



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

August 1, 2019

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on August 1, 2019 at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Plan Commissioners: Garrett Gray, Chairman
 Tim Stanton
 Eduardo Mani
 Lucas Engel
 MaryAnn Aitchison
 James Gaskill
 Curt Fielder

Absent Plan Commissioner(s): Angela Gatto
 Stephen Vick

Village Officials and Staff: Kimberly Clarke, Community Development Director
 Paula Wallrich, Planning Manager
 Dan Ritter, Senior Planner
 Douglas Spale, Village Attorney
 Patrick Connelly, Village Attorney
 Barbara Bennett, Commission Secretary

CALL TO ORDER

PLAN COMMISSION CHAIRMAN GRAY called to order the Regular Meeting of the Plan Commission for August 1, 2019 at 7:00 p.m.

COMMUNICATIONS

None

APPROVAL OF MINUTES

Minutes of the July 18, 2019 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER FIELDER, seconded by COMMISSIONER MANI, to approve the minutes as presented. The Motion was approved by voice call. CHAIRMAN GRAY declared the Motion approved as presented.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE AUGUST 1, 2019 REGULAR MEETING

Item #1 PUBLIC HEARING: JAMES VROEGH/PARK OAKS COMMERCIAL CONDOMINIUM ASSOCIATION BUILDING ADDITION, 17322 OAK PARK AVENUE – SITE PLAN AND VARIATIONS

The Petitioner, James Vroegh (Authorized Agent), on behalf of Park Oaks Commercial Condominium Association (Owner) is seeking the following Variations to permit the construction of a 376 sq. ft. 1-story addition on an existing 3-story Park Oaks Condominium mixed-use development on the property located at 17322 Oak Park Avenue in the DC (Downtown Core) Zoning District

Present were the following:

Plan Commissioners: Garrett Gray, Chairman
Tim Stanton
Eduardo Mani
Lucas Engel
MaryAnn Aitchison
James Gaskill
Curt Fielder

Absent Plan Commissioner(s): Angela Gatto
Stephen Vick

Village Officials and Staff: Kimberly Clarke, Community Development Director
Paula Wallrich, Planning Manager
Dan Ritter, Senior Planner
Douglas Spale, Village Attorney
Patrick Connelly, Village Attorney
Barbara Bennett, Commission Secretary

Guests: Thomas Courtney, Petitioner's Attorney
Dr. James Vroegh, Petitioner

A Motion was made by COMMISSIONER AITCHISON, seconded by COMMISSIONER GASKILL, to open the Public Hearing for James Vroegh/Park Oaks Commercial Condominium Association Building Addition located at 17322 Oak Park Avenue. The Motion was approved by voice call. CHAIRMAN GRAY declared the Motion approved.

CHAIRMAN GRAY noted that Village Staff provided confirmation that appropriate notice regarding the Public Hearing was published in the local newspaper in accordance with State law and Village requirements.

CHAIRMAN GRAY requested anyone present in the audience, who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

DAN RITTER, SENIOR PLANNER gave a presentation as noted in the Staff Report. The Petitioner, Dr. James Vroegh (Authorized Agent), on behalf of Park Oaks Commercial Condominium Association (Owner) is seeking Variations to permit the construction of a 376 sq. ft. 1-story addition of 23.5 feet by 16 feet in size on the existing patio area .of an existing 3-story Park Oaks Condominium mixed-use development on the property located at 17322 Oak Park Avenue in the DC (Downtown Core) Zoning District

Mr. Ritter noted the plans have not been updated since the workshop. The unit is the furthest south in the 1-story building addition. This will continue the first-floor design of the Park Oaks building but is not proposed to match the existing building in scale due to the difficulties of doing so with the building's existing condo ownership. The Legacy Code's height and 50' commercial depth requirements are in place to create an active consistent street wall along primary corridors to create an intriguing urban environment. The Commission will need to consider any precedence that would be set by the requested Variations and the effects on the goals of the Legacy Code and future development proposals.

Mr. Ritter went through the five Variations requested by the applicant:

1. A 2-story Variation from Section 2-A-9, Table 2.A.6 of the Legacy Code to permit a 1-story building addition on an existing 3-story building where the minimum building height is 3-stories.
2. A 26.5 foot Variation from Section 2-A-4, Table 2.A.1 of the Legacy Code to permit a commercial space that only has a depth of 23.5 feet instead of the required commercial space depth of 50 feet where street-level commercial is permitted.
3. A Variation from Section 3-B-6-a of the Legacy Code to permit a building addition with less than the required 60 percent of the street-level façade to be glazed.
4. A Variation from Section 3-B-7 of the Legacy Code to permit the building addition to not have brick or masonry where a new building or addition is required to consist of 75 percent brick, stone, or fiber cement siding.
5. A Variation from Section 3-B-8 of the Legacy Code to permit a building addition to be constructed that does not comply with the required Architectural Guidelines including, "A consistent style of architectural composition should be applied throughout a structure".

The proposed 1-story addition will be added to an existing 3-story structure. The existing Park Oaks structure predominately complies with the Legacy Code requirements for scale, location, and materials. The one exception to complying with the code is the use of paneling on the first floor where it would not be permitted. Since the addition will not be meeting the existing building length or height, there are a number of Variations required to meet approval. In order to be recommended for approval, these Variations must be found to meet the Standards for a Variation outlined in the sections below as well as the additional Legacy Code Standards.

As with all Variation approvals, the Plan Commission must be aware of setting precedent for future similar requests in the downtown area, especially as it relates to the Downtown Core which establishes a density and scale that is intended to support the overall mission of the entire Legacy District. The burden is on the applicant to meet all three statutorily required Findings of Fact and to prove this situation is unique thereby justifying Variation from the Code. As part of their review, the Plan Commission will need to determine if condo ownership represents a unique situation and whether it creates physical hardships warranting the Variation. If the Commission believes the type of ownership presents a burden, the Commission must also must consider whether this ownership was self-created by current or former owners of the property. It should be noted that most structures in the Village can be converted to condominiums or single-ownership without prior Village approval. It is recommended that the Plan Commission use these Variation and Legacy Code Standards as a guide for their review as well as the architectural guidelines outlined in the Legacy Code.

The use of the proposed space will be for the expansion of the Vroegh Eye care space to include an additional examination room and employee break room. While the proposed use itself is not a concern, the Commission may wish to consider the possible complications of ownership of the building addition which will continue to be owned by the Property Owner

Association (POA) and retained as a “Limited Common Element” under the approved and recorded Condo Declarations. This is of particular concern since the intent of the building addition is clearly privately owned.

Additionally, the Commission may wish to discuss possible future issues with the POA ownership of the building addition without any formal sale or lease on the property. As proposed, the POA will remain the owner of the property thereby permitting them to apply for future alterations or demo permits on the addition. Other concerns include a potential increased tax burden on the POA due to a for-profit commercial use being located on the common area lot as well as insurance, legal and future maintenance liability associated with the addition. The rights to use “limited common elements” such as the existing patio area are transferable between unit owners. This means that this space can be sold to a different condo unit owner and potentially leased separately. The Commission may wish to consider how this impacts the future of the site if a building is constructed.

In review of the approvals and declarations for the project the subject area is referred to as a “patio space”. The Commission may wish to consider whether the original intent of the property is an important factor in considering the proposal. If approved the opportunities for any future use as a patio space is lost.

In discussions with the Village Attorney, staff has been informed that the ownership approval and Declaration Amendment provides the authority to permit the Variation requests despite the future utilization of the site is impacted as discussed above. While not legally required, the applicant has been encouraged to consider removing the subject area as a limited common element, purchase the property from the POA, and consolidate the two parcels into one lot and PIN. This will provide for a more transparent process for construction of the addition to the condo unit owners and avoid any possible future ownership, control or tax issues as described above.

There was no landscape plan submitted for the proposed addition. The parkway tree in front will have to be removed and replaced. The Petitioner is required to complete all associated work at the existing and future street tree location.

Mr. Ritter noted all the open items as follows:

Open Item #1: Discuss the five requested Variations and the desirability of a 1-story building addition on a 3-story building that does not comply with the code requirements. Discuss how this relates to the Standards for a Variation and Legacy Code Standards that must be met to approve a Variation.

Open Item #2: Discuss the potential future consequences/effects of the proposed addition that is owned and controlled by the POA.

Open Item #3: Discuss the space and effects of the property continuing to be considered as a “limited common element” in the approved and recorded Condominium Declarations when only accessed and controlled by a single property owner. The space can also be sold in whole or part to other unit owners.

Open Item #4: Due to the ability for the space to be used by a separate tenant or unit in the future, discuss the effects and quality of potential future tenants in a unit that has a depth of 23.5 feet and is 376 sq. ft. in size.

Open Item #5: Discuss removing the patio area as a “limited common element” in the Declarations, purchased from the POA by the owner of the 17322 unit, and the two parcels be consolidated into one lot and PIN.

Open Item #6: Discuss the requirement that the parkway tree location is moved to a more suitable location along the Oak Park Avenue street frontage in accordance with the Legacy Code requirements, Public Works Department recommendations, and the downtown streetscape plan.

Open Item #7: Submittal of a plan for the required parkway tree replacement and sidewalk work is required.

Open Item #8: Submittal of a landscape plan showing the existing and proposed landscaping is required.

Open Item #9: Discuss whether to incorporate a white or brown/tan color cornice.

Open Item #10: Discuss the proposed architectural appearance of a 1-story addition on a 3-story building and the possibility of setting a precedent for other notable building downtown sites.

Open Item #11: Discuss the proposed site layout and the resulting five-foot unlit and non-landscaped alleyway that will be present between the buildings.

Open Item #12: Plans will need to be revised based on final staff review comments.

Open Item #13: Discuss the potential signage impact of any future tenant changes and the possibility of a condition prohibiting an exterior sign from being placed on the addition.

The consensus of Plan Commission was not supportive of the aesthetics of the one-story addition on the existing three-story mixed-use building. The Commission vocalized the addition is not consistent with the Legacy Code requirements and the addition did not appear balanced on the existing structure and looked “tacked-on”. While there are other examples of one-story structures nearby that exist prior to the Legacy Code, Staff stressed that the Legacy Code and Plan focuses on avoiding these type of non-compliant additions.

There were also many concerns expressed about how this would affect and set a precedent for other existing and proposed buildings in the Downtown area and along Oak Park Avenue in the future. Ownership issues due to the retained ownership of the Commercial Property Owners Association was another concern expressed by the Commission due to the potential future issues with property control, taxes, and maintenance costs of the space. The Commission was appreciative of the Petitioner looking to expand their location but recommended that the Petitioner work with the residential condominium owners to propose a three-story addition, expand within the current building’s footprint or find another location in the downtown area that provides them more space.

The Petitioner has not provided revised plans or correspondence since the Plan Commission workshop meeting and all open items remain. Conditions are in the motion to address these open items in the event the requests are approved.

CHAIRMAN GRAY asked for comments from the Commissioners.

COMMISSIONER ENGEL noted he looked at the open patio area that is not being used makes sense for an addition. I would like to see a rendering showing the whole area with the adjacent buildings in view.

COMMISSIONER MANI noted this addition architecturally looks awkward. His reservation is setting a precedence.

COMMISSIONER AITCHISON noted this is a better utilization of the space. She would like to see a rendering with a white cornice. This is a unique situation and space and this area is not big enough to add on condos. It would be cleaner if this area was purchased to clear up reservation as to what happens in the future.

COMMISSIONER GASKILL noted he is totally against this. There is no reason to throw away the whole Legacy Code. The Association should be made to clean up the patio area. This meets none of the Codes.

COMMISSIONER STANTON noted he was not at the workshop but did watch the video and he was disappointed to see a long time business of Tinley Park and how it was made difficult for them. Vroegh Eye care wants to invest in our community by expanding the business and it is a sales tax generator not just service based. We should find a way for this

to work as well as for other businesses. It was mentioned that this does not fit the Legacy Code. The members of the Committee has been reviewing the Legacy Code to determine if it is doing more harm than good. Several Oak Park Avenue business owners have argued that this is one of the reasons that the downtown corridor has not developed into what residents expected. The Legacy Code is not working and it is too restrictive given the other burdens that the businesses have. As far as the aesthetics of the building, we want to make sure the building is beautiful as the existing building. He would like to thank Vroegh Eye care for the past decade doing business in Tinley Park.

CHAIRMAN GRAY noted he echoes what COMMISSIONER GASKILL says in terms of the planning we have been doing at the Commission the past few years for the plans for downtown in regards to the Legacy Code. This does not fit in terms of the lack of 3 stories and higher density. The architecture is fine, but having a one-story add on and the five variations needed – it does not fit in. With that said, there are long term goals in Tinley Park and this could set a precedent. This is probably restrictive to some businesses. The ownership is another issue. Is this space going to be tied to the eye care business? Mr. Ritter replied this is a limited common element owned by the Association and it gives them the exclusive right to use it right now. This can be transferred among the units. There are only four commercial units. If the Association came in to demo it, they are the owner of the property and can do that. There may be a private agreement, but for us we would look at the owner of the unit. Any changes to the site could be proposed by the POA or another owner. CHAIRMAN GRAY noted it is possible that the owner's assn. could want a different use for this. Is there any concerns from the Commission regarding the ownership?

COMMISSIONER FIELDER noted the concern is that there are no plans to convert this addition if there was a change in ownership. They will build it, with no plans to convert it to a separate space. If a different business comes in and does not want the separate space, what will they do with it? Does this become a storage unit for other owners? If only one person uses it, it is not a common element any more. He is struggling with it being the best use of this space. There is no other business that can fit in a 376 sq. ft. building. This is an empty unutilized space, but is there a better use for it?

COMMISSIONER ENGEL noted this is still a common use area and would the tenant at the other end of the building use it as a patio for the restaurant. This is pretty much tied into the eye care business. The downtown core zoning is allowed to not meet some of the codes. KIMBERLY CLARKE, COMMUNITY DEVELOPMENT DIRECTOR replied that this would not apply to an addition. The addition does have to comply with the codes.

COMMISSIONER GASKILL noted they are proposing a use for this today that meets none of the codes. It will stick out like a sore thumb.

Mr. Ritter noted Dr. Vroegh has an agreement to cover all the costs with the use side of this, but what does this become in the future.

COMMISSIONER ENGEL noted this could be sold to another tenant and they could put a door on it. All the utilities are coming out of the existing building. Mr. Ritter replied if the current business files for bankruptcy, then what happens to it. Will this become storage or a single office, how will they get utilities in it? The recommendation is to split this off a separate PIN and sell to that unit owner and combine it with the current unit. There would still be concerns about the aesthetics.

CHAIRMAN GRAY asked the Petitioner to speak.

Mr. Courtney, Attorney for the Petitioner asked for statements from Lisa LaFevre who is in favor of the project and is in business with Vroegh in the building. She read a letter from Theresa Nolan who is in the unit where the Chamber is housed. The letter states that Vroegh Family Eye care has had an impact on Tinley Park. They are a long standing business in the downtown area and are well known throughout the community. Many of the clients live in and around the Tinley Park area. They are an active Chamber member and attend several meetings and support many of the other business owners. They hope to see Vroegh Family Eye Care stay in the Tinley Park area for years to come.

She also received an email from Brian Carlson that is an owner of one of the residential condos. He is voicing his approval of the addition.

Mr. Courtney noted he would be willing to merge the units with an amended plat approved by the majority of the owners. This existing business wants to stay in the Village. He submitted his documents to Atty. Connelly who had no objections. This building was constructed prior to the Legacy Code. The architect came up with the plan and made it compatible with the existing building. This should be approved based on the appearance and the small size of the addition. There is no impact on drainage. It improves the overall appearance of the area. Leaving this area as a vacant common element makes no sense at all. There are things that can be done to work with the planning department. Many of the other requirements are extremely expensive. The main issue is the three-story building and there is flex in the code.

Mr. Ritter noted that Attorney Connelly reviewed the application in terms of ownership and did not review it in terms of whether this was a good idea or did they have the right to pursue this application.

Kathie Wyman and her husband owners of Wyman's (next door) noted she has had her business for 46 year in Tinley Park. She likes the three-stories in the downtown area. The patio space next door is an eyesore. We take care of the landscaping because no one knows who owns it. The tree is hitting our building – it is too close. I have seen too many businesses come and go in the downtown area. Originally we thought the downtown area was going to be like my building and Teehans keeping it historical. It has worked out fine. I do not want to see a business leave Tinley Park. I am glad that some of the old structure being taken down. Dr. Vroegh has brought business to me. The previous owner never used the space and we would be glad to have someone who wants to stay in the Village. This is not an add-on like Teehan's add-on this looks like it is part of the existing building. We need to make it friendlier for businesses to come here. There have been businesses that have tried to come into this community and they have not been welcomed. Mr. Wyman note he thought the building would look better with the addition on it. The tree that is there is terrible. The business owners here are all supporting this project.

Cam, from the Apothecary Pharmacy noted we need to be in support of this business owner.

Attorney Courtney noted the biggest problem is the fact that this is not three-stories. We are willing to amend the plat and include this as part of the floor area of the existing unit. We are hoping you will consider our comments and recommend approval on this project.

Ms. Clarke noted this was not developed under a Planned Unit Development. It was developed under H-1 zoning district at the time.

COMMISSIONER STANTON, seconded by COMMISSIONER ENGEL made a Motion to continue this Public Hearing to the next meeting on August 15, 2019.

AYES: MANI, GASKILL, FIELDER, AITCHISON, ENGEL, STANTON AND CHAIRMAN GRAY

NAYS: NONE

CHAIRMAN GRAY declared the Motion unanimously approved.

Mr. Ritter inquired as to the reason for the continuation.

COMMISSIONER ENGEL replied he would like to see the rendering showing the Wyman building in the view.

Mr. Ritter would give this to the architect to make those changes.

COMMISSIONER MANI would like to see the addition set back an additional 1.22 feet to make it more aesthetically pleasing.

COMMISSIONER FIELDER would like to see something from the Association regarding the uses limited common elements. He would like to see what this encompasses. If this get approved, he would like to see how many other buildings this would affect. We need to be very careful regarding the type of ownership. Mr. Ritter replied he would clarify this at the next meeting.

COMMISSIONER STANTON agrees.

CHAIRMAN GRAY agrees with the need for an extended rendering. He also inquired if there was a way to get any pitch to the roof to offset some of the visual height difference.

Dr. Vroegh inquired if COMMISSIONER MANI wanted the building set back further than the current plan. COMMISSIONER MANI replied that he did think it would be more aesthetically appealing if it was set back further to match the business to the north of the eye care unit. Dr. Vroegh replied he would try to change the set back and the roof line.

CHAIRMAN GRAY noted this item would be continued to the next meeting on August 15, 2019

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE AUGUST 1, 2019 REGULAR MEETING

Item #2 **WORKSHOP: RACINO ENTERTAINMENT COMPLEX USE ADDITION – TEXT AMENDMENT**
Consider Text Amendments amending Section II.B (Definitions) and Section V.B. (Schedule of Regulations) of the Zoning Ordinance to incorporate a Racino Entertainment Complex use. The purpose of this amendment is to add a definition and to modify the schedule of use regulations to allow a Racino Entertainment Complex in the Office and Restricted Industrial District (ORI) as a Permitted Use.

Present were the following:

Plan Commissioners: Garrett Gray, Chairman
 Tim Stanton
 Eduardo Mani
 Lucas Engel
 MaryAnn Aitchison
 James Gaskill
 Curt Fielder

Absent Plan Commissioner(s): Angela Gatto
 Stephen Vick

Village Officials and Staff: Kimberly Clarke, Community Development Director
 Paula Wallrich, Planning Manager
 Dan Ritter, Senior Planner
 Douglas Spale, Village Attorney
 Patrick Connelly, Village Attorney
 Barbara Bennett, Commission Secretary

Guests:

KIMBERLY CLARKE, COMMUNITY DEVELOPMENT DIRECTOR gave a presentation as noted in the Staff Report. Staff is proposing a text amendment to the Tinley Park Zoning Ordinance, Section II.B (Definitions) and Section V.B. (Schedule of Regulations) for a Racino Entertainment Complex. The purpose of this amendment is to add definitions and to modify the schedule of use regulations to permit a Racino Entertainment Complex in the Office and Restricted Industrial District (ORI) as a Permitted Use.

The State of Illinois passed a new gaming bill (SB 690 HA) that will support and enhance the Illinois horse racing industry. The Bill provides for one new suburban racetrack and combined Casino (Racino) to be located in either Bloom, Bremen, Calumet, Orland, Rich, Thornton or Worth Township. The Mayor and Village Board have expressed an interest in entertaining the possibility of the creation of a new entertainment district, which will incorporate a Racino. As part of the gaming application process, the Village must provide for a racetrack and casino as permitted uses within the Zoning Code. Therefore staff is examining that code and suggesting some modifications that would regulate a Racino Entertainment Complex and create a definition. We are looking at adding this to the Office and Restricted Industrial District (ORI) as a permitted use.

Horse Racing has been a part of Illinois history since the early 1830s. Well-known racetracks in Illinois are Arlington Racetrack, Balmoral Park (closed), Hawthorne Race Course & Suburban Downs, Fairmont Park and Maywood Park. The horse race track industry consists of on-track betting, off-track and other gaming activities and services.

Staff is suggesting a definition to further articulate what is meant by a Racino Entertainment Complex.

Racino Entertainment Complex: A racetrack combined with a casino and other similar and compatible uses included but not limited to spectator events conducted outdoors in open or partially enclosed facilities as a for-profit enterprise which typically charges an entrance fee.

If it is the desire of the Village to allow a Racino, the Village has two options on how they can permit the use. The easiest way is to list it as a permitted use in the Zoning Code. As of right now, the only viable location within the Village's boundaries is The Tinley Park Mental Health Center (TPMHC) site. This property is approximately 280-acres in size and is zoned Office and Restricted Industrial District (ORI). A listing of all permitted uses for said zoning district is attached.

ORI Office and Restricted Industrial District is intended to provide land for medium to large office buildings, research activities, and non-objectionable industrial activities, which are attractively landscaped and designed to create a "park-like" setting. The low intensity and limiting restrictions are intended to provide for permitted uses which will be compatible with adjacent residential and commercial developments.

Although a Racino is not an office or industrial use, it will be compatible with other uses currently permitted in ORI such as restaurants, hotels, banquet facilities and convention centers. Currently the Hollywood Amphitheater is zoned ORI but it was also approved as a Planned Unit Development (PUD). Similarly, it is anticipated a future Racino Entertainment Complex may be developed under a PUD due to the mix of uses and overall scale and design which will require flexibility within the zoning code. In general, the ORI district has a larger minimum lot of 40,000 sq. large minimum lot width (150 feet) and larger maximum story height of five stories which may accommodate a future entertainment district.

If it is the desire of the Village to allow a Racino, the Village has two options on how they can permit the use. The easiest way is to list it as a permitted use in the Zoning Code. As of right now, the only viable location within the Village's boundaries is The Tinley Park Mental Health Center (TPMHC) site. This property is approximately 280-acres in size and is zoned Office and Restricted Industrial District (ORI).

ORI Office and Restricted Industrial District is intended to provide land for medium to large office buildings, research activities, and non-objectionable industrial activities, which are attractively landscaped and designed to create a "park-like" setting.

Although a Racino is not an office or industrial use, it will be compatible with other uses currently permitted in ORI such as restaurants, hotels, banquet facilities and convention centers. Currently the Hollywood Amphitheater is zoned ORI but it was also approved as a Planned Unit Development (PUD). Similarly, it is anticipated a future Racino Entertainment Complex may be developed under a PUD due to the mix of uses and overall scale and design which will require flexibility within the zoning code. In general, the ORI district has a larger minimum lot of 40,000 sq., large minimum lot width (150 feet) and larger maximum story height of five stories which may accommodate a future entertainment district.

Staff has provided the schedule of how the permitted use could be incorporated into the current schedule of permitted uses below:

SCHEDULE I- SCHEDULE OF PERMITTED USE (BY USE TYPE)

	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	B-5	ORI	M-1	MU-1
Dining, Drinking, and Entertainment Establishments															
Racino Entertainment Complex	x	x	x	x	x	x	x	X	X	X	X	X	P	X	X

Another opportunity the Village can consider if they want to encourage a future Racino location, is to establish an Overlay District that lists a Racino as a permitted use. Overlay zoning is a regulatory tool that creates a special zoning district, placed over an existing base zone(s), which identify special provisions in addition to those in underlying base zones. The Village currently has the Rich Township Entertainment and Tourism Overlay District; Mixed-Use Duvan Drive Overlay District; and an Urban Design Overlay District. Specifically, the Rich Township Entertainment and Tourism Overlay District is intended to provide unique uses and district-wide areas for entertainment, shopping, dining, hotel and tourism area in the Village. This is similar to what we would be looking to do at the TPMHC.

An Overlay District is a regulatory tool to create a special zoning district placed over an existing base zone. It identifies special provisions in addition to those in the underlying base zone.

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

1. Discuss permitting a Racino Entertainment Complex as a permitted use in the ORI Zoning District.
2. Discuss the creation of a new Entertainment Overlay District
3. Discuss amending the existing Rich Township Entertainment and Tourism Overlay District to include a Racino Entertainment Complex as a permitted use.

Attorney Connelly noted the Village is in the process of trying to locate a Racino complex at the TPMHC. In conjunction with the Village, the developer and racing team of Hawthorne Race Course, Suburban Downs filed the first an application for a new license. This was the first application for a new license in the State of Illinois since 1946. We are setting precedence everywhere we go. This process is uncertain. The gaming expansion came from nowhere and has provided this opportunity to us. We are dealing with the State of Illinois regarding the purchase of the property. A lot of this is new unchartered waters. We want to make sure we are ready as the processes occur. The zoning may be a part of it and we want to make sure a Racino is an allowable use. This will be very incremental. At this point we only know there will be a 4,000 seat grand stand with luxury seats above and a 7/8th mile track. The accessory uses will be a part of it and will need to be zoned properly. At this point we want them to know that Tinley Park wants this Racino use. We are not asking for this board to approve a Racino, only the zoning.

COMMISSIONER GASKILL inquired if the State of Illinois would be cleaning up this property. Mr. Connelly noted we are in good faith negotiations with the state to purchase the property and that would be part of the negotiations. There is no agreement at this time.

COMMISSIONER FIELDER noted he has a client at his firm that is the Illinois Thoroughbred Horsemen’s Association, lobbying for them with the state government. He has no direct investment and no direct financial interest in any Racino that is being proposed here or anywhere. He does have knowledge of how this will work and would be happy to answer any

questions. This is more having to do with the horsemen workers in the backstretch. Mr. Connelly noted this will be appreciated. He noted there are standards for the backstretch, which is part of the law. The application was presented for racing dates.

Ms. Clarke will continue to work with the attorneys.

There will be a Public Hearing at the August 15, 2019 Plan Commission Meeting.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE AUGUST 1, 2019 REGULAR MEETING

Item #3 WORKSHOP: LENNY’S GAS & WASH, 19420 HARLEM AVE –
REZONING, ANNEXATION AND SPECIAL USE

Consider the application of, Leonard McEnery, for a map amendment rezoning property located at 19420 Harlem Avenue, from R-1 (Single Family Residential) to B-3 (General Business and Commercial District) with Special Uses to allow the continuation of the existing Automobile Service Station and Automobile Car Wash

Present were the following:

Plan Commissioners: Garrett Gray, Chairman
 Tim Stanton
 Eduardo Mani
 Lucas Engel
 MaryAnn Aitchison
 James Gaskill
 Curt Fielder

Absent Plan Commissioner(s): Angela Gatto
 Stephen Vick

Village Officials and Staff: Kimberly Clarke, Community Development Director
 Paula Wallrich, Planning Manager
 Dan Ritter, Senior Planner
 Douglas Spale, Village Attorney
 Barbara Bennett, Commission Secretary

Guests: Leonard McEnery, Petitioner
 Lyman Tieman, Attorney
 Cass Wennlund, Attorney

PAULA WALLRICH, PLANNING MANAGER gave a presentation as noted in the Staff Report. Mr. Leonard McEnery, Lenny’s Food N Fuel Harlem Avenue, LLC, has petitioned the Village of Tinley Park to annex his 4.87-acre parcel located at 19420 Harlem Avenue. Mr. McEnery is requested a rezoning his property upon y to B-3 (General Business and Commercial) and grant a Special Use Permit for for the existing uses on the property (service station and the car wash).

The annexation, rezoning and special use requests were previously reviewed by the Plan Commission at their April 19, 2018 meeting. At that meeting the Commission made the following recommendations to the Village Board:

1. Motion to deem the property unsuitable for annexation – Motion failed 4-4
2. Rezoning to B-3 – Motion passed 6-2
3. Special Use for a Service Station – Motion Failed 5-3
4. Special Use for a Car Wash – Motion Failed 5-3

The annexation and zoning entitlements were then reviewed by the Village Board at their July 17, 2018 meeting. A motion at the Village Board meeting authorizing the execution of an annexation agreement failed with a 3 to 2 vote, therefore, the

project did not move forward. There are copies of the minutes from the previous meetings included in the packet.

PAULA WALLRICH, PLANNING MANAGER stated that since that time Mr. McEnery’s desire to come into the Village remains the same. She noted that he is interested in developing this site further with the uses he has in several of his other facilities. This will include gaming and the sale of liquor. He is unable to do this in the county, therefore he is seeking annexation into the Village of Tinley Park. His expectations for sales from this would bring into the Village over \$400,000.00 annually. MS. WALLRICH stated that the annexation proposal was discussed at the Community Development Committee on July 23, 2019 and staff was directed to take the Petition to the Plan Commission following the normal entitlement process.

The site is located just south of the Village’s corporate boundaries on Harlem Avenue. There are some homes adjacent to it that are in the Village and some to the south that are not in the Village. The service station was built in 2015 in conformance with the Will County codes. In 2017 the car wash was built in conformance with Will County. Ms. Wallrich displayed photos of the structures on the property.

The subject property is currently zoned C-2 (Local Commercial) in Will County. Staff analyzed the zoning districts to determine which zoning district is most appropriate and determined B-3 (General Business and Commercial) was more compatible with adjacent land uses. .

MS.WALLRICH went on to discuss the issues that were part of the discussion with the original petition in 2018. One of the issues was the existing signs on the property.. She noted that as part of annexation process the existing signs are rendered legal non-conforming. Essentially the property can be annexed with the signs as they exist even though they do not conform to Village code. At the previous meeting Mr. McEnery agreed to make some adjustments to the signs to bring the vast majority of signs into the conformance with the Village code. MS. WALLRICH then went over the existing signs and identified those that Mr. McEnery agreed to bring into compliance.

The chart below identifies signs that are not in conformance and Mr. McEnery’s proposal

	Sign Name	Deficiency	Mr. McEnery’s Proposal
A.	C-Store east	3 signs over limit, 28 SF over allowance(not counting 39.6 SF of changeable copy)	Remove 2 wall signs (“No Cook County taxes” and second “Dunkin sign”) Changeable copy sign on east façade to remain.
	C-Store north	Size is ok- changeable copy sign is prohibited	Agreed to remove changeable copy sign
B.	Car Wash - east	6 SF over limit	No change
C.	Car Wash -north	conforms	No change
	Car Wash -south	Size ok, 1 additional sign	Agreed to remove “Pet Wash” sign
D.	Gas N Wash Canopy – east	3.31 SF over limit	No change
	Gas N Wash Canopy- N & S	conforms	No change
E.	Car Wash Canopy	conforms	No change
F.	Truck Canopy/Directional signage	2.33 SF over or considered directional	No change
G.	Car Wash-Monument	Size is ok, 10” too tall; changeable copy is prohibited	No change
H.	Gas N Wash Monument	1’10” too tall; size is ok, Changeable EMC is ok	No Change

Staff's presentation continued noting the landscape architecture was done in conformance with the Will County code. The buffer yard to the west between the subject parcel and the single-family homes exceeds the Village's landscape requirements. The buffer yard is 119 feet wide exceeding the maximum buffer yard requirement of 60 feet. While the planting standards are different between the County and the Village, the eight foot brick wall reduces the Village's requirements by 50%. The Petitioner also planted 22 evergreen trees along the east side of the neighboring residential properties on the west side of the brick wall.

Will County's Transition Yard	Tinley Park Bufferyard 'D'	Existing Transition Yard
10 Feet wide	30-60 feet wide	119 Feet
Offers 3 options for screening: A. Provide a landscape area with a certain amount of trees. B. Landscape area plus a 6-foot solid wood fence. C. Landscape berm with a certain amount trees.	4.8 Canopy trees, 2.4 understory, 19 shrubs per 100 linear feet Reduced by 50% if a wall is provided. Required plantings: 645' frontage $6.45 \times 4.8 = 31/2 = 16$ canopy trees $6.45 \times 2.4 = 15/2 = 8$ understory $6.45 \times 19 = 123/2 = 62$ shrubs	Installed 8 foot fence; 3 foot berm, landscaping on both sides of the fence and both sides of the pond. Provided: 35 Canopy trees 22 Evergreen 13 understory/shrubs

The Petitioner has provided a traffic study prepared by KLOA, Transportation and Parking Planning consultants with their original Petition. A copy was included in the Commissioner's packet. The consultant has estimated an average of about 12 – 13% increase in traffic and parking as a result of 5 gaming seats and the sale of alcohol.

MS. WALLRICH noted there are 52 parking spaces on the site. There are 2 parking spaces in the back for semi-trucks. The Village Zoning ordinance provides some guidance for required parking for various uses however there is no specific reference for a convenience store associated with a gas station, a car wash or video gaming. The table below provides the number of required parking spaces.

	USE CLASSIFICATION	MIN PARKING PER CODE	DATA	TOTAL REQUIRED
Dunkin Donut w/drive thru	Eating or drinking place	1 space for each 3 seats plus 1 for each employee	7 people per largest shift. 8 seats provided	10 parking stalls
C-STORE (including packaged liquor)	Retail Store or Personal Service Establishment	1 space for each 150 sf of gross leasable floor area.	3570 SF	24 parking stalls
CAR WASH	Retail Store or Personal Service Establishment	1 space for each 150 sf of gross leasable floor area. If we just use employees this would be 3 at largest shift	4,584 SF This doesn't seem a like a good way measurement for this use for determining parking. Especially because the car wash is mostly automated	3 Parking Stalls
VIDEO GAMING	Our code does not address this use. It will be part of the C-Store use.	Could require that an additional 5 stalls be added in addition to the C-Store requirements	5 Video Gaming Machines	5 parking stalls
Parking Required				42 stalls

Existing Parking				52 stalls
Extra parking				10 stalls

The neighbors have complained about the idling of trucks and cars. There is a “no idling” sign in the lot. As a point of comparison, staff visited the Lenny’s on 191st St. that has gaming and packaged liquor sales. Staff has provided in the staff report a table of the amount of cars on the lot at given times during the day.

MS. WALLRICH obtained a FOIA report from Tinley Park identifying any public safety issues that have occurred at the subject parcel during the period between January 2016 and July 2019.

- 1- 1 - Lockout
- 2- 1 – driving under the influence
- 3- 5 – traffic stop
- 4- 2 – business check
- 5- 3 – assist other agency

Staff has requested information from Will County Sheriff’s Department.

The neighbors have also expressed concern regarding property values. Staff presented an email and analysis prepared by Brad Bettenhausen, Village Treasurer regarding the property values for the Tinley Trails subdivision. Comments included: the neighborhood remains very stable with one new sales transaction in October 2017; there has been overall growth in Tinley Trails over the last 4 tax years; the rate of growth in Tinley Trails is better than the rates for Cook County and Tinley Park overall; and the only decrease in EAV noted within Tinley Trails between 2017 and 2018 was clearly the result of a tax appeal. MS. WALLRICH then discussed the projected sales tax revenue. Mr. McEnery’s location in New Lenox rated sixth in the state for video gaming tax revenue. The location on 191st brought the municipality \$80,000.00 from video gaming.

Of the 6 service stations in Tinley Park there are no examples of adjacency to single-family homes. There is one example on 159th St that abuts an R-5 apartment building.

MS. WALLRICH displayed a table showing the packaged liquor sales and video gaming adjacency as noted in the staff report. The only packaged liquor sales at a gas station is on 159th Street which resulted from an annexation. There are no 24 hour video gaming establishments in the Village.

MS. WALLRICH outlined the Standards for Rezoning and Special Use.

CHAIRMAN GRAY asked for comments from the Petitioner.

CASS WENNLUND, Attorney for the Petitioner noted this is an existing business and if annexed would be governed, and policed by the Village of Tinley Park with additional revenue of \$400,000.00 to 500,000.00. He noted that this is an existing business that sits on a state hi-way with over 30,000 traffic count. This was zoned to allow for a gas station when Mr. McEnery purchased it. He wants to become a member of this community and he wants to take advantage of the Village services. This Village would have more control over the business if annexed. Packaged liquor is a product, there is no consumption on the premises.

MR. MCENERY, Petitioner, noted he lived in Tinley Park for 20 years and was part of the city and some other groups. At this location there are 158,000 people who live within 5 miles. We have many requests for the 2 additional services. We have 10 liquor licenses and 7 gaming licenses and we have no problem with either one. One time the mayor of Frankfort r came into the store and wanted to know where the gaming area was at, because it was quieter than church here. Sometimes people think it is rowdy in here and that is not the case. The site is attractive and well kept. We keep up on the cleanliness and maintenance. With the annexation there are minimal changes. There was one police call several weeks ago where someone had their car stolen, this happened because they left the car running with the keys in it. He also noted that the

Target Store down the street has packaged liquor.

CHAIRMAN GRAY asked for comments from the Commissioners.

COMMISSIONER ENGEL noted the gas station is are clean and well maintained and I think this will be a benefit to the Village for the tax revenue. We are talking about putting a Racino right down the street. I don't see a problem with the video gaming and the packaged liquor is a product. The concerns last time about the truck and truck drivers drinking, I don't know any truck drivers that would jeopardize their careers doing that. That is a non-issue.

COMMISSIONER MANI noted his position is the same as the last time. This annexation will disrupt the resident's security issues including his concerns of children going to the gas station for packaged liquors and gaming. This is not a good fit for Tinley Park. COMMISSIONER MANI asked if the Petitioner addressed any issues that were presented last time regarding the buffer. He should add more evergreen trees to mitigate the noise and the visual aesthetics. This was recommended even though it is not a requirement. It is a good plan to create that buffer so the residents have an enjoyable environment in their home. The Commissioners should review the last hearing. At the last hearing it was noted that the previous mayors wrote letters regarding the signage and it would be advisable to adjust it to annex into the Village. My last statement at the last hearing was – "If you want to come into Tinley Park, you should conform to code".

CHAIRMAN GRAY noted the letters that were written by the previous mayors and a trustee were referring to conforming to sign codes in order to annex into the Village. He noted it would be a good idea for the Commissioners to review the footage of the previous hearing on U-Tube from April of 2018.

MS. WALLRICH noted at that time they were hoping to stay in the County and had hoped the County would allow the sale of liquor and video gaming. It only became necessary to annex into the Village, and thus adhere to Village code, when they found that it was not possible to obtain gaming and alcohol in the County.

Mr. McEnery noted the current sign ordinance was not in affect when the station was built. Ms. Wallrich note the manual copy signs were eliminated but was unsure as to the date. She will confirm this prior to the Public Hearing.

COMMISSIONER ENGEL noted the station is right on the edge of Tinley Park and people do not know that this station is in the County rather than Tinley Park. If we annex we will be taking most of the out of code signs down and we can bring this to as close to code as possible. The gas station is already there.

COMMISSIONER STANTON noted he knows the McEnery family for many years and Len McEnery is the best business person to have in Tinley Park. This is a great thing for Tinley. He is given to many sports teams in Tinley and has supported them. \$400,000.00 per year is huge and if he puts up another station that could be 1 million revenue per year.

COMMISSIONER MANI noted his position is that he has the residents in mind.

COMMISSIONER GASKILL noted the impact on the residents will not be changed. The gas station is already there.

CHAIRMAN GRAY noted he visited the site and it is very well maintained. At the worst case there was 27 extra spaces. There is more than enough space to take in extra business. He does not feel parking is an issue. There was only 1 truck there getting gas and another one came up as that one was leaving and then another one came up. With that said, the buffer goes above and beyond. There is an 8 ft. wall on top of a 3 ft. berm. He drove in the residential area to get an idea of the area. The only thing he could see was the truck canopy and the buffer is good. There is landscaping on both sides of the fence. The gas station is already there. The noise will not change. If they annex into Tinley Park, there will be better enforcement with the signs. We have seen sign codes change over the years. He does not feel the manual changeable copy on the stand alone monument sign should be changed. It is already there. He does appreciate the attempts to get closer to the code. He inquired if it would be cost prohibitive to take down the manual changeable copy sign on the east wall. Could this be changed to an electronic message sign? We understand that you would be able to change as long as it is not cost prohibitive.

MR. MCENERY replied he could take it down but it could cause damage to the wall and the business. People read signs and if we take everything down, what are they looking at? We have to advertise our products. If we strip all the signs down, the revenue will go down. We would like to keep it close to what we have because it is working.

MS. CLARKE noted electronic wall signs are not allowed. .

CHAIRMAN GRAY noted a left turn onto Harlem Avenue is difficult. When he visited the site, it took him a while to be able to make the turn. This did come up at the previous hearing. Is there something that could be done to get a light at that intersection? MS. WALLRICH noted the traffic person could evaluate that. MS. CLARKE noted if it was warranted the state might do that.

MS. WALLRICH noted she would address the concerns brought up tonight and the Public Hearing will be on August 15, 2019

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE AUGUST 1, 2019 REGULAR MEETING

Item #4 PUBLIC HEARING: BANQUET USE REQUIREMENTS – TEXT AMENDMENT

Consider recommending that the Village Board approve Text Amendments to Sections II.B (Definitions), V.B. (Schedule I (Schedule of Permitted Uses), VIII.A.10. (Number of Parking Spaces Required), and VII (Legacy Code) Section 3, Table 3.A.2 (Prohibited Uses) of the Village of Tinley Park Zoning Ordinance, to regulate Banquet Facilities as a Special Use, Permitted Use or Prohibited Use.

Present were the following:

Plan Commissioners: Garrett Gray, Chairman
Tim Stanton
Eduardo Mani
Lucas Engel
MaryAnn Aitchison
James Gaskill
Curt Fielder

Absent Plan Commissioner(s): Angela Gatto
Stephen Vick

Village Officials and Staff: Kimberly Clarke, Community Development Director
Paula Wallrich, Planning Manager
Dan Ritter, Senior Planner
Douglas Spale, Village Attorney
Barbara Bennett, Commission Secretary

Guests: None

A Motion was made by COMMISSIONER FIELDER, seconded by COMMISSIONER GASKILL, to open the Public Hearing for Banquet Use Requirements – Text Amendments. The Motion was approved by voice call. CHAIRMAN GRAY declared the Motion approved.

CHAIRMAN GRAY noted that Village Staff provided confirmation that appropriate notice regarding the Public Hearing was published in the local newspaper in accordance with State law and Village requirements.

CHAIRMAN GRAY requested anyone present in the audience, who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

PAULA WALLRICH, PLANNING MANAGER gave a presentation as noted in the Staff Report. Tinley Park currently regulates Banquet Use as a Permitted Use in the Office and Restricted Industrial and General Manufacturing Zoning Districts. It is not identified as a Permitted or Special Use in any other district. In addition, there is no definition provided for Banquet Facilities.

Staff was recently approached by a banquet facility in the B-1 (Neighborhood Shopping District). Per the current code, this is not permitted. In review of other zoning codes in similar communities, Banquet Facilities are often permitted in business districts with the size of the facility dictating whether it is considered a Permitted or Special Use.

Staff presented the proposed text amendment to the Community Development Committee at their June 24th meeting where it was received with general support. There were some concerns expressed regarding their allowance in the B-1 District with regards to parking and proximity to residential properties; therefore staff reduced their original proposal for the maximum size of a banquet facility from 5,000 sq. ft. to 4,000 sq. ft.

Staff is proposing a text amendment to allow Banquet Facilities as a Special Use in the B-1, B-2, B-3 and B-4 Districts and a Permitted Use in the B-3 District with limitations related to the size of the facility. Staff is recommending Banquet Facilities be prohibited in the B-5 and all Legacy Districts. In addition, staff is recommending a definition be added to the Zoning Ordinance to assist in distinguishing this use from other similar uses in the code and provide specific parking requirements related to Banquet Facilities as a means to mitigate any potential impact on surrounding land uses.

The Code lists it as a use but does not define it, so as part of this text amendment, this commonly used definition of ‘Banquet Facility’ will be used which will be incorporated in the text amendment.

BANQUET FACILITY: *“A facility that is available for lease for private events including, but not limited to weddings, anniversaries, corporate or family parties and other similar celebrations. Such use may or may not include on-site kitchen or catering facilities”*

In the current code there are two other definitions and two uses contemplated in other districts. One for *Meeting Halls* and the other one for *Private Clubs and Lodges*. MS.WALLRICH noted that neither one of these definitions adequately address some of the concerns with respect to a Banquet Facility. This is not unlike a day care facility that has episodic traffic implications. All the traffic is coming at one time. It is important to look at these as a Special Use.

Typically, Banquet Facilities maximize their potential for lease by providing adequate area to accommodate large groups or have the ability to be divided for smaller functions. Due to the potential for significant parking or traffic impacts resulting from a large event, staff assumes the authors of the current ordinance limited Banquet Facilities to areas in the ORI and M-1 districts where more intense uses can be accommodated. Permitting Banquet Facilities in these two districts takes advantage of the typically larger lots, and more intense uses, parking requirements and transportation systems that can accommodate the episodic flow of traffic related to this use. However, after analyzing the other business districts and the availability of property in these districts that can accommodate Banquet Facilities, Staff made recommendations for the various business zoning districts that considered the unique characteristics of each district and the appropriateness of considering a *Banquet Facility* use as a Permitted or a Special Use. When considering a Special Use the Commission has the ability to consider certain conditions where there is a rational nexus between the condition and the perceived impact of the proposed use; the conditions must be “specifically and uniquely attributable” to the proposal under review. Further the Zoning Ordinance provides Standards (Section X.J.5.) for consideration by the Plan Commission. She noted that if the Commission had concerns regarding separation between Banquet Facilities and Single-Family uses then the Special Use process and the standards afford the Commission opportunity to address these issues.

She also noted 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 Applicant. Therefore the Commission can take into consideration the business practices and other items typically included in a Business Plan.

MS. WALLRICH then went on to describe the various zoning districts and the ability to address Banquet Facilities in each district. The B-1 zoning district as defined is typically a neighborhood shopping center and is generally located on a corner surrounded by residential uses. It serves the immediate area with a lot of personal services. There are limited areas currently zoned B-1; the majority are located on 80th Ave and the intersections of 167th, 171st and 179th Streets and at the intersection of 171st and 88th Avenue—all of which are in close proximity to residential areas. The other parcel zoned B-1 is at the intersection of 159th Street and 76th Avenue (Bremontowne mini-mall). This property is unique in that it fronts one of our major commercial corridors (159th Street) which has a 4-lane cross-section but also close to residential. The Commission will want to be assured that there is no overflow parking in residential neighborhoods as a consequence of approving a banquet facility. Staff is recommending any facility located in the B-1 be limited to 4,000 sq. ft. in size and a Special Use.

The B-2 zoning district offers a wide variety of related retail-type businesses with larger shopping centers. The only area zoned B-2 in Tinley Park is the area fronting 159th Street between Harlem and Oak Park Avenues. This area includes the Bremontowne Mall (Menard's) and Tinley Plaza (Walt's). Both properties front major commercial corridors (159th Street and Harlem Avenue). These properties were developed as Planned Unit Developments (PUD), which provide additional flexibility with zoning regulations. Staff recommends this also be Special Use provided the use will occupy a structure no greater than 7,500 sq. ft.

The B-3 zoning district is designed to accommodate a wide range of specialized commercial uses, including highway-orientated services and commercial types of establishments. These do have a lot of parking with people coming and going. The Village has several areas zoned B-3 which are primarily located along major transportation systems, such as LaGrange Road and Harlem Avenue. These properties are typically larger and have been developed as part of a larger center or PUD such as Brookside Marketplace or the Convention Center. There are several large vacant properties zoned B-3 including property along LaGrange Road at 183rd Street, south of I-80 and east of Harlem Avenue and the area on the south side of 191st Street at 80th Avenue. There are also some large vacant buildings that are zoned B-3 such as the K-Mart building on Harlem Avenue. Staff is comfortable in recommending this as a Permitted Use provided the use is located in a stand-alone structure and is no greater than 30,000 sq. ft. A Special Use will be required for Banquet Facilities in the following situations: Located in multi-tenant structures and are less than 30,000 sq. ft. in size, or are located in a stand-alone structure and is greater than 30,000 sq. ft. Gross Floor Area (GFA)

The B-4 zoning district is intended for areas used primarily to provide office space for service-type businesses. The majority of the areas zoned B-4 have been developed with office uses (with the exception of Rubino's Plaza at Oak Park Ave and 167th) and are located along Harlem Ave at 163rd, 167th, and 171st Streets and along LaGrange Rd at 175th Street. There are no significant vacant parcels zoned B-4. Staff is recommending Banquet Facilities be allowed in the B-4 District as a Special Use provided the use will occupy a structure no greater than 4,000 sq. ft.

The B-5 zoning district is intended to provide areas for automotive service and related types of uses. Staff recommends Banquet Facilities be prohibited in the B-5 District.

Legacy Code is intended to be used in conjunction with the Legacy Plan, which establishes a clear vision and preferred urban design arrangements for the downtown and beyond. The Legacy Code implements the Legacy Plan by codifying Tinley Park's vision with a purposefully specific and precise form-based approach.

All property within the Legacy District are regulated by the same use regulations listed in Tables 3.A.1. and 3.A.2. Similar to the other zoning districts in the Zoning Ordinance, uses are designated as Permitted, Special or Prohibited. In review of the intent statements of the Legacy Code it is evident that the Legacy Plan was designed to protect the historic heritage of the downtown, strengthen the downtown as a pedestrian destination that maximizes the number of people living within walking distance of the train station, and minimize auto related uses. The goal in marketing the downtown to businesses

and residents is to enliven the street with uses that promote a “24 hour downtown”. The episodic nature of *Banquet Facilities* may leave street-level facades vacant during day-time or week day hours which is contrary to the goal of the downtown area. Staff recommends Banquet Facilities be prohibited in the Legacy District at this time.

MS. WALLRICH then proceeded to discuss parking requirements for Banquet Facilities. She noted that staff has conducted preliminary research on parking requirements for *Banquet Facilities*. Orland Park and Oak Brook require 1 space/100 sq. ft. of banquet use. The American Planning Association cites parking requirements for several communities in their publication *Parking Standards*, American Planning Association, Planning Advisory Service (PAS) Report 510/511 with ranges from 1 space/100 sq. ft. to 1 space/200 sq. ft. Some communities base their requirements on seating capacity, however unless it is fixed seating this number will fluctuate and is difficult to enforce. Parking requirements are often the issue that can impact adjacent uses in a negative way; therefore staff believes that parking requirements must reflect the context of the area and ensure that adequate on-site parking can be accommodated in those districts most adjacent to residential uses.

By design the proposed text amendments limit the size of a Banquet Facility depending on the district it is located. According to various websites, there are “calculators” provided to determine the necessary room size based on the number of guests at a banquet. Ratios range between 15-20 sq. ft. of banquet room space needed per seated guest. Staff used this information along with the size limitations proposed in each zoning district to determine an appropriate parking ratio for Banquet Facilities per district. Staff is recommending greater parking requirements for those districts in close proximity to residential uses and less requirements in the more intense business districts that have opportunities for shared parking.

Staff recommends a parking requirement of 1 space/100 sq. ft. Gross Floor Area (GFA) in the B-1 and B-4 districts, and 1 space/200 sq. ft. Gross Floor Area (GFA) in the ORI, M-1 Districts and 1 space/200 sq. ft. Gross Floor Area (GFA) in the B-2 and B-3 provided there is shared parking opportunities with adjacent uses within the same parcel or shopping center as part of a Special Use Permit. If shared parking opportunities are not available in the B-2 and B-3 districts then parking is required at the higher rate of 1 space/100 sq. ft. Gross Floor Area (GFA)

CHAIRMAN GRAY asked for comments for the Commissioners.

COMMISSIONER FIELDER thanked Paula for answering all the questions. He inquired about Banquet Facilities in the Legacy District. Ms. Wallrich replied if there is a restaurant that opened and they are expanding the restaurant to include Banquet space as part of the restaurant, then that would be allowed. She noted that a Banquet Facility that only operated for banquet purposes is not allowed.

A Motion was made by COMMISSIONER FIELDER, seconded by COMMISSIONER GASKILL, to close the Public Hearing for Banquet Use Requirements – Text Amendments. The Motion was approved by voice call. CHAIRMAN GRAY declared the Motion approved.

CHAIRMAN GRAY asked for a Motion.

Motion 1: A Motion was made by COMMISSIONER FIELDER, seconded by COMMISSIONER AITCHISON to recommend the Village Board amend Section II.B (Definitions) to add (in alphabetical order) the following definition

BANQUET FACILITY: “A facility that is available for lease for private events including, but not limited to weddings, anniversaries, corporate or family parties and other similar celebrations. Such use may or may not include on-site kitchen or catering facilities”.

AYES: MANI, GASKILL, FIELDER, AITCHISON, ENGEL, STANTON AND CHAIRMAN GRAY

NAYS: NONE

CHAIRMAN GRAY declared the Motion unanimously approved.

Motion 2: A Motion was made by COMMISSIONER FIELDER seconded by COMMISSIONER ENGEL to recommend the Village Board amend Section V.B. Schedule I (Schedule of Permitted Uses) to reflect Banquet Facilities as Special Uses or Permitted Uses in accordance with the following table (as defined in the Staff report dated August 1, 2019):

USE	B-1	B-2	B-3	B-4	B-5	ORI	M-1
DINING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS							
Amusement arcade			S				
Banquet Facilities	S ^p	S ^q	P ^r /S ^s	S ^t	X	P	P

p tenant space/structure must be no greater than 4,000 sq. ft. Gross Floor Area (GFA)

q tenant space/structure must be no greater than 7,500 sq. ft.GFA

r must be located in a stand-alone structure no greater than or equal to 30,000 sq. ft. GFA

s if located in multi-tenant structures less than 30,000 sq. ft.GFA but no greater than 50,000 sq. ft. GFA; or in a stand-alone greater than 30,000 sq. ft. GFA

t tenant space/structure must be no greater than 4,000 sq. ft. GFA

AYES: MANI, GASKILL, FIELDER, AITCHISON, ENGEL, STANTON AND CHAIRMAN GRAY

NAYS: NONE

CHAIRMAN GRAY declared the Motion unanimously approved.

Motion 3: A Motion was made by COMMISSIONER ENGEL seconded by COMMISSIONER FIELDER to recommend the Village Board amend the Table entitled “Required Parking Spaces” in Section VIII.A.10. (Number of Parking Spaces Required) to include the following (in alphabetical order):

Uses	Minimum Required Off-Street Parking Spaces
Banquet Facilities in B-1 & B-4	1 space/100 sq.ft.
Banquet Facilities in ORI & M-1	1 space/200 sq. ft.
Banquet Facilities in B-2 & B-3	1 space/200 sq. ft. if shared parking opportunities
Banquet Facilities in B-2 & B-3	1 space/100 sq.ft. if no shared parking opportunities

AYES: MANI, GASKILL, FIELDER, AITCHISON, ENGEL, STANTON AND CHAIRMAN GRAY

NAYS: NONE

CHAIRMAN GRAY declared the Motion unanimously approved.

Motion 4: A motion was made by COMMISSIONER ENGEL seconded by COMMISSIONER STANTON to recommend the Village Board amend Section VII (Legacy Code) Section 3, Table 3.A.2 (Prohibited Uses) prohibiting *Banquet Facilities* in the Legacy Code and amend Table 3.A.2 to include the following prohibited use in alphabetical order:

<ul style="list-style-type: none"> — Adult regulated uses — Advertising signs and billboards — Agricultural uses (except for farmer’s markets and private gardens) — Archery / bow range — Automobile car wash (either manual or automatic) — Automobile / gasoline service stations — Automobile repair shops (including bodywork) — Banquet Facilities — Boarding / rooming house — Building material sales — Drive-in theaters — Drive-through establishments (accessory to restaurants, banks, pharmacies and all other uses) — Frozen food lockers — Funeral homes, mortuaries, and cremation facilities — Greenhouses, garden centers, and landscape nurseries — Gun dealer / shooting range — Hookah lounge — Industrial facility (heavy or light) — Kennel / pound 	<ul style="list-style-type: none"> — Machinery and equipment sales — Medical marijuana dispensing facility — Model garage display and sales — Motel or motor inn — Open storage — Other similar or compatible uses — Plumbing, heating, air conditioning sales and service — Retail sales of tobacco, hookah, cigarette, cigar, e-cigarette, and vapor products as a principal use — Second hand stores, flea markets, pawn shops — Tattoo parlor — Truck depot / truck stop — Vehicle rental — Warehouse and storage (including mini-storage) — Wireless communications facilities
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AYES: MANI, GASKILL, FIELDER, AITCHISON, ENGEL, STANTON AND CHAIRMAN GRAY

NAYS: NONE

CHAIRMAN GRAY declared the Motion unanimously approved.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE AUGUST 1, 2019 REGULAR MEETING

Item #5 PUBLIC HEARING: MASONRY REQUIREMENTS FOR MULTI-FAMILY, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS – TEXT AMENDMENT

Consider Text Amendments amending Section V.C.4. (Elevations and Facades), Section V.C.7 (General Requirements/All Business & Commercial Districts) and Section V.C.10 (Site Development Standards for Industrial Uses) of the Zoning Ordinance to incorporate masonry requirements for residential, commercial and industrial zoning districts.

Present were the following:

Plan Commissioners: Garrett Gray, Chairman
Tim Stanton

Eduardo Mani
Lucas Engel
MaryAnn Aitchison
James Gaskill
Curt Fielder

Absent Plan Commissioner(s): Angela Gatto
Stephen Vick

Village Officials and Staff: Kimberly Clarke, Community Development Director
Paula Wallrich, Planning Manager
Dan Ritter, Senior Planner
Douglas Spale, Village Attorney
Barbara Bennett, Commission Secretary

Guests: None

Staff has requested that this Public Hearing be continued to the August 15, 2019 Plan Commission meeting in order to finalize the research and better prepare the recommendations.

Motion was made by COMMISSIONER FIELDER, seconded by COMMISSIONER AITCHISON to continue the Text Amendments amending Section V.C.4. (Elevations and Facades), Section V.C.7 (General Requirements/All Business & Commercial Districts) and Section V.C.10 (Site Development Standards for Industrial Uses) of the Zoning Ordinance to incorporate masonry requirements for residential, commercial and industrial zoning districts to the August 15, 2019 Plan Commission Meeting.

AYES: MANI, GASKILL, FIELDER, AITCHISON, ENGEL, STANTON AND CHAIRMAN GRAY

NAYS: NONE

CHAIRMAN GRAY declared the Motion unanimously approved.

GOOD OF THE ORDER:

None at this time.

COMMENTS FROM THE COMMISSION

None at this time.

PUBLIC COMMENT:

None at this time.

ADJOURNMENT:

There being no further business, a Motion was made by PLAN COMMISSIONER FIELDER, seconded by PLAN COMMISSIONER ENGEL to adjourn the Regular Meeting of the Plan Commission of JULY 18, 2019 at 10:03 p.m. The Motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN GRAY declared the meeting adjourned.