



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

AUGUST 6, 2020

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 August 6, 2020.

At this time, CHAIRMAN GRAY, stated the meeting was being held remotely consistent with Governor Pritzker's Executive Order 2020-07, Executive Order 2020-10, Executive Order 2020-18, Executive Order 2020-32, Executive Order 2020-33, Executive Order 2020-39, and Executive Order 2020-44, which collectively suspends the Illinois Open Meetings Act requirements regarding in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, issued on June 26, 2020, the members of the Village Board will be participating in the meeting through teleconference.

A live stream of the electronic meeting will be broadcasted at Village Hall. Pursuant to Governor's Executive Order No. 2020-43 and CDC guidelines, no more than 50 people or 50% of the maximum capacity will be allowed in the Council Chambers at any one time, so long as attendees comply with social distancing guidelines. Anyone in excess of the maximum limit will be asked to wait in another room with a live feed to the meeting until the agenda item for which the person or persons would like to speak on is being discussed or until the open floor for public comments. CHAIRMAN GRAY confirmed Commissioners and Staff were able to communicate. All replied affirmatively. CHAIRMAN GRAY then addressed ground rules for the effective and clear conduct of Plan Commission business.

Secretary Bennett called the roll.

Present and responding to roll call were the following:

Chairman Garrett Gray (Participated electronically)
Eduardo Mani (Participated electronically)
Kehla West (Participated electronically)
Steven Vick (Participated electronically)
Angela Gatto (Participated electronically)
Mary Aitchison (Participated electronically)

Absent Plan Commissioners: Lucas Engel
James Gaskill

Village Officials and Staff: Kimberly Clarke, Community Development Director (Participated electronically)
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

CALL TO ORDER

PLAN COMMISSION CHAIRMAN GRAY called to order the Regular Meeting of the Plan Commission for August 6, 2020 at 7:00 p.m.

COMMUNICATIONS

None

APPROVAL OF MINUTES

Minutes of the July 16, 2020 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER GATTO, seconded by COMMISSIONER WEST to approve the minutes as presented.

AYE: COMMISSIONERS GATTO, MANI, VICK, WEST, AITCHISON and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE AUGUST 6, 2020 REGULAR MEETING

ITEM #1 PUBLIC HEARING – Tinley Park Plaza Redevelopment, 15917-16037 S. Harlem Avenue - Special Use for Planned Unit Development & Site Plan Approval

Consider recommending that the Village Board grant Andrew Balzar, Brixmor Property Group, on behalf of Centrol/IA Tinley Park Plaza, LLC (property owner) a Special Use for a Planned Unit Development with exceptions related to Phase I of the redevelopment of Tinley Park Plaza located at 15917-16037 S. Harlem Avenue. The project will include the demolition of 87,000 sq. ft of existing building on the northern portion of the center and the construction of the core and shell of approximately 66,600 sq. ft for retail uses and general improvements to the in-line tenants including façade improvements, landscaping and parking lot improvements.

Present were the following: Chairman Garrett Gray (Participated electronically)
Eduardo Mani (Participated electronically)
Kehla West (Participated electronically)
Steven Vick (Participated electronically)
Angela Gatto (Participated electronically)
Mary Aitchison (Participated electronically)

Absent Plan Commissioners: Lucas Engel
James Gaskill

Village Officials and Staff: Kimberly Clarke, Community Development Director (Participated electronically)
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guests: None

CHAIRMAN GRAY noted This evening we have a public hearing regarding the redevelopment of Tinley Park Plaza located at 15917-16037 S. Harlem Avenue. The project includes the demolition of 87,000 sq. ft of existing building on the northern portion of the center and the construction of the core and shell of approximately 66,600 sq. ft for retail uses and general improvements to the in-line tenants including façade improvements, landscaping and parking lot improvements.

CHAIRMAN GRAY noted he had confirmation of the legal notice for this public hearing be published in the local newspaper. It has been requested that this Public Hearing be opened and tabled until the August 20, 2020 Plan Commission meeting.

A Motion was made by COMMISSIONER VICK, seconded by COMMISSIONER GATTO to open and table this Public Hearing until August 20, 2020.

AYE: COMMISSIONERS GATTO, MANI, VICK, WEST, AITCHISON and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

The Public Hearing for this item has been continued to August 20, 2020.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE AUGUST 6, 2020 REGULAR MEETING

ITEM #2 WORKSHOP – Fox College Parking Lot/Detention Addition, 18020 Oak Park Ave. & 18017 Sayre Ave. - Rezoning, Plat, Variations & Site Plan Approval

Consider recommending that the Village Board grant George Arnold, on behalf of Gamma Tinley LLC (d/b/a Fox College), a Map Amendment (rezoning) and Variations from the Zoning Ordinance, upon annexation of two parcels that total approximately 1.33 acres in size at 18017 Sayre Avenue. Upon Annexation, the two parcels are proposed to be consolidated with the parcels located at 18020 Oak Park Avenue for a total land area of 5.68 acres and the parcel will be zoned NG (Neighborhood General). The requests, Site Plan Approval and Final Plat Approval will allow for the currently unincorporated lots to be developed with a parking lot expansion and detention pond for Fox College.

Present were the following: Chairman Garrett Gray (Participated electronically)
Eduardo Mani (Participated electronically)
Kehla West (Participated electronically)
Steven Vick (Participated electronically)
Angela Gatto (Participated electronically)
Mary Aitchison (Participated electronically)

Absent Plan Commissioners: Lucas Engel
James Gaskill

Village Officials and Staff: Kimberly Clarke, Community Development Director (Participated electronically)
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guests: George Arnold, Attorney (Participated electronically)
Chris Segal, Fox College Representative (Participated electronically)
Kevin Camino, Engineer (Participated electronically)

Dan Ritter, Senior Planner presented the Staff Report. The Petitioner, George Arnold, on behalf of Gamma Tinley LLC (d/b/a Fox College) (Owner), is requesting Rezoning upon Annexation, Variations, Final Plat of Subdivision Approval, and Site Plan Approval for the site to be developed with a parking lot expansion and a detention pond. The college would like to expand its curriculum and add a program to their location on Oak Park Avenue with their Vet Tech Institute. They would like to grow within the current building. They need to add more parking to accommodate their students.

Mr. Ritter displayed a photo of the existing parcel. Upon Annexation, the two parcels at 18017 Sayre Avenue are proposed to be consolidated with the current Fox College parcels located at 18020 Oak Park Avenue. The lot will have a total land area of 5.68 acres and zoned NG (Neighborhood General). The granting of these requests will allow for the currently unincorporated lots to be developed as a parking lot expansion with an accompanying detention pond. Fox College is located at the existing site on Oak Park Avenue and looking to accommodate a curriculum expansion at the Tinley Park campus.

The proposal includes a parking expansion at the rear of the current facility that would accommodate 95 vehicles. The property being expanded upon is located in a floodplain and thus a large detention pond will be constructed to retain all stormwater on the site before it is released into the Village storm sewer system. The Petitioner has proposed landscaping, lighting, and fencing to create an attractive location and to help mitigate any effects from the neighboring properties. Minor changes to the existing site will be made as well to correct truck circulation issues on the north side of the site and to add 1 additional accessible parking stall.

Fox College has utilized their current facility at 18020 Oak Park Avenue since 2006 when it received a Special Use Permit (Ord. # 2006-O-081) to operate the Vet Tech Institute and have overnight boarding of up to 80 dogs and cats. In 2011, the Special Use was amended (Ord. # 2011-O-044) to permit up to 120 dogs and cats in the facility, with the potential for 160 if the building was expanded or the Physical Therapy program were to be relocated from this location. The Petitioner has been in compliance with the previous Special Use approvals and no issues have occurred in relation to animals. The building was originally constructed around 1971 and expanded to its current footprint/layout in the early 1990s. Prior to Fox College's occupancy, the building served a variety of business uses including grocer, plumbing contractor, towing service, AT&T service center, and St. Xavier University satellite campus. The current Fox College property (18020 Oak Park Ave) consists of two parcels totaling ~4.35 acres in size.

There are two additional properties that are proposed to be annexed for the parking lot expansion and detention pond. One parcel with an existing home (18017 Sayre Ave) that is ~1.33 acres in size and a second vacant land-locked lot (no common address) is ~.41 acres in size. These parcels are currently zoned R-3, single-family residential in Cook County. The county's R-3 zoning is most similar to the Village R-1 or R-2 zoning districts in regards to lot size.

The properties are largely encumbered by floodplain, making them difficult and more expensive to develop without the need for compensatory stormwater storage and grading changes. These approvals will go through MWRD.

The existing Fox College parcels are located in the Legacy District with NG (Neighborhood General) zoning district. The NG zoning district has largely residential-oriented vision, intending to have residential density to support commercial density in the Downtown Core and promoting living in close to the Metra train station. The existing site and uses are considered a "heritage site", which is a property that was developed prior to the implementation of the Legacy Code. The site and use can continue on the site and can be transferred to future users of the site. However, the site is limited in its ability to expand a non-conforming use or building. Specifically, any voluntary and owner-initiated improvements are limited to a maximum of 50% of the property's value.

The two parcels that are being petitioned to be annexed are currently under county zoning (R-3, Single-Family Residential). Annexations themselves are not reviewed by the Plan Commission. However, the appropriateness of the development proposal and the proposed zoning district are reviewed. Upon annexation, all properties will default to the R-1 (Single-Family Residential) zoning district, as it is the most restrictive and least disturbing. However, those parcels are proposed to be consolidated as part of the Fox College parcels and similarly zoned NG upon annexation. Staff has recommended the single lot and zoning district of the current property be carried through to these new lots because it will function as one development/lot going forward.

The properties adjacent to the subject properties have the following zoning and uses:

- North: Single-family homes zoned NG (Neighborhood General), R-5 (Low-Density Residential). Vacant/Unused 180th Street Right-of-Way.
- South: Detention Pond (owned by School District) zoned NG (Neighborhood General) and R-1 (Single-Family Residential). Single-Family home zoned R-1 (Single-Family Residential)
- West: Single-family homes zoned R-1 (Single-Family Residential) and unincorporated (R-3, Single-Family Residential Cook County zoning).
- East (across Oak Park Ave.): Condos/Multi-Family Zoned R-6 PD (Medium-Density Residential, Oak Village Planned Unit Development)

The proposed use is to expand its curriculum at the Tinley Park Campus. The parking lot is heavily utilized and they are also using a neighboring property for overflow. This project is to resolve any current parking issues and also allow them to park new students with the curriculum expansion. This will require annexation, rezoning, plat of subdivision, and variation to make all of this one lot with one zoning district. Fox College has purchase agreements in place for two properties to the west. There will be a parking lot expansion and detention basin for floodplain compensatory storage.

Mr. Ritter displayed diagrams of the proposed site plan expansion. The new parking lot includes 95 parking stalls and has a mix of 26-foot and 24-foot-wide drive aisles. The Legacy Code only requires 24-foot-wide aisles (whereas the rest of the Village requires 26-foot-wide aisles). However, to accommodate comfortable truck and vehicle circulation through the parking lot addition, the main aisles were maintained at 26 feet wide around the perimeter of the parking lot. Only the interior parking aisle was reduced

to 24 feet. The reduction allowed for additional bufferyard width to be added on the north and south sides of the site. The parking lot addition was designed to allow a large fire truck to safely circulate through the site.

There are parallel parking stalls located on the north side of the property. These stalls were illegally striped without approval and have reduced the aisle width to around 17-18 feet and make truck circulation around the site difficult when vehicles are parked there. To alleviate the truck circulation concern, the petitioner is eliminating two parking stalls nearest to the dumpster to accommodate truck turning. The area will be hashed and marked "No Parking Permitted". Due to this parking being an immediate issue related to emergency response, the Petitioner has agreed to make these changes this year and is working to get it completed as soon as possible.

The existing aisle width did not meet the aisle width minimum of 24 feet and could not safely be used as a two-way access. Staff is recommended that this aisle be revised to be a one-way drive aisle with appropriate striping and signage ("One-Way →" and "Do Not Enter"). They have agreed to this and the change has been made. One ADA parking stall being installed at a space most adjacent to the building. This stall is required per the Illinois Accessibility Code due to the increase in the total number of spaces.

Overall site engineering is preliminary and may require revisions based upon final comments from the Village Engineer and MWRD. Staff recommends the Site Plan and Plat approvals be conditioned that they are subject to final engineering approvals.

Parking is an imperfect science and zoning ordinances do their best to assign ratios based on the average intensity of the uses. However, each use and site can have unique differences that could change parking demand. Additionally, parking demand continues to decline from its peak in the 80's and 90's as alternative forms of transportation and ride-sharing services continue to grow in popularity. However, college campuses in the suburbs present a high parking demand since most students and employees will typically drive themselves and can come from a large area covering most of the Chicagoland area. The site uses a high percentage of the parking field and has times or events that can require employees to park off-site at a nearby business. The new parking lot expansion is expected to cover the parking they currently need and also allow them to add a physical therapy program to their curriculum at the Tinley Park campus which could increase peak-time parking demand.

As a heritage site and use, the parking requirements of the Legacy Plan are not retroactively applied. However, the minimum parking would be 4 spaces per 1,000 square feet for commercial or assembly spaces. That would result in around 100 parking spaces for an approximately 25,000 sq. ft. building. While that parking might be adequate for most commercial use, a college use has an obvious need for more parking than that since the existing total is 249 stalls. The Village Zoning Ordinance can also provide some guidance for required parking for various uses; however, there is no specific reference for colleges or technical training. In these situations where a specific use is not listed, the Plan Commission has authority to approve the parking based on the Petitioner's proposal, existing site history, and similar uses noted in the ordinance. A professional parking study is typically required to be supplied to assist the Plan Commission in their review, especially when a use is not existing and there is no reference. The Petitioner has not provided a parking study in this case due to their detailed knowledge of the parking demand. The entire project is based on their desire to provide more parking on-site for their staff and students. Additionally, the current COVID-19 pandemic has made parking studies more subjective, as they do not present "typical conditions" upon which to base the assumptions.

The site currently has 249 parking spaces (7 ADA). While the new parking lot will have 95 new stalls added, there is also be a reduction of 7 stalls on the existing site due to installing the entrance to the new parking lot, removal of parallel stalls, and installation of the new ADA space. The total parking on the site following completion of the project will be 337 stalls (8 ADA) for a total increase in 88 parking stalls.

The new parking lot will be illuminated by four new poles mounted at 25 feet high, similar to the existing site's pole height. The poles have been located to adequately light the parking lot for safety and to avoid any light or glare spillage onto neighboring properties. The lighting has 0 fc at all residential property lines and all fixtures are downcast and full-cutoff to prevent off-site glare from the light source. The existing site will have the poles remain but light fixtures are expected to be replaced with matching fixtures as replacement is needed. They will not be doing this at this time. The lighting levels comply with the zoning code, but the proposed fixtures do not comply with the required Legacy District fixture types (decorative post or column light) and maximum mounting height of 15 feet. The new parking lot is far from the Oak Park Avenue roadway and would not typically be located in the district without this proposal. The proposed lights are meant to match the existing poles more closely. Additionally, shorter mounting heights would require additional light poles to adequately light the site and could potentially result in light spillage.

The proposed site would include a variety of planting surrounding the parking lot and detention area. The site is unique in that a large portion of it will be an open dry bottom detention pond and not a typical commercial site. However, by code it is a commercial site that requires certain landscaping bufferyards. Waivers are being requested because adding additional landscaping to the parking lot or additional bufferyard width would require either a reduction of parking stalls or acquisition of more land. The alternatives to meet code would make the overall project financially and practically infeasible. The Petitioner has noted that development is already very expensive for a parking lot addition and due to the added costs of developing in a floodplain.

The proposal has focused proposed landscaping around the parking lot and around the residential properties to help mitigate any negative effects or views of the parking lot expansion and help delineate the detention area. The detention pond is directly adjacent to the large Central Middle School detention pond that currently has a natural look with very little landscaping. The Petitioner's proposal will have a similar naturalized look but with purposeful landscaping surrounding it to limit any negative effects to surrounding properties.

Landscaping Waivers include the following based on the current proposal:

1. Street Trees along Sayre Ave: Street Trees shall be located every 25 feet along a public frontage, excluding driveways and paved walkways. Trees can be placed on private property (in addition to any required private bufferyard) where there is not sufficient space in the public right-of-way. The subject property has 100 feet of frontage along Sayre Avenue and thus would be required to have four street trees. The private bufferyard also requires four trees (2 trees every 50 feet). The proposal only indicates three trees (one shade/canopy, and one existing/unidentified). It should be noted that Sayre Avenue is not a roadway that was planned for in the Legacy District and typically the Village's subdivision code would only require street trees every 50 feet in non-residential districts. The total shortage of trees on this frontage is six.
 - Staff recommends the addition of two additional street trees along the Sayre Avenue frontage. The frontage is a detention pond and thus the buffering is not as concerning. Meeting half of the tree requirement would keep the development in line with what would be expected for any new residential developments on Sayre Avenue.
2. Private Bufferyard: The Petitioner has requested a waiver from the requirement of shrubs and ornamental trees around the perimeter. The bufferyard would typically require two shade trees, one ornamental, and 20 shrubs.
 - Staff is supportive of this waiver request. The goal of the private bufferyard requirement is to buffer commercial uses from residential or non-legacy uses. However, the majority of the site that will be visible from residential properties will be an open detention pond. Landscaping has been added around it to provide for an attractive appearance; however, shrubs would increase construction and ongoing maintenance costs without much benefit to neighboring properties.
3. Interior Parking Lot and End Islands: The parking lot is required to have 15% of the surface area landscaped with minimum 8-foot end islands on rows of parking. The petitioner has proposed landscaping at the corners and around the exterior.
 - Staff is supportive of this waiver request. End island landscaping would eliminate four parking stalls and also make truck circulation through the lot more difficult. Adequate landscaping has been added surrounding the parking lot to help offset any negative visual effects.

Additionally, a new six-foot solid privacy fence is proposed around the parking lot addition that prevents headlight glare on the adjacent properties. The material of the proposed fence has been noted as wood and is permitted by the Legacy Code, however PVC has been the desired fence on commercial properties in the Village as they require less maintenance to keep looking attractive. Staff recommends discussion or input on this item.

The proposed Plat of Subdivision will consolidate the two existing Fox College lots with the two lots proposed to be annexed into the Village that will have the parking lot and detention pond constructed on. The result will be a single lot that is ~5.68 acres in size. Existing drainage and utility easements will remain on the property with a new drainage easement placed over the proposed detention pond area.

CHAIRMAN GRAY asked for comments from the Petitioner.

George Arnold, Attorney for the Petitioner thanked staff for the presentation and noted he had nothing to add.

CHAIRMAN GRAY asked for comments from the Commissioners.

COMMISSIONER MANI noted he has no issue with any of the open items and would like the Petitioner to follow the recommendations of the staff report.

COMMISSIONER GATTO agrees.

COMMISSIONER AITCHISON noted she agrees with most of the staff recommendations. She noted she would like to see PVC fencing rather than wood because it is more attractive long-term and has less maintenance.

COMMISSIONER VICK inquired about the rest of the fencing along the north end of the lot that backs up to the residences and what materials they are and who owns them.

Mr. Ritter replied they are owned by the individual homeowners. They have the right to replace the fences with any type of material they would like. Technically if those fences were taken down, there would be a requirement in our code for Fox College to replace them, but they are not fox-college's because their site was developed before the home's were developed.

COMMISSIONER VICK would recommend the PVC due to the maintenance issues on wood. He has no problem with the light poles because they are in the back. The other staff recommendations are good.

COMMISSIONER WEST inquired about the home on the lot and if it would be taken down. She also asked if the house to the north of that would also be taken down. Has the college given any thought to using permeable pavement? She lives close to this area and noted that this property and area does have major flooding issues.

Mr. Ritter replied the house to the north would not be taken down and remains unincorporated. The home on the lot with the detention basin is the only structure being demolished. They are trying to buffer this house with a fence and landscaping. Mr. Ritter replied there is underground volume control on top of this detention as required by MWRD. The Engineer would be the best person to answer with more certainty. They will have to store all of the flood plain and storm water that is on the site and then some. This development will improve the overall area in terms of drainage because some of that water may be going off-site currently and will now be directed into the storm system.

Kevin Camino, Engineer for the Petitioner replied they did consider permeable pavers but the cost of this would be considerably more expensive. In addition to the detention they are providing in the basin to the west and the compensatory storage for the flood plain, we do have infiltration measures beneath the parking lot in the way of stone and plastic pipe to help with infiltration measures that also satisfies the MWRD. Unfortunately, we could not do the pavers but we do have infiltration measures.

COMMISSIONER WEST inquired about restriping that brought the lot out of compliance and the two spots on the northwest corners will be unstriped with no parking Will this bring the lot into compliance?

Mr. Ritter replied yes that this approval would bring that area into compliance with the addition of the conversion of it being one-way access. These two actions along with the the Commission approving the site plan with bring it into compliance.

CHAIRMAN GRAY echoes the comments of staff and the Commissioners. He prefers the PVC fence rather than the cedar fence. He agrees with the landscape waivers. There is a good landscape buffer with the trees and bushes that will be there. The parking lot landscape is also good. He agrees with the 4 25' light poles making sense at this location. He agrees with the staff recommendations. He noted that the removal of the two corners in the lot for truck traffic has to be enforced by Fox College. Students should not be allowed to park in these areas for obvious safety reasons. This must be made clear to the students and teachers. This is a good addition to Tinley Park and is glad to keep Fox College at this location.

Mr. Ritter replied that the Petitioner has agreed to remove the two stalls causing an issue on the north side and it will be done prior to the construction of the new lot. This will resolve the issue in the event of the need for a fire truck having to get in the lot.

Mr. Ritter identified the open items.

1. Discuss the northern drive aisle on the existing site and staff's recommendation for conversion to a one-way aisle.
2. Discuss the overall site plan for the existing site and proposed parking expansion.
3. Discuss condition that proposal is subject to final engineering review and approval by the Village Engineer and MWRD.
4. Discuss the proposed parking on the site.
5. Discuss Variation for light pole/fixture style and mounting height.
6. Have Petitioner clarify fence material. Staff recommends utilizing PVC fencing to prevent future maintenance concerns and costs.
7. Discuss proposed landscaping plan and required landscape waivers.

Mr. Arnold noted they understand the recommendation for the PVC fencing. They will look into the costs and recommendation; they will notify Staff and the Commission at the Public Hearing.

Mr. Ritter thanked him and advised that we are glad to have Fox College expanding in Tinley Park. This will bring in students that will shop, eat, and buy gas in Tinley Park. The property is also one very difficult to develop.

CHARMAN GRAY noted the Public Hearing will be on Thursday, August 20, 2020.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE AUGUST 6, 2020 REGULAR MEETING

**ITEM #3 WORKSHOP – Hailstorm Brewing Patio Addition, 8060 186th St. –
Special Use for PUD Deviations & Site Plan Approval**

Consider recommending that the Village Board grant Chris Schiller, on behalf of Hailstorm Brewing Company and Tomcat Properties (Owner), a Special Use Permit to amend the Mercury Business Centre Planned Unit Development to allow for Exceptions from Section III.J. (Fence Regulations) and Section VIII.A.10 (Required Parking Spaces) of the Zoning Ordinance. The Special Use and Exceptions and Site Plan Approval will permit a permanent outdoor patio to be constructed at the Hailstorm Brewing Co. property located at 8060 186th Street in the M-1 PD (General Manufacturing, Mercury Business Centre PUD) zoning district.

Present were the following: Chairman Garrett Gray (Participated electronically)
Eduardo Mani (Participated electronically)
Kehla West (Participated electronically)
Steven Vick (Participated electronically)
Angela Gatto (Participated electronically)
Mary Aitchison (Participated electronically)

Absent Plan Commissioners: Lucas Engel
James Gaskill

Village Officials and Staff: Kimberly Clarke, Community Development Director (Participated electronically)
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guests: Chris Shiller, Petitioner

Dan Ritter, Senior Planner presented the Staff Report. The Petitioner, Christopher Schiller, on behalf of Tomcat Properties and Hailstorm Brewing Co., is requesting Site Plan Approval and a Special Use Permit to amend the Planned Unit Development (PUD) to allow for Exceptions to the Zoning Ordinance for permitted fence locations and minimum parking requirements. The requests would allow for the installation of a permanent outdoor patio where there are currently parking stalls at the Hailstorm Brewing taproom located at 8060 186th Street in the M-1 PD (General Manufacturing, Mercury Business Centre PUD) zoning district.

Hailstorm Brewery has operated the taproom at the subject site since 2014 and in December 2019 finished renovations to expand the seating area and add a full kitchen on the site. The brewery has been successful and does host events (private and public) throughout the year on the site. The Petitioner has been exploring installing the outdoor patio for a couple of years; however, the COVID-19 pandemic had provided a push to create the outdoor space faster. It also allowed an opportunity to test a temporary patio that was set up in May and has received positive feedback from customers.

Outdoor patio areas require Site Plan Approval when added to existing spaces to ensure they are well designed, safely located, and do not cause any unintended issues on the site or to surrounding properties. Based on the proposal, the Petitioner requires an exception to the fence requirements due to the patio's location in the front yard of the property and need to enclose the area for a liquor license. Additionally, an exception to the parking minimum is required due to the reduction of parking and increase in seating capacity. The site was originally designed for industrial and office parking demands, which are typically lower than that of commercial properties that the public visits. The Petitioner owns the building and business and has other industrial tenants in the building. However, most are only open and operating during the day and have little activity during weekends and nights when Hailstorm is busiest.

The subject site was approved in 1995 and opened in 1997 as part of the Mercury Business Centre Planned Unit Development (PUD). The multi-tenant building has an address range of 8050-8064 186th Street and originally had eight different tenant spaces. The site is 117,000 sq. ft. in size with an approximately 34,000 sq. ft. building. The building was designed as a multi-tenant industrial flex-space building that could function as office, manufacturing, or warehousing space. The structure was designed with a professional office building appearance on the front facades but allowed for docks and overhead doors in the rear. A 10-foot landscape buffer was installed surrounding the site.

The petitioner opened their brewery and taproom at the subject property in 2014 occupying Unit C & D. It started as only a taproom with beer served and they had food trucks during the weekends and special events. The brewery has had success at its taproom location and growing distribution in the Chicagoland area. In 2019 an expansion of the brewery and taproom was completed that added additional brewery space, seating, and a full kitchen that offers a rotating menu. Hailstorm Brewery now occupies Unit A-D. Other tenants currently include Region Construction, Metridea Inc, and Xtreme Fire Protection.

The subject site is zoned M-1 PD (General Manufacturing, Mercury Business Centre PUD). The surrounding sites on all sides of the property are also located in the same zoning district and PUD. All properties are similar light industrial and office buildings with a variety of uses.

A brewery, brewpub, and restaurants are a fairly unique use to have in an industrial area. However, breweries often prefer these industrial locations due to a large amount of open floor space, high ceilings, docks, and other aspects of the space that make it beneficial for beer production equipment and distribution. The taprooms and restaurants associated with breweries usually start as a limited accessory use, but can become a popular destination themselves. While these brewpub and restaurant uses haven't traditionally been associated with industrial uses, the Village allowed for breweries and the associated restaurant and brewpub aspects, to be permitted by right in ORI and M-1 districts to help promote their location within the Village. The sites usually have less visibility but often function as a destination with customers headed there before they leave their house. The Village currently has three breweries located in the Village (Hailstorm, 350, Soundgrowler) with a fourth under construction currently (Banging Gavel).

Deviations from Village's Zoning Ordinance are considered Exceptions rather than Variations and do not require the standard Findings of Fact as required with a Variation. A PUD Exception is typically viewed more specifically to how it relates to the goals and context of that specific PUD, rather than a Variation which has a larger context to requirements that effects the entire Village.

The Petitioner is requesting the addition of a permanent outdoor patio at their existing brewpub location. The Petitioner has been exploring the addition of an outdoor patio for some time. However, the COVID-19 pandemic had provided a push to create a permanent outdoor dining space faster. It also allowed an opportunity to test a temporary patio that was set up in May and has received positive feedback from customers.

The patio area is proposed to be directly west of the taproom seating. This location allows for the easiest access for customers and direct visibility of employees to the patio at all times. The visibility is important from a liquor control perspective and unique because service is typically given at the bar and then customers find a seat; there are not typically employees in the seating area except for occasional cleanup. The patio location also allows the potential to add windows or doors that open along the western frontage in the future to create open seating and a view of the stage on the interior of the space. The area to the north, where the current temporary patio is located, was considered since it would be better for the parking layout. However, that space is not directly adjacent to the interior seating area, is a longer walk for customers, and would be more difficult for employees to monitor.

The patio is expected to have a four or five-foot-high fence installed around the perimeter and would only be entered by entering the building. The fence would be a black aluminum fence in the wrought iron style. Fencing is not allowed in a primary front yard on any lot, with the exception of an allowance for patios in the Legacy District. While patios are not typical in industrial areas, it will add an attractive and activated entrance to the business. The fence has a goal of delineating the space where alcohol can be consumed on-premise and helps to protect customers. The proposed fencing will be a 75% open design fence that does not present any visibility or safety issues from the street or driveways.

Wood picnic-style tables are expected to be used and there will also be a fire pit seating area. No changes to the site lighting or signage are proposed. Any new signage must comply with the Zoning Code requirements. Engineering has reviewed the initially proposed grades of the patio and believes it will be acceptable. However, the final engineering/grading plans will require approval

to ensure positive stormwater flow is maintained and the patio is ADA compliant. A condition is recommended that the final approval is subject to final engineering approval by the Village Engineer.

Uses like breweries, brewpubs, and taprooms have traditionally located in industrial areas. These are appealing because the equipment for brewing is often very large and requires a lot of space. Additionally, it requires truck deliveries to and from the site. Breweries have grown rapidly in popularity recently and also typically function as a destination, meaning customers know they are going there before they leave their house. They do not often require high visibility or extensive signage for this reason. However, as breweries grow, they provide some unique challenges for areas designed for industrial/office uses. These industrial/office buildings are often not designed with customers or the general public in mind. They often lack sidewalks, crosswalks, signage, or other amenities that make locating and navigating them easier. Additionally, there is often heavy truck traffic due to the traditional uses of the space that can require additional roadway space to make turns. Parking also can become an issue because the warehouse spaces were not anticipated to have large occupancies when much of the interior space is designed for product production and storage. Parking for these is usually only designed for employees with a few for visitor stalls.

Currently, there are approximately 95 parking stalls on the site. The patio proposal includes the removal of five parking stalls resulting in a parking total of 90. The brewery currently has a capacity limit of 90 persons. However, that brewery space itself has a larger building capacity for more people but is limited due to parking limits. This proposal would increase the total seating capacity of the space by approximately 50 seats. While there are still 90 stalls, some of these are used by the businesses to store related vehicles overnight and others are used by employees of Hailstorm Brewing.

The Zoning Code regulates “Eating or drinking place, bar, cocktail lounge, or indoor entertainment” by requiring one space for each seat and one space for each employee. As has been mentioned in the past, these regulations are dated and can be difficult to apply for a one size fits all approach. This is particularly an issue for businesses in this category when there is movable seating, private events, and entertainment that may expand capacity, without more tables. Due to the uniqueness of these spaces, it has been difficult to find exactly what the parking requirements are at the building. It would also require calculating parking for the other industrial tenant spaces that require one space for every two employees and one space for each vehicle used in the conduct of the business.

The brewery has peak hours of operation (Friday and Saturday evenings) that are opposite of the other tenants in the multi-tenant building, as well as the neighboring properties (Weekday business hours). The main concern with the use of on-street parking is that they are public spaces not dedicated to one business and also that they can limit truck turning movements in an industrial area. The Petitioner has noted they have not had any issues or complaints about customer parking at their facility. Customers do occasionally park on the street during special events, often due to the convenience of those spaces. The Petitioner owns the building as well and they have been cognizant of the parking demands and hours of operation of those users. It should be noted that new uses permitted by-right in the district could locate nearby and may have different hours or truck schedules that can overlap the peak hours of the brewery. The goal of the parking regulations limiting the use of on-street parking is also in place to ensure business customers are not parking in residential areas. This location is not adjacent to any residential zoning and that is not a large concern.

In a scenario such as this, with a variety of different factors on an existing site, staff would typically request a professional parking count and study be conducted. The Plan Commission has the authority to recommend the parking requirement based on that analysis. With the current COVID-19 pandemic, it has made conducting a parking and traffic analysis difficult because the conditions and demand are not “typical”. Instead, for evidence staff has relied heavily on the lack of any formal complaints by neighboring properties and input provided by the Petitioner that they rarely ever use street parking, except for a handful of times a year. There is some expectation that property owners will manage their parking demand so that their site and business will be successful. In this situation, it is helpful that the owners of the property are the same as those operating the business asking for a parking exception. However, staff still wants to ensure that the proposed parking does not negatively impact any surrounding properties.

The location is far from any residential areas and staff’s primary concern is in regards to potential truck movement/turning issues through the area when there is on-street parking along 186th Street or 81st Avenue. To ensure these concerns can be managed if issues occur in the future, staff is recommending a condition be added that if there are on-street parking or truck movement issues, the petitioner will need to correct the situation by providing for cross-parking off-site at a neighboring property, striping individual stalls on 186th Street, installing signage limiting parking in certain areas of the street, or another solution as approved by Village staff. Staff also recommends maintaining the current capacity to 90 persons due to the limited parking availability on the site. The

limit has avoided any known issues to-date and is expected to stay that way with the new patio addition. That capacity limit would be able to be increased if a formal parking agreement is in place with an adjacent property.

CHAIRMAN GRAY asked for comments from the Petitioner.

Mr. Chris Shiller, Hailstorm Brewing Petitioner thanked Mr. Ritter for all his details. He thanked the Village for consideration and noted he likes being in Tinley Park. The Village has always been supportive of everything he wanted to do. He noted that every business adjacent to his business is a Monday – Friday 9-5, so the hours are opposite of the brewery hours. Occasionally if there is a special event or a band, it starts to peak around 7:00 pm and there are no businesses or trucks coming in for deliveries in the area at that time. He is fortunate that the overlap has a gap of more than an hour. Times he needs street parking would be one to two Friday's a month and a couple of times a year when there is a special party. Sometimes people do park on the street because it is closer to the door, but that is also after hours. The area is more or less a dead zone after 5:00 pm and on the weekends.

CHAIRMAN GRAY asked for comments from the Commissioners.

COMMISSIONER WEST noted that the packet mentioned that the Petitioner wrote letters to some of the tenants in the area asking for parking reciprocity. She noted on the rendering it looks like a very nice space.

Mr. Ritter noted there were Public Notice letters sent and staff has not received any replies.

COMMISSIONER VICK inquired if the patio area would have fence protection measures in case a car was to come into the area. He also inquired if there would be video monitoring in the outdoor area.

Mr. Ritter noted there is a curb, fencing and landscaping in that area. To get into this area a person would have to make a turn and would probably not be driving too fast. If there was a concern in the future, bollards could be installed in the area.

Mr. Shiller replied they do have a video surveillance in the brewery and they would be adding more cameras for the patio.

COMMISSIONER MANI noted this is a great idea for the business and they should follow the staff report recommendations.

CHAIRMAN GRAY noted he concurs with staff's recommendations to limit the occupancy based on current situation and changing businesses. However, likes that it can be expanded with an official cross-parking agreement in place. He noted he has been there after 5:00 pm on a Friday and it is a ghost town around it. Right now, that is not an issue for any potential street parking. CHAIRMAN GRAY inquired if the patio fence would have a gate, so people could get out in an emergency.

Mr. Ritter noted there would be exits out of the patio and could be a latching gate with panic hardware if required to be enclosed. Otherwise, they could have the openings with no gates. This would depend on the liquor commission requirements.

Mr. Ritter identified the Open Items (Exceptions):

1. Discuss the requested Exception to the fence regulations to permit a fence to be located in a primary front yard.
2. Staff recommends a condition be added that the approvals are subject to final engineering plan approval by the Village Engineer.
3. Discuss parking exception and overall proposed parking on the site. Discuss maintaining the existing occupancy limit of 90 persons at this location, with the understanding it can be increased with the approval of a cross-parking agreement with an adjacent property.
4. Discuss the recommended condition requiring that if parking issues or truck movement issues are witnessed in the future, the Petitioner will need to work with staff on a solution, including but not limited to entering into a cross-parking agreement with a neighboring property owner, striping/maintaining individual parking stalls on 186th Street, or installing signage limiting parking in certain areas on the roadway.

CHARMAN GRAY noted the Public Hearing will be on Thursday, August 20, 2020.

PUBLIC COMMENT

CHAIRMAN GRAY asked for comments from the Public.

There were none.

GOOD OF THE ORDER

1. Downtown has a lot happening...
2. The Avocado Theory received the Village Board Approvals for the project and grants. They are working on getting their building permit.
3. Banging Gavel has their permit and fencing up. Construction will be starting there.
4. The Boulevard is finishing up going verticle on the second floor on the building. The project should be finished next year.
5. There is an ice cream shop coming north of Ed & Joes in the building that was remodeled with a grant. They are getting their permit to start working on the build out.
6. Construction has begun on the Food & Fuel project on 183rd Street and they are moving quick.
7. The Even Hotel off of 1-80 at the Convention Center has done most of the interior work and is doing exterior construction with a new color pallet, roofing, and signage.

ADJOURN MEETING

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER WEST to adjourn the August 6, 2020 Plan Commission Meeting.

AYE: All Commissioners participated electronically

COMMISSIONERS MANI, GATTO, VICK, AITCHISON, WEST and CHAIRMAN GRAY.

NAY: None

CHAIRMAN GRAY declared The Motion Approved by voice vote and declared the meeting adjourned at 8:31 pm.