

# 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, January 21, 2013

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 6:00 PM

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

## **APPROVAL OF MINUTES**

### **2012-0735 Approval of the November 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 November 19, 2012.

**A motion was made by Trustee Griffin Ruzich, seconded by Trustee 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

### **2013-0020 Approval of the December 17, 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 December 17, 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**

### **2012-0687 Appearance Improvement Grant - Economic Development Program (Facade Improvement Program)**

Director of Development Services Karrie Friling reported that in 1998, the Village Board approved the first non-residential façade improvement program known as the Old Orland Façade Improvement Program. The Old Orland Façade Improvement Program was primarily intended to address the appearance of historic non-residential buildings in Old Orland along 143rd Street. This was done in anticipation of an eventual 143rd Street widening, a new planned downtown area and a new Metra Commuter station (today's 143rd Street Station). By 2006, the Old Orland Façade Improvement Program had expanded its scope to include all contributing structures in the Old Orland Historic District.

In 2009, the program was revised to include additional buildings along 143rd Street between West Avenue and La Grange Road in order to address all of the commercial buildings (historic and non-historic alike) across from the downtown area. The program was renamed as the Commercial Façade Improvement Program and included additional eligible improvements and an explanation of the process. The Commercial Façade Improvement Program remained unfunded, however, between 2010 and the end of 2012.

In late 2012, the Village Board renewed the Façade Improvement Program and allocated \$50,000 to it for FY2013. The Board also directed the program to be available Village-wide rather than be limited to 143rd Street.

For the first time a façade improvement program will be available to all commercial properties in the Village. The change in policy to a Village-wide program requires a review and revision of the existing program, which is specific to the 143rd Street corridor.

The purpose of this program is to assist property owners and tenants of commercial and landmark buildings improve the exterior appearance of their storefronts and structures.

The new scope for the program is to improve the appearance of all commercial and landmark properties in the Village. Because of this, the program is being renamed to "Appearance Improvement Grant" to accurately describe the program's intent, which is to improve the overall appearance of sites and buildings. Previous programs were strictly limited to façade edifices and particular features (i.e. historic). The new grant program will address the whole experience of the commercial appearance from the public right-of-way.

#### A Grant Program

Since their inception, the façade improvement programs have consistently functioned and been administered as local public grants to local property owners with specific limitations related to changing the appearance of the building following improvement. The Appearance Improvement Grant will reflect the function of the program as a grant so that property owners understand the benefits of improvement and the associated limitations when using public funds.

#### The Main Priority: Commercial Appearance Renovation

The grant's main priority will be the improvement of aged commercial appearances throughout the Village. The grant will allow commercial properties to make improvements to exteriors and storefronts that face public rights-of-way. The grant will enable comprehensive change to the entire appearance of commercial properties.

The grant is designed to address the entire appearance, not just façade edifices.

This means the grant may include features and elements of storefronts that establish and impact the exterior public realm (i.e. limited landscaping, streetscape improvement). This is a new element for the grant that is intended to help shape the public realm.

#### The Secondary Priority: Historic Preservation

Typical façade improvement programs focus public funding on the preservation of certain building elements like historic facades, features, ornamentation etc. Orland Park's previous programs are examples, particularly as they were focused on the historic facades of the buildings along 143rd Street. As a result, façade improvement programs are generally designed to encourage reinvestment by preserving building appearance and discouraging appearance changes.

Historic preservation in the Appearance Improvement Grant, however, is a secondary priority and is specifically maintained for officially recognized Orland Park landmark properties. Currently, 16 privately owned properties that are mainly in Old Orland. The historic preservation component is a carry-over from previous façade improvement programs, which was the original program intent. The proposed Appearance Improvement Grant will continue to be a tool for historic preservation in the Village.

#### Additional Improvements

The grant program proposes limited landscaping improvements using durable low water use plant material. Landscaping improvements are an integral part of commercial property appearance. Using low water use plant material will allow property owners to control water use and costs. The opportunity for landscape improvement effectively allows property owners to participate in AIG as a water conservation incentive.

#### Streamlined

The proposed grant is streamlined in terms of process. The draft program materials include grant rules and requirements and an application checklist that identifies the steps necessary to move through the process and obtain a grant. Previous programs required multiple reviews that included combinations of administrative reviews for appearance and certificates of appropriateness followed by Committee and Board reviews for grant award and disbursement. The proposed Appearance Improvement Grant combines these steps into a single project process beginning with pre-concept review through the appropriate commission (Plan Commission or HPRC), Committee and Board, and the post-approval steps (e.g. obtaining building permits, signing the agreement etc.).

#### Funding

The Village Board has allocated \$50,000 toward a facade improvement program for FY 2013.

I move to recommend to the Village Board of Trustees approval of the

Appearance Improvement Grant dated January 15, 2013.

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

I move to recommend to the Village Board of Trustees approval of the Appearance Improvement Grant as indicated in the attached program materials titled "Appearance Improvement Grant", prepared by the Development Services Department and dated January 15, 2013.

**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

**2012-0690 Kelly Grove Subdivision - SUB, SP, VAR, COA**

Director Friling reported that the purpose of this petition is to establish a new three lot subdivision on two existing lots on an approximately .4 acre site (17,424 square feet) in the Old Orland Historic District with a variance to increase the maximum allowed lot width and to construct a single family home in the National architectural style on Lot 2 of the proposed Kelly Grove Subdivision located at the southwest corner of 144th Street and Third Avenue.

The proposed subdivision into three lots at 9855 W. 144th Street will require a variance to increase the maximum lot width from 50 feet to 59 feet with the utilization of obsolete right-of-way. The three new homes will be single family homes with detached garages at the rear of each lot. The proposed homes will be similar in size to recently constructed single family homes on 144th Place. The design and style of the new homes will meet historic district standards for new construction and be reviewed by the Historic Preservation Review Commission.

For more information on the subdivision, the variance and other planning related information, see the attached staff report to Plan Commission and the Historic Preservation Review Commission.

This petitioner requests the following variances/modifications:

- 1) Increase the maximum lot width from 50 feet to 59 feet.

The recommendation motions include the following conditions:

- 1) Submit a final Tree survey to determine any tree mitigation requirements.
- 2) Install green infrastructure improvements on Lots 1, 2 and 3 to mitigate onsite storm water runoff impacting Lot 3.

- 3) Submit a final plat of subdivision, including all required easements.
- 4) The subdivision is subject to the vacation of Grove Street and its subsequent land sale to the neighboring property owner.
- 5) The petitioner submits a Record Plat of Subdivision to the Village for recording.

At the meeting, Plan Commissioners did not object to the project's request for a variance and believed the project was a good fit for the area. There was, however, some concern regarding the property encroachments of 9865 W. 144th Street, the house to the west, onto the subject site. The Plan Commission wanted to be sure that the encroachment issue was resolved prior to the matter attending the Development Services and Planning Committee meeting.

Since the meeting the petitioner has noted that he will remove the references to Out-lots A and B, which were intended to address the encroachments. This will meet the first condition of the approval motion so as not to create non-conforming lots. In so doing, the petitioner has selected to maintain the status quo at this time and attempt to contact the neighboring property owner to resolve the encroachment issue through a property sale. In the meantime, the petitioner has agreed to maintain the integrity of Lots 1 and 3 without out-lots.

The petitioner has also provided updated subdivision and site plan drawings reflecting these changes.

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.

The fourth condition was added to the Committee motion in anticipation of the vacation ordinance. The Grove Street vacation ordinance accompanies the proposed subdivision at the Feb. 4, 2013 Village Board meeting.

Overall, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

Virginia Williams - 8114 Bob-O-Link Drive spoke before the Committee and stated that she has concerns regarding the existing home qualifying in the Old Orland Historic District because of the siding that was placed on this home. Ms. Williams also asked about the funding on this existing home on this property.

Chairman Fenton stated that originally this home that is currently on the property was once considered a historical home. Once the new siding was placed on this home it was then disqualified.

Director Friling stated regarding the funding, at one time this home was considered a contributing structure, given the changes that have been completed on this home it no longer is classified as a contributing structure. This home is

owned under private ownership and is not owned by the Village nor is it owned by the Historical Preservation group.

Ms. Williams stated that she is a caregiver for several seniors in the historical district. Many have told her they have donated their homes to the Village, Ms. Williams stated that she wants to make sure that these seniors homes will remain preserved as was promised by the Village.

Director Friling stated that the Village does not take donated houses. There are only two historic buildings in the Village. All contributed structures are owned privately. The only property that there is a life estate agreement with the Village is the Boley Farm and the Stellwagen Farm. These properties were purchased by the Village to preserve the farms and not to tear them down.

Trustee Schussler commented for clarification for Ms. Williams; the Village of Orland Park does not own any historic buildings and the Village does not currently have any contracts or agreements with any parties to purchase any historic buildings in the Historical District.

If a resident wanted to donate a building to the Village, they would have to propose that to the Village Board and the Board would take that under consideration. There may be conditions where the owners would say they will donate their building if the Village would do certain things. All those factors must be brought before the Village Board. Each case is different and unique and the Board can decide they are not interested in having a building donated to the Village.

Director Friling commented that the Committee tonight is only considering just the subdivision. It is a subdivision of land. The Committee tonight is not approving what those new homes on those new lots will be; this will be a process that the developer, Mr. Kelly, will have to go through to get approval to build those homes.

Gail Kettmann - 14406 Second Avenue spoke before the Committee stating that she lives in front of John Kelly's new subdivision. She stated Mr. Kelly does great work, 145th Place looks fantastic. Her only small concern is additional traffic in this area and parking.

Director Friling stated that based upon the plans that she has seen, there will be one additional driveway off 144th Place.

Developer Kelly spoke before the Committee regarding how the driveways will be situated and the size of the driveways to help avoid parking in the street.

Trustee Schussler asked Developer Kelly, on the house that you are proposing on lot 2, which would be the lot on the corner of 144th Street and Third Avenue, it shows that the proposed garage having access off of Third Avenue with a very

short apron in front of the garage. The other two homes have long driveways. Was there a reason why this home has such a short apron?

Developer Kelly stated that he believes that the apron is about 20 feet off the property line, these are all preliminary plans.

Trustee Schussler suggested that Development Services consider moving the garage back so there will be enough room in front of the garage to park cars off the street if they are not in the garage.

Trustee Schussler questioned that The Plan Commission had a concern regarding an encroachment issue; he would like to know where the encroachment was.

Trustee Friling stated the encroachment is not reflected anymore on the subdivision plat because it was removed.

Developer Kelly explained that the property to the west, 9865 W. 144th Street, was encroaching on the property that is being discussed tonight. Developer Kelly stated that he has set aside seven feet of property for whoever wants to buy the house next door (when it goes up for sale, currently it is being rented) The neighbor's deck and air conditioner is encroaching on Developer Kelly's property.

Trustee Schussler stated that he now sees where this encroachment was taking place.

I move to recommend to the Village Board of Trustees approval of a subdivision and site plan with a variance to increase the maximum allowed lot width from 50 feet to 59 feet for 9855 W. 144th Street as recommended at the January 8, 2013 Plan Commission meeting and as indicated in the below fully referenced motion.

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 "Topographical Survey and Preliminary Engineering Kelly Grove", prepared by Landmark Engineering LLC and dated 12/21/12, subject to the following conditions:

- 1) Submit a Tree Survey to determine any tree mitigation requirements prior to the Village Board meeting.
- 2) Install green infrastructure improvements on Lots 1, 2 and 3 to mitigate onsite storm water runoff impacting Lot 3.
- 3) Meet all final engineering (on a lot by lot basis) and building code related items.
- 4) The subdivision is subject to the vacation of Grove Street and its subsequent land sale to the neighboring property owner.

and



I move to recommend to the Village Board approval of a subdivision for 9855 W. 144th Street into three single family lots subject to the same conditions as above and the following condition:

1. That the petitioner submits a Record Plat of Subdivision to the Village for recording.

and

I move to recommend to the Village Board approval of a variance for the three lot subdivision of 9855 W. 144th Street to increase the maximum lot width requirement from 50 feet to 59 feet as depicted in the above referenced site plan.

All changes must be made prior to the Board meeting.

**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

#### **2013-0041 143rd Street - Will-Cook Road to Wolf Road Noise Analysis Update - Proposal**

Transportation and Engineering Manager Kurt Corrigan reported that In 2009 McDonough Associates (MAI) hired Huff and Huff of Oak Brook, Illinois to prepare the appropriate traffic noise analysis as part of the Phase I Engineering Report for 143rd Street between Will-Cook Road and Wolf Road. Since that time IDOT's traffic noise analysis criteria has changed and Phase I Engineering Reports, that have yet to be approved, need to be updated to reflect the new noise requirements. In 2012 IDOT suspended MAI from participating in any Federal or State projects. At the end of 2012, MAI ceased all operations.

In an effort to receive design approval for this segment of 143rd Street and begin Phase II - Design Engineering, Village staff has been to numerous meetings with IDOT and the Federal Highway Administration to agree on the amount of work necessary for Phase I Design approval given the situation with MAI. Christopher B. Burke Engineering Ltd. (CBBEL) has been instrumental in working with IDOT to complete the report in the most economical manner possible. CBBEL has been completing various tasks as part of their monthly retainer with the Village. However, there are only a few companies that perform the noise analysis, Huff & Huff being one of them. In order to be consistent with the project and minimize the work, CBBEL has contracted with Huff & Huff to complete the updated noise analysis study.

I move to recommend to the Village Board approval of a proposal from Christopher B. Burke Engineering, Ltd. of Rosemont, Illinois for the 143rd Street Noise Analysis update for the segment between Will-Cook Road and Wolf Road in the amount not to exceed \$9,374.50.

**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

#### **2013-0037 Business Retention Consulting Services Contract Extension**

Director Friling reported that in July of 2012, the Village partnered with the Orland Park Area Chamber of Commerce (OPACC) to conduct outreach and business retention visits with selected Orland Park businesses. Village staff provided training and technical support to the OPACC as part of this partnership. The contract (see attached) required the OPACC to complete a minimum of 10 visits per month, up to a maximum of 100. Due to a slower than anticipated start; the total number of visits were not completed by the end of 2012. As such, staff is recommending extending the existing contract through 2013, to allow for the continual completion of business retention visits. All other terms of the contract will remain in unchanged.

Trustee Schussler stated that he abstained because he is a Director of the Orland Park Area Chamber of Commerce.

I move to recommend to the Village Board of Trustees approval of the extension of the Business Retention Consulting Services Contract with the Orland Park Area Chamber of Commerce which was originally approved in an amount not to exceed \$12,100.

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

**Aye:** 2 - Chairman Fenton and Trustee Griffin Ruzich

**Nay:** 0

**Abstain:** 1 - Trustee Schussler

#### **2012-0698 Indra's Thai Restaurant - Special Use Amendment**

Director Friling reported that the petitioner is proposing to operate a full service restaurant in the existing "County West Plaza" commercial strip center located at the northwest corner of 159th Street and Wolf Road in the former 'Chicago Taste Gyros' space in the southernmost corner tenant unit. The strip center has ten

tenant spaces including three other restaurants. The petitioner plans on offering dine-in, carry-out, and delivery options, although delivery will not be offered immediately. The petitioner also intends on remodeling the interior of the space and will include patron seating which must comply with the permitting and approval process, including separate male and female restrooms that are required per State of Illinois Code. Other than a new wall sign, no changes are proposed to the exterior of the building or to the site.

The restaurant requires a Special Use Permit because it is located within 300' of a residential parcel, in this case single family homes that are located to the rear of the County West Plaza parcel in unincorporated Cook County. The existing Special Use Permit, approved by Ordinance 4554 in March 2010, must be amended because it is limited to carry out only.

I move to recommend to the Village Board approval of an amended Special Use Permit that adds dine in and carry out services for the restaurant located at 15880 S Wolf Road as fully referenced below:

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

I move to recommend to the Village Board approval of an amended Special Use Permit that adds dine in and carry out services for the restaurant located at 15880 S Wolf Road as shown on the plat of survey, "County West Plaza," received November 19, 2012, subject to the following conditions:

1. The petitioner submits for approval from the Development Services Department should screening be required for the proposed rooftop mechanical units.
2. This approval is subject to meeting Building and Health Code requirements.
3. New signage will be approved through a separate permitting process.

**A motion was made by Trustee Schussler, seconded by Trustee 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

#### **2013-0022 US 45 Intersection Design Study Update - 149th and 153rd**

Transportation and Engineering Manager Corrigan reported that the Village of Orland Park is currently under contract (C12-0057) with McDonough Associates (MAI) to revise two Intersection Design Studies (IDS) previously completed by IDOT as part of the US 45 (LaGrange Road) project.

Due to unforeseen circumstances, McDonough Associates will no longer be able to complete the contracted work. Bowman Consulting has acquired the assets and staff of the former MAI, and has all of the existing files/work product of MAI. Staff is recommending approval of a new contract with Bowman Consulting to complete

the work. The cost to complete the work is \$13,415, which is already funded as part of the MAI Contract. MAI's contract will be terminated.

I move to recommend approval of a new contract, in the amount of \$13,415 to be awarded to Bowman Consulting to replace McDonough Associates' Intersection Design Studies contract (C12-0057).

**A motion was made by Trustee Schussler, seconded by Trustee 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

### **2013-0026 Adoption of the 2012 International Building Code**

Director Friling reported that the Village of Orland Park currently utilizes the 2009 edition, of the "International Building Code", with amendments as the basis for its construction standards. International and municipal code officials update this model code on 3-year basis and are currently offering the 2012 edition for adoption throughout the entire country. Revisions made by the code's author (ICC) are also part of this ordinance.

It is intended to revise Title 5 Chapter 1, from the 2009 IBC to the 2012 IBC (International Building Code) edition for construction standards. The Development Services Department has reviewed this 2012 Building Code and inserted its existing local building ordinances, State of Illinois Mandates, and has deleted Sections from the IBC model code in the appropriate code sections for adoption (deletions 5-1-12). The State mandated codes inserted into the new Building Code amendments (5-1-13) include the Illinois Energy Conservation Code (2012 IECC) and the Illinois Accessibility Code (Chapter 11) as parts of the amendments in 5-1-13.

The Illinois Building Commission has been notified of Orland Park's intention to adopt a new building code/energy code with amendments as required by a recent act of the 92nd General Assembly. Revisions to Title 5, Chapter 1 of the Village Code are attached.

The latest local changes made to this proposed code have been limited to existing amendments and revisions intended to clarify existing rules and to remove outdated amended construction standards. Building Division staff has highlighted the code changes for your review and will provide answers to any questions. See attachment.

This building code revision will also maintain our grading classification rating for both residential and commercial properties established by the "ISO" organization if/when audited. "ISO" uses a Building Code Effectiveness Grading Schedule

(BCEGS) to measure code enforcement in communities.

I move to recommend to the Village Board to approve the local revisions of Title 5, Chapter 1 of the Orland Park Building Code and to implement the latest edition of the 2012 IBC as written by the International Code Council, with the Village of Orland Park deletions and amendments as part of Orland Park's Village Code.

**A motion was made by Trustee Schussler, seconded by Trustee Griffin Ruzich, that this matter be RECOMMENDED FOR PASSAGE 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 - 6:35 PM**

**A motion was made by Trustee Schussler, seconded by Trustee 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,

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**David P. Maher, Village Clerk**