

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, April 16, 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 6:13 PM.

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

APPROVAL OF MINUTES

2012-0196 Approval of the March 19, 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 March 19, 2012.

A motion was made by Trustee Carole Griffin Ruzich, seconded by Trustee Edward Schussler, 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

2012-0208 Ordinance Authorizing Release (Abrogation) of Easement for U.S. Army Maintenance Facility located at 15750 S. LaGrange Road

Director of Development Services reported that the Village has received a request from the Federal Government to release the existing easements located on their U.S. Army Maintenance Facility at 15750 South LaGrange Road. The Village has not utilized these easements for quite some time. It is anticipated the site will be vacated this year, once their new facilities in Joliet are constructed. Staff will continue to work with the Federal Government on future long term reuse of the property.

I move to recommend to the Village Board to pass an Ordinance entitled: **AUTHORIZING RELEASE (ABROGATION) OF EASEMENT FOR THE U.S. ARMY MAINTENANCE FACILITY LOCATED AT 15750 S. LAGRANGE ROAD.**

A motion was made by Trustee Carole Griffin Ruzich, seconded by Trustee Edward 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

2011-0776 2012 Land Development Code Amendments I

Director Friling reported that the purpose of these amendments is to revise and update the Land Development Code in multiple sections.

Content of Proposed Regulations:

Section 6-201 E-1 Estate Residential District
Section 6-202 R-1 Residential District
Section 6-203 R-2 Residential District
Section 6-203 R-2A Residential District
Section 6-204 R-3 Residential District
Section 6-204.5 R-3A Residential District
Section 6-205 R-4 Residential District
Section 6-207 BIZ General Business District
Section 6-210 COR Mixed Use District
Section 6-209 Old Orland Historic District
Section 6-211 ORI Mixed Use District
Section 6-212 Village Center District (VCD)
Section 6-302 Accessory Structures and Uses
Section 6-306 Off-Street Parking and Loading Requirements
Section 6-307 Signs
Section 6-310 Fences

OVERVIEW AND BACKGROUND

The report is divided into three parts. The first two parts are included in this staff report. The first part will explain the substantive, content related, amendments that are proposed. The second part will explain the amendments necessary to clarify, correct, and refine existing regulations in the Land Development Code.

The third part, the Attachments, is for reference purposes. It provides the actual amended language from the particular code section or sub-section that is impacted by the proposed changes. Language with a strike-out (strike-out) indicates elimination from the Code. Language that is italicized and underlined (italicized) is added to the Code. To review the existing Land Development Code sections, please reference a hard copy of the Land Development Code or visit www.orland-park.il.us <<http://www.orland-park.il.us>>.

PART ONE: SUBSTANTIVE AMENDMENTS

The following amendments propose a substantive content based change to the Land Development Code.

Commercial Parking Requirements

Table 6-306.B of the Land Development Code currently requires commercial retail buildings to have 1 parking space for every 200 square feet of gross retail area (or 5 parking spaces per 1,000 square feet) for buildings less than 50,000 square feet. The proposed amendment seeks to reduce parking requirements for such retail uses to 1 parking space per 250 square feet of gross retail area (or 4 parking spaces per 1,000 square feet). The proposed change will bring Orland Park's parking requirements for shopping centers inline with national planning standards. In Planning and Urban Design Standards, by the American Planning

Association, parking requirements for shopping centers are proposed at 4.0 spaces per 1,000 square feet for gross leasable area (GLA) up to 400,000 square feet (p. 246. American Planning Association. Planning and Urban Design Standards. New Jersey: John Wiley & Sons Inc., 2006. Print.).

Table 6-306.B makes three distinctions in commercial retail buildings: buildings less than 5,000 square feet, buildings between 5,001 and 50,000 square feet, and buildings greater than 50,000 square feet. Despite these three distinctions, there are only two actual parking ratios: retail buildings and their units below 50,000 square feet are set at 5 parking spaces per 1,000 square feet, and retail buildings and their units that are greater than 50,000 square feet are currently set at 4 parking spaces per 1,000 square feet.

The proposed change will effectively create a single parking ratio for all sizes of commercial retail buildings: 4 parking spaces per 1,000 square feet. This is in keeping with the APA suggested regulation, in which everything up to 400,000 square feet follows the same ratio. (There are only two buildings in Orland Park with square footage on this high end: Orland Square Mall and Orland Park Place Mall).

The three categorical distinctions for commercial retail buildings currently outlined in the Table are effectively rendered obsolete by this amendment. However, despite their obsolescence, the distinctions should remain within the Code in order to facilitate dynamic changes in the future as paradigms shift and new standards form, affording the community a more tactile and user friendly approach to Code amendments in the future.

The new ratio will apply to large and small shopping centers and their units alike, bringing uniformity and consistency to the Code. The change also means that the size of new parking fields will be smaller than existing fields-conserving land and mitigating storm water impacts. Existing parking fields should remain constant with little change, however fewer required parking spaces may mean some areas of existing parking fields can be redeveloped or at least repurposed.

Old Orland Historic District Amendments Parking

Currently Section 6-209.D.3 (Parking Requirements) allows existing buildings to use on-street or shared parking opportunities to meet parking requirements for the district. The existing provision does not account for redevelopment potential in the Historic District. Language is therefore proposed to allow new buildings to use on-street parking and shared parking opportunities to meet the parking requirements for the district. This amendment will make parking requirements uniform between new and existing buildings in the Historic District. The Historic Preservation Review Commission (HPRC) was made aware of this change at the March 19, 2012 regular meeting. They did not consider this within their purview

and effectively deferred parking regulations to Plan Commission.

Fences

Section 6-209.D.7 (Fences) states that fences in front yards and yards abutting a street shall not exceed a height of 3 feet. An amendment is proposed to alter the height requirement for these fences from 3 feet to 4 feet. The proposed change is precipitated by the fact that 3 foot picket fences are no longer manufactured by the fence industry and are difficult to come by for district residents and businesses without contracting a costly custom job. The regulation thus acts as a deterrent to install picket fences when the intent of the Code is to make them standard in the district.

The 4 foot picket fence is currently the industry standard sold in major home improvement retail outlets, and therefore easily obtainable. The additional 1 foot height added to picket fences in Old Orland will not change the general aesthetic of the district's character and historic quality since historically, particularly during the period of significance between the 1890s and 1920s, picket fences were often taller than 3 feet (between 3 and 5 feet typically). The Historic Preservation Review Commission was informed of this change and determined that the increase in height was not as relevant as the appearance and the general quality of landscaping and streetscaping that such fences provide. All other existing requirements for fences still apply.

Decks

Section 6-209.G.4 currently classifies new decks as a Major Change. The proposed amendment will make only new decks visible from a right-of-way a Major Change. This change is being made so that new decks constructed in Old Orland-- which are not visible from the right-of-way and therefore do not impact the appearance of the building from public view-- can be approved administratively for non-contributing structures. Previously all new decks no matter their location or visibility would require HPRC and Village Board approval. It is standard historic preservation practice to only regulate the parts of buildings that are visible or most visible from public rights-of-way. Areas not visible from the public rights-of-way, such as most backyards, are considered private spaces that should not be regulated as heavily. The exceptions to this rule are buildings listed on the National Register of Historic Places.

This proposed change does not exclude landmarks and contributing structures from HPRC review and Board approval as they relate to new decks. All major and minor changes (e.g. visible or invisible decks from ROW) to landmarks and contributing structures must still be reviewed by the HPRC and approved by the Village Board.

Restaurant Proximity Requirements

Currently, the Code enables restaurants located greater than 330 feet from a

residential parcel as permitted uses in the BIZ and COR zoning districts. Restaurants that are within 330 feet of a residential parcel require a special use permit (and all the trappings of the public hearing and notification process). The proposed amendment outlined in the attachments will change the proximity requirement from 330 feet to 300 feet. Lowering the proximity requirement to 300 feet will match the public hearing regulations of Section 5-101.G.b.3 in which it states that petitioners must notify neighboring property owners within 300 feet of the subject property on which development is proposed.

The intent of the amendment is to eliminate the 30 foot gap where a residential property triggers a special use/ public hearing but is never actually notified because it is without the 300 foot notification range. Three hundred feet is a Code-consistent, round and reasonable distance for notification and for triggering a special use. Three hundred thirty (330) feet is an inconsistent figure in the Code and therefore appears arbitrary and/or obsolete. Lowering the proximity requirements for restaurants in BIZ and COR will make the Code more consistent across zoning districts since VCD already carries this proximity requirement. The proposed amendments will therefore provide consistency across multiple sections of the Land Development Code.

The change will also increase the number of potential new restaurant locations previously encumbered by the public hearing process that potentially acted as a deterrent to development.

Places of Worship

In the Village Center District places of worship are permitted uses if they are 300 feet or more from a single family detached residential lot line. If they are within 300 feet of a single family detached residential lot line, a special use permit is required. The proposed amendment seeks to make places of worship a special use regardless of proximity to residential lot lines. Places of worship usually require large lot sizes and have extensive parking needs. These can have a significant impact on the surrounding neighborhood or environment, which establishes the reason for the special use permit: to mitigate impacts related to the special nature of the development (e.g. circulation, traffic congestion, landscape screening etc.).

The proposed change makes the Code consistent across zoning districts, as places of worship are routinely categorized as a special use, particularly in the residential districts and other mixed use districts. The special use will provide the Village the opportunity to review such projects and ensure the character of the Village Center District is maintained.

Window Signs

Section 6-307.P.3 requires that no more than fifty percent (50%) of each window area is covered with window signs. An amendment is proposed to expand this

regulation to include images that may be displayed in the window. The intent of the provision is to maintain building transparency at street level so that eyes remain on the street and the pedestrian realm is enhanced and inviting. While this provision has generally been successful in achieving these and other goals, images that advertise products or services have been used to cover the other half of available window space resulting in significantly reduced building transparency. The sign code does not necessarily consider images (advertising with no words or otherwise) to be signs.

The proposed amendment seeks to close the loop hole and limit images with window signs in order to preserve building transparency at street level. This will ensure that 50% of the area of a window will remain open even if the covering of a window is not considered a "sign". The change will also help to maintain building appearance aesthetics consistent across shopping centers and sites.

Prohibited Fences

Language is being added to clarify what types of temporary fences are prohibited. The proposed amendment prohibits temporary fences that are in place for longer than 6 months or are located around the perimeter of the lot. The language added to this section prohibits temporary fences in some instances but allows them for specific purposes that are deemed necessary (such as erosion control fences required by state law, or snow fences needed to direct snow drifts during heavy snow events). For example, previously all snow fences were prohibited. The proposed amendment allows snow fences as long as they are used for construction fencing or to direct snow drifts.

PART TWO: CLARIFICATION AMENDMENTS

The following amendments are proposed to clarify and provide consistency to existing regulations and policies and do not include content based revisions.

Retaining Walls in Residential Districts and the Accessory Structures Section

Currently, regulations pertaining to retaining walls exist in the side and corner side setback subsection of the E-1 residential district regulations, and the side setback subsections of the R-1, R-2, R-2A, R-3, R-3A, and R-4 residential district regulations. Regulations pertaining to retaining walls also exist in Section 6-302 Accessory Structures and Uses. The proposed amendment seeks to remove the language concerning retaining walls in the zoning districts and re-insert it in the accessory uses section so that all information pertaining to retaining walls can be located in a single code provision. This change is for user friendliness.

The proposed amendment does not change the content or the intent of the regulation.

Section 6-307 Signs

The proposed amendments intend to reflect the actual review process for sign

permit approval. Section 6-307.B (Physical Standards) notes that sign standards are subject to the review and approval of the Development Services Department and the Plan Commission. However, current practice does not match the Code provisions. Sign permit applications are not reviewed by the Plan Commission.

Current sign review practice does not include a review at Plan Commission for timing and efficiency reasons (unless, for example, a monument sign is depicted on a site plan). Sign permit reviews at Plan Commission would be prohibitive in terms of the volume of sign permit applications and the amount of Commission meeting time and staff time a review could take. A typical over the counter permit today could take two weeks minimum for review since it would need to wait at least until each regular Plan Commission meeting per Code. The long wait would result in unnecessary delays as project queues would grow pending Plan Commission reviews-which would have a negative impact on the business community and the efficient use of Village resources. By removing Plan Commission, the proposed change will align the sign permit review process in the Code with current practice so that sign reviews by the Development Services Department remain administrative, consistent and streamlined.

Similarly Section 6-307.F.3 (Sign Permit Application) states that upon receipt of a completed permit application the Development Services Department shall forward the application to the Plan Commission for appearance review or administratively review it. Currently sign permit applications are administratively reviewed by the Development Services Department and are not forwarded to the Plan Commission. Similar to the above, the removal of Plan Commission will reflect actual review practices.

Section 6-307.J.2 states that signs which are part of a development shall be reviewed by the Plan Commission in conjunction with the general review of the development. In some instances signs are reviewed along with the complete development proposal. Other times the signs are reviewed after a development has been approved. For this reason language is being changed so that the appearance of signs which are part of a development may be reviewed by the Plan Commission in conjunction with the general review of that development.

Food Processing Plants

Food processing plants are allowed as a special use in both MFG and ORI. In MFG a food processing plant can only be a special use provided it is located at least 1,000 feet from a residential use or district. ORI currently does not share this requirement. On the continuum of zoning districts, MFG should be less restrictive than ORI in enabling this use since it is a district designed specifically for industrial activity. The current regulations, however, are the opposite, making MFG more restrictive than ORI, which is a district that is not geared entirely toward industrial activity.

The amendment seeks to add the same 1,000 foot proximity requirement to the ORI section and thus put the district at least on par with MFG requirements. The amendment is made in the interest of the Village and its residents to protect residential property and property values from some of the negative externalities associated with these industrial uses (e.g. noise pollution, odors etc.). This amendment will also make regulations regarding food processing plants consistent between these districts in the Land Development Code.

Vehicle to Grid Standards (V2G)

Section 6-306.N.1.c of the Land Development Code, requires a site plan review for the installation of Electrical Vehicle Supply Equipment (EVSE also known as charging stations). Since charging stations are relatively small pieces of equipment with little additional support infrastructure compared to other vehicle related infrastructure (e.g. gas station pumps with underground storage tanks etc.) an amendment is proposed to change the review process from site plan review to administrative review.

EVSE infrastructure is often a single two foot by four foot pylon like structure, akin in some cases to bollards, with a cord and vehicle plug for electric vehicle recharge. The scale of the improvement is as minor as a parking sign or the installation of a bollard. In terms of scale, an example to reference is located at Orland Square Mall in the east parking lot of Macy's Department Store where there are two EVSE stations currently in place.

Resident Arnold Gacki asked questions regarding Fences, Signs, and Food Processing and Director Friling answered his questions.

Trustee Schussler requested an explanation of Section 6-209 D.3 Parking Requirements in the Old Orland Historic District.

Director Friling explained that currently the Old Orland Zoning District for existing projects allows them to utilize on-street parking as part of their parking requirements for the zoning district. Staff recognizes that parking is very limited in that area and does not want to encourage parking lots in the Village's Historical District. As the code was reviewed, it was found that while the Village allows on-site parking for existing businesses it is not allowed for new projects. Staff is now proposing to change the code to include new projects to also use on-street parking and shared parking.

Trustee Schussler stated that staff needs to look at the parking situation on the weekends at the New Irish Patriot Restaurant location. Since this new restaurant has opened there is a parking problem. Customers are parking in the residential areas and the businesses that have private parking lots have had to post No Parking signs and are now having cars towed. If more new businesses come to the historical area there is going to be an impossible problem with parking.

Trustee Schussler suggested that maybe the Village will need to look into acquiring a little additional parking and turn that into a municipal lot. That generally is not done, but there are so many businesses already existing in the historical district that the Village can not go back and tell them to go find parking. He stated there is not enough on-street parking and he asked staff to be creative to make this work, perhaps the existing lot owners can be encouraged to enter into an agreement with the other businesses. Possibly agreeing to pay for maintenances or help with the tax bills on these parking lots.

Director Friling stated she does agree with Trustee Schussler and there needs to be a focus on collaboration between the different existing property owners along with the businesses. There is enough parking in that area, with St. Michaels Church parking lot, an abundant amount of Metra Parking within close walking distance. It is getting everyone to work together.

Trustee Fenton stated that the previous owners had an agreement with Zimmerman's Funeral Home and that worked well because it was right across the street. Possibly that would be a suggestion for the Irish Patriot Restaurant to look into.

Trustee Schussler stated that maybe something could be done using signage that parking is allowed in the Metra parking lot for patrons visiting the Historical District. Suggested was to also look into getting a more pedestrian friendly signal that would indicate when people can safely cross 143rd Street.

Assistant Village Manager Ellen Baer stated that additional parking plans are in the Historical District's future. Parking has been put into a plan for the former Beacon Auto site.

I move to recommend to the Village Board of Trustees to approve the Land Development Code amendments outlined in the below fully referenced motion.

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

I move to recommend to the Village Board of Trustees approval of the Land Development amendments titled "Part Three: Attachments", prepared by the Development Services Department and dated April 5, 2012, for Sections 6-201, 6-202, 6-203, 6-203.5, 6-204, 6-204.5, 6-205, 6-207, 6-209, 6-210, 6-211, 6-212, 6-302, 6-306, 6-307 and 6-310;

And

I move to the Village Board of Trustees to approve the Land Development Code amendments for Section 6-307 as presented in the attachment titled "Part Three: Attachments - Political Campaign Signs", prepared by the Development Services

Department and dated April 7, 2011.

A motion was made by Trustee Carole Griffin Ruzich, seconded by Trustee Edward 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

2012-0137 Marquette Bank Offices - Site Plan, Variances

The Marquette Bank Retail Lending Center proposes to occupy an existing office building located at the northeast corner of 160th Street and 108th Avenue in the Beemsterboer Industrial Park. The petitioner proposes to construct twenty-three additional parking stalls in front of the building by expanding the existing parking lot. Two variances are required to accommodate the proposed parking; one to locate the additional parking between the building and the street and the other to exceed the number of parking spaces required by more than 20%. The existing spaces in the front parking lot are legally non-conforming since they were constructed prior to current Code requirements. The petitioner is proposing the following incremental improvements to mitigate the effect of the proposed Variances: a drive aisle connection to the property to the north, the installation of a bike path along 108th Street, and the installation of a sidewalk along 160th Street.

A public hearing was held on April 10, 2012, but no public comments were received. Based on the petitioner comments, the Commissioners made some minor changes to the staff recommendations of approval, and requested the petitioner work with staff to resolve the parking block, tree island, rooftop screening, and tree mitigation issues prior to the Board of Trustees meeting. Typically the Village does not support the use of parking blocks or stops because they tend to become dislodged and damaged and collect trash, but Plan Commission has recommended they remain in the plan per petitioner request.

I move to recommend Village Board approval of the of the Preliminary Site Plan and Variances for Marquette Bank Offices as approved at the April 10, 2012 Plan Commission meeting and as fully referenced below.

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

I move to recommend to the Village Board approval of the Preliminary Site Plan titled Marquette Bank Lending Group Office Complex and dated 03-08-12, revised 04-03-12, subject to the conditions below.

1. Work with staff to alleviate the removal of parking blocks.
2. Construct the shown parking aisle connection to the north if permission can be obtained from Fifth Third Bank. Otherwise, stub the extension at Marquette's north

property line.

3. Work with staff to add an additional tree island.

4. List Code-required tree mitigation on the Site Plan and show mitigation trees along the 160th Street parkway and other locations as needed.

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

6. Work with staff to provide mutually agreeable plan to screen all new mechanical equipment either at grade level with landscaping or hidden behind the roofline.

And

I move to recommend to the Village Board approval of these Variances:

1. Locate approximately twenty three additional parking spaces between the building and the street.

2. Exceed the number of parking spaces required by more than 20%, from a fifty two space maximum to approximately 65 spaces.

A motion was made by Trustee Edward Schussler, seconded by Trustee Carole Griffin Ruzich, 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

2012-0199 Tree Mitigation Account - 142nd Street Parkway Trees

Director Friling reported that this request is to install 14 new street trees (Maples & Lindens) at a cost of \$165 per tree within the 142nd Street parkways east of the intersection with John Humphrey Drive.

In 2008, the Village Board approved revisions to Section 6-305.1 Tree Preservation Standards of the Land Development Code to provide for a Tree Mitigation Account. This account provides a "cash in lieu" option for landowners and developers who are unable to meet the Village's tree mitigation requirements on their property. Cash in lieu is only available as an option for mitigation with the approval of the Development Services Department.

The funds of this account are to be used per the Tree Mitigation Account Policy approved by the Board of Trustees on August 1, 2011, which included the following guidelines:

- Tree Mitigation Funds should be used primarily in areas that would normally not get trees. The funds cannot be used to fund capital improvement projects that would require trees and/or mitigation trees per LDC. Examples of potential projects include - parkway tree plantings, tree plantings in completed parks, tree plantings around detention ponds or in other public spaces.
- Parkway tree projects are only eligible if they meet the following criteria:
 - o Project size must be a minimum of one block or similar dimension stretch of right of way.
 - o Priority will be given to streets that have either lost over 50% of parkway trees or never had parkway trees.

The Development Services Department submitted the attached request to provide parkway trees on 142nd Street in the Heritage subdivision. The one block segment of 142nd Street between John Humphrey Drive and Charleston Drive has a higher traffic volume than is normal for a residential setting. Adding parkway trees where none were ever installed will help to buffer the residences from the local congestion. Details of the project request are outlined in the attached document.

The trees to be installed will be a mix of maple and linden trees. On the north side of 142nd Street, the homeowners association of the Heritage Townhomes has accepted the proposed installation of parkway trees along their 142nd Street frontage. The south parkways of 142nd Street abut open agricultural land.

Per the Tree Mitigation Account Policy, all tree mitigation projects must be approved by the Village Board.

The Tree Mitigation Account (account # 010-0000-223100) currently has a balance of \$113,442.50. The proposed project will cost approximately \$2,425.50, which includes a 5% cost contingency (\$2,310 x .05).

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

I move to recommend to the Village Board of Trustees to approve the tree mitigation project for fourteen (14) new parkway trees on 142nd Street for an amount not to exceed \$2,425.50 via the Tree Mitigation Account (account # 010-0000-223100).

A motion was made by Trustee Edward Schussler, seconded by Trustee Carole Griffin Ruzich, 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 - 6:40 PM

A motion was made by Trustee Edward Schussler, seconded by Trustee Carole Griffin Ruzich, 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,

David P. Maher, Village Clerk