

VILLAGE OF ORLAND PARK

*14700 Ravinia Avenue
Orland Park, IL 60462
www.orlandpark.org*



Meeting Minutes

Tuesday, March 16, 2021

7:00 PM

Village Hall

Plan Commission

Nick Parisi, Chairman

Edward Schussler, Vice Chairman

*Commissioners: John J. Paul, Laura Murphy, Patrick Zomparelli, Yousef Zaatar
and Daniel Sanchez*

CALLED TO ORDER/ROLL CALL (Audio: 0:04)

Commissioner Zomparelli left the meeting at 8:30 p.m.

Present: 6 - Chairman Parisi; Vice Chairman Schussler; Member Paul; Member Zomparelli; Member Zaatar, Member Sanchez

Absent: 1 - Member Murphy

APPROVAL OF MINUTES (Audio: 0:45)**2021-0206 Minutes of December 8, 2020 Plan Commission Meeting**

A motion was made by Member Patrick Zomparelli, seconded by Member Daniel Sanchez, that this matter be APPROVED. The motion carried by the following vote:

Aye: 3 - Vice Chairman Schussler, Member Zomparelli and Member Sanchez

Nay: 0

Abstain: 1 - Member Zaatar

Absent: 1 - Member Murphy

NON-PUBLIC HEARINGS (Audio: 1:28 - 18:48)**2021-0031 Orland Ridge - Development Petition for an Amendment to Development Agreement and Revised Referenced Exhibits for Clubhouse Elevations, Site Plan, and Landscape Plan**

Staff presentation was given by Valerie Berstene in accordance with the written report dated March 16, 2021.

The Commission, staff, members of the public and the Petitioners attended the public hearing in person and via Zoom.

There was a discussion amongst the Commissioners and due to the fact that the Petitioner was unable to communicate because of unexpected technical difficulties, the Commissioners voted unanimously to table and continue this project to the April 6, 2021 Plan Commission Meeting.

I move to continue case number 2021-0031, also known as Orland Ridge Clubhouse, for an Amendment to the Development Agreement and Revised Referenced Exhibits for Clubhouse Elevations, Site Plan, and Landscape Plan to the April 6, 2021 Plan Commission meeting.

CONTINUED to the Plan Commission due back on 4/6/2021

Aye: 6 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Zomparelli, Member Zaatar and Member Sanchez

Nay: 0

Absent: 1 - Member Murphy

PUBLIC HEARINGS

OPEN PUBLIC HEARING (Audio: 34:40 - 51:38)

2020-0336 Chick-Fil-A Drive-Through Expansion and Building Addition - Development Petition for a Special Use Permit Amendment with Modifications, Variance, Site Plan, Elevations, and Landscape Plan

Staff presentation was given by Kyle Quinn in accordance with the written report dated March 16, 2021.

The Commission, staff, members of the public and the Petitioners attended the public hearing in person and via Zoom.

Chairman Parisi swore in Allan Wiley, Engineer for Petitioner; Mac Shimmon, owner of neighboring tenant, Jersey Mike's Subs; Nick Pajovic, Manager/Agent for adjacent property to Chick-fil-A; Iyas Abuhassna, Owner of Smoothie King; Mohammed Abuosba, Owner of Capone's Smoke Shop; Stephen Sewell of Palmer Engineering (via Zoom); Kevin Skarin, Operator of the Orland Park Chick-fil-A; and John Romanello (via Zoom) from Chick-fil-A Corporate.

Mr. Wiley indicated he was happy to answer any questions.

Mr. Shimmon indicated that he is the owner of the Jersey Mike's Subs which is the neighbor directly to the south of Chick-fil-A for the past 10 years. He stated that he had no real issue with the proposed changes but does have a concern regarding the egress and ingress constriction caused by the increased drive-through volume. Mr. Shimmon continued that currently there are three temporary lanes at the drive through and his concern is that the proposed changes with 2 lanes will not alleviate the congestion. He further explained that he constantly has customers and employees that are unable to get to the Jersey Mike's site because there is a continuous stream of traffic for Chick-fil-A and the customers/employees must choose between waiting in line behind 20 cars or entering through the exit. He also explained that there have been two physical altercations between customers where people actually exited their cars and began to push and shove one another due to the congestion issue. Mr. Shimmon indicated that he is happy for the success of Chick-fil-A, but stated that it should not hinder another businesses success.

Chairman Parisi asked for clarification of the area of concern to be pointed out for a clear understanding.

Kyle Quinn further pointed out the area causing the congestion and blocking access and at times creating a spillover on to the nearby roadways.

Chairman Parisi indicated that the proposed changes are not intended for an

increase in the volume of business but to improve the flow of the drive through traffic and asked if staff or petitioner if that makes sense to them.

Ed Lelo requested that because the Petitioner is present that he provide comment on the improvements to the drive through lane and the efficiencies being made in the kitchen that will lead to lessening of the impact.

Mr. Shimmon expressed that currently the area has been coned off and there are three lanes of the drive through that flow into one. He said he isn't sure that going from the three temporary lanes down to two permanent lanes will alleviate the congestion and in fact it could have the opposite effect and push more cars on to the street creating even more of a backup on LaGrange Road. Mr. Shimmon continued and asked that another point of ingress/egress to the southern property be allowed or a widening of the egress for Chick-fil-A so that they have a dedicated entrance solely for their business.

Vice Chairman Schussler asked about the ownership with regard to the Chick-fil-A building and the multi-tenant commercial retail building—he inquired if it was two different owners.

Mr. Pajovic is the agent for the multi-tenant commercial retail building adjacent to the Chick-fil-A.

Vice Chairman Schussler asked Mr. Pajovic if he would be willing to put a driveway along 156th place to allow access to his tenants.

Mr. Pajovic said he would be willing to visit that issue but does not feel as though he should have to bear the cost or burden his tenants with the cost either. He continued by saying that half of the driveway is owned by Chick-fil-A and that there are hundreds and hundreds of cars that use it to visit Chick-fil-A daily and that there is nothing being paid toward the maintenance of that driveway. He expressed that there is a large pothole starting to form and that he is going to have to pay to have it repaired for diminished capacity to have customers on his lot. Mr. Pajovic also indicated that he has had issues with landscaping being chopped down. He said he really wants to alleviate the pressure on his tenants so that their business can be conducted. Mr. Pajovic continued that the volume of people that go to Chick-fil-A do not leave the lot and that the cars enter into the lot and park and then toss their trash in the trees and landscaping and occupy 10-15 spaces at peak hours. He said that he has had to pay someone to pick up the garbage all from the Chick-fil-A establishment and has asked Chick-fil-A if they would be willing to assist in policing and helping to clean up some of the trash daily.

Iyas Abuhasna indicated that he is the owner of Smoothie King and that he moved in recently. He said that his customers have told him repeatedly every day it has been a hassle to enter the building. He further continued that he did a lot of marketing before opening and that he also opened another location and that the

rate of return on the marketing for the Orland Park location has been substantially less and that this location is ridiculously slow and he attributes part of it to the struggle to access the parking lot. Mr. Abuhasna continued that he has had to put up repeated signs and that the signs go missing while Chick-fil-A is the only business open at that particular time.

Mohammed Abuosba explained he is the owner of Capone's Smoke Shop and that he doesn't feel that it is fair for his customers to have to wait 10-15 minutes just to enter the parking lot. He expressed that some of his customers actually have to park at Lowe's parking lot and walk over to his business. Mr. Abuosba said that he has a loyal customer base and because of the good customer service he provides and his pricing, that is why the customers return to his business.

Allan Wiley expressed that they had a conference call with the Village Planner and Engineers and asked about a secondary drive and were told that was not permitted. He continued that Chick-fil-A is open to that option. Mr. Wiley continued that the goal is to pull all of the traffic for Chick-fil-A onto their property and to improve the flow through the drive through. He said he believes with the larger kitchen equipment and the additional drive through lanes that should help alleviate the congestion at the entrance.

Stephen Sewell, Project Manager for Palmer Engineering that conducted the traffic study expressed that they took data from the site to help improve the flow. He continued that he also studied another site to see how much more efficient the kitchen would be with the new changes. He further explained that these changes will assist with customers being able to get their food faster and thus moving them through the drive through more efficiently. Mr. Sewell indicated that due to the COVID-19 pandemic and indoor dining being closed, the drive through has had a lot more traffic during this time period.

Chairman Parisi asked Mr. Sewell if he felt the expansion would alleviate the backup.

Mr. Sewell said that he believed 100% that the expansion would help with the current situation.

Mr. Wiley added that Chick-fil-A is only before the Commission to attempt alleviate the congestion that is there and not expand their kitchen in order to increase their business. It is an attempt to resolve the issue.

Mr. Pajovic indicated that the traffic study was conducted during COVID and at a time when the plaza was in build-out with three different tenants who had just begun to open and does not take into consideration any increased traffic flow of the tenants in the adjacent building with the shared joint access point.

Mr. Shimmon reiterated that there are three lanes currently on the property and

that they have eliminated almost all of their parking because of the three lanes. He continued that he does not believe that going from three lanes down to two lanes will eliminate or even mitigate some of the congestion problems at the entrance. Mr. Shimmon continued that with things returning back to normal, that the people are still going to need a place to park and the new Chick-fil-A plan has the parking reduced from what it is today. He asked the Commissioners to consider if this plan really makes sense. Mr. Shimmon believed that maybe 20 percent of their business has been lost due to the congestion. He further indicated that if this plan moves forward there must be a next step to alleviate the congestion point.

Chairman Parisi polled the Commissioners for comments.

Commissioner Paul asked how long the current configuration with the three lanes has been in effect.

Kevin Skarin said that they started the three-lane configuration approximately one year ago when indoor dining closed due to the COVID-19 pandemic. He expressed that they were trying to be good neighbors and move the flow of traffic on to the Chick-fil-A lot.

Chairman Parisi asked if the additional drive through lanes are temporary to alleviate the situation because people are not able to dine indoors.

Mr. Skarin indicated that it is a temporary situation and the proposed changes are a more permanent resolution and the addition in the kitchen with double capacity to prevent the back up and move cars through the drive through faster.

Commissioner Paul asked Mr. Skarin if these changes will eliminate the traffic and cars infringing on the neighboring businesses at peak times.

Mr. Skarin indicated that it will make it a lot better although he stated he is not an engineer.

Commissioner Paul expressed that he does not feel that a public Village road (156th Street) should be used for the drive through purposes. He asked regarding adding another ingress/egress and how much of that would be in the hands of the Village versus the hands of the business owners.

Mr. Lelo indicated that they would have to seek approval through the Village and that Sean Marquez from the Engineering department is present to discuss this further.

Sean Marquez indicated that there is a grade change at the south end of the parking lot and that coming into a flat road creates an issue because the existing parking lot is higher. He continued it may require reconstruction and will involve raising and lowering the road. Mr. Marquez indicated that this is a step in the right

direction but that the issue would have to be revisited down the line. He expressed that indoor dining should help alleviate some of the congestion.

Chairman Paul indicated that the additional ingress/egress entrance point is not included in this plan to be approved but should be revisited down the road once this has been completed. He continued that this all has to work together and that the bigger picture needs to be looked at.

Commissioner Sanchez indicated that he agrees with the previous comments made and that it is a step in the right direction and that potentially down the road revisit the issue of adding another entrance and further suggested that there be some additional garbage cans placed on the property so that people have a place to put their trash and prevent them from putting the trash in the landscaping.

Commissioner Zaatar expressed that he agrees it is a step in the right direction and that this forum is not the correct place to discuss police matters or operational issues. He said that there are two landlords in this area with an association and a shared driveway agreement. He further explained that potentially in the future another entrance or driveway being added would help to alleviate congestion and the flow of traffic. Commissioner Zaatar expressed concern that the site was being customized too much making the site unattractive to another tenant in the future. He asked if the hanging heaters required a variance. He continued that he finds the hanging heaters and fans unattractive. Commissioner Zaatar indicated that he would like to see the site made as attractive as possible. He asked if there was a landowner for Chick-fil-A present at the meeting.

Chick-fil-A is the landowner. Kevin Skarin is the franchisee of the Chick-fil-A in Orland Park. John Romanello was also present via Zoom representing Chick-fil-A Corporate.

Kyle Quinn explained that a variance request is not necessary for the hanging heaters.

Vice Chairman Schussler asked if the long term solution was determined to add another driveway/entrance/exit off of 156th Place if Chick-fil-A was willing to share the cost of the installation of the driveway.

John Romanello was present virtually on Zoom and indicated that they would be willing to entertain a second entrance/exit and come to an agreeable solution.

Commissioner Schussler indicated that this may only be a temporary solution currently and that the issue of the driveway may need to be revisited in the future.

Chairman Parisi indicated that is not a matter before the Commission.

Vice Chairman Schussler expressed that in the past when there have been similar

issues with other businesses in town, there have been signs posted and towing company hired to tow vehicles.

Chairman Parisi said he agreed with what was previously stated and that the vote tonight was only for the matter of expanding the drive through. He further expressed that other matters can be brought up later.

Overall, the Plan Commission expressed support of the project but indicated the site will still have to be monitored to determine if the proposed changes will alleviate current concerns or if additional improvements are necessary.

Regarding Case Number 2020-0336, also known as Chick-Fil-A Drive-through Expansion and Building Addition, I move to accept and make findings of fact as discussed at this Plan Commission meeting and within the Staff Report dated March 16, 2021.

And

I move to recommend to the Village Board approval of the Preliminary Site Plan titled "Site Plan," Sheet C-200, prepared by GBC Design, Inc., dated May 1, 2020 and last revised January 27, 2021, and the detailed site plan titled "Site Plan Detail", Sheet C-210, prepared by GBC Design, Inc., dated May 1, 2020 and last revised January 27, 2021, subject to the following conditions:

1. Meet all building code requirements and final engineering requirements, including required permits from outside agencies.
2. All ground-based and roof-mounted mechanical equipment must be fully screened from view and shall meet the code requirements listed in Section 6-308.J.
3. Submit a sign permit application to the Development Services Department for separate review. Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.

And

I move to recommend to the Village Board approval of the Landscape Plan titled "Landscape Plan", Sheet L-100, prepared by Manley Land Design, dated March 10, 2020 and revised March 3, 2021, subject to the same conditions as outlined in the Preliminary Site Plan motion and subject to the following conditions:

1. Submit a final landscape plan meeting all Village Code and all required supporting documentation addressing all outstanding landscape items in conjunction with the final engineering submittal.
2. Provide cash-in-lieu for tree mitigation or for any required trees or plan material that is unable to be provided on site as a result of existing restrictions, in accordance with Section 6-305.F. The petitioner shall pay the final cash-in-lieu

amount to the Village prior to the issuance of any building permit.

And

I move to recommend to the Village Board approval of the Elevations titled "Exterior Elevations," on Sheets A-2.1 and A-2.2, prepared by Chipman Design Architecture Inc., dated September 24, 2020, as well as Exhibit A showing the conceptual canopy temporary wind screens, subject to the same conditions as outlined in the Preliminary Site Plan motion and subject to the following conditions:

1. All masonry must be of anchored veneer type masonry with a 2.625" minimum thickness.
2. Submit an Appearance Review and Building Permit to Development Services Department for separate review of the conceptual wind screen for the drive-through canopy.

And

I move to recommend to the Village Board approval of a Special Use Permit Amendment to the Special Use Permit (Ordinance No. 4512) for Chick-Fil-A located at 15605 South LaGrange Road to allow for the expansion of the existing drive-through facility and one (1) building addition in the COR Mixed Use District, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use Permit include:

1. Increase the number of drive-through lanes from one (1) single lane with a maximum width of fourteen (14) feet to two (2) lanes with a combined width of twenty-four (24) feet (Section 6-210.F.4).
2. Increase the allowable projection of the drive-through canopy into the side setback along the south side of the property from three (3) feet to eight (8) feet and nine (9) inches (Section 6-302.C.3).
3. Reduce the screening requirements for the proposed drive-through canopy located on the north side of the property to be partially screened from the adjacent public right-of-way (Section 6-302.K).
4. Eliminate landscaping requirements around the base of the proposed second lane drive-through menu board, located under the drive-through canopy at the north side of the property (Section 6-302.K).

And

I move to recommend to the Village Board approval of the following Variance:

1. Reduce the side yard setback along the south property line from the previously approved variance of twelve (12) feet to as little as eleven (11) feet and two (2) inches (Section 6-210.F.2).

A motion was made by Vice Chairman Edward Schussler, seconded by Chairman Nick Parisi, that this matter be APPROVED. The motion carried by the following vote:

Aye: 5 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Zaatar and Member Sanchez

Nay: 0

Absent: 2 - Member Murphy and Member Zomparelli

CLOSE PUBLIC HEARING (Audio: 1:57:30)

A motion was made by Chairman Nick Parisi, seconded by Vice Chairman Edward Schussler, that this matter be APPROVED. The motion carried by the following vote:

Aye: 5 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Zaatar and Member Sanchez

Nay: 0

Absent: 2 - Member Murphy and Member Zomparelli

OTHER BUSINESS

2021-0207 Memo: New Petitions

NON-SCHEDULED CITIZENS & VISITORS

ADJOURNMENT (Audio: 1:57:09)

Meeting adjourned at 9:14 p.m.

A motion was made by Chairman Nick Parisi, seconded by Member John J. Paul, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 5 - Chairman Parisi, Vice Chairman Schussler, Member Paul, Member Zaatar and Member Sanchez

Nay: 0

Absent: 2 - Member Murphy and Member Zomparelli

These minutes are not a verbatim record of the meeting but a summary of the proceedings.

Respectfully submitted,

Gerianne Flannery
Recording Secretary