

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Tuesday, January 26, 2016

7:00 PM

Village Hall

Plan Commission

Louis Stephens, Chairman

*Commissioners: Judith Jacobs, Paul Aubin, Nick Parisi, John J. Paul
and Laura Murphy*

CALLED TO ORDER/ROLL CALL

The meeting was called to order by the Plan Commission Chairman, Mr. Lou Stephens, at 7:00 p.m.

Present: 5 - Chairman Stephens; Member Jacobs; Member Aubin; Member Parisi, Member Paul

Absent: 1 - Member Murphy

APPROVAL OF MINUTES**2015-0142 Minutes of the November 24, 2015 Plan Commission**

A motion was made by Commissioner Aubin, seconded by Commissioner Paul; to approve the minutes of the November 24, 2015 Plan Commission.

APPROVED

Aye: 5 - Chairman Stephens, Member Jacobs, Member Aubin, Member Parisi and Member Paul

Nay: 0

Absent: 1 - Member Murphy

2015-0067 Minutes of the December 8, 2015 Plan Commission Meeting

A motion was made by Commissioner Aubin, seconded by Commissioner Parisi; to continue the minutes of the December 8, 2015 Plan Commission.

I move to continue the minutes of the December 8, 2015 Plan Commission Meeting to the next regularly scheduled meeting.

CONTINUED

Aye: 5 - Chairman Stephens, Member Jacobs, Member Aubin, Member Parisi and Member Paul

Nay: 0

Absent: 1 - Member Murphy

PUBLIC HEARINGS**2015-0659 The Residences of Southbridge - Planned Unit Development**

PITTOS: Staff presentation made in accordance with written staff report dated January 26, 2016.

STEPHENS: Thank you. Is the petitioner present, does he wish to make any comments?

SWANSON: (swore in at previous meeting) Short presentation made to supplement staff's presentation.

STEPHENS: Is there anyone in the audience that would like to speak?

CORRIGAN: (swore in at previous meeting) Thank you. We have questions. This is going to be a 3 story development. Everything in the area is 2 story and we feel that this is out of character. You mentioned you have a 2 story and I think that would be more acceptable to everybody. The other thing is, on the north end of the property, the swale going down and the elevations. We were concerned about the angle coming down and the water coming in. We do have water issues there. A couple of people mentioned about a kinder lot. Are there any provisions being made for kids? A park? But I think most of the people are concerned about it being a 3 story because they feel it is out of character to the neighborhood. You mentioned a 2 story and I think that would really be good because that should be developed. That land should be developed. Those are the biggest concerns I've heard from people in my area.

STEPHENS: 3 points you made: park, 2 story and water. Your building is going to runoff onto that property. That property is not going to runoff into your building.

CORRIGAN: I hope so.

STEPHENS: Mr. Pittos, please explain again about the grading.

PITTOS: The townhouses to the north essentially sit at a grade at or above 727. Moving down the lines, the next line is at 726 and then 725. Basically, these townhouses are sitting on a pad that will direct water away to the south. Once it gets to this property, it is being collected by existing storm sewers located at various points. That water is then being sent to the main storm water management system of the Village. That water doesn't get into the pond; it just goes into the storm sewers and leaves the area. The water that is coming off the west end will be making its way eventually into the pond.

STEPHENS: So this won't create a water problem, it will solve it.

CORRIGAN: Time will tell on that. I am just voicing some of the opinions of the people in my area. You were very nice and you did mention a 2 story and I think that would be just wonderful for the people in the area. Thank you for your time.

AUBIN: Swore in Jean Gill, 7320 154th Street, Orland Park

GILL: I have a question on the water and the land. I know you are saying we will drain into their land. Our land, when you look at it, is about the same height as the empty lot that is south of us. When I look at the 3 story structures, which are facing 151st Street, they are more or less built on a berm. If these buildings are put on a berm, then they will definitely be higher than our buildings and the water will come down towards us. But that is not my main concern, I was thinking about the Lincoln-Way Schools. Lincoln-Way has built a school that they have no students

for. I have lived in Orland for 32 years. I saw the structure built on 143rd by the railroad station. Those were supposed to be all condos. My knowledge is that most of them are rentals.

PARISI: They were supposed to be.

GILL: I thought they were condos.

PARISI: There were several iterations in 2008 and 2009. Then the economy changed and the condo market is not there. So the proposal that came in that the Village Board worked on diligently for several years was an apartment project. They did a pretty intensive market study within a 100 mile radius and demonstrated that the need was there. In fact, that development is now 97% occupied.

GILL: Ok, but by rentals.

PARISI: Correct.

GILL: You said the demand for condos was no longer there. That is my basic question.

STEPHENS: Let me ask the petitioner if these units are for sale units or for rent. I think that is your question.

GILL: My other question is I see multiple structures being built behind Mariano's.

PARISI: We approved that.

GILL: And those are condos?

STEPHENS: They are for rent townhouses and condos. They are all for rent. It came in and was presented as a rental community and we approved it as a rental community.

GILL: Have we looked at the interest of people buying condos in our area? There are a tremendous amount of buildings there. Do we have that many buyers of condos?

STEPHENS: Ok, stop your comments. Those comments are not valid. They do not pertain to this petition. The question that you asked is the question that we are going to answer. We are not going to get into a discussion on what the real estate market is today. The question you asked is if these are for rent units.

GILL: I do have other questions.

STEPHENS: Only if they pertain to this petition. We are not discussing other projects.

GILL: But that will affect these structures.

STEPHENS: No it will not. This particular subdivision stands on its own merit. All we are doing is discussing this subdivision.

GILL: We are talking about have we estimated the population of people that are coming into Orland who want condos and if we don't have them, will these become rental properties next to us. And if they can't make them rentals, do they make them subsidized housing. That is one of our biggest fears. Don't laugh at that.

STEPHENS: I am not laughing. You own a condominium there? What if you decide to rent it and your neighbor says you can't rent?

GILL: We can't rent.

STEPHENS: Well you have a covenant then in your declarations. Let's get to the subject then.

AUBIN: Mr. Swanson, are these units for sale or for rent?

SWANSON: For sale.

STEPHENS: That is the answer to your question.

GILL: And if they don't sell?

STEPHENS: We don't go on what if's here.

GILL: But they should have done that with the school system.

STEPHENS: Thank you very much. Is there anybody else?

AUBIN: Swore in Keith Bedford, 7343 153rd Place, Orland Park

BEDFORD: When I talked to the architect, he told me that there were going to be rental units there. 10%-15% are going to be rental units. Our subdivision has no rental units. They are not allowed in our complex. There are going to be rental units over there and obviously if they don't sell enough, it will be more than 10%.

SWANSON: I don't remember the exact conversation but typically in a for sale unit, 10% can be rented and that is what we were talking about. There is no intent to lease these. They are for sale. The reason the 10% comes up has to do with a HUD law. It is difficult to get mortgages if it is more than that. So that was just a

discussion. There is no intent on my part to lease any of the units. They are all for sale.

PARISI: I just happen to be in the lending business as my profession. What he says is absolutely valid. What he is really doing is not saying he is going to rent 10% of these. He is saying that their intention is that they couldn't rent more than 10% of them because in the lending regulations, if you want a condo project, you have to be successful you can only have a very limited number of rentals. Otherwise, people would not be able to get mortgages to buy the condos. So by stating that, he is actually making them more saleable.

STEPHENS: Thank you for that insight.

AUBIN: Swore in Dean Richardson, Pastor at Southbridge Church, 10049 87th Avenue, Palos Hills.

RICHARDSON: Are we talking about condominiums or townhouses? A PUD unit is a townhome, correct?

SWANSON: Architecturally you would call it a townhome; but, legally it will be a condominium. There are private streets. There will be percentage interest of ownership.

RICHARDSON: That was my concern. People are thinking these are individual small units that could be Section 8 or rented out. It is a different animal. Thank you.

STEPHENS: On your plan, are these different units or are they all the same? Are they vertically going up?

SWANSON: Yes they are vertical and then each town home has 3 stories.

STEPHENS: So you are looking at 5 units in each building. You are building them as townhouses but you are selling them with a percentage interest of ownership. Under that they are going to be sold as condominiums with the townhouse style.

SWANSON: That is correct. I would like to address one thing. The lady that spoke about building them up on a berm: that is not correct. The floor will be level with the grade and all I am doing is taking the dirt and berming up against the building. It is not built on top of it. Building a building and then push the dirt up to just under the window. That is all. It looks like a berm but it is not built on top of a berm.

AUBIN: Swore in Jim Schmeski, 7348 Wheeler Drive, Orland Park

SCHMESKI: I had the water question. The first picture that shows 727, 726, and 725; was that units?

STEPHENS: That is the height of the elevation.

SCHMESKI: What is the height of the elevation of the north side of the condos?

STEPHENS: You mean on the south side?

PITTOS: You're talking about going to the east. It is my understanding that those are at about 725.

STEPHENS: So they are 2 feet lower. It looks like the water runoff isn't going to be a problem. If anything it is going to solve the problem for the north property rather than create any problems. Seeing no one else that wants to address this petition, we will go to our Commissioners.

PARISI: Thank you. After hearing everything and understanding, I appreciate the changes that you have made. I think you have a much better end product here. My biggest concern over the last issue was the water issue and I am completely convinced that it has been demonstrated with 15 storm sewers and the retention pond and the elevations that you actually are improving the situation. I think that was critical and you have a nice property here. Even limiting sidewalk access and diverting it, I've appreciated the efforts you have taken to basically be a good neighbor.

AUBIN: Thank you. This Commission is here to do exactly what took place in the 2 meetings with this petitioner and the Village of Orland Park and the residents. Everyone was able to say their peace. The petitioner reacted to the Plan Commission's suggestions which came from the residents. The project is more accessible. I don't have a problem with the 3 story height on these because there are 3 stories in the area. The number of conditions that are going to be attached to this motion that I am reading tonight, the petitioner has to adhere to. I don't have any problem with this petition.

STEPHENS: I echo my fellow Commissioners. We had some problems at the previous meeting. They have solved many of those potential water problems though I didn't think that there would be any water problems because of the way the grading and the detention area is. I also think that they have come a long way on the changes to the elevations. I agree with staff to extend the balconies to the full width of the garages. I like the fact that you created some differentiation by cantilevering the back of that building. I am behind this at this point now.

JACOBS: Thank you. I agree with my fellow Commissioners. I do appreciate the time that you have invested in this project. The issues discussed have been resolved and I like the new design features incorporated in the plan.

PAUL: I didn't have a problem with the other elevations but I like these a lot more. I appreciate the time that you took to revise them. What would be the difference in

the height of the 2 story and 3 story?

SWANSON: 9'.

PAUL: I don't think that's a great difference there. I appreciate how you handled the water and the sidewalk issue. That will be much improved. I don't have a problem with this. The question of what if these don't sell? Well, the amount of units that will be there, if these don't sell, we have bigger problems. If you can't find that many people to move into Orland Park, then that is the least of our trouble. That is all I have.

STEPHENS: I wanted to thank the people that came out. Your comments from December 8th to tonight made a big difference. There are only 22 units going in there, right? I don't think we are going to have a problem selling 22 units; especially townhouse style rather than condominiums. I think it is a good product. At this point, we will entertain a motion.

AUBIN:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated January 26, 2016

And

I move to recommend to the Village Board approval of the preliminary site plan titled "The Residences of Southbridge", prepared by Pearson, Brown & Associates, dated Nov. 24, 2015, last revised Dec. 21, 2015 sheet 1 of 2, subject to the following conditions:

1. Submit a final landscape plan for separate review and approval within 60 days of final engineering approval; include details about the proposed fountain in the central courtyard, and trees in each parking lot landscape island and the parkway.
2. Meet all final engineering and building code related items.

And

I move to recommend to the Village Board approval of the Elevations titled "Front Elevation", "Rear (Car Court) Elevation", and "Side Elevation", prepared by Paul Swanson, dated Jan. 11, 2016, subject to the same conditions as above and the following:

3. Extend the rear balcony across the full width of the garages below.

And

I move to recommend to the Village Board approval of a six (6) lot subdivision for

The Residences of Southbridge, subject to the following condition:

- 4. Submit a Record Plat of Subdivision to the Village for recording.

And

I move to recommend to the Village Board approval of the rezoning from RSB Residential Supporting Business District to R-4 Residential District for the 2.1 acres of property north of Southbridge Church, located at 15450 S. 73rd Avenue, subject to the same conditions outlined above.

And

I move to recommend to the Village Board approval of a Special Use Permit for a Planned Unit Development for The Residences of Southbridge, a six (6) lot, four (4) building development located at 15450 S. 73rd Avenue, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use Permit include:

- 1. Reduce the side setback from 25 feet to 9.69 feet;
- 2. Increase lot coverage from 45% to 58%;
- 3. Reduce the detention pond setback from 25 feet to eighteen (18) feet;
- 4. Reduce the south bufferyard from Type C fifteen (15) feet to four (4) feet;
- 5. Reduce the north bufferyard from Type A ten (10) feet to 9.56 feet;
- 6. Reduce the minimum driveway length from twenty (20) feet to eighteen (18) feet; and
- 7. Increase the mean height of structures from 30 feet to 34 feet.

All changes must be made prior to the Board meeting.

PARISI: Second.

RECOMMENDED FOR APPROVAL

Aye: 5 - Chairman Stephens, Member Jacobs, Member Aubin, Member Parisi and Member Paul

Nay: 0

Absent: 1 - Member Murphy

2016-0006 Avis Car Rental

PITTOS: Staff presentation made in accordance with written staff report dated January 26, 2016.

STEPHENS: Does the developer wish to make any comments?

GOLTZ: Short presentation made to supplement staff's presentation.

STEPHENS: So Avis is going to the trailer now?

GOLTZ: Yes and if you drive by the site, it looks way better now. It's cleared and has gravel. We have cleared about an acre next to the Wendy's. The trailer is up. We are finishing some final connections and are working with the building department to get the certificate of occupancy in the next couple of days. Avis would prefer to stay there. We would prefer them to stay there. This is more a failsafe if in case something detrimental occurs.

STEPHENS: Why don't we make this a conditional approval then?

PITTOS: We could, yes. One thing to note is that this special use permit was always intended to be a temporary special use permit. There would be a sunset provision associated with it. The Village would not approve a special use permit in perpetuity here. It would terminate after a year.

GOLTZ: When we went into this approval, one of the things being considered was that if we ran into long term issues on our property, this would be a place that we could relocate Avis permanently by putting them in a trailer and building a new building on this site since we are committed to making this project work with Avis. We wanted to have that option. This approval is conditional in every sense since we are not proposing 2 facilities here.

STEPHENS: What was the address of the prior temporary site?

PITTOS: 7420 159th Street.

GOLTZ: I would just ask that as part of our conditional approval, either the temporary or permanent facility on our property become halted, that this site would be an acceptable location. There is the temporary structure and the permanent. It is highly unlikely that it will not be available but in the event that does happen, I want to be able to do an Avis facility in the event 7420 falls through. I just want to make sure; we can build a future facility if something comes up.

PITTOS: As a matter of policy, we would not approve this type of land use for this particular property, 7646, without a redevelopment proposal. We agree that a temporary special use permit can be issued at this site until January 1, 2017. The caveat being that if Avis wanted to make this a permanent site, a redevelopment scheme would be required or identify how a permanent facility would be located here.

STEPHENS: If he wants to make it permanent, he has to come back here?

PITTOS: Yes.

GOLTZ: I understand that. But I can go build a building if it doesn't need any sort of

variance.

JACOBS: Do you control this property?

GOLTZ: Yes. We have signed a lease for this property. Could we add in that we can go here on a permanent basis if the current location doesn't work out?

STEPHENS: No you can't. This was published as a temporary site.

PITTOS: That is something we can work out outside of the Plan Commission by amending the conditions later by sort of extending the date. But currently a sunset provision is needed.

STEPHENS: Ok, at this time we will move forward with a motion.

PARISI:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated January 12, 2016,

And

I move to recommend to the Village Board approval of a Special Use Permit for Avis Car Rental to locate at 7646-48 W. 159th Street, subject to the following conditions:

- 1) The special use permit for Avis Car Rental to locate within the existing center building at 7646-48 W. 159th Street shall expire on January 1, 2017.
- 2) Maintain existing landscaping on the property and replace any dead or dying plant material.

AUBIN: Second.

RECOMMENDED FOR APPROVAL

Aye: 5 - Chairman Stephens, Member Jacobs, Member Aubin, Member Parisi and Member Paul

Nay: 0

Absent: 1 - Member Murphy

2015-0750 66 Orland Square Drive Parking

LELO: Staff presentation made in accordance with written staff report dated January 26, 2016.

STEPHENS: Thank you for going to the extent that you did to verify the parking counts. We appreciate that. Does the petitioner care to add anything?

GOLTZ: Short presentation to supplement staff's presentation.

STEPHENS: Is there anyone in the audience that would care to address this petition? Seeing no one, we will go to our Commissioners.

PAUL: Thank you. It's nice to see something positive going with that building. I have a couple questions. In the absence of a formal agreement with the mall, if someone parks in the mall parking lot, do they risk having their car towed?

LELO: Yes. If it gets to that issue. Typically we encourage the shared parking for surrounding uses but technically they would control the parking spaces.

PAUL: One of the other concerns that I had was that in December, I had the chance to talk to the manager of Charter the other day and one of the things he told me was that December is their slowest month and I would imagine it would be for some of the other businesses of that nature that would be in there. That would mitigate the problem with the mall parking. I would imagine in the absence of an agreement in December, they would be real fussy on who they would let park there.

LELO: But with the formal agreement that does exist that alleviates that concern. We did touch on the fact that the peak times during the day and throughout the year sort of alternate. So it seems that they won't all hit peak parking at the same time.

PAUL: When I was talking to the manager of Charter, I asked him what the most was that they get and he said the maximum per hour is about 100. On the weekends they average about 80. I would assume that everyone drives themselves there.

GOLTZ: Just to point out, the busiest time for Charter is 7-9 a.m. There are no businesses on this property that are even open at this time. We do have the parking agreement with Orland. But it is very difficult to communicate with Simon on anything. They are just very slow. This petition that we put forth was before we even realized that agreement existed.

LELO: If you were granted this variance in the absence of the existing agreement, they would still be allowed to occupy the space with all of their tenants and they would meet code. The shared parking agreement is just reassurance for an overflow situation. All of the information that I presented to you is as if that agreement did not exist because I received it after I did all of this.

GOLTZ: Just to further clarify. If the cross easement existed, we would have more than enough parking on site because our required parking would go down from 579 to under 300 and we are showing 300 spaces.

LELO: We arrived at the 579 number because we took the total required parking spaces which is 724 spaces. However, because shared parking exists in the area the Land Development Code allows the Development Services Department to administratively grant a 20% reduction in the required amount of parking spaces. That leaves you with 579. But you can't apply both incentives. If you have the shared agreement, that reduces the requirement to 50% which goes to the original 724. That number is 364 spaces. That would still not be enough parking on site. So they are going for the variance.

GOLTZ: We do have that parking agreement and I would rather not our approval be conditional on getting a formal agreement from Simon. I would like this approval to be granted on its own merit. I don't want my tenants to be held up because I can't get something in writing from Simon.

STEPHENS: Have you read the revised motion?

GOLTZ: No, I haven't.

PARISI: It says that it is subject to approval verifying the existing agreement and you are asking us to remove that.

LELO: Basically that Simon is acknowledging it. If you were able to provide a letter from a representative that acknowledges that agreement is current.

AUBIN: If that is not possible, then this needs to be changed.

GOLTZ: That is what I am asking. We have the agreement and it is on title. This is something that was received by us when we purchased the property. It is there and exists. I would ask that it be modified to say that we will try to get a petition of verification. But I think the existence of the agreement should suffice.

STEPHENS: There is no time limit on verifying.

LELO: The main purpose for that request is that we are being presented it from Party A and we just want to make sure that Party B is in agreement.

STEPHENS: Well we are glad that you are getting this building filled up.

GOLTZ: Yes. It was definitely a gamble. I think the final tenants will be successful here. There will be a lot of jobs and I know 5 of those cars during peak hours were the contractors working on the building. Carson's never has more than 7 or 9 cars at peak times.

PAUL: That answers my question and again I just wanted to clarify that. That is all I have.

JACOBS: I would say in view of the current tenant mix, I don't see a problem with any overflow.

PARISI: I'm good.

AUBIN: Ditto.

STEPHENS: At this time we will move forward with a motion.

JACOBS:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated January 12, 2016.

And

I move to recommend to the Village Board approval of the preliminary site plan titled 66 Orland Square Drive Landlord Renovation and dated December 28, 2015 subject to the following conditions.

- 1) Continue to pursue a shared parking agreement with adjacent property owner, Orland Square Mall.
- 2) Meet any and all building code related items.

And

I move to recommend to the Village Board approval of a Variance reducing the amount of required parking from 579 spaces to 314 spaces.

AUBIN: Second.

RECOMMENDED FOR APPROVAL

Aye: 5 - Chairman Stephens, Member Jacobs, Member Aubin, Member Parisi and Member Paul

Nay: 0

Absent: 1 - Member Murphy

NON-PUBLIC HEARINGS

2016-0025 Certified Local Government Annual Report FY 2015

PITTOS: Staff presentation made in accordance with written staff report dated January 26, 2016.

STEPHENS: On behalf of all of the Commissioners, I think we need to commend you on this report. There has been a lot of time spent on this thing. It is very

concise, clear and easy to understand. You did a terrific job and we commend you. It is a lot of work.

No Motion
NO ACTION

OTHER BUSINESS

2016-0036 Memo: New Petitions & Appearance Review

ADJOURNMENT

There being no further business before the Plan Commission, the Chairman adjourned the meeting.

STEPHENS: This meeting is adjourned at 8:42 p.m.

Respectfully submitted,

Heather Zorena
Recording Secretary