

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, November 15, 2010

6:00 PM

Village Hall

Development Services & Planning Committee

*Chairman James V. Dodge, Jr.
Trustees Brad S. O'Halloran and Patricia A. Gira
Village Clerk David P. Maher*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:07 PM.

Present: 2 - Trustee O'Halloran and Trustee Gira

Absent: 1 - Chairman Dodge

APPOINTMENT

In the absence of Chairman James V. Dodge, I move to approve appointing Trustee Brad S. O'Halloran as Temporary Chairman for this meeting.

A motion was made by Trustee Patricia Gira, seconded by Trustee Brad O'Halloran, that this matter be APPROVED. The motion CARRIED by the following vote:

Aye: 2 - Trustee O'Halloran and Trustee Gira

Nay: 0

Absent: 1 - Chairman Dodge

APPROVAL OF MINUTES

2010-0605 Approval of the October 18, 2010 Development Services and Planning Committee Minutes

I move to approve the Minutes of the Regular Meeting of the Development Services and Planning Committee of October 18, 2010.

A motion was made by Trustee Patricia Gira, seconded by Trustee Brad O'Halloran, that this matter be APPROVED. The motion CARRIED by the following vote:

Aye: 2 - Trustee O'Halloran and Trustee Gira

Nay: 0

Absent: 1 - Chairman Dodge

ITEMS FOR SEPARATE ACTION

2010-0593 Community Honda - Amended Sales Tax Rebate Agreement

Director of Development Services Karie Friling reported that on August 3, 2009, the Village Board of Trustees approved a Sales Tax Sharing Agreement with Community Honda for their planned expansion. The project included the purchase of adjacent property for car sales and expansion of their service garage. The agreement splits (50/50) incremental sales tax revenue, up to \$200,000. The term was for five years, commencing in January 2010.

Due to the current economy, Community Honda has not completed its service

expansion. At this time, the project timeline is early 2012. As a result of this delay in the project, Community Honda is requesting an amendment to the existing sales tax rebate agreement to change the commencement date to January 2011. This results in a new termination date of December 31, 2015. All other terms of the agreement would remain the same. In light of the current economy, staff is recommending approval of this request.

I move to recommend to the Village Board of Trustees approval of an amendment to Community Honda's Incremental Sales Tax Rebate Agreement, to establish January 1, 2011 as the effective commencement date.

A motion was made by Trustee Patricia Gira, seconded by Trustee Brad O'Halloran, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion CARRIED by the following vote:

Aye: 2 - Trustee O'Halloran and Trustee Gira

Nay: 0

Absent: 1 - Chairman Dodge

2010-0598 Build Orland

Director of Development Services Karie Friling reported that the 'Build Orland' program was adopted by the Village Board of Trustees on February 15, 2010. The goal of the program was to encourage new growth and development through the temporary reduction and deferral of permit and impact fees.

In summary, commercial projects received a 10% reduction in permit/impact fees and a 50% reduction on water tap fees. New residential projects received a 25% reduction on permit/impact fees and a 50% reduction on water tap fees. In addition to these direct financial savings, projects were also allowed to defer the payment until final occupancy. Projects with pre-existing incentive/inducement agreements (i.e. sales tax sharing) were not eligible for the program.

The Results - March 15th through November 8, 2010

A total of 166 projects benefitted from the program, with an overall financial savings of \$153,171. Commercial projects totaled 149 (YTD) and included both new construction and remodels/additions. The majority of commercial projects chose not to defer payment.

New residential projects totaled 18, including 1 new townhome building (9 units). The total savings for new residential projects is \$79,771 (YTD). Additionally, all of the residential builders/owners took advantage of the deferred payment option. Therefore, the majority of these permit fees will be paid in 2011/2012 - at the time of final inspection/occupancy.

Program Recommendations for 2011

Based upon builder/contractor feedback and staff analysis, it appears the program had the greatest benefit on our local residential builders. They had the highest utilization rate for payment deferrals. Feedback from these builders also suggests that the savings did make a difference in their decision to move forward with construction.

On the contrary, feedback from the commercial contractors indicate the program did not play into the decision to move forward on construction projects. While they were pleased with the savings, the projects would have proceeded forward regardless of the program. Based upon this information, staff is recommending renewal of the 'Build Orland' program for new residential permits only.

Staff is also recommending a minor clarification, as it relates to existing annexation/development agreements. The intent of the program was to exclude projects with incentive/inducement agreement; however, development/annexation agreements were not part of this exclusion. Since many of these already have building/impact fees set by agreement that are significantly less than current code fees - staff is recommending exclusion of these for the 2011 program, as well. This eliminates the possibility of receiving two discounts in permit/impact fees. Residential builders/developers will be given the choice between what is set by their subdivision agreement or the Build Orland program - whichever results in the greatest savings to their project.

I move to recommend to the Village Board of Trustees, approval and extension of the 'Build Orland' program for the FY 2011, for new residential permits, as fully referenced above.

A motion was made by Trustee Patricia Gira, seconded by Trustee Brad O'Halloran, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion CARRIED by the following vote:

Aye: 2 - Trustee O'Halloran and Trustee Gira

Nay: 0

Absent: 1 - Chairman Dodge

2010-0370 2010 Land Development Code Amendments III

Director of Development Services Karie Friling reported that on November 9, 2010, the Plan Commission moved 5-0 to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Sections 2-102, 6-205.1, 6-207, 6-208, 6-209, 6-210, 6-211, 6-305.1, 6-306, 6-307, 6-310, 7-102 and 8-101 as prepared by the Development Services Department.

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

A couple of noteworthy amendments include changes to the parking requirements for restaurants and the expansion of provisions for businesses to use banners and hot air balloon signs as well as signs for office buildings taller than four stories.

In the case of the parking requirements for restaurants, the current Code requires one (1) parking space per three (3) seats plus one (1) space for each employee during peak operating hours. The proposed amendment simplifies the requirement to one (1) parking space per 100 square feet for sit-down restaurants (including fast food) and one (1) parking space per 200 square feet for carry-out restaurants. The change is consistent with other communities in the region who already use this ratio (e.g. Naperville, Lemont, Woodridge, Frankfort). The change is proposed to simplify restaurant approvals so that parking capacity is determined by size of the space and not by amount of seats or the variable employment of the establishments. Frequently, restaurants require special uses and in the special use permits the number of permitted seats is mentioned. When a new restaurant comes in, or an existing restaurant seeks expansion, they are often required to go through a special use amendment process because the expanded seating ultimately impacts parking capacity on the site. The new provision would eliminate that obstacle since the size of the space does not typically change, just the seating capacity. The overall occupant load will continue to be regulated by the current Building Code standards.

Trustee Gira stated she would like staff to present a report to the Board with a few examples using current restaurants to better understand the proposed new parking requirements for restaurants.

Director Friling reported that in the case of the signs, the provisions in Section 6-307 for banners are expanded to allow wind wavers (tall elongated vertically oriented flags) and to mount banners in the ground or on existing ground signs. The provision for hot air balloons is also expanded to allow the placement of the balloon on rooftops or in parking lots (alternative locations other than in front of the business). Lastly, a new provision was added for office buildings four (4) stories or more to allow two (2) eighty (80) square foot signs listing tenant names on both sides of the ground sign on up to 80% of the freestanding sign face. This provision was added because tenants in taller buildings would otherwise not have effective signage from the street or parking lot.

Temporary Chairman O'Halloran questioned the definition of "a period of time".

Director Friling stated that "a period of time" meant no more than fourteen (14) days and no more than five (5) times a year.

I move to recommend to the Village Board to approve the proposed amendments to the Land Development Code Sections outlined in this report and as fully referenced in the below motion.

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

I move to recommend to the Village Board to approve the Land Development Code Amendments for Sections 2-102, 6-205.1, 6-207, 6-208, 6-209, 6-210, 6-211, 6-305.1, 6-306, 6-307, 6-310, 7-102 and 8-101 as presented in the attachments titled "Part Three: Attachments" prepared by the Development Services Department and dated November 15, 2010.

A motion was made by Trustee Patricia Gira, seconded by Trustee Brad O'Halloran, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion CARRIED by the following vote:

Aye: 2 - Trustee O'Halloran and Trustee Gira

Nay: 0

Absent: 1 - Chairman Dodge

ADJOURNMENT - 6:21 PM

A motion was made by Trustee Patricia Gira, seconded by Trustee Brad O'Halloran, that this matter be ADJOURNED. The motion CARRIED by the following vote:

Aye: 2 - Trustee O'Halloran and Trustee Gira

Nay: 0

Absent: 1 - Chairman Dodge

/mp

APPROVED:

Respectfully Submitted,

David P. Maher, Village Clerk