

# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
[www.orland-park.il.us](http://www.orland-park.il.us)



## Meeting Minutes

Monday, May 21, 2012

6:00 PM

Village Hall

## Development Services & Planning Committee

*Chairman Kathleen M. Fenton  
Trustees Edward G. Schussler and Carole Griffin Ruzich  
Village Clerk David P. Maher*

## CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:06 PM

**Present:** 3 - Chairman Fenton; Trustee Schussler and Trustee Griffin Ruzich

## APPROVAL OF MINUTES

### 2012-0250 Approval of the April 16, 2012 Development Services and Planning Committee Minutes

I move to approve the Minutes of the Regular Meeting of the Development Services and Planning Committee of April 16, 2012.

**A motion was made by Trustee Schussler, seconded by Trustee Griffin Ruzich, that this matter be APPROVED. The motion carried by the following vote:**

**Aye:** 3 - Chairman Fenton, Trustee Schussler, and Trustee Griffin Ruzich

**Nay:** 0

## ITEMS FOR SEPARATE ACTION

### 2012-0035 CMAP LTA Water Use Conservation Strategic Plan & Ordinance - Informational

Ms. Ahmed from the Chicago Metropolitan Agency for Planning (CMAP) also she is also the Project Manager came to speak before the Committee once again to report that the Village and the CMAP are now in the "Draft Report" stage. This report is attached as (Exhibit A). Ms. Ahmed will present the draft strategy to the Development Services and Planning Committee. The presentation is part of the public comment period for this project and is intended to demonstrate the result of two open house meetings, two Plan Commission meetings, a prior Development Services and Planning Committee and five steering committee meetings.

Ms. Ahmed stated that the purpose of this project is to establish a water use conservation strategic plan for the community as well as develop and implement a new water conservation ordinance in the Land Development Code.

Back in March 2011, the Chicago Metropolitan Agency for Planning (CMAP) awarded the Village of Orland Park a Local Technical Assistance (LTA) grant to develop a new water conservation strategy and ordinance. Since July 2011, the Village and CMAP have worked closely to develop a Memorandum of Understanding and a Scope of Work to guide the workflow for the project. In November 2011, the Village Board approved Resolution 1128 to accept planning assistance from CMAP to conduct the water use conservation strategy and ordinance project. This effort comes at no extra-cost to the Village.

The intent of the project is to develop a new Village-wide water use conservation strategy and ordinance that is in line with the Northeastern Illinois Regional Water Supply/ Demand Plan (a.k.a. Water 2050 Plan) and the Model Water Use Conservation Ordinance, both coordinated by CMAP steering committees. These plans guide municipalities in the conservation of precious water resources from surface waters (e.g. rivers), subterranean waters (e.g. aquifers) and Lake Michigan. Orland Park imports Lake Michigan water.

As the water utility for the municipality, it is in the Village's interest to both ensure a continuous satisfactory level of service in its water distribution system throughout all seasons of a year and to conserve/ preserve as many resources (water, energy, man-hours etc.) as possible in that delivery. This effort is also in the interest of the residents and businesses, the taxpayers of Orland Park, to conserve water and water use, particularly in anticipation of the pending water rate increases due to the City of Chicago's and the Village of Oak Lawn's future maintenance and delivery programming. (The City of Chicago pumps Lake Michigan water to Oak Lawn and Oak Lawn distributes to "downstream" municipalities like Orland Park and Tinley Park).

Because the report contains a number of policy items, it is presented in draft form for information and comment only. After the Village works with CMAP to explore the policy issues, a final report will be presented for review and recommendation of approval. Implementation of the report recommendations will begin after the report and supporting ordinance are formally approved. Ongoing discussions regarding regional water infrastructure and conservation cooperation with communities in the Oak Lawn water delivery system coupled with local strategies will also factor into the implementation of the various recommendations provided by CMAP.

Ms. Ahmed reported that CMAP staff has prepared a draft of the conservation strategy for review by the Plan Commission. The draft outlines a history of water conservation efforts in Orland Park and existing water use ordinances. It then provides recommendations and highlights opportunities for building on existing ordinances, implementing new ordinances and establishing various programs (both incentive and educational outreach) to improve water use efficiency in the community for both residential and non-residential uses. The report identifies who the highest water users are and then tailors the recommendations to address the issues accordingly.

#### Indoor Water Use

The proposed strategy identifies recommendations for both indoor and outdoor water use. The strategy's indoor recommendations focus on high efficiency (e.g. WaterSense) plumbing fixtures such as faucets, showers and toilets, and leak detection strategies and provides the requisite details and the expected savings. The strategy calls for code updates to only mandate these high efficiency fixtures

etc. for new construction. Recommending the high efficiency mandate for new construction is in line with anticipated new state plumbing codes that will eventually require the use of high efficiency units in commercial and residential buildings. Since the price point on many high efficiency fixtures is competitive with standard fixtures, the cost of incorporating high efficiency fixtures into new construction is minimal. Additionally, high efficiency fixtures have become more mainstream in terms of their retail presence in home improvement stores.

The strategy addresses existing buildings through programs and incentives. Existing buildings, residential or otherwise, will not be required by any future water conservation ordinances to upgrade their fixtures and infrastructure to high efficiency units by mandate. The strategy recommends that existing buildings be incentivized through various means (e.g. water bill incentives, cost-share programs etc.) to upgrade water infrastructure such as faucets, toilets, showerheads etc. Additionally, the Village does not currently have a point of sale ordinance that requires building and plumbing code updates to any home prior to its real estate sale as other communities do. This strategy does not make such a recommendation.

#### Outdoor Water Use

The same discussion holds for outdoor water use in terms of irrigation improvements such as automatic sprinkler systems. The biggest change proposed by the draft report is in regards to irrigation schedules, which would apply evenly across the community. Currently, as a condition of permit to use Lake Michigan water, outdoor watering is controlled twice per day every other day on odd and even addresses between 7 a.m. and 11 a.m and 7 p.m. and 11 p.m. This results in approximately seven days worth of irrigation in two weeks time (56 hours of available irrigation). The report explains that in this climate, watering can be done more effectively using a schedule that is more efficient: even addresses on Wednesdays and Saturdays and odd addresses on Thursdays and Sundays between 6 p.m. and 10 a.m. This results in four days of irrigation in two weeks time (32 hours of available irrigation) or a 43% decrease in the amount of allowed irrigation time-- a substantial savings in water resources and utility demand.

The strategy provides methods for irrigation at any time despite the above restrictions using, for example, micro-spray, drip or bubbler systems, soaker hoses and other hand-held irrigation equipment. The main reason for this allowance is that these systems and strategies concentrate the irrigation on the plant material and porous ground specifically (and usually for limited periods of time since human involvement is required). The above recommended restrictions target typical automatic, impact and oscillating sprinkler systems that spread water liberally across lawns or landscape areas for long periods of time to achieve desired saturation and as a result often cause water to fall on or flow onto impervious surfaces. That water either evaporates or is directed to storm sewers and is ultimately wasted. The proposed strategy by CMAP, therefore, is actually a

relaxation on watering restrictions since current ordinances prohibit any kind of outdoor irrigation during non-irrigating hours. The proposed recommendations are more strategic in the allowance for outdoor water use than current methods.

#### Landscaping

The draft strategy includes some discussion on sustainable landscaping strategies that favor using native and natural plantings that are conducive to this climate. The report encourages limits on the combined size of high water use plantings and landscaping to be no more than 40% for residential uses and no more than 50% for commercial uses. These are landscaping recommendations that have been employed by other communities across the country. Any future ordinances must consider the impact to the aesthetic and storm water improvement of development and the regulatory considerations (vis-a-vis perception, manicuring and property maintenance) when employing such strategies to limit high water use plantings. However, it should be noted that the Code currently enables this by providing tables on appropriate and permitted sustainable species and that this could technically be done now (e.g. Police Headquarters). The new element in these recommendations is the provision or suggestion for an appropriate ratio for how much sustainable landscaping should be incorporated into a landscaping plan.

CMAP presented the draft strategy to the Plan Commission on May 8, 2012 as an informational item only. The presentation was part of the public comment period for this project and was intended to demonstrate the result of two open house meetings, two Plan Commission meetings, a prior Development Services and Planning Committee meeting and five steering committee meetings.

A tentative summary of some Plan Commission discussion points is provided as an attachment to this report for review (EXHIBIT B). The summary is not intended to act as meeting minutes, but more as notes on the meeting's progression.

In addition to Plan Commission comments, Mr. David Sosin, as the representative of the South Suburban Home Builders Association discussed some of the concerns regarding the draft strategy and expressed the desire to provide feedback to the Plan Commission and staff. Mr. Sosin requested a 30 day delay for the project in order for the SSHBA to review the strategy. Plan Commission noted that this was an informational meeting intended to gather comments. The Plan Commission did not provide the 30 day extension since that would delay feedback from elected officials, who would also be reviewing the strategy as an informational item only. Mr. Sosin accepted the explanation so long as they can provide feedback. CMAP staff welcomed SSHBA's input.

Since the Plan Commission meeting, staff met with David Sosin to further discuss his concerns, which parallel many of the policy items that still need to be reviewed as part of this process. Staff clarified that the report prepared by CMAP is not the

Model Water Conservation Ordinance and that any ordinances proposed to the Village Board would be tailored to the unique needs of Orland Park. David presented some good ideas on ways to increase outreach to the residential and builder community within Orland Park.

#### TIMELINE

The below information is a revised meeting schedule for this project.

May 8, 2012 - Plan Commission - Review of the Draft Report

May 21, 2012 - Development Services and Planning Committee - Review of a Draft of the Report

June 4, 2012 - Board of Trustees - Review of a Draft of the Report

Ultimately, the final report will provide recommendations to institute a new ordinance and policies and strategies to educate, raise awareness and enforce the new laws. This will require greater discussions among the Village, its elected officials, and its neighboring municipalities.

This effort has an end goal of incorporating the recommendations into Village codes and creating a comprehensive Water Resources section that will tackle water use conservation (a product of this CMAP-led effort) and water quality improvement. The water quality part of the new section is currently undertaken by Christopher B. Burke Engineering Ltd. (CBBEL), the Village's engineering consultant, in their review of Village storm water management practices etc.

The new ordinance that will be developed will be incorporated into the Land Development Code following the standard amendment process.

**This item was informational only, NO ACTION was required.**

#### **2012-0171 167th Street Fence Variance - Churchill**

Senior Planner Jane Turley reported that In 2005, the Cook County Highway Department reconstructed 167th Street near 108th Avenue, widening and increasing the height of the road in certain areas. The petitioner is requesting a variance to construct a 10' rear yard fence rather than the maximum permitted 6' fence. In 2000 and 2008, the Village Board granted a 2' variance, to allow an 8' fence, for 17 homeowners facing a similar situation along 143rd Street (increase in height of approximately 30"). 10' fences are unprecedented in the Village of Orland Park.

The petitioner is requesting a variance to construct 10' rear yard fences for seven residential properties along the south side of 167th Street near the 167th and 108th intersection. The 2005 County road improvement project did increase the grade of the road compared to the adjacent homes. That increase warrants consideration of a higher fence, similar to previously granted variances along

143rd Street. Ten foot (10') fences, however, have never been allowed anywhere in the Village and would deteriorate the character of the area. Additionally, the petitioners could achieve 10' or taller screening by combining an 8' fence with earthwork (berms) and/or landscaping.

Land Development Code Section 6-310 - Fences, allows residential fences to be a maximum of 6' and non-residential fences to be a maximum of 8'. The petitioner is requesting a variance to allow for a 10' fence for seven properties that back up to 167th Street, near the 108th Avenue intersection.

The Village acknowledges that the County did increase the grade height as part of the 167th Street project in 2005. That grade change most significantly impacted this area of roadway and warrants consideration of an increased fence height of up to 2' (33% increase), not a height of up to 10' (66% increase).

Overall, the request (at 10') does not conform to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

At the Plan Commission, the petitioner made a presentation, contending the need for a 10' rear yard fence and that the 167th Street situation is more severe than the 143rd Street situation. His points are presented in full in the attached Plan Commission minutes.

One nearby resident expressed concern over the possibility of a 10' fence but was not adverse to an 8' fence.

The below motion reflects the recommendation of Staff and the Plan Commission of a variance to allow for an 8' fence. Note that the petitioner is requesting a variance to allow for a 10' fence.

Mr. & Mrs. Bedar - 10740 Churchill Drive spoke before the Committee on why they would like the 10' fence. He would like to block the view of traffic on 167th and also twice a day busses line up coming down 167th Street going back and forth to the bus company.

This case is now before the Development Services/Planning Committee for review prior to being sent to the Board of Trustees for final review/approval.

I move to recommend to the Village Board of Trustees approval of a variance to allow a eight foot (8') rear yard fence for the residences located at 16700 Chaucer and 10700 to 10750 Churchill Drive.

**THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)**

I move to recommend to the Village Board of Trustees approval of a variance to allow a eight foot (8') rear yard fence for the residences located at 16700

Chaucer, 10750, 10740, 10730, 10720 ,10710 and 10700 Churchill Drive, subject to the following condition:

1) All required building permits are acquired prior to fence construction.

**A motion was made by Trustee Griffin Ruzich, seconded by Trustee Schussler, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:**

**Aye:** 3 - Chairman Fenton, Trustee Schussler, and Trustee Griffin Ruzich

**Nay:** 0

### **ADJOURNMENT - 6:20 PM**

**A motion was made by Trustee Griffin Ruzich, seconded by Trustee Schussler, that this matter be ADJOURNED. The motion carried by the following vote:**

**Aye:** 3 - Chairman Fenton, Trustee Schussler, and Trustee Griffin Ruzich

**Nay:** 0

/nm

APPROVED:

Respectfully Submitted,

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**David P. Maher, Village Clerk**