

# 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, November 21, 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 6:29 P.M.

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

## APPROVAL OF MINUTES

### **2016-0807 Approval of the October 17, 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 October 17, 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

### **2016-0812 Build Orland FY 2017**

Director of Development Services Karie Friling reported that the 'Build Orland' program was instituted by the Village Board of Trustees in 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 2011 & 2012, the program was renewed but only for new residential projects. In summary, new residential projects received a 25% reduction on permit/impact fees and a 50% reduction on water tap fees. Additionally, 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. Additionally, projects with existing development/annexations agreements could only receive one 'discount' of fees, either those set by agreement or the Build Orland, whichever is greater.

From 2013 to now, the program was scaled back to only include the deferral of permit fees until final occupancy of the home. This decision was based upon the increased stability in the housing market and the number of new housing starts in the Village.

For FY 2017, staff still recommends the continuation of the Build Orland program to allow payment deferral of permit fees until final occupancy of the home.

I move to recommend to the Village Board of Trustees, approval and extension of the 'Build Orland' program for the FY 2017 to allow the payment deferral of permit fees for new residential 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

#### **2016-0234 New Walter Residence Old Orland Public Land Impact Assessment**

Director of Development Services Karie Friling reported that in July 2013, the petitioner Greg Walter, a resident of Old Orland, approached the Village about his intent to acquire the property located at 14420 First Avenue in order to build a single family home. At that time staff informed him the property included a number of engineering challenges associated with the presence of pre-existing and naturally occurring storm water depressional storage area at the subject site. Staff explained the issues associated with the site and the requirements of building on the property: namely, that any displaced depressional storage volume must be compensated and maintained within the limits of the subject property. On a few occasions between then and the petitioning of the project, Mr. Walter approached the Village and received the same information and concerns regarding the depressional storage volume.

In April 2016, Mr. Walter petitioned the Village for a Certificate of Appropriateness to build a new single family home at 14420 First Avenue in the historic district. The proposed single family home's footprint as well as garage, patio, sidewalks and other accessories impacted the depressional storage area that naturally lay across his property. The depressional storage area encumbers approximately two-thirds of the lot and leaves a third at the front along First Avenue free and clear. The depressional storage area is demarcated by the 692 contour elevation line on the grading plans.

The petitioner proposed to offset his impacts to the naturally occurring depressional storage area on his property by adjusting grades on his property and by placing much of the displaced storage volume on the public land to the south at 14438 First Avenue (NWC of First Avenue and 144th Place, commonly known as the pocket park).

14438 First Avenue was acquired by the Village in 2012 (cash purchase \$137,750) as part of a land swap deal to develop the SWC of 144th Place and Beacon Avenue, then Village-owned. The purpose of the Village's acquisition was to establish an open space/ pocket park within the Historic District for passive recreation and reflection on the community's history. The acquired pocket park at time of purchase shared (and was already encumbered by) the depressional storage area that lay across the property lines with 14420 First Avenue. The initial petition submittal, however, included an enlargement of the depressional storage area on the pocket park, displacing the majority of the

volume from the private property to the public property.

#### Planning Options

Due to the size of the initial development, the impact to the public land was considered inappropriate since not enough was done to minimize impacts to downstream properties. In May/ June 2016, staff discussed the issue both with the petitioner and the petitioner's engineer, Landmark Engineering, about the alternatives to using the Village's property. These included:

- Not developing;
- Reducing the building's footprint further;
- Reducing the size of the basement and effectively putting the house on stilts and caissons, or;
- Placing the displaced storage volume underground in a vault within the private property limits.

Other than the second option, it was understood from the petitioner's team that these were not serious options due to the cost and effort involved.

#### Plan Revision

As a result, the petitioner decreased the size of the proposed house footprint and pushed the building as close to the north property line as possible in order to make space for as much depressional storage volume (compensational storage) on his site as possible. The petitioner, however, inquired about the continued use of the Village's property for some of the displaced volume.

Since the effort was made to minimize downstream impacts, it was necessary to determine what the reduced impacts were to the public land and the merits of those impacts. A planning exercise was requested to determine:

- How much volume is actually displaced based on the revised plan?
- How much more of it can be contained on the private property?
- How much is proposed for the public land and what does that mean in terms of impacts to the pocket park and its future use?

In response to these questions, the plan was modified to contain as much of the depressional storage volume as possible onsite using the most conservative land plan for the proposed single family home at 14420 First Avenue.

Between June 2016 and October 2016, CBBEL and Landmark Engineering exchanged correspondence to determine the impacts to the public property. Throughout this process, it was made clear to the petitioner that the purpose of the planning exercise was to determine the impacts on the public land as a result of the cut/fill proposal and whether these impacts are appropriate improvements to the land. Ultimately, this was a matter for the Village Board to decide with

information about the implications in hand.

The study culminated in the memorandum from CBBEL dated November 7, 2016 assessing the impact to the Village-owned land (herein attached to the Committee Packet for reference). Based on that assessment a letter was sent to the petitioner from the Development Services Department Director explaining the assessment and staff's recommendation based on the impacts proposed (herein attached to the Committee Packet for reference).

#### PROJECT DESCRIPTION & CONTEXT

The petitioner is proposing to construct a new single family home in the Old Orland Historic District at 14420 First Avenue. The Certificate of Appropriateness is not complete for this project since there is a policy question regarding the use of park land at 14438 First Avenue for displaced depressional storage volume from private property.

The development of 14420 First Avenue will likely require variances related to setbacks as a result of the depressional storage issue (no matter how this is resolved). The variances are not part of the policy discussion before the Development Services Planning and Engineering Committee at this time. The project will return for a discussion about those variances at a future date.

In short, based on the assessment provided by CBBEL, staff cannot recommend approval of the proposed plan to relocate a portion of the petitioner's depressional storage (detention) to the Village-owned park property.

This recommendation is made for the following reasons:

Old Orland Pocket Park - Purchased in 2012 as part of land swap and cash purchase of \$137,750 with the intent of creating passive open space for the area.

Village Information Shared - As early as 2013, information was shared with the petitioner advising of the existing depressional storage conditions, and other areas of concern, on the property. Moreover, the engineer, Landmark Engineering, was also aware of these restrictions from previous projects proposed for 14420 First Avenue since at least 2005.

Impact to Publicly Owned Land - A planning and engineering exercise was completed to understand the proposed impacts to the Village property. This information was reviewed by the Village's engineer, CBBEL, and an impact assessment memo was made, the findings of which are summarized below:

- Proposed regrading will modify the park land to allow stormwater to access areas that it currently does not. It is estimated that these areas would be inundated for less than one hour for the 100 year storm event.

- Proposed grading appears to extend to the adjacent property to the west of the park (9916 W. 144th Place). This must be verified as additional authorizations would be required.
- 26 cubic yards of depressional storage volume will be transferred to the park. This will limit future development options for the park since the Village would be responsible for replacing this storage volume if filled.
- Established plantings in the area proposed to be regraded must be removed and replanted with appropriate plantings based on inundation time associated with the expanded depressional storage area. This includes several Heritage Trees.
- The existing path will be disturbed as a part of the regrading and will need to be reestablished. Portions of the path previously not encumbered will become inundated as a result of the proposed regrading.

Village Precedent - The Village does not have a precedent of allowing publicly owned land to be impacted by private development. The proposed impacts are negative to the site and potentially impacts the adjacent property owner as well.

Village Heritage Trees - There are a number of existing trees on the park site that would need to be removed or would eventually die based on the regrading plan, including Heritage Trees. As a public open space, this is also against Village precedent (to remove trees and Heritage Trees on public land for private development reasons).

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.

Greg Walter, an Orland Park resident stated that he has lived in Orland Park for 15 years and this would be his third property for a home that he could hopefully build on at some point. He stated that he has a passion for the neighborhood that he lives in and that is why he is before the Board tonight. He said he would argue that the area in question has never been professionally designed for that type of storage. Mr. Walter stated that the property is the result of two homes that were knocked down by a demolition company. He stated that he would also argue that he would be improving the park space. If anyone would walk around after it rains, water would be sitting for weeks. He stated that his property is next to what is being proposed, but there currently is nothing there to help move the water out and he is proposing to donate that to the village to help the park. He said he adamantly disagrees with the letter that was sent to him and the reasoning for some of the statements in it. He stated there are many details that would not be understood unless you were living there.

Travis Parry from CBBEL stated that the area does stay wet for a long period of time because it is a depressional storage area and was identified in 2003 as a problem area from a flood study. He stated that the bottom line is that it is introducing stormwater to areas that it currently does not go to on the park. Mr. Parry stated that Mr. Walter would like to displace some of the area on his property and move it on to some of the village's property which would create all the situations that Director Friling previously mentioned.

Mr. Walter stated that he would like to address a few things. He stated that the trees were transplanted from a nursery about 4 years ago and cannot be argued to be part of the neighborhood's history. He stated that he agrees that the depressional area has a low point, but it was not engineered to be that. Mr. Walter stated that he is taking the burden of the neighborhood onto his property as well and hopefully he can put a sewer pipe in that can collect and share in the burden. He stated that he believes his proposal would help the neighborhood and that he is willing to take on even more storage with an underground unit on his property.

Trustee Calandriello asked what be the impact to existing homes with this proposal.

Mr. Parry stated that the reason why there are depressional storage requirements in the code is because it can result in a loss in storage to the overall system through the village. He stated that Mr. Walter is proposing to replace that storage under either scenario.

Trustee Calandriello asked if the only thing that would be affected is village owned property.

Mr. Parry stated that they are unsure if it would affect the adjacent property at this time.

Director Friling stated that there is a tree line on the exist that runs between the village owned property and the other neighbors property that would be impacted. She stated that they did not ask Mr. Walters at this stage to go back and do a survey of all the specifics at this point to avoid him having to incur additional cost.

Nectarious Pittos stated that in the memo exhibit there was a plan that showed the impact area which included portions of the property to the west.

Director Friling stated that would be a non-starter, and would never recommend letting one resident impact another residents property without proper approval.

Mr. Walter asked what makes it his responsibility as a property owner to have a

collection area for the whole village on his property.

Director Friling stated the best way she can answer that is that it was an existing condition prior to the lot being purchased.

Mr. Walter asked why the burden then falls on a village resident.

Director Friling stated that it doesn't necessarily fall on the resident as much as it falls on this is where it happens to be naturally occurring. She added that Mr. Walter was aware of that before he purchased the property.

Mr. Walter would like to think he is proposing something that would make it better and still keeping some of the burden.

Director Friling stated that part of the burden is being pushed to village owned property.

Mr. Walter said that he is also providing a solution to take it away.

Clerk Mehalek stated that he does not understand what the benefit to the village would be.

Mr. Walter said that he has proposed to put a stormwater sewer pipe system on the village property to take the water away.

Trustee Gira asked where it would then be drained to.

Mr. Walter said the existing stormwater system.

Mr. Parry stated that there was not a storm sewer included with Mr. Walter's development proposal, so that would be news to them. However, the fact would still remain that the village property would still be used to store the stormwater regardless of how it was being evacuated.

Mr. Walter stated that he is still retaining water on his property, and that there was a storm plan and that a huge part would have been missed by Mr. Parry if it was missing.

Mr. Parry stated that it was shown in the plans, but there were not any calculations provided to be reviewed. He stated that depressional storage calculations were the only calculations that were received.

Chairman Fenton stated that the important part is that the codes do not allow for residential properties to use water, put it on/take it out, etc. on public property. It is the rule and the village does not want to set a precedent, especially in that area



where a lot of money has been spent to improve the water situation. She stated that she cannot recommend for residential property to dump onto village owned property.

Trustee Gira stated in summary part of the storage would be put onto a portion of village property that could impact the trees that help drain the land.

Mr. Walter stated that moving part of the detention is definitely part of his proposal. He went on to say that he just wanted to present some points tonight and that he had talked to Terry earlier in the week about his concerns of what would actually get done at the meeting. He stated that there is still going to be the issue of standing water at the park.

I move to recommend to the Village Board of Trustees to deny the relocation of 26 cubic yards of depressional storage volume from 14420 First Avenue to the Village-owned pocket park at 14438 First Avenue for the purpose of developing a single family home on private property at 14420 First Avenue.

**RECOMMENDED FOR APPROVAL to the Board of Trustees**

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

**Nay:** 0

**2016-0783 Twin Towers Chapel Painting - Appearance Improvement Grant**

A Certificate of Appropriateness (2016-0671) was administratively approved for this project on October 6, 2016. The Certificate of Appropriateness staff report and its exhibits are included with this report for further reference. See 2016-0671/COA-16-00359.

According to the 2008 Residential Area Intensive Survey (RAI), the Twin Towers Sanctuary (c. 1898 by William Arthur Bennett) is a contributing structure to the Old Orland Historic District in the Queen Anne style and is listed in good condition with a high degree of integrity. The building is also an Orland Park Landmark and is listed on the National Register of Historic Places.

The Old Orland Heritage Foundation is the preservationist society operating and maintaining the Twin Towers Sanctuary by easement. The Hope Covenant Church owns the property on which the Twin Towers stands. The Old Orland Heritage Foundation has incrementally rehabilitated, painted, and maintained the Twin Towers Chapel over the past years and is petitioning to continue the previous efforts and re-paint a portion of the building.

The petitioner is applying to the Appearance Improvement Grant for \$1,387.50 to re-paint the south (rear) and west (side) elevations of the building. Additionally, minor repair and maintenance work will be completed as needed, including scraping and sanding the siding and trim to remove all loose and peeling paint,

repairing or replacing any missing or damaging trim or siding, caulking all areas as needed, priming all exposed wood, and painting siding and trim with two (2) coats of exterior paint. The proposed colors will match the existing paint colors that are already on the white and grey/blue building (Sherwin-Williams SuperPaint Custom Color Match). Painting and maintenance is scheduled to commence in Spring / Summer 2017.

The Appearance Improvement Grant program was written to financially assist both commercial properties in the Village and also landmark properties.

#### PROJECT DESCRIPTION & CONTEXT

Per the requirements of the Appearance Improvement Grant the proposed improvements fit under the Historic Restoration category for "Restoration of Historic Doors, Windows and other Architectural Features." In addition, the proposed improvements meet the guidelines for eligible projects.

The petitioner has provided three (3) bids for the proposed re-painting work. Two bids are required by the grant program. The three bids are from Scaccia Decorating Co. (\$2,775), Dan's Painting Service (\$6,300), and Jondec Painting (\$2,990). Each bid is described below.

#### Scaccia Decorating Co. (\$2,775)

Scaccia Decorating Co. is proposing to do the following:

- Exterior painting of siding and trim on the south and west elevations
- Scrape and sand loose and peeling paint
- Repair or replace missing siding and trim
- Brush clean all surfaces
- Caulk all areas where needed
- Spot prime all exposed wood
- Apply two coats of exterior latex paint to match existing paint color

#### Dan's Painting Service (\$6,300)

Dan's Painting Service is proposing to do the following:

- Scrape and sand all loose peeling paint
- Repair or replace missing or damaged siding
- Brush entire surface
- Caulk any areas where needed
- Spot prime exposed wood
- Apply two coats of paint to the south and west elevation

#### Jondec Painting (\$2,990)

Jondec Painting is proposing to do the following:

- Conduct lead paint test
- Pressure wash and prepare all surfaces of the building
- Scrape and hand sand all areas of peeling

- Caulking as needed
- Apply two coats of paint to the south and west elevations

Each of the above noted bids are attached for review.

#### Bid Selection

All three bids describe work related to the exterior appearance of the Twin Towers Sanctuary at 9967 W. 144th Street. Interior activities are not eligible for funding assistance through this grant program.

The Appearance Improvement Grant notes that the best or lowest bid is selected to fund the project. In this case, the Scaccia Decorating Co. (\$2,775) bid is the lowest.

The Scaccia Decorating Co. bid is \$215 lower than the Jondec Painting bid and \$3,525 lower than the Dan's Painting Service bid. The scope of work provided by all of the companies is nearly the same. The discrepancy in these bids could come down to the fact that Scaccia Decorating Co. is familiar with the Twin Towers Sanctuary because the petitioner hired the company about two years ago to paint the building. The petitioner has also expressed support to select Scaccia Decorating Co. due to prior experience with the company in the past, to ensure proper painting methodology, and that the work will be appropriate to the historic character of the building.

Based on the lower bid costs and because this is the petitioner's preferred selection, the Scaccia Decorating Co. bid is the selected bid for re-painting the south and west elevations of the building. Ultimately, the proposed total cost of the project is \$2,775. A 50% cost share on the project cost would be \$1,387.50.

#### Bid Conclusion

The Appearance Improvement Grant funds projects over \$1,000 to cover 50% of the work up to a maximum of \$20,000. In this case, a 50% cost share of the \$2,775 total project cost would be \$1,387.50. The grant will provide \$1,387.50 to the petitioner for re-painting the south and west elevations of the Twin Towers Sanctuary at 9967 W. 144th Street. Additionally, minor maintenance work and the repair or replacement of damaged trim and siding will be completed as needed

#### FINANCIAL IMPACT

The financial impact to the Village of Orland Park will be \$1,387.50 from the following account number:

010-0000-484930

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.

I move to recommend to the Village Board to approve the Appearance Improvement Grant application for \$1,387.50 to re-paint the south and west elevations of the Twin Towers Sanctuary at 9967 W. 144th Street and complete minor maintenance work as needed, as indicated in the fully referenced motion below.

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

I move to recommend to the Village Board to approve the Appearance Improvement Grant application for \$1,387.50 from account 010-0000-484930 for 9967 W. 144th Street, subject to the following conditions:

- 1) Obtain any required building permits from the Village's Building Department prior to initiating work.
- 2) Meet all final engineering and building code related items.
- 3) Match the proposed paint colors to the existing paint colors of the siding and trim.
- 4) Complete all project components and conditions of approval as detailed in Certificate of Appropriateness 2016-0671. No payout of AIG funds shall be issued without 100% completion of these conditions or requirements detailed in Certificate of Appropriateness 2016-0671.
- 5) Enter into an Appearance Improvement Grant Agreement with the Village of Orland Park.

And

I move to recommend to the Village Board to approve the Scaccia Decorating Co. bid for \$2,775 as the lowest bid for re-painting the south and west elevations of the Twin Towers Sanctuary at 9967 W. 144th Street and completing complete minor maintenance work as needed.

**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

#### **2016-0737 Professional Engineering Services with Christopher B. Burke - Approval**

The Village of Orland Park's current contract with Christopher B. Burke Engineering, Ltd. (CBBEL) to provide professional engineering services expires December 31, 2016. Previous contracts for general engineering to be provided by CBBEL included a monthly retainer of \$8,500. Staff is recommending to approve the same amount for FY 2017.

Throughout the 2016 fiscal year, CBBEL has provided a variety of services working not only with Development Services, but also the Public Works and Parks Departments and the Village Manager's Office. The scope includes attending Village meetings, investigation of engineering matters, review of drainage complaints, and follow-up with developers and residents. CBBEL also serves as the Village's Professional Engineer (PE) for the review and approval of private development projects within the Village of Orland Park. The fees for this service are passed through to the developer for payment, and are billed at CBBEL's 2010 rates, which is a significant savings to our local developers.

Attached to the Committee Packet is the detailed proposal for services as submitted by CBBEL.

I move to recommend approval of the Professional Engineering Services Contract with Christopher B. Burke Engineering, Ltd. in the amount of \$102,000 (\$8,500 per month) as outlined in the proposal.

**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**

**A motion was made by Trustee Calandriello, seconded by Trustee Gira, 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,

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**John C. Mehalek, Village Clerk**