

# Plan Commission

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Minutes of the Meeting on  
March 1, 2018

**Village of Homer Glen  
14240 W 151<sup>st</sup> Street, Homer Glen, IL 60491  
Community Room**

**1. Call to Order.**

The meeting was called to order at 7:00 p.m. by Chairman Mitchell.

**2. Pledge of Allegiance to the Flag.****3. Roll Call.**

Members present at 7:00 p.m. were Chairman Don Mitchell, Member Eileen Crement, Member Broque Backal, Member Kevin O'Donnell, and Member Lynn McGary.

Members Absent: Member Bryan Kozor and Member Beth Verdun.

Also Present: Also present at 7:00 p.m. were Village Attorney Eric Hanson, Planning and Zoning Director Vijay Gadde and Assistant Planner Kyle McGinnis.

**4. Public Comment.**

None.

**5. Minutes.**

## a) February 15, 2018

Chairman Mitchell stated that the minutes from the February 15, 2018 Plan Commission meeting were being presented for approval. Member McGary made a motion to approve the minutes from the February 15, 2018 meeting; seconded by Member O'Donnell. The motion passed unanimously.

Director of Planning and Zoning Gadde swore in persons in attendance who intended to speak during the meeting's public hearings.

**6. Old Business.**

- a) **HG-1727-S, PI Tower Development, LLC (Public Hearing):** Consideration of a Special Use Permit for a Wireless Communication Facility, 150' in height, in the A-1 Agricultural District [Article 8 (General Provisions) of Chapter 220 of the Code of the Village of Homer Glen], for 17239 S. Parker Road, Homer Glen, Illinois. The applicant is requesting any relief necessary to construct the Wireless Communication Facility on the subject property.

Planning and Zoning Director Gadde explained that the applicant, PI Tower Development, LLC, had presented their proposals to the Plan Commission at the December 7, 2017 meeting, at which point their request was denied citing various concerns, including a lack of evidence that alternative sites would be unable to provide consistent and seamless coverage, thereby justifying the need for the cell tower to be

located on the requested subject property. Village staff coordinated with Public Safety officials initially absent at the December 7, 2017 meeting to ensure their attendance at the current meeting so that they might present their perspective on the request. In addition, this case was presented to the Village Board and was sent back to the Plan Commission to ensure that the Commission's recommendation is based in substantial and complete evidence.

On February 6, 2018, the Village's Environment Committee discussed the proposed cell tower and concluded that the proposal should be moved to a new location that will be less damaging to the local environment. Moreover, the Environment Committee has voiced interest in the review of any new proposed locations for this cell tower prior to Village Board approval.

The applicant was advised to return to the Plan Commission prepared to answer any outstanding questions from the Commissioners or the Village Board per their discussion on January 24, 2018, including but not limited to:

- 1) Provide evidence of an exhaustive search to locate the proposed cell tower on alternative sites;
- 2) Display the exact radius of coverage provided by the proposed cell tower on the subject property;
- 3) Address the unsightly visual impairment imposed on the area by the proposed cell tower; and
- 4) Depict the final buildout of the subject property upon completion of the project.

As part of the exhaustive search for an alternative site, Village staff inquired whether a nearby Fire District property located off of W. Chicago-Bloomington Trail would be a suitable location for the proposed cell tower. The applicant noted that this property was reviewed as part of their initial search for a suitable location for the proposed cell tower, but that the property was deemed unsuitable based on its location within a recognized area of potential environmental risk associated with a nearby creek, wetland vegetation and flood zone.

The applicant also agreed to discuss the coverage of the proposed cell tower, although no exact radius of coverage is available due to the geographic conditions of the area. The applicant agreed to discuss their search for an alternative site and stated in their previous presentation to the Plan Commission that the tower will be well hidden due to the surrounding tree canopy.

In addition to the packet provided to the Plan Commission, additional input was provided to the Commissioners by Robert Kut, a resident of 13300 W. Chicago-Bloomington Trail, in the form of a letter, as well as comments from Commissioner Verdun, absent from this evening's meeting, citing State statute 55 ILCS 5/5-12001. At this time, Planning and Zoning Director Gadde asked if Village Attorney Eric Hanson had any comments regarding Member Verdun's comments. Village Attorney Hanson had no comments at this time.

Chairman Mitchell wished to clarify with Planning and Zoning Director Gadde that both letters would be included as part of the public record. Planning and Zoning Director Gadde confirmed that both letters from Robert Kut and Member Verdun would be included as part of the public record for this zoning case.

Chairman Mitchell stated that Member Crement would like to make a motion regarding this zoning case prior to opening the public hearing.

Member Crement made a motion for Case No. HG-1727-S, PI Tower Development, LLC, to be tabled until the case could be voted on by a full Plan Commission, as two members of the original party that voted on the case on December 7, 2017 were not present at the current meeting; seconded by Member Backal. Roll call was taken. In favor (3) Member Crement, Member Backal and Member O'Donnell. Opposed (1) Member McGary. Absent (2) Member Verdun and Member Kozor. Abstain (0) none. The motion was passed.

Chairman Mitchell stated he would like to set a date tonight for the applicant's next appearance before the Plan Commission. Planning and Zoning Director Gadde stated that the next available Plan Commission meeting is on Thursday, March 15, 2018; however, Chairman Mitchell voiced that he would not be present for the next meeting, nor would Member McGary. Therefore, the next available Plan Commission meeting will be Thursday, April 5, 2018, assuming that a quorum is established.

Chairman Mitchell confirmed that Case No. HG-1727-S, PI Tower Development, LLC, will be tabled until Thursday, April 5, 2018.

## 7) New Business.

- a) **HG-1806-PS, Poplar Property Group, LLC (Public Hearing):** To consider a request for (1) a Plat of Subdivision, and (2) Special Uses for a Planned Unit Development and certain other Special Uses [in accordance with Chapter 220 (Zoning), Article 9 (Planned Development) of the Code of the Village of Homer Glen], for certain real property located in the C-2 Local Business District with PINs 16-05-11-203-001, -002, -003 at the southwest corner of 143<sup>rd</sup> Street and South Bell Road to construct a neighborhood shopping center.

Planning and Zoning Director Gadde explained that the applicant, Poplar Property Group, LLC, has proposed a 44,681 square foot neighborhood shopping center, the concept plans of which have been reviewed by the Community and Economic Development Committee prior to this meeting. By the end of the 2017, Homer Glen had a very low commercial vacancy rate of 5% and approximately 74,514 square feet of land within existing neighborhood shopping centers, indicating that this proposal will be a significant contribution to the Village's growing commercial areas.

As part of the Planned Unit Development, the applicant has requested a number of setback Variances, including:

- 1) A front parking setback Variances for Lots 1 through 5;
- 2) A side yard setback Variance for Lots 2, 6, 7 and 8; and
- 3) A rear yard setback Variance for Lots 3, 4, and 8.

As part of the Planned Unit Development, the applicant has also requested two Special Use Permits, including:

- 1) A Special Use Permit to extend the hours of operation for businesses located on Lots 1 and 5; and
- 2) A Special Use Permit to permit outdoor seating associated with a permitted restaurant.

The applicant has clarified that the extended hours of operation for Lot 1 will be 9 a.m. to 1 a.m. on Sunday through Thursday and 9 a.m. to 2 a.m. on Friday and Saturday. Lot 5's hours of operation will be 4:30 a.m. to 9 p.m. on Monday through Friday and 5:30 a.m. to 9 p.m. on Saturday and Sunday.

The applicant has also requested multiple Sign Variances due to the sites use of multitenant buildings. The applicant has requested an increase in logo size from 20% to 35% for Lots 1, 2 and 5. Moreover, eight of the proposed signs are in need of a Variance due to the fact that they do not face a public right-of-way or private circulation road, which signs are required to face per Code.

The applicant provided a Landscape Plan as part of the site's overall concept. The Village does not currently have Landscape Standards for front or corner side yard landscaping. In lieu of this, Village staff recommended that these areas of the site be landscaped with at least one tree and five shrubs for every 1,500 square feet of frontage area. In addition, the applicant has agreed to landscape both the north and south sides of the private circulation road. The proposed parking lot landscaping complies with the Village's Code and any landscaping, sidewalks or bike paths located along the public right-of-way will be reviewed by the Development Services Director.

The Northwest Fire Protection District has reviewed and approved the applicant's Fire Truck Turn Plan.

The applicant's photometric plan was reviewed by the Village's consultant, and the applicant has been asked to revise the plans in order confirm its conformance with the Village Outdoor Lighting regulations.

The applicant's proposed reforestation plan has been reviewed and approved by the Village Arborist.

Chairman Mitchell called for a motion to open the public hearing for this zoning case. Member Backal made a motion to open the public hearing; seconded by Member McGary. The motion was passed.

An architect for the project, David Mangurten of KMA & Associates, rose to speak further on the details of the proposed neighborhood shopping center. Mr. Mangurten stated that this site is 9.4 acres in area. Access to the site exists as a right-in/right-out entry along W. 143<sup>rd</sup> Street and a full access entry along S. Bell Road. The site will be subdivided into eight lots.

The first phase of development will include Lots 3, 4 and 5. The second phase of development will include Lots 1 and 2. The third phase of development will include Lots 6, 7 and 8. Lot 1 is likely to be a national fast food restaurant.

Mr. Mangurten brought with him a palette of exterior finishes to be utilized across the development and explained how the palette would be used throughout the different phases of development. He further stated that the garbage enclosures on the property will be built with the same exterior finishes as the multitenant buildings.

At this time, Mr. Mangurten asked the Plan Commission if they had any questions.

Member Backal asked for clarification on the design of signage to be located on the side and rear faces of the multitenant buildings. The applicant clarified that the multitenant buildings requesting signs not permitted by Code are those that have sides or rears facing the private circulation road, necessitating additional signage so that patrons of the site know what businesses are located where.

Member McGary asked the applicant to clarify whether the setback Variances requested have taken into consideration the future widening of W. 143<sup>rd</sup> Street. Tracy Richard of Manhard Consulting rose to answer this question. Mr. Richard explained that the right-of-way that exists along S. Bell Road already includes the portion of land taken by the Department of Transportation, so the Variances for this portion of the property would take that into account.

Member McGary asked for further information regarding the length of time between each phase of development. Mr. Mangurten stated Phase I is planned to begin construction as soon as possible. The applicant has a history of completing projects diligently and Mr. Mangurten expressed that he does not believe the applicant will extend the timeline for the Phases beyond what is necessary.

Chairman Mitchell asked Planning and Zoning Director Gadde to clarify whether this project would require secondary approval from the Plan Commission for Phases II and III. Director Gadde stated that individual lots within each phase would not return for Plan Commission approval of their site plans provided that these future plans do not greatly differ from those approved by the Village Board as part of the Planned Unit Development.

Member McGary requested further information regarding access between this proposed development and the adjacent gas station. Mr. Mangurten stated that these discussions are still ongoing and that a final decision has not been reached yet.

Member McGary sought greater detail regarding the applicant's landscaping plans throughout the three phases of development. Director Gadde explained that Phase I will be landscaped first, which will include the site's frontage along S. Bell Road and W. 143<sup>rd</sup> Street as well as a portion of the private circulation road. Lots 6 and 7 will not be landscaped until a later date as these properties are included within the later phases of development for the site.

Chairman Mitchell requested a greater explanation as to what would cause the applicant to require a secondary approval from the Plan Commission and Village Board. Director Gadde clarified that per the Village's Code, any change to the Planned Unit

Development's parking, landscaping or signage beyond 5% is considered a major change and requires secondary approval.

Member Crement asked Mr. Mangurten if the entrance along W. 143<sup>rd</sup> Street is adjacent to the entrance to the property opposite W. 143<sup>rd</sup> Street, where the Jewel Osco is located. Mr. Richard explained that these opposite entrances do not align, and that even if a person were to attempt to cross that this entrance is a right-in/right-out only and would not accommodate this flow of traffic.

Member Crement asked Mr. Richard why these entrances do not align to accommodate a greater flow of traffic across these nearby properties. Mr. Richard explained that the site's existing right-in/right-out along W. 143<sup>rd</sup> Street existed prior to their proposals for the site and was once used for a development now no longer located on the property.

Chairman Mitchell asked if there were any persons present wishing to speak in regards to this case. Hearing none, Chairman Mitchell called for a motion to close the public hearing. Member O'Donnell made a motion to close the public hearing; seconded by Member Crement. The motion was passed.

Member O'Donnell asked Mr. Richard whether a traffic signal would be installed at the property's entrance along S. Bell Road. Mr. Richard stated that this entrance would not include a traffic signal as their traffic counts did not warrant the inclusion of a signalized intersection.

Member O'Donnell noted that he has witnessed an increased presence of young individuals on bicycles, etc. on the nearby sidewalks and he feels that the applicant should propose the extension of the existing sidewalk along S. Bell Road north to the existing Shell Gas Station property. Moreover, Member Crement stated that the existing path along the south side of the private circulation road should be extended east along W. 143<sup>rd</sup> Street so that persons may access this crosswalk from the north side of the property as well. Director Gadde stated that these conditions could be included as part of staff's review of the right-of-way during the permitting process, subject to the amount of available space.

Chairman Mitchell asked if Member Backal had any further questions. Member Backal stated that he had none; however, he voiced support for the proposals.

Member McGary concluded that she had no further questions and also voiced her support.

Both Members Crement and O'Donnell stated that they had no further questions.

Chairman Mitchell sought to clarify a few outstanding questions. Are the extended hours of operation for Lot 1 being requested for a possible fast food restaurant? Mr. Mangurten confirmed that although they are not yet under contract, a deal with a national fast food restaurant is nearing completion for this property.

Chairman Mitchell asked if any existing businesses within the Village currently run during the hours of operation requested by this potential tenant. Planning and Zoning Director Gadde stated that further research would be required to answer this question.

Member Backal offered to make a motion but sought further clarification as to what conditions were being proposed as part of the approval of the requests. Member McGary stated that the incorporation of sidewalks along the property's perimeter was more of a consideration and not a formal condition.

Member Backal made a motion to approve (1) a Plat of Subdivision, and (2) Special Uses for Planned Unit Development and certain other Special Uses listed below [in accordance with Chapter 220 (Zoning), Article 9 (Planned Development) of the Code of the Village of Homer Glen] for certain real property located in the C-2 Local Business District with PINs 16-05-11-206-001, -002 and -003 on the southwest corners of 143<sup>rd</sup> Street and South Bell Road to construct a neighborhood shopping center. Special Uses:

- 1) Drive-through establishment on Lots 1 and 5;
- 2) Outdoor seating for restaurants on Lots 1 and 5, subject to the following regulations:
  - a. All seating areas must be enclosed by a fence or wall at least three feet in height; and
  - b. Where seating is permitted adjacent to a public sidewalk, at least five feet in width of said sidewalk must remain unobstructed.
- 3) Extended hours of operation:
  - a. Lot 1: Sunday through Thursday, 9 a.m. to 1 a.m.; Friday through Saturday, 9 a.m. to 2 a.m.
  - b. Lot 5: Monday through Friday, 4:30 a.m. to 9 p.m.; Saturday through Sunday, 5:30 a.m. to 9 p.m.

Other Conditions:

- 1) The applicant agreed to provide the final Outdoor Lighting Plan prior to consideration by the Village Board;
- 2) The applicant should show the curb cut for cross access to the Circle-K property on the site plan;
- 3) The applicant should provide an update on the negotiation with the property owner for Circle-K gas station for the cross-access easement; and
- 4) The applicant is advised to be open to future cross access to the Soft Way Car Wash property, should that property redevelop in the future.

Seconded by Member O'Donnell. Roll call was taken. In favor (4) Member McGary, Member Crement, Member Backal and Member O'Donnell. Opposed (0) none. Absent (2) Member Verdun and Member Kozor. Abstain (0) none. The motion was passed.

Planning and Zoning Director Gadde stated that this case would likely go before the Village Board on March 28, 2018 so that the applicant would have time to prepare and finalize their lighting plan.



**8. Reports of Plan Commissioners and Staff (includes Old Business).**

Chairman Mitchell called for reports on behalf of the Commissioners present. No Commissioners present had reports to give.

Planning and Zoning Director Gadde reported that on March 15, 2018, the Plan Commission would see three items: a Planned Unit Development amendment for Founders Crossing; the proposed O'Malley Court Subdivision; and Zoning Code Amendments proposed for the Use and Bulk Requirement Tables for Nonresidential Districts.

In addition, an annual Plan Commission training meeting will be held on Saturday, April 7, 2018.

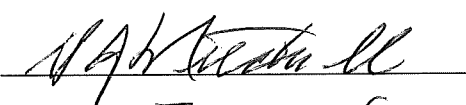
Director Gadde asked the Commissioners if they felt the current means of packet distribution were appropriate and convenient. The Commissioners voiced that the current system works well and that they see no need to change the system.

Village Attorney Hanson clarified that a majority of the Plan Commissioners present will be required for the cell tower's approval once it returns to the Plan Commission.

**9. Adjournment.**

Motion by Member McGary, seconded by Member Backal to adjourn. The motion was passed. The meeting was adjourned at 7:56 p.m.

Respectfully Submitted: Kyle McGinnis, Assistant Planner

Chairman Mitchell: 

Approved (Date): 3-15-18