

VILLAGE OF ORLAND PARK

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



Meeting Minutes

Tuesday, February 23, 2010

7:00 PM

Village Hall

Plan Commission

Louis Stephens, Chairman

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

CALLED TO ORDER/ROLL CALL

The February 23, 2010 meeting of the Plan Commission was called to order by Chairman Stephens at 7:00 p.m.

Present: 6 - Commissioner Dzierwa; Commissioner Aubin; Commissioner Stephens; Commissioner Thompson; Commissioner Parisi, Commissioner Paul

Absent: 1 - Commissioner Jacobs

APPROVAL OF MINUTES

Motion was made to approve the minutes of the December 8, 2009 Plan Commission meeting. With the following corrections:

Page 14 Under Stephens – change can not make out word to “Crossings safe.”

Page 15 Under Stephens – line 4, change can’t to can not

Page 17 Under Gustafson – strike “a” in 2nd line ... when we had our public a Citizens....

Page 19 Under Gina Kenny – line 6, change us to get now... to “us to get to now...”

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

Aye: 5 - Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Thompson and Commissioner Paul

Nay: 0

Abstain: 1 - Commissioner Parisi

Absent: 1 - Commissioner Jacobs

APPROVAL OF MINUTES

Motion was made to approve the minutes of the January 12, 2010 Plan Commission meeting.

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

Aye: 5 - Commissioner Dzierwa, Commissioner Aubin, Commissioner Thompson, Commissioner Parisi and Commissioner Paul

Nay: 0

Abstain: 1 - Commissioner Stephens

Absent: 1 - Commissioner Jacobs

APPROVAL OF MINUTES

Motion was made to approve the minutes of the January 26, 2010 Plan

Commission meeting. With the following corrections:

Page 2 Under Public Hearings – change Stevens to Stephens

Under Dzierwa, line 1, change block to blocks

Page 7 Under the third paragraph, line 7, change ...lettering was not appropriate.

to “ lettering was appropriate.”

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

Aye: 6 - Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Thompson, Commissioner Parisi and Commissioner Paul

Nay: 0

Absent: 1 - Commissioner Jacobs

PUBLIC HEARINGS

2009-0529 Orland Medical Realty

The Chairman, Lou Stephens, entertained a motion to continue this item to the March 9, 2010 meeting.

I move to continue the public hearing for file number 2009-0529, Orland Medical Realty, to the March 9, 2010 Plan Commission.

A motion was made by Commissioner Patricia Thompson, seconded by Commissioner Nick Parisi, that this matter be CONTINUED to the Plan Commission, due back on 3/9/2010. The motion CARRIED by the following vote:

Aye: 6 - Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Thompson, Commissioner Parisi and Commissioner Paul

Nay: 0

Absent: 1 - Commissioner Jacobs

2009-0629 Chicago Taste Gyros - Special Use Permit

TURLEY: Staff presentation made in accordance with the written Staff Report dated February 9, 2010 as presented.

AUBIN: Swore in: Robin Naser, 10515 Walter Drive, Palos Park

NASER: I have no comments, Mrs. Turley covered it well.

STEPHENS: With no comments from the public the Chairman opened the floor to the Commissioners:

PARISI: No comments, but good luck.

THOMPSON: You say this is only going to be carry-out?

NASER: Correct.

THOMPSON: No standing or eating in the facility?

NASER: Yes.

THOMPSON: It's a welcome addition, it's an empty store in that strip mall and good luck to you.

AUBIN: Good luck.

DZIERWA: I did take a look at the special use responses, and I did think that they were adequate. What I could read, if they were typed out it would have made them easier to read. That being my only complaint, good luck to you.

PAUL: Good luck to you.

STEPHENS: I have no comments to make; I think it's a pretty straight forward petition and a good addition to that center right now.

STEPHENS: (The Chairman asked for a motion.)

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated February 9, 2010;

and

I move to recommend to the Village Board approval of a Special Use Permit for a carry-out restaurant located at 15880 S Wolf Rd. and as shown on the County West Plaza Site Plan, "Exhibit B," received December 29, 2009, subject to the following conditions:

1. One dedicated dumpster is maintained for Chicago Taste and is stored in the existing masonry enclosure behind the store.
2. This approval is subject to meeting Building and Health Code requirements.
3. New signage will be approved through a separate permitting process.

A motion was made by Commissioner Nick Parisi, seconded by Commissioner Patricia Thompson, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees, due back on 3/15/2010. The motion CARRIED by the following vote:

Aye: 6 - Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Thompson, Commissioner Parisi and Commissioner Paul

Nay: 0

Absent: 1 - Commissioner Jacobs

2009-0605 2010 Land Development Code Amendments I

PITTOS & SULLIVAN: Staff presentation made in accordance with the written Staff Report dated February 9, 2010 as presented.

Concerns, questions and corrections are as follows:

Correction: Page 2 under Tattooing, line 1, change ski to skin

Concern: Page 3 under Section 5-112

STEPHENS: My concern on Section 5-112 is, if a developer with say 30 to 60 lots. Under this clause he would be required to put up to landscape those 30 to 60 lots. If they aren't developed or sold to somebody else, in these economic times, it's an excessive amount of cash to the letter of credit.

SULLIVAN: Usually what they do, is to do it in phases and will only record a smaller number of lots and they would just have to cover that and it can be broken up that way. But the problem is if we don't require the full amount and they don't do it (finish the landscaping), and then the Village is stuck...

STEPHENS: I understand, but in these times a guy could have a 5 or 10 lot development, and if he doesn't sell the lots at what point do you have to come up and sod those lots.

SULLIVAN: We haven't made them do that. What we usually have them do is to cover the sidewalk and parkway trees, and maybe just grade and seed it. In case it is going to be sitting there for a long time. Because they will have to be going in and digging it out, we are not looking for sod and shrubs and things.

DZIERWA: If a developer is having a difficult time coming up with the money for all the lots, why don't we get it at the time that he comes in for each permit?

SULLIVAN: When they get the permits is when we get the letter of credit. Remember for single family lots all we are looking for is a parkway tree, that isn't much.

STEPHENS: That is all you are looking for?

SULLIVAN: Yes. Except in developments we'd also cover the detention areas and common areas like that.

STEPHENS: Well, couldn't we clarify that?

SULLIVAN: That is what it says in the landscape plan.

STEPHENS: It says "one-hundred percent of the estimated cost of landscaping on private and public property. That could be interpreted as all the sod for the entire lot, if it's just for the parkway tree..."

SULLIVAN: We could add some language to make it clearer that it's just the parkway tree money we'd be looking for.

STEPHENS: That would be good. I just don't want the developers to be obligated to come up with 100% of sodding a lot. Or somewhere down the road someone else could interpret this as the entire landscaping of a lot.

DZIERWA: Is the estimated cost of landscaping defined somewhere?

SULLIVAN: Not really.

DZIERWA: We could just clarify this right here in language that would make it clear what we are trying to do.

Question

DZIERWA: From the first page. Do we have a definition of what a recreation vehicle is, from the Illinois Vehicle Code? I understand that some vehicles have RV plates and some do not, so do we have a definition that says which are and which aren't? Can there be clarification of what recreation vehicles are?

SULLIVAN: It wasn't really a State licensing definition; it's really more that people typically have those things on their lots for recreational use.

DZIERWA: I know that racing cars for example are for a recreational use, but it is not listed that way in the State licensing.

SULLIVAN: Well this is a land use regulation and we are just including that as something people may have in their driveways. It's really not meant to be parallel to the state licensing. It is just a definition a lot of municipalities are using.

Question

STEPHENS: Under definitions if we are going to call a fence a permanent structure, does that mean we are not going to allow them on easements on both sides of the lot?

SULLIVAN: You can put those on there, but it is always a risk. If the utility company comes along and needs to do something, they have the right to rip it out and not even pay you.

STEPHENS: I understand that. We can still do it?

SULLIVAN: If someone wants to fence the perimeter of their lot we are saying it can not be sticks and strings or chicken wire or things like that. If you are within your own yard, you can do that around your garden, that is fine, but not around the lot.

STEPHENS: It's just my concern that if we define it as a permanent structure, permanent structures can not be built on easements, so is it going to create a problem if we define it as a permanent structure?

SULLIVAN: No the fencing can still be where it is now.

Concern

AUBIN: Regarding the restrictions for Pawn shops and Tattoo parlors.

SULLIVAN: Tinley Park has similar language that they have put in place.

AUBIN: Has Tinley Park had any problems, for example discrimination?

SULLIVAN: No, not to my knowledge.

STEPHENS: Are there age regulations?

SULLIVAN: Yes we do refer to the State Statute for age regulations, which is 18.

Question

PARISI: Regarding section 6-304.

Can a subdivision have stricter standards for recreation vehicles and things like that?

SULLIVAN: Yes they can. But the Village does not enforce it, they have to enforce it themselves.

Question

PAUL: Regarding section 6-307.

The people that are doing that now, will not be grandfathered in?

SULLIVAN: Yes that is correct.

DZIERWA: Does that include spandrel glass?

SULLIVAN: That is a good point and it shouldn't really have that stuff on there anyway.

STEPHENS: Maybe we should type that up, in regards to spandrel glass.

SULLIVAN: It would be so they can't have signs on spandrel glass.

STEPHENS: With no comments from the public and no further comments from the Commissioners the Chairman noted that a request was made by David Sossin, representing the Southwest Suburban Home Builders to continue the matter for 30 days. He then asked the Commissioners for a motion to continue.

I move to continue the public hearing for file number 2010-0605, 2010 Land Development Code Amendments I, to the March 23, 2010 Plan Commission meeting.

A motion was made by Commissioner Patricia Thompson, seconded by Commissioner Paul Aubin, that this matter be CONTINUED to the Plan Commission, due back on 3/23/2010. The motion CARRIED by the following vote:

Aye: 6 - Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Thompson, Commissioner Parisi and Commissioner Paul

Nay: 0

Absent: 1 - Commissioner Jacobs

**2010-0058 2010 Land Development Code Amendment
Section 6-314 Environmental Technology Standards**

PITTOS: Staff presentation made in accordance with the written Staff Report dated February 23, 2010 as presented.

Question

PAUL: Regarding the Wind Turbines on Residential homes
Do you know how much energy a turbine will provide to single family home?

PITTOS: Yes, it will provide as much as 30% on a single windy day. It's not consistent year round.

Question

DZIERWA: Are they allowed on parking lot lights?

PITTOS: In this case it wouldn't be a parking lot light with a wind turbine; it would be a wind turbine with a parking lot light. They would have to be remade.

Question

DZIERWA: Regarding collocating on utility towers
You mention these would only be on utility owned towers, How do you regulate it, because if you read this month's Planning Magazine they talk about Green Power Super Highways, they talk about transmission lines and how they have to expand

them. Would we allow them to transmit the energy to these Super Highways or would they be limited to use here?

PITTOS: The nature of this industry is such that the energy has to be used immediately after creation so it would just be going into the general grid.

DZIERWA: The article talks about the cost of the Super Highway, now the cost is paid by the states and the consumers, but once the Village gets involved how would it stand in that?

PITTOS: The power lines are combined with the turbines to use the energy immediately. The Village would use the same regulations that are already in place for the transmission towers.

Comment

Page VI-314-17 Change the footage on the lot footprint frontage from 90 feet to 80 feet.

Question

DZIERWA: Regarding the ground mounted solar panels

That is mounted on the ground and if you live on the north side of the street, you would have to mount that in the back yard, because you're not allowing them in the front yard. You're up to 35 feet and with a standard lot and a 2 story house, you'd have to put it right on your lot line because on the winter solstice the sun is at its lowest in the sky, how do you get the coverage needed on the solar panel?

PITTOS: The code section requires that you put the solar panel on the ground in the northern most part of your lot.

DZIERWA: So if then you may not be able to do that? You'd just have to put it on your roof?

PITTOS: Yes, and that goes back to the lot coverage. If you do not have the ability on the ground then you'd most likely get the best capacity for that on your roof.

Question

STEPHENS: Regarding Geothermal Energy Systems

Why are we limiting the depth to 30 feet? I understand that the Moraine Valley Building that is going in Tinley Park is going a lot deeper than that.

PITTOS: You don't have to go very deep to access the earth's energy, which is 50 to 60 degrees Fahrenheit at about 8 feet deep. Basements have a standard temperature year round and that is taking advantage of that of idea. There is an issue of potential subsidence when digging to that kind of depth, but I suppose we could look at that. But we thought that the 30 foot depth was adequate.

STEPHENS: Is that just an arbitrary figure that staff has come up with?

PITTOS: It all depends too on what type of soils you have in your area and how deep the aquifers are to access the geothermal energy.

STEPHENS: Ok, if you think 30 feet is more than adequate I am ok with that.

PITTOS: And if someone comes forward in the future with more information, engineering and energy data, we could always tweak that.

STEPHENS: With no comments from the public and no further comments from the Commissioners, the Chairman requested a motion to continue the matter to the March 23, 2010 Plan Commission meeting, as requested by David Sossin, representing the Southwest Suburban Home Builders to continue the matter for 30 days.

I move to continue the public hearing for file number 2010-0058, 2010 Land Development Code Amendment Section 6-314 Environmental Technology Standards, to the March 23, 2010 Plan Commission Meeting.

A motion was made by Commissioner Steve Dzierwa, seconded by Commissioner Paul Aubin, that this matter be CONTINUED to the Plan Commission, due back on 3/23/2010. The motion CARRIED by the following vote:

Aye: 6 - Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Thompson, Commissioner Parisi and Commissioner Paul

Nay: 0

Absent: 1 - Commissioner Jacobs

OTHER BUSINESS

SULLIVAN: We would just ask that you take a look on the Village's Home Page there are 2 short surveys. The first one is the 159th street corridor, we are doing the plan for that with 5 other towns; Homer Glen, Tinley Park, Orland Hills, Markham and Oak Forest. They are supposed to have it on their home websites too. The second one is on our Comprehensive Plan and we have a survey with some questions related to that. We'd like to ask you to take a minute to take a look at that and complete them.

ADJOURNMENT

There being no further business before the Plan Commission for discussion, the Chairman adjourned the meeting at 8:58 p.m.