previous owner temporarily continues operating the facility.

The facility was approved by DCFS for 52 children with eight employees and operated at full capacity prior to the pandemic. Since then, current enrollment dropped to 42 students and seven employees. The Petitioner intends to return the facility back to full capacity as previously operated. Hours of operation and ages served will remain the same.

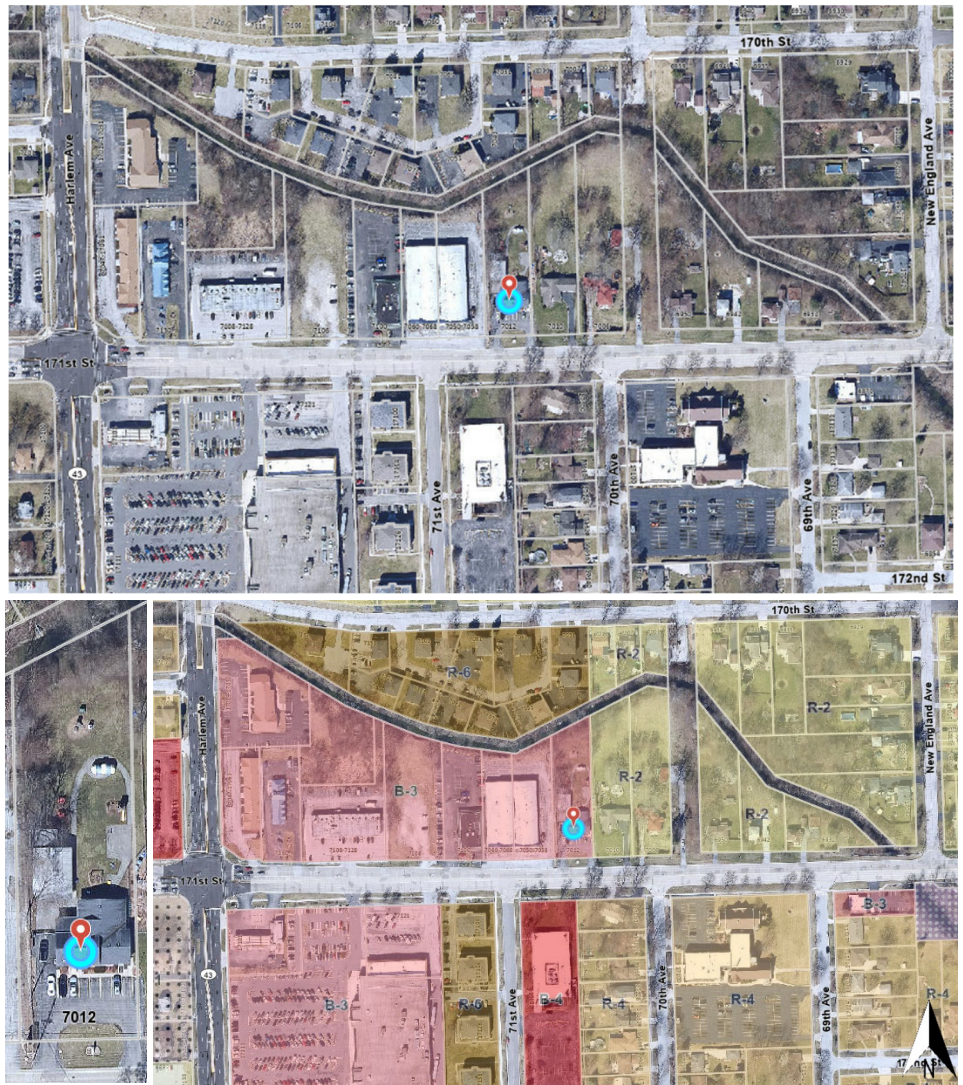
- Hours of Operation: 6:00am-6:00pm (Monday-Friday)
- Maximum Number of Employees: 8
- Maximum Number of Children: 52 previously approved per state licensure
- Age of Children: 6 weeks to 12 years

The primary concern for this use is a potential for high levels of traffic and parking due to heavy peak times during drop-offs and pick-ups. However, the existing business has operated without any known parking issues. Drop-off/pick-up times are scheduled in advance to avoid backups or delays.

EXISTING SITE, ZONING & NEARBY LAND USES

The subject property consists of an approximately 32,938 sq. ft. lot located on the north side of 171st Street, east of Harlem Avenue and west of New England Avenue. The rear (north) end of the property abuts Midlothian Creek. The property is a deep interior lot with 100 feet of lot frontage on 171st Street, and is part of Elmore's Oak Park Avenue Estates Subdivision. There are two structures on the property. According to historic aerial imagery, the main one-story brick and frame structure has existed in some form for several decades, and likely was added onto over the years. Based on plat of survey measurements, the footprint of the main building is approximately 2,333 sq. ft. The second building is a one-story metal clad building with a frame addition to the rear. There is also children's playlot equipment located outside to the rear.

The property is currently being operated as an DCFS state-licensed childcare center as Antico Academy, and has done so for many years. The property has previously received multiple Special Use Permit approvals. In 1982 and then in 1992 the Village approved Special Use Permits for a day care center (Ord. #82-O-044 and Ord. #92-O-036). Antico Academy has been in operation since 1995 and has operated without any known parking or other issues. In July 2022, a previous Petitioner (International Foundations Education) received Special Use Permit approval, but ultimately chose not to pursue the purchase of the facility. The current Petitioner purchased the property last December from previous owner of Antico Academy and is continuing the operations under new ownership. The Petitioner was unaware that a Change of Use/Owner application and Special Use Permit approval was required until he approached the Village in January to inquire about signage for the property. The Village has since been working with the Petitioner to on the necessary Village requirements to become compliant. DCFS previously approved the site but will need to reapprove the new facility with a new operator. The Petitioner is currently undergoing the new DCFS approval process. During this time, the Petitioner has arranged an agreement with the previous owner to temporarily continue operating the property under their existing DCFS approval.



Location Map, Aerial of Property, Zoning Map



The property is surrounded by a mix of residential and commercial uses. There is a single-family residence abutting to the east with single-family residences continuing further east. Across the street to the south is another single-family residence and the Maher Funeral Home. Abutting to the west is a vacant commercial property that was previously operated as a Sports Authority. Additional commercial properties continue westward toward Harlem Avenue.

In 2005 the property was rezoned from residential zoning to the B-3 (General Business & Commercial) Zoning District (Ord. #2005-O-014) with the use recognized by Antico Academy. The B-3 Zoning District continues to the west. To the east, the property abuts the R-2 Zoning District. Across the street, the single-family residence is in the R-4 Zoning District, and the funeral home is within the B-4 Zoning District.

The Zoning Ordinance notes the B-3 General Business & Commercial Zoning District “is designed to accommodate a wide range of specialized commercial uses, including highway-oriented services and commercial types of establishments to serve the needs of motorists. This district is intended to include those uses which would not be compatible in a neighborhood or community-type shopping center”.

Childcare facilities are a unique use because they are traditionally viewed as a commercial use. However, they do not require drive-by traffic, and there is a convenience for parents to have them located near to the residential areas in which they live. In this way, childcare centers are very similar to traditional schools. The use also tends to have limited hours of operation with small parking demand, as they function mainly with a vehicle pick-up and drop-off system.

SPECIAL USE PERMIT

A Special Use Permit is required to continue the operation under new entity name and ownership for the existing use as a *Day or Childcare Center* in the B-3 (General Business & Commercial) Zoning District. Daycare uses require Special Use Permit in the R-6, R-7, B-2, B-3, and B-4 Zoning Districts, and are prohibited elsewhere in the Village. Daycares are defined as “*wherein three (3) or more children, not related by bonds of consanguinity or fostership to the family residing on the same premises, are, for remuneration, cared for. Such Nurseries or Centers need not have a resident family on premises*”.

The Special Use Permit will only apply to the proposed business based on their business plan and information submitted with the request and will not run with the land. Special Uses are granted to a specific business and operator. If the owner or operator changes, a new Special Use must be requested. In this situation, the primary concern is if this use is still appropriate to continue and if there are any foreseeable issues with the parking and drop-off/pick-up needs associated with the operation of the business.

PROPOSED USE

The proposed operations of Tinley Childcare Academy LLC are largely expected to be the same as the operations of the Antico Academy's childcare facility. Hours of operation and ages served will remain the same. The Petitioner states there are no plans to expand or add new services. The facility was approved by DCFS for 52 children with eight employees. The facility previously operated at that full capacity prior to the pandemic. Since then, current enrollment dropped to 42 students and seven employees. The Petitioner intends to return the facility back to full capacity as previously operated due to increasing demand for childcare in the area.

The facility operates 6:00am-6:00pm Monday through Friday, currently with seven employees. The Petitioner states all seven will continue working at the facility (including the current Director who has been with the facility since 2005). There is a potential for an eighth employee depending on DCFS' staff to child ratio requirements if enrollment should return to maximum capacity. Five employees are full-time, and two are part-time.

The Petitioner has stated that visitors (usually therapists) are arranged by appointment only, and touring of the facility for new students are usually scheduled after school hours.

The facility will also continue to serve students from 6 weeks to 5 years old through the daycare program, and school-aged children up to age 12 in the afterschool and summer-camp programs. As enrollment counts change, the Petitioner notes the age and program breakdowns may be adjusted accordingly according to DCFS requirements.

Pre-COVID Age Breakdown (52 children):	
Infant (6 weeks to 15 mo.)	10 children
Toddler/2s (15 mo. to 2 years)	14 children
Pre-School (3 -5 years)	14 children
After-School (5-12 years)	14 children

The Petitioner has provided a plat of survey and floor plans showing the ground and basement floor of the facility's main building. The building has five large rooms, an office area, and kitchen. The Petitioner has confirmed that the annex building will continue to be used for storage only. Childcare will only occur within the main building and in the outdoor play area. The Zoning Ordinance does not allow for two principal use structures on a single lot and the accessory building is not constructed for the type of use; thus the Petitioner proposes to have the secondary building used exclusively for storage purposes, which would qualify as an allowable accessory use.

Current Program Breakdown (42 children):	
Full-time (6 months- 5 years)	12 children
Part-time (6 months – 5 years)	8 children
After-School (school aged)	7 children
Summer Camp (school aged)	15 children

The Petitioner's narrative also provides some details on the policies, rules, and aspects of the childcare program. The Petitioner will continue to use Antico's curriculum including, but not limited to, integration of core principles to develop emotional and cognitive social early learning, access to technology and STEM (science, technology, engineering, mathematics), and provide physical activities including sports to prevent childhood obesity.

The Petitioner proposes some cosmetic improvements to the property in the next six months including new painting, signage refacing, landscaping, carpet replacement, and ventilation maintenance. Staff is also working with the Petitioner on required code compliance, including accessible parking, as part of the Change of Use/Owner application.

Parking, Drop-offs / Pick-ups

The site has very limited parking but has been managed by the owner to accommodate parking for employees, vehicles doing drop-offs and pick-ups, and occasional visitors/prospective parents. Currently, the site has a row of parking at the front of the building, consisting of eight striped stalls with room at the far west for two additional vehicles that is two vehicles deep. There is not an accessible parking space with access aisle on the property. The Illinois Accessibility Code requires one accessible parking space with access aisle to comply with the state code. The state code requirement will thus reduce the available parking by one space. A recommended condition of approval has been added in regard to the addition of the required accessible parking stall.



The Petitioner has stated the maximum number of parking by staff is five to six due to some staff carpooling. The Petitioner also states the four parking spaces at the west side of the academy are designated for staff use. The Petitioner states drop-offs and pickups are at variable times, generally drop-offs occur between 6:00 and 8:00 a.m. and pickups from 4:00-6:00 p.m. On average, pickups and drop-offs take 90 seconds with no more than three parent vehicles at a time. The children's belongings are in place to ensure quick pickups. The facility also has an existing passenger van which stays at the facility. The Petitioner states the van is used for pickups and drop-offs at 8:00 a.m., 11:30 a.m., and 3:00 p.m. Staff recommends a condition stating that the property owner must manage parking, drop-offs, pick-ups, and visitations on-site to avoid any stacking issues or blockage of roadways.

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. Findings of Fact have been drafted by staff and outlined below for Plan Commission consideration.

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 use will be conducted in a manner consistent with the current operations of the existing facility. The property has been operating as a childcare facility without any known issues. The proposed use will promote the general welfare of the public by providing essential services of childcare. The facility will be state-licensed and meet all building and fire code requirements for a childcare facility.***
- 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 proposed use as a childcare facility is compatible with the surrounding neighborhood and residential uses. The childcare facility is a relatively low-intensity use with operating hours limited to weekdays. The property has operated as a childcare facility under the existing child care facility's ownership since 1995 without any known issues.***
- c. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - ***The proposed use is compatible with existing said development. The proposed facility will reuse the existing building and site. The proposed use will operate with similar hours, staffing, and capacity limits to the existing childcare facility's use. All neighboring properties have previously been developed.***
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
 - ***Adequate utilities, access roads, drainage, and/or other necessary facilities currently exist at the property.***
- 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 parking spaces for pick-ups and drop-offs is existing and has functioned without any known issues. Drop-offs and pick-ups occur during early morning and late afternoon times of the day. The drop-off and pick-ups are proposed to be managed by the property owner to avoid any parking issues or backups onto public streets.***
- 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 business and property will otherwise conform to zoning, building, and fire codes. The facility will be licensed and inspected by the state regularly for compliance as a childcare center.***

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

- ***The property has been operating as a childcare facility and the use will allow it to continue to operate as one under new ownership. Childcare facilities provide employment themselves as well as a needed service for both residents and workers in the area.***

It is 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.

MOTION TO CONSIDER

If the Plan Commission wishes to act on the Petitioner's request, the appropriate wording of the motion is 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.

Special Use Permit:

"...make a motion to recommend that the Village Board grant a Special Use Permit to the Petitioner, Tinley Childcare Academy LLC a Special Use Permit to operate a *Day or Childcare Center* at 7012 171st Street in the B-3 (General Business & Commercial) Zoning District, according to the submitted plans and adopt the Findings of Fact as listed in the February 2, 2023, Staff Report with the following conditions:

1. The property owner must manage parking, drop-offs, pick-ups, and visitations on-site to avoid any stacking issues or blockage of roadways.
2. Provide one accessible parking space with access aisle which will meet Illinois Accessibility Code requirements.

LIST OF REVIEWED PLANS

Submitted Sheet Name	Prepared By	Date On Sheet
Application (redacted)	Applicant	1/10/23
Response to Standards	Applicant	Recd. 1/10/23
Narrative & Email	Applicant	Recd. 1/20/23, 1/26/23
Plat of Survey	Surveyor	Recd. 1/10/23
Main Building Ground Floor Plan	Applicant	Recd. 1/10/23
Main Building Basement Floor Plan	Applicant	Recd. 1/10/23
Age Group Infants to 15 months Schedule	Applicant	Recd. 1/10/23

PLAN COMMISSION STAFF REPORT

February 2, 2023 – Workshop

Policy Proposal—Public Hearing Notice Procedures

Petitioner

Village of Tinley Park

Project Manager

Jarell Blakey

Management Analyst



EXECUTIVE SUMMARY

The Village of Tinley Park currently has no documented standard procedure for conducting public hearing notices. Staff currently follows all state protocols for conducting public hearings, specifically posting legal notice in the newspaper. However, the state offers minimal regulation for these hearings, leaving it up to the municipality to further determine its notification procedures. Staff does have a workflow that they use regarding public hearings, but nothing has been formalized.

The proposed policy will set a standardized policy that will be applied to public notice for all planning and zoning cases requiring a public hearing. A majority of protocols set forth in the proposed policy are reflective of how staff currently handles public notice for public hearings. However, establishing a set procedure will allow us to point to our internal policy if/when a petitioner has a concern about our notification procedures.

Staff is proposing the policy to allow for more uniformity within the public hearing process and to establish a set policy internally that can be referenced when necessary. Ultimately, the goal of the policy is to provide a more efficient public hearing notice policy that will be clear to both staff and the public.

EXISTING PROCEDURES

Currently, the following protocols are followed without a formalized policy:

- Upon receipt of a completed zoning application requiring a public hearing, staff schedules a public hearing in accordance with existing schedules and agendas.
- Legal Notice is published in a local newspaper no less than fifteen (15) and no more than thirty (30) days prior to the public hearing date.
- Written notice is issued by mail to property owners within two-hundred fifty (250) feet of the project site's parcel boundary lines.
- No new notice is required for the continuation of a Plan Commission case, as long as the case is heard after the second continuation.

PROPOSED NEW PROCEDURES

Staff is proposing the following procedures in addition to those listed above:

- Signage:
 - o Residential Requests
 - Village will provide signage with standard signs as designated by Planning staff.
 - o New Residential and Commercial Development (PUDs, greenfield sites, etc.)
 - Petitioner will provide signage meeting sign standards as designated by Planning staff.
 - Signage must have black weather resistant lettering on white background.
 - Signs must be a minimum of 4 feet high x 6 feet wide
 - Signage must contain the following information:
 - “Notice of Public Hearing”
 - “Village of Tinley Park Plan Commission/Zoning Board of Appeals”
 - Nature of the request (Type of zoning entitlement)
 - Zoning district information
 - Date, time, & location of hearing
 - o No signage is permitted in the public right-of-way
 - o Sign posting locations must be approved by Community Development Staff
 - o All signs must be posted no less than fifteen (15) and no more than thirty (30) days prior to the hearing. Signs must remain in place until the hearing is concluded
 - o Upon completion of the hearing, signs must be removed as soon as practical.

Open Item #1: Discuss proposed public notice sign requirements and responsibilities.

RECOMMENDATION

Upon completion of a successful Plan Commission Workshop, proceed to a Public Meeting scheduled for February 16, 2023, at the regular Plan Commission meeting.