

VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orlandpark.org



Meeting Minutes

Tuesday, September 12, 2017

7:00 PM

Village Hall

Plan Commission

Louis Stephens, Chairman

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

CALLED TO ORDER/ROLL CALL

The meeting was called to order by the Acting Chairman, at 7:00 p.m.

Present: 6 - Member Jacobs; Member Aubin; Member Parisi; Member Paul; Member Murphy, Member Shalabi

Absent: 1 - Chairman Stephens

APPROVAL OF MINUTES**2017-0045 Minutes of the September 12, 2017 Plan Commission Meeting**

A motion was made by Commissioner Jacobs seconded by Commissioner Murphy to approve the minutes of the August 8, 2017 Plan Commission.

APPROVED

Aye: 4 - Member Jacobs, Member Aubin, Member Paul and Member Murphy

Nay: 0

Abstain: 2 - Member Parisi and Member Shalabi

Absent: 1 - Chairman Stephens

PUBLIC HEARINGS**2017-0454 Eco-Site Wireless Communication Facility, 15655 Ravinia Avenue-Special Use Permit**

GARCIA: Staff presentation made in accordance with written staff report dated September 12th, 2017.

AUBIN: Is the petitioner present tonight? Does the petitioner have any comments to make in regards to our staff's report?

PARISI: Swore in Raymond Beer of 2603 North Hamlin, Chicago.

BEER: The tower manufactured as is will be a grey color, galvanized metal.

AUBIN: Does that meet your requirement?

GARCIA: Yes.

AUBIN: This is a public hearing, is there anyone in the audience that wishes to speak to this petition?

AUBIN: I don't see anyone, so I will go to our Plan Commissioners for comment. Commissioner Paul if you would be so kind.

PAUL: We all want our phones to work and we need to have these. There was a

time when people put up a lot of poles with a lot of wires, and we got through that. This is a no brainer and I have no problem with it.

AUBIN: Thank you Commissioner Paul. Commissioner Shalabi any comment?

SHALABI: Thank you Mr. Chairman, I have nothing to add.

AUBIN: Commissioner Jacobs?

JACOBS: Thank you Mr. Chairman, I do not have any comments.

AUBIN: Thank you. Commissioner Parisi?

PARISI: I don't have any comments.

AUBIN: Thank you. Commissioner Murphy?

MURPHY: No comments, no concerns, thank you.

AUBIN: I have none either. It seems pretty straight forward and the petitioner did not have any issues with the conditions.

SHALABI: Mr. Chairman, I believe the petitioner will not be painting the tower sky grey. I believe it will be plated grey to begin with. Is that correct?

BEER: This is correct.

SHALABI: So if we could make the motion to reflect that.

PARISI: Good point. The tower will come grey so they don't need to paint the tower.

AUBIN: Ms. Garcia?

GARCIA: Yes, we will make that change.

AUBIN: Commissioner Parisi, would you consider removing that condition?

PARISI: The condition is not needed, that can be stricken.

PARISI:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated September 12, 2017.

And

I move to recommend to the Village Board of Trustees to approve the preliminary site plans titled "Overall Site Plan" sheet C-1; "Site Plan" sheet C-2; "Fence, Gate, and Compound Details" sheet C-6; "Grading and Erosion Control Plan" sheet C-7; "Site Signage Details" sheet C-9; and "Antenna Plan 80ft. Level" sheet C-12 prepared by W-T Communication Design Group, LLC dated May 31, 2017, subject to the following conditions:

1) Paint the tower sky grey to blend with the surrounding environment for visual harmony to meet the Section 6-311.F Land Development Code requirements.

And

I move to recommend to the Village Board of Trustees to approve the Elevations titled "Equipment Elevations" sheets C-4 and C-5 and "Antenna & Tower Elevations Details" sheet C-11 prepared by W-T Communication design Group, LLC dated May 31, 2017, subject to the same above conditions.

And

I move to recommend to the Village Board of Trustees to approve a special use permit for a wireless communication facility at the Village of Orland Park's Public Works building in the COR District. Modifications to the special use permit include:

1) Waiving installation of landscaping screening in favor of paying the fee of \$2,500 in lieu of it.

SHALABI: Second.

RECOMMENDED FOR APPROVAL

Aye: 6 - Member Jacobs, Member Aubin, Member Parisi, Member Paul, Member Murphy and Member Shalabi

Nay: 0

Absent: 1 - Chairman Stephens

2017-0660 143rd Street and Wolf Road Intersection Widening - Section 106 National Historic Preservation Act Review

PITTOS: Staff presentation made in accordance with written staff report dated September 12th, 2017.

AUBIN: Thank you Mr. Pittos. That zero setback, will that have no effect on the building? As I understand it, there will be no impact to the Yunker School.

PITTOS: That is correct. The roadway and the construction itself, there is a temporary easement that will come along the perimeter of the widening efforts. It will basically come up to the exterior walls of the schoolhouse. That temporary

easement is there for constructions crews to work around which will have impacts on the landscaping that is around Yunker Schoolhouse. Part of the Village's comments back to the Phase I study will include mitigating the loss of landscaping that is going to happen in that corner as part of the overall intersection streetscaping effort. In terms of the zero setback from the right-of-way or property line, it will become a legal non-conforming setback. The property technically was unincorporated up until I believe 2009, it was forced annexed into the Village at that time and currently has E-1 zoning status. However the law office that is there and subsequent uses similar to office uses have existed there as legal non-conforming uses in the E-1 district. If the property were to be rezoned in the future, it would be rezoned to BIZ which is the same zoning as the shopping center that is right behind the schoolhouse. But even if it were rezoned BIZ, the legal non-conforming designation would persist because the setback is not the fault of the property, it's because of the road widening efforts. That was the precedent that was established up and down along LaGrange Road when the road was widened, all the setbacks become legal non-conforming.

AUBIN: Thank you for the report Mr. Pittos. That report was for information, there will not be a motion. The Village is trying to pass on information and we will get to the public to make sure they are better informed. If there is anyone who would like to speak towards this project, please raise your hand. We have two.

PARISI: Swore in Jeanie Hopkins, 9740 154th Street, Orland Park

HOPKINS: Do I understand correctly in that the road will be right up to the schoolhouse with no space?

AUBIN: Mr. Pittos?

PITTOS: That would be correct. In looking at the map in where the edge of the stoop will be, the right-of-way line will be right at the stoop. There will be a gap just south of the stoop between the right-of-way land and the building, but the stop will be on the property line.

HOPKINS: My only concern was a safety factor. If there is icy weather, there is potential in running right into this landmark building which would not be a good thing. It's kind of scary.

PARISI: Is there any sidewalk?

AUBIN: Are there any bollards or anything of that sort?

PITTOS: There will be a sidewalk that will be nine feet wide. I do know that IDOT in other locations has provided some sort of barriers. So we can include that comment back to the Phase I study team and they can possibly put in a bollard or a few bollards to protect the property.

AUBIN: Thank you.

PARISI: Swore in Richard Riley 123 North 4th Street Chesterton, Indiana.

RILEY: I am the owner of the one-room schoolhouse, it was my law office for a number of years. The first meeting regarding this intersection was October 5th, 2004. I attended that meeting and wrote a letter October 18th, 2004 to address my concerns about the proposed widening. After seeing the drawings presented tonight, my concerns are even greater. I understand fully the need to expand 143rd Street to accommodate the growth in traffic. My question is whether the schoolhouse is worthy to be preserved in a better capacity and whether the road can be pushed to the south. To the south has a great deal more room at the gas station that is directly across the street and would have far less impact on the corner in my opinion. We get so used to seeing right-of-ways, the term right-of-way implies an ownership. That is neither the case with 143rd or Wolf Road, they are mere highway easements. As Mr. Pittos has acknowledged, I am the owner of the land to the center of the street. For example if we discovered gold on my half of the center line, that gold would belong to me. It involves a taking, the Village and State will have to be involved in some way in the procedure to take that property. I would rather avoid that to be honest, it's costly and time not well spent in my opinion. I do think the time can be much better spent in looking at how to orchestrate that intersection in not taking a lot of the room from the schoolhouse. You have to imagine a sidewalk level with the street, a retaining wall, and then that retaining wall is less than two feet away from the corner of the schoolhouse. The stoop would have to be extended down past the retaining wall to the sidewalk. It's bizarre, essentially what you would be doing is foreclosing the use of the front door of the schoolhouse and using the side door, which is a small emergency door. I am opposed to the widening of the street, I think there is a better solution and I would urge the Village to look at that. Any questions, I would be glad to answer those.

AUBIN: Thank you, your comments are most welcome and they are on the record. I will ask Mr. Pittos for Mr. Riley, is there somewhere else Mr. Riley needs to go besides the Village and the State or someone else to talk with about his concerns. Is there an authority larger than this Commission and the Village that can make decisions on his behalf?

PITTOS: This public meeting is for the State's requirements of the Section 106 review; to the impacts for the road widening and property in question. This is the proper forum for that. However, I was able to share the plans with Mr. Riley prior to this meeting and did speak with him. Mr. Riley was able to reach out to Matthew Huffman with CBBEL who is part of the Phase I study team for this project. That direct communication can continue into the future, Mr. Riley has Mr. Huffman's phone number. Mr. Riley can also keep in touch with the Village, the Village will be in direct communication with CBBEL throughout the road widening effort. Keep in mind, the overall alignment of the road plays a role in how much land

needs to be taken from the different corner. I will pass along Mr. Riley's comment about avoiding as much taking as possible from his property, instead taking as much as possible from the gas station, where there appears to be more land. But be cautioned that the alignment of 143rd Street would require it to dip a bit towards the gas station and then pull an S-curve in front of the intersection in order to align back-up with the existing west leg of the street. I will pass the comments forward and let the engineers know and try to work that out.

AUBIN: Thank you Mr. Pittos. Mr. Riley, I'm thinking that is satisfactory.

RILEY: Yes it is. Mr. Pittos has been very gracious in providing me with the drawings and content. What will happen is they will have to obtain the right to go on the property. An action will be initiated at some point in time if we cannot come to some sort of resolution

AUBIN: Thank you for your comments. Again, you are on the record. Planning Commissioners any feedback? Commissioner Parisi any comments?

PARISI: I understand the concerns raised from the public and Mr. Riley, I wish there was an easy solution. I know it's not as easy as pushing it to the south at the gas station because it would seem as if the whole street would have to be moved over and that would be going east as well to make it a straight line. Mr. Pittos mentioned doing that would require an s-curve which is not practical. Hopefully the State can come up with some modification.

AUBIN: Thank you. Commissioner Murphy?

MURPHY: I agree with Commissioner Parisi, I wish there was an easier answer. If we could at least visit the issue to take more land from the south. As you get further east down 143rd, you are going to face the issue with some other historic buildings.

AUBIN: Than you. Commissioner Jacobs?

JACOBS: I really love that building, I've known it for a long time, and consider it an asset to the historic places of the Village. I hope there is a way to take care of it and give it the land it needs and to preserve it. It's important to preserve these buildings in the Village.

AUBIN: Thank you. Commissioner Paul?

PAUL: I assume IDOT considered this, what about sight lines and making that turn with the building being right there? It looks like it is close. If IDOT has not looked at the sight line issues, they should. In terms of the integrity of the building being that close to the road, you will have vibrations from trucks. Is that something IDOT has looked at as well?

AUBIN: Thank you. Commissioner Shalabi?

SHALABI: I sympathize with Mr. Riley and hope we can revisit his requests and find a solution that can aid in the preservation of the building and allow more than zero feet of access to the land adjacent to the building. Furthermore, I think the widening of 143rd is long overdue. It would be very positive to the residents of the Village and those that pass through the Village. I hope we can come to some solution for both ends.

AUBIN: Thank you, Mr. Riley if you would like to comment.

RILEY: Thank you. Takings always involve a transfer for compensation. I am not interested in the compensation. I would rather the money go to moving the entire building away from the road. It can be done and has been before including the one room schoolhouse on 151st Street that used to be on 94th Avenue and is now at 86th Avenue. A solution like that, which would involve saving the building by moving the building north. There is room to do it and I don't think it would interfere with anything and I believe there is room.

AUBIN: Thank you. My comments encompass both the opinions of the Commissioners, Mrs. Riley, and Mr. Pittos. This is a, "catch-22 situation" where the widening of 143rd to Wolf is a must. Preserving the schoolhouse from the widening is not in the hands of this Commission, but we are on record with your comments. My hope is the engineers working on this project do the best they can to accommodate all concerned. Mr. Pittos, thank you for your report and thank you to the public for coming and giving your opinion. Do we have anything else tonight Mr. Pittos?

PITTOS: Not on this item.

No action required.

NO ACTION

NON-PUBLIC HEARINGS

None.

OTHER BUSINESS

2017-0046 Memo: New Petitions & Appearance Review

None.

ADJOURNMENT

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

AUBIN: This meeting is adjourned at 7:42 p.m.

Respectfully submitted,

Heather Zorena
Recording Secretary

Anna Garcia
Planner
ADJOURNED