

VILLAGE OF ORLAND PARK

*14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us*



Meeting Minutes

Tuesday, December 13, 2011

7:00 PM

Village Hall

Plan Commission

Louis Stephens, Chairman

*Commissioners: Judith Jacobs, Paul Aubin, Steve Dzierwa,
Nick Parisi, John J. Paul and Laura Murphy*

CALLED TO ORDER/ROLL CALL

The meeting was called to order by the Plan Commission Acting Chairman, Mr. Paul Aubin, at 7:00 p.m.

Present: 6 - Jacobs; Dzierwa; Aubin; Parisi; Paul, Murphy

Absent: 1 - Stephens

APPROVAL OF MINUTES**2011-0778 Minutes of the November 22, 2011 Plan Commission Meeting**

A motion was made by Commissioner Parisi, seconded by Commissioner Murphy to approve the minutes of the November 22, 2011 Plan Commission minutes as written.

APPROVED

Aye: 5 - Dzierwa, Aubin, Parisi, Paul and Murphy

Nay: 0

Abstain: 1 - Jacobs

Absent: 1 - Stephens

PUBLIC HEARINGS**2011-0260 Buona Beef - Special Use Amendment, Site Plan, Elevations**

TURLEY: Staff presentation made in accordance with the written Staff Report dated December 13, 2011 as presented.

AUBIN: Asked the petitioner to come up to be sworn in to make comments and answer questions.

DZIERWA: Swore in:

John Hague (Project Architect), 418 Clinton Place, River Forest, IL

HAGUE: I'm John Hague with Hague Architecture, the architect for the project. We have worked continuously with Jane and her staff to comply with all of the issues, and moving forward we are still in agreement with all of Jane's recent comments and changes. We have actually adapted them into our current site plan, including the extensive landscape area to the North. In order to keep that parking lot the same we have kept the island the same and we have orientated the trash enclosure on Route 45 so that it minimally impacts the lot that exists there today. If you look at the approach that we took to this site plan, it was to leave that Eastern portion intact and move our buildings as far West as we could off set to that adjacent park. Using the connections from our building the sidewalk the circulation from the corner park to our building I think we have conceptually brought

our plan into the development quite well. Jane pretty much hit all of our issues that we have run through in the past year or so. We have added additional parking. I could talk you through the whole building and the materials, but I think conceptually we have matched the brick with the stone on the two buildings. I think we are conceptually in good shape with all of the rest of the development. We acknowledge that the landscaping will be a big part of this. We have had quite a few issues with the landscaping and the well, and the site lines from 131st. What we are probably going to propose is that a railing similar to what we have on our outdoor patio, which is a metal railing with about a 6 to 8 inch band across the top of it with vertical pickets (refers to display photo). We will probably add that to the top of our retaining wall, that will be a brick or block wall that is similar to the block detail on our building, and with a cap. We will raise that up and landscape it all the way down to that 5 foot grade that changes out to the North. That should suffice in screening the cars as they drive through and proceed around our restaurant. We have also proposed that the asphalt and concrete all be stamped and colored, so that it is not a big barren drive-thru track as you sometimes see. At this point I would like to open up to anything you would like to add.

AUBIN: Asks for comments from the public

DZIERWA: Swore In:

Demetri Gofis, 38 W. 435 Cloverfield Rd., St. Charles, IL

GOFIS: I am here on behalf of the two parcels within The Southmoor Commons Lots, lots 2 and 3. I am a part owner of lot 2, a former owner of lot 3, and I was the project manager in 2010. We are still, in 2012, project management for building 2, which is The DaVita Dialysis Center. I would just like to make some comments regarding the fact that the annexation agreement and the REA for Southmoor Commons, since day, one has enforced a no drive-thru for any fast food uses, as an example to note. We would love to have Buona on the corner. I think it is great for the corner and great for all of the other property owners, but it is hard for me to stomach the fact that for the 5 years that I have owned 2 of these properties, we have continuously had informal and administrative denials for any type of drive up, especially for fast food. We did initially have a drive-thru for building 3, when there was a Caribou Coffee lease in place. The village at that point stated that light morning traffic, not heavy fast food traffic throughout the day, was acceptable. When Caribou Coffee did not end up signing off, the village again administratively advised us that no drive-thru would be allowed there. More recently, DaVita Dialysis, which we understand their line of business, again administratively we spoke with planning about a drive up. These are patients that are honestly suffering, wanting to drive up under a canopy to avoid the elements, whatever the case may be, and again informally we were told that no drive up of any fashion, even for patients coming in to get dialysis, because potentially this will go against the annexation, go against the REA that in ten years if DaVita ever left, a tenant could come in and treat that as a drive-thru for fast food. I would like to make the comments known that this is a drastic change from what we have been hearing for

the past 5 years. In terms of present day, the whole Southmoor Commons is severely under parked. I think that anybody in planning would vouch for that. It was even mentioned that we are still 9 spaces short. Lot 4 (refers to slide) was noted to have 48 spots. The parking spaces that you see on lot 4, directly to the East of building 3, are filled every day, and that is with building 3 having 2 vacancies. I still have 2 vacancies there that I could still fill with 2 other food users and will have a little more of a congested parking area. If there are ways around that, that is great. Again, I am not here to get rid of Buona Beef. They are great for the corner, but I would hope that the village is going to acknowledge the fact that this is a severely under-served parking area. Now with a new business coming in on building 2, and the fact that a full-day restaurant use in Buona is just going to keep traffic moving through here. My tenants will be affected. Building 3 will definitely be affected, especially my North end cap, which is a current 4,000 square foot restaurant use because you will see that the North end, the lot 4 parking area, is going to be a disaster. Buona is going to have traffic and my building is going to have traffic. We have a big tuna sushi tenant that gets very busy for lunch and dinner on Thursday thru Saturday. I think anybody that knows the corner will vouch for the fact that it gets pretty crowded there. I hope that the village, if there is anything changeable at this point, needs to pay attention to the fact that we are going to have parking issues here, even if lot 5 has agreed with the current owner to turn that into parking. I have a hard time telling my tenants to tell their employees to park as far away as possible. We try to tell them to park in the spot just East of building 4, and they do not listen. It would be great if there is a way to do it where parking is not going to become an issue, but that little corner, especially having drive-thru coming through there and trying to get out as people are walking into my building to go have lunch or dinner. It is hard for me to visualize how that is going to work, and tonight is the first time that I have seen the layout, so I can not really comment on it, but I wouldn't have guessed that would be the layout. I would have thought that you would have the drive-thru coming out elsewhere, aside from that parking lot 4 area. It sounds like I am not saying anything new here, but I think that I need to just state the obvious.

AUBIN: Your comments are well heeded, and I am going to have Mrs. Turley do a couple of reviews if you would be so kind as to listen. One of the comments that you made was about drive-thrus, and the word that you used consistently through your comments was 'informal'. I am going to ask Mrs. Turley to give us the formal explanation of why we are allowing drive-thrus in this particular situation, as she did in her earlier report.

TURLEY: It was a change in direction, that is why they approached the village board and got conceptual approval for the idea of a drive-thru for this site.

AUBIN: Correct. As I understand, the village board approved this in 2010?

TURLEY: Correct. It was approved in 2010.

AUBIN: Mrs. Turley, Could you please repeat your comments on the parking at the site, including how we are not going to be able to develop on lot 5 until we ensure that there is parking for the businesses that are there right now. Am I stating that correctly?

TURLEY: Correct. There has to be an analysis done to ensure that there is enough parking before it develops, and if it is necessary for employees to park further away, then that is a management issue.

AUBIN: Asks Gofis for additional comments.

GOFIS: I have one final question. Before any final development is done here, based on your analysis of the decision we made, whether lot 5 is used or not, do you feel that even without lot 5 involved, because I thought that part of Jane's presentation stated that you are only 9 short, but I did not necessarily hear a tie into a need for lot 5.

TURLEY: Correct. The 9 short does not include lot 5 at all. It is not developed yet, so it does not include the building or the parking. Just with a cursory look at the overall development it was 9 short, but as I mentioned, shared parking is allowed between the complimentary uses and a look will be taken at lot 5 before it is allowed to develop.

AUBIN: We are the meeting code as far as parking is concerned right now.

AUBIN: Asks for further comments from the public.

DZIERWA: Swore In:
Bob Griffin, 13353 Callen Drive, Orland Park, IL

GRIFFIN: I have been watching this mall develop for 8 years. I know the developer that started it, and then he parceled it off. I moved into Southmoor in 2004 and as part of our closing agreement there was an annexation. As part of the annexation, I believe it was in February of 2003, drive-thrus were specifically prohibited. I would just like to know if and when that was changed by the village board.

TURLEY: The village board approved the conceptually change of allowing a drive-thru on this lot.

AUBIN: According to your recollection, this was in 2010?

TURLEY: Correct.

GRIFFIN: The annexation agreement that is in my closing package was changed by the village?

TURLEY: I do not know the details of what they did. An annexation agreement was amended. I am sure there were discussions with the village attorney on whether or not that was necessary, and I do not know the details of that.

GRIFFIN: You do not know if there was a public notice? I just heard about it 90 days ago.

AUBIN: To be honest with you, I do not know what the procedure is, but I have confidence that nobody would be moving forward in this situation if there was not 'I's dotted and 'T's crossed, in my humble opinion.

GRIFFIN: I just want to know what the plan commission's thoughts are on changing annexation agreements to accommodate a drive-thru on a mall that, with the location, is going to be a problem.

AUBIN: As far as staff report is concerned, everything is well within code. Our petitioner is meeting all of the requirements, as well conditions, for the project. Under those situations, this panel that sits here tonight, their only job is to recommend whether the project meets those requirements. We are not approving the project here tonight.

GRIFFIN: Understood.

AUBIN: We are just making a recommendation. Again, the recommendation is strictly based on the site plan, the elevations, and the special use permit. We do not have anything to do with the agreement or anything like that in this particular petition.

GRIFFIN: The buildings going up are great looking buildings. It has been pretty strengthened. Originally it was the gateway to Orland Park, and people got upset about an Aldi, but the Aldi does pretty good numbers.

AUBIN: Mrs. Turley could you please respond to him in some way, shape, or form, such as e-mail to tell him when the actual board meeting made that change?

TURLEY: Of course. I will follow up on the annexation agreement question.

GRIFFIN: Thank you. That was my concern. I received an e-mail from the association and they mentioned that the annexation agreement had been amended, and they are pretty pro-active about tracking things. I am pro-business. Buona Beef is going to do fine there.

AUBIN: Mr. Griffin, we will definitely get you that answer. Thank you for your comments.

AUBIN: Then asked for additional comments from the public.

DZIERWA: Swore In:

Constantine Tzamouranis (local attorney of tenant on North end of building 3)

TZAMOURANIS: I don't want to beat a dead horse at this point. I am here on behalf of Mike. He has a couple of concerns, but I have one concern prior to me beginning to converse on this issue. Mike and I are close friends. I am a lawyer. I do not litigate. I do not do hearings. I do corporations, leases, and things like that. I am here to discuss the things that Mike is worried about, but my biggest point is that we want Buona Beef here. I have a lot of conversations with a lot of people in this community and some may be part of the village and all that type of stuff. The first thing that everybody tells me is disgruntled competitor. A lot of people don't know this: Mike opened up, he was a hodge-podge of whatever I think I can make money at. He did a breakfast joint, a greek food carry-out, he did a breakfast and greek food, and now he is all Greek food. From a competitor perspective, the only thing that Mike is going to be competing on is parking spaces. Buona Beef is going to bring in a huge crowd and they are going to implore everything that is right there. I do not know the exact parking requirements. I did look at something in another village, but I am wanting to compare, it was about 4,000 square feet and we were closer to 80 something parking spaces. This 1 to 100, I do not know where we are getting this number. I am not here to argue against it, but if Buona Beef is run in the manner that I have seen Buona Beef's run, they do a really good job of servicing their clientele. To do that, they have a great deal of employees. I do not know how many at any shift, but I do not know where this 1 to 100 came from. What I would like to know is: In a restaurant, for the seats with the employees, were these factors considered? What is the parking requirements for a restaurant in the Village of Orland Park. I apologize I do not have that information.

TURLEY: The code requires one parking space for every hundred square feet in a restaurant. This is a standard that is used by a lot of other suburbs. We did not invent it. It is commonly accepted as a standard for restaurant parking. The former code did tie parking spaces to seats and employees, and we found a couple of things. We found a lot of empty parking lots, and found that it was unnecessarily restricted, and it was very difficult to manage seats being added and taken away. This new standard for restaurant parking was a much simpler and cleaner change in the code, so the village approved it.

AUBIN: Buona Beef meet this code?

TURLEY: Correct.

TZAMOURANIS: Thank you very much for that information. In addition, the theoretical aspects of saying one per one hundred versus what is currently going on over there coupled with the additional traffic flow. This one to one-hundred, in

proposal that lot 5 and building 5 are developed, we are talking about somewhere between 800 to 1,000 feet they have to walk before they can make it from lot 5 to come eat at It's Greek to Me. I do not think that it is feasible to say that we can use that parking lot as additional over-run parking if necessary. In addition, there could be other ways to do it. We do want Buona Beef there, but not like this. The other concern besides parking is where the drive-thru lets out (refers to site plan). The traffic flow is going to come out directly into the front doors of It's Greek to Me. Right now I drive a mini van, and I have a very difficult time getting in and out of parking spaces over there and driving through it. If there are two people coming through there, it is tight. That is coming from personal experience. You are going to have all of this traffic flow coming out into that area they are going to be coming down to avoid potential traffic lines coming this way. That does not look safe to me, number one. Number two, going back to the competition. Where are we going to lose? When people go out to eat they are thinking 'You know what, I want to eat lamb chops or something Greek. I am going to go to It's Greek to Me over here.' They are going to see the parking space situations. They are not going to want to walk hundreds of feet to get into the place or circle around to find parking, and they're going to say 'Forget it. We're going to go through the drive-thru.'

AUBIN: We have shared parking here, correct.

TURLEY: Correct.

AUBIN: Then the It's All Greek to me clientele can park in Buona Beef's parking spaces, and may be as little as 18 feet away.

TZAMOURANIS: I understand sir, thank you. My thought is that it is already congested. It's Greek to me is there now and is an active business. When Mike initially wanted to change to lunch and dinner, we're talking about mixed uses, I understand that. I apologize I did not hear anything about time frames, but it appears that the places in there are all lunch and dinner places. What was once a breakfast place, has changed to a lunch and dinner place serving Greek food. Now we are putting another lunch and dinner menu item into the same place in an already congested area. That is going to overblown the whole thing over there. In addition, the last comment I would like to make is to propose is your consideration in possibly moving Buona Beef to the East end of their lot, where their parking is currently at, allowing additional parking spaces to be utilized including the Aldi lot. I believe that this might alleviate some of the parking situations. When Mike went back to trying to ask for extended hours of operation, he was initially told that the hours of operation would have a negative impact on the parking situation. Because I am sworn under oath, I am telling you what Mike has told me that he was told. Mike was allowed an accommodation to extend his business hours to help a business that was struggling at the time to succeed. At this point in time, if it was a negative impact back then, I don't know how putting another 4,000 square foot restaurant in is going to make it any better. All I see that they are adding here is 6 additional parking spaces. Respectfully, that is all I have to say on behalf of

Mike. Thank you.

AUBIN: Thank you, sir. Mrs. Turley, when we decided and worked with the petitioner to put this building in the location that it is in right now, it was done to accommodate a number of things I am sure, especially keeping parking from between the West side of the development and LaGrange Road. Am I correct?

TURLEY: One thing to remember is that this plan development was approved by the board in 2006. This was used as the guide for how this should develop and you notice that the building is here and the parking is there (refers to site plan) and distributed throughout the site. This is the guide that we started with. Also, I would like to point out that building 4, I believe is about 11,000 square feet. If you take retail parking requirements for an 11,000 square foot building, which is 1 per 200, and you are looking at a 4,000 square foot restaurant now, the parking requirements are actually lower than they would have been if this larger building was developed as approved. This was an approved plan, and anybody could come in and develop based on what the board approved.

AUBIN: Asks commissioners for comments.

PARISI: Quite frankly, we are saying that it meets code. But, didn't we say that we are 9 parking spaces short?

TURLEY: The code allows for up to 50 percent of your required parking to be shared, which is pretty generous. It does mean that the restaurants will compete for parking with each other, but the grocery and nail salon have different peak hours, so the 9 spaces is more than accommodated for with the shared parking.

PARISI: Does the shared parking take into consideration the usage of the buildings? In other words, if I am a restaurant sharing parking with a Kinko's, it might be different if I am a restaurant sharing parking with a restaurant.

TURLEY: Correct. If you had all restaurants here it would be hard to argue for shared parking.

PARISI: Okay. I am just a little bit concerned about the congestion myself. But again, our job is to make sure that we are meeting the village codes.

PAUL: What are the hours of operation for the dialysis center?

TURLEY: I am not sure if anybody here knows that. I do not. That was not my project.

PAUL: Is it something that would typically close at 5 or 6 in the evening or do they stay open later?

TURLEY: Typically medical offices are more of a Monday through Friday, 9 to 5 sort of operation. I do not know with the dialysis center though.

AUBIN: Your professional opinion, Mrs. Turley?

TURLEY: My opinion is that they would be complementary uses.

PAUL: Okay. And I do not believe the banks are open that late either.

TURLEY: Correct.

PAUL: That provides additional parking back there. I understand what the gentleman who is an attorney was saying about competing for spots, but that kind of assumes that all of Buona Beef's customers got there first, took up all of the spots, and then stayed there all day. People will be going in and out. I do not know that all the spots would be filled and you would lose the business. It's restaurants that aren't fine dining where people would be there for 2 or 3 hours. Cars are going to be moving in and out of those lots all of the time. I do not see that being a major problem. I do appreciate the effort that these guys put in to try and make this work. I know that the way the land is with the grade is not very good, and I appreciate the fact that you guys put a lot of effort into making it something that would work.

TZAMOURANIS: I did not mean that to be my main point of focus. My main point is that it's already congested as it is with his people. Adding additional people is going to further create this. I agree with your point, Can my people get here before your people in an already existing congestion problem? That's all. Thank you.

JACOBS: There was a comment that somebody made earlier regarding the placement of the restaurant as it relates to the parking field. Was there ever a consideration to flip those or is there a reason why that could not happen?

TURLEY: The petitioner might be able to answer that. Actually, they started working with staff prior to my being involved with this project. It is possible, but as I mentioned before, the approved plan development is seen as the guide for how it should develop.

JACOBS: I have one other question. On my rendering, it is called South Elevation, but I think on your rendering it was called Main Entry. On the door I can't really read what it says. Does it say sprinkler room? Can that have a canopy to match the rest of the building?

TURLEY: This here? (refers to picture)

JACOBS: Correct.

TURLEY: Maybe the petitioner could answer to that.

JACOBS: The door on the South elevation, or Main Entry elevation, Can that have a canopy?

HAGUE: Yes. We could absolutely add a canopy to that too.

JACOBS: Also, what is going on with the door on the West elevation, which is the tower?

HAGUE: We did change that door so that it blends in a little better. I just had a quick material board incase this came up. (refers to board) It may be a little hard to see, but I can certainly bring it up to you.

AUBIN: We have copies of the elevations in our packets. She can see what you are talking about.

HAGUE: We will change that out, as well as the sprinkler door.

JACOBS: Okay. That is all that I have. Thank you.

HAGUE: I would like to just quickly add that we did initially have the building to the East, but it was closer to the Southmoor property and plus it did not align with the original development. There were other traffic and other setback issues that we ran into with that. Lastly, I will comment on the one issue with the drive-thru. As you exit, it is not an open drive-thru. There is a stop lane with painted markings. We have proposed a stop sign so that you cannot just roll right out of the drive-thru. I do not know if the circulation would keep driving you to the South. I think perhaps you would exit to the East and go back out towards 131st Street.

AUBIN: I appreciate the comments on what is going to take place at the end of that drive-thru. Thank you.

MURPHY: Regarding the tower height, 37 feet, What is that in comparison to the other adjacent buildings? I assume it is going to be the tallest element in the development.

TURLEY: Yes, it probably will be. It is not very big, and it is right on the corner, but maybe the architect has a guess on that Aldi tower.

HAGUE: If I look at the Aldi tower, I would say those store front doors are at least 9 or 10 feet, I would guess to the top of that roof that you would be in line with our tower, if not maybe a couple feet higher. I would say that it is maybe mid 30s. If you just proportionally take 10 feet from that sidewalk to the bend, you are at least 28 to 34 feet.

MURPHY: The landscaping on the East side, you did say that there is, because it doesn't show on the plan, but I guess the plane elevation, if you will, I guess I had a concern about that. It will be shielded with landscaping.

TURLEY: This Eastern side (refers to diagram) that was somewhat plain will have landscaping around the signs, more than is shown here. There is not a lot of space, but we will fit in what we can in both of these beds. There will be landscaping, plus you have the landscaping around here as well.

HAGUE: Correct. There is about a 4.5-foot distance between that sidewalk and the curb, which is a fair amount to landscape.

MURPHY: Is there any landscaping to the very farthest East of the parking?

TURLEY: There is a landscape buffer on the other side of the road that was installed when it was developed. It was the landscape buffer that was required by code. I do not recall that there is one right here.

MURPHY: That is the side that is facing the residential, correct. It is a very attractive building, but that would be its least appealing side. Can we do something to that elevation, such as adding in false windows as you did in-between the drive-thru, to spice it up?

AUBIN: Is there room there to do that?

TURLEY: It is a bit narrow, but you could add at least a hedgerow. You would have to be careful with your site lines, with cars going in and out of the parking lot there. I am sure it is something that they could take a look at.

PARISI: Mrs. Turley, you may recall that we required Staples to put spandrel glass on the side facing 94th Avenue.

TURLEY: Correct. You mean instead of the graphics? You can make a recommendation for that if you have a preference for a different treatment.

MURPHY: I would like to see something on that elevation. I think that would tie in the rest of the building elevations. My last comment, and I think everybody agrees, that we are concerned about the parking and we want to make sure that everybody has adequate parking. You did say that there is going to be another parking analysis done, correct?

TURLEY: Correct, before lot 5 is developed.

DZIERWA: I agree with Commissioner about the fenestration on the East elevation. That wall does need something. It is unsightly. Don't get me wrong, the building is beautiful, but that is just one part that could be better. I am going to ask

staff, and maybe the architect from Buona Beef, if there was any consideration ever given to removing the parking on the East side of the building and placing the building there with parking on the other side?

HAGUE: Yes there was, but there were additional problems that we faced with that. So, to answer your question, yes.

DZIERWA: The reason I am asking that question is because it seems like the drive-thru would work better if it went the other way, if your building was closer to the East. Also, you wouldn't have the issue of people entering or exiting It's Greek to Me. I spoke with staff yesterday about that. I see that little bump in the curb over there. I would like a pork chop there to make cars turn left over there so that nobody ever has to worry about a little kid stepping off the sidewalk and getting run over from a car leaving the drive-thru. You might end up losing a parking spot, a handicap spot at that, but you just move them over a little bit and make everybody exit left out of that drive-thru. That might address that issue, but if the building was moved further to the East you could run a drive-thru going the other direction and there is no issues. You would be exiting out to 131st Street, or taking the roadway back out to the common drive where you have the right in or right out on La Grange Road. That's just a thought.

HAGUE: I know Mrs. Turley, and I have worked a lot on this, but I would just say through its staff and through quite a few iterations of this plan, we have gone through actually all of those issues we've had on a plan in one for or another. This is what we have all kind of agreed with, and based on staff and planning this is where we have ended up. We certainly could put a left turn sign, as well as that stop sign, that would enforce them to go East.

DZIERWA: To expand on that a little bit, that parking there benefits Buona Beef, but if that building was moved to the East, the parking would benefit Buona Beef and also alleviate this gentleman's concern about not being able to have customers park in front of his restaurant too. Basically, you would end up being a good neighbor by moving your building. Is it going to cost you a little bit of money? Maybe, because you have got to tear up some concrete and curbs and asphalt that is there already and you plan on putting in some new asphalt where you are going to do the stamped or whether you use best management practices or anything like that for drainage or any of that, which you don't need, but it would make a lot of people happy if you are moving your building to the East. A lot of concerns for parking for all of the other tenants will just go away. It's just my point, and I will just let you and staff work this out.

HAGUE: I think we benefited by adding those parking spaces. I do realize that it is only 6 new spots, but our parking ratio was over ten.

DZIERWA: I go in to that flower shop a lot, and I know the owner of the flower shop, he is my neighbor. I do see at different times of day it is really hard to park

in there. When he has to deliver, he has to pull his truck in front, and a lot of those spaces aren't marked right because there's a wheelchair incline going into the parking spot in front of the flower shop, and that's just outside your parking field, but across from it, and I come in there a lot and see times where it is difficult to park. Is that crosswalk necessary going through the drive-thru? Why put it there?

TURLEY: Because you have got this sidewalk connection, the plaza here, the sidewalk here, and there is a little strip of grass here (referring to diagram), these two are not connected. So, it is just a striped sidewalk. Maybe there will be a little bit of sidewalk pavement if there is a gap there.

DZIERWA: Mr. Chairman, all of my other issues were addressed by my fellow commissioners.

AUBIN: From the chair's point of view, my comments are very simple. I say this all the time: When you do something and you want to do it correct, you go to the experts. In this particular case in staff's report, we took this project through our expert parking analysis, the project has been approved with preliminary engineering, which sets the drive-thru in a position where our engineers think that it will work and is safe, our parking people think that the parking will work, it meets code, it is a restaurant that is going to fit here. If indeed the parking was going to affect the entire strip center, there would be 200 people on the left side of the room saying 'My parking is going to be affected.' To change the building and make it upside down or turn it 180 degrees on just one opinion would be very difficult to do. In my humble opinion, with the reports that I have heard from the petitioner and staff and the comments from the public all-together, I think that this project should move forward.

AUBIN: The acting chairman asked for a motion.

DZIERWA: I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated December 13, 2011.

and

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated December 13, 2011.

and

I move to recommend to the Village Board approval of a Special Use Amendment for a Planned Development for Southmoor Commons to allow the construction and operation of a restaurant with a drive through on Lot 4 subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. The drive through aisle is located between the building and the street

2. The building foundation planting requirement along 131st Street is shifted to the north of the drive through lane.

and

I move to recommend to the Village Board approval of the Preliminary Site Plan titled "Buona Restaurant - Orland Park New Construction Site Plan", by Hague Architecture, project number 9999.0 and dated 10.30.11 received 12.05.11, subject to the following conditions. All changes should be made prior to the Board Meeting wherever possible unless otherwise noted.

1. Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval within 60 days of final engineering approval that includes the following:

- a. Provide heavy landscape screening around the drive through lane that exceeds Landscape Code requirements per Land Development Code Section VI-207-7. and as illustrated on Exhibit 'A'.
- b. Provide heavy landscaping to screen the menu boxes so they are not visible from the street that exceeds Landscape Code requirements per Land Development Code Section VI-207-7.

2. Provide extended sidewalk and painted crosswalk that connects the western sidewalk to the entrance of the Buona Beef building.

3. Verify that a new wall constructed along the northern face of the existing parking lot is essential, and replace with gently sloped land if possible.

4. Identify temporary loading area during non-peak hours with signage to meet Code requirement.

5. Angle the dumpster enclosure at 45 ° to allow access for refuse pick up while still maintaining the existing landscape island.

6. Include a decorative fence/barrier along the top of the drive through retaining wall.

7. Meet all final engineering and building code related items.

8. That this petitioner work with staff to develop further landscaping on the Eastern portion of the property for separation between said property and the residents to the East.

and

I move to recommend to the Village Board approval of the Elevations titled "Buona Restaurant - Orland Park New Construction Elevations", and dated 10.31.11,

received 12.05.11, subject to the following conditions. All changes should be made prior to the Board Meeting wherever possible unless otherwise noted.

1. Add construction details to the Elevations that label material types and colors for the following items:

- a. The fence/barrier to be located along the top of the drive through retaining wall.
- b. The proposed retaining wall.
- c. The stamped asphalt pavement for the drive through.
- d. The outdoor patio fence that includes planter boxes.

2. Revise the service door on west elevation to match the stone color.

3. Work with staff to improve the canopy down lighting.

4. Continue to work with staff to match Buona Beef's brick with the predominant orange/rust brick color on the other buildings in the Southmoor Commons commercial area.

5. Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline or parapet.

6. Signage must be approved through separate permitting process.

7. To work with staff to revise the East elevation to add in some architectural elements to tie in with the rest of the elevations.

RECOMMENDED FOR APPROVAL

Aye: 6 - Jacobs, Dzierwa, Aubin, Parisi, Paul and Murphy

Nay: 0

Absent: 1 - Stephens

2011-0579 Olde Clubhouse Row at Crystal Tree - SP, SD, SU

AUBIN: The chair asked for a motion.

PAUL: Can I make a comment on that please?

AUBIN: Absolutely.

PAUL: In anticipation of it being on tonight's agenda, I went over there to see this, and I was not allowed in. Somebody needs to let the petitioner know that if we're going to vote on this then we should be able to go in and see what they are talking about. I would anticipate that when I go back there that I will not have any issues with the security guard.

TURLEY: I will make a note of that.

I move to continue the public hearing for file number 2011-0579, Olde Clubhouse Row at Crystal Tree, - Site Plan, Subdivision, Special Use Permit with modifications - to the December 13, 2011 Plan Commission meeting.

CONTINUED

Aye: 6 - Jacobs, Dzierwa, Aubin, Parisi, Paul and Murphy

Nay: 0

Absent: 1 - Stephens

NON-PUBLIC HEARINGS

OTHER BUSINESS

AUBIN: Asked if there was any other business from the Commissioners or Staff.

PARISI: Driving the last few days down LaGrange Road and 143rd Street, I am very pleased with how it is all coming together with all the acrimony and debate. We had the opportunity on this commission to see this visual plan for several years now, and I am happy to say that I think it is coming together quite nicely and that a lot of the folks who may have been strongly opposed to it are going to be pleasantly surprised.

The commissioners wished a Merry Christmas to all.

ADJOURNMENT

There being no further business before the Plan Commission, the Acting Chairman adjourned the meeting.

AUBIN: This meeting is adjourned at 8:17 p.m.

Respectfully submitted,

Linda White
Recording Secretary