

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, July 18, 2016

6:00 PM

Village Hall

Development Services, Planning and Engineering Committee

*Chairman Kathleen M. Fenton
Trustees Patricia A. Gira and Daniel T. Calandriello
Village Clerk John C. Mehalek*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:05 P.M.

Present: 3 - Chairman Fenton; Trustee Gira and Trustee Calandriello

APPROVAL OF MINUTES

2016-0521 Approval of the June 20, 2016 Development Services, Planning and Engineering Committee Minutes

I move to approve the Minutes of the Regular Meeting of the Development Services, Planning and Engineering Committee of June 20, 2016.

A motion was made by Trustee Gira, seconded by Trustee Calandriello, that this matter be APPROVED. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

ITEMS FOR SEPARATE ACTION

2016-0516 Zeigler Nissan & Infiniti of Orland Park

Assistant Director of Development Services Mike Kowski reported that in January 2016, Zeigler Auto Group purchased the Nissan and Infiniti dealerships in Orland Park. Zeigler has also been the owners of the Orland Park BMW Dealership since August of 2013. Zeigler Auto Group is a family owned and operated retail automotive dealership (23 locations) headquartered in Kalamazoo, Michigan (see attached summary).

The proposed project includes the construction of a new Infiniti dealership to be located at 8751 159th Street (the formerly approved Shoppes at 88th) and the renovation of the existing Nissan dealership. Zeigler has formally petitioned for their Special Use Permit and their public hearing is anticipated for August 2016. The vacant property (which was previously foreclosed) is also under contract with Zeigler pending Village approvals and entitlements. When finished, they project additional employment of 50 people.

Zeigler has requested a sales tax sharing Incentive Agreement with the Village of Orland Park to assist with their proposed project. Based upon their financial models, Zeigler anticipates increasing their taxable sales by over 100%, amounting to over \$35 million in additional taxable sales. This would mean an increase in sales tax of over \$356,000 annually, of which 50% would be shared with Zeigler, based upon the following proposed terms:

Nissan:

Nissan Dealership Renovation Project - \$1,050,000 capped cost (capital costs only)
50% of incremental sales tax sharing (not including amount currently generated)
2015 Sales Tax Base Set - \$207,628 (remains 100% Village of Orland Park)
Ten year term - This is consistent with previous BMW term
Engineer Verification of costs required
Job Creation/Retention and private investment numbers required
Claw back provision (incentive payback) if the dealership closes/relocates outside of Village of Orland Park within 10 years
Payments will be made quarterly by the Village of Orland Park, as increment is produced and paid by the State of Illinois
Compliance with all Village of Orland Park zoning, building and other applicable codes required

Infiniti:

New Infiniti Dealership - Development and Construction - \$8,050,000 capped cost (capital costs only)
50% of incremental sales tax sharing (not including amount currently generated)
2015 Sales Tax Base Set - \$131,030 (remains 100% Village of Orland Park)
Ten year term - this is consistent with term of BMW agreement
Engineer Verification of costs required
Job Creation/ Retention and private investment numbers required
Claw back provision (incentive payback) if the dealership closes/relocates outside of Village of Orland Park within 10 years
Payments will be made quarterly by the Village of Orland Park, as increment is produced and paid by the State of Illinois
Compliance with all Village of Orland Park zoning, building and other applicable codes required

Please note there are two existing agreements already in place for these dealerships. The Infiniti dealership never surpassed the base and no sales tax has been shared. The Nissan was a five year agreement, and the Village has paid \$813,664 to date with two years to go. This agreement is capped at \$850,000. Both of these agreements would be terminated and replaced with a new one.

Finally, Zeigler has requested that a combined base of \$338,658 be used in the agreement. This is the total of each of the existing dealership's 2015 Sales Tax generated. This will allow greater flexibility between the dealerships, if one performs better/worse than the other. However, it has no direct financial impact on the Village, as the full base amount of \$338,658 must first be received by the Village of Orland Park prior to any sharing of new incremental sales tax. However, in the future, if one of the dealerships is closed or sold, the base amount of

\$338,658 would still need to be generated by the remaining dealership prior to any sales tax sharing. Zeigler is aware of this provision, as well.

The proposed terms of the agreement will be incorporated into the final Development Agreement, once they have completed their zoning approval process. However, Zeigler has requested approval of the proposed terms prior to finalizing and completing their zoning entitlement process, and closing on the subject property.

Chairman Fenton stated that it is really great that these two dealerships want to expand in Orland Park.

I move to recommend approval of a Sales Tax Sharing agreement with Zeigler Nissan and Infiniti, as outlined above and to be incorporated into their final Development Agreement, pending approval of the zoning, special use and building permits.

A motion was made by Trustee Calandriello, seconded by Trustee Gira, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

2016-0370 All Saints Lutheran Church Garage

Assistant Director of Development Services Mike Kowski reported that All Saints Lutheran Church is requesting a special use permit amendment with modifications to construct a three-car detached garage at 13350 LaGrange Road. Two modifications are requested:

- 1) Increase the number of allowable detached garages from 1 to 2, per Land Development Code Section 6-302.C.13
- 2) Allow the exterior walls of a three-car garage accessory building to be constructed of non-masonry materials, per Village Code 5-1-13 Section 501.3.2 and 503.2.1

In 1997, the Village Board approved the annexation of the All Saints Lutheran Church property at 13350 South LaGrange Road and a special use permit for a place of worship, allowing the continued operation of the existing church facility (Ord. 3033, Ord. 3040). Upon annexation, the property was zoned E-1 Estate Residential District.

There are currently two existing detached garages on site that were constructed prior to annexation in 1997 and allowed for under the original special use permit. The one-car garage and two-car garage with side storage are of frame construction with siding. The current petitioner is seeking an amendment to the

1997 special use permit with modifications, allowing an increase in the number of allowable detached garages in the E-1 District from 1 to 2 and the proposed three-car detached garage to be constructed of non-masonry materials.

The petitioner has submitted a plat of survey and site plan indicating the location of the proposed garage as well as construction specifications. The garage will house church vans and provide an additional storage area.

The proposed three-car garage will be constructed at the southwest corner of the rear parking lot on an existing concrete pad. The area is not visible from the right-of-way along LaGrange Road and is heavily screened by trees and landscaping on the south side of the property. An existing one-car garage will be demolished and an 816 square foot three-car garage will be constructed of a composite siding material. There are no proposed changes to the existing two-car garage with side storage, located to the west. The total number of proposed detached garages on site will match the existing number of garages (two detached garages).

The recommendation motion includes the following conditions:

- 1) Meet all final engineering and building code related items.
- 2) Replace any existing landscaping, if impacted by construction.

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

PLAN COMMISSION MOTION

On July 12, 2016, the Plan Commission, by a vote of 5-0 moved to recommend to the Village Board to approve the preliminary site plan and specifications, drawn by Kamp Builders and received June 27, 2016, subject to the following conditions.

- 1) Meet all final engineering and building code related items.
- 2) Replace any existing landscaping, if impacted by construction.

And

Moved by a vote of 5-0 to recommend to the Village Board approval of the garage elevations, titled "Menards Design-It Garage," dated April 16, 2016 and received June 27, 2016, subject to the same conditions as outlined in the Preliminary Site Plan motion. All changes must be made prior to the Board meeting.

And

Moved by a vote of 5-0 to recommend to the Village Board approval of a Special Use Permit Amendment allowing All Saints Lutheran Church at 13350 LaGrange Road to construct a three-car detached garage subject to the same conditions as

outlined in the Preliminary Site Plan motion.

Modifications to the Special Use permit include:

- 1) Increase the number of allowable detached garages from 1 to 2, per Land Development Code Section 6-302.C.13
- 2) Allow the exterior walls of a three-car garage accessory building to be constructed of non-masonry materials, per Village Code 5-1-13 Section 501.3.2 and 503.2.1

PLAN COMMISSION DISCUSSION

On July 12, 2016, a public hearing was held before the Plan Commission. No members of the public spoke. Representatives of All Saints Lutheran Church were in the audience and available for questions. Five (5) Commissioners in attendance had a positive response to and spoke in support of the project. The motions passed unanimously 5 - 0.

Chairman Fenton praised staff for their work on this project.

I move to recommend to the Village Board of Trustees approval of the site plan, garage elevations, and Special Use Permit with modifications for All Saints Lutheran Church at 13350 LaGrange Road to construct a three-car detached garage subject as recommended at the July 12, 2016 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 site plan and specifications, drawn by Kamp Builders and received June 27, 2016, subject to the following conditions:

- 1) Meet all final engineering and building code related items.
- 2) Replace any existing landscaping, if impacted by construction.

And

I move to recommend to the Village Board approval of the garage elevations, titled "Menards Design-It Garage," dated April 16, 2016 and received June 27, 2016, subject to the same conditions as outlined in the Preliminary Site Plan motion.

AND

I move to recommend to the Village Board approval of a Special Use Permit Amendment allowing All Saints Lutheran Church at 13350 LaGrange Road to construct a three-car detached garage subject to the same conditions as outlined in the Preliminary Site Plan motion.

Modifications to the Special Use permit include:

- 1) Increase the number of allowable detached garages from 1 to 2, per Land Development Code Section 6-302.C.13
- 2) Allow the exterior walls of a three-car garage accessory building to be constructed of non-masonry materials, per Village Code 5-1-13 Section 501.3.2 and 503.2.1

A motion was made by Trustee Gira, seconded by Trustee Calandriello, that this matter be RECOMMENDED FOR PASSAGE to the Board of Trustees.

The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

2016-0383 Vrdolyak Residence Rezoning

Assistant Director of Development Services Mike Kowski reported that on 12/10/2105 (BP-15-02213), the Village's Building Division approved building plans for a single-family home to be located on the parcel which is proposed to be rezoned. Construction of said home is currently underway. New plans, which were submitted with the rezoning petition, do not propose any changes to the single-family home itself, only to lot coverage in the form of additional/expanded accessory structures (patio areas and driveways) as well as changes to site grading.

This petition is strictly a review of the proposed rezoning of the parcel and does not imply approval/denial of the proposed site plan changes. Such an approval would come from the Building Division. A summary of the proposed changes are provided within this report and are for reference only. A new plan showing proposed grading changes, accessory structures, lot coverage calculations and relevant dimensions would need to be submitted to the Building Division for review and approval upon rezoning approval.

PROJECT DESCRIPTION & CONTEXT

The petitioner is requesting to rezone a parcel currently zoned E-1 Estate Residential District to R-1 Residential District. In rezoning to R-1, the parcel would mirror the current zoning of adjacent parcels, which are zoned R-1 to the north and west (single-family residential homes) and R-4 to the east (Crystal Tree Subdivision). A vacant, unincorporated parcel abuts the parcel to the south.

The recommendation motion includes the following conditions:

- 1) Submit a revised site and engineering plan to the Building Division for review and approval.
- 2) Meet all building and engineering related items.

Overall, the project conforms to the Village's Comprehensive Plan, Land

Development Codes and policies for this area.

PLAN COMMISSION MOTION

On June 28, 2016, the Plan Commission, by a vote of 7-0, moved to recommend to the Village to approve the rezoning of 14660 108th Avenue, as fully referenced below.

PLAN COMMISSION DISCUSSION

On June 28, 2016, a public hearing was held before the Plan Commission. A resident, who owns the property immediately to the west of 14660 108th Avenue, spoke about the stormwater management issues that his house has had in recent years. The resident cited occasions of basement flooding and large volumes of water moving through the rear and sides of his property. He mentioned that he had been in contact with Village Engineer Kevin Lehmann, who was the same engineer who granted preliminary engineering approval to the 14660 108th Avenue engineering plans. The resident was shown where the proposed swales were located for 14660 108th Avenue and the direction of flow. He was also told by Staff that the Engineering Division believes that the proposed project for 14660 108th Avenue would not contribute to the stormwater issues already present in the area. The resident's information was taken down and passed along to Kevin Lehmann, who contacted the resident the next day.

I move to recommend to the Village Board approval of the rezoning of the parcel addressed 14660 108th Avenue as recommended at the June 28, 2016 Plan Commission meeting and as fully referenced below.

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

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated June 28, 2016.

And

I move to recommend to the Village Board of Trustees to approve the rezoning of the parcel addressed 14660 108th Avenue from E-1 Estate Residential District to R-1 Residential District subject to the following condition:

- 1) Submit a revised site and engineering plan to the Building Division for review and approval.
- 2) Meet all building and engineering related items.

A motion was made by Trustee Calandriello, seconded by Trustee Gira, that this matter be RECOMMENDED FOR APPROVAL. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

2016-0517 Stellwagen Farmhouse Foundation Restoration Re-Bid #15-019

Assistant Director of Development Services Mike Kowski reported that on July 14, 2015, the Village of Orland Park issued Bid #15-019 to solicit responses and proposals from contractors to correct and historically restore the Stellwagen Farm farmhouse building foundation. At that time all responses were deemed not responsive to the bid criteria and on September 8, 2015 the Village Board of Trustees rejected all of them.

On March 14, 2016, the Village re-issued the same bid from July 2015 with additional information for the repair and restoration of the Stellwagen Family Farm's farmhouse foundation.

A pre-bid meeting was held on site on April 4, 2016 to walk through the project with potential respondents. All bids were due on April 25, 2016. Four bids were received from Berglund Construction, Kovilic Construction, Louder Enterprises and Nu-Con Construction.

Bid review was conducted in May 2016 and the Stellwagen Family Farm Foundation met to discuss and review the bid proposals received in the beginning of June.

DETAILED PLANNING DISCUSSION

The following is a breakdown of the costs associated with each bid, from highest to lowest. All bids are attached for review.

Kovilic Construction Co., Inc. -- \$139,000
Berglund Construction Company -- \$95,000
Nu-Con Construction Co. -- \$86,927.88
Louder Enterprises, Inc. -- \$67,428

The Stellwagen Family Farm budget for FY 2016 (which was issued by the Village Board) included a line item for the foundation restoration project for \$55,000. All four submitted bids are therefore over budget. The lowest bid is over budget by \$12,428.

At the June 8, 2016 Stellwagen Family Farm Foundation meeting the group discussed the lowest bid, which was lower in price by \$19,499. They determined that the lowest bid was sufficient for the project subject to a number of conditions. They requested staff double check all references for quality of work, that a Certificate of Appropriateness review be conducted on the proposed improvements by Louder and that McGuire Iglecki and Associates provide oversight. Finally they required building permits and inspections for the job.

These conditions are reflected in their motion, below.

STELLWAGEN FAMILY FARM FOUNDATION MOTION

On June 8, 2016, the Stellwagen Family Farm Foundation moved 5-0 to recommend to the Village Board of Trustees to approve the lowest bidder, Louder Enterprises Corporation to do the farmhouse restoration project at a price of \$67,428 subject to the following conditions:

1. That staff double-check all references;
2. That additional funds are granted by the Village Board to fully fund the project;
3. That a COA review is conducted prior to construction of the project;
4. That McGuire Igleski and Associates review the COA; and
5. That Louder obtains building permits and inspections to ensure project completion.

STELLWAGEN FAMILY FARM FOUNDATION DISCUSSION

Since the June 8, 2016 meeting, staff double-checked all of the references for Louder Enterprises and visited the various places where they have done work in the past. Of the three sites listed in the attached bid proposal, Empire Restaurant in Naperville, Illinois stood out as the most germane to this foundation project. At Empire Restaurant, Louder Enterprises repaired and restored a historic masonry (brick and limestone) wall at street level and on their rooftop dining areas to match historic profiles and blend with the surrounding wall's appearance. Staff visited the site on two occasions to observe the work. All of Louder's clients provided positive reviews of the work that was done. This summary was provided to the Stellwagen Foundation after the June 8 meeting and individual members affirmed the findings.

BUDGET ADJUSTMENT & IMPACT

Because the lowest bid was over budget, the Stellwagen Family Farm Foundation conditioned that their recommendation of Louder Enterprises be subject to the Village Board of Trustees approving a budget amendment for the additional \$12,428 to complete the project.

If a budget amendment were approved, additional funds for the budget adjustment will come from the Contingency account within the General Fund. These funds will be used to increase the budget available in the Open Lands Fund Land and Land Improvements line item (this is the line item where the original \$55,000 was budgeted).

A motion is included below for the additional funding through a budget amendment to the General Fund.

General Fund's Contingency Account:
Total cost to the General Fund is \$12,428.

Open Lands Fund Land & Land Improvement Line Item:

Total funding added to the Stellwagen portion of the Open Lands Fund is \$12,428. This will increase the Stellwagen Farm budget for the foundation restoration from \$55,000 to \$67,428.

The Stellwagen Family Farm Foundation funding is held within the overall Open Lands account.

Chairman Fenton stated that part of the issue was the Stellwagen Foundation and village staff were guessing as to what the amount was going to be for the foundation. She stated part of it is that it is restoration work and not just pouring a slab concrete. The initial amount that was budgeted for the foundation was not enough money as the original estimates from staff and the Stellwagen Foundation were off.

Trustee Gira complimented staff on making sure that the low bidder was qualified to complete the job at hand.

I move to recommend to the Village Board of Trustees to approve the lowest bidder, Louder Enterprises Corporation to complete the Stellwagen Farm farmhouse foundation restoration project with a budget adjustment from the General Fund as recommended at the June 8, 2016 Stellwagen Family Farm Foundation 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 of Trustees to approve the lowest bidder, Louder Enterprises Corporation to do the farmhouse restoration project at a price of \$67,428 subject to the following conditions:

1. That staff double-check all references;
2. That additional funds are granted by the Village Board to fully fund the project;
3. That a COA review is conducted prior to construction of the project;
4. That McGuire Igleski and Associates review the COA; and
5. That Louder obtains building permits and inspections to ensure project completion.

And

I move to recommend to the Village Board of Trustees to amend the budget for the Stellwagen Family Farm Foundation farmhouse foundation restoration project from \$55,000 to \$67,428 by adding \$12,428 from the General Fund's Contingency Account to the Open Lands Fund Land and Land Improvements Line Item.

A motion was made by Trustee Gira, seconded by Trustee Calandriello, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

ADJOURNMENT: 6:14 P.M.

A motion was made by Trustee Gira, seconded by Trustee Calandriello, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

/AS

Respectfully Submitted,

John C. Mehalek, Village Clerk