



**AGENDA FOR REGULAR MEETING
VILLAGE OF TINLEY PARK
PLAN COMMISSION**

**June 2, 2016 – 7:30 P.M.
Council Chambers
Village Hall – 16250 S. Oak Park Avenue**

Regular Meeting Called to Order

Roll Call Taken

Communications

Approval of Minutes: Minutes of the May 19, 2016 Regular Meeting

Item #1

PUBLIC HEARING

AT&T AT HOLLYWOOD CASINO AMPHITHEATRE – 19100 RIDGELAND AVENUE – SPECIAL USE PERMIT

Consider a proposal from Brigitte Gillis of AT&T, on behalf of Live Nation, for a Special Use Permit for a Personal Wireless Service Facility in the ORI PD (Office and Restricted Industrial, Planned Unit Development) Zoning District. The proposed Special Use Permit will allow the Petitioner to maintain three (3) cellular antennas on the structure at a height of forty-eight feet (48') and utilize a temporary mobile equipment cabinet on site during the event season.

Item #2

PUBLIC HEARING

7-ELEVEN – 7601 159TH STREET – SITE PLAN APPROVAL & SPECIAL USE PERMIT

Consider a proposal from John Chatwin of 7-Eleven, Inc., for Site Plan Approval and a Special Use Permit for the operation of an automobile service station in the B-3 (General Business and Commercial) Zoning District. The Applicant is proposing an expansion of the existing fuel canopy to accommodate four (4) additional fueling dispensers. The proposed Special Use Permit is required in order to continue operating the existing automobile service station since the existing Special Use Permit (Ordinance 85-O-028) will expire automatically if there is a change of use from the originally approved use (per Section X.J.6.a. of the Zoning Ordinance).

Item #3

BAILEY'S BAR & GRILL – 17731 OAK PARK AVENUE – VARIATION FOR A GROUND SIGN WITHIN THE LEGACY DISTRICT (New Item)

Consider a proposal from Ronald Bailey, on behalf of Bailey's Bar & Grill, for the following Variations concerning ground signage on an existing site located at 17731 Oak Park Avenue, Tinley Park, Illinois:

1. A one foot, six-inch (1'6") Variation from the required setback from the south property line;
2. A one foot, six-inch (1'6") Variation from the required setback from the entry/access drive (to the north of the proposed sign); and
3. A nine foot (9') Variation from the required setback from the west property line.

All of which constitute Variations from Section XII.4.E., Table 4.E.1. (Legacy Code, Sign Regulations) of the Zoning Ordinance, where a “Monument – Ground” type sign is required to be located ten feet (10’) from all property lines and entry/access drives.

Item #4

THE ATTIC DOOR – 17424 OAK PARK AVENUE – VARIATION FOR A GROUND SIGN WITHIN THE LEGACY DISTRICT (New Item)

Consider a proposal from Wade Randolph of Effective Signs, on behalf of The Attic Door, for the following Variation concerning ground signage on an existing site located at 17424 Oak Park Avenue, Tinley Park, Illinois:

1. A nine foot (9’) Variation from Section XII.4.E., Table 4.E.1. (Legacy Code, Sign Regulations) of the Zoning Ordinance, where a “Monument – Ground” type sign is required to be located ten feet (10’) from all property lines and entry/access drives.

Good of the Order

Receive Comments from the Public

Adjourn Meeting



MINUTES OF THE PLAN COMMISSION

VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS

MAY 19, 2016

The regular meeting of the Plan Commission was held in the Council Chambers of Village Hall on May 19, 2016 at 7:30 p.m.

ROLL CALL

Plan Commissioners:

Kevin Bergthold
Anthony Janowski
Lori Kappel
Peter Kroner
Mark Moylan
Ken Shaw
Tim Stanton
Ed Matushek III, Chairman

Village Officials and Staff:

Paula Wallrich, Interim Community Development Director
Stephanie Kisler, Planner I
Patrick Connelly, Village Attorney
Debra Kotas, Commission Secretary

CALL TO ORDER

Plan Commission Chairman Matushek called to order the regular meeting of the Plan Commission for May 19, 2016 at 7:30 p.m.

APPROVAL OF MINUTES

A motion was made by COMMISSIONER SHAW, seconded by COMMISSIONER STANTON to approve the minutes of the May 5, 2016 meeting of the Plan Commission as presented. PLAN COMMISSION CHAIRMAN MATUSHEK declared the Motion approved.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE MAY 19, 2016 MEETING
ITEM #1: PUBLIC HEARING
HILTI NORTH AMERICA – 18475 THOMPSON COURT – SPECIAL USE PERMIT

Consider a proposal from Blake Brown, on behalf of Hilti North America, for a Special Use Permit to operate a business involving retail and wholesale, incidental to a principal use (warehousing, wholesale, and/or distribution) and a similar and compatible use (service and repair of small hand tools) in the ORI Zoning District in leased space at 18475 Thompson Court, Suite C in the ORI PD (Office and Restricted Industrial Planned Unit Development) Zoning District in the Hickory Creek Planned Unit Development.

Present were the following:

Plan Commissioners:

Kevin Bergthold
Anthony Janowski
Lori Kappel
Peter Kroner
Mark Moylan
Ken Shaw
Tim Stanton
Ed Matushek III, Chairman

Village Officials and Staff:

Paula Wallrich, Interim Community Development Director
Stephanie Kisler, Planner I
Patrick Connelly, Village Attorney
Debra Kotas, Commission Secretary

Guest:

Brandon Pollard, Sr. Regional Manager, Hilti North America

At 7:31 p.m., a motion was made by COMMISSIONER JANOWSKI, seconded by COMMISSIONER MOYLAN to open the Public Hearing. CHAIRMAN MATUSHEK requested anyone present who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

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.

STEPHANIE KISLER, Planner I, presented the updated Staff Report regarding the Applicant's request for a Special Use Permit for the property located at 18475 Thompson Court, Suite C, within the Hickory Creek Planned Unit Development (PUD). She reported the Special Use Permit is for the use warehousing, wholesale and/or distribution and a similar and compatible use, the service and repair of small hand tools, whose overall business function is stated as the retail and wholesale sale, demonstration, service, warehousing and distribution of fastening systems, booster, fasteners and related construction items, construction chemicals that are pre-packaged for retail sale, and small hand tool repairs. She stated there are no open items from the Staff's perspective; however, the Plan Commission is able to place concerns or conditions upon approval, if they choose.

Ms. Kisler proceeded to review the following Findings of Fact relating to the Special Use:

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - The Special Use is generally compatible with other uses in the same building and within the surrounding area. This PUD allows for warehouse-type uses so it is in character with the PUD.
- b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - All business will be conducted within the building. The Special Use will not substantially diminish or impair property values because it will occupy a tenant space that has been vacant and the tenant will abide by Village ordinances and codes.
- c. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - It is already improved and the proposed Special Use and will be conducted wholly within the tenant space leased to the Applicant. The building already exists and the Applicant will only be making interior with the only exterior modification being the awning.
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
 - Adequate utilities were provided when it was constructed in 2003. There aren't any changes proposed to the existing utilities, roads, drainage, or other infrastructure at or near the site. The delivery schedule is anticipated to be once a day and the hours of operation are limited to 7:30am – 4:30pm Monday through Friday, with no hours on the weekend. The customer base is typically destination-driven.
- e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
 - The site has forty-two (42) parking stalls that are shared between the three (3) tenant spaces, which meet the intent of the Village's standards for off-street parking. The Special Use will not hold classes like the other tenants of the building. The Special Use will operate at hours that rarely overlap with the hours of the two (2) other tenants of the building.
- f. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission. The Village Board shall impose such conditions and restrictions upon the premises benefited by a Special Use Permit as may be necessary to ensure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the general intent of this Ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this Ordinance.
 - The Applicant has indicated that they will meet all other Village ordinances and codes.
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.
 - The Special Use will contribute to economic development within the Village because it will occupy a vacant tenant space and provide goods and services that are not offered elsewhere within the vicinity of the site. The nearest Hilti North America locations are in downtown Chicago and in Elmhurst.

MS. KISLER showed photographs of the building and surrounding area including surrounding zoning. She showed photographs of the space that will be occupied by Hilti and the other existing tenants within the building. She noted the substantial amount of landscape on the site. She reviewed the proposed signage that includes two (2) wall signs, reporting they meet the current sign regulation within the Ordinance requirements.

COMMISSIONER KRONER inquired if there will be any gases or contaminants on the premises. BRANDON POLLARD, representing Hilti, stated any liquids are packaged retail products. Noting the awning that will be located over the Hilti space, COMMISSIONER KRONER recommended the other tenants also have an awning above their space in order to maintain a consistent look. MS. KISLER concurred that is a valid aesthetic concern, however, there is nothing indicated in the Code that the building owner be required to have these installed. She agreed to discuss it with the building owner.

COMMISSIONER SHAW requested clarification in the Findings of Fact regarding the hours of operation using the term "limited" hours of 7:30 a.m.-4:30 p.m. MS. KISLER reported the Petitioner limited the hours not Staff. She explained as a condition of a special use certain hours can be mandated. COMMISSIONER SHAW stated he wished to clarify the language in the Findings of Fact vs. placing any special conditions.

CHAIRMAN MATUSHEK requested the Applicant clarify their average traffic expectations. MR. POLLARD reported they typically have 15-25 customers per day within their daily hours of operation, therefore not much traffic is expected, with the parking lot providing sufficient parking.

CHAIRMAN MATUSHEK reported he and other Commissioners have visited the site and are pleased with the landscaping. He stated the Applicant has been a good corporate citizen in their other locations and believes their business will be a good addition and benefit to the Village. He welcomed Hilti to Tinley Park and wished them the best of success.

There being no further questions or comments, with no other additions to the Findings of Fact as published and incorporating those Findings into the record, a Motion was made by COMMISSIONER JANOWSKI to recommend the Village Board grant the Applicant, Blake Brown of Hilti North America, a Special Use Permit to operate a business involving retail and wholesale, incidental to a principal use (warehousing, wholesale, and/or distribution) and a similar and compatible use (service and repair of small hand tools) at 18475 Thompson Court, Suite C in the ORI PD (Office and Restricted Industrial Planned Unit Development) Zoning District and the Hickory Creek Planned Unit Development and adopt Findings of Fact submitted by the Applicant and Findings of Fact proposed by Village Staff and the Plan Commission at this meeting. The Motion was seconded by COMMISSIONER KRONER.

AYE: Plan Commissioners Kevin Bergthold, Anthony Janowski, Lori Kappel, Peter Kroner, Mark Moylan, Ken Shaw, Tim Stanton, and Chairman Ed Matushek

NAY: None

ABSENT: None

THE MOTION WAS APPROVED UNANIMOUSLY by voice vote. PLAN COMMISSION CHAIRMAN MATUSHEK declared the Motion approved.

MS. KISLER reported this will be presented over two (2) meetings before the Village Board for final approval and adoption.

A motion was made by COMMISSIONER MOYLAN, seconded by COMMISSIONER SHAW to close the Public Hearing at 7:49 p.m. THE MOTION WAS APPROVED UNANIMOUSLY by voice call. PLAN COMMISSION CHAIRMAN MATUSHEK declared the Motion approved.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE MAY 19, 2016 MEETING
ITEM #2: AT&T AT HOLLYWOOD CASINO AMPHITHEATRE – 19100 RIDGELAND AVENUE – SPECIAL USE PERMIT

Consider a proposal from Brigitte Gillis of AT&T, on behalf of Live Nation, for a Special Use Permit for Personal Wireless Service Facility in the ORI PD (Office and Restricted Industrial, Planned Unit Development) Zoning District. The proposed Special Use Permit will allow the Petitioner to install three (3) cellular antennas on the structure at a height of forty-eight feet (48') and utilize a temporary mobile equipment cabinet on site during the event season.

Present were the following:

Plan Commissioners: Kevin Bergthold
Anthony Janowski
Lori Kappel
Peter Kroner
Mark Moylan
Ken Shaw
Tim Stanton
Ed Matushek III, Chairman

Village Officials and Staff: Paula Wallrich, Interim Community Development Director
Stephanie Kisler, Planner I
Patrick Connelly, Village Attorney
Debra Kotas, Commission Secretary

Guest: Brigitte Gillis, AT&T on behalf of Live Nation

Referencing the Village's Code of Ethics, COMMISSIONER STANTON reported he was a former employee of AT&T and following discussion with the Village Attorney elected to refrain from participating in any conversation and deliberation and abstain from any vote taken regarding this item.

CHAIRMAN MATUSHEK introduced the request from AT&T for a Special Use permit as noted above. He requested Staff make the initial presentation.

PAULA WALLRICH, Interim Community Development Director, presented the Staff Report. She reported AT&T has provided six (6) years of cellular service at the Amphitheater that typically sees 28,000 visitors annually. She explained for years a temporary trailer was used with an antenna on the trailer, referred to as a COW (Cell On Wheels), however, recently, the antenna was mounted on structure of the amphitheater and the operating equipment brought in on a trailer. She explained the Village previously issued a temporary use permit, however, once the antenna ere permanently mounted, it requires a Special Use Permit.

MS. WALLRICH reviewed photographs of the site and surrounding area including surrounding zoning. She explained the property is in a floodplain, however, in working with Engineering and FEMA, it was determined that since the trailer is temporary and mobile it is an exclusion on impact to the floodplain in the area. She showed a photograph of

the existing antenna noting it is less than the height of the structure and painted the same color as the structure. She noted there should be minimal impact on the residential area since the antenna is not visible. She showed the location of the trailer reporting there are plans to erect a temporary fence around it to provide additional screening for the entertainers. She explained after the concert season, the COW and fencing will be removed then returned again when the season begins in May of the following year.

MS. WALLRICH reported there was only one (1) open item at the time of the writing of the Staff Report, however, this has been resolved. She explained as part of the review process, comments are requested from other Village Departments. She reported the Police Department has experienced problems with their cellular transmission on laptops due to being on the Verizon network; however, the police radios work fine. She expects these transmission problems will be resolved reporting additional cellular antennas in the area are being requested from other carriers.

In conclusion, MS. WALLRICH explained in addition to approving the permanent installation of the antenna, Staff is also recommending the Plan Commission approve the annual use of trailer every year during the six-month event season as part of the Special Use Permit.

CHAIRMAN MATUSHEK requested confirmation that the antenna will not be increasing in height. MS. WALLRICH reported the height of the antenna will remain the same and the color will remain the same as the structure.

COMMISSIONER MOYLAN commented this is a great location for a cell tower since there are no surrounding residences. He inquired about making the antenna taller for cohabitation by other carriers. MS. WALLRICH reported the owners of the Amphitheatre would have control over this and have most likely been approached by other carriers.

COMMISSIONER JANOWSKI requested clarification regarding the Special Use. MS. WALLRICH explained it is no longer a temporary use since it is a permanent antenna attached to the structure despite the trailer being temporary. He also requested clarification regarding the temporary wood fencing being added around the COW. BRIGETTE GILLIS of AT&T reported the property owner is requesting the additional fencing in order to provide a better aesthetic for the entertainers and staff. The Property owners requested the fencing.

There being no further questions or comments from Commissioners, CHAIRMAN MATUSHEK reported this will be presented for a Public Hearing at the June 2, 2016 meeting of the Plan Commission.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION
SUBJECT: MINUTES OF THE MAY 19, 2016 MEETING
ITEM #3: 7-ELEVEN – 7601 159th STREET – SITE PLAN APPROVAL AND SPECIAL USE PERMIT

Consider a proposal from John Chatwin of 7-Eleven, Inc. for Site Plan Approval and a Special Use Permit for the operation of an automobile service station in the B-3 (General Business and Commercial) Zoning District. The Applicant is proposing an expansion of the existing fuel canopy to accommodate four (4) additional fueling dispensers. The proposed Special Use Permit is required in order to continue operating the existing automobile service station since the existing Special Use Permit (Ordinance 85-O-028) will expire automatically if there is a change of use from the originally approved use (per Section X.J.6.a. of the Zoning Ordinance).

Present were the following:

Plan Commissioners:

Kevin Bergthold
Anthony Janowski
Lori Kappel
Peter Kroner
Mark Moylan
Ken Shaw
Tim Stanton
Ed Matushek III, Chairman

Village Officials and Staff:

Paula Wallrich, Interim Community Development Director
Stephanie Kisler, Planner I
Patrick Connelly, Village Attorney
Debra Kotas, Commission Secretary

Guest:

John Chatwin, 7-Eleven Inc.
Tim Kratz, Project Manager, Sevan Multi-Site Solutions

CHAIRMAN MATUSHEK acknowledged the Petitioner and reviewed the request for Site Plan Approval and a Special Use Permit as noted above. He requested Staff make the initial presentation.

STEPHANIE KISLER, Planner, presented the Staff Report regarding the request from 7-Eleven located at 7601 159th Street for Site Plan Approval and a Special Use Permit. She showed a rendering of the proposed changes to the existing site noting the existing convenience store, proposed canopy footprint and area of the underground tanks. She noted the closing of the northeastern most curb cut that will be replaced with landscape and sidewalk. She explained it needs Site Plan Approval due to the expanding canopy footprint. Because the use is also being changed significantly with addition of four (4) more fueling stations (for a total of eight (8) fueling stations), she further explained it is being presented in conjunction with a Special Use Permit.

MS. KISLER reviewed the site plan including official dimensions, and surrounding zoning that includes some residential to the south and commercial around the east, west, and north sides. She noted the area of the existing canopy with the four (4) existing fuel pumps and the proposed canopy showing the new configuration having a total of eight (8) fueling stations. She reviewed the landscape plan reporting it meets the intent of the Landscape Ordinance given this is

an existing site. She reviewed proposed signage plans noting the monument sign was previously lowered into compliance a few years ago. She reviewed the photometric plan reporting no light spillage onto the nearby residential area. She reported the store manager is very concerned about having a nice site and has been very good about working with the Village in order to remain in compliance.

MS. KISLER reported only one (1) open item regarding the route for the fuel truck and ensuring it will not travel through the Brementowne residential area. She reported the Applicant provided Staff a diagram showing the various patterns of movement proving the truck can maneuver south on 76th Avenue when entering from 159th Street rather than traveling north on 76th Avenue through the neighborhood.

COMMISSIONER MOYLAN thanked the Applicant for removing the entrance on the northeast corner and adding landscape but also suggested a right-in-right-out onto 159th Street to prohibit cars from turning left onto 159th Street. MS. KISLER reported the Illinois Department of Transportation (IDOT) has responsibility for 159th Street, further explaining a right-in-right-out would need to be mountable to ensure trucks and fire equipment could maneuver. She referenced the right-in-right-out 'pork chop' that was used at the Great Escape site that allows for vehicles to be able to drive over it if necessary. COMMISSIONER MOYLAN subsequently suggested a "no left turn" sign. COMMISSIONER KRONER inquired who could install a sign. MS. WALLRICH further explained any sign would be regulated by IDOT; therefore, permission would be required from IDOT.

COMMISSIONER JANOWSKI expressed concerns regarding glare from vehicle headlights onto the second floor of the nearby residential townhomes since the fueling pumps are now facing north-south under the proposed new canopy plan. MS. KISLER reported there is a six foot (6') wood privacy fence and also screening landscape. TIM KRATZ, Project Manager, Sevan Multi-Site Solutions, indicated automobile headlights are typically angled downward and therefore should not shine directly into a second story window. JOHN CHATWIN of 7-Eleven Inc. reported the new lighting will be LED that is environmentally conscious with light shining downward and recessed into the canopy. COMMISSIONER JANOWSKI requested these concerns be discussed with their landscape architect.

COMMISSIONER SHAW inquired if the underground tanks are being replaced. MR. CHATWIN reported the existing tanks are thirty (30) years old and have reached their end of life. COMMISSIONER SHAW inquired if there will be any impact to the site and convenience store during the remodel. MR. KRATZ reported the tank replacement process will take approximately five (5) weeks. He added there will be a substantial amount of equipment; however, temporary security fencing will surround the site. He stated the convenience store will remain open during this time with continued hours of 24 hours per day/365 days per year.

COMMISSIONER KRONER expressed concerns regarding the expansion stating by turning the position of the fueling pumps it will create a traffic hazard onto 159th Street if cars are waiting in line to use the pumps with only a 22' distance from the canopy to the curb. MR. CHATWIN stated that 22' is sufficient for traffic to flow. MR. KRATZ added the advantage to this layout gives patrons a better circulation to get to other pumps. Using the proposed site diagram, MS. WALLRICH showed ways cars can maneuver to get to another pump to avoid stacking.

A lengthy discussion took place regarding the flow of cars into site. COMMISSIONER MOYLAN noted there is actually a 25' distance from the u-shaped bollard located near the dispenser to the curb. The proposed configuration of an angled canopy and pumps was discussed. MR. KRATZ indicated this would require a wider footprint for the canopy and result in a stacking problem for the cars.

MS. KISLER suggested the Applicant provide an analysis of their other stations that show a similar scenario, as well as provide an analysis showing potential stacking at the proposed fuel canopy. She also suggested investigating maximizing the widths on either side of the proposed fuel canopy.

COMMISSIONER JANOWSKI suggested modifying the apron on 159th Street due to runoff from rear tires going over the curb. MS. KISLER suggested the use of an additional one foot (1') brick paver blocks for a wider radius exiting the

site. MR. KRATZ reported they have completed their application for permit determination with IDOT. COMMISSIONER KRONER suggested the Applicant also revise their application to include a request for a no left turn sign.

COMMISSIONER STANTON inquired if there are security cameras on the site. MR. CHATWIN stated there are cameras inside the convenience store, however, not at the fuel island. Agreeing with security concerns, MR. CHATWIN will request installation of cameras for the islands.

COMMISSIONER KAPPEL noted the Zoning Ordinance indicates a minimum distance for two-way traffic is 26'. MR. KRATZ stated the required distance is deficient; however, they are working with existing conditions in order to maximize the space available. Due to varying dimensions being reported, COMMISSIONER KRONER requested accuracy from both Staff and the Petitioner regarding exact dimensions for future discussion.

CHAIRMAN MATUSHEK encouraged each of the Commissioners make a site visit to the site and to other sites in the area. He requested exact dimensions be provided by Staff and Petitioner. He indicated this item will proceed to Public Hearing on June 2, 2016.

POINT OF ORDER

COMMISSIONER SHAW expressed concerns regarding interpretation of the Village Plan Commission Ordinance and gaps in the Comprehensive Plan. He suggested a workshop be held to provide clarification and review the intent of the Ordinance. CHAIRMAN MATUSHEK agreed that a special workshop can be held if there is sufficient interest among the Commissioners. He added there is sufficient communication between the Plan Commission and Planning Department with the Village Board, including information on the Village website.

ADJOURNMENT

There being no further business, a motion was made by COMMISSIONER MOYLAN seconded by COMMISSIONER JANOWSKI to adjourn the regular meeting of the Plan Commission of May 19, 2016 at 9:26 p.m. THE MOTION WAS UNANIMOUSLY APPROVED by voice call. PLAN COMMISSION CHAIRMAN MATUSHEK declared the meeting adjourned.



PLAN COMMISSION STAFF REPORT

June 2, 2016

AT&T at Hollywood Casino Amphitheatre – Special Use Permit

19100 Ridgeland Avenue

CHANGES NOTED IN RED

EXECUTIVE SUMMARY

Applicant

Brigette M. Gillis, AT&T
on behalf of Live Nation

Property Location

19100 Ridgeland Avenue

Parcel Size

40 ± Acres

Zoning

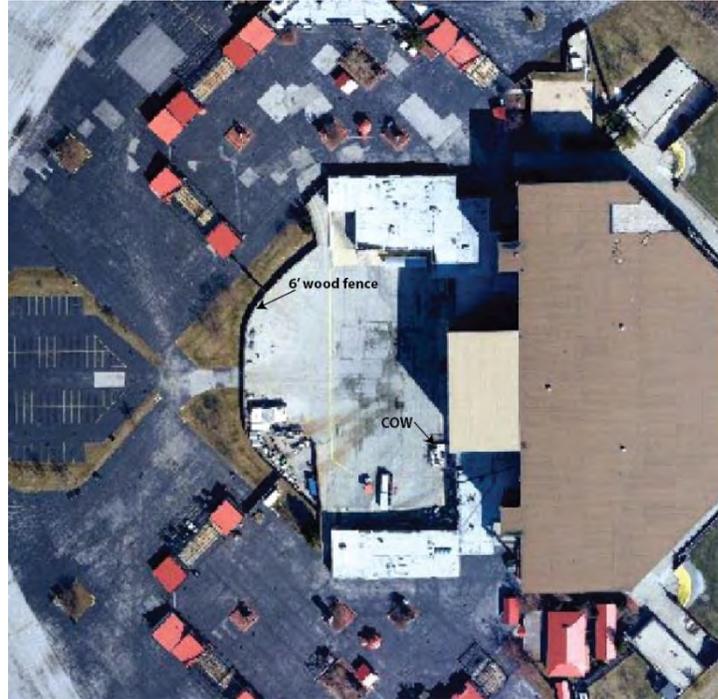
ORI PUD

Approval Sought

Special Use Permit for a
Personal Wireless
Facility

Project Planner

Paula J. Wallrich, AICP
Interim Community
Development Director



Brigette M. Gillis, Senior Specialist for AT&T, on behalf of Live Nation, property owner of 19100 Ridgeland Avenue, is requesting a Special Use Permit for a Personal Wireless Service Facility. AT&T has provided cellular service for the Amphitheatre since 2011. Until recently, they utilized a COW (Cell On Wheels) to provide this service. A COW typically contains an antenna and operating equipment on a trailer so that the system is considered mobile and temporary.

AT&T permanently installed antennas on the amphitheatre structure approximately two years ago allowing them greater height for the antenna and thus improvement of the quality of service. The associated equipment cabinet remained temporary on the trailer and was brought to the site every concert season. The Village historically recognized the COW as temporary and permitted it in this fashion until the antennas were permanently attached to the Amphitheatre structure. As a permanent installation a Special Use is required. As part of the Special Use review Staff is recommending the Commission also recognize the continued temporary nature of the equipment cabinet which is mounted on the trailer (COW).

SUMMARY OF OPEN ITEMS

OPEN ITEM	SUGGESTED RESOLUTION
1. Investigate possible resolution to poor reception for Village Police Equipment.	Discuss with Applicant’s RF engineer. Satisfied

BACKGROUND

The subject property is home to one of the largest outdoor music venues in the Chicago area, known as the *Hollywood Casino Amphitheatre*. The Amphitheatre has been an outdoor performance center since 1990 when it opened as the “World Music Theater” and has seating capacity for up to 28,000 spectators. Over the past six (6) years, AT&T has been operating a temporary Cell On Wheels (COW) at the facility to address the increased cellular needs of their customers during musical events. The Village has issued annual Temporary Use permits for the COW and antennas during the event season. Recently, AT&T installed the antennas permanently on the amphitheater structure rather than taking them down at the end of each season when the COW left the site. Currently the venue is still utilizing a COW with equipment mounted on a trailer with wheels that connects to the antennas. The COW is brought in at the beginning of the concert season and removed from the site at the conclusion of concert season, so the AT&T cellular service for the amphitheater is only turned on during concert season.

Since the antennas are now permanently installed, a Special Use Permit is required despite being only operational while the COW/trailer is in place (May – October). The antennas are affixed to a support column of the Amphitheatre at an elevation of 48’, at the rear of the structure and the COW is housed in the service area behind the performance stage. Neither the antennas nor the COW are readily visible from public rights-of-way or public attendance areas. In fact, the property owner is constructing a temporary fence around the COW to screen it from the utility area behind the performance stage.

AT&T has stated that cell use exceeds customary usage during performances; therefore the antennas serve to ‘boost’ the service of AT&T users during these times. These antennas also serve as a benefit to AT&T customers within the immediate area of the amphitheater or to those customers traveling through the area.

EXISTING SITE

The Hollywood Casino Amphitheatre encompasses approximately 40 acres. The property has been developed with large expanses of parking, a performance stage, seating and associated office and service uses. The majority of the site was originally located in a floodplain. By ordinance, storage/construction/buildings in the 100-year floodplain are not allowed unless compensatory storage is provided and a ‘Letter of Map Revision’ (LOMR) is received. FEMA (Federal Emergency Management Agency) issued a LOMR in 1991 after construction of the outdoor Amphitheatre and associated improvements, which raised the structure above the base flood elevation. No further impact to the floodplain will result from the proposed improvements contemplated under the Special Use.



COMPLIANCE WITH THE COMPREHENSIVE PLAN

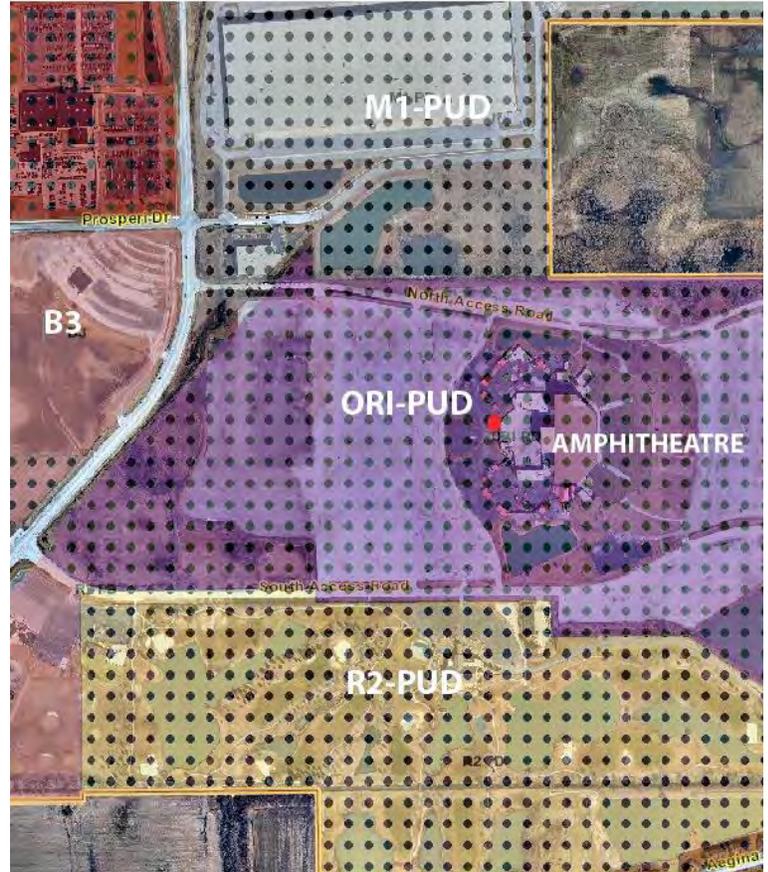
The Village of Tinley Park Comprehensive Plan (2000) identifies this site as commercial; therefore, the proposed development is in accord with the Village’s Comprehensive Plan.

ZONING & NEARBY LAND USES

The subject parcel is zoned ORI-PUD. Priority locations for cellular facilities are to locate on an existing freestanding tower on Village-owned property, which are considered a Permitted Uses. If that is not possible, then locating on a new tower structure on Village-owned property as a Special Use is the second priority location. If Village-owned property is not available, then a Special Use Permit is required for locating on property 1) owned by a municipal body or district; 2) within the M-1 District and not within 1,000 of a residential zoning district; or 3) affixed to an existing structure within a non-residential or non-historic District.

Since there is no Village-owned property that would serve the same purpose as the subject property and the Amphitheatre is located within a non-residential district that is not a Historic District, the antenna may be approved at this location as a Special Use.

The Applicant has provided Findings of Fact that will be considered as part of the Special Use request. Staff will provide findings as part of the Public Hearing.



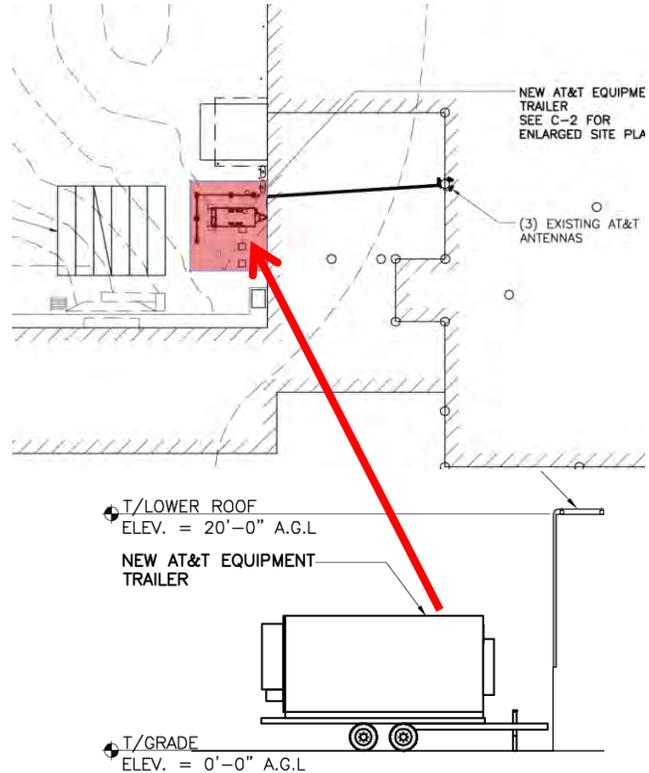
GENERAL SITE PLAN REVIEW

The Applicant has installed three (3) permanent antennas on one of the roof supports at an elevation of 48’ A.G.L.; the top of the Amphitheatre roof structure is 86’ A.G.L. The antennas are 6’ x 2.4’ in size (14.25 SF) and are painted to blend in with the support beam. The equipment cabinet is approximately 8.5’ and sits on a trailer that is two feet off the ground.

The Cell On Wheels (COW) or equipment trailer is proposed to be located immediately west of the stage behind a temporary fence in a 25’ x 20’ lease area. The COW is screened from public view with a 6’ temporary wood fence enclosing the service area. The equipment trailer is 8’6” wide and 19’7” in length and is parked in this location



throughout the event season, which generally runs between May and October. There is no lighting or signage proposed for the antenna or the COW.



STAFF REVIEW: STAFF REVIEW

Building Department: A structural analysis has been provided, which indicates the existing antenna mount is **adequate** to support the existing installation for the installed antennas. The full analysis is attached for the Commission's reference.

Engineering/Public Works Department: The Village Engineer stated there were no engineering issues provided the structure that housed the equipment was mobile and removed within 180 days from its installation. Staff recommends the Commission consider this as a condition of the Special Use Permit if it is approved.

Police Department: The Police Department noted that they have experienced poor reception at the Amphitheatre. I Staff has requested the Applicant to assist the Police with this issue and will report on the issue at the Plan Commission meeting. **The concerns of the Police have been resolved.**

Fire Department: No issues were reported.

FINDINGS OF FACT

The Applicant's Findings of Fact are attached to the Staff Report for the Special Use Permit and should be reviewed and made part of the official minutes. Staff has provided the following findings for the Plan Commission's consideration. Upon conclusion of Public Hearing testimony the Commission may accept the following findings as part of the record with any revisions they deem appropriate.

A Special Use Permit to allow for the maintenance of three (3) cellular antennas on the Hollywood Casino Amphitheatre structure at a height of forty-eight feet (48') and utilize a

temporary mobile equipment cabinet on site during the event season for property located at 19100 Ridgeland Ave.

A. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

The presence of the three (3) antenna at a height of 45' on the existing structure will have negligible impact on the public health, safety, morals, comfort, or general welfare due to the size of the antenna and the fact that they are painted to match the structure; they are therefore relatively innocuous in appearance. The presence of the Cell On Wheels (COW) will also not be detrimental to public health, safety, morals, comfort, or general welfare because it is temporary in nature and will be screened by a wooden fence.

B. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor will it substantially diminish and impair property values within the neighborhood.

The antennae will blend with the color of the Amphitheatre structure and the COW will be screened with a wooden fence.

C. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

The portions of the surrounding area that is undeveloped will not be negatively impacted by the presence of the antennae for the reasons stated above nor with the presence of the COW impact future development since it is temporary in nature and screened by a wooden fence.

D. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided.

The proposed uses do not require any special access road or drainage consideration since the antennae are mounted on a structure and the COW is temporary.

E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Ingress and Egress has already been addressed for the use of the Amphitheatre use; the antennae and COW will not increase ingress or egress needs.

F. That the Special Use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission.

No variations are requested as part of this Special Use.

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

The approval of the Special Use will address the increased cellular needs of the AT&T customers during the event season at the Amphitheater.

MOTION TO CONSIDER

If the Plan Commission wishes to take action, an appropriate wording of the motion (written in the affirmative) would read:

“...make a motion to recommend to the Village Board the granting of a Special Use Permit for the Hollywood Casino Amphitheatre on behalf of Live Nation, for the property located at 19100 Ridgeland Avenue, to allow for the continued maintenance of three (3) antennae mounted on the existing structure at a height of 45’ and the continued use of the Cell On Wheels (COW) on a temporary basis during the event season not to extend beyond 180 days.

LIST OF REVIEWED PLANS

**AT&T COW Live Nation – 19100 Ridgeland Avenue
LIST OF SUBMITTED PLANS
April 14, 2016**

Submitted Sheet Name		Prepared By	Date On Sheet
T-1	Title Sheet	FEC	04-11-2016
SS 1	Site Survey	FEC	12-17-2015
SS 2	Site Survey	FEC	12-17-2015
C-1	Site Plan	FEC	04-11-2016
C-2	Enlarged Site Plan	FEC	04-11-2016
C-3	Site Elevation	FEC	04-11-2016
C-4	Antenna Plans	FEC	04-11-2016
	Structural Assessment Letter	FEC	04-08-2016
SK-1	Mount Analysis 3D Render	FEC	04-08-2016
SK-2	Mount Analysis Member Label	FEC	04-08-2016
SK-3	Mount Analysis Shape	FEC	not listed
SK-4	Mount Analysis Nodes	FEC	not listed
SK-5	Mount Analysis Dead Lode	FEC	04-08-2016
SK-6	Mount Analysis Wind Lode (Z-Direction)	FEC	04-08-2016
SK-7	Mount Analysis Wind Lode (X-Direction)	FEC	04-08-2016
SK-8	Mount Analysis Ice Lode	FEC	04-08-2016
SK-9	Mount Analysis Wind Lode With Ice (Z-Direction)	FEC	04-08-2016
SK-10	Mount Analysis Wind Lode with Ice (X-Direction)	FEC	04-08-2016
Page 1	Mount Analysis	RISA	04-08-2016
Page 2	Mount Analysis	RISA	04-08-2016
Page 3	Mount Analysis	RISA	04-08-2016
	Mounting Bands/Bolts	FEC	04-08-2016
	Mounting Bands/Bolts	FEC	04-08-2016
	Combined Tension and Shear in Bearing-Type Connections	FEC	04-08-2016
	Multi-Band Bi-Sector Array	CCI	02-11-2016

FEC Fullerton Engineering Consultants
 CCI CCI Products
 RISA

F. That the Special Use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission.

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



PLAN COMMISSION STAFF REPORT

June 2, 2016

7-Eleven – Site Plan Approval & Special Use Permit

7601 159th Street

Applicant

John Chatwin,
7-Eleven, Inc.

Property Location

7601 159th Street

PIN

27-24-101-009-0000

Building Size

2,850 SF ±

Parcel Size

0.7 ac ±

Zoning

B-3 (General Business and
Commercial)

Approval Sought

Site Plan Approval and
Special Use Permit

Requested Action

Conduct a Public Hearing
and vote on approving the
Site Plan and
recommending the
approval of a Special Use
Permit to the Village Board

Project Planner

Stephanie Kisler,
Planner I



Rendering of the Proposed Fuel Canopy Expansion

EXECUTIVE SUMMARY

The Applicant, John Chatwin of 7-Eleven, Inc., is seeking Site Plan Approval and a Special Use Permit to allow for the expansion of the existing fuel canopy at the 7-Eleven facility located at 7601 159th Street.

Site Plan Approval is required for the modifications to the site, which include expansion of the fuel canopy, changes to landscaping, changes to lighting, and closure of the northeast curb cut to 159th Street.

Per Section X.J.6.a. of the Zoning Ordinance, a Special Use Permit (SUP) is required to alter the uses permitted under the existing Special Use Permit (Ordinance 85-O-028). The Applicant is proposing to expand the existing use by adding four (4) additional fueling stations.

UPDATES FROM THE 5/19/2016 STAFF REPORT ARE IN RED

SUMMARY OF OPEN ITEMS

Open Items from Staff	Possible Solution
#1: Revise the fueling truck's route to the site to eliminate traversing a residential neighborhood.	Applicant will need to verify that the fueling truck is not traveling through the residential neighborhood. Resolved: The Applicant provided analysis showing that the fueling truck is able to access the site by using 159 th Street to 76 th Avenue and entering the southeast curb cut. The analysis indicates that the fueling truck will not be entering the site by coming through the residential neighborhood to the south of the site.

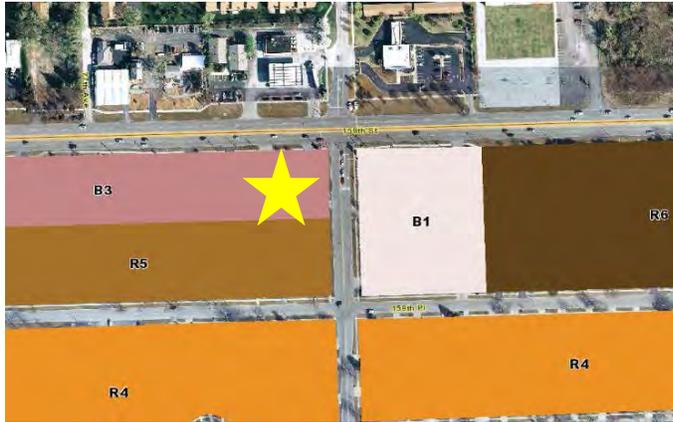
Open Items from the Plan Commission (5/19)	Possible Solution
#1: The Plan Commission was concerned about the width of the stacking area north of the canopy and questioned if 22' was sufficient for two-way traffic flow in addition to stacking at the fuel canopy.	The Applicant has provided changes to the Site Plan (see Sheet C1.20). On the north side of the proposed fuel canopy, the width is now 26.6' from the u-shaped bollard to the edge of the curb. On the south side of the proposed fuel canopy, the width is now 28' from the u-shaped bollard to the edge of the curb. In addition to shifting the proposed fuel canopy, the Applicant has added a yellow double-striped line at the northwest curb cut entry to encourage traffic flow to maintain movement to the south side of the fuel canopy. Furthermore, the Applicant has provided a mock up of stacking at the fuel pumps (see Sheet C1.23).
#2: The Plan Commission was concerned about the need for security cameras for the fuel canopy area.	The Applicant has provided security cameras on the convenience store building that face north toward the fuel canopy (see Sheet C1.20).
#3: The Plan Commission was concerned about the headlights from vehicles at the easternmost fueling stations being directed toward the residential property to the south without a tall buffer for the second story window.	The Applicant will discuss this at the Plan Commission meeting. Staff did not find that this concern was addressed within the revised plans.
#4: The Plan Commission was concerned about the need for a no left turn or right-in-right-out at the northwest curb cut.	The Applicant has stated that they attempted to contact IDOT to discuss this but has not had a response back as of the date of this report. The Applicant will discuss this at the Public Hearing. The Village Engineer has stated that the Applicant is able to install signage for "right turn only" within their property lines; however, this cannot be enforced unless IDOT regulates it as an official "right turn only". Conversations with the Village Engineer indicate that there are no traffic warrants that would indicate restricting the access to a RI/RO; additionally the Village Engineer recognizes the elimination of the east entrance at 159 th Street as a significant improvement to the safety and circulation within the site.
#5: The Plan Commission was concerned about possibly expanding the width of the northwest curb cut to accommodate wider right turns out of the site.	The Applicant has reached out to IDOT to discuss the possible alteration of the curb cut and has not heard back as of the date of the report. The Applicant will discuss this at the Plan Commission meeting. The Village Engineer has stated that any widening of the access would require an IDOT permit, which may impact the development schedule for the project. She noted that the profile of the curb cut currently meets IDOT standards.

EXISTING SITE

The property consists of a single parcel 0.7 acres in area with a 2,850 square foot convenience store that was constructed in the mid-1980s. In addition to the convenience store, the site also has a fuel canopy with four (4) fueling stations. The site also contains fourteen (14) striped parking spaces. The site has frontage on 159th Street and 76th Avenue.

ZONING & NEARBY LAND USES

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



Nearby land uses include commercial uses to the west, commercial uses within the Village of Orland Park to the north, the Brentowne Mini Mall shopping center to the east, and multi-family residential to the south.

The graphic at the left displays the Village’s Zoning Map in the vicinity of the subject property (yellow star). Note that properties north of 159th Street are part of the Village of Orland Park and the zoning of those properties is not displayed on the map.

PROPOSED SITE PLAN

The Applicant proposes to modify the existing 7-Eleven site by expanding the fuel canopy to accommodate a total of eight (8) fueling stations (an increase of four (4) from the existing fuel canopy). The proposed fuel canopy is seventeen feet, six inches (17’6”) in height with a width spanning ninety feet (90’) long and twenty feet (20’) wide.

Additionally, 7-Eleven proposes to complete related site improvements, such as changes to landscaping, lighting, and access to the site by closing an existing curb cut near the intersection of 159th Street and 76th Avenue.



PROPOSED USE

The Applicant proposes to continue the operation of an existing automobile service station, which in this case is composed of a convenience store and fuel canopy. 7-Eleven obtained a Special Use Permit in 1985 (Ordinance 85-0-028; included in the meeting packet) for the operation of a convenience store and self-serve gas station in the B-3 Zoning District. According to Section X.J.6.a. of the Zoning Ordinance, a Special Use Permit shall expire automatically if “...there is a change in the use other than necessary maintenance and repair...”. Staff considers that the proposed improvements, i.e., adding four (4) additional fueling stations and expanding the existing fuel canopy, represents a change in the intensity of the use and therefore requires a new Special Use Permit.

According to Section II of the Zoning Ordinance, an automobile service station is defined as “any building or premise used for the **dispensing, sale, or offering for sale, at retail, of any automobile fuels**, lubricants, tires, batteries and other minor accessories for motor vehicles, and including the customary space for minor repair or servicing, but not including major repairs, overhauling, or body work.”

PARKING & CIRCULATION

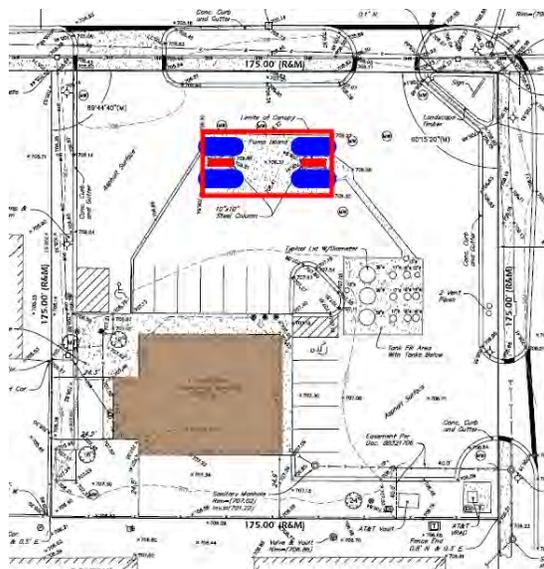
The site has fourteen (14) striped parking stalls, in addition to parking areas adjacent to the fuel dispensers (currently four (4) spaces; proposed to have eight (8) spaces). Staff has provided a table below with the regulations for off-street parking from Section VIII of the Zoning Ordinance.

According to 7-Eleven staff at the site, the convenience store has six (6) employees total, with usually one (1) to three (3) employees working at any given time. Staff does not have the measurement for the gross leasable floor area, but the overall floor area of the convenience store is 2,850 square feet.

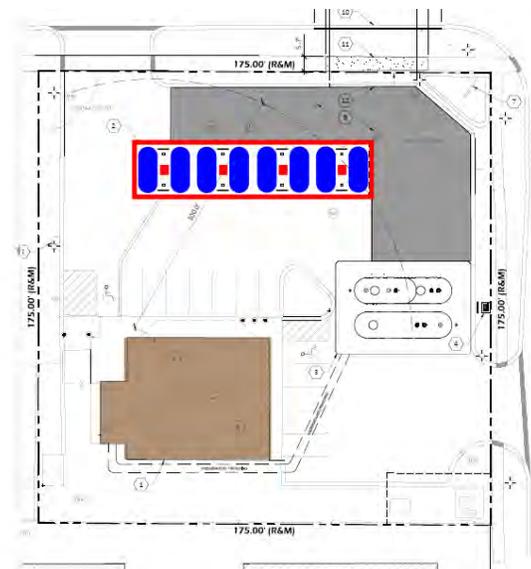
Required Parking for 7-Eleven	
“Automobile Service Station” (Fuel Canopy)	“Retail Store” (Convenience Store)
one (1) space for each employee, plus three (3) spaces for each grease rack or service stall	one (1) space for each one hundred fifty (150) square feet of gross leasable floor area
Parking Spaces Required: $3 + 0 = 3$	Parking Spaces Required: $2,850 / 150 = 19$

In this instance, the Village’s Off-Street Parking Regulations require twenty-two (22) parking stalls. When counting the existing parking stalls and the parking areas adjacent to fuel dispensers the site has twenty-two (22) parking spaces. The parking requirements for automobile service stations do not address parking for fuel canopies. The site has existed for over thirty (30) years without parking issues and is in compliance with Village standards for off-street parking.

As for circulation at the site, the new fuel canopy will re-orient the way cars access the fuel dispensing area. Please see the graphics below where the fuel canopy is outlined in red and vehicles at the dispensers are shown in blue. The current fuel canopy (left image) orients vehicles parallel to 159th Street. In order to accommodate additional fueling stations, the dispensers are proposed to be turned perpendicular to 159th Street (right image). This will allow for better circulation to and from the fueling stations under the canopy. Additionally, the northeast curb cut along 159th Street will be removed in order to lessen the potential safety concerns of vehicles entering and exiting the site so close to an intersection.



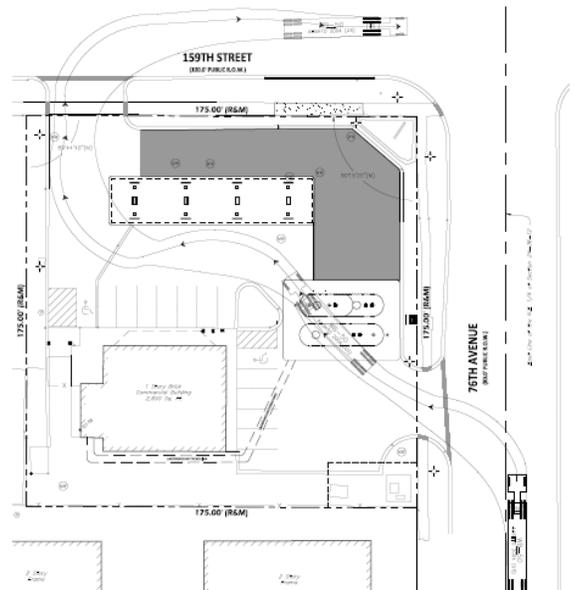
Existing Fuel Canopy
(showing vehicle orientation at fuel dispenser)



Proposed Fuel Canopy
(showing vehicle orientation at fuel dispenser)

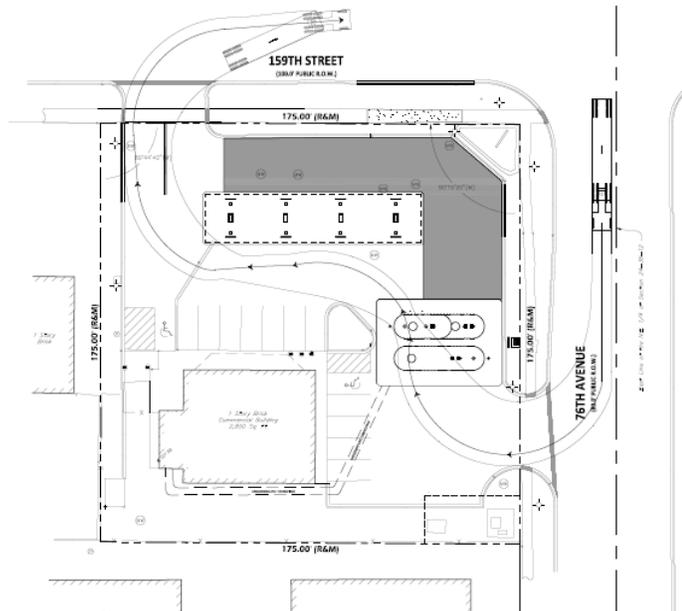
The Applicant has taken into consideration the turning radii required for Village Fire Department vehicles and for gasoline fueling trucks to deliver fuel. Sheet C1.22 (Fueling Truck Site Plan), shown at the right, depicts the path for delivery vehicles to maneuver through the site successfully.

However, this plan shows that the fueling truck is entering the site by coming north through a residential neighborhood on 76th Avenue. Staff is working with the Applicant to clarify the full extent of the fueling truck's path to ensure that the truck is not traversing through a residential area to reach the site.



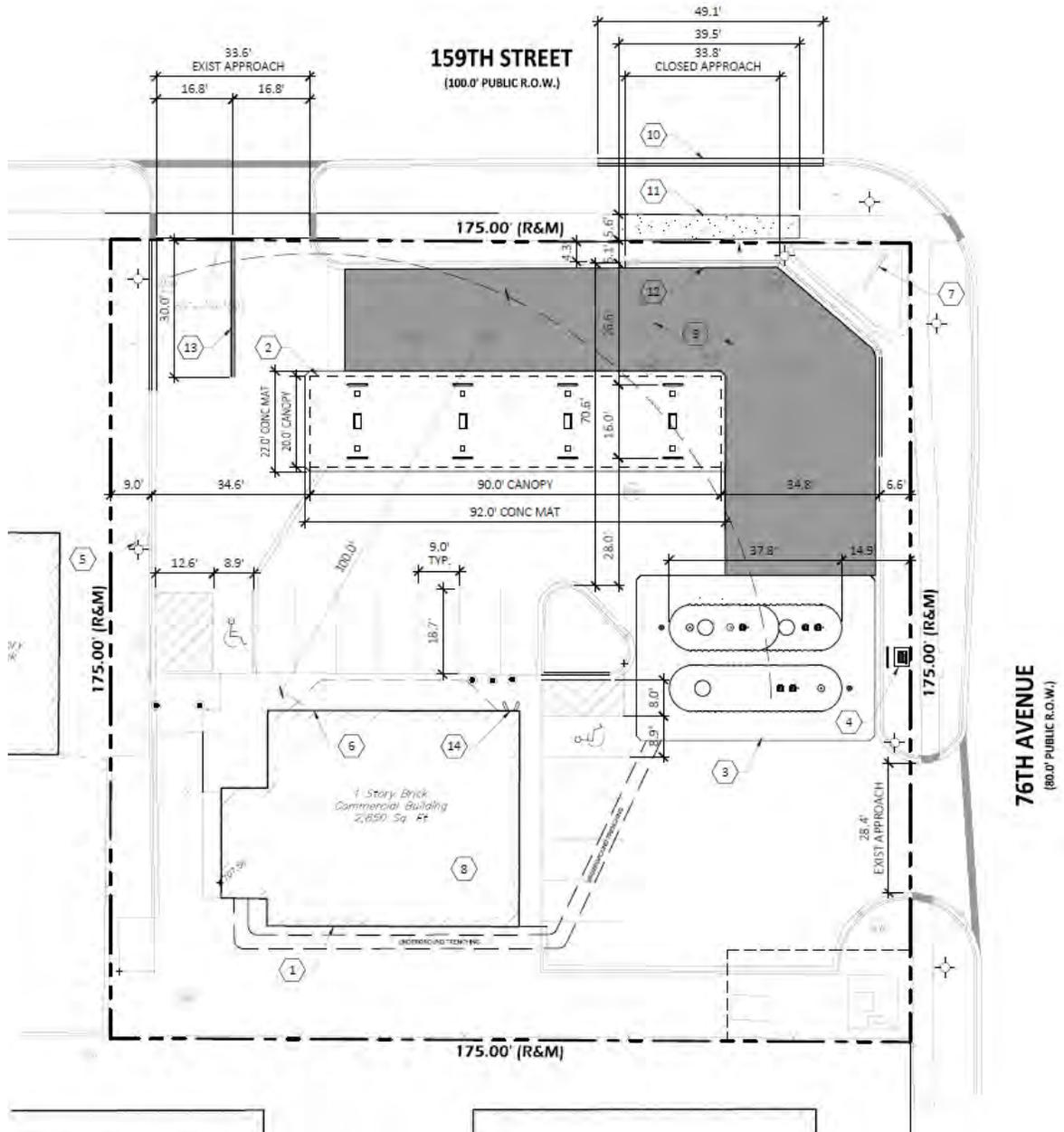
Open Item #1: Revise the fueling truck's route to the site to eliminate traversing a residential neighborhood.

Resolution: The Applicant has provided revised plans (see image below) indicating that the fueling truck is able to access the site by using 159th Street to 76th Avenue and entering the southeast curb cut. The analysis indicates that the fueling truck will not be entering the site by coming through the residential neighborhood to the south of the site.

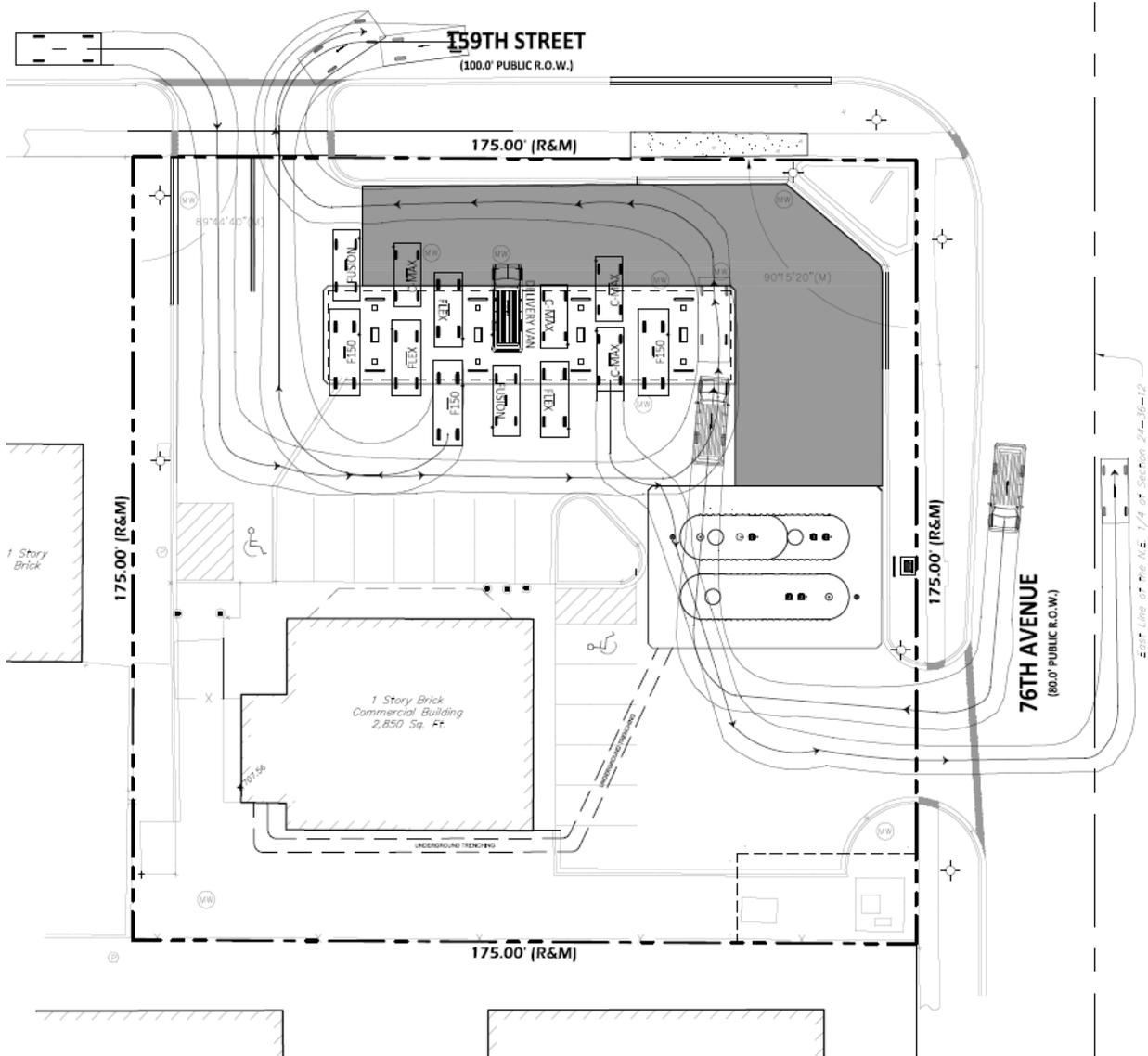


PLAN COMMISSION MEETING COMMENTS

During the Plan Commission meeting on May 19, 2016, the Commissioners expressed concern with the proposed width of the area north of the fuel canopy. Since the meeting, the Applicant has revised their plans and provided measurements indicating that the width will be 26.6' from the u-shaped bollard by the fueling station to the edge of the curb north of the proposed fuel canopy (see Sheet C1.20 or image below).



Also, the Applicant provided a plan showing how various sizes of vehicles would stack under the proposed fuel canopy. An image of Sheet C1.23 has been provided on the next page.



The Plan Commission also inquired about security cameras being utilized at the site. The Applicant has added two (2) security cameras at the northeast corner of the convenience store building façade that are directed north to capture activity at the proposed fuel canopy (see Sheet C1.20).

Additionally, it was mentioned that customers at the easternmost fueling stations may be producing headlight glare toward the residential property to the south (see photo at right) if the vehicle is facing south while fueling. The Applicant has looked into finding a solution for this concern and will address this at the Plan Commission meeting.



The Commissioners also were questioning the need for a sign reading “No Left Turn” or potentially a right-in-right-out for the northwest curb cut. The Applicant noted that they will investigate the possibilities and discuss with IDOT. As of the date of this report, they have not been able to get a response from IDOT. The Village Engineer noted that it is a major success to have the northeast curb cut closed with this project and that 7-Eleven could install signage within their property to discourage left turn maneuvers; however, signage on private property cannot be enforced by local police.

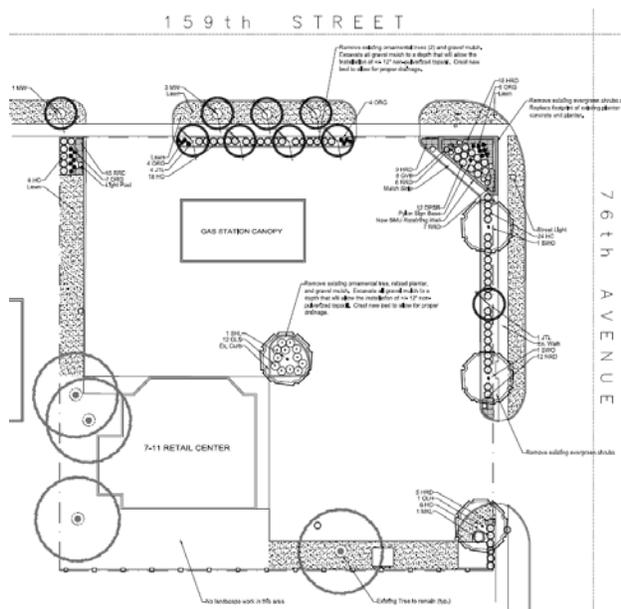


It was also discussed to possibly expand the width of the northwest curb cut to accommodate wide right turn maneuvers since it appears that some vehicles are having to mount the curb and harm the landscaping in the right-of-way. The Applicant will also discuss this topic at the Plan Commission meeting.

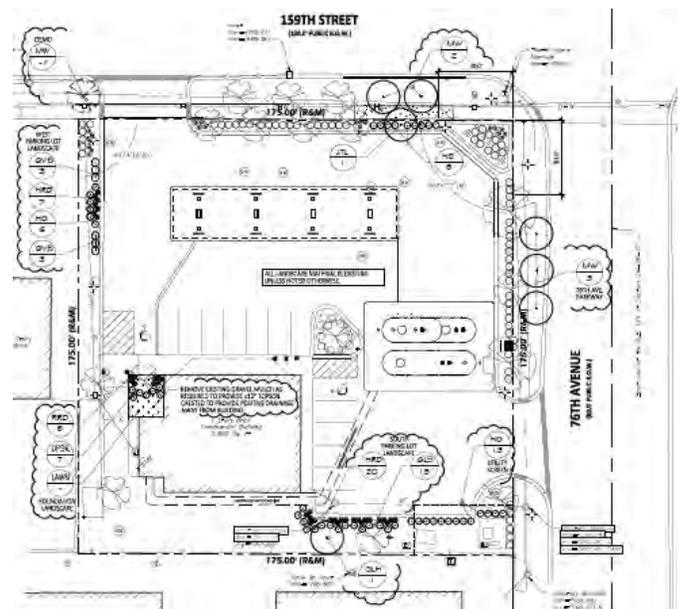
LANDSCAPING

The Applicant has provided a Landscape Plan that meets the intent of the Village’s Landscape Ordinance and expands upon the existing Landscape Plan for the site, which is shown below for comparison. Highlights of the proposed Landscape Plan include: additional parkway trees along 159th Street and 76th Avenue, additional landscaping in the west bufferyard, and additional landscaping in the south bufferyard.

The property abuts residential uses on the south, so Staff felt it was important to have additional screening and landscaping south of the convenience store and parking lot. A wood privacy fence currently exists and additional plant material will be provided to meet requirements for parking lot landscaping and to screen the utilities on the ground.



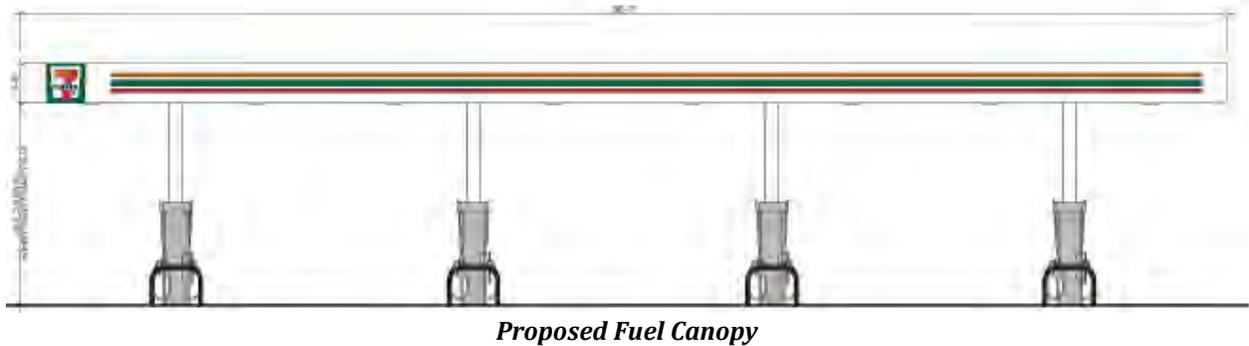
Existing Landscape Plan



Proposed Landscape Plan

SIGNAGE

A formal sign plan has not yet been submitted. Conceptual sign plans show signage consistent with the signage on the existing fuel canopy. Note that Section IX of the Zoning Ordinance (Sign Regulations) is silent on regulation for fuel canopies.



MULTI-DEPARTMENTAL STAFF REVIEW

The Applicant's request for Site Plan Approval and a Special Use Permit for 7-Eleven was routed to multiple Village Departments for review. There were no significant comments relating to the proposed use, although some comments were made regarding the plans. The Applicant revised their original plans to address various Staff comments. Notable comments and resolutions include:

- Planning Department Staff requested clarification on the material used for the fuel canopy posts and encouraged the use of brick to match the convenience store. The Applicant noted that the plans have been revised for the columns to include 5'3" high brick bases with stone caps to match the existing convenience store. Additionally, the Applicant agreed to close the curb cut at the northeast corner of the site nearest the intersection per staff's request.
- The Village's Landscape Architecture Consultant, Site Design Group, requested revisions to the Landscape Plan to ensure that clear sight triangles are maintained around the entry points to the site. They also requested revisions to make certain that the site meets the spirit of the Landscape Ordinance, such as adding parkway trees along 76th Avenue, adding plant material in the west and south bufferyards, and replacing a gravel area with a planting bed. The Applicant has complied with these requests.
- Fire Department Staff noted necessary locations for temporary construction dumpster containers and also required fire extinguishers at each fueling pump station for a total of four (4) fire extinguishers at the fuel canopy. The Applicant has satisfied these requests.
- The Village's Engineering Consultant, Robinson Engineering, and the Public Works Department Staff informed the Applicant that a permit may be required through the Metropolitan Water Reclamation District (MWRD) and requested documentation regarding a determination from the MWRD, which was provided in the revised plans. Additionally, it was noted that a permit from the Illinois Department of Transportation (IDOT) will be required for work in the 159th Street public right-of-way since 159th Street is maintained by the State. The Applicant acknowledged the comment and has contacted IDOT.

STANDARDS FOR A SPECIAL USE

Section X.J.5. lists standards that need to be considered by the Plan Commission. Attached please find the standards provided by the Applicant in defense of the requested Special Use. As part of the Public Hearing Process, the Findings of Fact – either as presented by the Applicant or as proposed by Staff (which are subject to revision upon hearing all testimony given during the Public Hearing) – shall be entered as part of the record for the Public Hearing. The Plan Commission is encouraged to consider these standards (listed below) when analyzing a Special Use request. **Staff has prepared draft Findings for each standard below.**

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

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - The proposed Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare because the business has operated at this location for over thirty (30) years and the major change in the use is an expansion of the fuel canopy to accommodate additional gasoline customers. The proposed plans reflect adequate dimensions for safe traffic maneuvers throughout the site. The proposed plans include closing the northeast curb cut, which currently is a safety hazard due to its proximity to the intersection of 159th Street and 76th Avenue. The proposed plans also include improvements to the landscaping at the site to make it more attractive and in compliance with the intent of the Village's current Landscape Ordinance.
- b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - The proposed Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity and will not substantially diminish and impair properties within the neighborhood because this particular use has been in operation since 1985. The only change will be the number of potential customers at the fuel canopy.
- c. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - The proposed Special Use will not impede the normal and orderly development and improvement of surrounding property because the use is just expanding to accommodate additional fueling stations under an expanded fuel canopy. The surrounding properties are already developed with other permitted and Special Uses.
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
 - The site currently exists in its present configuration and adequate utilities, access roads, drainage, etc. have already been provided. 7-Eleven will be removing the existing underground fuel tanks and replacing them with new underground fuel tanks. The public infrastructure will not be negatively impacted during the construction process.
- e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
 - The Applicant has taken measures to ensure that traffic congestion and maneuverability will not be negatively affected by the improvements to the site. In fact, the Applicant revised the original plans to better serve traffic flow and promoted safety measures for traffic throughout the site by adding striped lanes and widening the areas around the canopy.

- f. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission. The Village Board shall impose such conditions and restrictions upon the premises benefited by a Special Use Permit as may be necessary to ensure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the general intent of this Ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this Ordinance.
 - The Special Use will conform to all other applicable regulations for the site. The Site Plan requires no Variations from the Village’s Zoning Ordinance. The Applicant will obtain all necessary approvals and/or permits from the Village, IDOT, and MWRD.

- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.
 - The Special Use contributes directly and indirectly to the economic development of the community as a whole because it allows for more customers to frequent the site and purchase gasoline. Additionally, the convenience store may see additional customers making purchases within the store when they come to get fuel for their vehicles. This additional commercial traffic at the site will encourage other sites to consider similar site improvements and establish a respectable precedent for future existing sites that wish to expand/make improvements.

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

MOTION TO CONSIDER

If the Plan Commission wishes to take action, an appropriate wording of the motion would read:

“...make a motion to grant the Applicant, John Chatwin of 7-Eleven, Inc., Site Plan Approval for 7-Eleven at 7601 159th Street for plans (prepared by Sevan Multi-Site Solutions with a revision date of 5/25/2016) for a fuel canopy expansion and related site improvements. The Plan Commission would also like to recommend that the Village Board grant the Applicant, John Chatwin of 7-Eleven, Inc., a Special Use Permit for the operation of an automobile service station in the B-3 (General Business and Commercial) Zoning District and adopt Findings of Fact submitted by the Applicant and Findings of Fact proposed by Village Staff and the Plan Commission at this meeting.”

LIST OF REVIEWED PLANS

Revised Plans (Received 5/25/2016)

	Submitted Sheet Name	Prepared By	Date On Sheet
G0.01	Cover Sheet	Sevan Multi-Site Solutions	5/25/2016
	ALTA/ACSM Land Title Survey	Stonelake Survey Co.	2/4/2015
C1.10	Demolition Site Plan	Sevan Multi-Site Solutions	5/25/2016
C1.20	Dimension Control Site Plan	Sevan Multi-Site Solutions	5/25/2016
C1.22	Fueling Truck Site Plan	Sevan Multi-Site Solutions	5/25/2016
C1.23	Traffic Turn Site Plan	Sevan Multi-Site Solutions	5/25/2016
C1.30	Utility and Drainage Plan	Sevan Multi-Site Solutions	5/25/2016
L1.20	Landscape Plan	Sevan Multi-Site Solutions	5/25/2016
A2.01	Exterior Elevations	Sevan Multi-Site Solutions	5/25/2016



TANK UPGRADE & FUELING CANOPY REMODEL

**7-ELEVEN STORE #30129
7601 W 159TH STREET
TINLEY PARK, IL 60477**

VILLAGE OF TINLEY PARK - COOK COUNTY - STATE OF ILLINOIS



LOCATION MAP

PROJECT DESCRIPTION:

- GRADING AND SITE WORK
- (2) FIBERGLASS UNDERGROUND STORAGE TANKS (UST) AND PIPING
- (4) FUELING DISPENSERS
- FUELING CANOPY
- LANDSCAPING

BUILDING CODE REVIEW AND ANALYSIS:

BUILDING CODE: 2006 IBC
 MECHANICAL CODE: 2006 IMC
 PLUMBING CODE: 2004 ILLINOIS STATE PLUMBING CODE
 ELECTRICAL CODE: 2005 NEC
 FIRE CODE: 2006 IFC
 ACCESSIBILITY: 1997 ILLINOIS ACCESSIBILITY CODE
 NFPA 30 FLAMMABLE AND COMBUSTIBLE LIQUIDS CODE-2008 EDITION
 NFPA 30A CODE FOR MOTOR FUEL DISPENSING FACILITIES AND REPAIR GARAGES-2008 EDITION
 NFPA 1 UNIFORM FIRE CODE HANDBOOK

ZONING ORDINANCE REVIEW:

ZONING ORDINANCE: VILLAGE OF TINLEY PARK, ILLINOIS ZONING ORDINANCE, AMENDED THROUGH: OCTOBER 6, 2015

ZONING MAP: OFFICIAL ZONING DISTRICT MAP, VILLAGE OF TINLEY PARK, ILLINOIS GIS CONSORTIUM - MAP OFFICE - TINLEY PARK; HTTP://WWW.TINLEYPARK.ORG

SITE ZONING: B3; GENERAL BUSINESS AND COMMERCIAL

PERMITTED USE: SPECIAL USE PERMIT

BULK REGULATIONS (SEC V, SCHEDULE II)

TYPE	DESCRIPTION	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT REQUIREMENTS	AREA (SF)	7,500	30,625	30,625
	WIDTH (FT)	60	175	175
	DEPTH (FT)	125	175	175
MINIMUM YARDS AND SETBACKS (FT)	FRONT YARD	25	N-23.5; E-65.0	N-27.5; E-47.1
	ONE SIDE YARD	NOTE 1	24.2	24.2
	TOTAL OF TWO SIDE YARDS	NOTE 1	24.2	24.2
	REAR YARD	25	24.8	24.8
MAXIMUM BUILDING HEIGHT	STORIES	3	1	1
	FEET	35	17.5	17.5
MAXIMUM FLOOR AREA	RATIO	1.00	0.13	0.15

NOTES:

1. NO SIDE YARD SHALL BE REQUIRED, EXCEPT IF A SIDE YARD IS PROVIDED, IT SHALL NOT BE LESS THAN TEN (10) FEET; AND, IF ADJOINING A RESIDENTIAL DISTRICT, A MINIMUM SIDE YARD AT LEAST FIFTEEN (15) FEET IN WIDTH SHALL BE PROVIDED

PARKING CALCULATIONS (SECTION III.R. & SECTION VIII.A.10.):

RETAIL STORE: REQUIRED 1 PARKING SPACE FOR EACH 150 SF OF FLOOR SPACE IN THE BUILDING USED FOR COMMERCIAL USE

	COMMERCIAL FLOOR SPACE (SF)	REQUIRED SPACES	EXISTING	PROPOSED
	1,489	10	14	14

SIGNAGE: CANOPY - PROPOSED TO MATCH EXISTING

		N/A	9 SF (4 SIDES)	9 SF (4 SIDES)

PROJECT DIRECTORY:

	DESCRIPTION	ADDRESS	CONTACT
SITE CONTACTS	OWNER	7-ELEVEN, INC. 1722 ROUTH STREET DALLAS, TX 75221	JOHN CHATWIN 702.266.7113
	SURVEYOR	PROFESSIONAL LAND SURVEYING 3080 OGDEN AVE. SUITE 107 LISLE, IL 60532	JEFFREY RANKOW, P.S. 630.778.1757
	ARCHITECT/ ENGINEER	SEVAN MULTI-SITE SOLUTIONS 4925 FOREST AVENUE, DOWNERS GROVE, IL 60515	HOWARD HARTENSTEIN, LEED AP, AIA 612.854.1559
	PERMIT CONSULTANT	SEVAN MULTI-SITE SOLUTIONS 4925 FOREST AVENUE, DOWNERS GROVE, IL 60515	TIM KRATZ, PE 219.841.6535
GOVERNMENT AGENCY	PLANNING	VILLAGE OF TINLEY PARK 16250 S. OAK PARK AVENUE TINLEY, IL 60477	STEPHANIE KISLER 708.444.5100
	METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO	ENGINEERING DEPARTMENT 111 EAST ERIE STREET CHICAGO, IL 60611	JUSTINE SKAWSKI
	ILLINOIS DEPARTMENT OF TRANSPORTATION	TRAFFIC AND PERMITS 201 W CENTER COURT SCHAUMBURG, IL 60196	TBD 847.705.4131

PERMIT NOTES:

THE PROPOSED IMPROVEMENTS WILL NOT REQUIRE A WMO PERMIT AS PER THE LETTER FROM JUSTINE SKAWSKI, P.E. OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO DATED APRIL 13, 2016.

SHEET INDEX:		SITE PLANS/SPECIAL USE	STAFF REVIEW COMMENTS	PLANNING COMMISSION COMMENTS	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
GENERAL																				
G0.01	COVER SHEET																			
REFERENCE DRAWINGS																				
-	ALTA/ACSM LAND TITLE SURVEY																			
CIVIL																				
C1.10	DEMOLITION SITE PLAN																			
C1.20	DIMENSION CONTROL SITE PLAN																			
C1.22	TRUCK TURN PLAN																			
C1.23	TRAFFIC TURN PLAN																			
C1.30	UTILITY AND DRAINAGE PLAN																			
L1.20	LANDSCAPE PLAN																			
1 OF 1	PHOTOMETRIC PLAN																			
ARCHITECTURAL																				
A2.01	EXTERIOR ELEVATIONS																			

REVISIONS

NO.	DATE	DESCRIPTION
0	03.15.2016	SITE PLAN/SPECIAL USE
1	04.20.2016	STAFF REVIEW COMMENTS
2	05.25.2016	PLANNING COMMISSION COMMENTS

CONSULTANT

SEAL

CUSTOMER



PROJECT DESCRIPTION

FUELING REMODEL

PROJECT LOCATION

**STORE #30129
7601 W 159TH ST.
TINLEY PARK, IL 60477**

SHEET TITLE

COVER SHEET

SHEET MANAGEMENT

PROJECT NO.: 30129
DATE: 03.02.2016
CAD FILE: G0.01.dwg
PROJECT MANAGER: T. KRATZ

THIS DOCUMENT IS AND SHALL REMAIN THE PROPERTY OF SEVAN MULTI-SITE SOLUTIONS, INC. NO REPRODUCTION OR ALTERATION OF THIS DOCUMENT WITHOUT THE EXPRESS WRITTEN PERMISSION OF SEVAN MULTI-SITE SOLUTIONS, INC. IS PROHIBITED. (NOT FOR REUSE) ALL RIGHTS RESERVED. COPYRIGHT BY SEVAN MULTI-SITE SOLUTIONS, INC. 2013

SHEET NUMBER

G0.01



ALTA / ACSM LAND TITLE SURVEY

STONELAKE SURVEY CO.,
A DIVISION OF PROFESSIONAL LAND SURVEYING, INC.



VICINITY MAP
~ NO SCALE ~

SURVEYOR'S NOTES

1. THE UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD MARKS ON THE GROUND, AND ABOVE GROUND OBSERVABLE EVIDENCE ONLY. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
2. COMPARE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE; ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND REPORT ANY DIFFERENCE IMMEDIATELY.
3. BUILDING LINES ARE SHOWN ONLY WHERE THEY ARE SO RECORDED ON THE MAPS. REFER TO YOUR DEED OR ABSTRACT FOR ADDITIONAL ZONING RESTRICTIONS
4. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE AND EMBOSSED SEAL.
5. EASEMENTS AND SERVITUDES SHOWN HEREON ARE BASED UPON A TITLE COMMITMENT ISSUED BY REPUBLIC TITLE OF TEXAS, INC. IDENTIFIED AS NUMBER 1002-132189-RTT WITH AN EFFECTIVE DATE OF DECEMBER 30, 2014 A REVIEW OF WHICH INDICATES THAT:

ITEMS 1 - 15 IN SCHEDULE B ARE NOT SURVEY RELATED OR DO NOT AFFECT THE PROPERTY DESCRIBED.

THE PROPERTY IS SUBJECT TO AN EASEMENT IN FAVOR OF ILLINOIS BELL AND COMMONWEALTH EDISON PER DOC. NO. 88321706, THE LOCATION OF WHICH IS SHOWN HEREON.

6. (R) = RECORD DATA
(M) = MEASURED DATA
7. AREA OF SURVEY= 30,625 SQ. FT., OR 0.70 ACRES, MORE OR LESS.
8. PROPERTY CONTAINS 12 REGULAR AND 2 HANDICAPPED PARKING SPACES.
9. ELEVATIONS SHOWN HEREON ARE BASED ON NAVD88 DATUM.

PARCEL DESCRIPTIONS

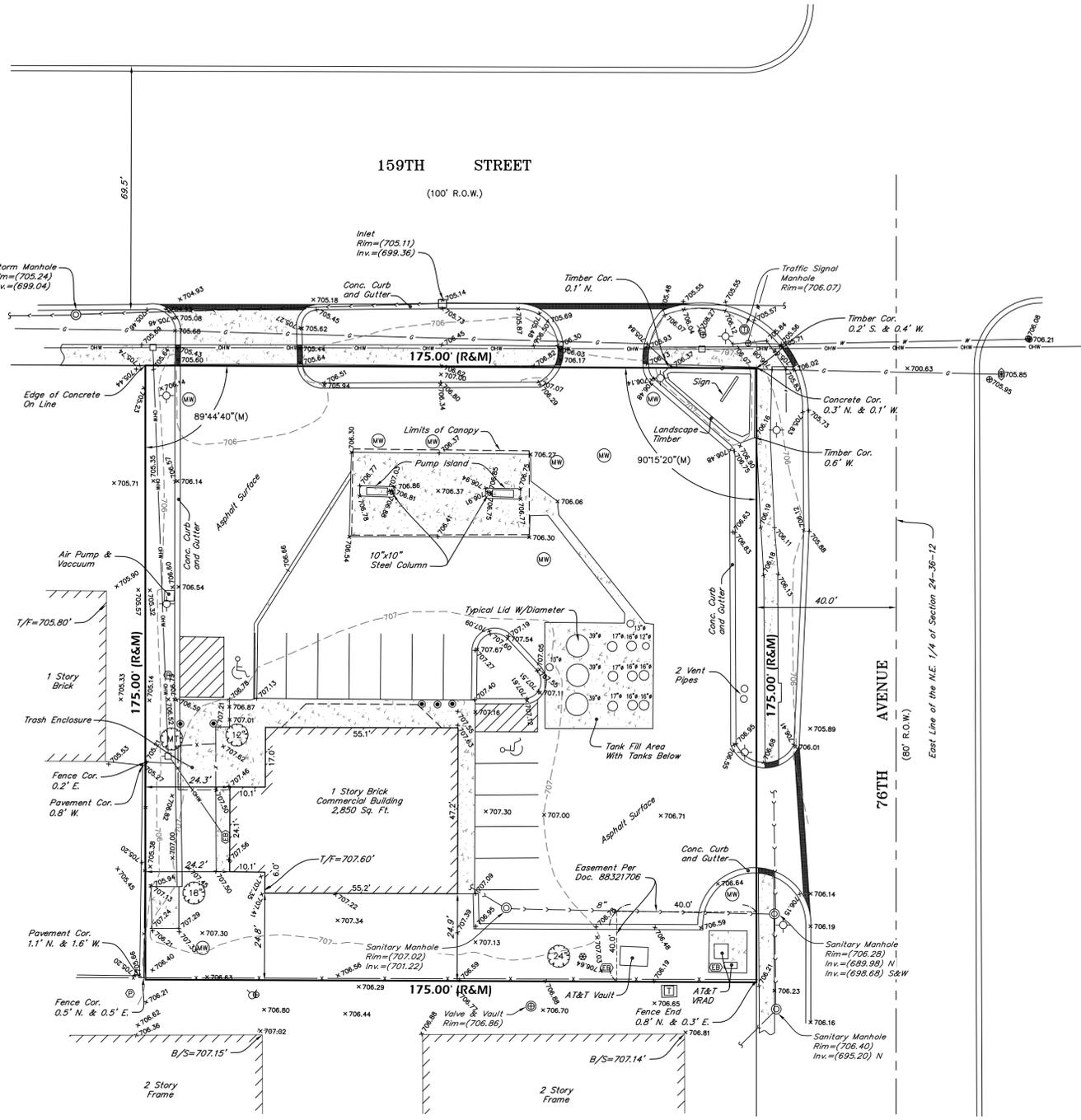
A PARCEL OF PROPERTY AT THE SOUTHWEST CORNER OF 159TH STREET AND 76TH AVENUE IN TINLEY PARK, ILLINOIS, FRONTING 175' ON EACH OF THE RESPECTIVE STREETS, BEING SQUARE IN SHAPE AND HAVING AN AREA 30,625 SQUARE FEET, LEAGLly DESCRIBED AS: BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF 159TH STREET (AS HERETOFORE DEDICATED BY DOCUMENT NO. 10909313) WITH THE WEST LINE OF THE EAST 40.00 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE WEST ALONG SAID SOUTH LINE OF 159TH STREET, A DISTANCE OF 175.00 FEET; THENCE SOUTH ON A LINE PARALLEL WITH THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 24, A DISTANCE 175.00 FEET; THENCE EAST ON A LINE PARALLEL WITH THE SOUTH LINE OF SAID 159TH STREET, A DISTANCE OF 175.00 FEET TO THE WEST LINE OF THE EAST 40.00 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 24; THENCE NORTH ON THE LAST DESCRIBED LINE 175.00 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

SURVEYOR'S CERTIFICATE

TO: 7 - ELEVEN

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES NO ITEMS OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON THIS 29TH DAY OF JANUARY, 2015.

DATED THIS 4TH DAY OF FEBRUARY, 2015.



SYMBOL LEGEND

- - MANHOLE
- - CATCH BASIN
- - INLET
- ⊗ - WATER VALVE
- ⊕ - HYDRANT
- ⊕ - BUFFALO BOX
- ⊕ - POWER POLE
- ⊕ - ELECTRIC CONTROL BOX
- ⊕ - STREET LIGHT
- ⊕ - TELEPHONE CANISTER
- ⊕ - BOLLARD
- ⊕ - GAS METER
- ⊕ - ELECTRIC METER
- *** - FENCE LINE
- SANITARY SEWER
- STORM SEWER
- WATER MAIN
- UNDERGROUND GAS LINE
- UNDERGROUND ELECTRIC CABLE
- OVERHEAD WIRES
- DEPRESSED CURB
- CONCRETE SURFACE
- R.O.W. - RIGHT-OF-WAY
- - DECIDUOUS TREE, LESS THAN 6" DIA. UNLESS OTHERWISE NOTED
- ⊕ - EVERGREEN TREE, LESS THAN 6" DIA. UNLESS OTHERWISE NOTED
- (R) - RECORD DATA
- (M) - MEASURED DATA

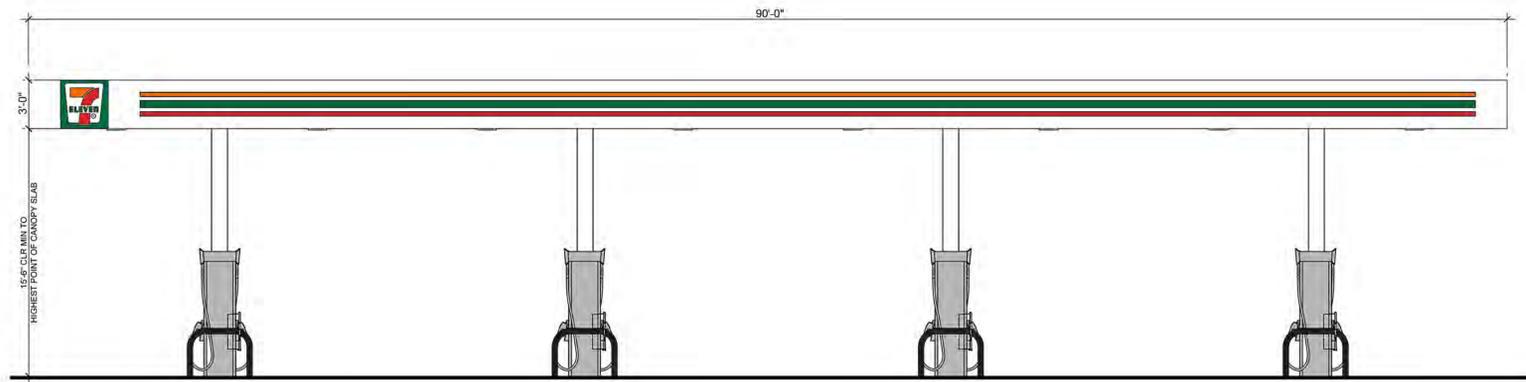


Call 1-800-892-0123

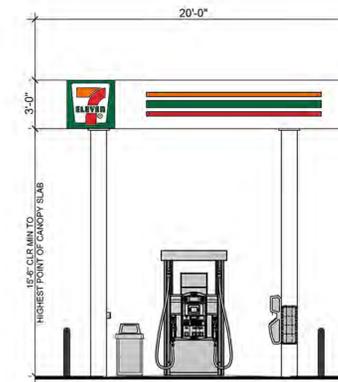
PREPARED FOR: THE DIMENSION GROUP
JOB ADDRESS: 7601 W. 159TH STREET
TINLEY PARK, ILLINOIS

Professional Land Surveying, Inc.
3080 Ogden Avenue Suite 107
Lisle, Illinois 60532
Phone 630.778.1757 Fax 630.778.7757

DRAWN BY: JPH FLD. BK./PG. NO.: 130/18
COMPLETION DATE: 2/4/15 JOB NO.: 1510407
REVISED:



2 FUEL CANOPY ELEVATION - SIDE VIEW
 3/16" = 1'-0"



1 FUEL CANOPY ELEVATION - END VIEW
 3/16" = 1'-0"



Documents prepared by The Dimension Group are to be used for the specific project for which they are intended. Any extension of use to other projects, by owner or any other party, without the written consent of The Dimension Group is done at the user's own risk. If used in a way other than that intended by The Dimension Group, the user assumes all liability from all claims and losses.

Job#: 14-856
 Scale: AS NOTED
 Date: 03/11/16
 Drawn By: JT
 Checked By: FS

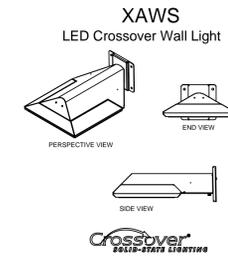
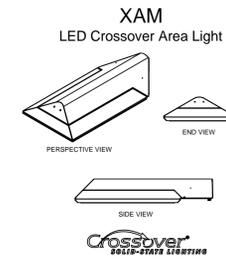
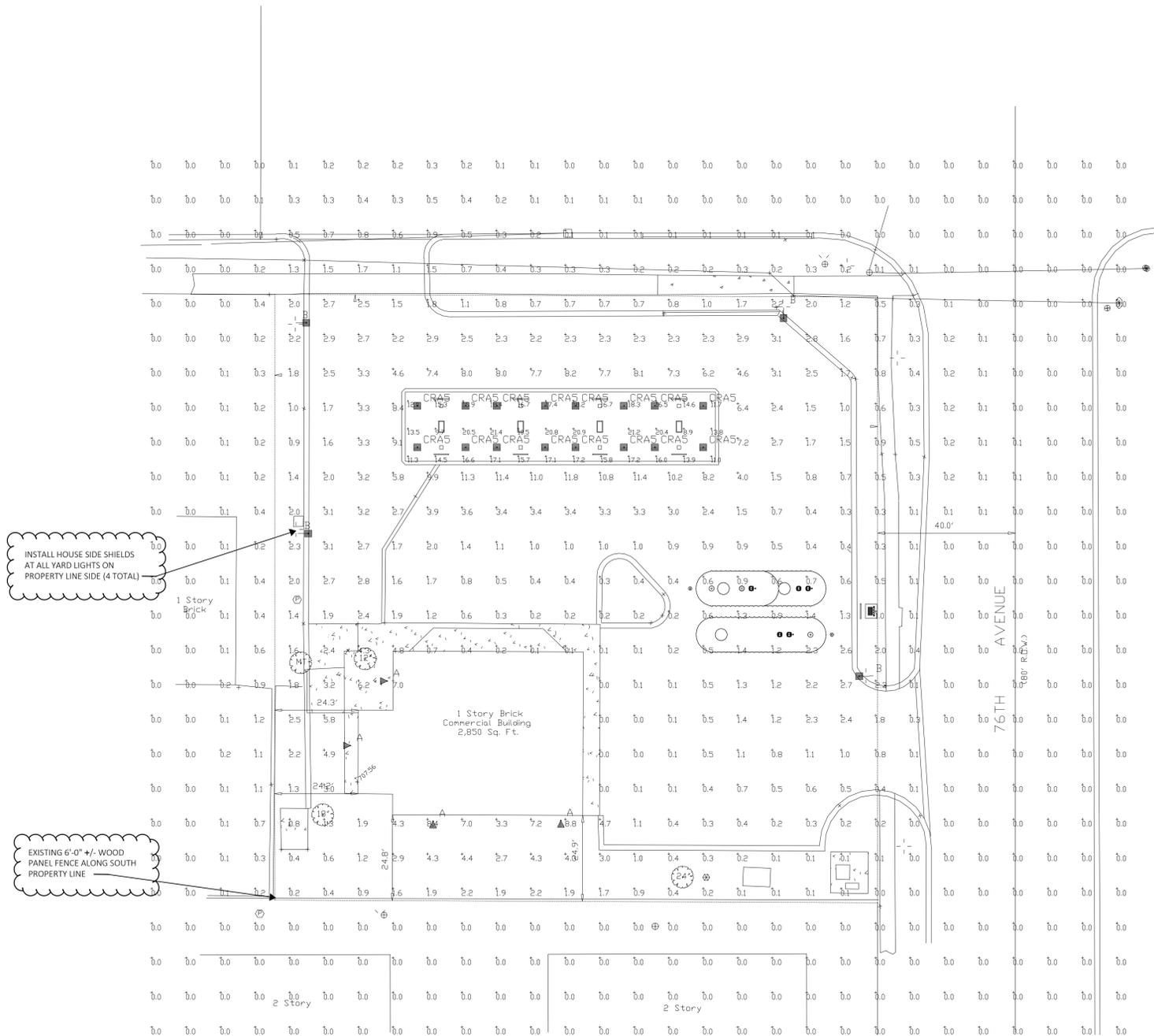


7-ELEVEN, INC.
 3200 HACKBERRY RD. IRVING, TX 75063
 7-ELEVEN #30129
 7601 W 159TH STREET
 TINLEY PARK, IL 60477
 PRESENTATION SHEET

Proto 4th Qtr 08-06-14

Rev. #	Date	Description

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Photometric data for fixture type "CRA5" is based upon another manufacturer's test and as a result can not be verified by LSI Industries for this calculation.

Luminaire Schedule									
Symbol	Qty	Label	Arrangement	Description	LLF	Lumens/Lamp	Arr. Lum. Lumens	Arr. Watts	
	4	A	SINGLE	XAWS-FT-LED-63-CW-UE - 12' MH	0.900	N.A.	5348	75	
	4	B	SINGLE	XAM3-FT-LED-119-350-CW-UE-HSS13-SINGLE 18' MH	0.900	N.A.	6576	138	
	16	CRA5	SINGLE	ECRA0A5F5501B_---- FIXTURE BY OTHER - 14.5' MH	0.900	N.A.	4230	35	

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ALL CALC POINTS AT GRADE	Illuminance	Fc	0.93	11.8	0.0	N.A.	N.A.
CANDPY	Illuminance	Fc	15.93	21.4	8.9	1.79	2.40
INSIDE CURB	Illuminance	Fc	2.50	11.8	0.0	N.A.	N.A.

Total Project Watts
Total Watts = 1412



LIGHTING PROPOSAL LD-131956-3

7-11
7601 W 159TH ST.
TINLEY PARK, IL

BY: LLS DATE: 3/16/16 REV: 4-26-16 SHEET 1 OF 1

SCALE: 1"=20'

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps/LED's and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted.



159th Street

76th Avenue

Proposed 4 Dispenser Canopy

Existing 7-Eleven Store





PLAN COMMISSION STAFF REPORT

June 2, 2016

BAILEY'S BAR & GRILL (17731 Oak Park Avenue)

Variations from the Legacy Code Sign Regulations (Sign Setback)

Petitioner

Ronald Bailey on behalf of
Bailey's Bar & Grill

Property Address

17731 Oak Park Avenue

PINs

28-31-208-004-0000,
28-31-208-015-0000,
28-31-208-016-0000

Parcel Size

0.60 acres ±
(26,264 square feet)

Zoning

NG (Neighborhood
General)

Subdivision

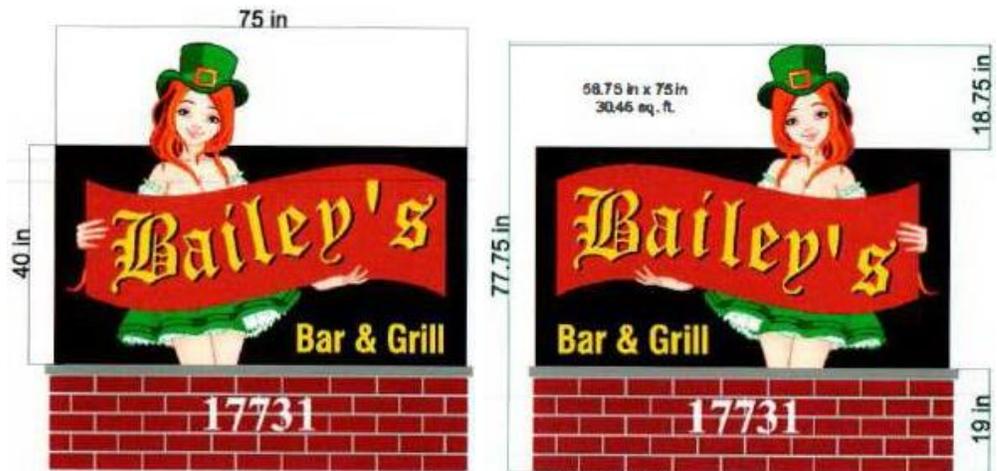
O. Rueter and Company's
Tinley Park Gardens
Subdivision

Approval Sought

Variation for a sign setback

Project Planner

Stephanie Kisler
Planner I



Proposed Ground Sign (showing both sides)

SUMMARY OF VARIATION REQUESTS

The Petitioner, Ronald Bailey on behalf of Bailey's Bar & Grill, is requesting the following Variations concerning a proposed ground sign:

1. A one foot, six-inch (1'6") Variation from the setback requirement from the south property line;
2. A one foot, six-inch (1'6") Variation from the setback requirement from the entry/access drive (to the north of the proposed sign); and
3. A nine foot (9') Variation from the setback requirement from the west property line.

All of these requests are Variations from Section XII.4.E., Table 4.E.1. (Legacy Code, Sign Regulations) of the Zoning Ordinance, where a "Monument - Ground" type sign is required to be located ten feet (10') from all property lines and entry/access drives.

These Variations would allow the Petitioner to construct a new ground sign that would be located at an eight foot, six-inch (8'6") setback from the south property line, an eight foot, six-inch (8'6") setback from the entry/access drive, and a one foot (1') setback from the west (Oak Park Avenue) property line at 17731 Oak Park Avenue in the NG (Neighborhood General) Zoning District.

BACKGROUND

The subject property is located in the Neighborhood General District in the Legacy District. The Petitioner, Ron Bailey, owner of Bailey's Bar and Grill, wishes to erect an aluminum and Lexon sign that will be externally illuminated. The proposed sign will be 7'7" in height and 30.46 SF in area.

The proposed sign is considered a *Ground Monument* sign (see Section 4.d.) and therefore is limited to 10' in height in this District. The area of a sign is limited to 1 SF (per sign face) for each linear foot of frontage along a front lot line with a maximum area of 32 SF. The subject parcel has a 108 LF frontage along Oak Park Avenue, therefore a total of 108 SF would be the maximum sign area but for the 32 SF limitation. The proposed sign meets code with respect to sign height and area.

The Petitioner is proposing to locate the sign 1' from the west property line. The required setback for a ground mounted sign is 10'; therefore a Variation is required for the proposed setback.



VILLAGE STAFF COMMENTS

Staff has reviewed the petition for Variations from the required setback for a ground sign. It is important for the Plan Commission to note that signs for properties within the Village's Legacy District must adhere to the sign regulations of the Legacy Code (Section XII.4. of the Zoning Ordinance) which takes precedence over the sign regulations in the Zoning Ordinance (Section IX) and further that Variations from the Legacy Code are required to come before the Plan Commission rather than the Zoning Board of Appeals.

Staff from the Public Works, Engineering, Building, Fire, and Police Departments reviewed the Petitioner's request; no concerns were noted for the Variation request.



Diagram 1: Proposed Sign Location

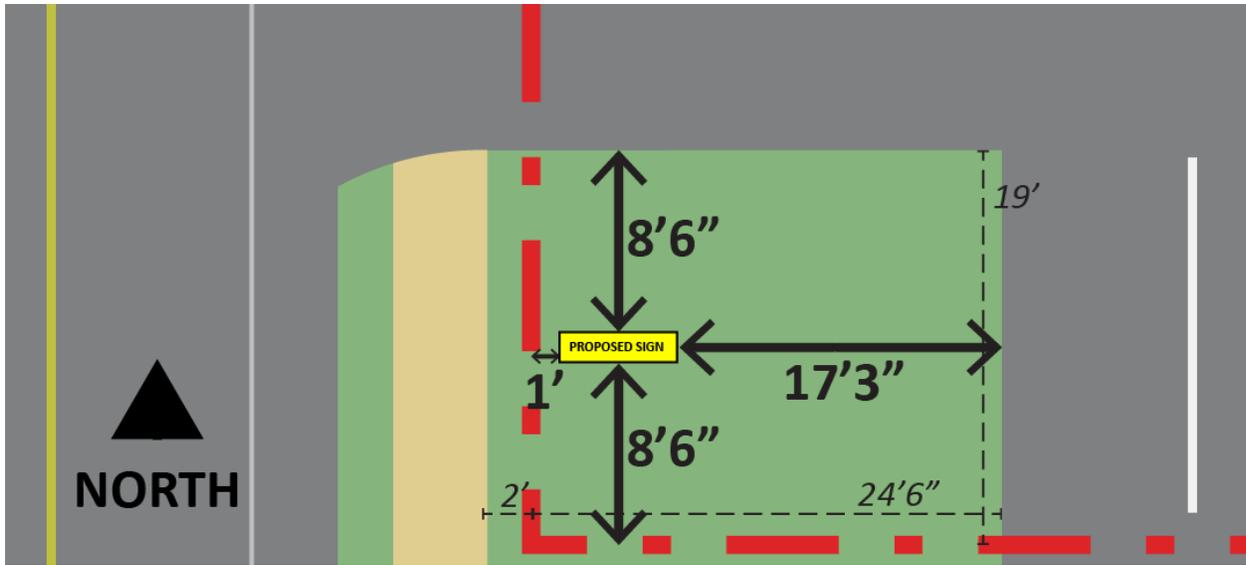


Diagram 2: Dimensions

Variation #1: Setback from the South Property Line

The Petitioner proposes to install the ground sign eight feet, six inches (8'6") from the south property line instead of the required ten feet (10').

Due to the north-south dimension (19'), meeting the ten foot (10') setback requirement is not possible if the setback of 10' from the access drive is also met. The Petitioner has requested placing the sign in the middle of the island, which allows for greater opportunity to landscape around the sign, but requires Variations from both the south property line and the access drive setbacks. Locating the sign in this manner will require a 1'6" Variation of the south property setback.

Variation #2: Setback from the Entry/Access Drive

As discussed with Variation #1, the limited north-south dimension eliminates the possibility of the sign meeting both the south property line required setback (10') and the access drive setback (10'). The Petitioner proposes to install the ground sign eight feet, six inches (8'6") from the entry/access drive and therefore requires a 1'6" Variation.

Variation #3: Setback from the West Property Line

The Petitioner proposes to install the ground sign one foot (1') from the west property line instead of the required ten feet (10'). Note that the property line is two feet (2') east of the sidewalk, so the proposed sign will be located about three feet (3') east of the edge of the sidewalk.

The east-west dimension of the landscape island is 24'6", therefore there is ample room for the sign to be located to meet the required 10' setback (from the west property line). The Petitioner has stated that the visibility of the sign would be significantly compromised if the sign were located to meet the 10' setback from the west property line. Staff notes that sign placement closer to Oak Park Avenue is consistent with existing ground signs that are nonconforming to the current setback requirement.

EXISTING GROUND SIGNAGE

Staff has been investigating the feasibility of setback requirements for ground signs within the Legacy District. The majority of the existing ground signs along Oak Park Avenue do not meet the ten foot (10') setback requirement and are considered legal nonconforming signs since they were erected prior to the adoption of the Legacy Code. If an owner of an existing legal nonconforming sign wishes to alter their sign, the sign has to be brought into conformance with the current regulations, including the setback requirement, or must receive a Variation. Staff notes that Variations are not a practical or expedient solution when there are a large number of existing nonconforming signs. A large number of Variations to the same regulation typically indicates that something in the code is not effective or appropriate for the conditions of the district and a revision may need to be considered. Staff anticipates recommending Text Amendments to the Sign Regulations (Section IX) of the Zoning Ordinance and the Legacy District's sign regulations (Section XII.4.) in the near future.

In a recent meeting with the MainStreet Commission, Staff discussed the setback issues for freestanding signs. It was the consensus of the group to revise the current regulations to a one foot (1') setback from property lines and determine a proper setback from entry/access drives on a case-by-case basis during the Building Permit process to ensure safety and visibility. This requirement would create the least amount of nonconformities in the Legacy District while still maintaining some distance from the property lines and sidewalks. (See Appendix A for a summary of the MainStreet Commission comments). Draft minutes from the MainStreet Commission meeting have also been provided within the meeting packet. Staff will be reviewing this recommendation and provide a comprehensive recommendation to the Plan Commission at a future meeting. In the meantime, the Plan Commission may wish to consider this recommendation from the MainStreet Commission when reviewing the Petitioner's Variation request.

STANDARDS FOR GRANTING A VARIATION

Per Section X.G.4. and Section XII.5.H. of the Zoning Ordinance, the Plan Commission shall not recommend a Variation from the regulations of the Zoning Ordinance unless it shall have made Findings of Fact, based upon the evidence presented for each of the Standards for Variations listed below.

- 1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.**
- 2. The plight of the owner is due to unique circumstances.**
- 3. The Variation, if granted, will not alter the essential character of the locality.**
- 4. Additionally, the Plan Commission shall also, in making its determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the Petitioner have been established by the evidence:**
 - a. The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
 - b. The conditions upon which the petition for a Variation is based would not be applicable, generally, to other property within the same zoning classification;
 - c. The purpose of the Variation is not based exclusively upon a desire to make more money out of the property;
 - d. The alleged difficulty or hardship has not been created by the owner of the property, or by a previous owner;
 - e. The granting of the Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
 - f. The proposed Variation will not impair an adequate supply of light and air to an adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

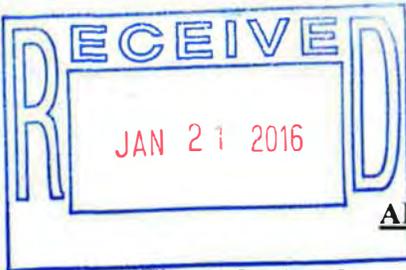
APPENDIX A.

MAINSTREET COMMISSION COMMENTS

Staff discussed ground sign setback requirements with the MainStreet Commission at their May 18, 2016 meeting in the Fulton Conference Room at Village Hall. Draft minutes from this meeting have been provided in the Plan Commission Packet with this Staff Report. The MainStreet Commission had a conversation with Staff about signage in the Legacy District as a whole as well as speaking about specific issues, such as ground sign setback requirements. Staff provided a short slideshow of some of the existing ground signs within the Legacy District to aid in discussion. Some of the main discussion points within the meeting were:

- Overall Concerns:
 - Wanting the sign regulations to be more business-friendly.
 - Wanting consistency with signage within the Legacy District (sign face area, sign height, and sign setback).
 - Wanting better maintenance of existing signage.

- Ground Signs:
 - Concerns with safety if there is not any setback standard.
 - Ideas about using an average setback after studying the existing signage.
 - Ideas about not allowing properties with zero to five foot (0-5') building setbacks to have any ground sign.
 - Ideas about having a one foot (1') setback requirement and then having Staff review for safety concerns at the permit stage.



VILLAGE OF TINLEY PARK
APPLICATION FOR ZONING ORDINANCE VARIANCE

The undersigned hereby Petitions the Village of Tinley Park Zoning Board of Appeals and/or Plan Commission to consider a Variation from the terms of the Zoning Ordinance as follows:

PETITIONER INFORMATION

Name: Bailey's Bar & Grill

Mailing Address: 17731 Oak Park Ave.

City: Tinley Park State: IL Zip: 60477

Day Phone: [redacted] Evening Phone: [redacted]

Cell Phone: [redacted] Fax Number: [redacted]

Email Address: [redacted]

Nature of Petitioner's Interest in the property and/or relationship to the owner:
(Applications received on behalf of the owner of record must be accompanied by a signed letter of authorization).

PROPERTY INFORMATION

Street Address: 17731 Oak Park Ave.

Owners: Ronald Bailey

SPECIFIC TYPE OF VARIANCE REQUESTED (See Examples Below):

An 18 inch variance from the South side lot line, a 24 inch variance from the front lot line and a 18 inch variance from the driveway sight line to allow for the installation of a new monument sign. The sign would be 10 feet off the sidewalk.

Revised Variation Requests:

- 1. A one foot, six-inch (1'6") Variation from the setback requirement from the south property line;
2. A one foot, six-inch (1'6") Variation from the setback requirement from the entry/access drive (to the north of the proposed sign); and
3. A nine foot (9') Variation from the setback requirement from the west property line.

FINDINGS OF FACT

ADDITIONAL INFORMATION TO BE PRESENTED TO SUPPORT A VARIATION REQUEST FROM THE TERMS OF THE VILLAGE OF TINLEY PARK ZONING ORDINANCE

Section X.G.1 of the Village of Tinley Park Zoning Ordinance requires that the Zoning Board of Appeals determine compliance with the following standards and criteria. In order for a variance to be approved, the Petitioner must respond to all the following questions with facts and information to support the requested Variation:

- A. Describe the difficulty that you have in conforming with the **current** regulations and restrictions relating to your property, and describe how this hardship is not caused by any persons presently having an interest in the property. (Please note that a mere inconvenience is insufficient to grant a Variation). For example, does the shape or size of the lot, slope, or the neighboring surroundings cause a severe problem in completing the project in conformance with the applicable Ordinance requirement?

The size of the landscape area was developed for the sign in our 2012 improvement plan, utilizing setback at the time, cannot be expanded. We would lose parking and the necessary width of the driveway

- B. Describe any difficulties or hardships that **current** zoning regulations and restrictions would have in decreasing your property value compared to neighboring properties.

The difficulty in property value would be encountered if Baileys ever wanted to sell the building out to another company. With surrounding and related businesses having monument signs, our value would be less. The sign gains attractability because of its visibility from Oak Park Ave.. If the monument is not allowed, it will decrease demand for the space.

- C. Describe how the above difficulty or hardship was created.

New ordinances were put into place extending the setbacks along Oak Park Ave.

FINDINGS OF FACT (CONTINUED)

- D. Describe the reasons this Variance request is unique to this property only and is not applicable, in general, to other properties within the same Zoning District.

There is only one location available to add a monument sign. The layout of the property makes this the only suitable area to erect our sign.

- E. Explain how this Variance **would not** be regarded as an attempt at financial gain, but only because of personal necessity. For example, the intent of the Variance is to accommodate related living for an elderly relative as opposed to adding an additional income source.

We believe the design of our monument sign would add a nice feature to the Oak Park Ave corridor. It will add to the aesthetic feature of our expanded renovation and compliment our patio area.

- F. Describe how granting this Variance request will not be detrimental to the public welfare or injurious to other properties or improvements in the neighborhood in which the property is located: (Example: fencing will not obstruct view of automobile traffic).

There will be no obstruction of traffic. The sign will only enhance the neighboring properties.

- G. Explain how granting this Variance will not alter the essential character of the neighborhood or locality:

The sign adds to the aesthetic value and historic authenticity of the downtown corridor as a family establishment and gathering place

FINDINGS OF FACT (Continued)

H. Describe how the requested Variance **will not**:

1. Impair an adequate supply of light and air to adjacent properties.

The monument sign will have no negative impact on the adjacent properties

2. Substantially increase the congestion of the public streets.

There will be no increase in congestion but hopefully will attract new business customers to all the surrounding businesses.

3. Increase the danger of fire.

N/A

4. Impair natural drainage or create drainage problems on adjacent property.

There is substantial landscaping surrounding the sign for drainage.

5. Endanger the public safety.

Not at all.

6. Substantially diminish or impair property values within the neighborhood.

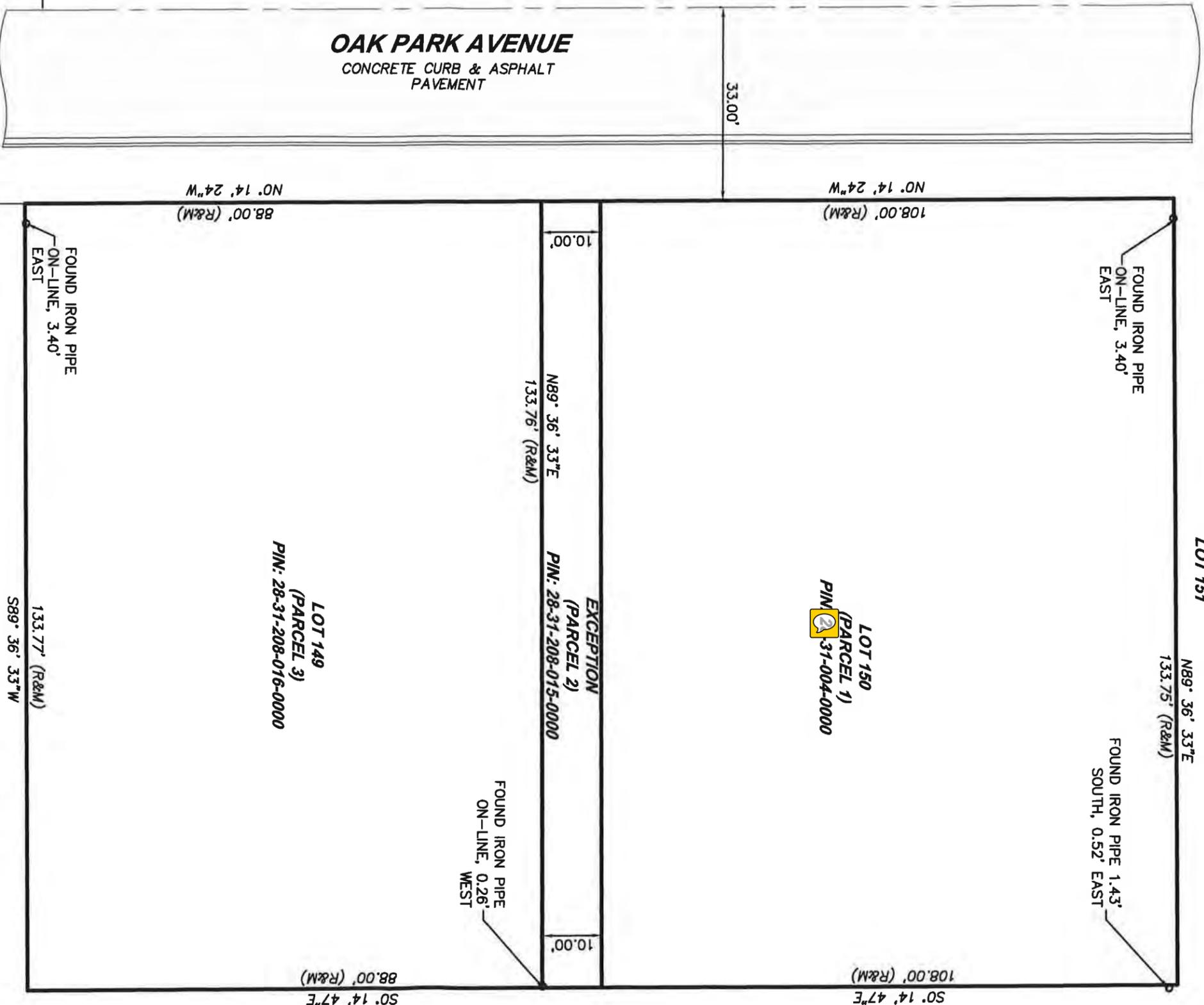
We believe the beautiful design of the monument sign will increase the aesthetic value of all the surrounding properties.

PLAT OF SURVEY

PARCEL 1:
 LOT 150 IN O. RUETER AND COMPANY'S TINLEY PARK GARDENS, BEING A SUBDIVISION OF THE SOUTH 60 ACRES IN THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 2:
 THE NORTH 10 FEET OF LOT 149 IN O. RUETER AND COMPANY'S TINLEY PARK GARDENS, BEING A SUBDIVISION OF THE SOUTH 60 ACRES IN THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 3:
 LOT 149 (EXCEPT THE NORTH 10 FEET THEREOF) IN O. RUETER AND COMPANY'S TINLEY PARK GARDENS, BEING A SUBDIVISION OF THE SOUTH 60 ACRES IN THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

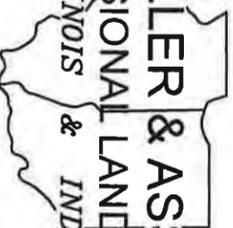


- FOUND IRON ROD
- FOUND IRON PIPE

LEGEND

SCALE: 1"=20'
 BASIS OF BEARING=ASSUMED

WINEMILLER & ASSOCIATES
 PROFESSIONAL LAND SURVEYORS
 ILLINOIS & INDIANA



3340 WEST 194th STREET, HOMEWOOD, ILLINOIS 60430
 PHONE (708) 799-1098 FAX (708) 799-1698

CLIENT: BAILEY'S BAR AND GRILL
 ADDRESS: 17731 S. OAK PARK AVENUE, TINLEY PARK, IL
 JOB NO. 12-160
 DESCRIPTION: PLAT OF SURVEY

LOT 148

LOT 149
 (PARCEL 3)
 PIN: 28-31-208-016-0000

LOT 150
 (PARCEL 1)
 PIN: 28-31-004-0000

EXCEPTION
 (PARCEL 2)
 PIN: 28-31-208-015-0000



STATE OF ILLINOIS)
 COUNTY OF COOK) SS
 I, SAMUEL R. WINEMILLER, CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

HOMEWOOD, ILLINOIS, FEBRUARY 28, 2013.

TITLE EXPIRES 11/30/14
 PROFESSIONAL LAND SURVEYOR NO. 035-03233

COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCES AT ONCE. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, CONTRACT, TITLE POLICY, ZONING ORDINANCE, ETC.



DECORATIVE SIGN (TO BE DONE DURING SECOND PHASE OF PROJECT.)

R5.00'

24.52' 8.5 ft

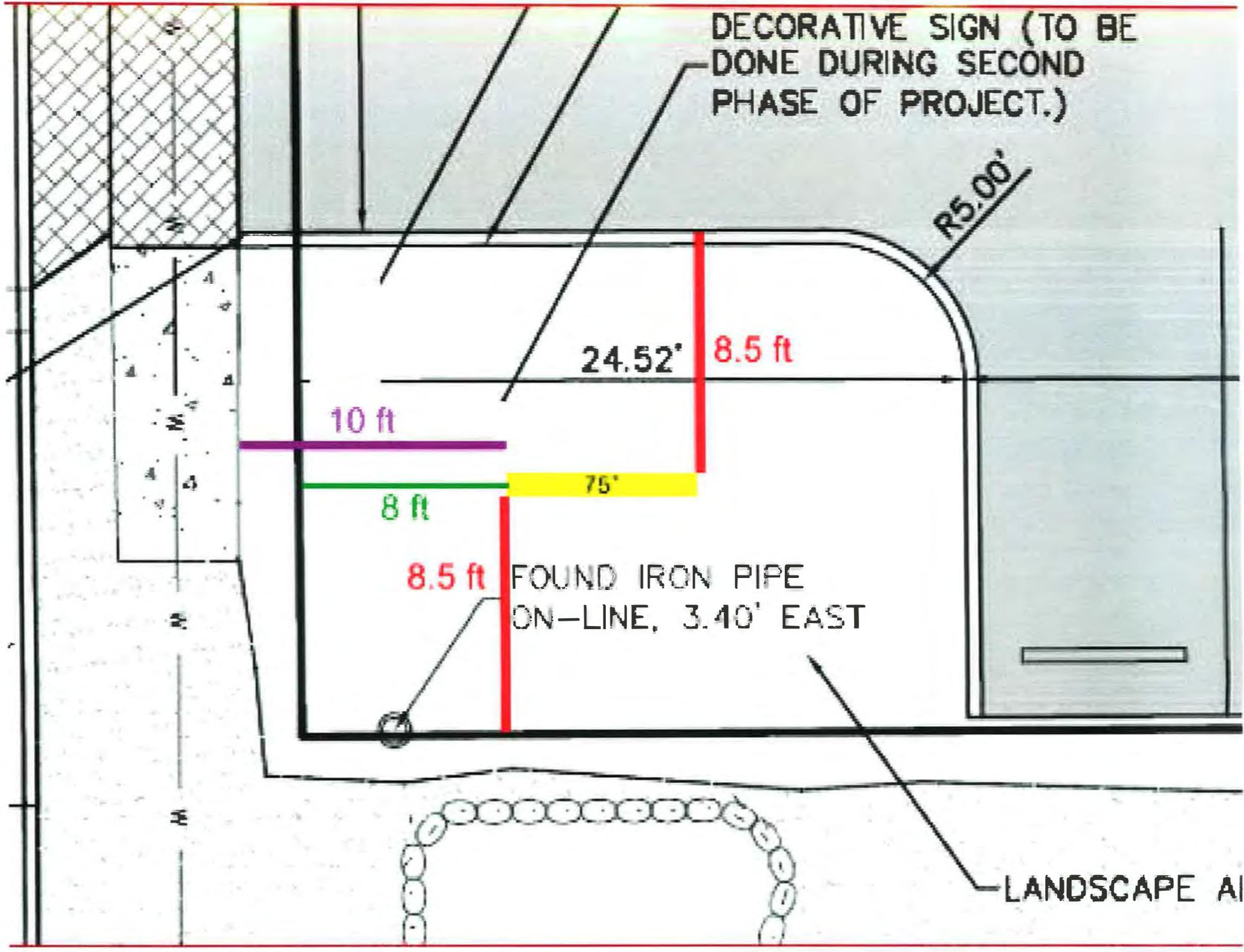
10 ft

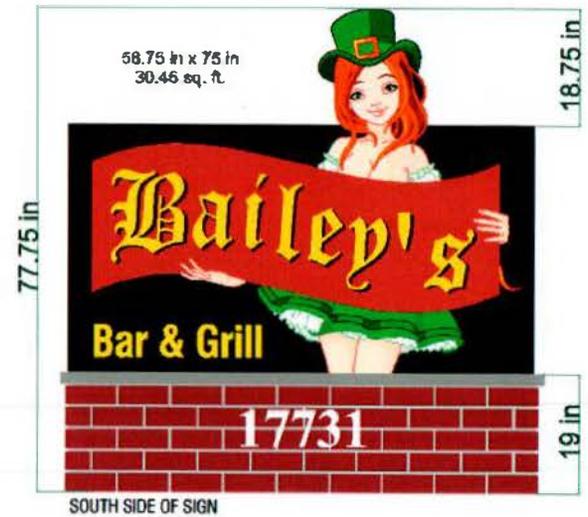
8 ft

75'

8.5 ft FOUND IRON PIPE ON-LINE, 3.40' EAST

LANDSCAPE AI





These drawings are the exclusive property of Integrity Sign Company. Any use other than that intended is not allowed without the express written authorization of Integrity Sign Company. Ideas contained herein are considered intellectual property and are protected under law. © Integrity Sign Company. The prices, specifications and conditions as described are satisfactory and hereby accepted. Integrity Sign Company is authorized to do the work as specified.

Directory Name: \\Ripper\d\BAILEYS BAR	
Customer:	Address:
Current Date: 1/22/2016	File Name: bailey girl monument.fs
Drawn By: JS	Salesperson:
Approved By:	Date:



18821 S. 81st Ave.
Tinley Park, IL 60487
708-532-5038
708-532-5059

**MainStreet Commission Meeting Minutes
May 18, 2016**

Members Present

Beth Fahey
Dennis Suglich
Dr. Robert Thies
Bob Haustein

Staff Present

Donna Framke, Marketing Director
Stephanie Kisler, Planner 1
Nancy Byrne, Commission Secretary

Also Present

Brian Maher, Liaison Trustee

Acting Chairman Bob Haustein called the May 18, 2016 MainStreet Commission meeting to order at 6:15 p.m. There was a motion made by Beth Fahey, seconded by Bob Thies, to approve the agenda for tonight's meeting with the addition of Signage Review by Stephanie Kisler and a review of the Hollywood Casino Amphitheatre marketing video. Vote by voice call: Acting Chairman Haustein declared the motion carried.

There was a motion made by Beth Fahey, seconded by Bob Thies, to approve the minutes from the April 20, 2016 MSC meeting. Vote by voice call: Acting Chairman Bob Haustein declared the motion carried.

Review of Downtown Tinley Marketing Video – The commissioners reviewed the 30-second video and gave their input. Donna noted that it may not be ready for the first concert because it takes 48-72 hours to get the contract approved.

Discuss STIHL Timbersports Event Participation – Donna reported that for the upcoming STIHL Timbersports event at the Convention Center we will send something out and ask the businesses if they want to participate in a marketing piece that will be at the hotels at check-in or in the hotel rooms. It will contain our Downtown Tinley event information and information from businesses and restaurants. This should be ready for the event in July. If this is beneficial, it is something we could do for all large shows at the Convention Center.

Signage Regulation Review – Stephanie Kisler informed the group that the Planning Department is looking at making some changes to the Village Sign Regulations specifically within the Legacy District, and in particular, ground signs and the required setback from the street. They are also looking at a comprehensive update of all signage in the Village. The Legacy District requires lesser building setbacks than other zoning districts. Ground signs in the Legacy District are required to be 10 feet from all property lines and access drives. There are issues with businesses that want to make changes to signs that do not meet codes. It is possible that the building itself and the signs on the building may be enough and the ground signs may not be needed. There are no sign setback requirements in other parts of town. She noted several examples of signs within the Legacy District and also pointed out two businesses that have requested variances for sign setbacks. If they grant a variance, then they would have to grant variances for other businesses as well. Therefore, thought should be given to whether the code should be changed. Stephanie explained that they are looking for direction from the MainStreet Commission on whether a setback is necessary and whether the intent would be even to have a free-standing sign or not.

Dennis noted that this is a touchy subject and being “business friendly” is important. Almost every business' sign does not meet the ten foot setback and this setback is unreasonable, especially if a business is on the street. Plus the small size of the signs is unreasonable. People are not walking at the far ends of the street outside of the core. He feels that the Legacy Code should apply only within the three blocks at the center of

the core. Dennis stated that the setback requirement should be eliminated. If they do not want ground signs and if the building is within five feet of the property line in front, then you do not have the space, but you cannot say ten feet. If the building is closer than five feet to the property line then they should not have a ground sign.

Stephanie asked the group's thoughts on if you do not have a setback requirement, then do you think it is okay to have a ten foot sign or should it be a smaller sign? Donna stated that these smaller signs would help us to transition to the next step. Trustee Maher stated that a lower monument sign might make sense outside of the core.

Bob Thies stated that when trying to design a pedestrian friendly downtown it can have a negative impact in many ways, especially with signage. He completed a very expensive, total reconstruction of his building 12 years ago. They were told they could only have signage on the front of the building. The signage faces the street. When the Liberty building was built next door, they added ten feet to the front of their building, and now his building is completely hidden and his sign is now useless. His only option is to put something on the sidewalk and he cannot put anything on the building projecting out because it cannot be seen. He thinks a big mistake was made. He would have to reconfigure his building to make the parking in the rear in order to put signage in the front.

Dennis asked what the purpose of the setback is and why is it different in downtown from other parts of the Village. Bob Thies stated that the setbacks were put in place in the hopes of a walkable downtown. The Legacy Code did not have the foresight it should have had. Stephanie stated that setbacks were established because of the character of downtown and that is why the Legacy Code was established. That is why they are different from other areas of town. Stephanie stated that each section of the Legacy District is different. Stephanie suggested that maybe we should lessen or remove the setback requirement because we do want to be business friendly.

Bob Haustein asked if we could come up with something uniform based on the most common setback. Stephanie stated that the concern is the safety aspect whether you are walking or driving. He stated that signs are not cheap and we do not want everyone to have to redo their signs. Dennis suggested that if you are within five feet of the property line then there is no space to put a ground sign. If the sign is not offensive, if it is safe and does not encroach on a neighbor, then signs should be allowed. Bob Haustein asked if we could do an average distance from the sidewalk – say maybe three feet from the sidewalk? Stephanie agreed to look into average setbacks. Blade signs down Oak Park Avenue can be seen and are a good idea. You should be able to do it off the building and you could do both.

Stephanie suggested requiring one foot off the property line with a six foot maximum size in height and a review of the location for safety. If staff or the Police Department believes it is a line-of-sight issue then it could be moved side to side on the driveway. Her recommendation would be to go lower with height and go one foot off the property line. Dennis asked how we address multiple businesses. Stephanie indicated that a multi-tenant sign with panels could be done.

Beth noted that some of the current signs do not look good and are falling apart and the code needs to be enforced. Dennis remarked that businesses are afraid to change their sign because they are not in code, therefore, maybe an overall sign incentive is necessary to encourage businesses to update their signs. Stephanie thanked everyone for their feedback and stated that she looks forward to drafting some proposed changes and bringing some ideas back to the MainStreet Commission.

Dennis asked again about temporary way-finding signage directing people into Downtown Tinley. Stephanie stated that she will inquire with Public Works about designing and making some signage. Donna mentioned that wayfinding signage will be part of the branding project. Dennis also asked for an update on food trucks. Stephanie will get an update.

Discuss Downtown Tinley Planters – Donna reported that Kelly wants to replace the Downtown Tinley planters with another type of planter. The group reviewed the photos and size of the planters. Brad recommended replacing the existing planters and purchasing eight more for a cost of \$15,000. The funds would come out of the video gaming funds.

Summer Events Update – Donna reported that an ad will be in the newspapers this week and it went out to the schools as well. She gave a Cruise Night, Block Party and Music in the Plaza update. Jim Palermo (VFW) will be running the car show. Meet the Artist night is June 18th from 6:30-8 p.m. The retail businesses did not show a strong interest in the scavenger hunt idea for this event. Businesses are being encouraged to have bands and music by their shops during Friday Frolics.

Bob Haustein discussed holding afternoon concerts from 3-6 p.m. on the Music in the Plaza nights. They have an agreement with Live Nation to give away 30 tickets per concert at Hollywood Amphitheatre and they will draw names and give tickets away for the concert at the Amphitheatre that night. Bettenhausen would pay the band and the extra sound guy. The dates are June 25, July 9, August 6 and August 20.

Trustee Update – Trustee Maher reported that Kevin Suggs was appointed as a new Village Trustee at the May 17th Board Meeting. Roger Brooks was approved as the branding consultant. They will be in town July 7th. A Branding Development Team needs to be formed. Beth volunteered. A Mental Health Center Steering Committee meeting will be held next week. Trustee Maher gave a report on current projects.

The MainStreet Commission presented Nancy with a cake on her retirement. Dennis thanked Nancy for her many years of service to the MainStreet Commission and the Village, and the commissioners wished her well on her retirement.

There was a motion made by Bob Thies, seconded by Dennis Suglich, to adjourn the meeting. Vote by voice call: Acting Chairman Haustein declared the motion carried and adjourned the meeting at 8:10 p.m.

***Reminder
Next MSC Meeting
June 15, 2016
6:00 p.m.
Fulton Conference Room***

Upcoming Events -

- Benches on the Avenue – Wednesday, May 11th to Oct. 1st
- Cruise Nights – Every Tuesday June 7 – Aug. 30th
- Farmers Market – Saturdays June 7 – Oct. 8th
- Music in the Plaza – Saturdays June 18 – Aug. 27th
- Meet the Artists Night – Saturday, June 18th

Convention Center Upcoming Public Events –

- 6/4-6/5/16 - Body Mind Spirit Expo
- 6/30-7/2/16 - Tim Gardner Productions: Chicago FIT & FLEX Expo
- 7/15-7/16/16 - STIHL Timbersports Series
- 8/13/16 - Back on the Bus – A Back to School Expo
- 8/18/16 – National Career Fairs
- 8/27/16 – 350 Brewing Fest 2

PLAN COMMISSION STAFF REPORT

June 2, 2016

THE ATTIC DOOR (17424 Oak Park Avenue)

Variation from the Legacy Code Sign Regulations (Sign Setback)

Petitioner

Wade Randolph of Effective Signs, on behalf of The Attic Door

Property Address

17424 Oak Park Avenue

PINs

28-30-314-003-0000,
28-30-314-004-0000

Parcel Size

0.25 acres ±
(11,250 square feet)

Zoning

DC (Downtown Core)

Approval Sought

Variation for a sign setback

Project Planner

Stephanie Kisler
Planner I



Existing Ground Sign (left) and Proposed Ground Sign

SUMMARY OF VARIATION REQUEST

The Petitioner, Wade Randolph of Effective Signs, on behalf of The Attic Door, are requesting the following Variation concerning ground signage on an existing site located at 17424 Oak Park Avenue, Tinley Park, Illinois:

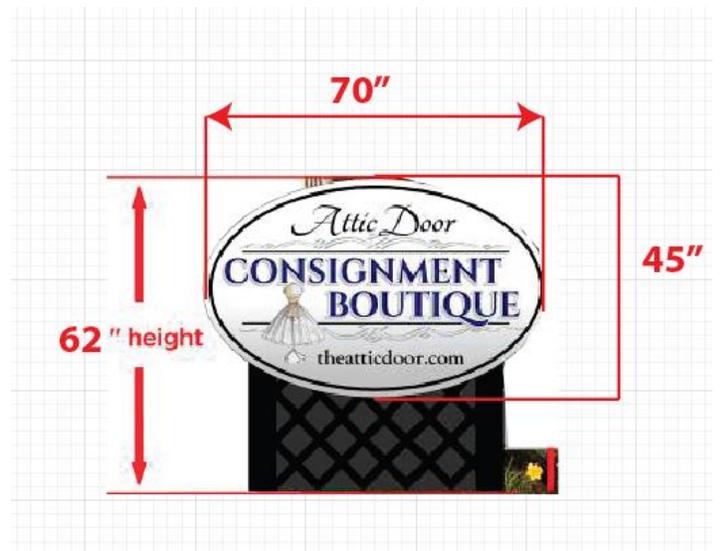
1. A nine foot (9') Variation from Section XII.4.E., Table 4.E.1. (Legacy Code, Sign Regulations) of the Zoning Ordinance, where a "Monument - Ground" type sign is required to be located ten feet (10') from all property lines and entry/access drives.

This Variation would allow the Petitioner to replace an existing ground sign with a new ground sign that would be located at a one foot (1') setback from the east (Oak Park Avenue) property line at 17424 Oak Park Avenue in the DC (Downtown Core) Zoning District.

BACKGROUND

The subject property is located in the Downtown Core District in the Legacy District. The owners of the Attic Door wish to replace their existing non-conforming sign with a new Medium Dense Overlay (MDO) wood sign. The proposed sign will be 6'2" in height and 21.87 SF in area.

The proposed sign is considered a *Ground Monument* sign (see Section 4.d.) and therefore is limited to 8' in height. The area of a sign in this area is limited to 1 SF (per sign face) for each linear foot of frontage along a front lot line with a maximum area of 32 SF. The subject parcel has a 75 LF frontage along Oak Park Avenue, therefore a total of 75 SF would be the maximum sign area but for the 32 SF limitation. The proposed sign meets code with respect to sign height and area.



The Petitioner is proposing to locate the sign 1' from the east property line. The required setback for a ground mounted sign is 10'; therefore a Variation is required for the proposed setback.

VILLAGE STAFF COMMENTS

Staff has reviewed the petition for a Variation from the required setback for a ground sign. It is important for the Plan Commission to note that signs for properties within the Village's Legacy District must adhere to the sign regulations of the Legacy Code (Section XII.4. of the Zoning Ordinance) which takes precedence over the sign regulations in the Zoning Ordinance (Section IX) and further that Variations from the Legacy Code are required to come before the Plan Commission rather than the Zoning Board of Appeals.

Staff from the Public Works, Engineering, Building, Fire, and Police Departments reviewed the Petitioner's request; no concerns were noted for the Variation request.

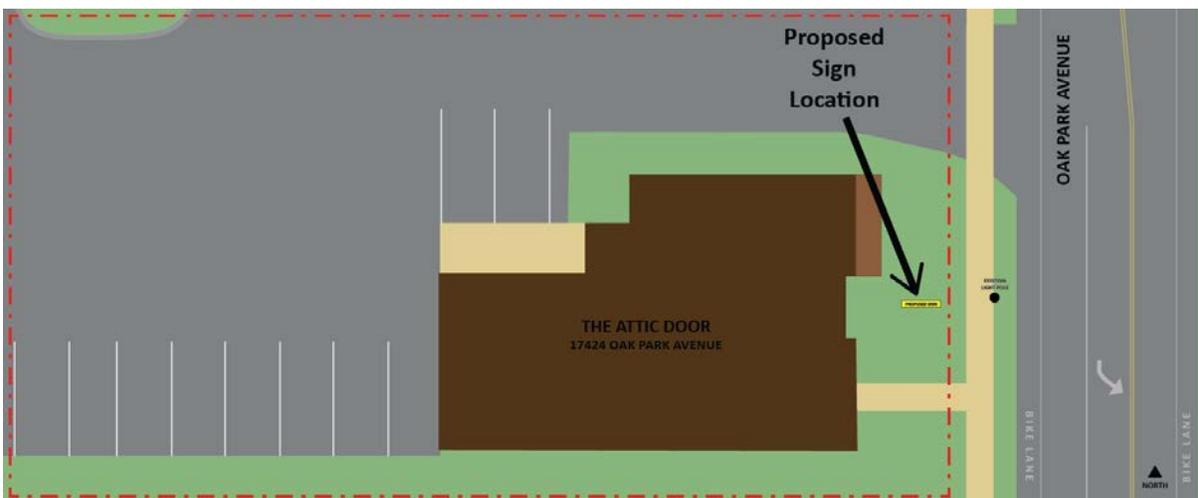


Diagram 1: Proposed Sign Location

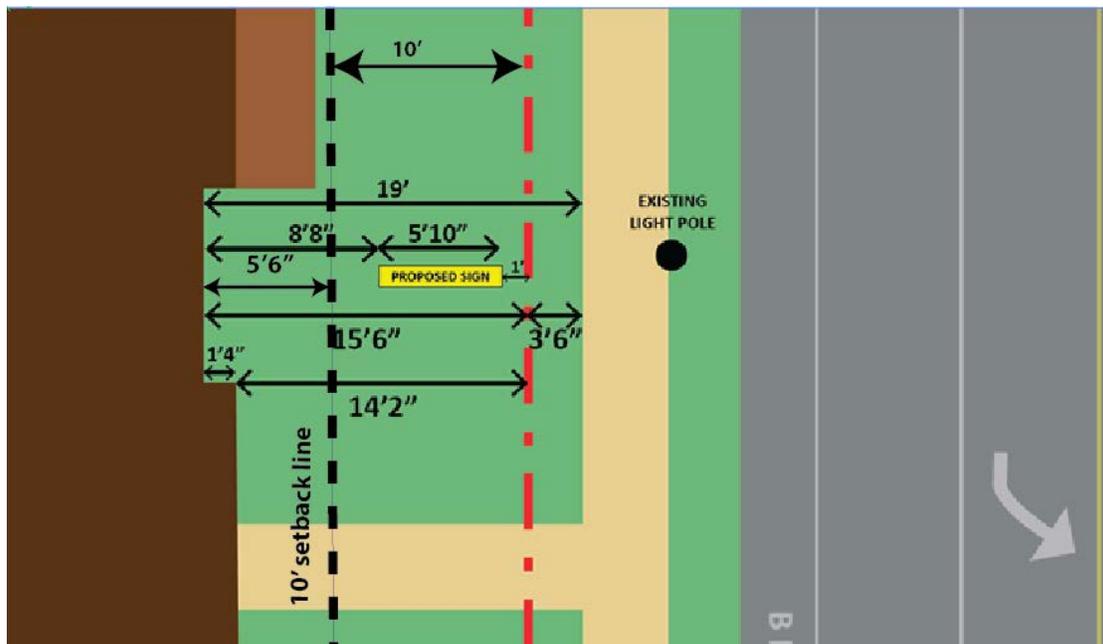


Diagram 2: Dimensions for Proposed Sign

Variation Request: Setback from the East Property Line

The Petitioner proposes to install a new ground sign, (5' 10" in width) one foot (1') from the east property line instead of the required ten feet (10'). Note that the property line is three feet, six inches (3'6") west of the sidewalk, so the proposed sign will be located about four feet, six inches (4'6") west of the edge of the sidewalk.

The Attic Door building has varying setbacks (ranging from 11' – 16') from their east property line. As indicated in the above diagram, there is inadequate area for the Petitioner to meet the required ten foot (10') setback since there is only, 5'6" space available between the required setback and the building. The Petitioner is concerned about the visibility of the sign if it were to be located any further west than the existing sign. Staff notes that the proposed sign placement which is closer to Oak Park Avenue is consistent with existing ground signs that are nonconforming to the current setback requirement.

Additionally, it is important to note that the proposed sign complies with other setback regulations (entry/access drive and south property line) and does not require a Variation for these other dimensions.

EXISTING GROUND SIGNAGE

Staff has been investigating the feasibility of setback requirements for ground signs within the Legacy District. The majority of the existing ground signs along Oak Park Avenue do not meet the ten foot (10') setback requirement and are considered legal nonconforming signs since they were erected prior to the adoption of the Legacy Code. If an owner of an existing legal nonconforming sign wishes to alter their sign, the sign has to be brought into conformance with the current regulations, including the setback requirement, or must receive a Variation. Staff notes that Variations are not a practical or expedient solution when there are a large number of existing nonconforming signs. A large number of Variations to the same regulation typically indicates that something in the code is not effective or appropriate for the conditions of the district and a revision may need to be considered. Staff anticipates recommending Text Amendments to the Sign Regulations (Section IX) of the Zoning Ordinance and the Legacy District's sign regulations (Section XII.4.) in the near future.

In a recent meeting with the MainStreet Commission, Staff discussed the setback issues for freestanding signs. It was the consensus of the group to revise the current regulations to a one foot (1') setback from property lines and determine a proper setback from entry/access drives on a case-by-case basis during the Building Permit process to ensure safety and visibility. This requirement would create the least amount of nonconformities in the Legacy District while still maintaining some distance from the property lines and sidewalks. (See Appendix A for a summary of the MainStreet Commission comments). Draft minutes from the MainStreet Commission meeting have also been provided within the meeting packet. Staff will be reviewing this recommendation and provide a comprehensive recommendation to the Plan Commission at a future meeting. In the meantime, the Plan Commission may wish to consider this recommendation from the MainStreet Commission when reviewing the Petitioner's Variation request.

STANDARDS FOR GRANTING A VARIATION

Per Section X.G.4. and Section XII.5.H. of the Zoning Ordinance, the Plan Commission shall not recommend a Variation from the regulations of the Zoning Ordinance unless it shall have made Findings of Fact, based upon the evidence presented for each of the Standards for Variations listed below.

- 1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.**
- 2. The plight of the owner is due to unique circumstances.**
- 3. The Variation, if granted, will not alter the essential character of the locality.**
- 4. Additionally, the Plan Commission shall also, in making its determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the Petitioner have been established by the evidence:**
 - a. The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
 - b. The conditions upon which the petition for a Variation is based would not be applicable, generally, to other property within the same zoning classification;
 - c. The purpose of the Variation is not based exclusively upon a desire to make more money out of the property;
 - d. The alleged difficulty or hardship has not been created by the owner of the property, or by a previous owner;
 - e. The granting of the Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
 - f. The proposed Variation will not impair an adequate supply of light and air to an adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

APPENDIX A.

MAINSTREET COMMISSION COMMENTS

Staff discussed ground sign setback requirements with the MainStreet Commission at their May 18, 2016 meeting in the Fulton Conference Room at Village Hall. Draft minutes from this meeting have been provided in the Plan Commission Packet with this Staff Report. The MainStreet Commission had a conversation with Staff about signage in the Legacy District as a whole as well as speaking about specific issues, such as ground sign setback requirements. Staff provided a short slideshow of some of the existing ground signs within the Legacy District to aid in discussion. Some of the main discussion points within the meeting were:

- Overall Concerns:
 - Wanting the sign regulations to be more business-friendly.
 - Wanting consistency with signage within the Legacy District (sign face area, sign height, and sign setback).
 - Wanting better maintenance of existing signage.

- Ground Signs:
 - Concerns with safety if there is not any setback standard.
 - Ideas about using an average setback after studying the existing signage.
 - Ideas about not allowing properties with zero to five foot (0-5') building setbacks to have any ground sign.
 - Ideas about having a one foot (1') setback requirement and then having Staff review for safety concerns at the permit stage.



**VILLAGE OF TINLEY PARK
APPLICATION FOR ZONING ORDINANCE VARIANCE**

The undersigned hereby Petitions the Village of Tinley Park Zoning Board of Appeals and/or Plan Commission to consider a Variation from the terms of the Zoning Ordinance as follows:

PETITIONER INFORMATION

Name: Effective Signs Inc - c/o Wade Randolph

Mailing Address: 17038 Oak Park Ave

City: Tinley Park State: IL Zip: 60477

Day Phone: [REDACTED] Evening Phone: _____

Cell Phone: _____ Fax Number: [REDACTED]

Email Address: [REDACTED]

Nature of Petitioner’s Interest in the property and/or relationship to the owner:
(Applications received on behalf of the owner of record must be accompanied by a signed letter of authorization).

PROPERTY INFORMATION

Street Address: 17424 Oak Park Avenue

Owners: Christie Johnson

SPECIFIC TYPE OF VARIANCE REQUESTED (See Examples Below):

A 6’ foot variance from Section XII.4.E., Table 4.E.1. (Legacy Code, Sign Regulations) of the Zoning Ordinance, where a freestanding frame type sign is required to be located ten feet from all property lines and access drives. This variance would allow for a frame sign to be constructed at a 4’ foot setback from the east (Oak Park Avenue) property line.

Revised Variation Request:

- 1. A nine foot (9’) Variation from Section XII.4.E., Table 4.E.1. (Legacy Code, Sign Regulations) of the Zoning Ordinance, where a “Monument – Ground” type sign is required to be located ten feet (10’) from all property lines and entry/access drives.

FINDINGS OF FACT

ADDITIONAL INFORMATION TO BE PRESENTED TO SUPPORT A VARIATION REQUEST FROM THE TERMS OF THE VILLAGE OF TINLEY PARK ZONING ORDINANCE

Section X.G.1 of the Village of Tinley Park Zoning Ordinance requires that the Zoning Board of Appeals determine compliance with the following standards and criteria. In order for a variance to be approved, the Petitioner must respond to all the following questions with facts and information to support the requested Variation:

- A. Describe the difficulty that you have in conforming with the **current** regulations and restrictions relating to your property, and describe how this hardship is not caused by any persons presently having an interest in the property. (Please note that a mere inconvenience is insufficient to grant a Variation). For example, does the shape or size of the lot, slope, or the neighboring surroundings cause a severe problem in completing the project in conformance with the applicable Ordinance requirement?

We wish to erect a new, attractive frame-style sign to the east of the Attic Door shop. This new sign will replace the existing 36" wide x 84" foot tall frame sign. The proposed new sign will be 4' feet tall overall with the sign faces 60"w x 38"h and meet the requirements of the Legacy Code, with the exception of the 10 foot required setback from the property line. The Attic Door shop actual building is only 12 feet from the east property line, so meeting the setback requirement for the sign would be impractical since the sign would be 2 feet from the building.

- B. Describe any difficulties or hardships that **current** zoning regulations and restrictions would have in decreasing your property value compared to neighboring properties.

We are not able to re-locate a new sign in the current location because the revised legacy code does not allow for ground signs to be installed closer than 10' from all property lines.

At this time, there are many other signs on Oak Park Avenue that were installed before the new legacy code was in effect, closer to the frontage property line and have more visibility.

- C. Describe how the above difficulty or hardship was created.

The sign code was changed. This code effects businesses on Oak Park Avenue that are already challenged by visibility. It reduces a visible sign option available to a majority of small businesses on Oak Park Avenue.

FINDINGS OF FACT (CONTINUED)

- D. Describe the reasons this Variance request is unique to this property only and is not applicable, in general, to other properties within the same Zoning District.

This may be generally applicable to some other properties with nonconforming ground signs in the Legacy District. There also are properties in Tinley Park that are not within the special Legacy District area are not required to have a 10 foot setback for ground signs. The Attic Door shop has a 12' foot setback from the east property line and the building is 70+ years old, and it was actually occupied as a house until the 1980s. None of the zoning changes for allowance of a setback for signs could have been foreseen.

- E. Explain how this Variance **would not** be regarded as an attempt at financial gain, but only because of personal necessity. For example, the intent of the Variance is to accommodate related living for an elderly relative as opposed to adding an additional income source.

The intent of the variance is to allow a new sign to be installed at a lesser setback (as indicated above) and only in the old sign location, not any closer to the east property line or to create an obstacle.

More importantly, the new sign has a new design and logo that is being used on all other marketing materials, additionally; the front of the building has been painted to tie in with the new design.

- F. Describe how granting this Variance request will not be detrimental to the public welfare or injurious to other properties or improvements in the neighborhood in which the property is located: (Example: fencing will not obstruct view of automobile traffic).

There are no visual obstructions. Additionally; the current sign is 7' high and the new sign will conform to the new 48" height. There has been a sign in this same location for 18 years with no incidents. A new sign will attract customers and make the property look better.

- G. Explain how granting this Variance will not alter the essential character of the neighborhood or locality:

The new sign took thought and hours of design time and a few revisions to arrive at the final layout. It is more descriptive of what the business is and a generally softer layout than the previous sign. Also, at the new required lower height of 4'; the sign will relate to the building and landscape as well as being quite visible to pedestrians and vehicle traffic.

FINDINGS OF FACT (Continued)

H. Describe how the requested Variance **will not**:

1. Impair an adequate supply of light and air to adjacent properties.

The proposed sign will not impair an adequate supply of light and air to adjacent properties because it will be set back 50 feet from the nearest property on the north and 25 feet from the nearest property on the south. Additionally, the sign faces will be 60" x 38" ; 48" in height overall , which is smaller than the existing sign which is 36" x 84"; 96' height overall

2. Substantially increase the congestion of the public streets.

The proposed sign will not increase the congestion in the public streets because the sign will be easily readable by passersby and not have any attention-getting or flashing or distracting display."

3. Increase the danger of fire.

The sign will meet all applicable Building Codes and Fire Codes. The proposed sign will not increase the danger of fire because the sign will be created and installed by a business that is licensed and bonded with the Village.

4. Impair natural drainage or create drainage problems on adjacent property.

The proposed sign will not create drainage problems on adjacent properties because the sign is 50 feet from the nearest property on the north and 25 feet from the nearest property on the south. Additionally, the sign faces will be 60" x 38"; 48" overall height, which is smaller than the existing sign which is 36 x 84"; 96" in height.

5. Endanger the public safety.

The proposed sign will not endanger the public safety because it will be created and installed by a professional and will meet all current Village codes (with exception to the proposed variance for the setback of the sign- which is clear of the sidewalk) The sign will not cause any line-of-sight issues with pedestrians, bicyclists, vehicles, etc.

6. Substantially diminish or impair property values within the neighborhood.

The proposed sign will not impair property values within the area because it will fit in with the character of the Legacy District and attract new customers to the area.

THE ATTIC DOOR

17424 S. Oak Park Avenue
Tinley Park, IL. 60477
708-532-7226

January 27, 2016

Village of Tinley Park
Zoning Board
16250 S. Oak Park Avenue
Tinley Park, IL. 60477

I am submitting this letter to the Village of Tinley Park to request that Wade Randolph of Effective Signs, act on my behalf in submitting the application for a variance request for our sign located at 17424 S. Oak Park Avenue.

We are requesting that we keep the current location of our sign, which has been in place since we opened in 1999, and not have to conform to the 10' ft. from the property line code that was put into effect in 2011.

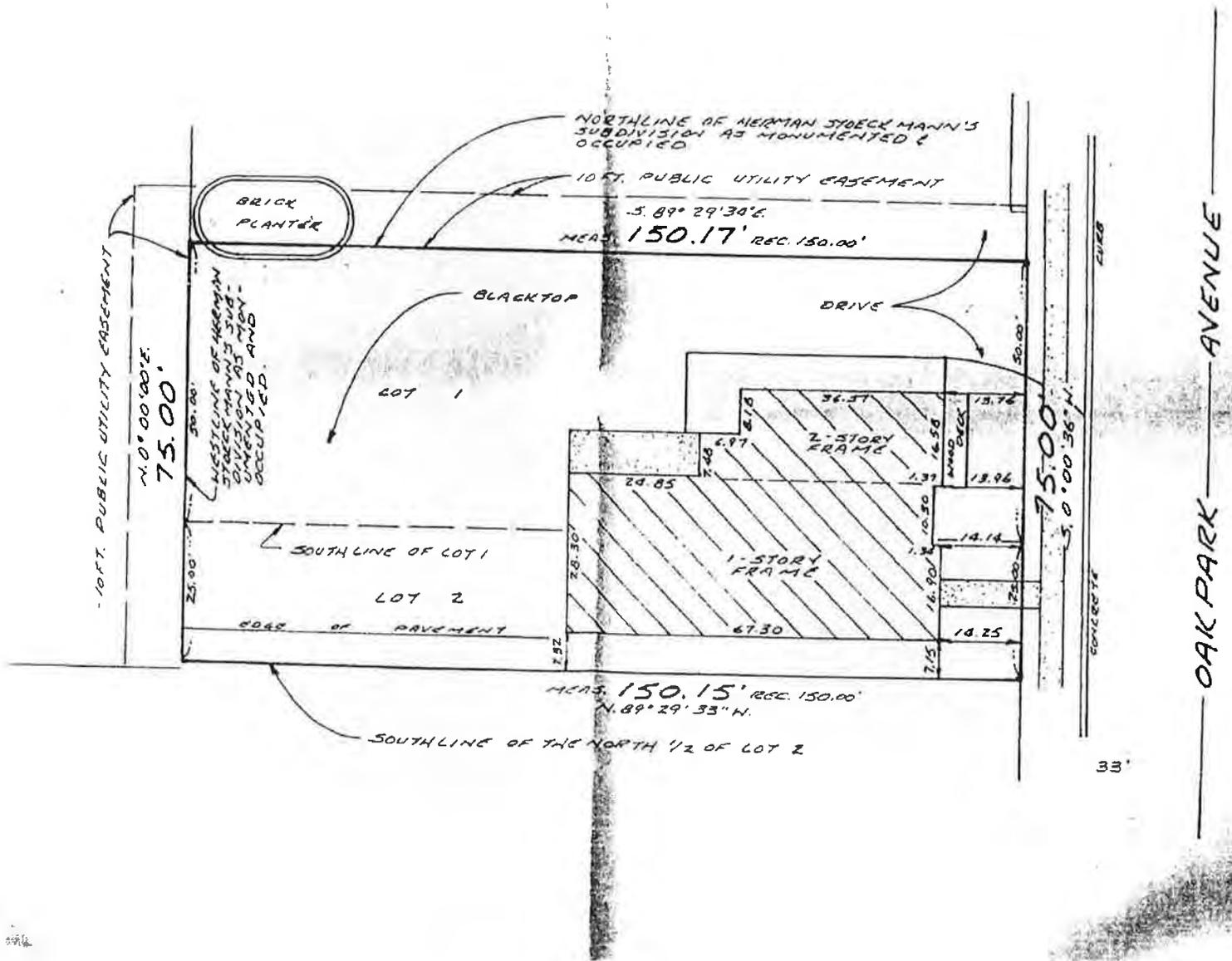
Thanks for your consideration.

Sincerely,



Christy Johnson

LOT 1 AND THE NORTH 1/2 OF LOT 2 IN HERMAN STOECKMANN'S SUBDIVISION,
 BEING A SUBDIVISION OF THE SOUTH 433 FEET OF THE EAST 183 FEET OF THE
 SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE
 THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY ILLINOIS



EFFECTIVE SIGNS EVERY TIME



existing



new sign relative to existing sign

WE CANNOT BEGIN PRODUCTION WITHOUT A SIGNED APPROVED SKETCH

PROOF



The Attic Door

monument sign

significant or repetitive revisions will generate additional charges added to the final invoice

OK Please Sign, Date and Fax/Email Back **X**

JOB 15-11-907
© Copyright May 25, 2016

date: _____

COPYWRITE NOTICE:

This artwork is property of Effective Signs and was created exclusively to aid your decision to purchase a sign from Effective Signs, Inc. USE OF THESE PLANS TO CONSTRUCT A SIGN SIMILAR TO THE SIGN SHOWN HERE IS EXPRESSLY FORBIDDEN BY TITLE 17, SECTION 2 OF THE UNITED STATES CODE TO PREVENT UNAUTHORIZED COPYING AND USE.

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17038 OAK PARK AVE./TIMLEY PARK, IL 60477
708.633.0730

FAX to 708-802-7377 or Email effectivesigns@yahoo.com