

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, February 18, 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

In the absence of Village Clerk David P. Maher, Deputy Clerk Joseph S. La Margo was present.

The meeting was called to order at 6:11 PM.

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

APPROVAL OF MINUTES

2013-0107 Approval of the January 21, 2013 Development Services and Planning Committee Minutes

I move to approve the Minutes of the Regular Meeting of the Development Services and Planning Committee of January 21, 2013.

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

2013-0113 Illinois Elevator Safety Program Agreement

Director of Development Services Karie Friling reported that the Village of Orland Park currently utilizes the 2012 Edition of the International Building Code as the basis for standards regulating Elevator safety.

The State is requiring the Village to sign a revised letter of agreement between the Office of the State Fire Marshall (OSFM) and the Village, permitting the Village to operate an Elevator Safety Program in conformance with Section 140 of the Elevator Safety and Regulation Act (225 ILCS 312/400), and the Administrative Rules (41 Il. Adm. Code 1000). The revisions included in this Agreement reflect important changes made to the Illinois Elevator Safety Rules, which became effective October 1, 2012. Additional changes to the Agreement address programmatic modifications implemented by the OSFM, as the Administrator of the Elevator Safety Act. These changes were addressed by the Village in the adoption of the 2012 IBC on February 4, 2013.

The Village has been party to an agreement with the OSFM since the program's inception in July of 2007. We are currently under contract with Elevator Inspection Services to help administer the program.

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

authorization of signatures to the Illinois Elevator Safety Program Agreement.

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

2013-0111 153rd Street and Ravinia Avenue Traffic Signal Design

Director Friling reported that currently programmed in the CIP Budget is the temporary traffic signal installation at 153rd Street and Ravinia Avenue. There is \$150,000 programmed for FY 2012 and \$500,000 programmed for FY 2015. Currently the intersection operates as an all way stop control. Whole Foods Market opened in late 2012 and the LaGrange Road reconstruction is schedule to begin in mid to late 2013. Christopher B. Burke Engineering, Ltd. (CBBEL) recently completed a traffic study at this intersection. The intersection meets traffic signal warrants under the current conditions. The capacity analysis illustrates that a traffic signal will improve the overall intersection delay (Level of Service) during the week by 10 seconds and on Saturday by 26 seconds. In anticipation of the increase in traffic on 153rd Street and on Ravinia Avenue due to the construction of LaGrange Road, the ability to monitor the intersection and make traffic signal timing adjustments will be important for traffic flow in this area.

Christopher B. Burke Engineering, Ltd. (CBBEL) has prepared a proposal for the traffic signal installation plans, signal timing and implementation and part-time construction observation. CBBEL will inventory the existing equipment from the 143rd Street and LaGrange Road to determine what is applicable to use at this location. CBBEL's proposal for this work is \$18,500. Once the signal is designed the Village will solicit bids to contractors for a cost to construct the proposed signal.

I move to recommend approval of the contract proposed by Christopher B. Burke Engineering, Ltd. for the 153rd Street and Ravinia Avenue Traffic Signal Design in the amount of \$18,500 for Professional Engineering Services as outlined in their February 8, 2013 proposal.

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

2013-0084 Update to the Village Code, Title 6, Chapter 1 Health

Director Friling reported that the Village of Orland Park's Village Code, Title 6, Chapter 1 is identified as "Health", without including any regulations except for a reference to "Food Service Regulations in Sec. 7-3-2". The last revision to the referenced health regulations are dated April 7, 2003 under ordinance #3743. Attached to the Committee packet are the health amendment(s) that are intended to update and relocated the existing food service regulations into Title 6, Chapter 1, of the Village Code.

Title 6, Chapter 1 proposed amendment exhibits are intended to improve the public's access to the Village's Health Code rules and add a better definition for the roles and scope of powers for the Health Inspector. The Health Ordinance is designed to protect the public from foodborne illness.

The proposed Food Service Establishment Sanitation Regulations will be removed from Title 7 Chapter 3 Section 2 shown under "Regulations for Specified Businesses" and inserted into Title 6, Chapter 1, and "Health". A revised definition proposal for "Occasional Food Establishment" is to be used with the existing "Seasonal Food Establishment" being removed from Title 7 Chapter 2.

It is intended to clarify the inspection process and develop a more detailed enforcement policy. Necessary steps to minimize the effect and size of a foodborne illness are outlined in the revisions along with emergency steps that can be taken. The revisions will also encourage food service operators to solicit food safety educational training by the health inspector.

The Illinois Food Service Sanitation Code is adopted as the base code and amendments to the code have been made to strengthen the Health Inspector's role in mandating appropriate equipment is used in commercial food establishments.

I move to recommend to the Village Board, approval of the local revisions of Title 6, Chapter 1, Health and Title 7, Chapter 2, Definition for "Occasional Food Establishment" and Title 7, Chapter 3, deleting "Food Establishments" from "Regulations For Specified Businesses" within Orland Park's Village Code as specified above.

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

2013-0118 Approval of Highway Authority Agreement between Marquette Bank and Village of Orland Park.

Director Friling reported that the Marquette Bank is currently closing out underground storage tank (UST) incident reports for the former 7-11 site located at 14301 South LaGrange Road. The proposed Highway Authority Agreement (HAA), which is required by the IEPA, will allow the contamination that has migrated under the Right-of-Way to remain in place.

The IEPA dictates the form of the HAA, which is attached. These types of HAA agreements are very standard in areas of development where former gas stations existed. Generally, this agreement prevents the use of groundwater in the area and limits access to soil within the right-of-way.

This item is now before the Development Services and Planning Committee for consideration.

I move to recommend to the Village Board of Trustees approval of a Highway Authority Agreement between Marquette Bank and the Village of Orland Park, Illinois.

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

2012-0452 APPS Communication Tower

Director Friling reported that a modification has been requested that postpones engineering approval until after approval of the special use permit. CBBEL has no objection to the delay, and has submitted preliminary comments that have been incorporated into this report. In lieu of engineering, we have set specific time lines for completion of the project.

Apps Communications is a locally owned business that operates out of an existing facility in the Village's Apple Knoll Industrial Park in the Villages MFG Manufacturing District. Several years ago the owners approached the Village to explore the option of constructing a cell tower on their 164th Place 1.05 acre property. Due to the non-conforming status of an existing cell tower on their building roof, Apps was required by the Village to either remove the old tower or move forward with the construction of a new tower, which Apps has opted to pursue.

The Land Development Code allows new cell towers to be 100' maximum tall, or 150' with co-location opportunities. Co-location means the tower must allow

additional carriers to lease space on the tower, which helps to limit the number of new cell towers needed in the community. Apps is requesting a Land Development Code modification to allow 180' tall tower with co-locations. According to the petitioner, the taller tower will allow more co-location opportunities, provides better and wider service to nearby users, and allows better utilization of microwave technologies.

The proposed monopole cell tower is proposed for construction on the current Apps parcel that is located in the Manufacturing District on 164th Place. It is surrounded on all sides by other light industrial parcels, with the two parcels to the north currently undeveloped. The nearest residential parcel is approximately 2000' away. The Orland Park Prayer Center is located approximately 700' to the south. The proposed cell tower is roughly 150' from nearby buildings. The Village requires structural engineering approval of all cell towers in order to regulate tower stability.

The proposed tower site is flat and open. The existing Apps building is 3,913 square feet in size on the 1.05 acre site. The building is set to the front of the site, with parking to the side and rear and a large undeveloped area to the rear. There is some outdoor storage on the site which does not conform to the Code for screening and includes a combination of large metal cargo units plus a fenced area.

The closest existing cell tower is on the Orland Fire District property on 163rd Place approximately 1/3 of a mile away. Another nearby cell tower is located on 167th Street across from the Grasslands, just over 1/2 a mile away.

The petitioner is requesting a Special Use Permit to construct a new cell tower with two modifications to the Land Development Code:

- 1) The cell tower height will exceed the Code limit of 150' (with co-location) by 30', for a maximum 180' height (with co-location).
- 2) The submission of structural plans will be delayed until after approval of the special use permit.

The submitted plan set includes a note that the proposed cell tower will comply with all applicable Village codes and ordinances.

Overall, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area except for the two requested modifications. The increased tower height is justified because of the topographical challenges of the site and will have the added bonus of allowing room for additional co-locations. The location is suitable for a cell tower because of its industrial surroundings and its distance from residential parcels. Additionally, the construction of a new cell tower will result in the removal of a non-conforming tower from the roof top of the Apps building.

The proposed cell tower with associated ground equipment will be located in the northeast corner of the Apps site. The MFG District requires setbacks of 20' from the front and rear property lines. The fenced enclosure at the base of the monopole is 60 X 70' in size, which will contain all associated cell tower ground equipment. The enclosure is setback 20' from the side property line and approximately 40' from the rear property line. Access to the enclosure is via a proposed gravel drive from the existing parking lot, however the Code requires that the drive be paved.

The proposed cell tower will be monopole style with antennas ringing the top section. A conceptual elevation of the tower has been submitted. According to the petitioner, co-location opportunities will be available for three wireless carriers, eight wireless microwave dishes, three 911 antennas and two Wi-Fi providers.

An 8' tall wooden fence with an entrance gate will surround the ground equipment enclosure. Both the tower and the wood fence enclosure will be neutrally colored, as indicated on Plan Set pages Z-1 and Z-2.

The Village requires landscape screening of all new and expanded cell towers. The petitioner has submitted a conceptual landscape plan based on the typical requirements. Due to the property's manufacturing location and its proximity to the other non-compliant outdoor storage, the Village will offer flexibility in locating the plant material in the most effective way. For example, screening the existing outdoor storage and proposed cell tower facility from 164th Place will be a priority. Also, since shrubbery located around the cell tower enclosure would not be highly visible, large shade trees can instead be placed along the property boundaries. Future redevelopment in the area may increase visibility of the tower in the future, and landscaping of the site remains a high priority.

Preliminary Engineering CBBEL has submitted some general preliminary comments regarding the general concept of a cell tower in this location:

- The gravel access drive must be paved.
- Some utility lines may have to be re-routed.
- The project must comply with ANSI/TIA 222-G design criteria.
- Show gravel depth on fence detail.
- Property maintenance issues on the site were noted.

Utilities - are existing and available.

Detention/Retention - Additional storm water requirements, if any, will be determined at the time of engineering. It is noted that lot coverage for the 1.05 acre site is significantly lower than the Code permitted lot coverage.

When considering an application for special use permit, the decision making body shall consider the eight special use standards listed in the Code. The petitioner has provided responses to the special use standards. The Land Development Code

requires a Special Use permit for cell towers because of their significant visual impact on the surrounding community, and to assure that they are constructed in compatible locations with efforts taken to minimize impact.

1. 180' tall tower verses Code limit of 150': The industrial location of the proposed cell tower is ideal as far as compatibility to the surrounding areas; however the site has some topographical challenges. The petitioner has submitted a section showing projected cell tower transmission lines verses the site topography and topography of the surrounding area. The lower elevation of the Apps building and the rolling topography in the area poses a challenge in providing service to the southern Orland Park subdivisions, particularly south of Mallard landings, therefore Apps has requested a modification to construct a taller tower.

2. Engineering Plans deferred: Because most cell tower petitions involve only adding equipment to an existing tower, structural engineering is required up front, since that is the basis for approval. However in the case of a new cell tower that requires other approvals such as a special use permit, and because structural engineering plans are particularly expensive, it is understandable that the petitioner would like to get approval for the special use permit with the height modification before investing the money in structural engineering plans.

Incremental improvements are requested by the Village to offset impact of a Special Use Permit, in this case additional landscaping has been requested, as well as repair or replacement of the existing outdoor storage fence.

The proposed monopole cell tower is proposed in the Apple Knoll Industrial Park and is surrounded on all sides by light industrial businesses. The nearest residential parcel is approximately 2000' away. The cell tower is compatible with the surrounding manufacturing character.

Petitioner David Apps – 14655 South 82nd Avenue spoke before the Board regarding why he is requesting an additional 30 feet for this communication tower.

Petitioner Apps stated that the land to the south where Panduit is located raises up approximately 30 to 40 feet and then the land dips down gradually. With the current tower, it is impossible to services that particular area. This addition 30 feet in height will open up the majority of this area, but not all of it for them to service.

Chairman Fenton stated that she has discussed this item with Director Friling and after they reviewed the diagrams she understands the circumstances with the ground topology layout of the property and land. She sees where the need is for that additional 30 feet. Also this will be in an industrial area and not a residential, which is a key point.

I move to recommend to the Village Board of Trustees approval of a Site Plan, conceptual Elevations, and a Special Use Permit with modifications for a monopole communications tower , to be located at 10470 164th Place in Orland Park as recommended at the January 22, 2013 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 titled 'Overall Site Plan' by Mid America Towers, project # 2012-0452, pages Z-1, Z-2, Z-3, Z-3A, Z-3B and Z-4, dated 2/06/13, subject to the following conditions:

1. Revise landscaping to add seven shade trees that will have tall mature canopies along the eastern and western property lines.
2. Approval is subject to final engineering approval including structural review.
3. Approval is subject to building code related requirements.
4. No additional increases in tower or equipment height, beyond the petitioned 180', will be approved in the future.
5. All new mechanical equipment, including co-locater equipment, must be contained in the fenced communications tower enclosure.
6. All future lease areas on the monopoles will require additional Village approvals.
7. No additional outdoor storage of any type, anywhere on the site, may be added without additional Village approvals.
8. Any additional lighting, beyond government safety requirements, must be submitted for approval.
9. The following deadlines must be met:
 - a. Complete and stamped structural engineering plans must be submitted within 90 days of Board approvals.
 - b. Structural engineering plans must be approved within six months; otherwise the existing non-conforming tower must be removed.
 - c. The new tower must be constructed and approved for occupancy within one year of structural engineering approval.
 - d. The existing rooftop tower must be removed within 30 days of completion of the new communications tower. The temporary occupancy permit on the new communications tower will include this restriction, with the final occupancy permit delayed pending removal.

And

I move to recommend to the Village Board conceptual approval of the monopole tower Elevation titled 'Sabre Tower and Poles' dated 11.6.12.

And

I move to recommend to the Village Board approval of a Special Use Permit for a monopole communications tower subject to the same conditions as outlined in the preliminary Site Plan motion. Modifications to the Special Use Permit include:

1. The height of the communications tower will be 180' with co-location opportunities, 30' higher than the Code limit of 150' with co-locations.
2. Engineering approval is postponed until after the Special Use Permit approval.

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

ADJOURNMENT - 6:17 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,

David P. Maher, Village Clerk

Joseph S. La Margo, Deputy Clerk