

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Monday, February 18, 2019

6:00 PM

Village Hall

Development Services, Planning and Engineering Committee

*Chairman Carole Griffin Ruzich
Trustees Kathleen M. Fenton and James V. Dodge
Village Clerk John C. Mehalek*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:08 P.M.

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

APPROVAL OF MINUTES

2019-0131 Approval of the January 21, 2019 Development Services, Planning and Engineering Committee Minutes

I move to approve the Minutes of the Regular Meeting of the Development Services, Planning and Engineering Committee of January 21, 2019.

A motion was made by Trustee Dodge, seconded by Trustee Fenton, that this matter be APPROVED. The motion carried by the following vote:

Aye: 3 - Chairman Griffin Ruzich, Trustee Fenton, and Trustee Dodge

Nay: 0

ITEMS FOR SEPARATE ACTION

2019-0127 Engineering and Permitting for Municipal Basin Hydraulic Analysis

Director of Development Services Karie Friling reported that the existing detention basin, called Municipal Basin, is located on the west side of Ravinia Avenue at 156th Street and is located in regulatory floodplain and floodway. The basin was constructed in the 1970's and was designed as "online" storage on Marley Creek. There is an embankment and control structure at the west (downstream) end of the basin. The embankment has settled over time, lowering the overtopping elevation and the resulting storage volume of the basin. The Village is looking to restore the embankment to its original elevation and increasing the available storage volume in the pond. Along with the restoration, these improvements will provide regional drainage for the future Public Works expansion, LFI property and Gianakas property within the Village.

Staff is recommending Christopher B. Burke Engineering, Ltd. (CBBEL) to design construction plans and permit the project through the Illinois Department of Natural Resources Office of Water Resources (IDNR OWR). CBBEL has previous experience with design engineering concerning the basin and extensive experience in permitting project through IDNR OWR. CBBEL also has a full understanding of the Village's overall storm water management system.

Chairman Ruzich had a question regarding this matter. (refer to audio file)

Director Friling responded to Chairman Ruzich's question. (refer to audio file)

I move to recommend to the Village Board to approve the contract for CBEL to complete the engineering and permitting for Municipal Basin hydraulics, in the amount of \$58,000 and authorize the Village Manager to execute the contract.

A motion was made by Trustee Fenton, seconded by Trustee Dodge, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Griffin Ruzich, Trustee Fenton, and Trustee Dodge

Nay: 0

2019-0121 Certificate Occupancy Village Code Section 5-1-4 Amendment

Director of Development Services Karie Friling reported that new businesses are required to obtain a business license and Certificate of Occupancy prior to opening their business. Landlords (building owners) and property managers should be aware of the Village's requirements. Currently, some tenants are allowed to move in and open their business without informing the Village and getting the proper permits and approvals. The Village often has issues obtaining occupancy and a business license after the business has entered the tenant space. The Development Services Department is proposing an amendment to Title 5 Chapter 1 Section 4 of the Village Code to regulate these violations. The proposed code amendment will educate the property owners and landlords as to the responsibility they have to provide the minimum safety code requirements. The local changes to the present code are red lined and highlighted in the attachments for clarity.

Chairman Ruzich had questions regarding this matter. (refer to audio file)

Director Friling responded to Chairman Ruzich's questions. (refer to audio file)

Trustee Fenton had questions regarding this matter. (refer to audio file)

Director Friling responded to Trustee Fenton's questions. (refer to audio file)

Chairman Ruzich had additional questions regarding this matter. (refer to audio file)

Building Division Manager Mike Coleman and Director Friling responded to Chairman Ruzich's additional questions. (refer to audio file)

Trustee Dodge had comments regarding this matter. (refer to audio file)

Building Division Manager Mike Coleman and Director Friling responded to Trustee Dodge's comments. (refer to audio file)

Trustee Fenton had additional comments regarding this matter. (refer to audio file)

Director Friling responded to Trustee Fenton's additional comments. (refer to audio file)

I move to continue this item to the next committee meeting on March 18, 2019.

A motion was made by Trustee Fenton, seconded by Trustee Dodge, that this matter be CONTINUED to the Development Services, Planning and Engineering Committee. The motion carried by the following vote:

Aye: 3 - Chairman Griffin Ruzich, Trustee Fenton, and Trustee Dodge

Nay: 0

2019-0109 Eagle Ridge Green Infrastructure Project - Tree Preservation and Green Infrastructure Account

Director of Development Services Karie Friling reported that on August 24, 2014, the Village Board of Trustees approved the Evergreen Senior Living project (10758 183rd Street). A detention basin constructed on the southeast side of the senior living campus was designed to convey overflow stormwater into the adjacent Village owned property and then sheet flows into a nearby 48" inlet. This has resulted in standing water issues as well as the degradation of a Village multi use path located in the area between the Evergreen Senior Living detention basin and the abovementioned inlet.

The Village has received complaints about standing water and damage to the multi-use path from residents of the Eagle Ridge subdivision, which abuts the project area. Additionally, large areas within the project area are overgrown with invasive weeds, which have negatively impacted the Evergreen Senior Living detention basin landscaping. The Parks Department currently mows this area twice a year to keep the weeds in check.

PROJECT DESCRIPTION and OBJECTIVE

Members from the Parks and Development Services Departments met on site with Hey and Associates in August, 2018 to review the abovementioned stormwater and landscaping issues. All in attendance agreed that a green infrastructure solution would be a viable option, as through this approach stormwater and landscaping issues could be address, a butterfly / pollinator habitat could be created and a seating area along the bike path with interpretive signage for residents to enjoy could be installed. The project would also minimize the nuisance caused by invasive weeds throughout the area and reduce the work required by the Parks Department to keep these weeds under control.

As encouraged in the Village's Comprehensive Plan (see Open Space, Parks and Recreation Section), this project would focus heavily on the establishment of pollinator habitat through plant material selection as well as incorporate

interpretation components, through educational site signage, that inform the public about pollinator conservation and green infrastructure. Additionally, the proposed project would complement the adjacent open space around Eagle Ridge Park.

The project area is Village owned but does contain ComEd power lines and Enbridge utility easements, which will be taken into consideration during the design phase of this project. The Village plans to present the project to both ComEd and Enbridge before construction occurs. Hey and Associates has provided the Village with a concept plan and project cost estimate (attached to committee packet).

I move to recommend to the Village Board to approve the use of funds from the Tree Preservation and Green Infrastructure Account in an amount not to exceed \$85,000.00 for the design, construction and maintenance of the Eagle Ridge Green Infrastructure Project.

A motion was made by Trustee Fenton, seconded by Trustee Dodge, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Griffin Ruzich, Trustee Fenton, and Trustee Dodge

Nay: 0

**2019-0136 Palos Hospital - Land Exchange Agreement Amendment related to the Fitness Center
Full and Complete Release of Wetland Mitigation Obligations**

Director of Development Services Karie Friling reported that on July 18, 2016, the Village of Orland Park ("Village") and St. George Corporation, St. George Wellness Center and Palos Community Hospital (collectively "St. George") executed a land exchange agreement. This agreement provides in Paragraph 4 thereof as follows:

"Notwithstanding the above, The VILLAGE shall be responsible for obtaining and shall pay the cost of a professional wetlands delineation with respect to the Exchange Properties, and if it has not done so, for the entire Campus. In the event said professional delineation determines and concludes that Exchange Properties, Parcel 3 or the entire Campus may be subject to wetlands protection under federal or state laws or regulations (including the Metropolitan Water Reclamation District of Greater Chicago), all wetland mitigation to the extent approved by the U.S. Army Corps of Engineers and the Metropolitan Water Reclamation District of Greater Chicago shall be promptly completed by the VILLAGE after the closing and the cost of wetland mitigation for all affected properties, including Parcels 2 and 3 shall be borne entirely by the VILLAGE."

The Village is interested in completing a masterplan for the Centennial Park in the near future and the above wetland mitigation condition makes it difficult to come

up with the possible development options, its potential impact on wetland mitigations, and associated costs. Based on Village's engineering staff experience and input from Village's engineering consultants, it is estimated that the wetland mitigations could cost between \$750,000 and \$1.5 million.

To address the wetland mitigation challenges, the Village's engineering staff reached out to the Palos Hospital team and discussed possibilities of getting a complete release from the wetland mitigation obligations. The staff has negotiated with Palos Hospital (St. George) that for \$450,000, the Hospital will give a full and complete release to the Village from any and all obligations regarding wetland mitigation costs as well as any other wetland related obligations of the Village set forth in the July 16, 2016 Agreement.

The staff believes this is a favorable financial and planning opportunity for the Village. The \$450,000 price saves the Village between \$300,000 and \$850,000 in wetland mitigation costs. The staff recommends that the Village accept this offer.

Chairman Ruzich, Trustee Dodge, Trustee Fenton and Village Manager Joseph LaMargo had questions and comments regarding this matter. (refer to audio file)

Director Friling responded to Chairman Ruzich's, Trustee Dodge's, Trustee Fenton's and Village Manager LaMargo's questions and comments. (refer to audio file)

Assistant Development Services Director Khurshid Hoda had comments regarding this matter. (refer to audio file)

Village Manager Joseph LaMargo had additional comments regarding this matter. (refer to audio file)

I move to recommend to the Village Board that the Village pay \$450,000 to Palos Hospital (St. George) to get a full and complete release of the Village from any and all obligations regarding wetland mitigation costs as well as any other wetland-related obligations of the Village set forth in the July 16, 2016 Agreement.

And

I move to recommend to the Village Board to authorize the Village attorney and staff to amend the July 16, 2016 Land Exchange Agreement to reflect the release of wetland mitigation obligations.

And

Authorize the Village Manager to execute the necessary agreements.

A motion was made by Trustee Fenton, seconded by Trustee Dodge, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Griffin Ruzich, Trustee Fenton, and Trustee Dodge

Nay: 0

2019-0126 16255 LaGrange Road Class 7C Resolution

Director of Development Services Karie Friling reported that the applicant, Adam Dotson, Director of Economic Development for Sandrick Law Firm, is petitioning on the behalf of his client, Dr. Ayman Rawda, seeking a Class 7C tax incentive from Cook County pursuant to the abandonment of the subject property at 16255 LaGrange Road and the fulfillment of all other criteria associated with the Class 7C Ordinance. The Cook County Board of Commissioners adopted the Class 7C Commercial Urban Relief Eligibility incentive in 2014, aiming to encourage real estate development in the region. The incentive is intended to encourage commercial projects which would not be economically feasible without assistance. Unlike the more familiar Class 6B and Class 8 incentives, the 7C allows all commercial properties to apply instead of restricting the incentive to only those properties which currently have or are marketed towards industrial uses.

The five year incentive applies to all newly constructed buildings or other structures, including the land upon which they are situated; the utilization of vacant structures abandoned for at least 12 months, including the land upon which they are situated; or all buildings and other structures which are substantially rehabilitated to the extent such rehabilitation has added to their value, including qualified land related to the rehabilitation.

Projects which qualify for the Class 7C incentive will receive a reduced assessment level of 10% of the fair market value for the first three years, 15% for the fourth year and 20% for the fifth year. Without the incentive, commercial property would normally be assessed at 25% of its market value.

The subject property consists of a one-story, steel frame structure with masonry walls containing approximately 4,800 square feet of floor area. The property was formerly occupied by a Fat Ricky's Restaurant. The property has been vacant for the last 7 years.

Should the incentive be granted, the petitioner intends to spend approximately \$400,000 to transform the vacant restaurant into a pediatric care center. The office will employ 25 full time and 15 part time employees. The petitioner anticipates that 20 temporary construction jobs will be created as a result of this development.

The building has been vacant for 7 years. The Village has been aware of this

vacancy as there has not been an active business license on file for this property during the last 7 years. In addition, the property has been actively marketed. According to CoStar, a commercial property listing service, the current property listing has been on the market for approximately 29 months.

Based on information gained from the Cook County Assessor, the assessed value of the property remained stagnant in 2013 and decreased in 2014 and 2016.

Without the incentive, the petitioner indicates that the current development project will not be economically viable. Specifically, the petitioner mentions that the tax liability without the incentive is not sustainable for office use. The petitioner also notes that the assessed value may increase if any of the improvements made by their client are recognized by the County Assessor.

The petitioner has demonstrated that the subject property meets the following incentive evaluation criteria. The vacant spaces have been totally vacant for 7 years; the property has stagnant or declining assessments in three of the last six years; and an analysis of the impact of the incentives an overall increase in relevant taxes and a significant positive impact on the local community and Cook County. The Village of Orland Park has reviewed the Incentive Classification Initial Questionnaire (IC-IQ), and that the four eligibility factors which must be present to demonstrate that the area is in need of commercial development are satisfied and the village consents to and supports the application.

Trustee Dodge had comments regarding this matter. (refer to audio file)

Director Friling responded to Trustee Dodge's comments regarding this matter. (refer to audio file)

I move to recommend to the Village Board of Trustees approval of a resolution determining the necessity and benefit from commercial uses and supporting the granting of Class 7C status pursuant to the Cook County Real Property Classification Ordinance for Certain Real Estate Located at 16255 LaGrange Road in Orland Park, Illinois.

A motion was made by Trustee Dodge, seconded by Trustee Fenton, that this matter be RECOMMENDED FOR PASSAGE to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Griffin Ruzich, Trustee Fenton, and Trustee Dodge

Nay: 0

2019-0072 Stellwagen Farm Lease 2019

Director of Development Services Karie Friling reported that Mr. James Stellwagen expressed interest in extending the lease agreement he has held for the farming of the Stellwagen Family Farm.

The Stellwagen Family Farm Foundation has requested that the \$3,125 generated in 2019 from this agreement go to the fund that maintains the farm. The lease includes a payment of \$125.00 per tillable acre (approximately 25 acres). The terms and conditions of this lease agreement match those of the previous agreement, but in this case, the lease would commence on March 1, 2019, and expire on December 31, 2019. Previous farm lease term's were from March to February of the following year, but at the request of Mr. Stellwagen and the Finance Department future lease terms will be adjusted to January to December. Payment of the farm lease is due by December 15th of each year. A new farm lease for 2020 will be prepared in December 2019 upon a review of the site conditions at that time.

Village staff recommends the extension. Attached to the Committee Packet is the lease agreement for your review and approval.

I move to recommend to the Village Board to approve the 2019 farm lease agreement for the Stellwagen Family Farm Foundation with James Stellwagen.

A motion was made by Trustee Fenton, seconded by Trustee Dodge, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Griffin Ruzich, Trustee Fenton, and Trustee Dodge

Nay: 0

2018-0799 Village Code Amendment Title 5, Chapter 1, Section 13 - Construction Type 3B for R-2 Multi Family Buildings

Building Division Manager Mike Coleman reported that the Village of Orland Park has been requested to investigate the possibility of an amendment to the code for R-2 Multi-family dwelling unit buildings using the Type 3 construction types.

The construction classification of Type 3 by model definition is "the type of construction in which the exterior walls are of non-combustible materials and the interior elements are of any materials permitted by this code" IBC 602.3. The Village definition is "The type of construction in which the exterior walls are of non-combustible and masonry materials and the interior elements are of any materials permitted by this code."

The discussion was based on the construction cost of steel non-combustible building going up after tariffs imposed on steel imports and raw materials.

According to Mr. Joe Casucci, Chief Executive Officer of steel fabricator and erector FJM Ferro Inc., the tariffs announced in March have already caused American mills to increase mill pricing by almost 30%. These costs are passed along to steel erectors that construct not only to major steel building but also buildings utilizing a light gauge steel stud partitions.

Cost comparisons:

R-2 building 4 floors total area = 100,000 sq. ft. building for a Type 2A building = \$14,723,000

R-2 building 4 floors total area = 100,000 sq. ft. building for a Type 3A building = \$12,705,000

Cost savings for change in construction = \$2,018,000 = 13.7% cost savings

Chairman Ruzich had comments and questions regarding this matter. (refer to audio file)

Building Division Manager Mike Coleman responded to Chairman's Ruzich's comments and questions. (refer to audio file)

I move to recommend to the Village Board approval of the Village Code Amendment Title 5, Chapter 1, Section 13 - Construction Type 3B for R-2 Multi-Family Buildings.

A motion was made by Trustee Dodge, seconded by Trustee Fenton, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Griffin Ruzich, Trustee Fenton, and Trustee Dodge

Nay: 0

2019-0144 Small Appliance Permits and Exemptions - For Discussion Only

Director of Development Services Karie Friling reported that this agenda item is presented as a discussion item as it relates to when small type permits are required. Building Division staff inspectors have encountered many serious violations in terms of installation and property maintenance items as it relates to hot water heaters, gas furnaces, fireplaces, electric baseboard heaters etc. These items are often installed by non-qualified personal that are not familiar with proper installation manufacturer regulations and codes as it relates to these appliance items. The Village requires permits as part of a twofold procedure to protect the citizens and businesses of Orland Park. Permits are required to verify that a contractor is licensed and bonded so any violations can be specifically addressed with the contractor and a bond can be used to correct the violation if required after all other options are exhausted. Secondly, a proper inspection is performed by the Village qualified inspectors to verify that the installation conforms to code and also

manufacturer requirements. Village Code Title 5 Chapter 1 Section 105.2 "Work exempt from permit" indicates specifics line items that do not require a permit. These items are often called maintenance and repair items and often are performed on a monthly or yearly basis. The specific language for Section 105.2 is attached to the Committee Packet for reference.

Building Division Manager Mike Coleman had comments regarding this matter. (refer to audio file)

Trustee Dodge had comments and questions regarding this matter. (refer to audio file)

Building Division Manager Coleman responded to Trustee Dodge's comments and questions. (refer to audio file)

Director Friling had comments regarding this matter. (refer to audio file)

Chairman Ruzich had questions regarding this matter. (refer to audio file)

Director Friling responded to Chairman Ruzich's questions. (refer to audio file)

Trustee Fenton had questions and comments regarding this matter. (refer to audio file)

Director Friling and Building Division Manager Coleman responded to Trustee Fenton's comments and questions. (refer to audio file)

Trustee Dodge, Trustee Fenton and Chairman Ruzich had additional comments and questions regarding this matter. (refer to audio)

Director Friling, Village Manager Joseph LaMargo and Building Division Manager Coleman responded to Trustee Dodge's, Trustee Fenton's and Chairman Ruzich's comments and questions. (refer to audio file)

This item was for discussion only. NO ACTION was required.

2019-0137 I-80 and Wolf Road Interchange - Concept Study (Study Report Presentation by V3)

Assistant Development Services Director Khurshid Hoda reported that the Village of Orland Park is interested in determining the feasibility of adding a new freeway interchange at I-80 and Wolf Road intersection. The land north of I-80 is in the Village of Orland Park's jurisdiction and the land south of I-80 is within the Village of Mokena's jurisdiction. With LaGrange Road being the only north-south major arterial connecting the Village to I-80, additional roadway capacity is needed to

meet future travel demands. The Village of Orland Park's 2040 Transportation Plan states, "opening a Wolf Road/I-80 interchange is recommended as it would provide an alternate for north-south travel as well as reduce east-west travel demand west of LaGrange Road". Additionally, a new interchange would provide development opportunities along the I-80 corridor within the Villages of Orland Park and Mokena. This interchange improvement is classified as a high priority project in the Village of Orland Park's plan but it is understood that it will be a long-term project moving forward.

The Village of Orland Park retained V3 Companies (V3) for professional engineering services to prepare a concept feasibility study for the I-80 and Wolf Road Interchange. V3 completed and submitted a study report to the Village on October 30, 2018. This study provides the following interchange options and related planning level estimated construction costs:

- Six (6) options for I-80 and Wolf Road interchange
- Two (2) options for I-80 and Townline Road interchange
- One (1) partial interchange at Wolf Road (north access) and one partial interchange at Townline Road (south access)
- Estimated construction costs for all of the options above

It should be noted that this concept feasibility study does not follow the formal Illinois Department of Transportation (IDOT) Access Justification Report (AJR) process and will most likely not be formally reviewed by IDOT or the Federal Highway Administration (FHWA).

V3 is making presentation to summarize the outcome of the conceptual study and answer any questions that the Committee members may have.

Project Manager Peter Reinhofer from V3 Companies presented information regarding this matter. (refer to audio file)

Chairman Ruzich had comments regarding the presentation. (refer to audio file)

Trustee Fenton had a question regarding the presentation. (refer to audio file)

Project Manager Peter Reinhofer responded to Trustee Fenton's question. (refer to audio file)

There is no recommendation at this time.

This item was for discussion only. NO ACTION was required.

**2019-0077 Village of Orland Park - Ethical Standards of
Conduct - Ordinance - Discussion Only**

Director of Development Services Karie Friling reported that after further discussion with Village Attorneys, a new legislative file and proposed Ethics Ordinance has been created to address question that were discussed at the January 7th Board of Trustees meeting.

Please see the proposed Ordinance attached to the Committee Packet.

On January 21, 2019 the Board Meeting was adjourned after the consent agenda and this item was postponed to the January 28, 2019 Special Meeting.

On January 28, 2019 the Board requested this item be sent back to the Development Services, Planning and Engineering Committee for further discussion.

I move to recommend to continue this item.

A motion was made by Trustee Dodge, seconded by Trustee Fenton, that this matter be CONTINUED to the Development Services, Planning and Engineering Committee. The motion carried by the following vote:

Aye: 3 - Chairman Griffin Ruzich, Trustee Fenton, and Trustee Dodge

Nay: 0

ADJOURNMENT: 7:08 P.M.

A motion was made by Trustee Dodge, seconded by Trustee Fenton, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 3 - Chairman Griffin Ruzich, Trustee Fenton, and Trustee Dodge

Nay: 0

2019-0151 Audio Recording for the February 18, 2019 Committee Meetings -Technology, Innovation and Performance Improvement, Development Services, Planning and Engineering and Public Works

NO ACTION

/AB

Respectfully Submitted,

John C. Mehalek, Village Clerk