

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Tuesday, May 9, 2017

7:00 PM

Village Hall

Plan Commission

Louis Stephens, Chairman

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

CALLED TO ORDER/ROLL CALL

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

Present: 7 - Chairman Stephens; Member Jacobs; Member Aubin; Member Parisi; Member Paul; Member Murphy, Member Shalabi

APPROVAL OF MINUTES**2017-0045 Minutes of the May 9, 2017 Plan Commission Meeting**

A motion was made by Commissioner Jacobs, seconded by Commissioner Paul to approve the minutes of the March 14th, 2017 Plan Commission with changes.

APPROVED

Aye: 7 - Chairman Stephens, Member Jacobs, Member Aubin, Member Parisi, Member Paul, Member Murphy and Member Shalabi

Nay: 0

PUBLIC HEARINGS**2017-0173 7402 W. 159th Street, Freddy's Frozen Custard and Steakburgers - Special Use Permit for a Restaurant: Site Plan, Elevations, Resubdivision and Preliminary Landscape Plan**

PITTOS: Staff presentation made in accordance with written staff report dated May 9th, 2017.

AUBIN: Swore in Greg Waldo of Wichita, Kansas.

WALDO: We have enjoyed working with planning staff and agree to comply with the conditions. I've also brought the owner and founder of Freddy's and our civil engineers, so if you have any specific questions on layout and design, we would welcome them.

STEPHENS: We have a piece of paper up there, whoever is going to come up and speak please sign the piece of paper so we have a record of it. At this point we would like to ask anybody out in the audience who would like to make a comment about this petition.

AUBIN: Swore in Michael Henry of 13233 Bundoran.

HENRY: I've eaten at them before and they're a good company. The only thing I'd question is, I actually know some people who live in the apartments across the street. You're going to have the headlights pointing at all those people. How late is this going to be open? Maybe a little more coverage on this drive-through. You've all sorts of people living across and small kids in those apartments. Blasting them with headlights 12 hours a day isn't a nice thing to do either. I'm just looking at that

curve and all the cars are going to be driving straight at the street.

PITTOS: The landscape plan, as I've shown on the overhead, has some landscaping material at the southern end of the drive-through lane. As cars come into this area here, this landscaping should screen the headlights from cars. Of course, cars come in different heights. We could take a look at the landscaping and maybe beef it up a little bit and make sure there's tall enough plant material at least to screen that throughout the year.

STEPHENS: I have a question. Mr. Pittos, on that sidewalk, up on that corner, is it going to stay on an angle? Or is it going to go straight up and meet the other one?

PITTOS: That was a concern that we had raised. I can let the petitioner's engineer explain the rationale for this orientation of the sidewalk.

AUBIN: Swore in Jason Cooper of 645 E Malibu in Palatine, IL.

COOPER: As Nectarios spoke about, they did make the comment to wrap the sidewalk around the edge of the curb up there. I agree, ideally, the sidewalk would wrap around the back of the curb along here and you'd see a normal crosswalk that would come across here in a more ideal location. However, on the Goodwill property existing there's a light pole right here and a tree that we would like to save to help with the buffering in this area. We were able to do that by essentially kicking a field goal through these two trees down here. As Mr. Pittos mentioned we provided two routes and agree that the best case scenario would be to put a pedestrian ramp in here, some crosswalk striping, and redo this ramp here with some truncated domes and additional pedestrian signage to show this crosswalk clearly to traffic and drivers that would be coming through.

STEPHENS: Is staff ok with that?

PITTOS: We reviewed it and find it's a reasonable alternative to the wrap around corner.

STEPHENS: So you're ok with it?

PITTOS: Yes.

PARISI: Right off the bat I think it's a good thing. We have the on-site water detention going to the south of the lot. In previous conversations I think folks were concerned about where the water was going to go and I think that was a good move, moving it to the south side of the lot. I was going to ask if Freddy's is a chain and you answered my question. It's a great location. I like what we're doing with that entire area. It's got sort of a retro look to it. I kind of wish I could have seen it in color. Other than that, I heard the founder's here? Thanks for choosing Orland.

MURPHY: I agree with Commissioner Parisi. It's a good use for this space. I love the retro look to it as well. We welcome Freddy's.

AUBIN: I think Mr. Waldo summed it up as well as anyone could sum it up. He had no objections to staff's report or any of the conditions that are tied to this petition. Coming into Orland Park, this project already has preliminary engineering approval. I think it's full speed ahead. Thank you. Welcome, gentlemen.

SHALABI: It appears that the project is in line with current land development requirements. It appears that the project is in line with all neighboring retail facilities. I deem it to be an appropriate fit for the location.

PAUL: It's a good use for that space. It's nice to see that's building up, hope to see more nice things in there as well. I see no problems with this project.

JACOBS: Freddy's is a chain?

WALDO: Yes, it is a national chain. We have 258 locations in 34 states. We just opened two new stores today as a matter of fact. Yes, we are a national chain and specialize in steakburgers and custard.

JACOBS: Good, thank you. I just have to know what color the awnings are.

WALDO: They are red and white striped.

JACOBS: Ok, that's all. Thank you.

STEPHENS: Could you put up the rendering of the west side of the building? Where the basket weave is, Mr. Waldo, do you intend to make that basket weave the same brick as the rest of the building?

WALDO: Yes. The intent is that it be a compatible color but a change in orientation to add interest. Yeah, it won't be a totally different color brick if that's what you're asking.

STEPHENS: I'd like you to make it a different color. The reason being is if it's just a basket weave, the whole idea is to break up that long wall. So if it's just a basket weave it'll blend in with the regular brick. If it's a different color brick it'll stand out. I think that's what we're trying to go for.

WALDO: Sure. And we can find in that family of brick similar colors that are compatible.

STEPHENS: So that there are two colors.

WALDO: Yeah. That would be no issue.

STEPHENS: That's the only question I have on the building. Otherwise I think it's a good use of the building, and I think it's a great location right next to Wendy's. It'll do well for both of you.

WALDO: We're looking forward to it.

STEPHENS: Good. At this point, we'll make a motion.

PAUL:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated May 9, 2017.

And

I move to recommend to the Village Board of Trustees to approve the preliminary site plan titled "Freddy's Frozen Custard 7402 W. 159th Street Orland Park, Illinois Preliminary Site Plan", prepared by Kimley Horn, dated 3/3/2017, last revised 4/26/2017, sheet PSP-5, subject to the following conditions:

1. Coordinate with Goodwill regarding the appropriate pedestrian connection along the perimeter of the interior access lane intersection southwest corner (at the northeast corner of the subject site);
2. Provide a crosswalk that links the sidewalk at the said interior intersection southwest corner to the opposite corner east of the existing shared access drive;
3. Install a "No Parking - Loading Zone" sign at either end of the parking bay immediately adjacent to the main entrance of the restaurant. The signs shall point inwards at each other and will prohibit parking during loading hours from 4 a.m. to 8 a.m.;
4. Meet all final engineering and building code related items;

And

I move to recommend to the Village Board of Trustees to approve the elevation drawings titled "Freddy's Frozen Custard 7402 W. 159th Street Orland Park, Illinois Exterior Elevations", prepared by Dan Winter Architect, dated 5/4/2017, sheets A3, A4, and SA2, subject to the following conditions:

1. Screen all mechanical equipment either at grade or at rooftop with landscaping or parapets respectively;
2. Masonry must be of anchored veneer type with a minimum thickness of 2.625 inches;
3. Signs are subject to additional review and approval via the sign permitting process;

And

I move to recommend to the Village Board of Trustees to approve the preliminary plat of subdivision titled "GW Property First Resubdivision Orland Park, Illinois Final Plat of First Resubdivision", prepared by Manhard Consulting Ltd., dated 10/7/2016, last revised 4/26/17, sheets 1 of 3, 2 of 3, and 3 of 3, subject to the following condition:

1. Submit a Record Plat of Subdivision to the Village for recording;

And

I move to recommend to the Village Board of Trustees to approve the preliminary landscape plan titled "Freddy's Frozen Custard 7402 W. 159th Street Orland Park, Illinois Landscape Plan", prepared by Kimley Horn, dated 3/3/2017, last revised 4/26/2017, sheets L1.0 and L2.0, subject to the following condition:

1. Coordinate with Goodwill to provide appropriate landscaping at the said interior intersection southwest corner.

And

I move to recommend to the Village Board of Trustees to approve a Special Use Permit for Freddy's Frozen Custard and Steakburger, a restaurant with a drive-through facility, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. Reduce the width of the Type 1 north bufferyard from ten (10) feet to one (1) foot.

SHALABI: Second.

RECOMMENDED FOR APPROVAL

Aye: 7 - Chairman Stephens, Member Jacobs, Member Aubin, Member Parisi, Member Paul, Member Murphy and Member Shalabi

Nay: 0

2017-0172 Bluff Pointe Subdivision

TURLEY: Staff presentation made in accordance with written staff report dated May 9th, 2017.

STEPHENS: Thank you Mrs. Turley, nice presentation. Is the petitioner present?

AUBIN: Swore in John Barry of McNaughton Development at 11 S. 220 Jackson Street in Burr Ridge, Scott Schriener of Designtech Engineering at 9930 W. 190th

Street in Mokena, and Paul McNaughton Jr. of McNaughton Development at 11 S. 220 Jackson Street in Burr Ridge.

BARRY: To start off we'd like to thank the Village's planning and engineering working with us through the process to this point. We appreciate the plan commission and the case this evening. We look forward to being back in Orland Park, it's been a long time since we've been here, we had a lot of success. It'll be our first time since the market downturn but we are ready for another large scale development like this. We look forward to another opportunity.

STEPHENS: Thank you Mr. Barry. At this time we'll ask if there's anybody out in the public who has any comments to make or questions.

AUBIN: Swore in Paul Hodul of 17021 Steeplechase Pkwy.

HODUL: Is there going to be a buffer area? Because I live just north, in that lot there. Is there going to be any kind of a buffer between this going down here? I noticed you're doing a buffer here.

TURLEY: The land development code does not require buffers from single family homes backing single family homes. The only reason there is one down here is because the Spring Creek Agreement requires it. They can be problematic because the new landowners move in and may or may not want the buffer there. They want to put in their pools, plus lots of times you have rear lot drainage. Then you have to coordinate the plantings with and it moves the plantings back even further. It's not a part of the code now to require that.

HODUL: So the lots are going to back right up to this?

TURLEY: Yes.

HODUL: Ok. What about the increased traffic on Steeplechase Parkway once 171st connects? You also show a little more later on. Can it handle that?

TURLEY: That might be a question for the petitioner's engineer.

HODUL: Ok, and I notice there's not going to be any more parks in that subdivision. Grasslands' park which is not very big is going to handle all of that housing?

TURLEY: Right.

HODUL: Ok. And the other thing is that detention pond that's there now, is that water going to be rerouted to the new ones?

TURLEY: That's also something that you could ask the petitioner's engineer. It

would have to be before they could be developed.

HODUL: Right now I've seen that pond three quarters of the way up after heavy rains. That water has to go somewhere.

STEPHENS: Then it's working.

HODUL: Yeah, my house has been dry, thank goodness. But if you fill it in it's got to go somewhere and not in my basement, please.

TURLEY: Absolutely.

HODUL: I think that's all I had, the traffic and the park. I would like to have seen a park in here somewhere. I know it takes away from the housing but Grasslands' park is pretty small. I kind of was spoiled all these years because 171st didn't go through so we had really light traffic. Now it's going to go through, I don't know if people are going to cut through Steeplechase on 167th to get to their houses and avoid Wolf Road traffic. I guess we have to just wait and see.

STEPHENS: It's possible.

HODUL: It sure is.

STEPHENS: I have two questions that you want to get answered. One about the traffic on Steeplechase Parkway and what is going to happen with the detention pond.

HODUL: Yeah. I live here, and if these are going to be filled in, are they taking that into consideration, will it be piped down here?

STEPHENS: Let's ask their engineers. Thank you Mr. Hodul. Anyone else?

AUBIN: Swore in Diane Spencer of 17120 Hillcreek Court.

SPENCER: I live in the Brookhill subdivision. I want to express some concerns that we had. When they filled the Grasslands subdivision, they were a little bit higher than we are. They put in an undersized sewer. Every time it rained, the sewer would bubble over and we would flood severely. I know that this new subdivision backs up to some of the other homes, and it is going to be a little bit higher. I request that they take a good look at the sewer system to make sure that we don't incur any more flooding that we have already endured with the Grasslands subdivision.

STEPHENS: Good question. Thank you. Your question is whether the sizing of the sewers is enough to accommodate? Ok, I've got it.

HENRY: My question doesn't actually relate to them but how are you going to deal with the mess on Wolf Road that floods constantly? Has anybody talked to the fire department or the rest because you're building 60 houses in an area that floods. The exit to the street is in an area that floods every time I've driven down there. I drive that road constantly.

STEPHENS: It is 49 houses, not 60.

HENRY: Ok, but how is the fire department going to come in when the only entrance floods?

STEPHENS: We will address the question of Wolf Road.

HENRY: Otherwise, the poor guy who was just up here said the only way the fire department can come in is his street. Right now the way it's designed is one stub, his street.

STEPHENS: Thank you. Anyone else?

AUBIN: Swore in Don Garvey of 414 N. Wheaton Avenue in Wheaton.

GARVEY: I'm here today as the attorney for the individual that owns those three lots we've been talking about, and that's Dorothy Troost. The reason she asked me to come today is because I had the privilege to work with the gentleman that developed the Grasslands subdivision in 1994. I'm not sure if the members on the commission have been on the commission since 1994, but when they were developing those lots, the three lots were in question platted, and I believe the plan of subdivision was approved. After that point, the Village and the owners somehow worked out an agreement that those three lots would be temporary detention. It was not intended that they become taken for permanent detention for the Grasslands subdivision. I would like to offer confirmation of that fact. The hope of the owner was that when the Gallagher parcel was developed, as it was specifically discussed back then, that the Gallagher parcel would somehow accommodate the water that was being handled by those three lots. So if possible, if the commission could consider that in reviewing the developers' engineering plan, that the commission could consider that so that the lots could be developed. Since 1994, the Troost family has been maintaining those lots. They have been cutting the grass and paying the taxes. At this point, it seems like this is when the lots were to be put into a position where they could be built upon. I don't personally know the lay of the land. I was listening to Mr. Hodul and the other folks. If possible, we would like to be able to develop those lots. If there's anything we need to do to provide the commission any information from back in 1994, I have several file boxes of information. I know who the engineer was and I could try and retrieve information if that would help.

STEPHENS: Thank you. Staff, do you want to address the situation with those

three lots?

TURLEY: We can listen to what the petitioner has to say about that. It's not really part of this petition. It is related to the subdivision because the only way they can develop is if the storm water is accommodated. I understand their question and concern and we will ask the petitioner to respond.

STEPHENS: We will pose that question to their engineer. Anyone else?

AUBIN: Swore in Jane Li of 11416 Heathrow Circle.

LI: I did have a few questions regarding the presentation today. As I understand, on Wolf Road they're looking putting in a left hand turning lane if you're driving north bound on Wolf Road. Driving southbound on Wolf Road, will there be a right turning lane? Wolf Road is a relatively fast street. Having cars slow down to make that right I could see traffic.

TURLEY: There will be a traffic study done. The results of that will help determine what changes there are on Wolf Road and of course it is under IDOT's jurisdiction.

LI: Ok, thank you. And then, the bike path that I see along Wolf Road. Does that connect to the bike path in the Brookhill subdivision?

TURLEY: Yes.

LI: Ok, I did have a concern about the park as well. I know this was brought up before. The park that's in the Grasslands area is relatively small. It's not well taken care of. There is a lot of racist graffiti around there as well. That should be addressed no matter what. I know that's a complaint made to a different department here, and I will do that. But adding 49 new homes, presumably you're going to have a lot of children in those homes and that will be a concern with the size of the park. I had a question about the elevation as well. How much will the elevation of the new homes be in relation to the houses that back up onto Steeplechase? Will the levels be higher than the Steeplechase lots?

TURLEY: I'm not sure without looking at the plans more closely.

STEPHENS: We'll ask the engineer. So you want the elevation of the Steeplechase lots?

LI: Right, the relative comparison of the Steeplechase lots with the new lots. I had a question about the new homes that were going in. I don't think I heard anything about the sizes of the homes that are being proposed, I know I heard the lot sizes but nothing about the square footage of the homes or the price point of the homes. How much will they be selling these homes for?

STEPHENS: Price point and square footage? Ok. Thank you. Do we have anybody else?

AUBIN: Swore in Steve Schultz of 17125 Kropp Court.

SCHULTZ: We have a concern about the drainage from how it goes down. I'm right in the corner there. All the rainwater comes down from the field and it comes through all the houses on the left side. We get a river coming through our lot to a manhole right here. Are you guys going to have to enter any of the existing properties for manholes, to solve any of the problems? And also there's a big drainage right here, but it all enters from all the way over here and comes through the yards.

STEPHENS: That's it? Ok, thank you, I think we got everybody. I'd like to call the engineer up here to address these questions. Mr. Schrinier? I got a bunch of questions here.

SCHRINER: I got the whole list.

STEPHENS: Alright, let's go through them. Three lot detention pond.

SCHRINER: Ok. So for the three lot detention pond, when we started working on this project our client asked us to look into accommodating the volume from that detention pond within the subdivision's detention pond with the hope of locating the land owner who owns those three lots and purchasing those three lots from the land owner. So our pond right now currently contains enough volume to transfer the volume from that existing pond into our storm water facility. However, if our client isn't going to be purchasing those three lots, at this point in time, we are not aware of any legal agreements that would obligate this property owner to provide the volume within our storm water facility. Maybe it's better for the owner to speak to that but our understanding right now, unless someone provides something that says that volume has to be transferred, it would be our intention not to transfer that volume into our storm water pond. Unless of course, our owner was to purchase those lots in order to build homes on them.

STEPHENS: At this point, the sizing of your sewers would not be enough to accommodate those three lots? Or would they be?

SCHRINER: There are a couple things at play. We are going to have to size our sewers and our overland flow routes to accommodate all of the runoff from the adjacent property. We sit below all of the surrounding properties, there may be a few locations that have been discussed here today that we could go through, where water would actually run off our properties into the adjacent properties in the existing conditions. However, speaking directly to the lots that back up to our west property line, when we are done with our development, our lots, those rear yards, are going to be three to four feet lower than the existing property line grades. We

will be sitting down below the existing rear yards of the homes that back up on Steeplechase. Our goal would be to collect the storm water runoff as it currently discharges from that detention facility. Right now what is going on is the release pipes from that pond stub out onto our client's property and they discharge at grade. Those ponds have created some of the ravines that run across the property because of the continuously flowing water across the property, and because of such steep gradients we've gotten quite a bit of erosion on the property because of those discharge pipes. One of our design features is we've got two locations where we have storm sewers discharging onto our property and right now the design shows storm structures set on top of those discharge pipes. Right at that location there, there is a storm sewer pipe discharging the storm water out of the detention pond. We're setting storm structure on top of that storm sewer pipe. The second location is right there. We have no idea why it's discharging onto the property but there's a storm sewer discharging from an inlet that's located in the corner of this lot and it dumps right on the property. We've set a storm structure on that particular storm sewer as well. Our storm sewer is going to pick up all the flows coming off that rear property line. It is going to convey those flows down to the pond. The route is generally right here. The dark heavy arrows indicate overland flow route. So any arrows that are coming off the property that cannot be carried within the storm sewer pipe can be conveyed overland. The overland flow elevations are set such that all the water is contained on our property. None of the property would encroach on our neighboring property to the west. The same would hold true along this south property line. Storm sewers are designed to carry the ten year storm event. Everything else is designed to be conveyed overland. Again, along this property line, the south property line, the center of our swales vary anywhere between one to three feet below the adjacent property to our south. So we will move the dirt such that our site is lower than the adjacent grade. All of our water will be conveyed to the storm water facility without encroaching onto any of the neighboring property.

STEPHENS: Mr. Schultz made a comment about some kind of drainage over here by his house in that corner lot there. He said there's a storm sewer in the lower rear corner there.

SCHRINER: What about that storm sewer?

STEPHENS: I don't know he had a comment about it. Get up to the microphone, sir.

SCHULTZ: Are you guys going to have to enter any existing properties for storm sewers?

SCHRINER: As of right now, the plan does not have any reason to encroach onto any adjoining properties.

STEPHENS: You're not going to go in and do any excavating on his lot? I think

that's his concern.

SCHRINER: That's correct. All of the excavation will occur to the north of his lot and pool on our property. The excavation would be such that again, any runoff from our site is going to stay on our site until it gets to the detention facility. If water enters his lot from our site, that water will be cut off and conveyed to the detention pond.

STEPHENS: I think you've answered the questions, unless you have another one I didn't get.

SCHRINER: There was a question about traffic flow and traffic patterns. We received our traffic study today from the traffic consultant. The traffic study shows that there are not warrants for a right hand turn lane. Regardless of what the study says, we still have to go through the process with IDOT and they may require a right turn lane anyway. As of today's study, it says there are not warrants for a right hand turn lane.

STEPHENS: So you're going to do a left turn lane, but not a right turn lane at this point?

SCHRINER: At this point we are anticipating having to do a left hand turn lane but we are going to meeting with the state of Illinois and IDOT and discussing that with them.

STEPHENS: Yeah they have control over Wolf Road. The Village of Orland Park can't tell you to put a turn lane in there. It has to be IDOT.

SCHRINER: I guess the other traffic concern had to do with the fire department. Our plans will have to be submitted to the fire department and they will have the right to comment on those plans. Typically any development needs to have two points of access. This site will have two points of access. If there happened to be a flooding situation where the fire department could not access 171st street at Wolf Road, they would be able to access it off Steeplechase Road via 167th Street.

STEPHENS: Mrs. Turley, is our Village engineer here?

TURLEY: Yes, our consultant is here.

STEPHENS: Mr. Parry, you have reviewed this. Would you give us your impression of how this is going to work and what's going to happen on Wolf Road? If anything. I don't know if there is anything we can do about Wolf Road.

AUBIN: Swore in Travis Parry of Christopher Burke Engineering at 9575 W Higgins Road, Rosemont.

PARRY: Overall, this project has to go through a series of approvals including the Village's. We are approved by the Metropolitan Water Reclamation District of Chicago, the state of Illinois for different portions of the detention pond. It's reviewed by several agencies and it needs to meet all the requirements. Specific to Wolf Road, at that point of Marley Creek it drains about six square miles, so about 3,700 acres to this area of Wolf Road. The development as you know is about 26 acres, so it's well beyond the scope of this specific subdivision to solve the problems of Wolf Road, is the short answer.

STEPHENS: How many acres?

PARRY: About 3,600 acres are tributary to this area of Marley Creek. That doesn't include the rest of it as it goes south out of the Village.

STEPHENS: Ok now this 26 acres – if it's going to be developed, it won't impact Wolf Road? Am I correct in that?

PARRY: That's correct. Designtech ensured that they're going to store the storm water in the detention basin. They're going to modify the flood plain slightly, the flood plain volume will be increased, and the requirements are that when you displace flood storage you increase it from one and a half to one ratio. They are doing that. As Scott indicated, all of the storm sewers and drainage ways will be designed to carry the 100 year storm from the entire subdivision to the basin. Overall, the storm water that Mr. Schultz sees now going through his backyard will be reduced or eliminated as a part of this project. There will be less flowing off to the other sites. As it relates to the Wolf Road drainage, it's going to be a non-improvement and no detriment.

STEPHENS: Unchanged.

PARRY: Correct. The scale of this project is not enough to impact that.

STEPHENS: Ok. And you've reviewed all the engineering?

PARRY: We have reviewed all of the preliminary engineering so far, yes. Except the traffic study, which he just got today. We haven't seen that yet.

STEPHENS: Mr. Barry, could you come up and address the question about the square footage of the homes and approximately what price point you expect to the be marketing the homes at.

BARRY: Sure. We are anticipating these homes be somewhere in the 3,500 square foot range and marketing price would probably be in the upper sixes, to 700,000 price point.

AUBIN: That's a great number.

STEPHENS: So they're going to be anywhere from 3,000 to 3,500 square feet?

BARRY: I would say so.

STEPHENS: And you're going to be in the high sixes to low sevens?

BARRY: Correct.

STEPHENS: And probably wind up around eight? With options?

BARRY: As much as we can get.

STEPHENS: I know how you builders are. Thank you. I think we have heard all the questions – oh, we have another one? Come on up.

AUBIN: Swore in Bill Roder of 17119 Hillcreek Court.

RODER: Could you go back to the contours slide you were showing? It would show where we're located. You're saying your property is all below the adjoining properties, and that's not really true for those along the south side.

STEPHENS: The whole site is going to be regraded.

RODER: That was going to be my question. Right now, our neighbor who had the flooding problem, we're in that same situation right now. It's not a significant difference in elevation, maybe five feet, but it does have the water running into our property right now.

STEPHENS: Where are you in relation to the subdivision?

RODER: Where it says site, that's our property right there. Properties 37, 38, and 39 those lots currently are above us. That's where the flooding issue was with the previous Grasslands building. That's what we are concerned about, that particular area.

STEPHENS: 37, 38 & 39. We will ask Mr. Schriener. We'd like you to come up and address this

SCHRINER: The same thing applies that we were talking about back behind lots 43 & 44. I'm looking at the grading plan right now and between lots 37 and 38 our swale is going to be 1.6 feet below the property line. When you get down to the next lot we're going to be 2.3 feet below the property line. After regrading our swale grades, storm sewers and inlets are all going to be anywhere from one to two and a half feet below the existing grade at the property line. We're going to drop our side down.

STEPHENS: Below the crest?

SCHRINER: Below the property line grades.

STEPHENS: So you'll be below.

SCHRINER: Correct. We will be able to capture our water.

STEPHENS: You're going to be down a couple of feet. You'll create a swale there?

SCHRINER: We are.

STEPHENS: To take the runoff to go east?

SCHRINER: We will have it directed east instead of onto their lots.

STEPHENS: You get that Mr. Roder? Ok. I don't blame you. We don't want to see any flooding as well. I think we covered everything here. We will go to our commissioners.

SHALABI: Being involved in the real estate industry, we know that McNaughton builds a superb product that lasts for a very long time of high quality grade. It has a great reputation within our market. I'm pleased to see McNaughton building a respectable development within Orland Park. For the more new construction in the Orland corridor, as well as in the west corridor and southwest corridors have high demand. I see this project being extremely successful. I do see a benefit in there being a park with the building structure being mostly two story family homes. You're probably going to attract younger families. I think that a park would be relevant with just shy of 50 homes here. Otherwise, I wish you success. I think this will be a great project for Orland Park.

PAUL: The biggest concerns I had were on Wolf Road by 171st, but it looks like that's going to be an IDOT situation and probably won't matter to us, as far as the flooding and the traffic going in and out of there. Aside from that, it's a good use for the property. It wasn't going to stay vacant forever and I think there's going to be some nice homes in there. I don't see how it is going to be any detriment to the folks who are there now. If anything it's going to be a better situation. I have no problem with it.

JACOBS: I am very impressed with the size of the project. I am very hopeful that everything works out well for you and that you have great success. Welcome.

STEPHENS: I want to say that I think the land plan is a pretty straightforward land plan. I want to thank the developers because I think under the zoning that they

have, they could have come in with a higher yield of lots than what they've come in with. They've really kept the lot count down. They probably could have come in with instead of 49 probably somewhere around 65 lots. I thank them for coming in with these size lots. We have mostly all 80 foot lots but they're all about 135 deep. Mostly all the lots are 10,800 square feet with the exception of a couple of those lots at 70 feet by 125. I think they've done a nice job and not added a great density into a 26 acre parcel. I'm happy with the concept. I've spoken to the Village engineer and our staff with the drainage. That was my concern, that it would create a problem. With the two engineers going back and forth over and over again I think they've got it under control. Unfortunately, we can't do anything about the Wolf Road flooding. That's really not the Village of Orland Park's jurisdiction. It's IDOT's jurisdiction if I'm correct on that, so we really have to concede that to IDOT and hopefully one day they'll do something to correct that problem. That's my concept on the whole thing.

AUBIN: You covered almost everything I was going to say. I'm a softie for professionalism among engineers. From both sides of the fence, the petitioner, Orland Park, the engineering problems in regards to flooding and any other issues were well taken care of. I also concur with Commissioner Shalabi. McNaughton's high class outfits have been in Orland Park. They deserve to be here.

MURPHY: I agree with my fellow commissioners. It's great to see a development of this nature. The typical elevation, I think it looks great. Historically, McNaughton developers build beautiful homes so I'm sure that will continue. I do hope that IDOT does require a right turn lane due to the traffic and speeds of cars there. We'll stay tuned for that. Good luck.

PARISI: I agree with my fellow commissioners. A lot of the questions I had were the great questions from the public. They covered them. It's an aggressive engineering feat here. A lot of the concerns are going to be taken care of. I too am glad to see McNaughton building there. Later on we're going to be talking about some commercial developments and restaurants. Part of me was thinking, how are we going to accommodate all of this? Well, here's my answer. I'm very happy to see this price point. Any doubt about Orland Park's recovery from the housing downturn of 2008, I think we're seeing it here. It's great for our community and our tax base. I'm happy to see it coming to town.

STEPHENS: Let's not over credit McNaughton. He does a nice job, and I understand he does follow up but let's leave it at that. 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 May 9, 2017.

And

I move to recommend to the Village Board approval of the preliminary site plan titled 'Preliminary Site Plan by Designtek Engineering, dated 2.23.17, revised 4.10.17, and as shown on the 'Preliminary Engineering Plan by Designtek Engineering, dated 2.23.17, revised 4.10.17, subject to the following conditions. All changes must be made and conditions met prior to the Board meeting.

- 1) Submit a notarized letter of permission from the property owner to the north allowing off site grading on their property.
- 2) Prior to issuance of building permits, pay to the village \$21,008 in recapture fees for the Wolf Road sanitary interceptor extension.
- 3) Work with staff to resolve the Open Lands zoned out lot issue.
- 4) Work with staff to select a subdivision name more relevant to local geography.
- 5) Find alternative location for subdivision sign or eliminate. A sign permit must be obtained from the Building Division for any signage. Additional restrictions may apply.
- 6) Dedicate additional Wolf Road right of way totaling 60' from centerline.
- 7) Work with Village Engineers to shift pond away from south property line.
- 8) Work with Village Engineers to assess Wolf Road culvert condition.
- 9) Complete a Traffic Study that meets Village Engineer's requirements.
- 10) Construct the Wolf Road curb cut prior to site development (subject to IDOT approval) and then utilize it for all construction traffic access.
- 11) The development of the three already platted but undeveloped lots in The Grasslands is not part of this petition and requires separate consideration and approval.
- 12) Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval, within 60 days of final engineering approval, reflecting submitted Preliminary Landscape Plan and including the following items:
 - a. Address required tree mitigation as a part of the final Landscape Plan.
 - b. Provide a hydro-period analysis and maintenance and monitoring plan for pond.
 - c. Per Spring Creek Agreement, provide a minimum 15' landscape buffer on the rear of lots 37-49, to be installed by the home builder and protected by landscape

easement shown on the Final Plat. Plant material must be carefully coordinated with any rear lot drainage swales and other grading.

d. Plant trees around the detention pond, and along the rear slope abutting lots 31-36.

13) Site Plan building envelopes, setbacks, and easements are subject to final engineering and building approvals.

14) Retaining walls are not to exceed 3' in height unless they are designed and tiered per Code requirements.

15) Meet all final engineering and building division requirements and approvals.

And

I move to recommend to the Village Board approval of a 49 lot residential subdivision plus two detention pond/floodplain out lots and public street dedication, as shown on the preliminary plat titled 'Preliminary Site Plan by Designtek Engineering, dated 2.23.17, revised 4.10.17, subject to the same conditions as the Site Plan, and subject to the submission to the Village of a Record Plat of Subdivision for approval and recording.

And

I move to recommend to the Village Board approval of a Special Use Permit for a wetland modification and a special use permit for a waterbody (floodplain) modification subject to the same conditions as outlined in the preliminary site plan motion. Modifications to the Special Use permit include:

- 1) Reduction of existing 50' wetland setback.
- 2) Reduction of existing 50' floodplain setback.
- 3) Reduction of the 15' wide detention pond access buffer.
- 4) Increase in pond side slopes from 4:1 slope to 3:1 slope.

MUPRHY: Second.

RECOMMENDED FOR APPROVAL

Aye: 7 - Chairman Stephens, Member Jacobs, Member Aubin, Member Parisi, Member Paul, Member Murphy and Member Shalabi

Nay: 0

2017-0219 Teas & Things Sip & Go Café - Special Use Permit

PITLOS: Staff presentation made in accordance with written staff report dated May 9th, 2017.

STEPHENS: Is the petitioner present?

AUBIN: Swore in Kenyatta Williams of 9525 Tripp Avenue in Oak Lawn and Antoinette Fibbs of 2874 Francis Lane in Montgomery.

WILLIAMS: Thank you everybody for taking the time to hear our petition. We are truly excited and hope we do get the opportunity to share with you over our 30 flavors of teas. We will open it up if anybody has any questions, but before I do I will just tell you a little bit because he doesn't have any information to give you about what we offer. We hope to bring Teas & Things to your area to educate you on teas - sipping them, the proper time to steep them, the temperature that you made need for it. We do plan to do from 9 to 12 o'clock we're going to have Sip & Go. You can come in, have tea, have some scones, a couple of our different tea sandwiches that we plan to offer. From 12-4 we will have the afternoon tea time which to some might be "high tea." We plan to do that by reservation so we will know who is coming and what time, which may help to minimize some of the parking that may happen. We do have 30 flavors of teas, so we hope that if we get to open this store all of you will come and try those teas out. That's pretty much what we plan to do, if you have questions we would like to answer them if I didn't give you enough information now.

STEPHENS: Is there anybody out there who has any questions or comments with regards to this petition?

AUBIN: Swore in Robert Allison of 9930 144th Street.

ALLISON: I am the house with the A's on it, right there. That's actually my bedroom window that looks out onto the back of the property. My concern is a restaurant as I'm looking out my bedroom window or when I'm in the shower and I can look out the window into the back of the property. My concern is you approving a restaurant right up against. I'm only one home, but still to have a restaurant with a lounge right up against residential property. I am against this.

STEPHENS: Mr. Pittos, the zoning?

PITTOS: The zoning is all Old Orland Historic District Zoning. The commercial subareas I noted in the presentation does allow for restaurants via Special Use Permit in this particular case because of the close proximity to residential. In terms of actually abutting the property, there are two separate parcels of land here. I didn't include a parcel map. You can see it here a little bit, this is one parcel here in this outline and the other parcel is kind of triangular shaped here. The land use in question is going to be located along 143rd Place. There is a bit of distance between the gentleman's home, and there is also the D'wan Hookah Lounge property in between the two. I'm not sure if there is a direct line of sight. The gentleman would know better, he lives there, he knows his backyard better than I do. In terms of proximity, the land development code allows the land use to be there.

STEPHENS: Ok, thank you. Anyone else?

AUBIN: Swore in Kathleen Andrews of 9932 143rd Place.

ANDREWS: Can you go back to the other picture? I'm here, that's my house. I'm wondering about the parking. I park here. I do not have a garage and we have three vehicles. It's difficult to park. I have to say from experience with D'wan's Hookah Lounge, they do not use the Metra. Nobody wants to walk from the Metra here. I was wondering how this little area is going to accommodate the cars because it's a very narrow, gravelly pit there. Is 4 o'clock definitely the closing time?

STEPHENS: I would like to find out. Do we know the hours of operation of the hookah lounge?

PITTOS: The official hours of the hookah lounge are limited. It is supposed to close at 11:30 on the weekdays and 12:30 on the weekends. I understand there's observation from the neighborhood regarding its operating hours. My understanding that no new customers and cleanup occurs at those designated times.

STEPHENS: The hours of operation for Teas & Things is 9-12, 12-4. They close at four. So they are not going to have anybody parking there after four. That hookah lounge is there, and you said they open at five. That shouldn't be a conflict.

ANDREWS: Right. I mean, I would love for these ladies to take over that whole area and for D'wan to go away so we could have peace and quiet in our nice little neighborhood again. I just want to be sure that they are going to be closing. I welcome them to the neighborhood.

STEPHENS: You might even go there and have some tea.

ANDREWS: I might be their first customer, who knows. We were kind of stabbed in the back, I feel, with D'wan's hookah lounge. I don't want anything else to happen.

STEPHENS: Unfortunately, this commission did not have anything to do with that hookah lounge.

ANDREWS: I'm sorry if it sounds like I'm blaming you. I don't mean to do that.

STEPHENS: It doesn't sound that way, I'm just letting you know.

ANDREWS: That's our home, we live there.

STEPHENS: I don't blame you for feeling the way that you do about that nature of

a business.

ANDREWS: Thank you so much for your time.

STEPHENS: Anybody else?

AUBIN: Swore in Amanda Steenvoorden of 14350 Brook Avenue.

STEENVORDEN: My house is the little A right there on the corner. I'm kind of excited that something so great is coming into our neighborhood. I'm excited that you ladies are coming. My concern is, right now, the permits that they are going to have to get for that building. I'm just worried for you guys. I'm trying to get a roofing permit and it has been two and a half weeks just to get a color approved. I'm a little worried because that building is atrocious. I'm concerned for you guys because everything is going to have to be up to code, everything is going to have to get approved, and are you guys aware of that? Because, oh boy, it is quite an Old Orland building. I'm concerned for you guys and for the parking. Five years ago a tea shop tried to go into where D'wan's is and there wasn't enough parking, so they got turned down. Then we get this lovely establishment. My concern is the parking for you guys. Sanderson's eye doctor is very busy throughout the day. They take up a good portion of the street. Vinny is a neighbor next to D'wan's Hookah Lounge. He has a very limited space of parking and has to park on the street. I am concerned for the parking for your customers because they do get towed if they park on our streets that have the red. We don't mind for the D'wan people, but I don't think we want that for your customers. Those are just my two concerns, the codes that that building is going to have to be taken into consideration because of the historic district.

STEPHENS: Thank you for your concern. Anybody else? As far as the parking goes, apparently as Mr. Pittos has pointed out, there should be enough parking for their business as well as what else is going on over there.

AUBIN: Swore in Missy Cosmi of 9909 144th Place.

COSMI: I live about a block from there. The historic district is kind of a gem. It is seeing an influx of people moving there and building these new period style houses. We just have to think about landscaping, sidewalks, families and kids. Right now that area is full of weeds and gravel. Is there any obligation on the part of the owners of these buildings in conjunction with the city of Orland? Or is there a plan to make this historic district cute and not just run down looking? Is there a master plan for this or any accountability with these businesses and the city of Orland?

STEPHENS: Mr. Pittos, can you answer that question? It's tough.

AUBIN: We do have codes.

PITTOS: I'll try to answer that question briefly. In 2007, the Village had prepared streetscaping plans for the Union Avenue commercial subarea. Hitchcock Design Group were the consultants used to address everything between 143rd street here on the north end and Brook Avenue on the west end. They provided a few variations of streetscape that could be implemented to achieve what the lady was suggesting. When these plans were presented to the business community however, the business community expressed their apprehension at the potential loss of on-street parking. This was prior to the hookah lounge coming about. This apprehension stalled those plans from being implemented in the Union Avenue subarea. In subsequent years, the neighborhood to the west of the Union Avenue subarea obviously had concerns regarding overflow parking into their neighborhoods. The parking capacity on Union Avenue and 143rd Place grew in terms of its premium value. Since the neighborhood meetings with the residents west of the area, the Village hasn't considered any streetscaping improvements for Union Avenue, but that is something we can take a look at. Not necessarily through this petition however, because there are no exterior changes being made to the property. If there were, as the previous speaker mentioned, it is a historic building. There would be some cost associated with bringing the building to code in terms of Old Orland's code and the Building code.

STEPHENS: Ok, there's the answer. Thank you. Anybody else?

AUBIN: Swore in Werner Steenvoorden of 14350 Brook Avenue.

STEENVORDEN: I have one request. If you do any work, please pull permits. Don't start work at 6 am on Sunday so you can hide from the Village. That's the only request I have. Thank you.

AUBIN: Can you possibly come to a lot more of our meetings?

STEPHENS: Thank you. Anybody else? Ok. We will go to our commissioners.

SHALABI: I'd be in favor of this property being beautified and accentuated with a good business there. I wish you the best, I hope it works out for you.

PAUL: Are there going to be any significant changes made to the exterior of the building?

WILLIAMS: Yes, there will be changes to the outside. We plan to plant plants in the front of it. We plan to take care of the structure. When you walk up from the street the concrete is a little bit messed up. This right here is our entrance on the side. That's one door there. The part that the nice lady was talking about as far as being completely damaged and atrocious, that's the other side. We are in the side here, so if you go into our part we don't have as much work. We have some work to do, but it's not the atrocious part that's falling apart. There will be a wall on the inside

to take from that part from being our side. We are putting something up so we are not dealing with that section. To answer your question, yes, we are doing some landscaping on the outside. Where you see the tree, where it says antiques? We will do landscaping there. We are going to fix the stair coming in. Also the concrete, and all those pebbles and rocks. I can't tell you exactly because we don't have a picture, but it will look much nicer. We do intend to keep to the aesthetic of the neighborhood. We are keeping it antique style, vintage with our French country theme that we are bringing in. We are not going to change much but we will make it much better.

PAUL: The reason I ask is because the gentleman brought up seeing it from the house.

WILLIAMS: He will love looking at it after a while.

PAUL: You're looking at something now, apparently. You're looking at that.

WILLIAMS: I can address that. According to what he is talking about, the backyard part? Our section that we have, we do not have access to that backyard. It is actually residential back there. Our property will not be where the hookah lounge backyard is. We don't have a backyard part. You can't even see out the window. The window that we have is on the side near the train, and that front window right there. We don't have access to see him. He can't even see inside of where we're at. This is the section we do have. We are not taking over that bigger portion that is probably in your backyard.

ALLISON: No kitchen?

WILLIAMS: No, we are not cooking anything. We are doing afternoon tea time. Most of it is sandwiches. There's little tea sandwiches and scones. But we order everything from a baker that will be delivering all the items to us. As well as our tea, we have everything that goes into percolators. There is zero cooking. Everything is all handmade items. Everything is prepared for us already.

PAUL: It sounds like it's an improvement. You're looking at the back of a vacant building now. They're not going to be cooking, there's not going to be a drive through lane.

ALLISON: Would you want that in your backyard?

PAUL: Well something's got to be there. I mean, we're not going to tear it down. So something is going to go there. If we could tell these ladies to go away, next month somebody else is going to be there.

ALLISON: You've got your rules as far as residential areas.

PAUL: Yeah, that's why we're here. We have a planning commission. That's why we have zoning, that's why we have all of this. Something is going to be there. This isn't an island, there is stuff there. We could tell these ladies to go away tonight but then next month somebody else is going to go there. Something is going to be there.

WILLIAMS: Can I address him for one second? I don't know if you've ever done tea time, sir. I can't remember your name but when you go to afternoon tea, most of the people there will be older sophisticated women and young ladies. Men are welcome to come, you're definitely welcome to come. There will not be loud music. If you hear anything at all, which I doubt it, will all be classical. Everything is very quiet, it's a calming place to come. You're sipping tea. We are not operating like the hookah lounge. This particular thing is there to invite people to come into relax. There is no wi-fi. You're there to come in and have conversations and enjoy time with your family. We are looking to create family traditions with families and daughters. We have Sundays, we will be doing hats and pearls. I don't think people who are coming are going to bring issues to your backyard. We won't be using the outside, everything operates indoors. We ask the people who are coming to make reservations. If we do get approval and we are your neighbor please address it. I would be happy to accommodate you if I can. We don't intend to bring anything loud or wild. Everything about it will be beautiful. That is what tea time is. We don't intend to bring anything loud or fussy.

PAUL: That's all I've got.

JACOBS: I'm thrilled to death that you're coming there. I think that area is so desperate for attention and a nice facility. I'll be there. Thank you very much for your effort.

STEPHENS: I think it's really a low impact kind of business. I don't think there's going to be a lot of problems in the neighborhood because of high tea. The kind of people that come to high tea are not problematic individuals. I think it's a low impact business and I think it's a good idea to put that business in there. Hopefully it'll go for you.

AUBIN: I totally concur, thank you.

MURPHY: I operate two businesses just a few doors down. Personally, I'm very excited to have you come into the neighborhood. I look forward to the enthusiasm that you have. I welcome you, I'll be there for tea as well. Judie and I will come down.

PARISI: Well said by everybody. I wish you a lot of luck and I'm glad that that property is being put to good use.

MURPHY:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated May 9, 2017,

And

I move to recommend to the Village Board of Trustees to approve a Special Use Permit for 9911 W. 143rd Place, Teas & Things Sip & Go Café, to operate a restaurant located within 300 feet of a residential parcel, subject to the following conditions:

1. Submit all necessary building permit applications with the correct address; and
2. Paint any and all mechanical equipment sky grey to blend them into the background.

PARISI: Second.

RECOMMENDED FOR APPROVAL

Aye: 7- Chairman Stephens, Member Jacobs, Member Aubin, Member Parisi, Member Paul, Member Murphy and Member Shalabi

Nay: 0

2016-0865 15610 LaGrange Road, LaGrange Retail Development - Site Plan, Elevations, Preliminary Landscape Plan, Rezoning, Subdivision, and Special Use Permit for a Planned Unit Development of a Retail Shopping Center

PITTOS: Staff presentation made in accordance with written staff report dated May 9th, 2017.

STEPHENS: Petitioners, anything you want to add?

AUBIN: Swore in Joe Bochenski of SWC and LFI at 9440 Enterprise Drive in Mokena.

BOCHENSKI: Short presentation in concurrence with staff's report.

STEPHENS: Is there anybody here who would like to address this petition?

HENRY: I've lived here all my life. I toured the Nike when I was in first grade. What they are proposing takes away an eyesore in the Village. I couldn't see any reason not to do this.

STEPHENS: So you're in favor?

HENRY: Anybody who isn't is crazy.

STEPHENS: Seeing no one else out there who wishes to address the petition, we will go to our commissioners.

PARISI: I agree that it's a great improvement to the area. It's been an eyesore. I see that access to it has been addressed, transportation has been addressed, I think another situation would have a positive financial impact on the Village. There is an abundance of parking. A lot of thought went into it, there's a lot of conditions if you read all of them. Initially, my thoughts were two more restaurants. How do you accommodate all of these but then you see we just approved a 49 home subdivision. With all the new residential coming into Orland I think we're going to need these. I think they're really quality tenants. I've been to Miller's in Illinois and out of Illinois. Chuy's – is it a national chain?

BOCHENSKI: Yes.

PARISI: Well good, I like the whole thing.

MURPHY: I agree, it's a great project. It's a perfect use for this. It ties in LaGrange and 156th Street perfectly. I'm in favor. My only concerns were a couple of the elevations but staff has already addressed that. It's a great project.

AUBIN: With this much frontage on LaGrange Road, I'm sure the staff tried to cross every T and dot every I. When Mr. Bochenski had the chance to take the microphone and object to everything we wanted him to do, he didn't do that. The petitioner is in favor, staff has thrown the ok on it, let's move forward.

STEPHENS: I want to compliment you guys on the tenacity of six years of work to acquire this piece of property. I think it's going to wind up being a really good improvement as the gentleman over there said. We'll be looking at much better buildings than what we have been looking at for such a long time. Do you have any idea what users you're going to have in that big box?

BOCHENSKI: At this time, we do not. We've been working with many different users who we know would love to come to Orland. At this time, we have not identified any users.

STEPHENS: How many square feet is that going to be?

BOCHENSKI: It is roughly 45,000 square feet.

STEPHENS: It's really not a real small building.

BOCHENSKI: Ideally what will happen is the market will drive who goes there. The box may change shapes based on the ultimate size of that end user. We feel that

this is ideal for this development at this time.

STEPHENS: So this is not necessarily what is going to be built. Depending on who the user is going to be, you may change the configuration a little bit?

BOCHENSKI: We're not going to build it and hope they will come. We will have an identified user before we put a shovel in the ground to build that foundation and the footings.

STEPHENS: What about the future development on that lot? You're looking for another restaurant?

BOCHENSKI: Ideally a lower impact parking restaurant would be ideal for that lot. I think that would fit in nicely for our development.

STEPHENS: I am in favor of the project as well. I think it is a nice project. I think you've worked a long time with staff. You've worked in a positive direction to make this thing happen.

JACOBS: I agree with everything that has already been said. Especially, anybody who could get rid of that army thing deserves a big hand. Welcome, good luck.

PAUL: I agree with that guy, he makes a lot of sense. It's been vacant, it's prime real estate and it's about time somebody does something with it. I'm in favor of it.

SHALABI: I think the project brings excellent improvement to the current use and a tremendous thought process and planning. This appears to be a much better use, and a great overall project. I am in support of it.

PAUL:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated May 9, 2017.

And

I move to recommend to the Village Board of Trustees to approve the preliminary site plan titled "Retail Development SWC LaGrange Road and 156th Street Orland Park, IL. Site Plan", prepared by Soos & Associates Inc., dated 10/27/2008, last revised 4/11/17, sheet number SP-47A, subject to the following conditions:

1. Maintain shared parking and cross-access for all and through all parking fields within the planned unit development between users;
2. Replace the sidewalk configuration along 156th Street with an eight (8) foot wide multi-use path that connects to the intersection corner and the multi-use path

on the east side of LaGrange Road;

3. Dedicate the necessary public right-of-way north of Chuy's Restaurant to complete the 156th Street right-of-way for the multi-use path;

And

I move to recommend to the Village Board of Trustees to approve the elevation drawings titled "Retail Development SWC LaGrange Road & 156th Street Orland Park, IL. Proposed Exterior Elevations", prepared by Soos & Associates Inc., dated 9/19/2016, last revised 2/15/17, sheet number A-07; and "Chuy's Orland Park, IL.", prepared by Parkway C&A, LP, dated 4/4/17, sheet number A-01; and "Miller's Alehouse Orland Park Elevations Revised", prepared by FRCH Design Worldwide, dated 4/12/17, sheet numbers 2, 3 and 4; and "Retail Development SWC LaGrange Road & 156th Street Orland Park, IL. Site Amenities", prepared by Soos & Associates Inc., dated 10/27/08, last revised 4/25/17, sheet number A-10, all subject to the following conditions:

1. Provide landscape screening along the blank wall elevations of Chuy's west elevation;
2. Indicate window transparency on the elevation drawings for Miller's Alehouse;
3. Work with staff to address the blank wall surface areas on the east and south elevations visible from LaGrange Road;
4. Screen all mechanical equipment either at grade level with landscaping or hidden behind parapets;
5. Submit separate sign permit applications for review of signage;
6. Anchored masonry veneer shall have a minimum thickness of 2.625 inches;

And

I move to recommend to the Village of Trustees to approve the preliminary landscape plan titled "Retail Development Overall Landscape Plan", prepared by Kimley-Horn and Associates, Inc., dated 2/16/17, last revised 4/26/17, sheets L2.0, L2.1, L2.2, L2.3, L2.4, and L2.5, subject to the same conditions outlined in the above preliminary site plan and elevation drawings motions and the following:

1. Provide the necessary mitigation for the removal of the wetlands and trees per US Army Corps of Engineers' standards and the Land Development Code respectively;

And

I move to recommend to the Village Board of Trustees to approve, upon annexation, the rezoning of the subject property from E-1 Estate Residential District to COR Mixed Use District subject to the same conditions outlined in the above preliminary site plan motion;

And

I move to recommend to the Village Board of Trustees to approve upon annexation of a six (6) lot subdivision as shown on the preliminary plat of subdivision titled "Preliminary Plat of Subdivision LaGrange Retail Development", prepared by Spaceco Inc., dated 2/17/17, sheets 1 of 3, 2 of 3, and 3 of 3, subject to the following condition:

1. Move Lot 4's west lot line west ten (10) feet to accommodate Type 1 bufferyard requirements for the portion directly behind the retail anchor building;
2. Include Lots 5 and 6 in the drainage easement notes on Lots 5 and 6;
3. Remove the words "to be" in the right-of-way dedication notes and change the word "dedicated" to "conveyed" in the Village of Orland Park right-of-way note; and
4. Submit a Record Plat of Subdivision to the Village for recording;

And

I move to recommend to the Village Board of Trustees to approve upon annexation the Special Use Permit for 15610 S. LaGrange Road, LaGrange Retail Development by LFI, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. Reduce the rear setback from 30 feet to 24 feet;
2. Reduce the wetland setback from 50 feet to zero feet; and
3. Meet site detention requirements offsite in the regional detention facility along Ravinia Avenue.

PARISI: Second.

RECOMMENDED FOR APPROVAL

Aye: 7 - Chairman Stephens, Member Jacobs, Member Aubin, Member Parisi, Member Paul, Member Murphy and Member Shalabi

Nay: 0

2017-0124 Gateway Plaza - 14301 LaGrange Road - Approval of Site Plan, Elevations, and Variances for a 10,500SF Mixed Use Commercial Building

LELO: Staff presentation made in accordance with written staff report dated May 9th, 2017.

STEPHENS: Is the petitioner present?

AUBIN: Swore in Mitch Goltz of Principal GW Property Group at 2211 N. Elston in Chicago and Ramzi Hassan of Edwards Realty Company at 14400 S. John Humphrey Drive.

HASSAN: Short presentation in concurrence with staff's report.

STEPHENS: Thank you. Is there anybody out there who wishes to address the petition?

HENRY: I am against the variances. The taxpayers of this town spent 60 million dollars to tear down a shopping center, rebuild a thing with specific things set up, specific rules set up for the whole corner, and you're asking to change one of the most important leading into the city. By the time this project's done on the other side, the taxpayers are on the line for 70 to 80 million dollars. Changing variances on a corner like this is against what was promised to the taxpayers. Second, I contacted my attorney. He went through and reviewed. A variance based on economics is illegal. The whole letter here, right on your document, I'll read it: The property requested cannot yield a reasonable return. That has nothing to do with the variance laws and the laws of the state of Illinois. It's very specific. You can't walk in and grant one. If you do, I will have my attorneys go for an injunction.

STEPHENS: Thank you. Anybody else?

AUBIN: Swore in Bill Healy of 8539 Fir Street.

HEALY: I would like to know, is this a spec building?

HASSAN: No, we have tenants.

HEALY: Can I ask who they are?

HASSAN: Sure. The tenants that we have signed leases right now, and as you know, time is of the essence to break ground, are McAllister's Deli, Vision Works and City Barbeque which will be their first location in Illinois.

HEALY: There's no way a two story building could go up there?

HASSAN: That is correct. We have exhausted all of those options. Being a resident of Orland Park as well, there is nobody that places more importance on this corner than I do. We definitely looked at the option of doing a two story but as I said before, constraints are placed on the site. Originally, this was supposed to be a CVS before the University of Chicago development came across the street. They pulled that tenant which will be on the ground floor of that building. That was the plan all along, for a drug store. I think this plan drastically improves what was originally envisioned for the site. To answer your question, it's not economically feasible and it doesn't meet Village Code to go two stories because of the lack of parking.

STEPHENS: Are we done? I'd like to make a couple of comments. I view this

corner as the gateway to the community. I do not think that what you're proposing here is complimentary to the building that is kitty corner. I do not think it is complimentary to the vision we have as far as Orland Park and that corner. I don't believe it is the highest and best use for the property. I'm not in favor of the gateway of Orland Park, driving in, and looking at a barbeque place. I am not in favor of this petition, at all.

PARISI: I see a lot of time and effort has gone into planning this. While it is an attractive building, I do have a question. Mr. Pittos, our comprehensive plan in the VCD district that is close the train station, does it speak to the point that you would prefer to have a multi-story building?

PITTOS: The land development code identifies height requirements within a certain proximity to the train station. I think that's at 600 feet. It doesn't necessarily require a certain height.

PARISI: It's a preference but not a requirement.

PITTOS: Yes. You can go up to six stories or something like that when you're nearest to the train station. The further away you get it's supposed to taper away. This is further away than the University of Chicago building.

PARISI: With all due respect to the efforts that were put into this, I do agree with the comment by our Chairman that this is the gateway to our community. The petitioner's own words were that they tried to do a multi-story building to fit within the area. Taking that another way, that says we couldn't do that so we had to do something that doesn't fit within the area. You're coming down LaGrange Road, our gateway across the University of Chicago, I tend to feel the same way as the Chairman does. That's all I have to say.

HASSAN: With all due respect, the building is 30 feet tall. Any two story building is 25 to 30 feet. We were trying to give the presence and the prominence to the corner that it deserves.

PARISI: I appreciate that.

GOLTZ: Just to be clear, this is LaGrange Road. The University of Chicago project has granted, been a couple years in the making. LaGrange Road up and down, the overwhelming majority is single story retail. You have that as a major exception here. We looked at a multi-story project. If it made financial sense to go vertical as a developer, you want to build as much space on a property as you possibly can. That did not get lost on us. The challenge is, is that you can attest from the prior applications, every application that was before us tonight had some sort of restaurant component to it. The Freddy's project is our project.

PARISI: Five. Five restaurants.

GOLTZ: Five restaurants. Those are the tenants who are active right now in the retail sector. Freddy's, Miller's, Chuy's, the tea place, those are the tenants who want to be up and down LaGrange Road. When we proposed a two story building we had two of these users already identified. We had the idea of doing a medical type use on the second floor. The challenge we ran into was two-fold. One, each of the tenants found that the site was under parked for the needs they would have. Two, the medical users didn't want to be above a restaurant, and the restaurant didn't want to be below anything on the upper floor. The challenge became do we want to go with an office type project like University of Chicago with a smaller retail component, or do we want to go with retail which is what this corridor speaks to? What we realized in the market for office space is considerably weaker and lower priced rent wise than what retail is commanding on the street. After we did a full set of plans to do a two story building, we would have lost every one of our tenants on the first floor because they would have said they couldn't do it. We believe that this project, while it is the gateway to Orland Park, fits well with everything up and down the street. Besides University of Chicago, this is what's on the street. We spend a lot of time, effort and money putting together a plan that we think is architecturally appealing, fits with the neighborhood, and ultimately brings three new businesses to the community to serve the constituents.

LELO: One thing just to add. I would like to mention that as proposed, aside from the variances mentioned, it does meet the Land Development Code requirements for the Village Center Zoning District.

GOLTZ: The variances that we're seeking really have less to do with financial implications than it does where this lot line was cut off. Our property line does not include the drive aisle. The drive aisle is on the other parcel. Our lot goes up to that. If our property would be a free standing site, we would have had the drive aisle which would have been on our property and would have eliminated the need for any variances. Because we don't have any access direct on our parcel, it required that variance.

MURPHY: I have equal concerns with this in terms of the gateway. It's an attractive building. I think down LaGrange Road I could certainly see this. The concern that I have is with this gateway. I expected that we would do something grander in that area. That is my biggest concern as well.

AUBIN: Mr. Lelo, does this project meet code and our comprehensive plan?

LELO: Aside from the variances requested it meets the Land Development Code. It meets the intent and the design standards associated with the comprehensive plan. The uses proposed for the development are appropriate for the downtown mixed use.

AUBIN: Has this project received preliminary engineering approval?

LELO: Yes. The preliminary engineering approval was granted. As I mentioned, it was an infill site. The detention was accounted for in a previously permitted project.

AUBIN: And our petitioner has agreed to the conditions as we have them? He hasn't objected to it while he has had the opportunity. But he's agreed to the conditions for our motion this evening?

LELO: Correct.

AUBIN: With all that together, where the Village of Orland Park is satisfied with you and your people Mr. Hassan, and you have agreed to every condition that Orland Park has put in front of you, I would find it very, very difficult for 2,017 reasons, of which you can use your imagination for, to deny this project. I think it's a good fit. I think it's perfect compared to the two gas stations we have on the opposing corners. I drive by them with a blindfold. I lift the blindfold up when I go by the empty lot. Mr. Chairman, I am totally in favor of this project.

JACOBS: I'm not struggling with the design, but I am struggling with the smoky barbeque pit. I can't imagine being across the street in the hospital and sniffing the smoke from the barbeque. That would be really, really unpleasant I believe. I think it detracts from what has already been accomplished. I'm not against the building, not against your idea. I'm just against that tenant use.

PAUL: I've been on this board since 2009. We've never denied a petition because we didn't like the business. Why the hell are we going to start that tonight? That makes absolutely no sense to me. The other gentleman threatened his lawyer on us. We've got lawyers. Let them figure that stuff out. This is a plan commission. This isn't a court of law. It meets the code. It meets the Village plan. I don't see where there is a problem. This Gateway idea – you want to drive south on LaGrange Road, you see an Aldi and a high school. Don't talk to me about gateways. Right now I see a vacant lot with a lot of dirt on it. Don't talk to me about gateways. What I see is nothing. So let's kill this project, let's send these guys home like we wanted to send those other people home earlier. And what do we have? We have nothing. We're going to sit there and wait for this pipedream to come in, that maybe Santa Claus will come in and bring us a big, beautiful magnificent structure? I see a vacant lot today, and I see two guys that want to put something on that vacant lot that matters, and it's going to be nice and it's going to be good. Why the hell are we going to start changing the rules tonight? As far as the variance goes – we give variances to everybody that asks for a variance! But today, no, no, we're not going to give a variance. Why? Because we don't like a barbeque pit? All of a sudden we're too good for a barbeque restaurant? We've got McDonald's, we've got Burger Kings all over the damn place. But now we're too good for a barbeque restaurant? Come on. This is ridiculous. This is the most no brainer thing we've ever had, and we're going to fight to get this thing through? I

think you know where I stand.

SHALABI: I would just like to make mine based off of facts. It appears that you were asked, but I'd like to ask for the record as well. Mr. Lelo, they have complied with every land development code for this project, correct?

LELO: Aside from the variances, yes.

SHALABI: And preliminary engineering approval has been granted?

LELO: Yes.

SHALABI: The petitioner has been a longstanding resident and business person within the Village of Orland Park and in the past, and in this project, will comply with everything that's asked from the Village, correct?

LELO: Correct.

SHALABI: Then I would be in agreeance. Thank you.

AUBIN:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated May 9, 2017.

And

I move to recommend to the Village Board approval of the preliminary site plan titled "Site Plan Study 143rd and LaGrange Orland Park, Illinois," and dated May 1, 2017, subject to the following conditions:

- 1) Continue to work with staff for landscape plan approval;
- 2) Meet all final engineering and building code related items;
- 3) Provide specification for parking lot lighting; and
- 4) Provide revised elevations that show amount of window transparency.

and

I move to recommend to the Village Board approval of the Elevations titled "Proposed Development 143rd & LaGrange," and dated May 1, 2017, subject to the following conditions. All changes must be made prior to the Board meeting.

- 1) Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline; and
- 2) All masonry must be of anchored veneer type masonry with a 2.625" minimum thickness; and

3) 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 following variances as depicted on the preliminary site plan titled "Site Plan Study 143rd and LaGrange Orland Park, Illinois," and dated May 1, 2017:

- 1) Reduction of the west front setback from 25 feet to 17 feet 1 inch; and
- 2) Reduction of the south side setback from 15 feet to 11 feet 9 inches.

All changes must be made prior to the Board meeting.

PAUL: Second.

RECOMMENDED FOR APPROVAL

Aye: 5 - Member Aubin, Member Parisi, Member Paul, Member Murphy and Member Shalabi

Nay: 2 - Chairman Stephens and Member Jacobs

NON-PUBLIC HEARINGS

OTHER BUSINESS

2017-0046 Memo: New Petitions & Appearance Review

None.

ADJOURNMENT

STEPHENS: This meeting is adjourned at 10:53 p.m.

Respectfully submitted,

Heather Zorena
Recording Secretary

&

Elyse Vukelich
Planning Intern