

# VILLAGE OF ORLAND PARK

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



## **Meeting Minutes**

**Tuesday, January 24, 2012**

**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 Chairman, Mr. Louis Stephens, at 7:00 p.m.

**Present:** 7 - Jacobs; Dzierwa; Aubin; Stephens; Parisi; Paul, Murphy

**APPROVAL OF MINUTES****2012-0036 Minutes for the January 10, 2012 Plan Commission Meeting**

A motion was made by Commissioner Aubin, seconded by Commissioner Dzierwa to approve the minutes of the January 10, 2012 Plan Commission minutes with the following corrections:

PAGE 5 Change the statement made by Commissioner Dzierwa from "We just voted to approve them across the street at 143rd Street. If they are done right they look good too" to "They are currently in place at 143rd Street."

PAGE 8 Lowercase the second "N" in Kevin Lehmann's name.

PAGE 11 Under Commissioner Murphy's statement change 'clouding' to 'cladding'

APPROVED

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

**Nay:** 0

**Abstain:** 1 - Stephens

**PUBLIC HEARINGS****2011-0754 Rankin Subdivision**

FLOM: Staff presentation made in accordance with the written Staff Report dated January 24, 2012 as presented.

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

AUBIN: Swore in Mary Rankin 8400 143rd Street, Orland Park, IL 60462

RANKIN: I purchased this property thinking that I would be able to develop it. It was a large piece of property. I executed the contract in July of 1995 and at that time it was unincorporated Cook County and before closing and knowing it would be forcibly annexed in and zoned E-1 at that time. That is how I came in and I have occupied the property since October of 1995 and I have always had a plan to want to subdivide the land or something to that effect. I wanted to get four lots, but three

is what I could do with this situation. So I am hoping that this will be approved by the Board, also.

STEPHENS: Is that it?

RANKIN: Yes.

STEPHENS: That is good enough, I just want to make sure you are done. Thank you. I read the staff report. How many years have you been working with Ms. Rankin?

FLOM: We have been working with Ms. Rankin for a number of years. She mentioned that she wanted to get four lots on the property. We just could not make that work within our codes. Every time that we would come up with four lots, which still falls within the density, we could not get the lot sizes to work out and we did not feel it appropriate to recommend approval of any plan that had reduced lot sizes, reduced set backs and reduced widths. We wanted this to fit in with the surrounding neighborhood. Henceforth, we have a three lot option that you see here tonight.

STEPHENS: Thank you. So the zoning is consistent with all the surrounding zoning? It is all R-3?

FLOM: Yes

STEPHENS: The surrounding lots minimum square footage is 10,000 sq. ft? Is that correct? Ok, and the density units per acre allowed is 3 units per acre?

FLOM: 3 units per acre. This gross is 2 units per acre.

STEPHENS: This is at 2 units per acre? So it is considerably under the required density. At this time I would ask anyone out there that wants to make comment on this please come up to the podium and be sworn in.

AUBIN: Swore in Austin Lent, 14316 Eynsford Drive, Orland Park, IL 60462

LENT: I have just a few questions. Mostly, the houses that are going to be built there, approximately what size will the houses be? Not the lot size, the homes themselves. How many square feet? Will they be two story homes or one story?

STEPHENS: I am going to direct this question to staff.

FLOM: We use the building envelope from a zoning perspective that we look at in terms of how big your home can be. We also have requirements on height. So what the petitioner is showing here is essentially the building envelope. Any building built on this lot could not exceed the brown box. Additionally they are

limited on lot coverage and building height per the code. I would defer to the petitioner as to what type of homes are proposed for this subdivision.

STEPHENS: We will get answers for you from the petitioner. Do you have any other questions?

LENT: Yes, if and when they build homes there, will the terrain be kept the same or are they going to put high ground there where water will run off into our area? When they get through digging and backfilling, will they take away all the extra dirt?

STEPHENS: (To staff) Preliminary engineering has been approved on this, right?

FLOM: Yes and I want to mention that preliminary engineering has been approved and the Village has very strict guidelines especially as related to drainage. This property will probably function better from a storm water perspective and our Code does not allow water that would fall onto this site to go to any other site. It will be collected in the detention facilities that you see along 143rd Street and then put into the storm sewer system.

STEPHENS: That answers your question.

LENT: One last question, are they going to be allowed to put some big, ugly fences up on the property? Will they put a wrought iron fence up? Right now I have a wrought iron fence up against that property that Mary owns and so does my next door neighbor. Are we going to have to look at some ugly wooden fence or plastic fence?

STEPHENS: They will be allowed to put up the fencing that is allowed within the Code.

FLOM: She would be allowed to do that now. That would not change. The fencing is permitted per the Land Development Code. The Land Development Code does allow for back to back fencing as long as there are two feet between the existing fence and the proposed fence. We usually do not regulate single family homeowners' choice of fence material. So the fencing requirements for this property are not proposed to be any different than what they are today.

LENT: Thank you.

STEPHENS: You're welcome. Is there anyone else who wishes to approach?

AUBIN: Swore in George Hammond, 14313 Wooded Path Lane, Orland Park 60462

G. HAMMOND: My question today is in regards to the positioning of the houses there and the way that we are configured now. Our power boxes are basically

between 14313 and 14319 Wooded Path Lane and the new proposed buildings that are going in, they have to have basically the same set up as we do and where are those power boxes going to be positioned behind the houses if they are that close to the back of my house.

STEPHENS: You can't ask that, we are not Commonwealth Edison. We do not have any control over that.

FLOM: ComEd does typically dictate the position of those boxes, not the Village, and that is something that would likely be handled through final engineering. They tell us where it goes.

G. HAMMOND: So none of the residencies that surround the property have a say as far as what they have to look at once these houses are up?

STEPHENS: It is not the Village. Its Commonwealth Edison.

G. HAMMOND: I understand that sir but the houses are what will bring the boxes.

STEPHENS: I can't address that question because it does not fall in our jurisdiction.

G. HAMMOND: But it is a legitimate question.

STEPHENS: But it does not fall within our jurisdiction. We have nothing to do with ComEd's decision. We cannot tell them where they can place their boxes.

G. HAMMOND: Isn't there a ten foot easement along the back here?

STEPHENS: For utilities, I would think.

FLOM: Generally, every single family home has a ten foot access easement. It is not Orland owned property, it is an access easement for utilities. This is not just for us but for companies like ComEd.

STEPHENS: It is going to be on the back of those lots.

G. HAMMOND: So the easement is going to be maintained there.

STEPHENS: It's an easement. It belongs to that lot just like your lot has an easement but it is your lot. Your property goes back along the easement. It becomes an access and allows utility companies to put lines in underground.

G. HAMMOND: Understandable. As this progresses, I would like to know where they are going to junction the boxes for the two houses on the west side of the lot.

STEPHENS: Mr. Hammond, we do not have any control over that. My suggestion to you would be to talk to Commonwealth Edison. We have nothing to do with that and it is not part of the Plan Commission.

G. HAMMOND: Ok, I see. Well it is a concern of mine, that's all. If they are going to build houses there, I want to know how tall they are and that was answered and I want to know what is going to be in my backyard because I have children.

STEPHENS: Well it's not going to be in your backyard.

AUBIN: Swore in Donna Hammond, 14313 Wooded Path Lane, 60462.

D. HAMMOND: This is the first I am hearing about this plan. I have lived in that house now seven and a half years so when I bought the house and we were looking at it was for the mere fact that it was a nice open area. Now, it is brought in front of me that there are going to be three big houses that I will be looking at through my back door. That is not what I bought the house for. I bought it so I could enjoy my patio and deck to look out and the fact that the whole community was open with minimal to no fencing.

STEPHENS: Do you have a question that you are going to ask?

D. HAMMOND: Yes, hold on. Now I am going to have a subdivision come in. I don't know how, first of all, along the entire side between the two properties, are they going to put up some massive fence or something? Not only that, like they said the easement, make sure that someone is going to take care of that portion of it. You have two ponds going up there. What's the guarantee that those two ponds won't overflow. And if they overrun or overflow who is going to take care of any damage done to any of the houses around it? You can tell me today that its not going to happen but like anything things do happen. Who is going to be responsible if those two ponds overflow? Given the fact that the way you say this driveway and turn around, that looks kind of scary to me. There are a lot of kids in this community playing out there in these yards. So for cars to turn around, what is going to be there to hold them off? Is it going to be some kind of fencing, again?

STEPHENS: How many cars do you think are going to go down there?

D. HAMMOND: I don't know.

STEPHENS: Well there are only three houses, so how many cars would you expect to go down there?

D. HAMMOND: I don't know. There are a lot of people driving on 143rd Street and a lot of times they come to turn around and if they need to turn around.

STEPHENS: That is a private driveway.

D. HAMMOND: But the whole point is that you are showing us some aerial plans from Google. Why not show us some plans of what this is going to look like.

STEPHENS: You are looking at the plan. This is the plan.

D. HAMMOND: You are giving me three square boxes.

STEPHENS: That's the plan.

D. HAMMOND: Ok, well I would like to see the subdivision. Let me see who is building this. Lets see the houses that will go up. Lets see what this is going to look like.

STEPHENS: That is the plan. That is what we are going to approve tonight. We are looking at that plan. There is going to be three lots in there. There will be three houses in there. That is what we are approving.

D. HAMMOND: Ok and then not only that but what does that do to our tax base here if those houses are they going to be million dollar homes? Are our taxes going to go up or are they going to go down? I have to know this. I am the property owner right behind them.

STEPHENS: Well, obviously they will probably be higher priced than the houses around it and I do not think it will affect your tax base one way or the other. Why would it affect your taxes?

D. HAMMOND: I don't know. I need to know. I want to ask all these questions now rather than when it's too late and everything is up already.

STEPHENS: You're looking to fight with me.

D. HAMMOND: No, I am just saying that all of a sudden this is the first we are hearing about this and it's in my backyard.

AUBIN: The one thing we do not have on this panel is attacks. It is not our charge.

D. HAMMOND: I will give you a perfect example of why we need to ask these questions now. And I will just give you an example. You know we live on 143rd Street, the whole triangle project on 143rd, who ever set up the zoning of that entire area. I will never buy gas from BP because I can not get out of there to go back home. I have to go out of my way.

STEPHENS: We are getting off the subject. Please stay on the subject. The subject is this subdivision. It is a three lot subdivision. If you have anything else to

ask with regard to the three lot subdivision, then ask it. If you don't then please sit down.

D. HAMMOND: Ok, let me ask you this. If something goes wrong after you approve it. Who do we address our concerns to?

STEPHENS: We come back to the Village.

D. HAMMOND: Ok, then we sue the Village when there is damage done.

STEPHENS: You can sue anybody that you would like to.

D. HAMMOND: Because that is what it takes for things to be done right the first time.

STEPHENS: You can sue anybody that you would like to.

D. HAMMOND: Ok, thank you.

STEPHENS: You're welcome. Is there anybody else? Please step up to the podium.

AUBIN: Swore in Dan Carroll, 14324 Eynsford Drive, Orland Park, IL 60462.

CAROLL: I just have a question. It is difficult from this perspective to tell how close that largest box is to my property. Maybe it was stated and I just missed it.

FLOM: 30 feet. Actually, this is the side and it might be a little less than that. The smallest it can be is 10.5 feet. I will defer to the petitioner on that because I do not have that exact plan with me.

AUBIN: 20 foot side yard?

FLOM: It looks to be about 20 feet which is more than double what the Code requires. Also note that this box is not necessarily the home that is going to be built, it is just the box that can fit the home that is proposed. So that is the closest it could get but it may not be that close.

CAROLL: So what you're saying is that box is the footprint. The maximum size that it could be.

STEPHENS: Yes, that is the maximum footprint.

CAROLL: So it could be that close?

FLOM: Not even necessarily. The building envelope, which means this is the building envelope that you could fit the building within. We have other limiting



factors, such as lot coverage. So if the resident wanted to put in a pool or a patio or a larger driveway, those would shrink the home down. So this project will meet all of our codes in terms of lot coverage and building design. Just to note, the code for this zone does not allow a building to be taller than 30 feet. So any home could not be taller than that.

STEPHENS: And this is consistent with the homes around there?

FLOM: I do not know the size of the homes around there.

STEPHENS: No, I mean in height.

FLOM: Yes, the code is the same and this would be zoned into the same requirements as the neighbors and all the surrounding areas.

STEPHENS: So it is consistent with all the other homes in the area.

CAROLL: You keep saying that it falls within the Village's limitations but that means nothing to me. I need to know a number.

AUBIN: Is there some way we can get this gentleman the Code for what exactly are the side setbacks?

FLOM: The Code is actually less than 10 feet.

CAROLL: First you said 30 feet, then you said 20 feet.

STEPHENS: The exact answer to your question is if they go the maximum envelope that they are showing there then the side yard to you would be 20 feet. The minimum required set back is 10 feet. So it would be double the minimum requirement.

CAROLL: So if it was set back 10 feet it would be right on the edge.

STEPHENS: Because of the box it cant be any less than 20 feet. The box is the maximum it can cover. Your side yards that you have between your houses are 10 feet each. So you would have 20 feet between your houses. It would be the same situation with that house there. You would have 20 feet from your rear property line to the edge of their property line.

CAROLL: That was my main question. Does that 30 feet allow for a two story home?

STEPHENS: Yes it does

CAROLL: Ok, have any contractors been engaged at this point?

STEPHENS: We will let the petitioner come back and we will ask her.

CAROLL: Ok.

STEPHENS: Thank you. Ms. Rankin?

RANKIN: One thing I would like to say is that I am getting this approval so that I know exactly what a builder can do when he comes to you to build. I am not planning on doing that. That is a whole line of work that needs somebody that has expertise in that area.

STEPHENS: So you are not planning to develop that area? You are just planning to get approval?

RANKIN: I am just planning to get approval. That way when I do market it to developers I can say this is what the Village approved that you can do. I mean maybe they will want to do something different and then they will have to get approval. But this is the maximum you can do.

STEPHENS: Ok, so you have no plans to develop at this time.

RANKIN: Not myself, no.

STEPHENS: Ok.

RANKIN: I know that all of the neighbors around me have had the advantage of having open space and I have been in real good terms with all of them and their children have played in my yard because I am a single lady and my children are grown. I know this is probably a whole different way that they are going to see from their backyards. But if they think about what about the neighbor next to them it will be no different. That is how all Village Code is set, correct?

STEPHENS: Correct.

RANKIN: Right and I know that it is difficult to accept change but that should not be a problem in my estimation and I guess in the Village's estimation too. I think that is where this is all coming about.

STEPHENS: Thank you.

AUBIN: Swore in Kim Siroky, 8324 Ashley Drive, Orland Park, IL 60462.

SIROKY: It is my understanding that all three houses will be facing the street?

STEPHENS: The two houses on the west, or the two next to each other will face

east, or will face the access road. And the third house, or the eastern most house, will face 143rd Street.

SIROKY: Ok, and my question is for my property my backyard will be right along that street. It is not a cul-de-sac , it's a hammer head, did you say? Is that the term you used? What will be there? Will there be a curb, a guardrail? Will there be bushes? Do we have a Village Code for that?

STEPHENS: (To staff) Isn't that just going to be porous pavers?

FLOM: It is porous pavers, it is a driveway. It is not a street. This is not a road that's accessible to the public. The only people who should be on this road are the people who live here, otherwise its trespassing.

STEPHENS: Or their friends coming to visit.

FLOM: Right, as to the curb question. I do not know that. That may be something that will be determined in final engineering. The petitioner, if she has an inclination, may be able to address that.

SIROKY: So it is going to be a paver street or driveway?

STEPHENS: It is a driveway. Just like you have a driveway at your house.

SIROKY: Alright, so my next question is about snow removal. Would that be up to the homeowners?

STEPHENS: Absolutely.

SIROKY: The Village will not have any say?

STEPHENS: No, because it is a private drive.

SIROKY: Ok, thank you.

STEPHENS: The Village will not maintain it. Those three homeowners will have to. You're welcome.

LENT: You mentioned about if they put a fence up they have to be two feet in on the property or one foot.

STEPHENS: No, I think that the comment she made was that there needs to be a two foot separation between one fence and the other. Am I correct?

FLOM: The back to back issue arises from what happens if you only have a few inches between the two fences. And we need to essentially have enough space to

get a lawn mower, not necessarily a riding lawn mower, back there to mow it down. So, that distance is established from wherever that existing fence is and measured off. What would likely happen is if there is an existing fence and the new homeowner would like to put up a new fence they would have to put it inward on their property more so than someone who is putting up a single fence.

STEPHENS: Mr. Lent, where is your fence? Is it inside the easement or to the very back of the property line?

LENT: It is one foot inside the property line going east of it.

STEPHENS: So your fence is actually on the easement?

LENT: Yes, it is on the easement.

STEPHENS: On the easement, ok. That means you are one foot off. So if they want to put up a fence, they must be one foot off. Therefore you have two feet of separation.

LENT: Yes and Mr. Siroky is the same as mine so our fences are right in line. Next question is it possible for me to get a copy of that so I can look at it?

STEPHENS: (To staff) Do you have some extra copies?

FLOM: Yes, I can give you one right now. You can have my copy.

LENT: Thank you.

STEPHENS: Your answer is yes.

FLOM: The copies are also available on our website via the Plan Commission Report access. I would be happy to email copies to anyone who is interested. I am sure the petitioner would be happy to give copies to anyone who would like one too.

STEPHENS: For those of you who would like an emailed copy, please give your email to Mrs. Flom. Is there anybody else?

AUBIN: Swore in Natalie Karney, 3922 Main Street, McHenry, IL

KARNEY: I am with Land Technology, the engineering firm that prepared the plans for the Rankin Subdivision. I just thought I would introduce myself to see if there are any questions regarding the engineering plans. I want to thank the staff. They did work with us. We have been involved with the project for about a year. We did submit quite a few concept plans and the plan you see here before you tonight is a result of those meetings and input from the staff. I just want to comment on one or

two things that the neighbors have brought up. Regarding the detention ponds, again we are using the best management practice for the driveway and that is going to minimize the runoff that you might typically see from an asphalt or concrete street. So that is going to help quite a bit with some of the drainage. The detention ponds at least right now in the preliminary plan, we have the overflow plan on the northeast corner of the pond that is going to go towards 143rd Street. We do not anticipate those ponds overflowing anywhere near the neighbors. We have two ponds that are fairly good size. Again, the lots themselves are fairly good size and some of the runoff that hits the grass is going to permeate into the lawn instead of just running off. I think the plan is well laid out and to minimize any problems that could occur in the future.

STEPHENS: You designed the detention ponds to what, the 100 year rainfall?

KARNEY: Correct.

STEPHENS: Ok, thank you. Anybody else?

FLOM: Mr. Chairman, could I just add one thing? It certainly seems that there is concern about what the house will look like and the type. It is not anything that we would look at here in these types of subdivisions. Those will come through for building permits. But for illustration purposes, you can see these square boxes and the size of them and you can see the sizes of the surrounding homes. This home here, 8332, would not even fit in this box. So if you look at that perspective in comparison to some of these surrounding homes, I think you can get a feel that these homes really are not going to be outsized from the surrounding neighborhood. Sometimes, that little visual trick helps you to understand a plan a little bit better.

STEPHENS: Mr. Hammond, did you want to come up and speak again? You have to come to the podium.

G. HAMMOND: No, the house that she pointed to right there is a single story home. There again cannot compare to that.

STEPHENS: Well what about the one at 14343, that looks about the same size as that box. Does it not?

G. HAMMOND: That is a two story.

STEPHENS: Am I wrong? That looks about the same size.

G. HAMMOND: No, that is about equivalent. But what I am saying is that the house she pointed out is single story home. So the people on Ashley drive just a couple of them are single story ranches and their main concern is the height of the building and the easement in back there as far as how close it comes to the

property line. Like I said my main concern is that I don't want to be staring at a lot of utility boxes but you said ComEd has to deal with that. Ok, that is it.

STEPHENS: Thank you.

D. HAMMOND: Just one question, how deep again are those ponds going to be?

STEPHENS: Ms. Karney, please come up to the podium and address that question.

KARNEY: Yes, the bottom of the ponds will be approximately two to two and a half to three feet below the overflow elevation.

STEPHENS: What is the total depth of those ponds?

KARNEY: We are starting at 693 to the berm is at 696 so the lowest is at three feet at the bottom of the pond. We do anticipate designing a wetland type bottom so below that elevation I just gave you, you might have a four to six inch water depth below the invert of the outward height so we can grow wet land type plants in that area which will help with water quality issues.

STEPHENS: So, your answer to her question is about three feet?

KARNEY: Correct.

D. HAMMOND: My concern is that there is a lot of kids in the neighborhood, little kids, ok. Even my grandson who is only four and lets say what about the house on the corner? Lets say my ten year old and thirteen year old might want to visit it? It makes me kind of nervous to think that there is that kind of body of water unsupervised. Its not like a pool where somebody has a fence or gate around it. It is a body of water.

STEPHENS: There are detention ponds throughout the entire Village.

D. HAMMOND: Yeah, but they're not on my block. If there was then it would be something, no wait, once again, I would have looked to buy a home.

STEPHENS: Wait, wait. My turn. Do not tell me to wait. Detention ponds are designed to keep the water overflow from going onto anyone of those other properties. Now that is a requirement by Village Code.

D. HAMMOND: But you know, I don't see those every other block, three four feet of water sitting down on every block.

STEPHENS: They are not on every block. Every subdivision, excuse me, is required to build its own detention pond to retain the water so it doesn't go on any

adjacent properties.

D. HAMMOND: Ok, can you tell me which one is in my subdivision? Because I do not have one in my subdivision right now.

STEPHENS: I can't tell you that because I don't have the engineer.

D.HAMMOND: So you can't tell me that every subdivision is required to have one.

STEPHENS: I can tell you that because that's the code.

D. HAMMOND: Well I live in one and I don't have one.

STEPHENS: Well you must have one somewhere.

D. HAMMOND: Where? Why can't you tell me then?

STEPHENS: It is not my position to answer this right now.

D. HAMMOND: What I am saying is that unguarded water...

STEPHENS: I don't want to argue with you. You want to argue with me. Please sit down.

D. HAMMOND: And I don't want to see a fatality happen because there is water here.

STEPHENS: Please sit down. I am not going to argue with you anymore. I've answered all your questions.

D. HAMMOND: You're not but you need to explain it to me though.

STEPHENS: I've answered all of your questions. Your question was how deep is that pond? She answered your question: three feet. Please sit down.

D. HAMMOND: Ok and then what are the safeguards to make sure that this is a safe body of water?

STEPHENS: Please sit down. Please sit down. Would you please sit down? Ok, thank you. Yes ma'am.

KARNEY: Ok, I just want to mention that these are not lakes, they are ponds that are going to be holding water for some of the time. They will be designed to have a wetland bottom which when water is available you might have four to six inches of water in the pond. The pond will fill up when we have rainstorms and the water will drain into the ponds from the whole subdivision in this particular case. The high

water elevation is designed to be basically a little over a foot of that one level where the wetlands would start. We have a lot more capacity in the pond just because of the nature of the topography in that area. Even with a 100 year storm, we are hoping we don't have more than a foot to a foot and a half of water that will only be in that area for maybe 48 hours at the most.

STEPHENS: Thank you. Mrs. Flom, would you find out where the location of the detention pond is for that subdivision?

FLOM: I will but I should also note that our older subdivisions don't necessarily have detention facilities. Our codes have changed over time in order to protect our residents from the flooding that did happen so many years ago. Therefore, new subdivisions have much more stringent requirements. But I can absolutely find out where the storm water for this area is going via into the storm water system or into an offsite detention area somewhere nearby.

STEPHENS: And let Mrs. Hammond know, ok? Thank you. Mr. Carroll, did you want to come back up again?

CAROLL: First of all, we all need to just calm down a little bit. This is an informational hearing. We all have questions, we all have valid concerns. Lets not get heated here. Lets not get over the top.

STEPHENS: I am not heated.

AUBIN: No one is getting heated.

STEPHENS: No, I am not heated. I asked the woman to step down.

CAROLL: Ok, alright.

AUBIN: As long as we stay on the topic we are charged with. Anything outside this topic, not a person on this board can make a comment.

CAROLL: My question is, well, a couple statements. We talked about that drive. First of all you keep saying it's just a driveway not a public road. Well, never say never. People are stupid. People drive down there and it's not a well-lit road. People will drive down there, I've seen it. It would not be out of the question to see someone drive down there, get stuck at the end and wouldn't know what to do. So it is a valid concern that we all as to what will be at the end of that private drive.

STEPHENS: It's a turn around.

CAROLL: But if somebody is driving in the dark and there are only porch lights on those houses. A private drive is not going to be well-lit. There are not going to be street lights there. It is going to be dark in the evenings and at night time in the



winter.

STEPHENS: What is the question Mr. Carroll?

CAROLL: The question is what will be at the end to prevent someone from driving all the way through there and end up on Mr. Siroky's patio?

STEPHENS: Do we have anything on the engineering with regards to that?

PARISI: I think they're called headlights.

STEPHENS: I just heard one of my commissioners say he thinks they're called headlights. That is a pretty good answer.

CAROLL: Let's not be sarcastic here. But there was just an incident in Chicago with a woman that drove off a dead end road and into the Chicago River and drowned. It was about six months ago. She had headlights on the car as far as I would imagine.

KARNEY: The answer to your question, at this point we do not have anything planned. There is a landscape plan that is going to be required to be submitted once the final engineering has been reviewed. Perhaps we can work something out on some kind of low dense type bushes or something of that nature so that when they do come down the road and the headlights at least hit the bushes so that they know they need to turn around.

STEPHENS: That's a good point. We can address that with the landscape plan.

PARISI: Does the staff have the right to approve landscape plans in other areas that we've suggested? Either shielding from unsightly view. We've suggested trees, we've suggested shrubs. I don't have any doubt that you can suggest the same thing here once you've seen a landscape plan.

FLOM: Absolutely, we can look at something denser. Some taller evergreens that would essentially form a barrier at the end of that area. The length of the driveway helps as well. If anyone turns onto this area, it's going to be pretty evident pretty quickly that they are not on a road. It's very narrow, it's different pavement and they have three opportunities to turn around before they get to the end. So, we can absolutely look at some evergreen trees and some dense landscaping at the terminus.

STEPHENS: Yes, that would definitely make sense.

AUBIN: This would come at the time of development.

STEPHENS: Well we could make it a condition. Yes, we could make it a

condition. We will require some additional landscaping. And we would require signage too? In the front stating it is a private drive?

FLOM: Absolutely, yes.

STEPHENS: That is a requirement, right?

FLOM: Yes.

STEPHENS: We will add those as conditions.

CAROLL: Also, the retention ponds or detention ponds. You read every summer in the Star about how they overflow. I know a lot of the older subdivisions that did not have the same engineering standards as we have today perhaps. But you read about that all the time.

STEPHENS: (To staff) The new standards, when did they come into effect? It was recently, wasn't it?

FLOM: I do not know the exact date but our standards are more stringent than MWRD and I know that because this lot was annexed into the Village it was never developed to our standards. Currently when rain falls onto this lot, it is likely flowing offsite into the yards around all the areas. This is going to be a much improved rain water situation for all of the surrounding homes.

STEPHENS: When they say best management practices, that driveway is going to be built with porous pavers which mean that the rain that falls on that driveway, the rain goes down into the ground. So it minimizes how much water goes into the detention ponds.

CAROLL: I am not a civil engineer.

STEPHENS: I'm not either.

CAROLL: To me, the rain that is falling down is dispersed over a large area, an acre and a half area, and now you're going to pool all that water into two detention ponds where it is going to gather that water and it has the potential to overflow. Like I said, you see that in the Star every summer: that subdivision, this subdivision has water retention problems.

STEPHENS: Those are subdivisions that were designed thirty to forty years ago, when they didn't require detention ponds.

CAROLL: I'm saying that you read about it that detention ponds have overflowed. Alright, we will skip that one. My next question is of all the houses, my house is the closest house to any of those houses. Mine is the closest easement to any of

them. Is this set in stone, this layout? This is it?

STEPHENS: After we deal with it here, it goes on to Committee and then it goes on to the Village Board. So if you want to be at those two meetings as well, you certainly have a right to.

CAROLL: But this is it? There is no changes, no adjustments? They did already mention that they've been working with the staff for several years and they have reduced it from four to three to make it work.

STEPHENS: From four to three lots and the allowable density is three lots to the acre. This density is two lots to the acre. It is considerably under density. There are only going to be three houses that are going to be here and if anyone of them/us, other than Mrs. Rankin, bought that property and held it for seventeen years I believe we would want to develop it into some lots so we could derive the greatest economic benefit.

CAROLL: Certainly and I understand that.

STEPHENS: I think that the only thing we are dealing with here is if it is in compliance with the codes and are we going to accept this and move forward? From what I understand it is in compliance with all the codes. It is the same zoning that you already have, R-3. Their lots are bigger than your lots. Your lots are 80' by 120'. 10,000 square feet. These lots are larger than that. So it is in compliance. I have no more to say. It complies with all the Code requirements.

CAROLL: I think all of us have been resigned to the fact that this would someday be redeveloped. We are only here to try and make sure that we are all happy with this redevelopment. That's all we are here for. So we don't need to be contemptuous.

STEPHENS: I am not being contemptuous.

CAROLL: Yes.

STEPHENS: No, sir, I am not being contemptuous. But when somebody comes up to the podium and starts yelling at me and then starts asking me all types of questions that are not pertaining to this petition, I have a problem with that.

CAROLL: Well, that is between you and her.

STEPHENS: No, it is not. It is not between me and anybody. I have already spoken my piece.

CAROLL: But again, getting back to this. The plan will have no adjustments?

AUBIN: Let me review the charge of this plan commission. I am going to do it very slowly so we all understand it. The only reason that we are here is to make sure this project meets Code and meets the standards. We also asked Mrs. Flom, Mr. Pittos did this project meet all of our expert educated engineering specifications? That is our only charge. There is no approval. We couldn't tell you whether to put houses on there. We are working with this plan and the requirements needed for it to go forward to the next step. That is our only charge. We know nothing about taxes. We know nothing about flooding. We do have a staff of experts, highly trained educated engineering staff that are telling us we have their report, the report that you heard this evening, that it meets code requirements for this Village. That is all we are here for. It will now go to a Committee as our Chairman said and then it will go before the Board for approval. But again, this Commission only approves whether or not it meets Code. I think with that understanding, we have cleared a lot of things up. Thank you Mr. Chairman.

STEPHENS: Thank you, Mr. Aubin. Thank you Mr. Carroll for your comments. Seeing no further comments from anyone out there, we will go to our Commissioners. Commissioner Dzierwa.

DZIERWA: Thank you Mr. Chairman. I guess I have a question for the engineer, Mrs. Karney. So we are talking about a high water level of 694 and basically at most if we have the 100 year rain there will be a foot of water there but pretty much it's going to be a dry bottom pond?

KARNEY: Again, it is going to be a wetland bottom so there is a possibility of four to six inches.

DZIERWA: Ok, so it's going to be a little mushy at times. I was looking at a map of the existing property and what it would look like when you're finished and I see a large improvement as far as what is actually going to happen. So right now we are at 696 and 695 but both detentions would be at your lowest part is 693 or 692 at most? Right?

KARNEY: Correct.

DZIERWA: Ok, we've improved there and that's a good thing. Looking at the staff report as far as lot coverage. What we can do as far as lot coverage. Lot 3, Mrs. Flom, that is the largest of the three lots, am I correct?

FLOM: Yes.

DZIERWA: its 13,000 sq. feet?

FLOM: Lot 3 is like 18,000 sq. feet I think.

DZIERWA: 18,000 yes I see it now. So basically what they are allowed is 40% lot

coverage?

FLOM: Yes, there are some bonuses for accessory structures but it would be the same lot coverage as the rest of the surrounding lots.

DZIERWA: Ok, So basically Lot 3 lot coverage could be 7,000 sq feet maximum. That would be all impervious surfaces?

FLOM: I am really bad at math, so I'm not going to confirm or deny that without a calculator. I know it was noted on one of the plans that Ms. Karney had noted the maximum lot coverage for each lot and by square foot.

DZIERWA: Very good, thank you. Mr. Chairman, I believe that is all I have to say other than one thing. I think for people who have never been to a meeting like this, we are all residents. We have all been there. It is very hard to have an open space disappear because your neighbor decides she has a right to develop it and she is going to develop it. I have been in the Village almost 29 years. The same thing happened to me. I guess good things come to an end. It was a good thing. Your kids were fortunate they were able to play on it, Mrs. Rankin's property. Maybe, perhaps that will go away at some point. Not right away, but at some point, I think it will. This is just something we have to get used to and Mrs. Rankin, thank you for being a good neighbor for so long. Maybe now it is your time and hopefully something good will happen here. That is all I have Mr. Chairman.

STEPHENS: Thank you Commissioner Dzierwa. Commissioner Murphy.

MURPHY: I do not have any questions at this time but I also have a personal comment. I am a resident and I have had a very similar situation happen twice to me. I will tell you that it is always sad to see the open land go but it is the owner's right and I would say in both instances, and this was long before I was on the Plan Commission, staff in Orland went out of their way to take into consideration the residents and the residents' concerns and the safety of everyone including flooding, all sorts of things, landscaping, everything. So I am sure that this will happen in this case. Good luck.

STEPHENS: Good comments, Commissioner Murphy. Commissioner Aubin.

AUBIN: Thank you Mr. Chairman. I would just like to start and reiterate something and I am sure everyone will agree. As an owner of a piece of property, everyone in the room has the right to develop it or sell it. But, in order to do that, you are going to have to meet requirements that are put down by the Village. And in staff's report this particular petition has met all the codes and standards that are in the requirements needed in order to move forward from this desk to the next committee.

STEPHENS: Thank you, Commissioner Aubin, Commissioner Parisi.

PARISI: Thank you. We have exhausted the subject but it is interesting how often this happens. I have heard from two other board members and it has happened to me as well. When we moved in we backed up to a horse farm. We thought it was terrific and now we've got these nice big McMansions behind me and a big detention pond next to the house that you could drain a small lake into and again it is something that I knew development would happen. I have three young grandsons and I get concerned about it too, I just have to be a little bit more careful. I understand where everybody comes from, we've all gone through it and they're valid concerns. But like Commissioner Aubin said, our charge is to make sure that they are meeting all Village Codes and requirements and they have. That's all I have Mr. Chairman.

STEPHENS: Thank you, Mr. Parisi. Commissioner Paul.

PAUL: Thank you Mr. Chairman. It seems like a big concern of the residents, the neighboring residents is the water retention. As of right now, what kind of problem do we have in that area?

STEPHENS: Are you asking somebody that question?

PAUL: Yes, I am.

AUBIN: Who would that be?

PAUL: Probably staff.

FLOM: I am not aware of any but I could check with our engineer in the public works department really to be sure. If there were, I would not be the one to get that call but I could look into that. Some of the residents have a better understanding if they have current flooding problems.

PAUL: Because it looks like we are taking away some open land but we are adding a couple of ponds there. I have to believe that this will make things better not worse by adding them because there is nothing there now. As far as the safety of those we have them by parks. I live in the Parkhill subdivision. There are two parks by us and they both have retention ponds that pretty much have water in them all the time. They are there. I do not recall there ever being an issue with any safety hazards there. And those are in parks. This is a place where nobody belongs. This is private property that nobody has any business being on. This is not a playground. I can't really see that that is going to be a problem. Like the other Commissioners have said, the property owner has a right to maximize the property value before putting it on the market. We would want to do that too, I would think. Any of you looking to sell your property would want to get the most out of it that you can, especially in this market. You can't blame someone for doing that. Its consistent with the neighborhood and the houses are going to be

consistent with what is already there. I really can't see anything wrong with this. That is all I have to say Mr. Chairman.

STEPHENS: Thank you Commissioner Paul. Commissioner Jacobs.

JACOBS: Thank you Mr. Chairman. I really do not have anything. All of my comments and concerns have been covered by staff and my fellow Commissioners.

STEPHENS: Mrs. Flom, when will this (Rankin Subdivision) be at the Committee Meeting?

FLOM: February 20th.

STEPHENS: February 20th and if they recommend it, it goes forward to the Board for final approval?

FLOM: The Committee Meeting, just so that you know, is at 6 pm right here in Village Hall.

STEPHENS: Is the Board Meeting right after that?

FLOM: The Board Meeting would follow two weeks after that. It would be the first Board Meeting in March. March 5th.

STEPHENS: March 5th, ok.

FLOM: If the project is approved unanimously at Plan Commission and Committee it will be on Consent Agenda at the Board. It usually is not discussed then. So, Committee will be the next time that it is discussed on February 20th.

STEPHENS: Ok, so for those of you who want to continue your comments and carry forward to the next meeting that would be at February 20th here at 6 pm. If you would like to come to that, you are welcome to come to that.

STEPHENS: We employ staff here before anything comes up before the Plan Commission, it has to be in compliance or there has to be some variations that are reasonable and they make their recommendations to us. Reading this write up, I can see that everything they are trying to develop here in these three lots are in compliance with all the codes. As long as everything is in compliance, we really cannot say no to the people because it is in compliance. I am looking at the lot sizes here and the lot sizes in that development are 80' by 120' and the lot sizes in this proposed development are 105' by 120', two of the lots, lots 1 and 2. The third lot is 109' by 170' even though they are in a R-3 zoning, the lots are larger and they have added detention where apparently there has been no known problems in that area about flooding because apparently no one has heard anything. As

Commissioner Paul stated, putting in two detention ponds for an acre and a half, their engineers approved it and our Village engineers approved it. It doesn't seem to me like there is going to be a problem with water running off on anyone else's property. If anything it is going to make the situation better than what the existing situation is now. With regards to people not wanting it in their backyard, as I heard comments from the Commissioners here, these people have a right to annex their property or bring it into the Village under this zoning as long as it is in compliance. That is all that they are doing. Unfortunately, people around them do not want to see that but you can't stop progress. If that was the case, this subdivision would not have existed. It would have been just another farming town. We have to move on with these kinds of things. As long as it is in compliance with the zoning requirements in that zoning we really don't have the position other than to recommend for this to go forward. Now, we have a recommended motion here and we also have some conditions on this motion. I will now ask for a motion.

AUBIN:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated January 24, 2012.

And

I move to recommend to the Village Board approval of a rezoning from E-1 Estate residential to R-3 Residential for the property located at 8400 143rd Street, P.I.N number 27-11-206-008-0000.

And

I move to recommend to the Village Board approval of the preliminary site plan titled "Preliminary Site Plan" and dated January 3, 2012, subject to the following conditions.

1. Revise the preliminary site plan to remove the note that indicating that the detention outlots will be consolidated and instead dedicate the driveway to lots 1 and 3 to create flag lots and ensure driveway ownership to the homeowners.
2. Submit a Final Landscape Plan, meeting all Village Codes and utilizing native wetland/prairie plants for the detention area, for separate review and approval within 60 days of final engineering approval and that the petitioner work with staff in regards to adding landscape for safety purposes at the end of the drive.
3. Meet all final engineering and building code related items.
4. That the petitioner work with staff on signage that will provide direction for the use of the private drive.



and

I move to recommend to the Village Board approval of a subdivision subject to the following condition:

1. That the petitioner apply for and submit a Record Plat of Subdivision to the Village for recording.

And

I move to recommend to the Village Board approval of variances for the Rankin Subdivision to allow for a reduction in the detention maintenance access area/setback from 25' to 10' and to allow for the reduction of the driveway setback from 3' to 0', subject to the same conditions as outlined in the preliminary site plan motion.

**RECOMMENDED FOR APPROVAL**

**Aye:** 7 - Jacobs, Dzierwa, Aubin, Stephens, Parisi, Paul and Murphy

**Nay:** 0

## **NON-PUBLIC HEARINGS**

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

PITTOS: Staff presentation made in accordance with the written Staff Report dated January 24, 2012 as presented.

STEPHENS: Thank you. Do any of the Commissioners have any comments?

PARISI: I like the idea of the 2040 and the 2050 people looking way ahead but some of us may not even be here.

AUBIN: I beg to differ.

PARISI: Well I will not be here that is for sure.

STEPHENS: Any other comments?

None.

## **OTHER BUSINESS**

## **ADJOURNMENT**

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

STEPHENS: This meeting is adjourned at 8:16 p.m.

Respectfully submitted,

Heather Rosignolo  
Recording Secretary  
ADJOURNED