

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Tuesday, September 27, 2016

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 Plan Commission Chairman, Mr. Lou Stephens, at 7:00 p.m.

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

Absent: 1 - Member Murphy

APPROVAL OF MINUTES

2016-0104 Minutes of the September 13, 2016 Plan Commission Meeting

A motion was made by Chairman Louis Stephens, seconded by Member John J. Paul; to approve the minutes of the September 13, 2016 Plan Commission. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Member Murphy

PUBLIC HEARINGS

2016-0504 Zeigler Infiniti of Orland Park - Special Use, Subdivision and Variance

AUBIN:

I move to continue the Zeigler Infiniti of Orland Park petition, case number 2016-0504, to the October 11, 2016 Plan Commission.

A motion was made by Member Paul Aubin, seconded by Member Nick Parisi, that this matter be CONTINUED to the Plan Commission. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Member Murphy

2016-0607 Cook County Highway Facility Solar Panels - Environmental Clean Technology Review

PITTOS: Staff presentation made in accordance with written staff report dated September 27, 2016.

STEPHENS: Thank you Mr. Pittos. Is the petitioner present? Is there anything you wish to add?

AUBIN: Swore in Ulick Sweeney, 13501 Elm Street, Orland Park.

SWEENEY: The wall is already up on the south building. Was there planning for this wall before it went up?

STEPHENS: No.

SWEENEY: So what is this meeting about?

PITTOS: It is required for renewable energy systems to be reviewed by the village via the environmental clean technology review standards that we have. This meeting is essentially to provide a variance to Cook County for the solar energy project that they installed on their building.

SWEENEY: Shouldn't this be done before the wall is put up?

STEPHENS: Are you with Cook County?

SWEENEY: No, I live across the street.

STEPHENS: I asked if the petitioner is present. You're not the petitioner. Is the petitioner present?

AUBIN: Swore in Christine Johnson and Ray Smuddy of Cook County, 69 W. Washington, Chicago.

STEPHENS: Do you have anything you'd like to add to the presentation or any comments that you'd like to make?

SMUDDY: The solar wall is not your typical solar panel. It's a perforated metal panel that basically allows the sun to heat up a cavity, and the cavity between the building and that panel is used as free heat for the inside of the truck bay.

STEPHENS: Ok, that's how it operates?

SMUDDY: That's how it operates.

STEPHENS: Ok. And Ms. Johnson, do you have anything you would like to add?

JOHNSON: Just the main piece that I want to add is that this is a single project of a much larger project as Terry mentioned, so we are actually addressing a multitude of facilities across the county to meet the energy efficiency upgrades that we would like to create return on investment for the county residents. So this is just a single site which doesn't change the fact that we want to do this right.

STEPHENS: Are those going to be arborvitaes that they're putting up there?

PITTOS: Referencing presentation. No, the circle ones are actual canopy trees.

STEPHENS: The circle ones are canopy trees, but the others?

PITTOS: This is the same kind of shrubbery in this picture.

STEPHENS: Are they going to be low like that or are they going to be higher?

PITTOS: My understanding is that they're going to be a little higher.

STEPHENS: A little higher than that? Ok. So you're adding the arborvitaes to mitigate?

JOHNSON: To create a visual screen so that there aren't direct views looking at the wall.

STEPHENS: Ok. Thank you.

JOHNSON: Thank you.

STEPHENS: Sir, did you want to speak again?

SWEENEY: I got one of these certified letters. My question was, I thought you had to get planning before they could even put up a wall. The wall is already up on the south building. Was there planning done before that?

PITTOS: No, this is a retroactive approval.

SWEENEY: Meaning?

PITTOS: Meaning the wall went up without approval and now the county is coming in to get the necessary approvals to make the project conform to code.

SWEENEY: Is this normal practice?

STEPHENS: No.

SWEENEY: That's what I thought.

STEPHENS: This is to correct their mistake.

SWEENEY: Fair enough. So what is the next step?

STEPHENS: Well we'll continue with our meeting. Thank you. Are you done with your comments?

SWEENEY: No, I'm asking you what is the next step. What is the Village of Orland

Park going to do with this wall?

STEPHENS: We have a motion to make here. And if you have no other questions, we will continue with the meeting. You can sit down now.

SWEENEY: Well, my question is – I didn't know this wall was going up.

STEPHENS: It's not a wall.

SWEENEY: And I wasn't told about it.

STEPHENS: Why would you be told about it?

SWEENEY: Why was I told now about it?

STEPHENS: Because they're coming in for their petition to get a variance on it and it's a requirement that – is it 300 feet?

PITTOS: Yeah, it's every property within 300 feet of the impacted property. So the entire triangle of the facility – 300 feet out from that.

STEPHENS: Anything that comes before this committee has to be published in the newspaper, they have to send out notice to anyone within 300 feet of the petition area, and the signs went up for I think two weeks minimum. If they had come in prior to ask for a permit, no one would be notified they would just be dealing with the building department. Only because they're coming up before this commission, that's why you are seeing the notice.

SWEENEY: Ok, fair enough.

STEPHENS: Thank you sir. In the back?

AUBIN: Swore in Rita Polley, 13432 Medina, Orland Park.

POLLEY: Is there planning to be more walls put up around the triangle besides those two buildings?

PITTOS: We have only plans for those two buildings. That'd be a better question for Cook County to answer.

STEPHENS: Yeah that's a question for the county. Your question is, are they planning to put more solar panels up?

POLLEY: On other walls besides what was talked about tonight.

STEPHENS: Is that what your question is?

POLLEY: Yes.

STEPHENS: We'll ask them to come up and answer that question.

POLLEY: Can you tell me is there any reaction from the panels to the land and the shrubbery and the people around?

STEPHENS: That's a good question, we'll ask them to come up and answer that as well.

POLLEY: They answer?

STEPHENS: Yeah. We don't answer that, they do. It's their petition, not ours. Mr. Smuddy? Number one, are there any more panels going up? Number two, does it create any problem for any of the neighbors?

SMUDDY: Any environmental concerns? No. The first answer is that there are no more solar panels going up there. The two that are installed are the only ones that are going up there.

STEPHENS: This is it?

SMUDDY: Yes.

STEPHENS: Ok. And number two, does it have any sort of effect on any of the neighbors?

SMUDDY: It does not have any effect on any of the neighbors.

STEPHENS: Alright, what does it do? It soaks in the sun and that's it?

SMUDDY: It soaks them into the cavity of air.

STEPHENS: And that's it?

SMUDDY: Yes.

STEPHENS: Ok.

SMUDDY: Does that answer your questions?

STEPHENS: I think the questions have been answered. Ok, anybody else?

AUBIN: Swore in Hector Gutierrez, 9032 Dorel Lane, Orland Park.

STEPHENS: Yes Mr. Gutierrez, what is your question?

GUTIERREZ: I could have taken that picture from my house. That's the view from my house. I can tell you that six trees will not be enough to screen that off. I was here the day they started that project because I had never heard of it and I wanted to know what it was because it's ugly in my opinion. I understand that it's going to be good for energy and I'm all about that, that's great. But it really is an eyesore. I have a great view of it from my living room and I can see the building behind it pretty well. It's not screened by the building in front of it. I don't think really the answer is taking it down, that'd be nice, but I'm not sure that that's going to happen. But I can tell you six trees is not going to be enough and the shrubs in front of there are the same shrubs that are on the other side. They don't get any bigger. I've lived there eight or nine years and that's as big as they get. What was her name?

STEPHENS: Ms. Johnson?

GUTIERREZ: Yes, I heard Ms. Johnson say that the objective of the trees was to mitigate the view. I'd like that to be part of the record because I really know that six trees is not going to be enough. They're saying they're mirroring the other side –

STEPHENS: Hold on. It's six trees and 26 arborvitaes.

GUTIERREZ: That's what I'm saying. Those arborvitaes are not going to be big enough. I mean I hope I'm wrong, I have a feeling I'm going to be back here at some point.

STEPHENS: I tend to agree with you. I don't want to see the short ones, I'd rather see arborvitaes that grow tall.

GUTIERREZ: Yeah. Trees are good for a community, they're great for our homes, they increase our quality of life, they're good for everything. So really what we have there is an industrial facility and they have a purpose, they have to do their job. But it's right next to a residential area, it's loud, and now it's ugly.

STEPHENS: But it's been there I think before the residents.

GUTIERREZ: You're absolutely right.

STEPHENS: It's a pre-existing condition.

GUTIERREZ: You're absolutely right. I didn't come here in the past complaining about anything. I'm here about the solar wall and I'm telling you that six trees, and I'm hoping you help me here, because this is my view every day and every night.

STEPHENS: Ok Mr. Gutierrez, I think we understand what you're saying.

GUTIERREZ: My last question is, is there a way to increase the number of trees there or guarantee some kind of better screening? That's really why I'm here.

STEPHENS: Yeah.

GUTIERREZ: Ok. Thank you.

STEPHENS: Mr. Pittos, we don't want the low arborvitaes there, we want the arborvitaes that grow up real high. It will give a better screening. I'm not a tree guy.

PARISI: I agree with Mr. Gutierrez. As a matter of fact, on my property I have about 200 feet at least of arborvitaes in there, and when I first put them in they were about 8 feet tall. They're call pyramidal arborvitaes, and they provide a nice screening. I would recommend an upgrade to that. In our proposal it says three trees, but the drawing shows six. Am I missing something?

STEPHENS: The motion says to install three autumn blaze maples and 26 Techny arborvitae. So we want to change these.

PARISI: It should say six.

STEPHENS: Yeah it's showing six.

PARISI: Yeah but our motion shows three.

TURLEY: It's showing some as existing.

PARISI: If I look at that existing, they don't seem to be there. I mean, autumn blaze maples are beautiful and if you put six of them and 26 arborvitaes there of a decent height, I think you've got a good solution.

PITTOS: Referencing presentation. There is a typo, there are existing trees present, these two trees here on the end are the same trees that you see in this image right here. Those two trees are going to be replaced.

PARISI: We're going to put six trees in?

PITTOS: Yes. Those two trees will be replaced. The motion is reflecting an old number. The updated site plan as of last Friday includes the six.

STEPHENS: Well, we're not in agreement with the landscape plan here. The question is here, do we call out the kind of trees that Commissioner Parisi is talking about, or do we continue this to the next meeting and have them come up with an updated landscape plan that shows better screening?

TURLEY: The type of arborvitae they are proposing, the Techny arborvitae, it's a large bush tree.

STEPHENS: It's a bush. It doesn't grow tall.

TURLEY: It does.

PARISI: But you can buy them at various stages of maturity?

TURLEY: You're right. But they grow.

PARISI: Right, but I'm sure our neighbor doesn't want to wait eight years.

STEPHENS. Yeah.

TURLEY: I mean, I don't know what size they're proposing here, maybe they can answer that.

PARISI: Just my recommendation.

STEPHENS: I would go for granting a continuance to the next meeting, and coming back with a landscape plan that gives us the kind of screening that we're looking for. Commissioner Parisi, we've heard your comments. Commissioner Aubin?

AUBIN: Does this have preliminary engineering approval?

PITTOS: It doesn't require it.

AUBIN: Ok, I have no problem with the way it reads.

STEPHENS: Commissioner Jacobs?

JACOBS: I agree. I think we need to see that arborvitae, and it does definitely need to be a tall arborvitae.

STEPHENS: Ok, Commissioner Paul?

PAUL: If you put bigger trees, does that defeat the purpose of the solar panels though? We're putting taller bushes and taller trees. I'm not an expert on either one of those things, that's why I'm asking. Would that be a problem?

SHALABI: Can the county answer that question?

PAUL: I want to hear the county answer that. If we plant larger bushes and maybe some bigger trees, does that defeat the purpose of the solar panels?

JOHNSON: We have to make sure that there's no shadow effect, but given the distance that you see in the aerial, I'm hoping that our calculations will show that there isn't an issue.

PAUL: We're not talking about architectural masterpieces here that are going to be covered up by ugly solar panels. Basically we're covering up kind of a bland functional building.

JOHNSON: That's ultimately the delta between what was there before and now is the color difference. And I understand that for some people that is aesthetically displeasing. We are not opposed to exploring different arborvitae options. The ultimate goal of this project is to increase energy efficiency and having that wall in place allows us to do that. If we can address this concern and move forward we will still be meeting the goals of the county as a whole.

PAUL: If there's a way everybody could win on this by just adding a taller shrub.
JOHNSON: Yes. We're not unwilling to do that. I know that we'll need to coordinate with someone in the forestry industry to offer insight into the appropriate installation, especially for the environment and the soil conditions there, but we are willing to do that.

PAUL: Thank you.

JOHNSON: No problem.

PAUL: That's all I have.

STEPHENS: Commissioner Shalabi?

SHALABI: I would agree with my fellow commissioners. I'm quite familiar with the site. I happen to have grown up in the neighboring complex there and I agree that there's a bit of an eyesore there. If we could minimize that, I agree with Mr. Gutierrez and my fellow commissions to create a functional buffer that also covers some of the aesthetics that are not as pleasing as the building was prior to this project. Thank you.

STEPHENS: Thank you. Yes ma'am you have a question?

AUBIN: Swore in Lorraine Arena-Simmons, 13420 Medina Drive, Orland Park.

ARENA-SIMMONS: It's probably more a statement, but the arborvitae you're talking about are very susceptible to salt and winter kill. They die off a lot. So you are probably going to run into a lot of trees going in and out and it's going to take a long time to grow those. If you already get them really tall, I don't know that that's going to make a big difference, because they will grow eventually. So will the

canopy trees, but they will also take 20 years to grow to its full capacity to where they will not see the building. I'm on the east side of the building, and there used to be trees there. For some reason they are gone. But they were probably two or three years old and they're gone. The tree that's now covering a little bit of it is 38 years old. It's finally covering everything. The arborvitaes if you want to look into it will grow 10 to 15 feet, but they are susceptible to salt and winter kill.

STEPHENS: Thank you. In my opinion I think that we should continue this to the next meeting to get a landscape plan that is more fitting to give us greater blockage. Would anybody want to make a motion to that effect?

PARISI: Mr. Chairman.

STEPHENS: Commissioner Parisi?

PARISI:

I move to continue case number 2016-0607, Cook County Highway Facility Solar Panels to the October 11, 2016 Plan Commission meeting.

A motion was made by Member Nick Parisi, seconded by Member Dave Shalabi, that this matter be CONTINUED to the Plan Commission. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Member Murphy

2016-0307 Forest Grove

TURLEY: Staff presentation made in accordance with a written staff report dated September 27th, 2016.

STEPHENS: Is the petitioner present? Do you care to address us with any comments?

AUBIN: Swore in Dave Gust, 48 Silo Ridge Road, Orland Park.

GUST: I just would like to thank Jane and her staff for all the work they put in to allow us to do this. It's probably been 18 months we've been working on this to get it to this point and we're just hoping to move forward. If anyone has any questions I'll be more than happy to answer them.

STEPHENS: Stick around. First of all, what is that big building on the east used for?

GUST: I don't know if any of you know but I own the ice rink, Arctic Ice Arena, in

Orland.

STEPHENS: We don't know who you are.

GUST: I've come before you guys before but you were all different back then. When we put the addition on the ice rink I came in. I have four children, two older daughters, my youngest daughter and a son. My youngest daughter and youngest son played hockey. It's why I ended up buying the ice rink and doing what I did to it. I basically made it a state of the art facility in the Midwest for training college hockey players. Both of them played at Ohio State because of the facility we had. My older daughters played volleyball and basketball, so when I bought the ice rink it was "Hey Dad, how come you bought them an ice rink and you didn't do anything for us?" Well I had bought this piece of property to eventually build a house and retire on, and I was building a garage to put some cars in, so I said "what the heck" and I made the garage a little bit bigger to put a full size basketball court in. My daughters practiced there with their school team and did private lessons there.

STEPHENS: So you have an indoor basketball court?

GUST: It's got a full size indoor basketball court.

STEPHENS: And that's it?

GUST: And a garage, and a sitting area. Upstairs, we had a wasted space over the garages so I put some bunk rooms to sleep a team if they want to go up there for team bonding when the kids were younger and in high school.

STEPHENS: Did you allow storage for cars?

GUST: I did. It holds probably six cars.

STEPHENS: Do you have six cars in there?

GUST: I have nine cars in there.

STEPHENS: What is the other house with the green roof?

GUST: I have a daughter who got married three and a half years ago now.

STEPHENS: Congratulations.

GUST: Thank you. She graduated and was getting married, and they really weren't sure what they were doing yet, and when we were going to build our eventual house I was going to build a guest house anyways. I built a little guest house and put some more car storage on it for me. I allowed them to live there for two years once they got married and now they have saved up enough money to buy their own

home and have a beautiful 18 month old baby girl, that's my granddaughter, and another one on the way next month.

STEPHENS: Aren't you happy.

GUST: Very much so.

STEPHENS: So nobody's living in the house now?

GUST: Nobody lives in either of them.

STEPHENS: Alright. I think, unless the commissioners have any questions...

JACOBS: I have one question.

GUST: Sure.

JACOBS: Were there any provisions made for emergency vehicles? It's real tight back there.

TURLEY: That's why the code limits it to three lots for a private drive, so that you don't get too many people back there.

JACOBS: It's just it's so narrow, the driveway.

TURLEY: Well it starts out a little wider, it does narrow down as you get closer to the house.

GUST: The drive by the gym, you can actually put a 45 foot bus in there and turn it around, with a trailer.

JACOBS: But as you go up?

GUST: As you go up, currently now, we only had the one house. We will make the drive wider, as wide as you guys let me.

STEPHENS: The one that's going up towards the two garages?

GUST: The one that's going up towards the two garages. It's very narrow now, and I think the width on that was restrained by the amount of impervious that we were allowed to have. I'll make it whatever size you guys want, we've been very flexible, we just want to build a house to retire.

TURLEY: They worked really hard to get the lot coverage down. You can see that it does get a good bit larger up by the house.

GUST: We can make that any size you guys like. Doesn't matter.

STEPHENS: You're talking about where it goes up north past the garages to the proposed residence?

GUST: Like I said, that was shrunk down to meet the impervious thing.

TURLEY: It is just one single family home back there. You have to keep that in perspective. It's not at all uncommon to have a narrow single drive going to a single family home because that's all over the village.

JACOBS: Would you be able to turn around up there?

TURLEY: Can you turn around up by the house Mr. Gust?

GUST: I guess it depends how big the pad we put in front is.

JACOBS: If you had to put a big fire truck up, how would you get in and how would you get out? It's narrow.

TURLEY: They manage.

JACOBS: Well it's something to consider, that's all.

STEPHENS: Commissioner Aubin?

AUBIN: Ms. Turley, does our staff have any problems with the way this is drawn?

TURLEY: No.

AUBIN: Thank you.

STEPHENS: Ok, do any of the other commissioners have questions for this gentleman?

JACOBS: I have one more question. The house you're building, is that for sale? Are you selling that?

GUST: The one I'm building here?

JACOBS: Correct.

GUST: No I'm moving into it. Right now we currently live at 48 Silo Ridge Road in Orland.

JACOBS: I thought you lived in the house in front.

GUST: Nobody lives in any of that. My daughter lived there for two years after she got married in the guest house, but that's it. Nobody currently lives in any of them, and nobody will until my son moves home and then he's not staying in my basement, he'll stay in the guest house until he gets a good job and moves to his own house. But, we're actually building that house. It's going to be a ranch style home. We're going to throw two bedrooms upstairs in case the grandkids come by and it's basically for us. Right now, like I said, we live at 48 Silo and we have seven bedrooms and an indoor pool, and it's just me and the wife staring at each other.

JACOBS: I want to be your friend.

STEPHENS: How many square feet is the house getting built?

GUST: 5,500, something like that.

STEPHENS: One level 5,500? And with a basement?

GUST: Yes.

STEPHENS: Alright. Thank you sir. Is there anybody in the audience who wishes to ask any questions regarding this issue?

AUBIN: Swore in Jim Stanek, 11320 West 151st St, Orland Park.

STANEK: If I could have the assistance of Jane to help me with some pictures.

TURLEY: Sure.

STANEK: Jane last week brought to my attention that on my parcel, which is directly south here. Referencing presentation. That property right there is mine. It was brought to my attention last week by Jane that on this site plan, there's someone else shown as having ownership to the property. I would like to clarify that I talked to the Forest Grove site plan engineer and told him that they have the wrong name and trustee deed for that property. I am the owner, I have the trustee's deed, dated from 1984, I could give you that. It's got the info sir. Can I give that to you?

STEPHENS: Sure you can.

STANEK: Anyway I talked to Brian Lownesbury. Someone talked to him and gave him the correct trustee's deed, the grant of easement, I have the Chicago title policy and the property survey, all dating back to 1984 when I purchased this. I never conveyed this property to anybody. So somewhere along the line, county records got changed around.

TURLEY: Yeah but that's really not the focus of this petition. I understand.

STANEK: Just so you know, my name does not correlate with the name that's on that site plan. That was my point. Jim Stanek is the one who owns this, and that's not the name that's on here. You're aware of that sir?

AUBIN: Swore in William Loftus of Spaceco, 9575 W. Higgins Road, Rosemont, IL.

LOFTUS: I'm president of Spaceco. The gentleman Mr. Stanek was referring to, Brian Lownesbury, is the vice president and head of our survey department. Mr. Stanek is correct in his testimony, records were inaccurate when we put this document together. This issues has since been corrected.

STEPHENS: So you made the correction?

LOFTUS: We have.

STEPHENS: And it's in the name of the trust, I take it?

STANEK: It's in my name, trustee's deed.

JACOBS: Do you get the tax bill?

STANEK: I've been getting the tax bill for 30 years. It's a little upsetting when I see someone else's name on it.

JACOBS: Is that the original owner?

STANEK: No. The name that's on the survey here, it's someone named Brenson. Is he here by chance?

JACOBS: Rendell?

STANEK: No, Brenson. Ian Brenson? No. Ok. I understand we tried to contact him a few times. To my knowledge there was no return call.

STEPHENS: So, that's been corrected.

STANEK: Very good, that was an easy one there.

STEPHENS: Here comes the hard one.

STANEK: They're easy. The reason why they're easy is – I even hate to be up here – since Dave Gust is a first class person to develop this stuff. Everything he does is very neat, very professional, and I hate to even raise any issues with that. I

want you to be aware of that, Dave. I'm glad to have a neighbor that's very conscious of that. You have my objection right there.

STEPHENS: Your objection is? Why don't you state your objection for the record please.

STANEK: Ok, for the record. My objection is the authorization to the second existing accessory garage to remain on the site.

STEPHENS: Could you use the pointer to show us which one you're talking about?

STANEK: Referencing presentation. That one right there. That's what he's calling for in the petition, to leave there. Even though it's on the setback. The setback, I believe, is 50 feet. This garage is smack dab in the middle of that.

STEPHENS: How far is the garage away from the property line?

GUST: I think it's like 20 or 25 feet.

STEPHENS: 25 feet? Ok.

STANEK: Referencing presentation. That one acre parcel right below that garage is, this property right here, is my property. In the event I were to develop it, I'm very limited as to where I can put a home, and what direction I would be able to face that home. The small red dot is second existing accessory garage. The larger red circle is pretty much the only area that I would be able to build on, which would be right about here. The reason for that is the north property line of my property starts to slope down southward to a point which is right here by this dashed line. This dashed line is actually the ridge line. From that point going south, the property drops off quickly to the creek bed. The creek bed is right through here. If I were to build a home I'd have to build it on the western half of that one acre property and the house would have to be pretty much on the northern portion of that one acre. The house would have to face north, and the reason for that is because there's a slope, it would be very difficult to have a front of a house with a slope pitched on there. Based on that, I would face the house northward which is actually considered the front of the property line. My easement ends right here. The house would be roughly in this area, with the front of the house being right here, side would be right over here. But the front of the house would be facing that north property line, and it would also be facing that second accessory garage. It's 30 or 40 feet away. My front view is directly into that. I would like some consideration on what we could do. My hands are tied as far as where I can build a home. It has to be right in that spot. Up until this point I had no intentions of building, but if I have to sell it, buyers would only buy it if they can build something. Or if at some point in time I decide to develop it, I would like to at least have that option where I could put up something and not face the side of a garage. Which is what I would be doing

right here. This would be the front of my house and it would be looking right into the side of that garage, which is actually on the setback lines. That is my objection with the annexation in the one sense. That is my only objection, is where that second garage is and my limited options to where I can build. The limited options are just that one location because that one acre I have is all sloped, there's a gradual slope down to the ridge line of the creek. I have to have the house facing north. That's pretty much the issue there with the objection. I wrote it out in my words here, I have very limited window for a building site. The creek along the south property line significantly slopes along the creek, and setback requirements along the creek would require potential building site to favor the north property line. That's what I just showed you. I have to have a home near that north property line. Because of the slope of the entire parcel, the front of my potential building site would face directly into the side of subject's accessory garage. I think I kind of beat that up to death.

STEPHENS: So, what are you asking? Do you want him to knock it down, move it? What are you looking for?

STANEK: The garage is a problem if I were to sell the property or build.

AUBIN: His question. He asked a great question.

STANEK: Say that again please?

STEPHENS: What are you looking for? Do you want him to knock it down, move it, what do you want?

STANEK: If the garage could be moved, or removed.

STEPHENS: You want it out of there.

STANEK: Remove it.

STEPHENS: Remove it or move it?

STANEK: Well if it's moved further back where it's not on the Orland Park setback.

STEPHENS: Commissioner Parisi asked how long has that garage been there. Mr. Gust?

GUST: Maybe three or four years?

STEPHENS: Did you have to get a permit through county?

GUST: I did, but the county had a 15 foot setback, and it's well within the setback for a detached garage.

STEPHENS: Did you object to it at that point in time?

STANEK: No one contacted me at the time. It was built during the summer or some time there around where I could not –

GUST: We actually moved it 10 feet further off the lot line because we needed to based on the county permits.

STANEK: It's not like there was a hearing or something. I had not notification of it.

STEPHENS: Well, what'd you do – pull a permit? There's no hearing on that.

GUST: No, just a permit. It wasn't conflicting with anything. It was just two detached garages that we pulled permits for. We originally had them 15 feet off the lot lines and we went to go build them, it was advantageous to move them 10 feet over because it was flatter ground. So we did.

STEPHENS: Ok. That's a pre-existing condition though. It's existing there. It's been there.

GUST: I can solve some of your problem maybe. If you look at this map, you guys don't have this, this is the topographic for where it is. Where the side goes, it's a pretty dramatic drop. This area right here on the map is 727 where the road is here. If you go eight feet over here it's 709. So you're talking almost a 20 foot drop from where the road is to where that is and it continues to go down. I'm not sure, I know there's an access or an easement grant here, but I'm not sure you could put a road to this property safely. If the village would make a determination whether it's a buildable lot or not, I'd be more than glad to buy it for you so nobody ever builds on it. It would solve some of my problems with the whole impervious thing. I'd be more than glad to do that. As far as garages go, I'm not sure if they're going to stay or go once we build the house. Looking at it, I probably am not going to want to look at them. But, I didn't want to put in the stipulation that we tear them down because I just built them.

AUBIN: Makes all the sense in the world.

STEPHENS: You said that the grade on the drive is 729?

GUST: And about eight feet over its 709.

STEPHENS: It's 709 eight feet over?

GUST: About eight feet over from the property. Referencing topography map. You can see 720 swoops down.

STEPHENS: It falls really fast. Almost 10 feet within a couple of feet.

GUST: I don't know if you could put a drive where the easement goes because of that.

STANEK: This is where the easement is right here. Even if the drive cut off, it doesn't have to go all the way until the end. The driveway could cut down right here.

GUST: You're basically at 700 by the end of the picture, so you're 20 feet down in 10 feet.

STEPHENS: You're going to have to have a side yard setback anyhow, or a front yard setback minimum of 25, is it 25 or 30? Ms. Turley?

TURLEY: Front or side?

STEPHENS: For the front setback.

TURLEY: 50.

STEPHENS: 50 foot setback?

TURLEY: In the E-1 district.

STEPHENS: In the E-1 it's a 50 foot setback so if you're going to face the house north, 50 feet down, it's going to be at least 20 feet below the garage.

STANEK: Do you have a topography map that shows more of that?

TURLEY: Locating map. There we go. Let me see if it goes further.

STANEK: The creek is around 690. The ridge line is around 700.

STEPHENS: So you're looking at at least 10 feet. 720 to 710.

STANEK: Pointing to map. This is where I'd be able to build right here. Between 710.

STEPHENS: And you're going to have to be 50 feet from the north lot line. Because that's the setback requirement from the front of the house.

STANEK: Well if I'm going back 50 feet, and this lot is 130, 135 feet deep right there...

STEPHENS: It may not be a buildable lot unless you face the house east. So we

are going to move on at this point. I understand what your objection is, but I disagree with the objection because of the topography. You're talking about facing north, and it appears to me that you're not going to be able to face a house north. You're going to have to face it east, and you've got some really severe drops there for a driveway. I thank you for your comments and we're going to move on.

STANEK: Lastly, I just had a question. I think it was addressed a little earlier. In regards to the fire department access – how do you get a fire truck all the way back there? Since it is in the woods, if there is a fire back there, is that accessible to the Orland Park Fire Department?

TURLEY: The driveway will go on back to the house.

STEPHENS: Yeah the driveway goes on all the way back up to the house.

STANEK: Ok I thought it would have to be a wider road.

STEPHENS: I think he is going to make it wider.

GUST: I'll make it as wide as I can make it with impervious stuff. Which will be wider than it is currently.

STANEK: Ok, I am done.

STEPHENS: Thank you Mr. Stanek. Is there anybody else who has any comments? Ok. If no one else has any comments we will go to our commissioners. Commissioner Parisi do you have any comments that you'd like to make?

PARISI: No I do not.

STEPHENS: Commissioner Aubin?

AUBIN: Not with the final engineering approval and with the pre-existing condition, I believe I do not.

STEPHENS: Commissioner Jacobs?

JACOBS: No, I made mine.

STEPHENS: Commissioner Paul?

PAUL: These garages, are these collector cars or are these for a business?

GUST: No, they're for personal use and some are collector. Most of them have been bought over at the Orland Park Porsche store.

PAUL: I didn't know if you were running a cab service out of there or what. Just wanted to get it on the record.

TURLEY: Just to be clear, this will be estate residential zoning and anything that's not residential, there could be problems. Strictly residential.

STEPHENS: That's fine. Mr. Shalabi?

SHALABI: No sir.

STEPHENS: I have really no comments. I think you've done a great job. I think you've worked with staff for a year and a half to try to get this thing worked out. I think your cooperation is more than 100%, it's a beautiful piece of property and where you're putting that house right in the middle there's really no trees in there or anything like that. It's the flattest area I saw on that piece of property. I think it's a great project.

GUST: Thank you.

STEPHENS: We'll move forward with a motion.

TURLEY: I just have one question. If the garage is to remain, and we have a condition in for adding landscaping around it, if there's any point to that or?

AUBIN: If I make the motion I'm not adding anything.

STEPHENS: I think you already said you're going to have a 10 foot all the way around?

TURLEY: Ok, 10 foot landscape buffer but we also put something in the recommended motion to further enhance the landscaping around that garage as much as possible.

JACOBS: Get the arborvitaes.

TURLEY: They won't live under there.

STEPHENS: A motion is in order.

AUBIN: Mr. Chairman.

STEPHENS: Commissioner Aubin?

AUBIN:

I move to accept as findings of fact of this Plan Commission the findings of fact set

forth in this staff report, dated September 27, 2016.

And

I move to recommend to the Village Board approval (upon annexation) of a Special Use Permit for an Estate Residential planned development for a site with three single family principal structures on one lot, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. Allow a second existing detached garage to remain on the site in the front setback of the new home.
2. Allow the new home to have a minimum west side setback of 100'.
3. Allow the existing easternmost building to reduce the east setback to 25'.

And

I move to recommend to the Village Board approval (upon annexation) of the preliminary site plan titled "Preliminary Site Plan for Forest Grove", by SpaceCo Inc., job 8626, dated 01/19/16, revised 08/08/16, and "Preliminary Engineering Plan for Forest Grove", by SpaceCo Inc., dated 12/28/15, revised 08/08/16, subject to the following conditions. All changes must be made and conditions met prior to the Board meeting.

- 1) Adjust dashed western setback line to reflect 100' west setback modification approved by this petition.
- 2) All buildings on the site are strictly limited to single family residential uses.
- 3) The new single family home is subject to the review and approval for compliance with all Land Development Code and Building Division Codes and requirements.
- 4) Retaining walls cannot exceed 3' in height unless they are designed and tied per Code requirements.
- 5) Lot coverage cannot exceed 30% (with BMPs) and must be labelled as such on site plan.
- 6) Remove proposed lot line from existing conditions map.
- 7) Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval, within 60 days of final engineering approval including the following items:
 - a) Provide tree mitigation, per Code requirements, preferably on site if a healthy spacing can be achieved, otherwise a contribution must be paid per Code into the

Tree Mitigation Bank. Tree mitigation requirements will be finalized at the time of Final Landscape Plan.

- b) Plant native wetland plantings in the detention area.
- c) Provide infill plant material to meet Code requirements for a 10' landscape buffer around the periphery of the site. However, where a natural healthy landscape buffer already exists, maintain the natural character and preserve the existing plant material, amended carefully with infill plant material as appropriate.
- d) Enhance screening of existing detached garages from neighbor's view.
- e) Plant a maximized 25' landscape buffer along the east side of the eastern building.

8) Add a site data box to the site plan that includes the following information:

- Lot coverage percentages existing and proposed.
- Acreage
- Proposed building square footage and height.

9) Meet all final engineering and building division requirements and approvals.

All conditions must be met and changes made prior to the Board meeting.

A motion was made by Member Paul Aubin, seconded by Member John J. Paul, that this matter be RECOMMENDED FOR APPROVAL to the Development Services, Planning and Engineering Committee. The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Member Murphy

NON-PUBLIC HEARINGS

OTHER BUSINESS

2016-0036 Memo: New Petitions & Appearance Review

ADJOURNMENT

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

STEPHENS: This meeting is adjourned at 8:28 pm

Respectfully submitted,

Elyse Vukelich

Planning Intern