VILLAGE OF ORLAND PARK

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

Meeting Minutes

Monday, May 16, 2011

6:00 PM

Village Hall

Development Services & Planning Committee

Chairman James V. Dodge, Jr.
Trustees Brad S. O'Halloran and Patricia A. Gira
Village Clerk David P. Maher

CALL TO ORDER/ROLL CALL

This meeting was called to order at 6:16 PM.

Present: 2 - Trustee O'Halloran and Trustee Gira

Absent: 1 - Chairman Dodge

APPOINTMENT

In the absence of Chairman James V. Dodge, Jr., I move to approve appointing Trustee Brad S. O'Halloran as Temporary Chairman for this meeting.

A motion was made by Trustee Patricia Gira, seconded by Trustee Brad O'Halloran, that this matter be APPROVED. The motion PASSED unanimously.

Aye: 2 - Trustee O'Halloran and Trustee Gira

Nay: 0

Absent: 1 - Chairman Dodge

APPROVAL OF MINUTES

2011-0295 Approval of the April 18, 2011 Development Services and Planning Committee Minutes

I move to approve the Minutes of the Regular Meeting of the Development Services and Planning Committee of April 18, 2011.

A motion was made by Trustee Patricia Gira, seconded by Trustee Brad O'Halloran, that this matter be APPROVED. The motion PASSED unanimously.

Aye: 2 - Trustee O'Halloran and Trustee Gira

Nay: 0

Absent: 1 - Chairman Dodge

ITEMS FOR SEPARATE ACTION

2011-0239 Ordinance Amending Title 5, Chapter 8 of the Village Code - Crime Free Housing

Director of Development Services Karie Friling reported that the proposed amendment to Title 5, Chapter 8 provides for additional language to allow the proper enforcement provision as it relates to the property owners' responsibility to ensure that tenants comply with the Crime Free Lease addendum. In the event that a tenant is found to be in violation of the Crime Free Lease Addendum, this language specifies that the landlord is required to take reasonable actions to enforce. If the landlord refuses to take reasonable action, then the Village may

suspend or revoke their Residential Rental License.

I move to recommend to the Village Board of Trustees approval of the Ordinance amending Title 5, Chapter 8, Section 5-8-3 of the Village Code, as outlined.

A motion was made by Trustee Patricia Gira, seconded by Trustee Brad O'Halloran, that this matter be RECOMMENDED FOR PASSAGE to the Board of Trustees. The motion PASSED unanimously.

Aye: 2 - Trustee O'Halloran and Trustee Gira

Nay: 0

Absent: 1 - Chairman Dodge

2011-0259 LA Boxing - Special Use

Director Friling reported that the petitioner requests the approval of a special use permit to operate LA Boxing, a health and fitness center proposed for a tenant space at 9050 W 159th Street in an existing commercial strip center located near the northeast corner of 159th Street and Park Hill Drive.

LA Boxing is a kickboxing and mixed martial arts gym that is currently located on LaGrange Road in Orland Park. Health Clubs and Fitness Centers require a special use permit in the BIZ District if they exceed 5,000 square feet in size. LA Boxing is proposed for a 7,271 square foot tenant space in the Park Hill Commons Shopping Center located on a 4.4 acre site. Parking for this use is adequate considering the complimentary peak uses of neighboring tenants, current center vacancies, and land banked for parking to the rear of the center if parking were to become an issue. The proposed use is consistent with the character of the immediate vicinity and of the subject property. This use is compatible with other tenants in the already established commercial retail center. No changes are proposed to the building exterior.

On May 10, 2011, the case was considered by Plan Commission. No one spoke at the public hearing in opposition to the proposal. One Commissioner raised a concern with noise levels that might be generated from the gym's music that would impact the next door tenant. The petitioner said that he had no subwoofers that might create a problem, and that he has spoken with the neighbor (Emmarts Remodeling) and that they will work together if any issues arise. The different and complimentary peak hours of the businesses was also pointed out. The case was recommended for approval with conditions (7-0) by the Plan Commission. This case is now before Development Services/Planning Committee for review prior to being sent to the Board of Trustees for final review/approval.

I move to recommend to the Village Board approval of a Special Use Permit for LA Boxing to operate a health club and fitness center located at 9050 159th Street as recommended for approval at the May 10, 2011 Plan Commission meeting and as fully referenced below:

THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)

I move to recommend to the Village Board approval of a Special Use Permit for LA Boxing to operate a health club and fitness center that exceeds 5,000 square feet located at 9050 159th Street subject to the following conditions:

1. All Building Code related items are met, including building permits prior to any interior remodeling.
2. The dumpster is stored in the existing brick enclosure to the rear of the building and property maintenance requirements are met.
3. Any new signage is approved through a separate permitting process.

A motion was made by Trustee Patricia Gira, seconded by Trustee Brad O'Halloran, that this matter be RECOMMENDED FOR PASSAGE to the Board of Trustees. The motion PASSED unanimously.

Aye: 2 - Trustee O'Halloran and Trustee Gira

Nay: 0

Absent: 1 - Chairman Dodge

2011-0308 Terry's Lincoln/Mercury - Amended Agreement

Director Friling reported that in December 2009, the Village Board approved an amended agreement with Terry's Lincoln Mercury, Inc. The agreement was in contemplation of renovations to the existing dealership and the addition of a new Subaru Franchise. Since 2009, the Village was informed the Subaru Franchise was no longer going to be part of the dealership. However, Terry's has indicated their desire to still renovate the existing dealership, which will become the only Lincoln franchise in the South Suburbs. The following summarizes the deal points of the existing agreement and the proposed amendment:

Summary of Terms of Existing Agreement - December 21,2009

Renovation of Existing Dealership
New Subaru Franchise
Commencement of Construction - no later than Dec. 2010
$750,000 Loan from Village
$250,000 reimbursement for 7.124 acres of adjacent land
Sales Tax Rebate - not to exceed $1.625 Million

Lincoln/Mercury Franchise -	2011-2012 - 50% sharing of Base 2013 - Village sets new base and retains 100% Terry's get 100% of Sales Tax increment

Subaru Franchise -	2011-2012 - 100% goes to Terry's 2013 - Village sets new base and retains 100% Terry's get 100% of Sales Tax Increment

Summary of Proposed New Amended Agreement - May 2011

Renovation of Existing Dealership
Commencement of Construction - no later than Dec. 2011
No Loan from Village
$250,000 reimbursement was already completed

Sales Tax Rebate - not to exceed $1 Million - no time limit

2012-2013 - 50% Sharing of Base up to $100,000 to Terry's
2014 - Reestablishment of new Base (average of 2010-2012);
Terry's gets 100% over new Base amount
Yearly maximum payment will be $100,000.

The proposed new terms will still allow the dealership to undergo a substantial renovation but with a reduced Village incentive requirement. Terry's will still be required to obtain all site plan and Village approvals, as required by code.

I move to recommend to the Village Board of Trustees approval of the proposed revised terms of the amended agreement, as outlined.

A motion was made by Trustee Patricia Gira, seconded by Trustee Brad O'Halloran, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion PASSED unanimously.

Aye: 2 - Trustee O'Halloran and Trustee Gira

Nay: 0

Absent: 1 - Chairman Dodge

ADJOURNMENT - 6:21 PM

A motion was made by Trustee Brad O'Halloran, seconded by Trustee Patricia Gira, that this matter be ADJOURNED. The motion PASSED unanimously.

Aye: 2 - Trustee O'Halloran and Trustee Gira

Nay: 0

Absent: 1 - Chairman Dodge

/mp

APPROVED: June 20, 2011
*Committee's and Members were reassigned at the 6/20/11 Meeting.

Respectfully Submitted,

/s/ David P. Maher

David P. Maher, Village Clerk