

VILLAGE OF ORLAND PARK

*14700 Ravinia Avenue
Orland Park, IL 60462
www.orlandpark.org*



Meeting Minutes

Monday, December 19, 2011

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 6:02 PM.

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

APPROVAL OF MINUTES

2011-0784 Approval of the November 21, 2011 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 21, 2011.

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

2011-0619 Chicago Fine Motors

Director of Development Services Karie Friling reported that the petitioner, Chicago Fine Motors, seeks to operate a 2,600 square foot car repair and detailing business (motor vehicle services) in an approximately 36,400 square foot existing single story building at 15650 S. 70th Court.

PLANNING OVERVIEW & DISCUSSION:

Many of the issues that come with new development, including lot coverage, setbacks and height, do not apply because the petitioner is proposing to occupy an existing building. The primary purpose of this petition is to consider the allowance of the Special Use Permit for a motor vehicle service use. Section 6-207.C.11 of the Land Development Code requires a special use permit for motor vehicle services in a BIZ Business District. Potential issues include adjacency to residential (Ordinance 4574), compatibility with surrounding uses, and the noise/fumes that the use might create.

The Land Development Code was recently revised to place additional restrictions on motor vehicle service uses including:

Motor Vehicle Services means any building, structure, or lot used for one (1) or more of the following:

1. Dispensing, selling or offering for retail sale, gasoline, kerosene, lubricating oil, or grease for the operation and maintenance of motor vehicles.

2. The business of maintaining motor vehicles including lubrication, tire and battery installation.
3. The business of repairing motor vehicles including minor and major repairs, auto body work, welding and painting.
4. Car washes, both automatic and self service.
5. Marine equipment sales, service or rental.

Such establishment shall not include facilities only selling or offering for retail sale, automotive parts or accessories provided that such establishment does not provide any service repair or installation. In addition to meeting Village Code requirements including Title 6 Chapter 2 Nuisances and Title 6 Chapter 4 Noise Control, Motor Vehicle Services must abide by the following performance standards:

1. All work is conducted indoors.
2. Garage doors facing residential areas remain closed at all times except for the exchange of vehicles.
3. Vehicles parked more than five (5) days are considered outdoor storage.

The petitioner would be moving into previously vacant space. The petitioner is not proposing any changes to the exterior building or property. Because the proposed use will not have any negative impact on surroundings land uses, no incremental improvements are requested.

Plan Commission

On November 22, 2011, the Plan Commission voted 6-0 to recommend to the Village Board approval of a Special Use Permit for a motor vehicle services for Chicago Fine Motors located at 15650 S 70th Court in a 2,600 square foot space, subject to the following conditions:

1. That all Building Code and property maintenance related items are met.

And

2. That any new signage is approved through a separate permitting process.

I move to recommend to the Village Board approval of a Special Use Permit for a motor vehicle services for Chicago Fine Motors, to be located at 15650 S 70th Court in a 2,600 square foot space, as recommended at the November 22, 2011 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 a Special Use Permit for a motor vehicle services for Chicago Fine Motors, to be located at 15650 S 70th Court in a 2,600 square foot space, subject to the following conditions:

1. That all Building Code and property maintenance related items are met.

And

2. That any new signage is approved through a separate permitting process.

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

2011-0801 Tenant Relocation Claims

Director Friling reported that as part of the acquisition of the Orland Plaza, the Village of Orland Park is required to pay for relocation costs for affected businesses. The Village follows regulations in accordance with the Uniform Relocation and Real Property Acquisition Policies Act of 1970. The Village of Orland Park will take title/ownership of the Orland Plaza on February 14, 2012. As such, it is important that relocation claims are finalized for the existing businesses still located at the Plaza.

The Village of Orland Park has worked with Annette Favia, relocation consultant, to finalize estimated relocation payments for each of the existing businesses. Given the short timeframe left until February 14, 2012, staff is requesting pre-approval of payments to the tenants, based upon Ms. Favia's estimates. Each of the estimates received, include the lesser amount for bids (usually 2 or 3) received, which is consistent with federal guidelines.

Staff is requesting approval of the total estimated relocation amounts, including pre-payment of 50% of costs. This is consistent with previous relocation claims already approved by the Village Board of Trustees. Actual costs will be documented by the Village, prior to additional payments being made. Additional costs not reflected in the estimates include moving insurance, professional services, search fees (maximum of \$2,500), reestablishment fees (printing), and tenant build-out (maximum of \$10,000). These additional fees will be paid upon receipt of actual documented costs.

Individual Tenant Relocation Claims

Bloomington Florist - \$163,127/\$81,563.50 (50% payment)

Creative Cabinetry - \$87,926.96/\$43,963.48

Knitting, Etc. - \$19,176/\$9,588

Miroballi Shoes - \$78,929/\$78,929 (See explanation below)

Norman's Cleaner's - \$143,444.80/\$71,722.40

Syman's Jewelers - \$23,684.76/\$11,842.38

Tri-City Electric - \$18,565/\$9,282.50

Storage Unit - Low - \$1,750

Storage Unit - Erich - \$1,000

Miroballi Shoes - Additional information

The Board approval request for Miroballi shoes, in the amount of \$78,929, includes only the costs to move them into storage, until construction of their new building is completed. There will be an additional relocation claim in the future that will include the cost to remove them from storage and reestablish Miroballi at their new permanent business location. This additional claim will need to be approved by the Village at a later date. Staff is recommending paying 100% of the initial moving expenses into storage at this time.

I move to recommend approval to the Village Board of Trustees the estimated total relocation payments for existing tenants within the Orland Plaza, as outlined, plus additional eligible costs for insurance, reasonable and necessary professional services, replacement printing, search fees up to the maximum \$2,500 and tenant build out improvements up to the maximum \$10,000. I also recommend approval of advance payment of the eligible costs for each of the existing tenants, as outlined.

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

2011-0260 Buona Beef - Special Use Amendment, Site Plan, Elevations

Director Friling reported that Buona Beef is requesting approval for a Special Use Permit Amendment to the Southmoor Commons Planned Development, and Site Plan and Elevation approval. Four out of six lots in the Planned Development have been constructed, as well as the drives and most of the parking. Buona Beef Restaurant proposes to construct a restaurant with a drive through lane on Lot 4 located on 131st Street just east of LaGrange Road. A Special Use permit is

required for this proposal because the restaurant is within 330' of a residential parcel and because there is a drive through lane. Two modifications to the special use permit are requested. One allows the drive through to be located between the building and the street, and the other shifts the restaurant building foundation plantings required along 131st Street. The concept of a drive through on this site was approved by the Village Board in 2010, but Buona had to return to the Board for Special Use Permit, Site Plan, and Elevation approvals.

Parking/Loading: Lot 4 supplies 48 of Buona's required 39 spaces, however the southern-most 22 spaces on are in fact very heavily shared with the restaurants to the west of that parking area.

The overall Southmoor commercial planned development including the Buona development provides 273 spaces, with 284 spaces required by current Code, resulting in a nine space deficit. However, in consideration of the Code shared parking allowances between complimentary business, observed parking patterns, and the Board requirement for a parking analysis prior to the development of Lot 5, the parking supply is adequate for Buona Beef Restaurant.

Plan Commission held a public hearing for the petition on December 13, 2011. Three attendees spoke.

Demetri Gofis, owner of lots 2 & 3 in the Planned Development, expressed concerns with adequate parking, and that there is currently a shortage of parking even with his two vacant tenant spaces on Lot 3. He thinks lot 5 was too far from Buona to deliver parking relief. He also questioned the variation from the original Annexation Agreement to allow drive-through lanes, and that he was discouraged by the Village for many years from putting drive-through lanes on his lots.

Bob Griffin, an Attorney and Southmoor resident, did not support the drive through lane and questioned if the Annexation Agreement had been amended by the Village, since the copy he received at his closing expressly prohibited drive through lanes.

Constantine Tzamouranis, an Attorney representing Its Greek to Me Restaurant. Although he stated support for Buona Beef's presence in the center, he is expressed concern with the safety of the drive through lane exiting next to "Its Greek to Me" front entrances, inadequate parking and the distance to Lot 5 from the corner businesses, and suggested shifting Buona Beef building further east.

Plan Commissioner issues included tight parking in the lot near the strip center, the need for further enhancements to the building elevations, the safety of the drive through exit, and the option of moving the building further east. Plan Commission added three conditions of approval: east building elevation enhancements, landscape enhancements along the east side of the site, and additional awnings

over some of the doors.

Staff response to comments: The Southmoor Annexation Agreement included an "Exhibit D" of permitted uses in the center that included as number 42 "all other uses as approved by the Village". The Village process for approving the restaurant with drive through on this lot include the Board approval of a building with a drive through lane in 2010, followed by the current petition for a Special Use Amendment to the Planned Development. The proposed placement of the Buona Beef Restaurant is per the 2006 Planned Development. Additionally, the Code parking requirements of 39 spaces for Buona Beef are less than the 58 spaces that the Code would require for the originally approved 11,700 retail building on Lot 4, a reduction in demand generated by Lot 4.

Staff recommendation for elevations (condition 2) to blend the service door color has been removed, since the Plan Commission direction was to instead emphasize the door with a canopy. The condition numbering has also been slightly adjusted.

On December 13, 2011, Plan Commission voted 6-0 to recommend approval of a Special Use Amendment for a Planned Development for Southmoor Commons to allow the construction and operation of a restaurant with a drive through on Lot 4 subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. The drive through aisle is located between the building and the street
2. The building foundation planting requirement along 131st Street is shifted to the north of the drive through lane.

And

Voted 6-0 to recommend to the Village Board approval of the Preliminary Site Plan titled "Buona Restaurant - Orland Park New Construction Site Plan", by Hague Architecture, project number 9999.0 and dated 10.30.11 received 12.05.11, subject to the following conditions. All changes should be made prior to the Board Meeting wherever possible unless otherwise noted.

1. Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval within 60 days of final engineering approval that includes the following:
 - a. Provide heavy landscape screening around the drive through lane that exceeds Landscape Code requirements per Land Development Code Section VI-207-7. and as illustrated on Exhibit 'A'.
 - b. Provide heavy landscaping to screen the menu boxes so they are not visible from the street that exceeds Landscape Code requirements per Land Development Code Section VI-207-7.

2. Provide extended sidewalk and painted crosswalk that connects the western sidewalk to the entrance of the Buona Beef building.
3. Verify that a new wall constructed along the northern face of the existing parking lot is essential, and replace with gently sloped land if possible.
4. Identify temporary loading area during non-peak hours with signage to meet Code requirement.
5. Angle the dumpster enclosure at 45 ° to allow access for refuse pick up while still maintaining the existing landscape island.
6. Include a decorative fence/barrier along the top of the drive through retaining wall.
7. Meet all final engineering and building code related items.
8. Work with staff to add more landscape on the eastern portion of Lot 4.

And

Voted 6-0 to recommend to the Village Board approval of the Elevations titled "Buona Restaurant - Orland Park New Construction Elevations", and dated 10.31.11, received 12.05.11, subject to the following conditions. All changes should be made prior to the Board Meeting wherever possible unless otherwise noted.

1. Add construction details to the Elevations that label material types and colors for the following items:
 - a. The fence/barrier to be located along the top of the drive through retaining wall.
 - b. The proposed retaining wall.
 - c. The stamped asphalt pavement for the drive through.
 - d. The outdoor patio fence that includes planter boxes.
 - e. Add canopies over the doors on the west and south elevations.
2. Revise the service door on west elevation to match the stone color.
3. Work with staff to improve the canopy down lighting.
4. Continue to work with staff to match Buona Beef's brick with the predominant orange/rust brick color on the other buildings in the Southmoor Commons commercial area.

5. Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline or parapet.
6. Signage must be approved through separate permitting process.
7. Work with staff to revise the east elevation.

On December 13, 2011 a public hearing was held and Plan Commission voted 6-0 to recommend approval of an amended Special Use Permit for a planned development with a restaurant with a drive through with modifications, and Site Plan and Elevations.

Trustee Edward Schussler expressed his concerns regarding sufficient shared parking and building layout. He asked for staff to articulate their assurance on how the shared parking will work.

Director Friling stated that based on the Village's parking requirements for this particular zoning district. There are a total of 284 spaces that are required for the entire development. Once Buona Beef is constructed there will be a total of 273 parking spaces resulting in a nine space deficit without considering the shared parking. The Code shared parking allows up to 20% shared parking in these types of developments.

Trustee Schussler questioned if staff has observed the present parking situation of the shopping center as it stands today.

Director Friling stated yes, staff has driven by that site a number of times during the day at different times and have regulated and monitored the parking lot. She has personally visited that shopping center on various occasions during the nights and weekends and has never observed a parking shortage.

A traffic analysis was conducted by KOA which also indicated that there was more than adequate parking available considering what they believed would be the peak times for Buona Beefs traffic being added to the existing shopping center.

Trustee Schussler stated he has visit the shopping center on a Saturday at about 1:15 and it looked to him as though only two thirds of the parking space was being utilized and is comfortable with staff's parking recommendations. However, he did express another concern on the location of the drive through lane exit.

Director Friling stated that both staff and KOA took look into that concern and KOA included this in their traffic analysis report. It was determined that it would be best that the drive through lane exit line up to be in direct location across from the current drive isle so that there isn't conflicting traffic patterns within the overall

circulation of the shopping center. However, KOA did recommend in the traffic study that stop signs and do not enter signed be installed.

Trustee Ruzich questioned if there where any other locations within the village that had similar site plans.

Director Friling stated that Trustee Ruzich had previously addressed some of her concerns with her and of her concerns was if there were any other locations within the Village that had similar site plans.

The most comparable site plan within the village would be that of Chick-fil-A's, where there is a narrow drive through lane exiting into a drive. Staff has not received or heard of any complaints from neither residents nor the police department of increased traffic problems or accidents at that location. It's a bit different but is the closest example within the village.

Director Friling also stated that staff has collaborated with Buona Beef's architects and engineers and feel these plans works best for this particular site.

Trustee Carole Griffin Ruzich stated that she frequents this shopping center about once a week and has never felt there to be any parking issues at the random times she has been there. She favors the project and would only like to see a stop sign added at the exit of the drive through lane.

Chairman Kathleen Fenton stated that she has nothing against Buona Beef, it is a wonderful establishment. However, it was not what the Board was first presented and had approved for this complex. She congratulated Buona for adding the awning to their plans but will not be approving this item.

I move to recommend to the Village Board approval of an amended special use permit with modifications, and Site Plan and Elevation approval as approved at the December 13, 2011 Plan Commission meeting and as fully reverenced below:

THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO READ)

I move to recommend to the Village Board approval of a Special Use Amendment for a Planned Development for Southmoor Commons to allow the construction and operation of a restaurant with a drive through on Lot 4 subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. The drive through aisle is located between the building and the street
2. The building foundation planting requirement along 131st Street is shifted to the north of the drive through lane.

And

I move to recommend to the Village Board approval of the Preliminary Site Plan titled "Buona Restaurant - Orland Park New Construction Site Plan", by Hague Architecture, project number 9999.0 and dated 10.30.11 received 12.05.11, subject to the following conditions. All changes must be made prior to the Board Meeting wherever possible unless otherwise noted.

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 - b. Provide heavy landscaping to screen the menu boxes so they are not visible from the street that exceeds Landscape Code requirements per Land Development Code Section VI-207-7.
2. Provide extended sidewalk and painted crosswalk that connects the western sidewalk to the entrance of the Buona Beef building.
3. Verify that a new wall constructed along the northern face of the existing parking lot is essential, and replace with gently sloped land if possible.
4. Identify temporary loading area during non-peak hours with signage to meet Code requirement.
5. Angle the dumpster enclosure at 45 ° to allow access for refuse pick up while still maintaining the existing landscape island.
6. Include a decorative fence/barrier along the top of the drive through retaining wall.
7. Meet all final engineering and building code related items.
8. Work with staff to add more landscape on the eastern portion of Lot 4.

And

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for the following items:

- a. The fence/barrier to be located along the top of the drive through retaining wall.
 - b. The proposed retaining wall.
 - c. The stamped asphalt pavement for the drive through.
 - d. The outdoor patio fence that includes planter boxes.
2. Add canopies over the doors on the west and south elevations.
 3. Work with staff to improve the canopy down lighting.
 4. Continue to work with staff to match Buona Beef's brick with the predominant orange/rust brick color on the other buildings in the Southmoor Commons commercial area.
 5. Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline or parapet.
 6. Signage must be approved through a separate permitting process.
 7. Work with staff to revise the east elevation.

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: 2 - Trustee Schussler, and Trustee Griffin Ruzich

Nay: 1 - Chairman Fenton

ADJOURNMENT - 6:18 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

/mp

APPROVED: January 16, 2012

Respectfully Submitted,

/s/ David P. Maher

David P. Maher, Village Clerk