

# 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 23, 2009

7:00 PM

Village Hall

### Development Services & Planning Committee

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

## CALL TO ORDER/ROLL CALL

The meeting was called to order at 7:54 PM

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

## APPROVAL OF MINUTES

### **2009-0531 Approval of the October 26, 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 October 26, 2009.

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

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

**Nay:** 0

## ITEMS FOR SEPARATE ACTION

### **2009-0500 Land Development Code Amendments**

Director of Planning Robert E. Sullivan reported this item is to propose revisions to regulate the Stacking Requirements and Drive Through Lanes portion of the code.

Stacking Requirements for drive through lanes are currently listed in multiple sections of the Code that sometimes conflict with each other. This Code revision moves all stacking requirements to the Off Street Parking and Loading section. Doing so allows the regulation of stacking spaces by land use, which is more effective and realistic than an overall requirement.

Drive Through Lanes (Uses Not Permitted in Building Setbacks along Streets) the Village amended the Land Development Code to regulate permitted and non-permitted uses in setbacks between the building and the street. The general purpose behind these Code changes was to line Village streets with attractive architecture instead of large parking lots.

Over the past four years, some drive through lanes have posed challenges in complying with the Land Development Code. The Land Development Code was even revised to allow drive through lanes between the building and the street as a Variance only, and only when specific conditions were met. By law, variances require the petitioner to demonstrate a property related hardship. Although some land uses can comply with the setback requirements other land uses have not demonstrated that ability. Additionally, sometimes the property width does not

provide enough land to construct a safe drive through that does not inhibit pedestrian and vehicular safety. Shared drive through lanes, offer the ability to maximize efficiency with pavement, but often require the drive through lane to be located between the building and the street.

The proposed Code amendment replaces the Variance requirement for a drive through between the building and the street with a Special Use Modification requirement. All drive through lanes require a Special Use, but a Modification to a Special Use often includes a more intense level of review and indicates a deviation from the Code. The extra conditions attached to the Modification requirements allow for stronger design control. Positioning drive through lanes in the building setback is still strongly discouraged and will be supported only when there are no other alternatives. The Village will also be preparing a Design Guideline handout that will provide illustrations and examples of drive through lane layouts and designs that meet Code requirements.

I move to recommend to the Village Board of Trustees approval of the proposed amendments to the Land Development Code Sections 6-205.1 LSPD Large Scale Planned Development, 6-207 BIZ General Business District, 6-208 MFG Manufacturing District, 6-210 COR Mixed Use District, 6-211 ORI Mixed Use District, and 6-306 Off Street Parking and Loading Requirements as written in the attached Exhibit "A".

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

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

**Nay:** 0

## **2008-0591 Open Space Inspections**

Director Sullivan reported that the Village began a program to inspect open space adjacent to private property two years ago. Residents first received letters of notification regarding the pending inspections in 2007 and inspections began in 2008. In October of 2008, the Committee directed staff to complete the inspections over the next year and report back the results. The Village's building inspectors completed the inspections in the fall of 2009.

In total, the Village conducted 1,093 inspections of open space adjacent to private properties. The Village now has a completed inspection form for every address adjacent to open space that includes photographs of the properties.

Staff has entered the results of all the inspections into a spreadsheet that codes for Pass, Fail and No Access. Of the 1,092 inspections, 90% (980) passed with no encroachment, 9% (98) failed with some encroachment and 1% (14) of the properties did not have access to the open space.

The levels of encroachment varied from minor landscaping improvements to retaining wall structures and fishing piers extending into Village detention ponds. Per the guidelines established, the 98 encroachments were rated as either A (16) as, B (33) or C (49) violations.

The October 23, 2008 memo provided different policy scenarios for enforcement. Staff recommends the policy action outlined below, titled Preferred Alternative- Alternative 1. This alternative is similar to Alternative 1 from the October memo. Due to the season, enforcement would not begin until May of 2010.

Preferred Alternative- Alternative 1

Cite properties in order of priority based on category. Return to a complaint driven inspection process.

After 2010, all open space encroachment will be handled on a complaint driven basis. Using the categories above, the Village will prioritize enforcement of the open space encroachments, starting with Category A in May of 2010, using the following protocol:

1. Letter to resident instructing removal of the encroachment within 30 days.
2. Site visit in 30 days to check on status of encroachment.
3. Second letter sent to resident, followed up with a phone call giving a 15 day extension for removal.
4. Site visit in 15 days to check on status of encroachment.
5. The Village will impose fines and penalties, as allowed by ordinance.

Enforcement would be handled through the Development Services Department. In cases where property owners do not remove encroachments despite repeated citations, the Village will remove the encroachment.

Encroachments will be handled on a priority basis, starting with Category A, as staff time allows. After 2010, inspections will be handled on a case-by-case, complaint driven basis. Preventative measures, like articles in the Orland Park Public and updates on the website, will be utilized yearly to keep residents informed.

Trustee Gira questioned how Village staff became aware of the open space encroachment.

Director Sullivan stated that there were complaints made from people and staff noticed other encroachments as they did some site checks.

Trustee Dodge stated that there are overland flow issues where private land owners are taking advantage by definition of public property. The issue of liability is of major concern. Staff should refine the encroachment classifications and procedures by consulting with the Village's Attorney and its Insurance Agent.

Trustee Gira questioned the fairness of some of the encroachment classifications and agrees with Trustee Dodge on refining the procedures and classification.

Trustee Dodge suggested giving residents additional time (60 to 90 days) for the remove the encroachment.

Trustee O'Halloran stated that this is a challenging situation because several of these encroachments are esthetically improvements. The Village should also contact ComEd to inform them of the Villages findings and in hopes they enforce their rules on encroachment.

Trustee Dodge questioned if residents could go to ComEd and request to lease open space.

Director Sullivan reported that residents are given the opportunity to lease open space from ComEd.

Trustee Dodge suggested possibly offering residents the opportunity to lease the space and releasing the Village from liability.

The Committee suggests that Staff consult with the Village Attorney and Insurance agent and come back in a month with a policy recommendation.

I move to recommend to continue this item to the next Development Service and Planning Committee meeting.

**This matter was TABLED**

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

**Nay:** 0

**2009-0371 Covenant Orthodox Presbyterian Church Special Use Amendment**

Director Sullivan reported that the petitioner is requesting an amendment to the Covenant Orthodox Presbyterian Church Special Use Permit to operate a small K-8 school using church facilities. In cases like this, schools are reviewed and approved via the Special Use Permit process, considering issues of use intensity, and are generally considered secondary, or accessory, uses to the principle use of the church. Reformation Christian School is actually not affiliated with Covenant

Orthodox Presbyterian Church. The Church, however, has authorized the use of space for the school.

The petitioner is proposing no change to the site or the exterior of the building. The school is operating secondary to the principle use of the church, and does not result in a negative increase of use intensity on site, the Village attorney has concluded that Reformation Christian School does not have to meet the R3 space requirements for a school. If the school were to significantly expand (greater than 25 students), either on site or at a different location, it would have to meet the requirements for a principle use school in the corresponding Zoning District.

**R3 Residential District School Special Use Requirements:**

- 1) The use is located on a lot at least five (5) acres in area; and
- 2) No building is located within twenty-five (25) feet of a side lot line; and
- 3) The use is no closer than 1,000 feet to any other educational institutions.

On November 10, 2009, the Plan Commission, by a vote of 7-0, moved to recommend to the Village Board approval of the Special Use Amendment for Covenant Orthodox Presbyterian Church to allow for the operation of Reformation Christian School, subject to the following condition:

- 1) That the school not exceed 25 enrolled students or require any changes to the site or existing exterior building.

I move to recommend to the Village Board approval of the Special Use Amendment for Covenant Orthodox Presbyterian Church to allow for the operation of Reformation Christian School, subject to the following condition:

- 1) That the school not exceed 25 enrolled students or require any changes to the site or existing exterior building.

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

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

**Nay:** 0

**2009-0533 Building Code Revision To Adopt 2009 Energy Code**

Chief Plans Examiner Nick Klimenko reported that a proposal for updating the existing Village Building Code, written by the International Code Council (ICC), for adopting the current 2009/International Energy Conservation Code (IECC) within the Village of Orland Park is being requested. The State of Illinois Public Act 096-0778, has required this code to be used by all municipalities for minimum requirements in commercial buildings and a minimum/maximum energy

requirement in residential buildings, effective 8/28/09.

<<http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=096-0778&GA=096>>

The ICC model Building Code (VC 5-1) used by the Village, references “Energy Efficiency” in chapter 13 of its regulations. ICC updates the Energy code on a 3 year basis and periodic local code modifications to the Building Code are also needed until it is updated to a current edition.

The Village of Orland Park currently utilizes the 2006 edition of the International Building Code (IBC) and the 2006 International Energy Conservation Code (IECC) as a referenced code for its energy regulation standards.

Existing Village Building Code amendments in Title 5 Chapter 1, Section 1302, has added insulation R-Values for exterior building locations not meeting the latest State of Illinois requirements. The Village’s current ordinance references adoption of the 2006 edition of the IECC as a separate publication and is no longer used by the State of Illinois.

This public act 09-0778 is attached for reference. The Energy Code can be adopted as a new and separate Village Code Chapter (5-9) during the next update of the current building code.

Revisions have also been added to the “Required Inspections” Section of the ordinance. The changes are intended to clarify energy rules. Building Division staff has highlighted the code changes for your review and will provide answers to any questions.

Trustee Dodge questioned the revision being an update to energy efficiency and building standards.

Chief Plans Examiner Klimenko stated that it’s definitely an update.

I move to recommend to the Board approval of the local revisions of Title 5, Chapter 1 of the Orland Park Building Code and to implement the latest amended edition of the 2009 IECC as written by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, with the amendments added to our existing Building Code (5-1-13).

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

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

**Nay:** 0

**2009-0288 General Policy for Co-Locating Wireless Communication Facilities (WCF) on Village-Owned Property**

Director Sullivan stated that this item was brought to the Committee in September and Staff was directed to obtain ratings. Staff member Terry Pittos is here to provide that information.

Development Services Staff member Terry Pittos reported that the policy handles Co-Locating WCFs on Village Land in ComEd Transmission Towers, Village Buildings, Village Wireless Communication Facilities and Village Water Towers.

At the last Committee meeting there was some question on the type of leasing on ComEd Co-Locations, the method of collecting compensation and on the method of collecting a maintenance fee and the reason why.

With regard to the type of leasing in ComEd Co-Locations, staff met with industry experts and discussed how a lease agreement could be formed between the wireless provider, ComEd and the Village. It should be noted that there are some areas in the Village where ComEd towers do come on Village owned land in terms of open lands. When a Co-Location is proposed in a ComEd transmission tower the suggestion is that the lease rate between the Village and the Provider be based on the area of the Village Land needed for the supporting ground equipment and the associated enclosures and screening. The reason for this was that the communication tower would be up with the ComEd tower within the existing infrastructure on Village land and the lease rate would be between the Provider and ComEd for the Tower and the Provider and the Village for the actual land that their equipment is using.

The Second question was with regard to the method of collecting compensation. Originally staff brought forth the \$2,500.00 Lease Rate. Since then, Staff has met with the industry experts and suggested that a progressive or tiered scale for leases was not feasible. There are only ten known cases in the upper Midwest where such a lease structure existed. The problem with the progressive lease rates was that it is difficult to maintain a rate due to the fact that providers will often switch out the equipment and make technology upgrades. It creates a situation where it's difficult to provide a level of service that will have a consistent operating cost for the provider.

According to industry experts, the \$2,500.00 flat rate was acceptable for up to twelve (12) antennas on an array or platform to maintain a predictable lease rate for providers.

Currently the Village has a 3% annual increase on the lease rates and believes this is a comfortable annual increase for the providers in order to provide a fair leasing rate for all providers on the Village infrastructure.



The Third question was on the method of collecting for maintenance fees and the reasons why. A renewable energy fee was brought forth in the amount of \$5,000.00 being a one time payment. After consulting with Industry experts and after some discussions, they concluded that a one time payment was fine but the \$5,000.00 figure was too steep and would be a deterrent. Since then we have changed it to a maintenance fee to allow for a one time fee of \$2,000.00 for impacts to the utilities, roads, towers, screening and other infrastructures and services on public property. This is usually the case for Village owned water towers.

Trustee O'Halloran questioned if staff obtain public and private sector comparables.

Staff Member Pittos reported that staff acquired the public sector comparables for \$2,500.00. The private sector comparables are different.

Trustee O'Halloran questioned if staff has obtained a copy and/or reviewed contracts other public sector entities have entered into.

Staff Member Pittos stated that copies of the contracts were not obtained but staff spoke to other Public Work's Departments in other communities and found that the general average was \$2,500.00.

The private sector is a bit more difficult due to the range being flexible. The rate depends on the area to area and owner to owner base on market conditions.

Trustee O'Halloran questioned why is the Village not base on market conditions like the private sector.

Staff Member Pittos stated that Staff looked at the \$2,500.00 lease rate and actually tried to apply it to a carrier who is trying to go on to one of the water towers and in the negotiations he indicated that it was fine to begin at the \$2,500.00 lease rate but that the 3% annual increase from the \$2,500.00 was making it unprofitable. From that staff felt comfortable with the \$2,500.00 lease rate was compatible to the private sector lease rate.

Trustee Dodge stated the \$2,500.00 lease rate for up to 12 antennas is a low rate.

Director Sullivan stated that staff would pursue more of a survey of the private sector and bring the item back to Committee.

I move to recommend to continue this item to the next Development Service and Planning Committee meeting.

**A motion was made by Trustee Brad O'Halloran, seconded by Trustee Patricia Gira, that this matter be CONTINUED to the Development Services & Planning Committee. The motion CARRIED by the following vote:**

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

**Nay:** 0

#### **2009-0441 Tall Woods Estates**

Director Sullivan reported that this item is a proposal to subdivide a 5.31 acre parcel to develop a four lot single family subdivision, Tall Woods Estates, located at 7931 W. 143rd Street.

On September 22, 2009 the Plan Commission moved 5-0 to recommend to the Village Board to approve the preliminary site plan titled Tall Woods Estates Preliminary Site Plan, dated 10/06/08 and revised 9/01/09, subject to specific conditions.

Since Plan Commission, but prior to the October Committee meeting, the following changes were made:

1. The revised Tree Survey and Mitigation Plan will be included with the Final Landscape Plan.
2. The conservation easement line was smoothed out so the location is simplified, but still meets the 50' stream setback.
3. A vehicle turn out near the entrance was added.
4. The entry sign footprint was reduced and an outlot created that will be owned and maintained by the home owners. The issue will be further addressed in the annexation agreement.
5. Although dedication of the 1.34 acre outlot for park land was already noted on the Site Plan, a condition was added that it be restored to it's natural condition after construction, since a very small portion at the entry will be re-graded.

This petition was heard by the Development Services Committee on October 26, 2009. Several residents that live in single family homes abutting to the west voiced concerns with the proposed development and the proximity of their lots to the proposed road. The Committee members requested that the petitioner return to Committee in November with some new options for the driveway location that shift it away from the homes. Since the October Committee, the following has occurred:

The petitioner has provided two new scenarios in addition to the originally petitioned version for Committee consideration. Preliminary engineering has been granted to the originally petitioned version, but not yet to the "Compromise" or "Alternate" Plan pending additional information. The petition will have to return

to Committee before those two options can be advanced to the Board.

The CBBEL engineering comment letter states that more trees may have to be removed than shown on the Tree Preservation Plan and as listed below because of additional fill that will be required to meet shoulder and side slope minimums for the drive. CBBEL expresses increasing concerns as the drive is moved eastward resulting in further encroachment on the ravine and stream located to the east of the road. A Wetland report done by McGowan Ecological Inc. in 2007 concludes that this stream likely falls under the criteria for jurisdictional waters of the US Army Corp of Engineers, and if so could not be disturbed without a permit. Below are summaries of the three versions:

1) The Originally Petitioned Plan maintains a 30' buffer along the western property line for roughly 1/3 of the total distance of the driveway, then in order to protect the ravine and trees, shifts closer (17' from the property line) at lots 3 and 4 on Cascade Court and continues with a 17' buffer for the remainder of the driveway along the rear property lines of lots 7, 8, 9, 12 and 13. It is noted that the existing driveway is closer to lots 2, 3, 4 and 7 than the proposed drive. A condition of approval requires additional buffer landscaping on the Final Landscape Plan. A new condition of approval requires that the Tree Preservation Plan include any additional trees lost as a result of final engineering.

The Tree Preservation Plan shows 107 trees (that require mitigation) would be removed under this scenario.

Tall Woods lot one in the petitioned plan would have a front building setback of 15' to the right of way line and 30' from the building to the edge of pavement. An auto could feasibly park in the driveway since there will be no sidewalks.

Preliminary engineering approval has been granted by CBBEL for this option. The roadway slope maximum is 6%, meeting Code limitations of 7%.

2) The "Compromise" Plan maintains a 30' buffer along the west property line for roughly 1/2 of the total distance of driveway along the rear property line of lots 2, 3, 4, and 7, then shifts closer (17' from the property line) at lot 8 on Chateau Court and continues with a 17' buffer for the remainder of the drive along the rear property lines of lots 9, 12 and part of 13. Lot 13 is the closest home to the drive.

The Tree Preservation Plan shows 115 trees (that require mitigation) would be removed under this scenario. Extended driveway fill and more realistic limits of construction around the homes will increase this number. The attached Landscape Plan illustrates additional landscaping that would be added to the buffer under the "Compromise" Plan. The Landscape Plan is presented for additional information, but will be updated after final engineering and approved by the Board at a later time.

Tall Woods lot one would have a front building setback of 15' to the right of way line, and 30' from the building to the edge of pavement. An auto could feasibly park in the driveway since there will be no sidewalks.

Preliminary engineering has not been granted to this option, since additional information is needed. The roadway maximum slope is in excess of 8%, exceeding Code limitations of 7%. The petition was already published for a vertical alignment modification.

3) The "Alternate Plan" keeps the driveway shifted away from the neighboring lots maintaining a 30' setback from the west property line the entire distance of the drive.

The Tree Preservation Plan shows 119 trees (that require mitigation) would be removed under this scenario. Extended driveway fill and more realistic limits of construction around the homes will increase this number.

Tall Woods lot one would have a front building setback of 13' to the right of way line and 16' to the edge of pavement. There would be limited space to park an auto in the driveway, and could result in obstruction of the roadway. The petitioner has indicated that the "Alternate" Plan may result in a loss of lot one, reducing the subdivision to three lots. This could result in the public roadway returning to a shared private driveway, as permitted by the Land Development Code. Additional engineering study would also be required for this three lot-existing private drive scenario.

Preliminary engineering has not been granted to the "Alternate" Plan, since additional information is needed. The maximum roadway slope is in excess of 8%, exceeding Code limitations of 7%. The petition was already published for a vertical alignment modification.

It is noted that although collector and arterial roads along the rear of single family spur the requirement for larger rear building setbacks, it is not the case with minor local roads, and the road placement in any of these scenarios does not result in a non-conforming rear setback on any of the abutting lots.

Based on Committee comments, the turn around near the subdivision entrance was eliminated from all versions. Additionally, the street light at the cul de sac bulb has been relocated to the west side of the street to reduce spillage onto neighboring lots.

Travis Parry is present to provide information on the engineering issues.

Travis M Parry of Christopher B. Burke Engineering, Ltd. (CBBEL) reported that in

reviewing the two alternatives provided by the developer's engineer. The "Compromise Plan" pushes the roadway from most of the portion and then allows it to come back to the West towards residents as it gets up by the cul de sac. This plan CBBEL did not receive any cross sections.

The "Alternate Plan" pushes the roadway as far possible east towards the ravine and received cross sections for this plan. Preliminary engineering approval was not provided due to incomplete information.

The two alternates amount to the same conditions. The roadway will require fill the further we go east. Both plans exceed the maximum roadway slope. The original plan does not exceed the allowable.

Trustee O'Halloran asked of Mr. Parry to explain what the Village wasn't able to get in order to understand what can and cannot be done.

Mr. Parry at CBBEL stated that cross sections are missing from the proposed plans.

Trustee O'Halloran questioned the ability to engineer either plan.

Mr. Parry of CBBEL reported that cross sections have been provided for only one of the Alternative plans.

Planning Director Sullivan stated that the Petitioner has requested the Village to provide information that they have to have the Committee look over what they have. No action is being recommended. This item is for discussion.

Enough information is being provided to show the other two alternative plans are not without problems. There will be a lot of issues for the developer's issues with fill and completely changing the appearance of the view that the residents will have.

Trustee Dodge confirmed that the slope of the roadway will not work if the road is pushed further east.

Mr. Parry of CBBEL stated that was correct.

Trustee Dodge called engineers to the podium.

Richard Sinnott of Richard Sinnott Engineering reported that the engineering is about 70% completed in order to obtain preliminary engineering approval. Sinnott Engineering was asked to look at some alternatives and have provided cross sections and a profile showing that from an engineering standpoint it is not a good plan. In looking at the compromise plan, which is very similar to the alternative

other than by the lots. Again, from an engineering standpoint it is not a good plan. Both Alternative and Compromise plans have extreme slopes.

Trustee Dodge stated that it is the engineer's judgment that both plans do not look favorable.

Mr. Sinnott of Richard Sinnott Engineering stated that was correct.

Trustee Dodge stated that in addition to safe engineering there is a question on esthetics and questioned the residents' esthetic preferences.

Director Sullivan reported that the Village has had no discussion with residents concerning their esthetic preferences.

Steven S. Gregory of Bergfors Gregory Land Design stated that they were retained by a resident to look into the project general. Once our client receives his engineering approval he is aware that he will have a full landscape plan. Bergfors has begun the landscape plan and has looked at a couple of different cross sections trying to address some of the concerns the neighbors have with regard to screening the 17 foot area where it would be the narrowest.

Bergfors Gregory Land Design doesn't believe in changing the character of view wooded ravine. Additional trees will have to be planted due to the requirements of the tree mitigation. There is no need to go into great detail if the result is looking inherently bad.

Trustee O'Halloran questioned CBBEL on their concerns on the alternates will not work or are not possible.

Mr. Parry of CBBEL stated that CBBEL is not stating it is not possible but that the implications of those are more severe than the original design. How much more severe we don't know because we didn't have as much information submitted for the original design as we do for the alternate.

Trustee Dodge stated that the implications to the drainage, the impact to the trees and the long term issues with the stability of the road are of major concerns. The Village needs to put in place a process that will figure out the compromise in terms of shielding and esthetics.

Director Sullivan stated that Village staff wanted to minimize the impact on the view and the ravine. Village staff can work with the Petitioner to meet with every adjacent homeowner to go through the options for landscaping regarding their own view and the buffer width that will remain. The homeowner will have a choice on the buffer width that will remain and on their choice of Landscaping.

Trustee Dodge stated that he agreed to the idea of Staff meeting with individual affected homeowners to obtain some feedback on what the affected residents prefer.

Trustee Gira questioned if an 8' slope be acceptable and would it be dangerous since this is a road that will not have curbs.

Mr. Parry of CBBEL stated that 8% slope is the maximum roadway slope allowable and it would be more dangerous due to the road having no curbs.

Trustee Gira stated that she would like to hear from the affected residents.

Resident Joseph Wolf resident of lot seven stated that he is confused with alternative plans. He would like to personally meet with staff to better understand the alternative plans.

Trustee Dodge stated that the Village will accommodate his request to meet with staff, Village engineer and the developer to help residents understand and be heard.

Trustee Dodge stated that he would like this item to move forward to the Board with no recommendation.

Mr. Light Resident and neighbor of Mr. Wolf stated his concerns about cars speeding down their street.

Trustee Dodge question Mr. Sullivan if the street will be a public street.

Director Sullivan confirmed it will be a public street.

Trustee Dodge stated that as of today's date, the Village has no control over that street due to the street being unincorporated. Once the street becomes a public street, the Village will be able to help with the resident's concerns.

Option one:

I move to continue Tall Woods Estates to the January 25, 2010 Development Services Committee meeting.

Option two: (originally petitioned Plan)

I move to recommend to the Village Board to approve Tall Woods Estates for Site Plan, a Special Use Permit, Subdivision and Annexation as recommended at the September 22, 2009 Plan Commission meeting with the following additional condition and as and fully referenced below.

1. The Final Landscape Plan includes an updated Tree Survey and Mitigation Plan that also includes any additional trees lost as a result of final engineering.

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

I move to recommend to the Village Board to approve the site plan titled "Tall Woods Estates Preliminary Site Plan", by Sinnott Engineering dated 10/06/08 and revised 10/20/09, subject to the following conditions:

1. Provide a Final Landscape Plan meeting all Village Codes, for separate review and approval within 60 days of final engineering approval. This is to include increased buffering for residences to the west. This is to include a revised Tree Survey and Mitigation Plan that includes all trees within 10' of the building footprints that will probably be lost to grading, and any additional trees lost as a result of final engineering.
2. All trees to be preserved are to be protected during construction per Code requirements of section 6-305.1.
3. Accommodate existing bike path into construction of driveway entry.
4. Dedicate a 50' right of way measured from the centerline of 143rd Street.
5. Dedicate the 1.34 acre "Outlot B" to the Village for park land, and maintain or restore it to its natural condition after construction.
6. All final engineering related items are met.

And

I move to recommend to the Village Board to approve a Special Use Permit for a Residential Planned Development in an R-2 District with the following modifications to the Land Development Code, and subject to the same conditions as outlined in the preliminary site plan motion:

1. Provide best management practices in lieu of traditional detention facilities.
2. Reduce the front building setbacks from a required 30' minimum to 15' minimum.
3. Reduce the stream setback from a required 50' to a supplied 30' for a maximum 85' distance along the subdivision driveway.
4. Construct no sidewalks.
5. Construct no curbs or gutters.



6. Use porous pavement on the drives that varies from Code required construction methods.
7. Reduce the requirement for the driveway's vertical length of curve minimum.
8. Allow a maximum 880' long cul de sac that exceeds the Code limit of 500'.
9. Reduce the number and height of lights on the driveway.

And

I move to recommend to the Village Board approval of the subdivision of a 5.31-acre parcel into four single-family lots plus two out-lots (one for the park and one for the entry sign); subject to annexation to the Village and to the submission of a Record Plat of Subdivision to the Village for recording;

And

I move to recommend to the Village Board, upon annexation from unincorporated Cook County, to approve the rezoning of the 5.31 acres to R-2 Residential District Planned Development.

**A motion was made by Trustee Patricia Gira, seconded by Chairman James Dodge, Jr., that this matter be REFERRED WITHOUT RECOMMENDATION to the Board of Trustees. The motion CARRIED by the following vote:**

**Aye:** 2 - Chairman Dodge, and Trustee Gira

**Nay:** 0

**Abstain:** 1 - Trustee O'Halloran

#### **2010-0029 First American Bank - Replacement of Signs**

First American Bank – Replacement of Signs  
Ann Scully and Jennifer Lynch Representatives for First American Bank

Jennifer Lynch Representative for First American Bank stated that the bank is interested in having the Villages' consideration to replace the bank's three existing window signs with one electronic message center sign. Traditionally the bank's products and services are communicated through window signs.

For the past five years, the bank has been managing their signage program by installing LED signs. The bank will have full capability to adjusting the brightness and controlling the delay of the message. First American Bank rotates their signs every 12 to 24 hours. The replacement of message is usually done late at night

where no one will see the replacement of message.

Trustee Dodge stated that there would be a major revamp in the signage ordinance for the Village. There are only three places where the Village has digital signs and they both were grandfathered.

Trustee O'Halloran stated and duly noted that previous attempts to approve digital signage have been unsuccessful. Trustee O'Halloran understood her request seeing that this is an "electronic age". Static signs are not any different than other signage that is out there.

Trustee Gira stated that she was against the digital signage, but agrees staff should take a look at the request.

Trustee Dodge recommended staff meet with First American Bank and review the policy.

#### **ADJOURNMENT - 8:33 PM**

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

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

**Nay:** 0

/mpr

APPROVED:

Respectfully Submitted,

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**David P. Maher, Village Clerk**