

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, July 27, 2009

7:00 PM

Village Hall

Development Services & Planning Committee

*Chairman James V. Dodge, Jr.
Trustees Brad S. O'Halloran and Edward G. Schussler
Village Clerk David P. Maher*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:16 PM.

Present: 3 - Trustee O'Halloran; Trustee Schussler and Chairman Dodge

APPROVAL OF MINUTES

2009-0059 Approval of the June 22, 2009 Development Services and Planning Committee Minutes

I move to approve the Minutes of the Regular Meeting of the Development Services and Planning Committee of June 22, 2009.

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

Aye: 3 - Trustee O'Halloran, Trustee Schussler, and Chairman Dodge

Nay: 0

ITEMS FOR SEPARATE ACTION

2009-0303 Community Honda

Director of Development Services reported that the Village Board approved a 28,000 square foot Community Honda dealership on 4.23 acres of land in 2000. In 2008, the Village Board approved a variance to allow for additional lighting on the site.

The petitioner has recently acquired the .63-acre parcel adjacent to the dealership, previously approved to be a standalone retail store for Orland Park Wine & Spirits. In order to remain competitive with neighboring dealerships, Community Honda is proposing a new lot for vehicular storage and display, an addition to the service area of the building and increased lighting levels along 159th Street.

The proposed expansion, requires the following approvals:

- * Lot Consolidation
- * Site Plan Approval
- * Building Elevation Approval
- * Landscape Plan Approval
- * Special Use Permit Amendment Approval

Community Honda currently operates with Special Use Permit number 3340. The petitioner is requesting to amend that Special Use Permit to allow for the following:

1. A 3,733 square foot building addition to the service area of the existing dealership.
2. Construction of a new 84 stall surface parking lot for outdoor storage/display of vehicles.
3. A modification to increase footcandle lighting levels, not to exceed levels used by adjacent dealerships.
4. A modification to reduce the required number of landscape islands in the new parking lot.
5. A modification to increase the impervious surface coverage from 75% to 81.69%.

Since the Plan Commission, the petitioner has revised the site plan to show two relocated parking stalls and an island reserved for a future gateway feature per condition 1 in the Plan Commission motion. The Village will take the lead on designing the gateway feature and anticipates sharing the cost with the dealership by increasing the sales tax incentive amount. The Village anticipates working closely with all of the car dealers along 159th Street to design a unifying feature that highlights the auto corridor and each individual dealership.

The petitioner has submitted a landscape plan and mitigation plan for the new parking lot area that meet Village Code Requirements. Landscape plans are often reviewed and approved separately, but because this is an expansion and not a new development, the landscaping will be approved concurrently with the site plan and building elevation approval. The proposed landscape submittal meets Code requirements, but the petitioner has not revised the drawings to reflect the relocated parking stalls and should submit new plans to the Village before the Board meeting.

Attorney for the petitioner David Sosin was present to answer questions.

I move to recommend to the Village Board approval of the preliminary site plan titled 'Community Honda Parking Lot and Building Addition,' prepared by Burke Engineering, job number 09-77, dated 05-19-09, most recent revision 07-17-09 and the building elevations titled 'Honda,' prepared by the Linden Group, job number 39-09, dated 06-10-09, subject to the following conditions:

1. That the petitioner revise the landscape plan to match the site plan before the Village Board meeting on August 3, 2009.
2. That the petitioner revise the site plan to include overall dimensions of the parking lot and the building addition before moving forward to Board.
3. That the petitioner revise the site plan to include a bike rack before moving forward to Board.

4. That all final engineering related items are met.

and

I move to recommend to the Village Board approval of the lot consolidation to combine the .63 acre parcel with the PIN number of 27-14-401-018-0000 with the 4.23 acre parcel with the PIN number of 27-14-401-012-0000, subject to the following condition:

1. That the petitioner return with a plat of consolidation within 60 days of final engineering approval.

and

I move to recommend to the Village Board approval of an amendment to the Special Use Permit number 3340 to allow for the Community Honda expansion and for modifications to reduce the required parking lot landscape islands from 12 to 0, increase the maximum impervious surface from 75% to 81.69% and to increase the allowed internal footcandle levels from 15 to 70, subject to the same conditions as outlined in the preliminary site plan and building elevation motion.

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

Aye: 3 - Trustee O'Halloran, Trustee Schussler, and Chairman Dodge

Nay: 0

2009-0359 Bettenhausen Dodge - Sales Tax Sharing Agreement

Village Manager Paul Grimes reported that with the recent reorganization of the auto industry, the Village is pleased to welcome Bettenhausen Dodge to Orland Park. Bettenhausen has located in the former Thomas Dodge facility on 159th Street. Their expansion plans include the immediate opening of the service garage to accommodate the overflow of customer service needs at their current Tinley Park location. Bettenhausen anticipates opening the Chrysler and Jeep Franchises in Orland Park in the Fall of 2009. Bettenhausen will lease the property for a period of three years with the long-term intent of permanent occupancy. Approval of permanent occupancy must be obtained from the corporate Franchises.

Director Friling reported that In order to help assist with the costs of their sudden expansion requirements, Bettenhausen has requested consideration of a sales tax sharing agreement. Staff recommends approval of the following terms:

Sales Tax Increment Abatement Amount - \$150,000 via a 50% sharing of sales

tax increment.

Term - over three years - Beginning in 2010.

Security Provision - If the dealership leaves Orland Park - they must pay back funds.

Extension of Agreement - If dealership commits to a permanent location in Orland Park, the agreement can be extended and renegotiated.

Establishment of Sales Tax Base - The Village will attempt to establish a base using sales information from the former Thomas Dodge Dealership. This will require the release from Thomas Dodge.

I move to recommend to the Village Board of Trustees, approval of a Sales Tax Sharing Agreement with Bettenhausen Dodge, as discussed and outlined above.

This matter was RECOMMENDED FOR APPROVAL to the Board of Trustees

2009-0358 Terry's Lincoln Mercury, Inc. - Revised Terms of Agreement

Village Manager Grimes reported that in February of 2009, the Village Board of Trustees approved a revised development agreement with Terry's Lincoln Mercury, Inc. The approved terms included a total incentive package of \$2,550,000 including:

Repayment of Terry's cost of wetlands	\$175,000
Economic Development Loan (10 year balloon, 15 yr. Amortization, 2%)	\$750,000
Sales Tax Rebate (Base set at \$150,000) (Ten year term)	\$1,625,000 (max)
Total Incentive	\$2,550,000

Since the approval of the revised term, staff has been notified by Terry's Lincoln Mercury that additional financial consideration is needed in order for Terry's Lincoln Mercury to be able to complete their expansion plans. After additional discussion and negotiation, staff recommends approval of the following revised terms:

Repayment of Terry's cost of wetlands (The Village may reimburse cost up to \$250,000 provided property appraises up to \$250,000)	\$200,000 - \$250,000
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Economic Development Loan (10-year balloon, 15-yr. Amortization, 2% must be fully secured)	\$750,000
Sales Tax Rebate (Base fluctuates - see below) (Ten-year term, with a possible 5-year extension)	\$1,625,000 (max)
Total Incentive	\$2,575,000 to \$2,625,000

Additional Terms

Since the Subaru Franchise is new to Orland Park, there is no existing sales tax base. As such, staff is recommending allowing 100% of the Subaru sales tax to be rebated back to Terry's beginning in 2010 through 2011. Then, beginning in 2012, a new sales tax base will be established based upon an average of three years (2009-2011). Terry's would then receive 100% of the increment above this newly established Subaru sales tax base.

In regard to the existing Lincoln/Mercury Franchises, staff is recommending sharing 50% of the sales tax generated in 2010 through 2011. Then, beginning in 2012, a new sales tax base will be established based upon an average of three years (2009-2011). Terry's would then receive 100% of the increment above this newly established Lincoln/Mercury sales tax base.

The total sales tax rebated will not exceed \$1,625,000.

Terry's is also requesting the Village to agree to continue to use Apple Towing or its successor - provided the business continues to operate in a manner acceptable to the Village.

As part of the existing agreement, the Village and Terry's would pursue relocation of the existing detention area to the adjacent wetlands, located across the street from John Humphrey Drive. Terry's would then use the existing detention area for his future expansion needs. Terry's was responsible for the acquiring the land (which he did) and the Village would be responsible for constructing the new detention area. The original agreement erroneously estimated the cost of the detention area to be \$170,000. However, after additional analysis, conducted by both Village staff and Christopher Burke Engineering, it has been determined the relocation of the detention area, into the wetlands, is no longer a feasible option. This area has been identified as a High Aquatic Resource, which will require a 3:1 land mitigation by the Corps of Engineering. However, it is extremely doubtful the Corps would agree to any disturbance. Additionally, the cost is now estimated to be \$1.5 - \$2 million.

If the Village Board of Trustees approves the revised terms of the existing

agreement, the Village will have no further obligation to pursue additional detention for Terry's. This will result in substantial savings for the Village.

I move to recommend to the Village Board of Trustees, approval of the revised terms of agreement for Terry's Lincoln Mercury, Inc., as outlined above.

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

Aye: 3 - Trustee O'Halloran, Trustee Schussler, and Chairman Dodge

Nay: 0

2009-0342 Faith United Methodist Church - Commercial Façade Improvement Program

The project proposes to re-paint and repair the west façade and half of the south façade of the Twin Towers Sanctuary, 9967 W 144th Street, a National Register building.

I move to recommend to the Village Board of Trustees approval of the Old Orland Heritage Foundation's Commercial Façade Improvement Program application for \$2,862.00 in matching grant funds to repair the paint on the Twin Towers Church's west elevation and west half of the southern elevation, and the gutter system on the east elevation subject to the following information:

1. That the petitioner understands that the Commercial Façade Improvement Program is currently unfunded by the Village;
2. That the petitioner understands that until funds are made available again this project will remain on a waiting list as a "first come first serve" priority; and
3. Funds in the Commercial Façade Improvement Program related to the ComEd Community Energy Challenge and budgeted for energy efficiency related projects cannot be used for façade work only and do not apply to this project.

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

Aye: 3 - Trustee O'Halloran, Trustee Schussler, and Chairman Dodge

Nay: 0

2009-0246 Lot Coverage - 3+ Car Driveways & Accessory Structures

Director Friling reported that this is a follow up to the discussion during the June 22, 2009 Development Services Committee regarding swimming pools and lot coverage related to stormwater. During this discussion, staff was asked to investigate how the requirement of side-loaded three car garages (further abbreviated as "3CSLG") vs. a typical three car front-loaded garage ("3CFLG") affects lot coverage, in terms of driveway lot coverage.

Staff investigated the actual sizes of constructed driveways for houses with a typical 3CFLG design and a typical 3CSLG design via the plats of survey for various houses in the Brook Hills, Ishnala, Evergreen View, Colette Highlands and Sterling Ridge subdivisions. These plats were used to determine an average driveway square footage for a front-loaded driveway and a side-loaded driveway. These subdivisions were chosen because Brook Hills & Ishnala are areas where three car garages became quite common, and Evergreen View, Colette Highlands and Sterling Ridge are three of the more current residential developments where three car garages are the status quo, but side-load garages were not necessarily a requirement.

The average area of the 3CSLG driveways surveyed from Evergreen View, Sterling Ridge and Colette Highlands is ~1288 square feet. The average area of the 3CFLG driveways surveyed from Brook Hills and Mallard Landings is ~ 950 square feet. Therefore the general average difference between a 3CSLG garage and 3CFLG can be estimated as 338 square feet- quite a large increase when a side-load driveway is required. The lot size in R-3 zoning is 10,000 to 12,000 square feet (minimum = 80 ft. wide by 125 ft. deep = 10,000 square feet) and 338 square feet of driveway area would equate to approximately three percent (3%) additional lot coverage on account of using a 3CSLG garage design.

Additional Lot Coverage Options

Stormwater management/lot coverage is a tenuous subject, and therefore staff has reviewed and considered additional options that could be made available to property owners in order to gain additional lot coverage. In summary, if a homeowner were to provide additional types of stormwater management best practices then they could gain additional percentage(s) of lot coverage. Such best practices would include:

- Porous Pavers* (the true porous brick system similar to the new Police Station parking lot)
- Porous Concrete*
- Porous Asphalt*
- Cisterns
- Rain Gardens
- Bio-swales
- Rain Barrels

*All porous-type systems used for lot coverage crediting would be similar to commercial systems where subsurface stone void storage and an effective underdrain system is used.

- Staff feels these extra measures provide an offsetting benefit by offering a

storage or treatment of stormwater with their use, and these measures do not place an undue burden on a property like a true detention pond does. Each lot coverage situation and any proposed best management practice system would be reviewed on a case-by-case basis and credit would be given for systems meeting certain design criteria based on known performance and effectiveness. Practicality and reasonable implementation will also be considered. For instance, 14 rain barrels would not be allowed. The maximum allowable lot coverage for any residential property would be capped at 50%, regardless of the number or complexity of the best management systems employed.

Further analysis is required for staff to establish coverage numbers to be associated with the respective management system. For instance, four rain barrels may be equivalent to allowing one percent additional lot coverage; a 10 ft. by 10 ft. (100 square feet) rain garden may allow two percent additional lot coverage; or a 200 gallon cistern serving the property's sprinkling system may allow three percent additional lot coverage.

At this time, more research is needed to establish reasonable equivalencies for the amount of best management practice equating to how much additional percent lot coverage would be granted. Staff plans to return its findings to this committee within a few months.

Trustee Schussler stated that under the best practices listing that it is his understanding that Porous Concrete and Porous Asphalt are unproven technologies.

Director Friling stated these are currently being tested. A good example is Christopher Burke is located in Rosemount and they actually did a portion of their parking lot with Porous Concrete to see how well this works.

Director Friling stated that technology is changing when it comes to stone-water management. There are new materials out there, so we have to continue to reevaluate them and this will be done together with Christopher Burke.

Trustee Schussler stated his point was he would not want to go full force into this if it is still in the testing stages.

Trustee Schussler commented that several years ago a request came before the Board regarding an individual that wanted to place two houses on what was a single lot at 147th and West Avenue. This was a very steep hill on 147th and this request was proposing to use a rain garden. Staff indicated to the Board that they could not approve this because the rain-garden could be taken out at a later date.

Trustee Schussler stated that If this applies to this individual in that situation then it should apply to others too.

Director Friling agreed and stated that this is the reason there is additional work that needs to be done. Also, she stated that any requests of this type would require a case by case review of staff and an engineering analysis.

I move to recommend to the Village Board of Trustees approval of a code amendment that will allow an additional 3% lot coverage for three car side loaded garages.

A motion was made by Chairman James Dodge, Jr., seconded by Trustee Edward Schussler, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion CARRIED by the following vote:

Aye: 3 - Trustee O'Halloran, Trustee Schussler, and Chairman Dodge

Nay: 0

2009-0360 Colette Highlands Park Site - Stockpile Removal and Re-Grading

Director Friling reported that In 2003 Colette Highlands Subdivision was approved and following that approval, Park Station Blvd. was revised to have the south region of the road shift easterly. This shift caused a loss of open space/detention area and therefore in return the a Village park, Lot 402 was created.

Throughout the construction of the roads and residences, Lot 402 became a catchall dumping area for excavation materials- roadway overdig, foundation excavation excess, excess gravel for roads and foundation footings, landscaping excess (topsoil & sod), etc. Eventually the Village discovered the dumping and contacted the developers, Huguelet Construction and T.J. Cachey Builders, about the issue. Given the size of the large stockpiling on the park lot, there has been an ongoing debate as to who was the source of the dumping- home construction or road construction. Since the construction of Park Station Blvd. in this location was the responsibility of the Village (per the Colette Highlands development agreement), the developers believe the Village bears some responsibility in removing the excess material from the Lot 402 park parcel.

In the spirit of cooperation and the desire to establish the final profile of the park, given that the nearby townhomes are completed and the Centennial West Park + detention pond are complete, the Village would enter into an agreement with the developers to share the cost equally, 1/3rd each. Staff anticipates this project to be completed within summer 2009, given the fact that summer months are prime for earthmoving & grading work to occur. The Village has taken a number of steps to effectively coordinate this effort at a low cost.

- Village staff has surveyed the site and estimated the amount of material to be removed. Approximately 3600 cubic yards, or 300 semi-truck loads require removal.

- The Village has contacted multiple excavation contractors for proposals to excavate and haul the material offsite. The lowest cost is \$35,100 from Silvestri Paving Company, subject to the Village staking the park site for final grading. Staff can accommodate the staking requirement.
- Paul Huguelet suggested the nearby Kimball Hill Homes Cherry Ridge south parcel has a large area that requires fill material, due to settlement that occurred as a result of the former Andrew Corporation site demolition.
- The Village contacted Testing Service Corporation to have the Lot 402 stockpile tested for contamination. The TSC soil report provided positive results- the stockpile material is suitable, uncontaminated fill. This report has been provided to Kimball Hill Homes.
- The Village Attorney has corresponded with Kimball Hill Homes to establish an agreement between the Village and Kimball Hill to allow the filling/dumping to occur on the Cherry Ridge South parcel.
- Staff has met with a Kimball Hill representative at each site (Lot 402 park and Cherry Ridge South fill site) to allay any concerns about the excavated park site material itself, and the proposed location to receive the material on the Cherry Ridge South site.
- Pending agreement from Kimball Hill, the Village Attorney will establish an agreement between the Village, Huguelet and Cachey to share in the \$35,100 cost, reimbursing the Village \$11,700 each.

Jamie Griffin a resident of Centennial West Park spoke before the Board on behalf of several residents to express how unhappy they are with this unsightly dumping ground. She asked for the Board's support in cleaning up this site and making it a grassy park area.

Director Friling stated that some preliminary drawings have been done of the area that the residents will be very pleased with. However, funding is a little tight, so for now the land will be graded and seeded. Director Friling commented that it is estimated it will take 300 semi-trucks to remove the dirt hill.

Trustee Schussler suggested that Director Friling's staff send a letter to the residents in this area informing them of the temporary traffic that will be taking place with the removal of the dirt piles.

Village Manager Grimes reviewed that the Village is waiting to receive an agreement from the three parties to finalize this removal of the dirt. The Village is in the process of finalizing an agreement with Kimball Hill to allow the Village to

take the fill from the dirt pile and place it in a hole that is not detention. This may take several weeks for the paperwork to be received, so trucks will not be moving the fill until this agreement is finalized. Once this project gets started, the residents will know it because you will see a lot of trucks. It may take a few days for the trucks to remove all this dirt.

Trustee Dodge suggested that Jamie Griffin the spokes person for Centennial West Park give Director Friling her email address. As soon as this project is ready to begin, Jamie will receive an email from Development Services informing her and then she can inform the rest of the residents in that area.

Ms. Griffin agreed with that suggestion.

I move to recommend to the Village Board entering into an agreement with Huguelet Construction and Cachey homes to share the cost of the stockpile removal, not to exceed \$35,100;

And

Recommend entering into an agreement with Kimball Hill Homes to utilize the excavated material from Lot 402 park parcel at the Cherry Ridge South parcel for filling of a large depressional area;

And

Recommend accepting Silvestri Paving as the low bidder and waive the bidding process;

And

Recommend amending the budget of the Expenditure Budget line in the amount of \$35,100 and the Revenue Budget line in the amount of \$23,400.

A motion was made by Trustee Edward Schussler, 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: 3 - Trustee O'Halloran, Trustee Schussler, and Chairman Dodge

Nay: 0

ADJOURNMENT - 7:50 PM

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

Aye: 3 - Trustee O'Halloran, Trustee Schussler, and Chairman Dodge

Nay: 0

/nm

APPROVED:

Respectfully Submitted,

David P. Maher, Village Clerk