

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Tuesday, December 9, 2008

7:00 PM

Village Hall

Plan Commission

Louis Stephens, Chairman

*Commissioners: Judith Jacobs, Paul Aubin, Steve Dzierwa, Patricia Thompson, and
Nick Parisi*

CALLED TO ORDER/ROLL CALL

- Present:** 4 - Commissioner Dzierwa; Commissioner Stephens; Commissioner Thompson, Commissioner Parisi
- Absent:** 2 - Commissioner Jacobs, Commissioner Aubin

APPROVAL OF MINUTES

A motion was made, seconded and carried to approve the Plan Commission meeting minutes of October 28, 2008 as presented with the following revisions: (1) on page 11 in the ninth paragraph (FLOM speaking): (a) correct the spelling of "double" in "double-check" in the last sentence; and (b) insert the word "come" in the second sentence so that it reads "this project has come before the Plan Commission before"; and (2) on page 12 in the fifth paragraph, correct the spelling of the name "Cary" to "Karie".

A motion was made by Commissioner Patricia Thompson, seconded by Commissioner Steve Dzierwa, that this matter be APPROVED. The motion CARRIED by the following vote:

- Aye:** 4 - Commissioner Dzierwa, Commissioner Stephens, Commissioner Thompson and Commissioner Parisi
- Nay:** 0
- Absent:** 2 - Commissioner Jacobs and Commissioner Aubin

APPROVAL OF MINUTES

A motion was made, seconded and carried to continue consideration of the November 25, 2008 Plan Commission Meeting Minutes to its January 13, 2009 meeting, as there is not the required quorum to approve them with only four present, one of which was absent at said meeting.

A motion was made by Commissioner Thompson, seconded by Commissioner Dzierwa, to continue this matter to the Plan Commission, due back on January 13, 2009.

- Aye:** 4 - Commissioner Dzierwa, Commissioner Stephens, Commissioner Thompson and Commissioner Parisi
- Nay:** 0
- Absent:** 2 - Commissioner Jacobs and Commissioner Aubin

PUBLIC HEARINGS**2008-0621 Culver's of Orland Park**

STEPHENS: Entertained a motion from the Plan Commissioners.

PARISI: Moved to continue the public hearing for file number 2008-0621, Culver's of Orland Park, to the January 13, 2009 Plan Commission Meeting.

DZIERWA: Second.

A motion was made by Commissioner Nick Parisi, seconded by Commissioner Steve Dzierwa, that this matter be CONTINUED to the Plan Commission, due back on 1/13/2009. The motion CARRIED by the following vote:

Aye: 4 - Commissioner Dzierwa, Commissioner Stephens, Commissioner Thompson and Commissioner Parisi

Nay: 0

Absent: 2 - Commissioner Jacobs and Commissioner Aubin

2008-0670 Orland Fire Protection District Training Facility

Bryant Krizik, Fire Chief
Richard Boehm, McDonough Associates, Inc., 16634 South 107th Court
Bob Cacciato, 14045 Todd William Drive,
Trustee McGill

TURLEY: Staff presentation made in accordance with the written Staff Report dated December 9, 2008 as presented. Ms. Turley noted that Preliminary Engineering has been granted and we are requesting Plan Commission action. There are a couple of new exhibits included in the updated Staff Report

STEPHENS: Invited comments and/or questions from the petitioner.

BOEHM: (Previously sworn) Stated he would answer any questions there may be.

STEPHENS: Invited comments and/or questions from the public and received none.

STEPHENS: Invited comments and/or questions from the Plan Commissioners.

DZIERWA: Basically, I have nothing to add. Everything I brought up was addressed at the last meeting. I think we are ready to go with this.

PARISI: Agreed with Commissioner Dzierwa.

THOMPSON: Indicated it looks good to her.

STEPHENS: Indicated he had no problem with this, therefore, entertained a motion from the Plan Commissioners.

DZIERWA: Moved to accept as findings of fact of this Plan Commission, the findings of fact set forth in the Staff Report dated December 9, 2008 and moved to recommend to the Village Board of Trustees, approval of the Preliminary Site Plan entitled "Proposed Site Plan" dated 9/22/08, last revised 11/19/08 by McDonough Associates, subject to the following conditions: (1) that a Landscape

Plan meeting all Village Codes is submitted for separate review and approval within 60 days of final engineering approval. This is to include parkway trees along 163rd Place, foundation plantings around the new building, required landscape buffers and screening of the cell tower, burn towers, chain link fence and new mechanical equipment; (2) that the existing trees along the east boundary are protected during construction with fencing, placed at the tree drip lines; (3) that all mechanical equipment is required to be screened either at grade level with landscaping or hidden behind the roofline; (4) that no utilities are to be located on exterior walls; and (5) that all final engineering-related items are met.

THOMPSON: Second.

DZIERWA: Moved to recommend to the Village Board, approval of the Elevations entitled "Exterior Elevations" dated 9/22/08 by McDonough Associates subject to the following condition: (1) DZIERWA: Moved to recommend to the Village Board, approval of the Elevations entitled "Exterior Elevations" dated 9/22/08 by McDonough Associates subject to the following condition: (1) label building façade material on the rear of the building.

THOMPSON: Second.

DZIERWA: Moved to recommend to the Village Board, approval of an amendment to Special Use Ordinance #1544 (Orland Fire Protection District Training Facility) to allow a Planned Development of multiple buildings on a single lot with the following modifications: (1) reduced the front setback requirement from a required 50 feet to a provided 37.5 feet; and (2) allow parking between the building front and the street.

THOMPSON: Second.

A motion was made by Commissioner Steve Dzierwa, seconded by Commissioner Patricia Thompson, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees, due back on 12/15/2008. The motion CARRIED by the following vote:

Aye: 4 - Commissioner Dzierwa, Commissioner Stephens, Commissioner Thompson and Commissioner Parisi

Nay: 0

Absent: 2 - Commissioner Jacobs and Commissioner Aubin

2008-0422 Wolf Point Plaza

Bill Hennessy, Attorney, 2221 N. LaSalle Street, representing the petitioner,
Wolf Point Plaza

Charles Markopoulos, Akton Realty Corporation, petitioner, Wolf Point Plaza, LLC
Steve Kudwa, Knoche Engineering, Civil Engr, 24 N Bennett Street, Geneva, IL
Wayne Marth, Architect representing Arcline Associates, responsible for the

design
of the two restaurant buildings

FLOM: Staff presentation made in accordance with the written Staff Report dated December 9, 2008 as presented.

SULLIVAN: Mentioned that we talked to District #135 because there was an issue raised previously by the residents with concern to this possibly changing the ability of them to get bus rides for their kids to the nearby schools. There is a state system, a point system, that determines whether the walk is considered hazardous and whether that justifies busing. We don't have an answer from the State on this. All we can do is point out today that there is about a quarter mile area without sidewalk coming east from this to get to 108th. When you cross 159th, there is no sidewalk on the school side either. If you cross at Wolf from here there is no sidewalk on the south side of 159th on that side. It would not appear that would be a safe or non-hazardous route since there is no sidewalk all the way through. We don't have that for a given but we wanted to bring that up and let you know that we had a conversation with the school district and that we certainly would not support an option for walking when there was no sidewalks. The school district also wanted to mention that everybody does have the option of using the school bus in any case. If there was change later down the line with other development, they would have the option of using the bus, however, they would have to pay for it. Also, another item is that the 158th entrance on Wolf Road that Mrs. Flom talked about is only shown as two lanes which means that people who are coming out and want to turn left will be blocking people who are turning right. I think their Traffic Engineers estimated that to be about a six-minute wait. It just doesn't work. We need to move that. Lastly, the Mayor and Trustee Dodge who is the Chairman of the Plan Committee wanted to mention that they did meet some of the residents last night. They wanted to emphasize that they are committed to making sure everything is addressed that Mrs. Flom went through prior to it going out of the Committee. They wanted to make sure that everyone is aware that everything in here needs to be addressed before they would let it go out of their Committee. Thank you.

STEPHENS: Invited comments and/or questions from the the petitioner.

HENNESSY (previously sworn): When I was last before you I indicated I thought this was a work in progress and I think there has been substantial progress shown as indicated by Mrs. Flom in her presentation this evening. The client has a desire to secure some type of a vote, presumably subject to conditions. I know you have an alternative motion before you to continue this for reasons he would best explain – he would prefer a favorable vote subject to conditions. We are prepared to continue to work fully with the community – not only the Village but the residents as well as you can see. We did pay very close attention to what we heard. What you see before you is not just the idea of the Planning Staff. It was our idea as well. In fact, we thought of that to begin with. I just wanted to say that

on our own behalf. It is not that we have been obtuse or reluctant to address certain things. I think as a process of trial and error – both for us and for your Staff – you have to hear from the community before a final decision is going to be made about the ultimate configuration of the property. If I may, I'd like to call on Mr. Markopoulos. Thank you.

MARKOPOULOS (Previously sworn): Good evening. What three weeks brings about – since our last meeting. As Staff's report indicated, we came here last time, we heard, we listened to the residents, we listened to the Staff and we came back with what I believe is accomplishing substantially all of the items requested by this hearing. As it was aptly stated in the report, the Site Plan has improved in a number of ways and the proposed uses are acceptable. However, there are some minor detail-oriented issues that need to be worked on as clearly identified by Mrs. Flom. We are willing to work further with the Village, the Staff and the residents to make this project successful and acceptable to all. It is very, very important to this project that we keep this project moving forward. The conditions stipulated and the conditional approval is acceptable to this development and I believe we can find the common ground with the Village. I believe we can get this thing done even before the next session if we are fortunate enough to get to that level after tonight. It is very important to get this thing moving; to work to the next level and satisfy our tenants that we are going to meet their schedules which they need for the future. We do have some boards, some color Site Plans, we have our architect here, we have our engineers here to answer any specific questions you may have, however, overall since our last meeting, I think we came full circle and tried to live up to the expectations and the good will in the Village. It is incumbent on this body, if you please, to proceed further and get this thing approved to the next level. If you have any specific questions we can take that now or any one of our consultants here tonight can take them. Thank you.

MARTH (Previously sworn): We received the comments and the 20 items that were stated by Staff and very nicely circled on the plan. We've addressed all of those issues. None of the issues that were raised as left to be decided – we are willing to concede on all of them. We want to move that road closer to the property line. That would be our preference. We are intending on moving the north drive closer to the property line. The full access drive that goes out to Wolf Road, we intend to move that road up to within five feet of the property line. That would allow for additional lanes to be provided in the future as this property for the doctors further develops. It would also put it in line with the access across the road – so we have no problem making that change. In the bermed area along the west side, on the north side of the parking lot for BMW – what we are proposing and I can leave a sketch tonight – is to undulate this walk behind the berm rather than along side the parking lot. Noted there is a parkway that comes from the cul-de-sac for the residences over here to get to the retail that was originally shown on the Site Plan as following the north side of the parking and fence line for BMW. What we intend to do is move that on the other side, undulate this berm, that connects a bike path walkway that comes down and undulates behind this berm. We are

going to continue this berm all the way around and we are looking at extending that. That is a matter of working with the engineer. We want to have a continuous berm so that we don't bring the sidewalk and break the berm. The sidewalk will actually be on the north side of the bermed area.

STEPHENS: On the east side, are you going to extend that berm to between the detention area and the cul-de-sac?

MARTH: That can be worked out with the Engineers. We are not objecting to doing that. We would extend it over all the way to here if we could.

STEPHENS: There is a house on that side as well.

MARTH: I would agree. This berm – I don't know how far it is going to go. If it is just extended to right here or if it is going into this area that is something we could work with Staff with. Our Engineers are prepared to work with that. My Engineer is nodding, indicating he could take it all the way around the cul-de-sac if necessary.

MARTH: We are even ready to concede some of the parking stalls – up to 30 parking stalls – in the BMW parking lot if necessary to increase the greenscape. We intend to extend the berm

MARTH: Distributed a sketch to each Plan Commissioner wherein he noted they moved the bike path further to the other side – the north side of the berm – undulated -- a path wide enough for bicycles to use it. Since we did this sketch, we changed the entrance drive further to the north but the bike path would then turn south and come down into the green space. Because Staff indicated we needed to reduce some of the parking, we felt it was more appropriate to add more landscaping in this parking area (all asphalt). What we did was bring that bike path down there and we crossed over to this green space that we are creating and we put landscaping on both sides of the bike path. Tried to enlarge the plan a bit more to show the amenities around the building; landscaping around the restaurant pad; we have a low masonry wall that buffers the utility area in the drive through from the seating area between the buildings. It has an internal landscaping area, umbrella'd seating, nicely landscaped area, so that both restaurants can use that outdoor seating area. The other issue was this entrance and these parking stalls. In our discussion with the owner, some of these stalls could be reduced so we could increase the green space and buffer it a little better as Staff has asked us to do. We are willing to do that. The only issue that I have a concern about is two sidewalks on either side. This sidewalk here, as Staff pointed out, crosses the parking lot, jogs, comes down and then across a busy street. I would prefer (as shown on the plan with the restaurants) taking one sidewalk out and having one sidewalk that comes down, crosses here, we added a pergola here, we will increase the landscaping in this area, it comes down and connects with the bank, connects with the Pharmacy, connects the retail – there

really is no purpose to have this second sidewalk come here and come down and connect with the sidewalk. No one is going to walk to the BMW. I just think this creates a pedestrian hazard. I would ask that that be eliminated and that we unify the pedestrian walkway from the residents all the way down to 159th and landscape it, add pergolas, trellises, benches – amenities that the Staff wishes to put there. I brought with me sample boards. The trash enclosure details show the same brick and stone we are using. I brought benches, trash receptacles, I've got better detailing on the trellises. I've got all the materials called out for. The roof structure of these pergolas will be of the same material being used on the buildings. We are using clear cedar, stained. Wood posts on a pre-cast base. It is open as was stated before, so that we can get sunlight in there. They are not really areas where people are going to sit in bad weather. It is just a station on their walk to the retail or from one end of the site to the other. We will landscape it well. We will give them a landscaping plan that will tie in all of these amenities. We hesitated to bring in another landscaping plan because we know it will be revised again. We will get that finally revised and to Staff to review once we have an agreement on a Site Plan. We are in agreement that possibly two stalls could be taken out here so that we could get better landscaping around that masonry wall. We've got a pergola here with seating and brick pavers and landscaping at this entrance and another one here and another one here. We are going to put in another one over in this area. We have seating and amenities right here. The area of the entrance – we would like to get a signal there but it is a matter of getting warrants for it. BMW wants it. We want it. We think it is a major thoroughfare through the site. We think it is necessary for the tenants. We are going to pursue that, however, we just don't show it on the plans right now. The elevations have changed 100% since last time. I totally started from scratch. I heard what the residents and the Staff wanted. We unified all of the materials. The brick is the same on all of the buildings. The stone is the same on all the buildings. The roof shingles are the same on all the buildings. We did give some character to each of the buildings. We don't have an official approval of these elevations. That is a corporate procedure that has to take place. What we are asking for you to do is to say we want you to use these materials so that they are tied together, we want you to have some slope roof elements so that it ties it together. What we are going to end up doing with CVS or any other tenant, is they are going to say let's reduce this to three windows or let's move this window over here and we could be tied up for months working through details like that. We would like to come away with an approval on conditions that the materials we are using on the buildings – the bank, the pharmacy, and the retail – are all unified. We don't have different brick on every building. We don't have different roof shingles or stone. There may be character elements that give a branding to each of these buildings. Some may have some specific cast stone elements like we do on the retail. CVS may have a particular light fixture they want to put on their building. Chase is going to have their particular branding. We'd like to give them that freedom. I think you've done that throughout the Village but you've tried to come up with a unified design. I think that is the spirit of the design criteria that you have in Orland Park. A unified design. A unified landscaping. A unified

lighting plan. These things tie it together as one development rather than individual developments as if someone had come here and gotten each lot approved individually. I know we are not going to look like the BMW. We've already conceded the fact that they have their branding. Certainly CVS will say why can't we have our branding. Chase will want their branding. The developer said that this is what makes this deal, okay? He will insist that all of the development be tied together in one, at least in the retail area and then concede to give you the landscaping, the brick pavers in the parking lot (a very unique thing for a parking lot) in order to get more pervious area. All of the drives that we have along the street between the building and Wolf Road and the buildings and 159th are all brick pavers. Very unique. The majority of the parking lot in the back for BMW, because they are going for Leed Certification, is also pervious pavement. It is self draining. It reduces the demand for detention on the site. We are going to add more landscaping. We will work with Staff also to get a unified light fixture. That was not on the list but we are willing to work with that so that we will have a unified lighting fixture throughout the development. I think I've addressed every one of these issues. What we are asking for is approval on condition. I think I've reduced it down to maybe two conditions from 20. However, we can make it all 20 and resolve this next week. Before Committee you would have all of those conditions taken care of. Please, we would rather that we not be continued. We'd like to get approval on condition if that is your pleasure. Thank you.

STEPHENS: Prior to inviting comments/questions from the public, noted that after the Plan Commission meeting of October 28th, we heard all of your concerns and I had a meeting with Staff a day or two later and we discussed the situation which we felt to be the most important which was the traffic and the public safety. We agreed to create that cul-de-sac so that there would be no more drag strips or all the things you called it at the last meeting. We felt that closed it off and sealed your private neighborhood from this development. We had a meeting with Mr. Carl Tallon and Laura Murphy and Staff and we showed all of this to the representatives of your community as well and subsequently, Staff and I had a meeting with the developer and the architect and the engineers and pointed out to them where this was going to go before it would get any sort of approval. That brings us up to this meeting and this completely revised Site Plan we are showing you tonight. With that information, asked for comments from the public.

MURPHY: (Laura Murphy, previously sworn): This plan has certainly improved greatly. As I am sure you are aware, we still are not crazy about the BMW dealership but we are realistic to some extent. We have a lot of concerns still about some of the details. We thought we would have some of those details by now. We were not aware of the 20 points [conditions] discussed tonight. Frankly it would have been helpful to have had them in advance just to think some of them through.

STEPHENS: Clarified that Staff just received this last Thursday. From Thursday to today, they had the opportunity to look at it. They had to submit their write up to

us. We received their write up on Saturday.

FLOM: When we received the revised plan, we immediately e-mailed it to the residents.

MURPHY: I don't mean to criticize Staff in that sense. My point in the couple of things I'm bringing up is that I'd hate to see it go to a vote yet with all these things still out there. I understand that projects like this need to move forward with financing and all those other issues. The fact that CVS hasn't even approved the elevations and we don't even know what the two other tenants are in the restaurant and coffee shop.

STEPHENS: At this point in time, we normally do this with all the other developments too, they don't know what the tenants are going to be. At the point in time when there is a tenant, that tenant will come before this Plan Commission as well for approval or disapproval also.

FLOM: Noted she failed to mention in her report the fact that in the revised motion you have, because some of some of the things that were brought up in your meeting with the Mayor and Trustee Dodge, we did add a condition that any restaurant in that center will not operate past midnight – to try to not have 24-hour operations that could have noise and traffic issues in the adjacent neighborhoods.

STEPHENS: If I'm not mistaken, whatever goes in there has to come before the Plan Commission as well.

FLOM: Not if the building elevations are approved. If you approve the building elevations and the site plan tonight and neither of those change, the business that goes in there does not need to come back here unless there is an additional variance or special use.

SULLIVAN: If it is a restaurant within a certain distance of the homes, then they have to come to the Plan Commission. If not, if it is just a retail shop, they would not come back.

STEPHENS: Is that in the distance of the homes?

SULLIVAN: Yes, that would come back.

FLOM: It would be included with the Special Use Permit. It is a restaurant already approved. It might not have to come back.

SULLIVAN: It depends upon what the use is but there are uses that wouldn't.

STEPHENS: But we could put conditions on the restaurants.

FLOM: If the elevations change, they will have to come back.

MURPHY: I was referring to what Mr. Markopolous said that we need to push this through for his tenants. I was really kind of going back to that to say that we really don't even know who all the tenants are. I'm talking about the need to rush this before getting some of these details out there and making sure that they do make sense for the residents and for the Village before taking it to a final vote tonight versus a month from now. A couple of the other things that are important to us that are not worked out – certainly one big thing is this walkway/pathway. I'll let Carl Tallon talk about that further as it impacts him more directly but certainly the way it is laid out, on the other side of the berm, that would actually be worse for us in our opinion from a security standpoint/privacy standpoint – that brings traffic into our neighborhood.

STEPHENS: You'd rather have it on the south side of the berm.

MURPHY: Right. I did have a question actually on why we even have a walkway. Why do we need one through there?

STEPHENS: We are not requiring one through there.

SULLIVAN: There are going to be people who will want the option to walk to this area from the neighborhood. Not every one will but some people will. It is just common practice to provide that option to people. Otherwise they will just be running through bushes and jumping over things. That is just not a good situation.

STEPHENS: Don't you think that would be a benefit to the people that live on Shire Drive. You may not want to walk there, however, some of your neighbors may want to.

MURPHY: I live on Shire Drive. Personally I would not want this pathway. I would personally want to have it closed off as much as I could. You are dealing with the dealership. When it comes down to it, that would be a lot of strangers who have access to your neighborhood. That is the bottom line for me and I can only speak for myself. That is one big detail that I do not think has been worked out. The other big detail to me is the landscaping. We talked last night with the Mayor and Trustee Dodge about the height of the berm. They actually suggested taking a look at the berm that exists on the west side of our subdivision now.

STEPHENS: Dr. Morandi's berm?

MURPHY: Right. It is a very tall berm which has a lot of great landscaping. That is something we would like to see but that too has not been worked out. Landscaping is a big detail. I don't know why we can't wait to make sure that is going in the right direction. We've not seen any kind of lighting plan and that is a very big issue. There has been some talk about the speakers. I think they said

that won't happen – there won't be a loud speaker system.

STEPHENS: We discussed that at the meeting we had with you and Mr. Tallon, that that could be handled in a different way – instead of a speaker system, perhaps pagers.

MURPHY: In regard to the Leed Certification, I know that the Police Department in Orland Park has become Leed Certified and that certainly seems to be the direction of development, specifically in Orland Park – with sustainability. I'm curious if any of these other buildings are considering being Leed Certified other than the BMW dealership. Also, the fence is something that has never been resolved. I think it has been tied into this walkway. I don't think it can be resolved until they figure out where the walkway is going to go. For us, we would like to see some sort of fence that goes completely around the back side of the BMW dealership, that is not visible to us. I know that is tricky to lay all of that out. But that is why I think it is a big detail that needs to be handled before voting on it. Also parking is a concern. They said they would reduce the parking but that has been a very vague comment to me. Reduce it by what? Right now there is quite a bit of parking. Asked how many employee parking stalls there are versus other parking. At other dealerships, there is a lot of overflow parking which leaves employees no where to park. When that happens they park in the surrounding neighborhoods. We definitely would like to have more information in that regard. Those are my main points, thank you.

HARTLEY (Previously sworn): Obviously this is a much better process than last time. It still is (although not Staff's fault) a very last minute approach. Things that people are calling details are not details to those of us who live in the neighborhood. We still don't have any traffic engineering studies as to how this is going to work; what it is going to do. We heard a Staff comment that the way this is set up, we might have people waiting six minutes to exit. That clearly is an invitation to a traffic accident. That needs to be addressed. This is not ready to be approved. We still have no showing of the need for any of these services. We don't have a list of the conditions. Speaking in terms of the specifics, someday this has to be enforced. If it is not done right with a clear set of conditions that are actually written down and spelled out in a concrete plan, you create an unenforceable mess.

STEPHENS: What kind of conditions are you talking about?

HARTLEY: Everything that has been said here tonight – some of which was audible and some of which was inaudible – some of which was indicated by a red dot that surely will not show up on the record. A crystal clear plan and set of conditions need to be laid out so that a year from now there is no ambiguity as to what the agreements were or were not and how they will be accomplished. We have heard a debate this evening about what might or might not happen if somebody did or did not come back for some approval. There is no clarity here.

Just based on professional experience I really have to push for there to be clarity so that hopefully this moves forward and actually achieves what everyone has in mind. That includes what we have in mind. There is an issue of privacy where the sidewalks and berms are located. My personal point of view? I'd bring the access up through the cul-de-sac and not have a sidewalk. This is much like the auto makers hearing a couple weeks ago in Congress. It is not ready. It is not organized. It shouldn't be approved at this time. The bigger issue that nobody wants to mention is that it is nice to see some architectural detail. Six or seven hundred cars will dominate over any amount of architectural detail. I am unimpressed when we are talking that there is going to be a small architectural thing here and there. The real issue here is how is this whole thing going to work; what parking spaces will move away; how will this be dealt with. In my personal point of view, I'd like to see Staff walk away from having the front of the buildings on 159th Street pushed back. I'd rather see them pushed closer to 159th and do more at the back end of the lot to create more buffers for our neighborhood. There is no way that 600 cars are going to look good from 159th Street. To me, it is personally irrelevant whether Chase Bank fronts 20 or 25 feet away from 159th. Overall point – this is not ready to be approved. This is not clear. This is not well done. You have made great efforts to get it there. It is not Staff's fault this came back on Thursday. It is also not our fault. We should not be taking the risk. They should get this done right. Like the car makers from Detroit, come back with a real, tested, studied, engineered plan that we can all understand.

STEPHENS: That is an opinion.

TALLON (Previously sworn): For the berm/landscaping, I would like to see that should this project go forward, that the berm and landscaping go in early in the project – preferably 45 days within the start of the project. I would like to request that even though it is not a condition of this project. We've talked about the berm. We've talked about five feet above "something".

STEPHENS: They are not going to put the landscaping in 45 days before the project. During the earthwork, they could put the berm in. They are not going to move dirt two or three times.

TALLON: Of course. Within the first 45 days. When they start moving earth, they are going to be moving topsoil and they need topsoil for the berm so they can start moving that into place. They are going to engineer it first. They are going to have their stakes put in. Let's move the dirt there first and then the landscapers can follow behind that.

STEPHENS: You don't want to landscape it until all of the development is done. Then you come in and landscape after that.

TALLON: It is feasible. I have seen it done.

STEPHENS: Okay, so you would like to see it established at the beginning of the project.

TALLON: Yes, that is what I'm asking to be scheduled.

STEPHENS: I understand.

TALLON: Also we talk about a five-foot berm. I would like to know where that five feet is taken from. Where is the zero point. I'm hoping that is the existing sidewalk elevation would be zero and we would be five feet above that. We don't have clarity on that. The landscaping that goes in there, since we don't have a landscaping plan, I would like to ask that the five foot be a settled final grade. We know that after time everything settles so to start with I'm thinking that they are going to need more like six feet in order to achieve a final settled five feet a year or two later.

STEPHENS: It seems you have experience with this but we will ask the Engineer.

TALLON: Yes. Five feet equates to 12 inches. I just want to do it right the first time. I'd like to see seven feet of finished planted shrubs and trees at the initial planting in order to block out the site of the dealership. That is not the total height. That is the height at which you cannot see through. There may be trees planted there that will stick up or spike up higher than that, however, if you have red maples or such, they are going to bare down below so we have to make sure we have a good screening to start with and not wait five years for a fill in.

STEPHENS: I understand.

TALLON: In regard to the sidewalk – from the plan that I have, I have two suggestions. First let us assume that the sidewalk is staying where it is. Where the sidewalk makes a “V” shape, I think it would be better if we kind of curved that in. We already talked about putting a berm in here because that was the other sight line looking in this direction that would not be very aesthetic. That has been taken care of with previous conversations by bringing this around. If you really want that sidewalk, if you connect it, it saves money, is less square footage and you still achieve the same thing you are trying to achieve and you can take care of these sight lines with the berm still fully in tact in this location. I agree with a sidewalk here but it creates the same problem I'm going through now where people cut through. In regard to Leed programs, Leed likes sidewalks as it creates community interaction so I can agree with that sidewalk but not when it is going right past my house.

STEPHENS: So you are in agreement with Mrs. Murphy that you would like to see the sidewalk relocated to where it is shown on this plan except for that “V”? Where do you think that should go?

TALLON: I know the architect. If you just draw a line here and try to get overlap between this part of the berm and this part of the berm. Just point that out that there are some sight lines we'd like not to see. Once again. We've talked about it now. It can be taken care of. It is no additional cost. But to change something is costly.

STEPHENS: What is it you wanted to do on the east side?

TALLON: Connect it right here. That is half the distance of this and you still achieve the access.

STEPHENS: There is a sidewalk up there isn't there?

TALLON: Yes.

STEPHENS: You want that relocated to the south behind the berm?

TALLON: Yes. Now to the next item. Are the trees along the wetland going to stay there? We would like to see them remain here and not be cut down. I believe that they fall within this area and will probably remain (the southwestern section of the wetlands). We talked about lighting height. I would like to see it consistent with what we already have there. We have Harris Bank and we have the shopping center on the southwest corner of 159th Street. Those seem to be nice set ups. I've seen dealerships where we get taller light stands and a lot more light. I would not like to see that. I don't know what is planned here. The signage we talked about. There is a Harris Bank down here. Nice, low-key signage. That Chase Bank and CVS (but more so the Chase Bank) is a lot more in-your-face type signage. I don't know what the Orland Park requirements are but I would like to see this area stay consistent with what is already there. There is a bank over on this side on the southwest corner that does have some large lighting and a light blue which does stand out. The Harris Bank, I think, does a nice job. I'd like to suggest that we do that. Again, in regard to the Leed program, the islands here – I do not see a landscaping plan. But in order to reduce the heat island effect, I think it would be nice to have some good landscaping in there. I believe Mrs. Flom indicated that they are still working on the landscaping plan. I think that would help buffer the amount of cars we have there. But you might have to buffer those islands a bit. Along with that heat island effect, I don't know what kind of roofing is planned for here but if you go with a light colored roofing (Goodyear does have some light colored, light grey) that is good for the environment to help relieve the heat island effect. I would like to have that considered by the architect. What we've done with the buildings and the elevations has created a nice consistency with the banks that we have and the new shopping center on the southwest corner. We do have a small shopping center that was existing for some time where the White Hen is. It is not quite fitting with this, however, the consistency I like. The dealership, because of its style, is really in your face but I think with the landscaping which we've already started a nice plan (by talking with Staff) will

soften that and help it fit in better. These are all suggestions that I think can make people pretty happy. I think that is all I have to say except that I did want to start off by saying that the Staff has done a terrific job and the architect and developer, working with the Staff, I think we are headed in the right direction. I've heard a couple things tonight such as the sidewalk that tells me we are kind of going backwards a little bit here in my opinion but I do want to say that the Staff and the Plan Commissioners have done a good job. We are getting there. I don't know that we are there yet. I too would like to see more detail in the drawings. I'd like to see a landscape plan. I'd like to see what we are going to do with the sidewalks.

STEPHEN: As I told you at the last meeting, you are not going to get everything you want and they are not going to get everything they want but if we can compromise somewhere in the middle, everybody will be happy as the project moves forward.

TALLON: I'm not fighting the dealership. At first I was but now I'm finding ways to be a neighbor with it but I need some consideration also.

STEPHENS: Thank you for your courtesy and your comments.

TALLON: Thank you.

DZWIERA: Swore in Mr. George Lind.

LIND resides at 15741 Shire Drive:

STEPHENS: You and your wife e-mailed the letter to Staff?

LIND: Correct. I just want to add to what Carl (Tallon) said. Around the lake – Carl mentioned the trees all the way around and into the wetlands here. This trail shows no connecting to anything else back here. This is all protected wetlands back here. These beautiful trees are 50-feet high. I'd like the Planning Staff and Plan Commission and the developer to please take into consideration to minimize any loss of trees back there which my feeling is, is that that is part of the wetlands now – the trees and everything so I'm not sure how they are going to put a trail in there. Actually, I'm not sure but I'm concerned and want to add that to the comments already made.

DZIERWA: Swore in Gene Esposito.

ESPOSITO, resides at 10911 Glen Lake Drive:

STEPHENS: Are you close to Shire Drive.

ESPOSITO: No, not at all. I'm in Somer Glen South. One of my concerns was the mature trees around the pond which I think you've already addressed. Another

concern is in regard to the entrance on 159th Street to the east of the property. Is there any intention of connecting that to a road that would go into Glen Lake Drive? There has been talk with the Village as far as adding an additional road that would kind of come out that way. Is there any future planning to connect a road to that entrance (to the east).

STEPHENS: You've come up before us four months back?

ESPOSITO: Yes, at previous planning meetings. I know through discussions with Staff that there is the intention of eventually adding a road coming off of 159th Street.

STEPHENS: It doesn't appear to me that that will work with this project going forward. Asked Mr. Sullivan to comment on this.

SULLIVAN: We don't know what is going to go over there on the property to the east right now. Just like this one, it depended on what came in. In this case it was more appropriate to put a cul-de-sac in. On that, we can't really say right now.

ESPOSITO: Would the same criteria be addressed at that future time as far as not putting a street connecting to this project or could we have this project not allowing us to be connected to it because then we would have the same situation that you are trying to alleviate right now with that cul-de-sac. Future planning is what we are trying to do.

STEPHENS: Let me put it this way. Staff tells us that good planning is to make street connections. I think we look at it as what makes good sense when an individual petition comes up before us. Staff always wants to make these connections and sometimes we don't always agree to that. I guess it depends on what will come in for that piece of property and what they are requesting and we can address it at that time. That really is not a subject matter of this piece of property.

ESPOSITO: Can something be made in the sense where this piece of property was stating that we will not add another street to it at all.

STEPHENS: No because that is not part of this petition.

ESPOSITO: So potentially we could still have a street going in.

STEPHENS: I'm sure we will see you again if that piece of property comes back.

ESPOSITO: In regard to the pond that is there right now, can I assume that a wetland delineation has been done for that pond?

STEPHENS: Yes.

ESPOSITO: Was that wetland delineation approved by the Army Corp of Engineers

STEPHENS: No. That wetland is not jurisdictional by the Army Corp of Engineers.

ESPOSITO: Who said that?

FLOM: The Army Corp of Engineer did. We have a non-jurisdictional letter.

ESPOSITO: The last time I talked to them, they were not sure that is the case. That actually it is part of a moving body of water. How recently was that letter received.

FLOM: I'll let the petitioner address that.

ESPOSITO: My other question is in regard to the proximity of the parking lot to the pond. Has there been any type of environmental study done as far as the different solvents that the auto dealership would use that might contaminate the pond or any of the wetlands or wildlife there. Also, in regard to the retention pond is there any concern at all in regard to a breach from the pond to the retention pond at all. It is pretty close to that wetland.

STEPHENS: We will have the petitioner answer your questions.

DZIERWA: Swore in Greg Kolinski.

KOLINSKI, resides at 10532 Great Egrett, (Mallard Landings): I know that these folks have a real concern. Being in the construction business for 20 years, I've been to a ton of these meetings and can appreciate and understand what they are going through. I can also speak for Mr. Markopoulos for whom I've done a couple projects for. He does great work. He does a great job. He is a man of his word; he is very honorable; he is very fair. As a matter of fact, speaking of landscaping, he just made me go back and replace some bushes on his site. He stays on top of it. He did not ask me to come here tonight. I came here out of my own free will to let the people know that in today's economic times and doing several projects both in Mokena and Orland Park and coming up with dealers and brokers and developers that are struggling, to have somebody like Mr. Markopoulos looking at this site is a pretty good thing. Financially stable unless that has changed in the last six months. He pays his bills on time and is always looking out to build a good looking, solid project. I know it is difficult for you guys but again, at least you've got a developer who is decent, wants to build a good product, and wants to be proud of it. There are a lot worse people out there. As far as the landscaping goes, Orland Park is pretty tough on what their requirements are and maintenance and maintaining it. As far as scheduling of the building of berms, absolutely, I think that

is a great idea. That landscaping can be put in within the first 30 days. The only issue is maintaining it throughout the construction, however, it certainly can be done.

STEPHENS: Thank you Mr. Kolinski. It is not often that we get someone to speak favorably about a developer.

KOLINSKI: That is why I came up to do it because there aren't that many out there anymore. In these economic times, it is getting harder and harder to find people who really care and are financially stable enough to build.

DZIERWA: Swore in Mr. Tim Kuhn.

KUHN, resides at 15716 Shire Drive: Noted that Carl Tallon has come to peace with the dealership, however, I haven't quite done so. I guess the reason is I've never heard why, exactly, they are moving the dealership.

DZIERWA: That is not pertinent to this petition.

KUHN: Is it because of the space that they currently have? It could be an issue of all the car dealers that are on 159th.

STEPHENS: We will ask the developer.

KUHN: The big thing that stuck out for me was the number of parking spaces 700 parking spaces. If the issue is space, isn't there some other alternative that the Village can come up with? Also, noted that dealers on 159th, when they unload the cars, semi-trailers park in the middle of the street. I'm sure you've seen that before too. I don't know where they are going to unload their car with these tight spaces and all this parking. I don't know how you are going to get a semi-trailer into this area. Have you seen how big these car loaders are? This is a two-lane road here.

STEPHENS: Honestly, I've never seen a semi-trailer parked in the middle of 159th Street.

DZIERWA: I've seen that. It is not done during peak hours but it is done. It is dangerous in peak hours.

KUHN: The concern is also that it is a two-lane highway and if they are going to continue that practice, here it will stop traffic completely. On the Site Plan, there really is no condition for semi-trailers to go in there.

STEPHENS: We'll ask that.

KUHN: Opposed to the sidewalk. Don't need it at all.

STEPHENS: Asked the engineer to come up and answer some of the questions just asked.

DZIERWA: Swore in Craig Knoche, Knoche Engineering – 24 N. Bennett, Geneva, IL.

STEPHENS: Mr. Tallon asked about the five-foot berm to be established at the beginning of the project. Is that feasible?

KNOCHE: Yes. The area that the berm is going in is 60 feet wide. If we were allowed to build a berm at 3:1 which is the maximum that you can build it and still maintain it and maintain the landscaping, I'm sure we'll have no trouble getting up to five-feet high from the residents side of the berm.

STEPHENS: Is that finished or rough?

KNOCHE: Finished.

STEPHENS: You would go higher for the rough range.

KNOCHE: We are going to go as high as we can go with it. We have to get rid of the black dirt.

STEPHENS: I understand that. What about the trees?

KNOCHE: We are going to save as many of the trees as we can. We had a tree survey done and there are a lot of trees out there. I am not certain as to how many of them are quality or not, however, putting the bike path through there is a legitimate concern. That is going to take down some of the trees. We are going to keep as many of the trees as possible.

STEPHENS: What about the situation you heard from Mr. Esposito in regard to the wetlands.

KNOCHE: I believe we have a letter from the Corp of Engineers. There was a wetland study done by a wetland expert who sent a jurisdictional request to the Army Corp of Engineers and I am 98% sure we have a letter back from the Corp stating that it is not jurisdictional, it is not connected to any waterways of the U.S.

MARKOPOULOS: Stated that we are 100% sure because we do have a letter from the Army Corp of Engineers and I believe we shared it with the Village some time ago. If we did not, we will do so. Produced the letter. It says it is not jurisdictional. We have a tree survey which we shared with the Village of Orland Park. The Staff and I will work through it to see which ones are to be saved and which ones are not to be saved. We will keep adding trees until someone says I

can't see the sun.

STEPHENS: What about the notion that the pond could breach and pollute into the wetland?

MARKOPOULOS: I'm sure that the EPA has very stringent rules on solvents or oils or anything else. I think the BMW folks would be the ones to answer that. As far as we are concerned, the detention is going to be a place that pollutants can settle out before the water is released into the wetlands. Everything on the site will go into the detention basin, obviously. There will be no water discharge directly from the parking lot to the wetlands.

STEPHENS: Does the detention area slowing release into the wetlands?

MARKOPOULOS: Yes. We have to do that to continually recharge the wetlands.

STEPHENS: In regard to the contaminants, that is something that the IDPA deals with.

STEPHENS: Thank you. Now for the architect, one of the comments made from Mr. Tallon was in regard to a light-colored roof at the BMW.

MARTH: That is already in the plans. That is part of the Leed certification – having a light-colored roof to reflect and reduce the heat island effect. Noted that a great deal of the Leed certification points are better storm water management than what is already there. The fact that we are doing pervious paving, the fact that we are reducing the heat footprint of the site, there is also Leed points that are gained for reducing the amount of contaminants that get into the detention pond by using filtering systems such as a triple base that would be coming out of the building. They can reduce the salts with certain soil retainage plants. There are plants that go around the detention pond that filter out salts so as Greg was saying, EPA has stringent requirements for detention but on top of that, your landscaping ordinances around wetlands and detention ponds also address the issue with aquatic plants that keep the pollutants from getting into the wetlands.

STEPHENS: Are you proposing to landscape the islands?

MARTH: Yes, they are all landscaped. Every island you see on the plan that is not striped, is landscaped with trees and shrubs.

FLOM: We originally were told that the BMW dealership does not want to have islands in the parking lot but maybe that has changed. I'm not aware.

MARTH: That is part of getting the Leeds certification. The confusion is that where the islands are to the far north at the end of the parking trees, those were intended by BMW not to landscape at this point. All of the other islands that you

see in the front that separate the drive and around the building are all landscaped.

STEPHENS: So just in the parking lot they wouldn't. That is where you are going to park the inventory cars?

MARTH: Right.

STEPHENS: But the other islands around the other buildings – Lots 1, 2 and 3 – those are required to be landscaped.

MARTH: Yes, on the retail, the bank and the pharmacy, those are all landscaped.

STEPHENS: Can you address what kind of trees would be taken away from the southwest section of that wetland -- between the detention area and the wetland.

FLOM: We do have the tree survey already and I did mention that in the report but not in my verbal presentation. We do not have a tree mitigation plan at this time. We are requesting that before the project moves forward to ensure that as many trees as possible can be saved or moved.

STEPHENS: The big concern from Mrs. Murphy and Mr. Tallon was in regard to that sidewalk. Asked Staff if we really need to have that sidewalk in there? Apparently, the residents don't want it.

FLOM: We always like to see the connections. We'd like to see the sidewalk in there. We think it can be designed in a way that works for both privacy and neighborhood security but also providing an access point for residents to easily access this development and others nearby. These details are not there yet. We think it can be done in a very positive way.

STEPHENS: So Staff is requesting that it stay in and the people who live there do not want it. They want no connection at all. Can we eliminate that sidewalk?

SULLIVAN: We'd just like to say that you are going to end up with a dirt path because people are going to want to use it. It does not make sense to us to know it is going to happen. We'd rather address it in the best way possible now than have some dirt path go wherever later on. That is our point.

STEPHENS: So you'd rather have it.

SULLIVAN: Yes, in an agreed-upon location that makes the most sense and is the best laid out.

STEPHENS: Apparently the agreed upon location is to move it back to the south side of the berm and to deal with that "v" over there.

SULLIVAN: Yes, we can negotiate where it goes.

STEPHENS: If we are looking for a compromise, the Village apparently wants that sidewalk there – not necessarily the developer. The people there don't want the connection. If we are looking for a compromise, can't we just leave it where it is at, at the south side of the berm?

MARTH: If we are putting in all the landscaping that the residents wanted and the berm continuous around the cul-de-sac, for someone to get to a sidewalk on the south side, unless we cut an opening as shown here, the only way you get to that berm is working your way through the heavy landscaping that we are going to provide and go up and down the hill. I think that is very restrictive and not conducive to traffic that is going to create a path over time. You probably will get kids who are going to go over that hill. I would imagine they are going to use that hill for sledding too. I think to create an opening in the berm to make it easier and not put a sidewalk there, then you are asking for the path. I really don't think that sidewalk is necessary – I agree with the residents. We are putting it there because that was something requested by the city. There are different ways we can screen it on both sides. We were talking about reducing some of the stacking of cars on that north end of the parking lot. Where that sidewalk is right now we could put landscaping for that 20 feet and create a landscaping buffer between that path. But again, if they don't want the path, I think we are trying to create a problem where there isn't one if we just avoid it and don't do it.

STEPHENS: Okay. The employee parking spaces – do we know how many employees are going to be at the BMW dealer and is there an area where the employees are going to park? I have to be honest. I don't believe that people are going to park on Shire Drive and walk over a berm full of landscaping and through a fence to get into the BMW to go to work. I don't think that is going to happen.

MARKOPOULOS: I don't know exactly where BMW will designate its employee parking but they provide enough parking for customers, employees and storage of cars. We will have plenty of parking on site.

STEPHENS: Can you indicate where the fence around the BMW dealership will be.

MARKOPOULOS: There is no fence.

STEPHENS: They don't want a security fence?

MARKOPOULOS: They haven't asked for it. The last request we had from the BMW dealership, keeping with the Leed certification and with the greenery with the landscaping that we are incorporating into the site, they felt they would go with some electronic security system as opposed to gates and fences. They may not even need one. If they do some type of security it may be something electronic or

something non-intrusive. Clarified that we are doing Leeds points without the requirement of the city to ask for Leed certification. BMW is going Leed certified on their own. It is not a requirement. They are concerned about the environment and this is how they show it. We are doing a lot of Leed certification points. As a matter of fact, out of 26 to get Leeds certified, we achieve 21 just with what we are doing on the site right now. The only difficulty in going to Leed certification is the cost of getting it certified after the fact and that takes several years. But the Leed certification process is an excellent process but it is a guideline and a good start. I think that you will find that BMW is going to be a very good neighbor if they are putting in the amount that it costs to be Leed certified at this site when they do not have to. With the design of the other buildings that we have with the pervious pavement, the landscape features, the pedestrian areas, the sit down café area – we are meeting the majority of the site Leed requirements and on our building, we already design in about 14 points into Leed point requirements for Leed certification with white roofs and so forth and the exterior wall co-efficient for energy. I think the project is well designed. We are willing to accommodate what other comments are made. I didn't really object to anything that was being said except I object to not putting the BMW here. I think this is the location for it and they believe it too. Besides that, I think everything that was spoken to can be resolved and I think we have. The 21 points that were spelled out in the report – those can be the official points that have to be in the document which if you pass this on, will have to be documented and sent on to Committee and to the Village Board. I think it is well defined and I think we have addressed these and we'd like to move forward and go to Committee. We can meet shortly after this meeting before the next Committee meeting if that is the next step. As you can see, there are discrepancies between Staff and us – not that we don't want to do it, it is just that we are being asked to do it and it looks like we are imposing on the residents. If we can work it out between the three of us, I think that this is going to be a great project and the neighborhood is going to appreciate it. Thank you.

HARTLEY: We have not addressed the question raised about how they are going to get cars in and out of here.

STEPHENS: Asked Mr. Markopoulos why they want the dealership here.

MARKOPOULOS: So they don't have to leave the Village of Orland Park. They love the Village. BMW has outgrown its current facility. They are doing so well here. As you know, their facility is combined with BMW and Mercedes on 159th. They've outgrown it. They want to segregate the facility. You will have a brand new facility for BMW. Because BMW is staying here, I think it will be a substantial economic benefit to the Village and to the residents for the long term. This is a commercial intersection viable for this type of business. We have shown that we have come a long way in trying to satisfy a lot of the needs, a lot of the berming, a lot of the traffic congestion, mitigation, wetlands, detention, and trees. A part of accomplishing all of this is because we have BMW that is part of this development.

STEPHENS: You've answered that question, thank you. What about the unloading. Can you answer that?

MARKOPOULOS: I will have to check with BMW and I can probably answer that question in time at the next meeting or before we go to the next stage if we are fortunate to do so. Maybe we can answer that in a few days.

STEPHENS: Asked Mr. Sullivan if we can put in restrictions in regard to loading and unloading of cars?

SULLIVAN: Yes, this is a Special Use which you can put conditions on. We agree with the residents. It is a really bad idea to unload on the street. We have seen this practice done too.

STEPHENS: So we can make this part of the condition?

SULLIVAN: Yes.

MARKOPOULOS: Further, we won't be opposed if we put that there is no loading in the street.

MURPHY: Back to the fence. All along we were told that there would be a fence. We do want a fence for many reasons, specifically for security as a big reason. We had talked about the whole issue of employees and there will be a number of likely transient employees – a big turnover – we don't want that foot traffic. Whether it is likely they will travel over a berm or not, by putting up a fence, that eliminates the issue.

STEPHENS: What kind of a fence are you talking about?

MURPHY: We talked about a number of fences. Whether it is opaque or the wrought iron type, certainly some type of fence separating the BMW parking lot area from our neighborhood is desired. All along, we thought there was going to be a fence.

STEPHENS: Yes, we did talk about it at our meeting. Addressing his question to Mr. Markopoulos, asked if we could request you talk to BMW about making that a condition, having a fence?

MARKOPOULOS: A fence with all of that landscaping and berming? Especially a chain link fence.

MURPHY: Not a chain link fence. Something aesthetically pleasing to both the developer and the residents.

STEPHENS: They don't want the path – they want the fence.

MARKOPOULOS: We will discuss it with the Village and BMW, I suppose.

STEPHENS: We can make fencing as part of the condition.

MURPHY: Okay. One general comment – a question I have in regard to the process of whether you vote tonight or next time – one of the things that the Mayor brought up was being in communication even if this goes to the next stage as far as the residents and the Village, on seeing further details, further plans. Will we be kept informed.

STEPHENS: The process is that if we pass this tonight, it goes to the Committee meeting. The next Committee meeting is on January 26th. It depends on what they do at that meeting. They could either continue it or move it forward to the Village Board. You are welcome to go to that Committee meeting to see where this has gone in terms of the comments made this evening and make your comments there. You can go to the Board meeting where the final decision is made. As I've said before, we are a recommending body. We are residents of this community as well as you are. We make our recommendation as to what we think is the best thing. Then it goes to the Committee. They make their comments and ultimately goes to the Village Board for a final vote.

MURPHY: Looking at the November 11th Plan Commission Meeting minutes, noted that Community Honda was before you for a lighting variance. They wanted additional lighting for their Community Honda on 159th Street. I'm curious, going forward, if this comes to a final decision and it is built and they come back to this Commission for a lighting variance, how as residents, do we find out about that?

STEPHENS: You have to be given notice. If it is a public hearing, public notices are given. That is the process.

MURPHY: Thank you.

STEPHENS: You're welcome. Thank you for your courtesy.

STEPHENS: Invited comments and/or questions from the Plan Commissioners.

PARISI: Prior to this meeting I thought that with the volume of conditions it would be difficult to move forward, however, I have to admit, I am extremely impressed by the tremendous amount of progress that has been made in a short period of time. I believe with the sincerity on the part of the developer, the architect, the engineer, to be good neighbors. I find that very impressive. It is clear to me from the residents comments (they have a lot of legitimate concerns) that they understand the feasibility of a commercial development along 159th Street and they rightfully want to assure that every effort is made that the adjoining neighborhood, the

property values, the quality of life, is not disturbed. Again, I think that the degree of progress in such a short period of time shows the amount of effort made within the last couple of weeks. I would like to see us not stifle progress. I've been a resident of this Village for 30 years. It has come a long way but I am confident that most of our concerns will be adequately addressed and worked out by the Committee. Our Trustees, our Planners, our Community Development people – over the past 30 years it is no accident that this Village has been named one of the top 100 places to live. It is because of their dedication to the quality of life. Anyone who has ever built here knows that it is no walk in the park. They are going to be tough on you and everybody understands that. I just want to assure the residents that any motion we may make here is not a free pass. It is supporting and endorsing the number of conditions and requirements. I tend to agree that if there is not a sidewalk, eventually there will be a dirt path. I think that is something that is important to the residents. We should probably concede to them. There is plenty of buffering there. The amount of green space and the ornamentation and the pavers – it is unusual for a development of this type. Noted it was mentioned that the right turn out onto Wolf Road on 158th can create a dangerous situation. Will we adequately address that? I think that is important.

SULLIVAN: It is not adequately addressed yet. We wanted to see what the petitioner presents. They discussed tonight, moving that road further north. One of the concerns was that one lane coming out to go left or right – we would need at least two lanes there so that no one is waiting behind a left turner. They can do that. It is just a matter of working it out.

PARISI: Again, I'm impressed by the efforts of everybody – the Village, the residents, the developer – what has been accomplished through working together. I have every confidence that we will have a first class project. I would not want to do anything to impede that progress. Thank you. That is all I have.

THOMPSON: Concurred with her fellow Plan Commissioner. Very glad to see the revised Site Plan which I thought was very well done, excluding the sidewalk – I agree that it should not be there. However, I can understand that kids will be kids and they are going to create a path there so I think we should work with that. I agreed with the removal of the road. I never liked it on the original plan. I applaud our developers for removing that. I also understand that we need to move forward with the plans. At first I thought we should continue it. Now I can see that everyone is willing to work together and I hope we continue to work together. I would also like to see everyone continue to work with the residents. That is very, very important. I think this will be a good fit there. That is all I have. Thank you.

DZIERWA: The north end of the parking lot for the BMW. I agree that if we should lose 30 parking spaces we should probably remove two spaces from each parking island that runs north and south so you would lose 24 spaces there. I would take the parking that is up against the back of the lot and move that further south and create a bigger open space there. If you want to lose parking spots I

think you gain something by doing that. As far as the cul-de-sac is concerned, I would put up "No Parking" signs in the cul-de-sac so that you don't have employees parking there; walking through the bushes and going to work. I've seen this at other dealerships. They will park anywhere they possibly can. Shire Drive will become a parking lot for dealership employees. It happens. It is not intended but it happens. I'm not worried about what is going on with the detention because I think that Staff and the Army Corp of Engineers makes sure about what goes on around there. I have total confidence that what goes on around there will be the right thing. I don't think that we as Plan Commissioners need to address that. That is something the developer knows he can or cannot touch when given permission. As far as that northern most entrance exit on Wolf Road. I agree that it should be lined up with across the street. Until it does, I think the developer could make that a right-in, right-out. It is a solution. It is not the right solution. If you can't mak

STEPHENS: Moved to accept as findings of fact of this Plan Commission, the findings of fact set forth in the Staff Report dated December 9, 2008, and move to recommend to the Village Board, approval of the Preliminary Site Plan, Details and Building Elevations, as shown on the following sheets: 'Wolf Point Plaza' prepared by Craig R. Knoche & Associates, Job Number 4-041 dated 12/04/08, Sheet PUD1; 'Site Plan Details' prepared by Shive, Hattery, Project Number 8081570, dated 12/03/08, Sheet CSP-2; 'Chase', prepared by Interplan Midwest, project number C07.0086 dated 11/07/08; 'BMW of Orland Park' prepared by Olivieri, Shousky & Kiss P.A. job number 160.44 dated 06-02-08, sheet BMW.A2-1, and 'Retail Development Orland Park IL' prepared by Arcline Associates, Project Number 8081570 dated 12/03/08 Sheets A2.21 and A2.2 subject to the following conditions: (1) that the petitioner obtains Preliminary Engineering approval with the current Site Plan before moving to the Committee; (2) that the petitioner work with Staff to revise the sidewalk layout (referring to the sidewalk layout within Lots #1, #2 and #3 - not the walkway to the north) and pedestrian circulation system before moving to Committee; (3) that the petitioner submit a Preliminary Landscape Plan that includes buffering, decorative landscaping at key areas and proposed site amenities that are integrated into the overall commercial center; (4) that the petitioner submit color elevations with materials of the proposed trellis structure and better integrates trellis locations at key areas of the site and to work with Staff on the locations; (5) that the petitioner provide an elevation of the monument sign proposed at the gateway corner of 159th Street and Wolf Road; (6) that the petitioner submit a Tree Mitigation Plan that meets Code requirements before moving to Committee; (7) that the petitioner plant the trees required in the BMW parking lot landscape islands in the bufferyards in addition to Code requirements; (8) that the petitioner remove a minimum of two stalls from the Chase Bank dead end parking lot in order to provide more landscape area between the masonry wall and the right of way; (9) that the petitioner provide elevations of the proposed masonry wall on the Chase Bank site; (10) that the petitioner remove at least 12 stalls from the BMW parking lot in order to provide nine feet of landscape area (four feet before the berm and

five feet between the sidewalk and the BMW property line) around the east-west sidewalk connecting Wolf Road to the Shire Drive cul-de-sac; (11) that the petitioner remove at least three stalls at the southwest corner of the CVS building in order to provide a more distinct plaza and pedestrian connection at the gateway corner; (12) that the petitioner remove at least four stalls in the parking lot adjacent to the restaurant in order to continue the sidewalk with a parkway from Wolf Road along the primary east-west access drive and to provide more room for the coffee shop dumpster or work with Staff to a better solution; (13) that the petitioner remove other stalls per Staff suggestion in order to improve the Site Plan in order to total a minimum of ten stalls on the commercial area and a minimum of 30 stalls on the BMW site before moving to Committee; (14) that the petitioner revise the plan so that the north full access point onto Wolf Road abuts the property line to better coordinate with the curb cut across the street and future development to the north before moving to Committee; (15) that the petitioner revise the road striping alignments on 159th Street and Wolf Road in order to provide safe turning movements and required stacking distances before moving to Committee; (16) that the petitioner revise the CVS elevations to include required labeling, including transparent glass on the proposed windows; (17) that the petitioner correct the notation on the Site Plan to clearly estimate the lot coverage and properly list the requested variances before moving to Committee; (18) that the petitioner revise the Chase Bank elevation to replace the EIFS at the top of the building with brick, remove wall signage from one side and correctly label the elevations as north, south, east and west; (19) that the petitioner remove the north bufferyard area from the open space outlet as this area is to be maintained by the commercial property and the BMW dealership before moving to Committee; (20) that the petitioner revise the Site Plan to show a right of way or easement along the east property line to allow for a future vehicular connection before moving to Committee; (21) that the petitioner provide extra information regarding the functionality of the shared drive through to ensure that all Code stacking requirements are being met before moving to Committee; (22) that the petitioner obtain IDOT approval of all curb cut locations and roadway improvements; (23) that the Special Use Permit include operating hours for the drive through restaurants requiring them to close no later than midnight; (24) that the service area overhead doors on the north side of the BMW building be closed during business hours to screen the noise and impact from the car wash; (25) that the petitioner work with Staff to locate the recommended fence around the BMW for security purposes; (26) place conditions on loading and unloading of cars; (27) place conditions on the height of the lighting; (28) remove the walking path at the north end entirely; (29) add berm to the east side of the cul-de-sac - the same height of the berm on the west side; (30) require Traffic Study before going to Committee; (31) require "No Parking" signs in the cul-de-sac; (32) work with Staff on any other required necessities; and (33) that the petitioner be required to make the northern-most entrance on Wolf Road, a single-lane entrance and a left-turn out and a right-turn out - so three lanes

THOMPSON: Second.

A motion was made by Commissioner Louis Stephens, seconded by Commissioner Patricia Thompson, that this matter be RECOMMENDED FOR APPROVAL to the Development Services & Planning Committee, due back on 1/26/2009. The motion CARRIED by the following vote:

Aye: 4 - Commissioner Dzierwa, Commissioner Stephens, Commissioner Thompson and Commissioner Parisi

Nay: 0

Absent: 2 - Commissioner Jacobs and Commissioner Aubin

OTHER BUSINESS

No other business was discussed.

ADJOURNMENT

STEPHENS: There being no further business before the Plan Commissioners, the Chairman adjourned the meeting at 9:36 p.m.

Respectfully submitted,

Teri Dougherty
Recording Secretary