

VILLAGE OF ORLAND PARK

*14700 Ravinia Avenue
Orland Park, IL 60462
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Meeting Minutes

Tuesday, August 14, 2007

7:00 PM

Village Hall

Plan Commission

Louis Stephens, Chairman

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

CALL TO ORDER/ROLL CALL

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

Present: 7 - Commissioner Jacobs; Commissioner Dzierwa; Commissioner Aubin;
Commissioner Stephens; Commissioner Culligan; Commissioner
Thompson, Commissioner Parisi

APPROVAL OF MINUTES

A motion was made and carried to approve the minutes of the July 24, 2007 Plan Commission meeting minutes with the following revision: in the first paragraph on page 7 under Ms. Ciullo's comments, replace the word "meet" with the word "meetings".

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

Aye: 7 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin,
Commissioner Stephens, Commissioner Culligan, Commissioner
Thompson and Commissioner Parisi

Nay: 0

PUBLIC HEARINGS

STEPHENS: Stated that the order in which the public hearings will be heard will be modified from what is reflected on the written agenda so that item #2007-0267, Park Corners II is conducted first.

2007-0266 Southwest Highway Mixed Use Development

STEPHENS: Entertained a motion for a continuance from the Plan Commissioners.

I move to continue the public hearing for file number 2007-0266, Southwest Highway Mixed Use Development, to the August 28, 2007 Plan Commission.

This matter was CONTINUED to the Plan Commission, due back on 8/28/2007

Aye: 7 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin,
Commissioner Stephens, Commissioner Culligan, Commissioner
Thompson and Commissioner Parisi

Nay: 0

2007-0203 183rd Street & LaGrange Road

STEPHENS: Entertained a motion for a termination from the Plan Commissioners.

I move to terminate the public hearing for file number 2007-0203, 183rd Street and LaGrange Road

This matter was TERMINATED

Aye: 7 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Culligan, Commissioner Thompson and Commissioner Parisi

Nay: 0

2007-0314 Three Bridges of Orland

David B. Sosin, Attorney for the developer and petitioner,
11800 S. 75th Avenue, Palos Heights

Damani Short, Petitioner, 416 S. Pine Grove, Hortonville, Wisconsin

Eric Russell, KLOA Traffic Consultant for the project 9575 W. Higgins Road,
Rosemont

Mark Wesolowski, Burke Engineering, Engineering Consultant for the project
18330 Distinctive Drive

Brian Tallman, lct design group, Land Planners, 401 N. Franklin Street, Chicago

HOFKENS: Staff presentation made in accordance with the written Staff Report dated August 14, 2007 as presented.

AUBIN: Swore in Messrs. Sosin, Short, Russell, Werner and Tallman

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

SOSIN: Stated they are very happy with the Staff Report. Obviously, we have had a long time to prepare for this meeting with the developer. This project has a history. I was before the Plan Commission 26 months ago. It was very favorable at that time. The project is essentially the same. We lost one unit through the engineering process, up until now. It has been very much refined with the Staff, with your consulting engineers and with our engineer. The original planner was Duane Linden and his associates and they still are the planners. The original engineer was Burke Engineering and they still are the engineers. I represented the original developer. I'm still here. We are very familiar with the project and we are very happy with the Staff Report. For a project of this size to have so few conditions, all of which are acceptable to us, shows that a lot of work has been done. We sent the notices out when I thought we were ready. Several meetings have taken place even since then with additional versions of this. We are ready to proceed tonight. Stated he worked with Damani Short for six months or more on this project. It has been very nice working with him. He is a developer. I know that you do not know him and I know how this Commission and this Village feels about its standards. Asked Mr. Short to address the Plan Commission, explain his background and make you feel comfortable that this is going to be a wonderful project.

SHORT: Introduced himself and stated he appreciated the opportunity to share this project and get the Plan Commissions feedback and support moving forward.

Collaborative leadership and a very experienced and responsive team are really the two themes that this team represents and are the key take aways for tonight. From a leadership perspective, stated his background is in corporate business. Most recently he was Vice President and Chief Information Officer for a 1.5 billion dollar printing company. Stated he has managed very complex teams and in this case in particular, over 300 employees in 35 locations worldwide, managing a budget well over 50 million dollars. Stated that Cordillera Investments is his real estate company. Noted he has over 150 million dollars of projects underway which include single-family residential, subdivisions, condos and town homes. With respect to our team, that is really focused around core competencies. I am in the role of bringing the deal together and the parties, but we have the best people with proven experience and track records in relationships with a lot of people here tonight – with everything from David Sosin on the legal side to the engineering team, to the construction management team (that is not here). I would appreciate your feedback and support on this project.

SOSIN: Stated that our engineer, Mr. Wesolowski, has a couple comments to make. The Staff Report was very comprehensive. We read it and we have a couple of very minor points. We want the record to be clear about some of these variations and how they were caused and how we feel the language should read.

WESOLOWSKI: Introduced himself. Stated he is with Burke Engineering. He has been a professional engineer for over six years and have been with the firm for approximately eight years. For those who do not know us, we have been working in the Village of Orland Park for over 40 years doing residential and commercial design. Have personally been involved in over a handful of residential projects in the Village of Orland Park. Have worked closely with Staff and the Village Engineer to address all of their engineering concerns on a preliminary basis and we are excited to present a project to you that we feel both meets the goals of the developer and the Village and this community. As Mr. Sosin mentioned, the plan over the past two years has remained basically the same other than a few minor changes. There were a few items in Staff's Report which I wanted to present to the Plan Commission for clarification and approval. Item #7 under the Traffic/Transportation section of the report which indicates that a sidewalk shall be located on the east side of the new roadway which would be 100th Avenue. I may be mistaken, however, I believe there was a typo and that should be on the west side as the sidewalk is shown. The proposed 100th Avenue roadway is designed to be a future boulevard once the White Mountain property developed and at this time there would be no need for a sidewalk which ultimately would be in the middle of the boulevard.

HOFKENS: Indicated that Mr. Wesolowski is correct that there is a typographical error not only in the Staff Report but in the Traffic Study as well.

WESOLOWSKI: Stated that the other item in Staff's Report has to do with the modification of the right-of-way from 60 feet to 50 feet. We are currently

requesting that be on streets #1 and #4. Street #1 is the longest road that runs from 104th Avenue to 100th Avenue. That borders the open space area which Staff has addressed. Street #4 is actually what we refer to as the ring road in the upper northeast corner of the development. In working with the Village Staff and their Engineers, basically the right-of-way in that area was reduced because it is bordered by the entire pond which accounts for some open space. It was basically reduced to help minimize the amount of retaining walls that we would need on this project due to the varying grade differences from the north side of the property to the creek.

STEPHENS: On those right-of-ways, is the street width still going to be the same?

WESOLOWSKI: Yes, it will remain 30 feet back-to-back on both of them.

HOFKENS: Clarified that this was a street that Staff had concurred could be 50 feet again because it does have open space all the way around the interior so you can still have the same affect of the parkway. The road width will be exactly the same. We support the 50 feet on this street as well.

STEPHENS: It just minimizes the parkway area.

HOFKENS: Yes.

WESOLOWSKI: Other than that, Staff's Report was very favorable. Welcomed any engineering questions there may be at this time.

STEPHENS: If any arise, we will ask you (Mr. Wesolowski) to return to the podium. Thank you.

SOSIN: Noted that Brian Tallman is present to answer any questions there may be in regard to planning and Eric Russell is present to answer any questions there may be in regard to the traffic study. Noted that more than 140 notices were mailed out, due to the size of the property and all of the houses. Pointed out to the neighbors that there are three distinct neighborhoods here. They are all residential. One is primarily a single-family residential. There are 62 duplexes. Those have a separate set of covenances for them which have been supplied to the Village. The condominiums which are far away from the residential but to the extreme south and east, (south of the golf course and near the college) those have another set of covenance. Each one of the covenances are meant to have separate associations and to protect the whole quality and integrity of Three Bridges. We are pleased and happy with it and welcome any questions from our neighbors or the Plan Commissioners may have.

STEPHENS: Asked Mr. Sosin to point out for the benefit of those in the public, the single family, the duplex areas and the condominium areas.

SOSIN: Accommodated that request.

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

AUBIN: Swore in Mr. John Anderson.

ANDERSON, Attorney with offices at 25 East Washington, Suite 1120, Chicago, IL: Stated he represents St. Xavier University, a neighbor to this project. Noted that St. Xavier University owns property to the east of this project. What the aerial photo does not show for the moment is that St. Xavier University property now extends south to take in that little pie-shaped area all the way to Orland Parkway. (Pointed that out on the map per Chairman Stephens' request.) The St. Xavier University campus is a tract of land with 45-plus acres currently as a result of its acquisition. Although the university is not opposed to The Three Bridges development, it wishes to bring to your attention, three matters of concern it has. Because a material portion of the university's property north of its building constitutes wetland and flood plain which drain southwesterly into and through the Three Bridges development, the university is concerned that the drainage from its campus be not adversely affected. We understand after conversation with Staff that an engineering plan for water management has been prepared and approved by the Village's outside consulting engineer. We are, however, hopeful that the implementation of the plan be monitored, particularly in the case of continued maintenance to assure that the drainage remains uninterrupted and not backing up into our property or causing us problems. It is also very important to us in this context that a perpetual responsibility for continued maintenance be clearly defined and meaningfully enforceable. It has been indicated here that there are three separate possible associations. I don't know if there will be a master association formed for this entire subdivision but I am concerned as to who will bear the responsibility for the maintenance for this rather extensive water management plan that is being contemplated for this subdivision. Asked who the Village's consulting engineer on this is.

HOFKENS: Christopher Burke Engineering.

ANDERSON: Asked if Christopher Burke Engineering is related to Burke Engineering.

HOFKENS: Stated that it is unrelated.

ANDERSON: It is a large family apparently. Probably related somewhere.

STEPHENS: This is Edmund Burke and that is Christopher Burke.

ANDERSON: Okay. Further, the university is concerned as to the future extension possibly of the north-south road along the easterly boundary of the Three Bridges

development. That is my understanding is the wish and hope and has been articulated by the Staff that this might occur. At one time in the recent past, the I-80 corridor plan of the Village contemplated that the university's entrance road be made public and extended west of its campus. I don't know what the current thinking is of the Planning Staff, however, gave assurances that the university would not voluntarily permit such an event to take place for a number of reasons. Because of the magnitude and complexity of the Three Bridges Development, the university is concerned that adequate financial and oversight provisions be made for the completion and subsequent maintenance of the infrastructures, especially the wetlands water management systems. As you and I know, the residential real estate industry is in the midst of retrenchment. Home builders are abandoning developments under construction. Some have filed for bankruptcy and many are experiencing severe financial distress. The timeline for this development is probably one of many years; I don't know. The cost of construction of infrastructure may very well increase in connection with this project, over the course of the development of the project, depending upon timing issues. Therefore, prudence would suggest that the Village approach this issue with caution to ensure completion of the infrastructure and its subsequent maintenance even if the developer might not ultimately succeed or if the development is initiated but not completed. Those are the concerns of my client. Thank you for your attention and patience on behalf of the university.

AUBIN: Swore in Michele Baldwin.

BALDWIN, resides at 18013 Owen: I am a new resident. I live right off of 104th Avenue. What is the traffic impact. There is talk about turn lanes. There is talk about widening it. What does that mean. Also, the turning on from 179th Street into the property – that is two lanes so how are people going to be turning left. Are there going to be turn lanes there? How does that impact the main entrances to this? Will they all be coming down 104th Avenue? I'm really sorry to see the farm go. Obviously, it is very nice to look across the street and see the farm and not a bunch of houses. There are a lot of comments about a lot of homes not selling and that is a concern. Is this project going to be started and not finished? I think the traffic issue for me, if this goes through, is the biggest issue.

SOSIN: In regard to the drainage issue, stated that this is a fairly complex area and a fairly complex piece of property. The major portion of that drainage area runs through the center of the property on an angle. If you look at it, it is all open space. There are numerous ponds on the property that are in low areas. Before we start (per Village Code) our Engineer prepares an estimate of the costs of putting in all that drainage, streets and curbs. As a factor of safety, 25% is added on. Our client then has the obligation under the Land Development Code to post a letter of credit from a bank to guarantee that when this project is started, it is finished in a manner that is satisfactory to the Village.

STEPHENS: Asked Mr. Sosin to address who is responsible for the maintenance

of that and if there is going to be an umbrella association or three separate associations.

SOSIN: There are three separate associations. Much of this property is going to be owned by the Village. The fields, the open spaces, the whole center area, we contemplate that a substantial portion of it will be maintained because they are going to own it, we are going to deed that property to the Village. The ponds have yet to be determined. It has been the policy of the Village to always take the single-family residential ponds. The other ponds are questioned and that will be a function of the development agreement. However, we have provided the Village with the declarations from all of the associations and to the extent that any of the ponds will be maintained by those associations – there will be an active provision in there for that maintenance, lien rights to homeowners who do not pay, and all of the other common areas of concern that would be addressed.

STEPHENS: Mr. Sosin, you said that is going to be deeded to the Village. Are you referring strictly to the park areas?

SOSIN: No, there is substantial open space in the middle. Those will be public areas. The idea was to create a large, meaningful open space. We contemplate much of that going to the Village.

STEPHENS: The whole area in the middle is going to be deeded to the Village?

SOSIN: There may be portions we still own, but yes. The Village wants it. We want to give it to them. The second issue is the extension of 100th. We are not in a position to comment in regard to St. Xavier's future plans and our obligation as a developer is to plan for the future. We have been asked to extend that street with the thought that someday it would reach the parkway. We have done that. We are not proposing to go on the St. Xavier property. I would imagine that in the future, if there are any plans to develop that property, the Village will have something to say in regard to where it goes and how far it goes. The comment was made that this street would bisect the St. Xavier property. I thought they only owned that one sliver. As I understand it, it would be on the edge of their property but we are not going there. We are only going to the edge of our property so that there will be another future link of a street down to Orland Parkway, per the request of the Village. Asked Mr. Anderson if he has answered his questions.

ANDERSON: As I indicated earlier, the university land now extends all the way south and fills in here. I don't believe we own this, however. Our entrance road is more or less right along here. You can see the building and our parking area is in here. At this point, we are still working on a master plan for the subsequent development of the land. The earlier proposal for the I-80 Corridor contemplated something like a road going all the way through here. Strongly opposed any kind of connection being made. This will always remain private and a part of our campus as far as we are concerned.

STEPHENS: Asked Mr. Sosin to address the issue of traffic impact raised by Ms. Baldwin.

SOSIN: Eric Russell will briefly explain each entrance, where they are, and what his findings were in terms of the affect on the surrounding property.

RUSSELL: Stated that the nice thing about this project is that there are going to be multiple access points to it. Two access driveways on 104th – one opposite Eagle Ridge Drive and one to the south of the property. There are three access driveways off of 179th – a right-in, right-out driveway. It is approximately 1,000 feet to the east of the intersection of 104th and 179th and a full access driveway, approximately 800 feet further to the east – right-in, right-out. Then another 1,000 feet or so to the new roadway, the new 100th Avenue which will have three access points – two for the condos down to the south and one serving the single-family residential. That is seven different access driveways into the property which tends to distribute that traffic quite nicely over the course of the road net. Everything out here is a two-lane roadway – 179th today is two lanes along the property frontage. It does widen out as it gets to the intersection at 104th. There are left-turn lanes on all approaches of that intersection. That intersection is controlled by a traffic signal. We don't envision that changing. That is appropriate today and will accommodate the traffic from this project in the future without any changes and level of service during the peak hours. Noted that 104th Avenue is a two-lane roadway and it will remain a two-lane roadway. However, if the access driveway is along 179th Street because it does carry higher volumes of traffic, there is a need for separate westbound left-turn lanes into the property. We see those westbound left-turn lanes – one at the 100th Avenue intersection and the other at the full access point into the subdivision. The road would widen out from its current two-lane section as it approaches the property frontage where it would become a three-lane section and then taper back down. It would widen out again where it is currently wide at the intersection of 104th and 179th. We don't envision any traffic signals being needed at the main access drive or at 100th based on the traffic generated by the project. However, if they are warranted in the future, that will be looked at. We just don't see those numbers being anywhere close to warranting a traffic signal. We show that they would operate at a reasonable level of service.

STEPHENS: For purposes of clarification, the roadway to the east – will that have a left-turn lane coming westbound?

RUSSELL: Yes, as you are heading westbound on 179th you would have a left-turn lane to turn onto that roadway.

STEPHENS: Which doesn't exist now, however, will be built with the project.

RUSSELL: Yes, it would be built with the project and built with that new roadway.

As you go further west, that widened three-lane section would continue to this intersection so that you have a westbound left-turn lane into the project.

STEPHENS: You said earlier, however, that was only a right-in, right-out.

RUSSELL: This further westerly access is a right-in, right-out.

STEPHENS: That additional third lane which is going to be a left-turn lane will be a continuous lane.

RUSSELL: Correct.

STEPHENS: How far will that continue going westbound.

RUSSELL: After the left turn into the property, it will just taper back down to the two-lane section.

STEPHENS: To clarify the earlier question asked, right-in, right-out means what.

RUSSELL: If you are heading eastbound you can turn right into the property and you can turn right to get out. You cannot turn left in, in the westbound direction and you cannot turn left out from the driveway onto westbound 179th.

AUBIN: Swore in Rita Costanzo.

COSTANZO, resides at 10420 Owen Drive: I live right behind the pond on 104th in Eagle Ridge. If you are going to put a turning lane in there, if you have ever been on that street on a Sunday, people are fishing there. Now they have two ponds to fish in. The parked cars are going to be backed up to 104th. Sometimes now, they are parked going south, part-way up the hill so that people coming into the subdivision have to get into the other lane to get up into the subdivision. The turning lane will push the parked cars back further. There is a hill there so it will be very dangerous. As they come down toward 179th, the people coming in have to swerve into the other lane.

STEPHENS: If there is a problem there, the Village should look into it and possibly post "no parking" signs in that area. Asked Staff to look into that further and to monitor that.

COSTANZO: Okay, thank you.

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

PARISI: We've had some time to review this. Outside of the traffic problems we talked about and perhaps parking signage required, the project itself is remarkable. It is well thought-out and very well planned. There is plenty of open

space. The issues in regard to maintaining the open spaces and the ponds have been adequately addressed. The planning of the residential properties have been thought out and the condo project has been placed appropriately. Think it is a remarkably well-thought out project. Thank you.

CULLIGAN: I like the street layout in this plan. It provides a lot of good movement and takes advantage of roads going along ponds and open spaces. I normally do not like to agree with the right of ways and the road reductions, however, obviously here in street 1-4 along 100th Avenue, I can see the need for those requests. No problems there at all. It appears that your duplex buildings and the single-family areas are laid out very nicely. I think the area where the condo buildings are set are good. I believe this falls well within the density requirements. Mr. Russell spoke very well in regard to the traffic issues. With all the additional signage, improvement, turn lanes that are going to happen at 179th and 104th will be a benefit to the traffic there. It will really help this project as well as others using those two streets. Providing a lot of open space, wetlands, ponds, park area – it appears that this development will be very pedestrian friendly. There are going to be a lot of nice features in there. Complimented everyone who has worked on this project which brought this fine plan before us tonight. Lastly, I really like street 7 that is laid out and designed as a boulevard going from the northwest toward the southeast and cutting through the property. It goes from the pond to the open space area. I think you will probably do some really nice things up in front there at that pond in the northwest corner. Some nice landscaping and signage indicating the name of the subdivision. As this petition progresses, suggest that Staff and the petitioner consider the removal of lots 13, 14, and 15 in order to really open up that area in the northwest area right behind the pond. That is all I have. Thank you.

THOMPSON: This looks like a beautiful subdivision. My major concern is in regard to the full access onto 179th where, it was said, there will be turn lanes. I live very close to this area and I frequent 179th which is very busy there. I foresee a lot of problems there and wonder if there is any way we can get a light there before there is a problem.

SOSIN: The feeling of our team, especially our traffic expert, is that having multiple points of access allows for movements that would take into account, the back up. The bulk of the traffic, from our study, is going to move out of the complex to the east, not the west, toward LaGrange Road – probably to I-80, probably into the Village. The idea of having the multiple streets would help relieve that. As far as the light, the only people who can promise you a light is the County and IDOT. My experience with them is that they do not move too quickly. They don't even allow you a light when you need it. They allow you a light a couple years after you need it. This is a mile from LaGrange Road. I'm thinking that if they put a light in, it most likely would be at 100th, down the road, if that road ever connected to the south and became a collector street.

THOMPSON: I do think it is going to be a problem, however, I understand where Mr. Sosin is coming from. I recall at Brookhill, there had been a problem at one

time. We didn't have a light there. Now there is a light there which alleviated a lot of problems.

THOMPSON: Where is the farm.

SOSIN: It is on 104th – there is an existing farm stand.

THOMPSON: Who is going to own the farm? Is it being donated to the Village?

SOSIN: No, the farm will not be there anymore. We have not discussed with the Village whether there is any portion of it they may want for any purpose. That land is an inherent part of this project. If you look at the land plan, you can see there were single-family lots in that area.

THOMPSON: I hate to see the farm go entirely because of its historic value being pre-Civil War. Wondered if there is anything that can be done to indicate that there was a farm and its connection to pre-civil war.

SOSIN: There are two things we can do. One would be signage and we would work with the Village and its Historic Preservation Commission. Another thing would be to discuss with the Village if there is any portions of it they may want to relocate or something. We have no desire to impede them from using that or relocating a portion of it.

THOMPSON: Even if it were relocated to area that belongs to the Village where the ponds are. Something to let people know it was the site of a pre-Civil War farm.

SOSIN: We will work with the Village in that regard.

AUBIN: I feel the project has met or exceeded our Village Staff's or Engineering Department's expectations. We have had a professional opinion that has addressed the traffic issues and they are comfortable with the plan. I also feel that the concerns of the neighbors and university have been addressed and everyone is comfortable with that, therefore, I am in favor of moving full speed ahead.

JACOBS: Obviously, this is going to be built in stages. Do you know where you are going to start? Condos, duplexes?

SOSIN: The land balancing and the storm water structure generally goes pretty much all at once. It is pretty hard to phase that. My feeling is that development of the single-family would probably be the first place we would start because the condominiums will be done by one condo builder doing them pretty much one building at a time and all at once.

JACOBS: Since the wetland area is public, I'm assuming that people from all over

can come there to use it for recreational purposes. Therefore, from a parking standpoint they would park on that roadway. There would be no parking lots or places open for people to park.

SOSIN: Part of it is going to be a park site and part of the final park site development always includes some parking if you have ball fields.

HOFKENS: Clarified the plan shows that the ball fields could fit there, so we have enough space. However, the park will be designed by our Park and Recreations Departments separately. Given the active use here, we probably will include some parking, however, that comes in a little differently. The developer essentially hands off the land to us and then we design it.

JACOBS: The Village must be excited about getting the new park. When will this project start?

SOSIN: I would anticipate that we would be doing all the final work this fall and finishing our final engineering and by that time it will be late in the year and I would imagine that next spring, we would like to get going. You may see some work starting during the winter.

JACOBS: This is a tremendous undertaking. It is really amazing. Wished the petitioner the best of luck.

DZIERWA: Asked if we can refer to 100th Avenue as West Avenue. Congratulated the petitioner on using the existing park area. Later this evening we are discussing an open space amendment to the Comprehensive Plan. The petitioner basically addressed that with green belt connections. What the petitioner has presented is very exciting. I can see why Staff is excited about this. In regard to some of the lot locations in relation to pond 2. Looking at the high water level for pond 2 which is 703, and lots 30, 31, 32 and 50 are at 695 above sea level. Curious as to how those four lots are going to be affected.

WESOLOWSKI: Those lots are proposed to be filled. There is a large hill actually just south of lot 34.

DZIERWA: Okay, I understand that. My question for lots 99, 100, and 101, across from the gazebo by the dry-bottom pond – I would have the same issue there.

SOSIN: This is showing current contours before land balancing. There are some areas there that are going to move

DZIERWA: I was just curious as to just how much you were going to fill. I'm okay with that. Everything else has been addressed by my fellow Plan Commissioners. Thank you.

STEPHENS: I think this is a great project. You have 162 acres approximately total. Forty percent of that or 64 acres approximately, you are giving up for open space and park area. I think that is fantastic for the community. You are well under the required density for the number of housing units. That is a great thing too. Complimented the Staff and the petitioners and their design team for working so well together to develop a well-conceived and well-designed land plan. There is 10.25 acres of park space that exceeds the requirement which is approximately 7.5 acres for park. With the five access points in and out of there, I don't think traffic is going to be a problem at all. A beautiful job was done with the pedestrian pathways. I had a concern about the 50-foot right-of-ways on streets 1 and 4, however, that concern has been eliminated because the roadway bed is still going to be at 30 feet back-to-back. Therefore, I have no problem with that. Complimented the petitioner on his logical, sensible answers to the eight Special Use Standards. Noted the Preliminary Plat shows cells one through seven in that area. I have never seen that before. Wondered what that means.

WESOLOWSKI: That is a dry-bottom pond and in order to get that to drain properly with the two percent bottom slope per the Village Ordinance, we've created basically seven low points to collect the water and then move it out of the pond. It would all flow into seven separate ones and then be connected with an under drain system to discharge the pond.

STEPHENS: These are different holding areas for water until they release slowly out of there.

WESOLOWSKI: Correct.

STEPHENS: Okay, I had just never seen that before. Stated his assumption that the name of the community "Three Bridges" is taken from the three pedestrian bridges that cross the creek. I think the street layout, the design locations, you located your R-3 in a really nice spot; you put the R-4 along 179th Street which buffers the single-family very well. It is also across from the forest preserve. I think that will be a nice amenity for the people who are in there. I think you did a nice job by placing the condominiums down at the southeast corner because they are going to be connected to the work area. That is a good place to put them.

SOSIN: Duane Linden has not spoken tonight. That is very difficult for those of you who know Duane. He has been working on this project for three years with Brian Tallman. As developers and certainly as lawyers, sometimes we take the heat, however, really the credit for this plan really goes to those two gentlemen, working with the Staff and they've done so in a collaborative way.

STEPHENS: My compliments to Duane Linden. I think this is a great plan. For one of the last large pieces within the Village of Orland Park, it is such a nice plan to see and I am very excited about the project.

STEPHENS: Entertained a motion from the Plan Commissioners.

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated August 14, 2007,

And

I move to recommend to the Village Board approval of the preliminary site plan titled 'Three Bridges Preliminary Site Plan,' prepared by Ict design, dated 06-05-07, most recent revision 07-31-07, job number 2007-219, sheet sp-1 subject to the following conditions:

- 1) That the petitioner returns for a more detailed review and approval of the condominium site plan and building elevations.
- 2) That the petitioner revised the site plan and engineering plans to show all improvements recommended by the traffic study, specifically the turn lanes on 104th and 179th on the site plan.
- 3) That the petitioner submits a landscape plan for separate review and approval within 60 days of final engineering approval.

And

- 4) That all final engineering related items are met.

And

I move to recommend to the Village Board approval of the Special Use Permit for Planned Development with modifications to reduce the required right of way from 60' to 50' on 'Street 1', to reduce the detention pond maintenance setback, to required road width from 30' to 27' in the condominium area and to allow for some detention areas to encroach into the wetland buffers subject to the same conditions as outlined in the preliminary site plan motion.

And

I move to recommend to the Village Board approval of subdivision of the 161.58-acre property as shown on the preliminary site plan subject to the same conditions as outlined in the preliminary site plan motion.

And

I move to recommend to the Village Board approval of rezoning, upon annexation of the 161.58-acre site into OS Open Space District, R3 Residential District and

R4 Residential District, subject to the same conditions as outlined in the preliminary site plan motion.

A motion was made by Commissioner Mike Culligan, seconded by Commissioner Nick Parisi, that this matter be RECOMMENDED FOR APPROVAL to the Development Services & Planning, due back on 8/27/2007. The motion CARRIED unanimously.

Aye: 7 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Culligan, Commissioner Thompson and Commissioner Parisi

Nay: 0

2007-0196 Main Street Triangle Development

Edward J. Kus, Attorney, Shefsky & Froelich, 111 E. Wacker Drive,
Suite 2800, Chicago, IL

Mark Sullivan, Project Architect, 750 N. Franklin Street, Chicago

Will Tippins with Related Midwest, Senior Project Manager, 350 W. Hubbard,
Chgo.

Ted Weldon, Related Midwest, Principal, 350 W. Hubbard Street, Chicago

SULLIVAN: Staff presentation made in accordance with the written Staff Report dated August 14, 2007 as presented.

AUBIN: Swore in Mr. Kus.

KUS: Introduced himself and stated he is present on behalf of Main Street Triangle, LLC, the petitioner in this case. We initially appeared before the Plan Commission on May 8, 2007 with a slightly different project. It was a slightly smaller project at that time. The initial presentation was for development on approximately 19.34 acres with approximately 155,000 square feet of commercial space; 308 residential units; 509 parking spaces which included 180 spaces for Metra and numerous public open spaces on the property. As indicated by Mr. Sullivan, we now have site control of the northwest corner of 143rd and LaGrange Road which is actually the southeast corner of the Triangle. To make it clear for the record, I believe Mr. Sullivan stated we actually purchased the property, however, we haven't done so yet. We have it under a contract and we have approval from the seller to include it in the zoning approvals that we are seeking. With the addition of that corner parcel, the development has expanded the site area from just over 19 acres to 26.83 acres. In addition to the additional land, the project, in terms of residential units, has been reduced from 308 to 240 while the commercial space and the number of parking spaces remain the same. As you will soon see again via the Power Point presentation we are about to do, the Site Plan still illustrates five distinct sub areas on the project. Sub-area A will be the mixed use; sub-area B will be the retail; sub-area C will be the residential; sub-area D will be the Metra Parking; and sub-area E will be public amenities. For the record, public notice, supplemental notice, was sent out to all the

neighbors on June 8, 2007 in preparation for the hearing, advising them that we are expanding the boundaries to include that corner parcel. Finally, reminded that this is, in essence, almost a partnership between the Village of Orland Park and the developer in this case. This particular mixed-use development was conceived and designed pursuant to the Redevelopment Agreement which was based upon the development principles contained in the Village Center District. Introduced Mr. Mark Sullivan who is the President and Managing Principal of Sullivan, Goulet and Wilson who will be assisted by Mr. Will Tippins. They will go through the Power Point presentation to illustrate the changes that were made since the last time we were here.

AUBIN: Swore in Messrs. Sullivan and Tippins.

MARK SULLIVAN: Introduced himself as the Project Architect for the Main Street Triangle Development. Stated he thinks they have a much more exciting project tonight than they had in May. Will not go over everything covered at the May meeting because to do so would be very time consuming. Focused on differences between this plan and the plan presented at the May meeting, and the added benefit this additional property gives us. The site is at LaGrange and 143rd Street. Last time we talked about the different development standards and how the project may look and the materials have all remained the same. We have not changed our thought process or any of the design guidelines we presented last time. Via Power Point presentation, provided a view down the main entry boulevard off of LaGrange Road which shows the lower commercial buildings and the larger mixed-use buildings in the back, as well as the train station in the very back. We envision this as the gateway to the project off of LaGrange Road, heavily landscaped with a nice pedestrian feature. It has a good feel and a nice separation from the auto traffic that will be coming in and out of the site. Showed a view up Ravinia toward the crescent in the background featuring the mixed-use buildings which will be the largest around the crescent. Then will be the townhouses. One change in this plan from the last is that this additional land has enabled us to increase the amount of town homes we were able to put on the southern portion of the site. At the last meeting we talked about how we make the connection to Old Orland. Stated that the addition of these townhouses and the architecture that we are envisioning – the masonry product, the stairs, a Victorian character – we think is really going to relate very nicely to the existing Orland Park. There is a park in the far southwest portion of the site which would then connect across to Old Orland and will have some features in there for the kids and for people enjoy from the townhouses and also from Old Orland. It is an outreach. Showed the main plaza as shown at the last meeting. It really has not changed. The termination of Ravinia is terminating or culminating around this band shell. We are envisioning a very lively pedestrian area around that open space which would look at the brand new train station which is quite nice and then across Southwest Highway to the forest preserve. This creates a nice, natural, open area with nice views. The mixed-use buildings with a predominately masonry-type of material or masonry look to the buildings. Very large pedestrian spaces down on

the ground floors. We are envisioning perhaps restaurants down there – things that will create a lot of activity and be a nice compliment to the train station. The far north portion of the site which is the lowest portion of the site, we have a water feature which we are calling Overlook Park. There will be some walkways around the park and will eventually be connected to a bike trail along the train tracks. We are envisioning that to be a heavily landscaped area. Some of the retail that will front that space will benefit from having overlooks and possibly some outside eateries or some outside space. We have taken a lot of care and attention to detail to create a pond that we think will fit in. There will be arches. We picked up on the train motif. The train is beyond the wall. We will have a nice water feature and nice landscape elements added to it. The south side is new to the area. We've added some additional town homes. We think that the lower-scale residential product will relate better to the Old Orland section of the project and also Ravinia can now be extended and run right up into our crescent, unimpeded. We think as a boulevard on Ravinia, that will be a very nice feature and a nice connection to where we are right now, Village Hall. One of the other things we previously discussed was our concern in regard to creating retail along LaGrange Road which had parking out in front. That was in our mind throughout the whole planning of this project. When people come under this underpass here, they really are starting to enter the Village of Orland Park and see where all of the activity of Orland Park is. We did not want them to be greeted by large parking lots so we took great care to try to design our retail buildings in such a way that it masked the parking (if you will) but allowing some open spaces so that people can see where the parking is and they are not lost. Noted that some of the entrances and exits were dictated by IDOT. We worked with them. One of the big principles down here is to create a larger building out at the corner. We think that is an important feature of the project. To pull the building actually out to the corner; maybe make it a multi-story building – but it has a prominent spot not only in the Village but on our site. It is a demarcation. It is a gateway. It is the stake for our site. It will be a highly visible building. The project still has the five different sub areas and went through them again. One of the things we really glossed over last time but is really something important that should be addressed this evening, is the design guidelines we prepared as part of this submission. It is like a recipe book which basically outlines a roadmap for the Village of what these buildings should be all about, even if we don't design them. It sets out some maximum heights. It sets out certain features that the buildings should have. It also calls out some of the materials. Someone who comes in after us cannot present something that will not fit into this vision. We are creating a recipe book that will preserve the vision that we have created here with this Site Plan this evening. Noted they worked very hard in developing a hierarchy of streets and the different streets have to serve different purposes. The landscape architect is present this evening to answer questions anyone may have. The landscaping will just be a continuation of what was presented last time.

KUS: As Mr. Sullivan indicated, we did not want to repeat our testimony from the previous meeting. We do have all of our design professionals and technicians

present this evening in case anyone had any questions of them. Noted that Staff's Report set forth the facts very well and we are satisfied with that. Clarified they are committed to working with the Village and work through some of the issues that Mr. Sullivan mentioned today. We believe they are merely design issues which once we get through the process, we will be able to work through. I think you are aware that for each phase of this development, they will be back before this Plan Commission. There will be Site Plan approval. During that Site Plan approval process, we are confident that we will be able to work through the issues and you have the absolute commitment of the petitioner to do that with the Staff. Noted that Mr. Ted Weldon is present from Related Midwest. He would like to say a few words on behalf of the petitioner.

AUBIN: Swore in Ted Weldon.

WELDON: Stated they are very excited about this revised plan. We think that the corner piece was a key to actually creating the downtown environment that we were looking to create. We worked closely with the Village on developing this plan and we think that the connection of Ravinia is a very key element to this plan. We just entered into a contract several weeks ago after several months of negotiations with the seller. We still have our work cut out for us. During the negotiation period we were under confidentiality agreements and have not been able to speak to any of the tenants yet at this time. Obviously it is our intention to immediately start talking to tenants and start working out plans such as relocation plans and dealing with that. Wanted to make sure you understood that while we have the corner under contract, we still have our work cut out in order to make sure there is a smooth transition and that we are taking care of people in an appropriate manner. Thank you for your time.

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

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

THOMPSON: I really have no questions to ask. I am really very excited to see the project come together, especially coming into the Village of Orland Park. I've seen some progress being made over there. Congratulated the petitioner. It is really coming together.

CULLIGAN: With all the parking, retail, open space, amenities, residential areas – there has been a tremendous amount of work invested by so many people. I appreciate that. We can definitely see, as this progresses, how much work has gone into this. Also, obviously, a lot of money has been spent on infrastructure and getting this thing rolling. I am really impressed with amount of open space being provided here. I didn't realize that when I first saw this. As mentioned by Mr. Sullivan, I too would like to see for the retail area, more than one-story buildings. As this project progresses, would like to see moved, as many of the

retail mixed-used buildings possible, to their minimum setbacks or zero lot lines. I am in favor of that. That promotes pedestrian-friendly areas and encourage people to shop. I look forward to that. In one of the requested actions in one of the motions, it talks about 509 parking spaces with a modification to eliminate 20-foot driveways for town homes. Wonder if that is already covered in the next part in number two of the second page because we really do not have the town home developments laid out for us yet.

BOB SULLIVAN: They already know they will be requesting that. This is kind of a conceptual plan approval now. We always think it is better to bring it up at the beginning so that everyone is aware of it now and not a surprise when they return later with the actual detailed plans.

CULLIGAN: Okay, thank you. Nothing else.

JACOBS: I know you spoke to exposing the parking lot to 45 in that section below the more southern retail parking lot section. Wondered if there might be a way to conceal some of that parking. As I drive south on 45 now, you see these exposed parking lots. They look terrible. In the northern section, it was concealed somewhat. Can that be done here?

KOS: That is a good point and a good question. We have to balance things between what is good design and what we think is good design and I would agree with you, Commissioner Jacobs, 100%. While it is somewhat important that people get a glimpse of it, along this area here, we can fence it, we can landscape it, to minimize the impact of that retail on LaGrange Road. That is something that we would feel good about.

JACOBS: I would like to see that. Thank you.

PARISI: I think this is going to be a real asset to the Village of Orland Park. I am very excited about it. Agree with the remark about a potential opening on the retail right on the corner of 143rd and LaGrange Road – sort of have a plaza effect there. Right now you have a one-story, L-shaped retail building. It would be nice to have an opening on that corner. Also as mentioned, on that retail along LaGrange Road, consider something other than a one-story retail building which you see everywhere around the Village. Noticed that the proposed mix-use buildings to go around Crescent Park, initially were going to follow the contour of Crescent Park. That has changed. Does that change what facilitated all of the additional condominium units?

WELDON: We actually looked at the buildings curving around. We struggled with floor plans that made sense and were sellable. This literally was the most perfect and efficient and makes it a lot easier to understand when you are going through the sales process. It also opens up opportunities for us to have increased sidewalk area. In response to everyone's comments about 143rd and LaGrange

Road, we do think that is a special corner and it is appropriate for two-story retail. At least a portion at the center which may build up to two-stories. That is a concept we have discussed. We are excited about that as a focal point. It really needs to have some mass to it to really call out that this is a special place. We are in agreement with the recommendations of Staff.

PARISI: Make no mistake about it, I think this is a phenomenal project. Thank you.

AUBIN: I have no negative comments in regard to this project. It took me awhile to figure out how Ravinia was going to go through Randy's Supermarket, however, I've figured that out on my own. [laughter] That open space on 143rd, I agree, how are people coming down LaGrange Road going to get a peak? They are going to want to peak in to see what is inside there – what is going on, therefore, a little bit of parking is not a problem. As far as this project is concerned in my opinion, "full speed ahead".

DZIERWA: I really do not have anything to add, however, wanted to mention that I really thought that the Ravinia connection was a serious missing piece last time and I know how everyone has their heart set on keeping certain tenants in town. Mr. Weldon's comment in regard to approaching tenants and trying to relocate them – I think that is very important for a great many people knowing that we can try to keep all or most of these tenants somewhere in Orland Park. This is a great plan and we look forward to your next presentation.

STEPHENS: I like the circular pergola. I think it is a better fit than the curved buildings. I think it will be a lot nicer for people to increase that area there for outdoor cafes or what have you. It also gives you additional seating if you are going to have something going on at Crescent Park. That is a nice change. Agree with Bob Sullivan that the key piece is that corner at 143rd and LaGrange Road. I don't agree with Commissioner Parisi putting a split in there to look at it. I think it is really too far away to look through to get to Crescent Park because there will be a building in the way, however, I do agree that you need to get up to a two-story level because that is the key piece of the whole area. I also think you need to do that same two-story section on both sides of the entrance of 142nd Street. I've seen that kind of a building where it builds up and you've got that second story. It is very attractive but it is also very bold and creates a downtown look which is what we are trying to achieve here. I'd like to see that in the final plans. I have a concern over the elimination of the 24-foot driveways. You will have to demonstrate to me that there will be ample parking in that area. The thought that we have all the Metra parking is one thing, however, it is a little bit far away from these townhouses and I don't know that people are going to want to go all the way over to the Metra Station to park their car at night and walk all the way back to the townhouses.

MARK SULLIVAN: I understand what you are looking for with the 20 feet behind

the town homes – for additional parking, guest parking. Each townhouse has two cars internal parking already. The way we've laid this site out is that we have perimeter parking around each one of these clusters of townhouses which has street parking where the guests could park. In addition to that for times of heavier use (graduations, etc.), then people would use the Metra spots. One of the principles with the whole parking and the way that we figured the parking count and layout, and extended grid is through a concept called "flex parking". That different people use the parking at different times. That is why we thought this 20-foot drive aisle behind the townhouses (meant for two cars guest parking) could be bent a bit. This still needs to be designed further and presented at a future meeting.

STEPHENS: Asked how wide the townhouse units are going to be.

MARK SULLIVAN: That is a bit in flux, perhaps 20 x 40 – 25 x 40.

STEPHENS: Like 1,600 square feet

MARK SULLIVAN: Approximately 1,600 to 2,400 square feet.

STEPHENS: 2,400 square feet is a big unit without much parking. I'm not so sure I want to move forward with that. Agree with Commissioner Culligan. I might like to eliminate that area – modification of the 20 foot driveways and deal with that when you come forward with the plans. I don't think we are in a position right now to agree to that pending further information on what is going to be built there. I realize you have a contract to purchase the Orland Plaza, however, I realize there are leases there that have to be negotiated. Is the petitioner proposing to develop part of the parcel and then come in and develop that part later when you've satisfied those leases?

KOS: We are very early in this process. We will explore several options. The first thing we need to do is sit down and have conversations with the tenants. One of the nice things about this is that we have the ability to phase this development as you saw from our previous presentation. We do have time to work with tenants based on assessing their needs and trying to help with their relocation process. We would actually like to see if we could keep some of the tenants on site. That would be a win-win situation for everyone.

STEPHENS: Entertained a motion from the Plan Commissioners.

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated August 14, 2007

and

I move to recommend approval of a special use for a planned development to allow up to 155,000 square feet of commercial space and up to 240 residential units with 509 parking spaces.

and

I move to recommend approval of the Concept Plan entitled 'Preliminary Site Plan, Orland Park Main Street Triangle' on page 2 of the Orland Park Main Street Triangle booklet subject to the following conditions:

1) That each phase of the project be developed congruent to the Concept Plan and Design Guidelines.

And

2) That the petitioner work with staff as the project moves forward to address the specific project issues as highlighted by this staff report, including but not limited to, the parking spaces adjacent to Overlook Park, setback requirements along 143rd and LaGrange Road, parking lot screening, floor area ratio, internal roadway access, townhome garage access, the location of the pedestrian bridge over LaGrange Road, the scale of the retail buildings along LaGrange Road and the architectural design of the townhomes attached to the mixed-use buildings.

And

I move to recommend approval of the subdivision to divide the 26.83 acre parcel into 11 lots excluding public areas as indicated on the Sub-Area Key Plan in the Orland Park Main Street Triangle booklet; and

And

I move to recommend approval of the design guidelines as described in the Orland Park Main Street Triangle booklet on the pages entitled: 'Sub-Area A: Mixed Use', 'Sub-Area B: Retail', 'Sub-Area C: Residential', 'Sub-Area D: Metra Parking', and 'Sub-Area E: Public Amenities'.

This matter was RECOMMENDED FOR APPROVAL to the Development Services & Planning, due back on 8/27/2007

Aye: 7 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Culligan, Commissioner Thompson and Commissioner Parisi

Nay: 0

2007-0267 Park Corners II

Rick Raspante, McNaughton Development, 11900 Southwest Highway, Palos Park

TURLEY: Staff presentation made in accordance with the written Staff Report dated August 14, 2007 as presented.

AUBIN: Swore in the petitioner.

RASPANTE: Stated that Staff did a very nice job of outlining the project. Pointed out that they were previously before the Plan Commissioners and approved in July of 2003 with a substantially similar plan. We had gone on to the Development Committee. A lawsuit had been filed which took two years and McNaughton lost that lawsuit. What came out of that lawsuit was the legal requirements to overturn the covenants and restrictions. Since then we have received the necessary signatures to overturn the covenants which is why we are back before the Plan Commissioners this evening. We have owned the lots for approximately ten years. We've had the lots listed. We have had phone calls. As soon as people find out where the lots are located, that is the end of the conversation. The highest and best use of these two parcels is an office building. From a residential standpoint, we cannot market these lots as residential. A traffic study has been conducted by KLOA. The results of that study depicted no impact to the intersection of 135th and LaGrange Road or 135th and Circle Drive based on this plan before you. The variances we are requesting is (1) the parking lot located between the LaGrange Road right-of-way and also 135th Street in order to minimize the impacts of Circle Drive, the main residential street coming in and out of here. What we tried to do was create an entrance to the office building, create a landscape island in Circle Drive which would minimize the impact to the residential, keep the buffer between the commercial traffic and the residential traffic. The garbage enclosure being located along Circle Drive within the building setback, as Staff pointed out, is for ease of pick up. The other reason is to limit the amount of traffic going over the porous pavers of heavy machinery, going in and out of the subdivision. The landscape buffer along LaGrange Road, while it is below the 15-foot requirement, the right-of-way, after the dedication of LaGrange Road, runs on an angle. The Ordinance requires 15 feet. Our average along the parking lot is approximately 15.3 feet. Therefore, the average along LaGrange Road does exceed the requirement. The reduced plantings along the building and the reduction in the parking lot islands – what we've done to make up for that is to increase the size of our landscaping throughout the entire perimeter of the building. Instead of following the Ordinance, we have four-inch parkway trees and shade trees we will be planting around the property. In addition to that, all of the evergreens we will be planting, instead of being six-feet, they will be ten feet in height. We will have a sprinkler system to maintain the grass there at all times. There have been some issues brought up at the Staff level such as the architectural on the building. We have agreed to put the gable on the back of the building which faces Circle Drive and also to continue the ribbon pattern all the way around the exterior of the building. We have agreed to the conditions listed in the Staff Report. We are acceptable to all the terms within those conditions. In closing, expressed their belief that an office building is the highest and best use

for the property. We are constructing an architecturally-appealing, two-story building on a piece of property that has sat vacant for over 50 years. The Land Plan here incorporates the future widening of LaGrange Road. We have taken that dedication and talked to IDOT. Our plans are based on the right-of-way they are looking for. Staff has recommended approval of this project. We ask for your approval and are here to answer any questions anyone may have. Thank you.

STEPHENS: Presented as "Exhibit 1", a two-page letter dated August 1, 2007 from Antonios Topalidis wherein he states that he resides at 13545 Circle Drive in Orland Park with his wife and three children. In Mr. Topalidis' letter, he urged the Plan Commissioners to vote "no" for the following reasons: (1) if a professional building with a 35 plus car parking lot is built, in addition to the existing traffic, Circle Drive will be very dangerous for the residents; (2) the distance between LaGrange Road and Circle Drive is a mere 100 feet therefore, turning east onto 135th from LaGrange Road, followed by an immediate right turn on Circle Drive is very dangerous; (3) the developers main argument that no one wants to build a home on the two lots is in question because a cash offer, of fair market value with no contingency, to purchase one or both lots to build one or two homes, was made in June, 2005 through the office of Remax Elite (7339 S. Cass Avenue, Darien, IL); and (4) his belief that this is spot zoning and should not be allowed. Mr. Topalidis further stated that 36 current lot owners (including himself) have filed a lawsuit which is still pending against the developer to stop this change of the covenant (Case #2003-CH-09805).

STEPHENS: Presented as "Exhibit 2", a two-page letter dated July 30, 2007 from E. Kenneth Friker, Attorney with Klein, Thorpe and Jenkins, Ltd. wherein he stated his position on the "residential only" covenants contained in the original plat of subdivision for this property. Mr. Friker, Esq, stated that the fact that the covenant restricting the subject property to residential use only could be waived by consent of a majority of the residential lot owners. The developer sought such waivers and a lawsuit followed with a decision requiring the developer to obtain additional waivers. Mr. Friker indicated he has been told that a number of additional waivers were obtained, the results of which was that the title insurer has determined that sufficient waivers were obtained and that the subject property was no longer subject to the "residential only" covenant. That resulted in the title insurer agreeing to insure over the covenant. Based on this position of the title insurance company, it is his (Mr. Friker's) opinion that the Plan Commission may disregard the "residential only" covenant set forth in the original Plat of Subdivision. Of course, residential lot owners in the subdivision who have not consented to the waiver of the covenant are free to challenge the position of the title insurer in court. However, until a court rules on this issue, he (Mr. Friker) believes that the Plan Commission can rely on the opinion of the title insurance company that the covenant is waived.

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

AUBIN: Swore in Vicky Topalidis.

VICKY TOPALIDIS, resides at 13545 Circle Drive in Orland Park: Asked to include for the record, a real estate contract which shows that an offer had been made to purchase the property on June 4, 2005 for \$110,000.00, with \$10,000.00 down; a closing in 45 days with no contingencies, only to get a response that the deal had been rejected by the Seller.

STEPHENS: Presented as "Exhibit 3" a cover sheet from Re/Max Elite dated 8/12/2007 to Vicky and Tony Topalidis from Denise Sinadinos in regard to Lot 37 Circle Drive, Orland Park, IL, followed by a four-page Standard Vacant Land Sales Contract dated June 3, 2005.

TOPALIDIS: Stated that we are all here to do what is best for Orland Park which is made up mostly of residents first and businesses second. Stated that this is the street she lives on. Her family decided to purchase their home in 2000 purposely because of its proximity to Orland Park shopping, schools; the cul-de-sac played a big key role in their decision. To have someone come forth now and try to alter that, affects a lot of the homeowners here. Yes, we tried our best by filing a lawsuit with 36 other homeowners. We did not bribe them. We did not offer them anything. We only showed them that if this was to change, it would not change Circle Drive. It has the potential to change the whole area. McNaughton cannot be allowed to build on these two lots and forbid somebody else to build something else. Once something is broken, it is broken permanently. That has to play a key part in the Plan Commission's decision. Asked the Plan Commissioners to allow her and others to speak from the heart and forgive us if we repeat ourselves. Indicated she understands that sitting there and trying to make decisions based on the good of the community sometimes is all with well intentions. Noted that her son will soon start school at Sandberg High School. Showed her copy of the Consolidated High School District 230 Bus Schedule which has scheduled several children to wait for at least ten minutes at 135th on the north side of Howe Drive for their bus that will take them to Sandberg. Noted she spoke with gentleman she spoke with at Consolidated High School District 230 to ask who evaluates this, how is the bus schedule put together, who determines that it is safe. That gentleman assured her he would talk to the bus company and call her back. Noted she hasn't yet heard from that gentleman. Stated she will not allow her son to go there to wait for the bus. She encouraged others not to allow their children or grandchildren to go there to wait for the bus. Safety should come first. Allowing the proposed structure to be built at this location changes the street which has eight homes. It had originally been set up to accommodate ten homes. We have homes built across the street from LaGrange Road – Palos Horse and Saddle – million dollar homes. They are built up and abut LaGrange Road. Their bedrooms face LaGrange Road. Indicated she does not see their property values going down. Stated that they are all occupied by residents. Once you change the covenant, that will allow another developer along the way to decide to change

something else. We had, for example, a substation put in. We were told that nothing was going to be changed, altered, increased or anything. No one can really promise us that. Nobody can, because for the good of the community, if tomorrow, a need arises – for example, we had a cell tower erected to which you might say “what’s really a cell tower”, however, from my front living room when I open my blinds or from my neighbor’s backyard when he opens his blinds to go out on his deck, that is one more thing to look at and know that it is in such close proximity to your home. Everyone would love for their home to be their own sanctuary. However, if something changes or the expansion of Orland Park causes that substation to need to be increased, no one here can tell me that “no, we promised we would not change it”. It can and will be increased.

STEPHENS: Asked Ms. Topalidis to focus on the matter at hand.

TOPALIDIS: Stated that Circle Drive does not have sidewalks. When my child gets dropped off from school, he has to walk in the street all the way down to our home. If this is erected and my child is dropped off at the corner of 135th and Circle Drive because the bus will be going in the opposite direction toward Howe, he will still have to walk in there. There are no sidewalks. No one is considering the need of the residents there. If 55 feet from 135th Street is considered safe to put an entrance for that building, how come it is not considered safe to put it in from LaGrange Road or from 135th instead of Circle Drive? That would probably pose more congestion, more traffic, more dangers. I understand that, however, what happens to the eight homes originally there. It seems they just get lost in the shuffle. Imagine how this would affect your lives.

AUBIN: Swore in Mr. Lou Mulé.

MULÉ, resides at 9311 W. 135th Street, Orland Park: Provided the Chairman with a document entitled “Close the Door on McNaughton’s Park Corners III – Reasons Why Rezoning on the Rezoning on the McNaughton Parcels (Lots #37 & 38) is Not Beneficial to Orland Hills II Community or the VOP” which he asked be entered into the official record.

STEPHENS: Entered into the official record, “Exhibit 4”, a two-page document entitled
“Close the Door on McNaughton’s Park Corners III – Reasons Why Rezoning on the Rezoning on the McNaughton Parcels (Lots #37 & 38) is Not Beneficial to Orland Hills II Community or the VOP”.

MULÉ: Provided a summary of the foregoing document wherein it stated that the neighbors of Orland Hills II subdivision ask the Village of Orland Park to deny the rezoning request of McNaughton Development for parcels at 13510 and 13520 Circle Drive for the following reasons: (a) Precedent; (b) Comprehensive Plan and Spot Zoning; (c) Covenant & Effectiveness; (d) Residential Promise by VOP; (e) Traffic & Safety; (f) Property Values; and (g) Reliance on Legal Safeguards &

Land Use Planning. The document concluded with the following statement: "This project is not about how beautiful McNaughton' project will look! It is about protecting the quality of life and property values of the people who live in the neighborhood. Aren't the citizens and families of Orland Park more important than a single development only benefits the developer? And it's about us retaining some of the legal safeguards we knowingly bought into (covenants and zoning). The 35 Land Owners of Orland Hills II today ask that the Village of Orland Park deny the rezoning petition of McNaughton Development and preserve what remains of our quiet residential way of life." Gave credit to his neighbors who live in the subdivision of 57 lots because they have endured a lot over the last 15 years with both the substation and other developmental issues that have tried to change the character and nature of the neighborhood in which we live. You have to give them credit for being willing to stand up and try to maintain the quality of life and the property values they moved to Orland Park for and the peace and quiet they would really like to enjoy. I've lived here since 1976. I've seen a lot of changes in the Village of Orland Park. I've contributed to the Village. I have some experience in land use planning and teaching and would like to state that this particular development by Mr. McNaughton is a serious case of spot zoning which I believe is a bad land use policy for any village. Spot zoning is not good because it is designed against the Village of Orland Park's Comprehensive Plan which shows this as R-2. This area was annexed into the Village of Orland Park approximately ten years ago with the understanding it would stay as an R-2 Subdivision. We also relied on the covenant that this would be residential only. This subdivision was developed in 1952. Laid out and platted, not in the 1960's as Ms. Turley stated. Homes went up later. Spot zoning is not a good policy for the Village of Orland Park because it frustrates the Comprehensive Plan for a community. The concept of a plan guides the development of a Village. The zoning laws are designed to implement the Comprehensive Plan. Spot zoning for this site means that you've taken a couple lots for the sole benefit of the developer or the lot owner at the expense of the surrounding neighborhood. Stated his opinion that the Plan Commissioners should seriously take into consideration, the opinion of the residents here which is worth far more than the need for the developer to recoup an investment on two lots that he may or may not tried to sell over the last ten years. Defined spot zoning. Stated that if this only benefits the developer, their request for rezoning should be denied. When my neighbors did not pick these fights. They simply chose to live here. They can choose to move out and they may, however, I cannot talk about what their future may be. I can only state they were trying to enjoy the property they own right now. Stated that Charles Rimme, in 1957, wrote a book on municipal law. He is a noted authority in this law and a legend in the land use planning field. Read verbatim from Mr. Rimme's book "spot zoning has come to mean an arbitrary and unreasonable zoning action commonly by an amendment to the zoning ordinance but also by the zoning ordinance itself or less commonly by a grant of permit for use other than the regular zone uses by which a lot or smaller areas singled out and specially zoned for a use classification totally different and inconsistent with the classification of the surrounding land, indistinguishable from it in character thus creating a mere

island or spot.” “...it is thought of zoning not in accordance with the Comprehensive Plan but for the mere private gain to favor or benefit a particular individual or group of individuals and not the welfare of the community as a whole...spot zoning of this nature has been found unauthorized, discriminatory and invalid to grant the power of variance...”

AUBIN: Swore in Marlene O'Connell.

O'CONNELL, resides at 13501 Circle Drive: Stated she will be directly across from the proposed large building. The changes that will occur will impact her property mostly. Read the following: “This proposed plan and rezoning request is on the agenda tonight for a number of reasons and the first and most important is that it didn't take place normally in voting to go against the covenant. The opponents to change the covenant were repeatedly told by many residents (and asked the Plan Commissioners to listen carefully to this) that monetary considerations were offered to the person signing the petitions, encouraging the residents to be swayed, who ordinarily would not sign. There were offers that residents found difficult to refuse. The opponents (meaning me and others) were up against a brick wall.” Clarified her opposition to the rezoning of this property because it is not the best use of the property. There should be single family homes there and it is not going to be of any benefit to the area because it is surrounded by single-family residents and the homes that are there – there are million dollar homes there. McNaughton argued who would want to live near LaGrange. Well, there is a million dollar home across the street from it. The State would not allow McNaughton to use LaGrange Road so McNaughton is going to use Circle which was not designed to be a business street. It is a residential street. There is an obstacle McNaughton proposes to install to divide the street – going north and south. Obstacles have never worked before in streets for the past 50 years and they are not going to work now. That obstacle will be in front of my house where I pull in and out from my drive. How will I back out. This poses a detriment to me. I'm getting older and don't need those kind of things. Stated her understanding the developer is going to be taking five feet from the front of my property. There is a light fixture that was just installed only one year ago that will either have to be moved or removed. There is a six foot upward street on the north end which will make it difficult for vehicles to maneuver during inclement weather. There will drainage, snow plowing and congestion problems on Circle Drive caused by this development. The site will increase a hazardous traffic condition. Requested the Plan Commissioners consider voting against this rezoning as it is not the best use of this property and will hurt the residents on Circle Drive enormously.

AUBIN: Swore in Charles O'Connell.

CHARLES O'CONNELL, resides at 13501 Circle Drive: Stated that when this was first proposed, there was suppose to be a retention tank. Since then, that was eliminated. They proposed a brick street that would absorb water. You will

have masonry on top with an inch or two of sifted stone chips with stone underneath that. When stone chips are compacted down, it becomes almost like concrete. The water has no drainage factor to it. It is like dry concrete. They also said that water from a heavy rain will drain to 135th Street and then it will go to a culvert there. The water can back up on a 100 year rain. My whole drive will be under water during a 100 year rain.

STEPHENS: Has it been under water already?

CHARLES O'CONNELL: No, my property or my driveway has never been under water. However, with this, it will. When you have heavy rains, there is a small river (like a river) that goes through from my culvert to the drainage ditch in the front where the storm sewer cover is. There roughly four inches of elevation between the two. It is almost dead level for that distance of 100-125 feet. This water, when going down through their property, through this culvert, and it doesn't have the lifting, it will bubble up from there and back up. That is what would happen in a situation like that. They are also planning on widening the street for their convenience and would have the drive feet wider. The way the plan is drawn it is on our side of the road. That would eliminate the light just recently installed. I cut the lawn to make the community look good – that angle – when you add another five feet out – the angle I am on now is very severe now for me or anyone to cut with a riding mower. When you come out another five feet, the angle is going to be increased greatly and will make it that much more difficult to maintain. This property was originally designed for residential and it can be used for residential. It would not be a benefit for the community -- to the Village of Orland Park – to rezone this property. It will open up a Pandora's box and I believe you will look back and regret it.

AUBIN: Swore in Ronald Kolasinski.

KOLASINSKI, resides at 13546 Circle Drive: The developer wants to do spot zoning here for their office building. We are opposing this. We feel that if you change this to business zoning, that is done only to accommodate the developer. As you know, there was a covenant that was designed in 1950 to keep this area residential. That is renewed every ten years to keep our area as such. This covenant was upheld by the courts of Cook County until recently broken by the developer by purchasing the votes with \$1,500 cash, televisions, landscaping, etc. Although this is not illegal, it is unethical. My advise to anyone purchasing a home with a covenant is don't put your faith in the covenant because it can be broken and from my experience, it is only a tactic to entice buyers. Some of the questions I have, have already been answered – drainage which is a big issue; the location of the garbage dumpsters; noise and light pollution; odor from vehicle exhaust; people; traffic in and out of the building; and the displacement of wildlife in the area there now. I live behind where the substation had been built. The snakes, the moles, the gophers – dozens of them went into our backyards when that was built. My neighbor had to take down his pool because many of them tunneled

underneath it. He had to install another layer of sand before reinstalling his pool and that cost him a couple thousand dollars. This is a lot of money to us and an inconvenience to our lives. They destroyed our lawns. Concerned about depreciation of the homes; how taxes will be affected with an office building a few doors away from us. Don't think we should have to bear this burden just to help the developer financially – to better himself financially.

AUBIN: Swore in Vicki Ciullo.

CIULLO, resides at 13547 Circle Drive. Thanked everyone for their patience and for listening to us. A few key issues were said when the presentation was made last time by Ms. Turley. Ms. Turley had stated that this property is surrounded by single-family residences. It is a residential area and that building stands out like a sore thumb. It does not fit into the character of the whole neighborhood. Ms. Turley had also noted that the site is small. It is a small area for a large building. Believe the Fire Department is also saying that. They don't even have access to the south side of the building. They are trying to put this large building in a residential at the end of a small street while we are trying to access our homes and have that island there will only present a further hazard. Thank you. Please vote against this.

AUBIN: Swore in Jorge Cruz.

CRUZ, resides at 13550 Circle Drive: Stated he lives at the end of this street where all the water will run to. Believe water will be a bigger problem to him. Currently when it rains, his sub pump runs constantly. Concerned about the proposed island which he feels certain will be run into by someone when it snows. It will be a hazard. Please vote against this.

CIULLO: Showed the Plan Commissioners a map that indicates where her lot is and where Mr. Cruz's lot is.

MULÉ: Stated he looked at the plans from 2003 to 2007 and noticed that the gross land area numbers are different and doesn't think the land plot has changed in size. Wondered if the developer could explain his calculations of 52,981 square feet that appears with 1.22 acres in 2003 and (doesn't have a copy of the current plan, however,) for 2007 it is 1.17 acres now. Went on the site for the assessor which shows that the square footage for the two lots together is 50,981 square feet. These numbers do not seem to agree. Depending upon how you calculate out the dedicated street area – on one plan it is 9,810 square feet and on the other plan it is 5,000 and some square feet. Since they are at .99 acres, depending upon whose numbers you are using, you can get a number that is either .99 or a number that is over 1.00.

MARLENE O'CONNEL: Have any studies been conducted to determine what will happen when we have a heavy rain – where will the water go? Have there been

any traffic studies done?

STEPHENS: Asked the petitioner to address the questions raised by the public.

RASPANTE: In regard to the traffic, we took it upon ourselves to conduct a traffic study relative to the intersection of 135th & LaGrange Road and study the existing conditions at that intersection and the future conditions when that road is widened to an eight-lane highway along LaGrange Road. Stated that a traffic expert is present who can answer any questions that come up in that regard. That was included in the packet. The results of that study was that the impacts on Circle Drive and 135th Street, based on this office building, were not negative – there were no negative impacts on this intersection.

STEPHENS: Asked who did the traffic study.

RASPANTE: KLOA.

STEPHENS: They are an independent traffic study organization.

RASPANTE: Correct. That is their business.

STEPHENS: Asked the petitioner to address the water situation.

RASPANTE: In regard to the engineering itself, there was preliminary engineering done by Design Tech for us and submitted to the Village Engineer and sent over to Christopher Burke for the study. They reviewed the plans and told us the designs to follow. Our engineer concurred with those. One engineer designed the plan and another reviewed the plan. The engineering studies for the storm water run off is acceptable under the existing terms. We are not going to be releasing more water than is currently being released from this site. That is the purpose of the design.

STEPHENS: So this will not create any more problems.

RASPANTE: No. Once final engineering is completed for the project (if we get to that step), they will have a 500-page, detailed study including engineering analysis and run efficient, etc. It will take the existing release and verify it is met for the future/design release.

STEPHENS: Directing his comment to the petitioner noted he said there were two engineers – one who designed it and one who reviewed it.

RASPANTE: Our engineer designs it all and then the Village engineer reviews it and approves it.

STEPHENS: Your engineer who designed it indicates that there will be no

additional water impact on the property and our Village engineer has preliminarily approved that.

RASPANTE: Correct.

STEPHENS: One of the questions raised is why the entrance on LaGrange instead of 135th Street isn't.

RASPANTE: We contacted IDOT a number of times. We've had correspondence with them for the better part of four years, to review their widening plans. The reason it is not on LaGrange Road is because when LaGrange Road is widened and the reason for this angular dedication we will be giving them, is because they will be having a deceleration lane there to turn onto 135th Street. An entrance in that decel lane was not granted by IDOT. Stated that 135th is a County road. In regard to the location of LaGrange Road to the 135th Street intersection and Circle Drive to the 135th Street intersection, it would not meet the County standards to provide another entrance onto 135th Street.

STEPHENS: What about the O'Connell's comment that you will be taking five feet from them.

RASPANTE: What we are proposing is an eastbound turn lane onto 135th Street and also a westbound turn lane onto 135th Street to improve some of the traffic conditions as people are turning on to 135th Street. We are proposing to widen that and in order to do so, it is all within the existing right-of-way of the Village of Orland Park to conduct that improvement.

STEPHENS: So the five feet being taken is from the right-of-way, not the O'Connell's property.

RASPANTE: There is existing right-of-way and that is what will be used.

STEPHENS: How did you come about the left turn and the right turn and the island in the middle. Is that a recommendation from your traffic experts?

RASPANTE: No it was not. What we sent to them was based on our opinion of a way to minimize any impacts on Circle Drive as you enter 135th Street, by widening that intersection and providing both an east and west turn lane. We provided that to KLOA and that is how they reviewed it – based on that left and right-hand onto 135th Street.

STEPHENS: And KLOA agrees that will minimize the impact.

RASPANTE: It was a positive design and it assisted the Circle Drive and 135th Street intersection.

STEPHENS: What was the reason for the landscape island?

RASPANTE: The landscape island we put in here was simply what we felt would be a benefit to basically divide the residential street traffic to our office building. It was a visual a buffer that can be used within the right-of-way so that people know that this is the entrance to the office building. We did propose at one time, a sign in the island itself that would let people know that there should be residential traffic only beyond that point. We worked with Staff and that has since been moved to just beyond the right-of-way line in this location. Therefore, we would propose a sign to let everyone know that office traffic turns right and residential traffic only beyond that point.

STEPHENS: Your drive entrance into the property is north of that landscape island.

RASPANTE: Correct.

STEPHENS: People coming out of that building will be north of the island and not south of it.

RASPANTE: Correct.

STEPHENS: Where is Mrs. O'Connell's driveway in relation to the landscape island?

RASPANTE: Mrs. O'Connell's driveway is located on the property here. There was a survey completed as part of the Preliminary Engineering and design of the building. We located the entire right-of-way on the driveways.

STEPHENS: How far from that landscape island would you estimate that that driveway is.

RASPANTE: Approximately 60 feet.

STEPHENS: Mr. Mulé had asked that you explain the calculations of the gross land area.

RASPANTE: In reference to the 2003 plan, stated that plan itself, did not include the gross land area; did not include the dedication for future IDOT taking on LaGrange Road. The plan that was calculated in this plan here, is based off of a survey that was re-done and re-platted, and the IDOT taking from 2003 when we originally talked to them to 2007 when we went back to them, had changed slightly so there is a little different angle and a little bit of a different distance and the design as it sits today is based on the IDOT taking that IDOT is working with. So the design and the calculations is based on our current land square footage less the right-of-way that is going to be dedicated for the future of LaGrange Road

widening.

STEPHENS: Have they taken that property yet?

RASPANTE: No, they have not.

STEPHENS: But is going to be taken and you have reduced that from your gross area.

RASPANTE: Correct, for the ultimate build out once IDOT takes the right-of-way, whether they widen it or not.

MULÉ: Curious what that number is because on the 2003, you have 9,810 square feet for a highway dedication and on the 2007, there is a number for a right-of-way that is 5,000 square feet. It seems to me that you are taking less today than you planned to take in 2003 and if that is the case, when you subtract that number from 52,981, you have more than one acre or 43,560 square feet which is not .99 acres.

RASPANTE: As far as the exact numbers, I do not know them, however, as far as the 9,000 square feet goes compared to the 5,000 square feet, I don't know that answer. The best assumption I can make on that is that there has already been a dedication of right-of-way for LaGrange Road that was conveyed back in the 1980's for the property. There is a second dedication that is currently being dedicated that could represent the 5,000 square feet and the two taken together could be 9,000. The only number that I can assure you of is the ultimate end number of what we are proposing tonight which is the .99 acres based on the current design and engineering of survey that was completed for this design.

STEPHENS: Asked the petitioner to address Mr. O'Connell's questions in regard to the porous pavers.

RASPANTE: The porous pavers themselves is a best-management practice and engineer practice. If you design a parking lot that is fully asphalt, basically there is no absorption of the rainwater into the asphalt itself – it is basically zero. The porous pavers are permeable and allow some runoff. It allows some of the water to drain into the ground versus a full runoff. Those numbers are taken into account when calculating the runoff co-efficient for the overall site. There is a different co-efficient that is used for those pavers because it does absorb some of the water.

STEPHENS: Asked the petitioner to address Mr. O'Connell's comments about the stone chips.

RASPANTE: That is similar to a paver driveway you may see being installed anywhere in Orland Park. It is block, however, it has sand in between the blocks

and the bedding underneath is a stone bedding which allows the water to go into the ground as opposed to a full runoff like you would see on an asphalt parking lot. It is not the same as if you had a grass surface by any means, however, it is in the best management practice for something like this where you are trying to minimize the runoffs instead of all asphalt.

STEPHENS: Asked the petitioner to address the two bioswales and how they benefit the water situation.

RASPANTE: The bioswales slow down the water as opposed to just having grass in those areas. It is more of a natural-type planting. It is heavier and slows down the water and also filters the water as it runs through. Those are designed both on the south side of the building before it gets into the ditch on Circle Drive and also on the north side of the building in the ditch of 135th Street. It is just a best management practice in order to try to slow down and filter the water as it exits the site.

CHARLES O'CONNELL: In regard to the petitioner's comments about the absorption of the water, stated you might end up with one or two percent absorption over asphalt. You will not absorb any more water into the ground.

STEPHENS: Asked Mr. O'Connell if he is an engineer.

O'CONNELL: No, I am not an engineer, however, I am a practical engineer. I've done building all of my life and understand all of the principles. Stated that he literally built the house he is currently living in, from the ground to the roof. Every trade done in that house was done by me. I have a good knowledge of construction.

STEPHEN: Yes, however, we have an engineer who designed this and the Village Engineer who has approved it.

O'CONNELL: Thank you.

STEPHENS: Asked the petitioner if he had any questions from what has been brought up.

RASPANTE: We are requesting an office building here based on LaGrange Road and the neighborhood and Orland Park greatly changing. It is substantially different here than it was when the subdivision was platted. Stated he would answer any questions anyone else has.

STEPHENS: The subdivision was platted 55 years ago.

RASPANTE: Yes.

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

DZIERWA: Showed the petitioner a copy of the Traffic Study conducted by KLOA and asked him to attest to its accuracy.

RASPANTE: Yes, it is accurate

DZIERWA: Noted that basically, we are going from 100 trips to 360 trips in one day. Asked the petitioner if that is correct.

RASPANTE: That is correct.

DZIERWA: Stated that is a significant increase. Noted he has been in and out of this property probably a dozen times since we first saw these three weeks ago. Stated he rides by this location every day. Indicated he can honestly say that the easiest way to get in and out of there to turn left onto 135th Street is before 5:00 a.m. and after 9:00 p.m. If an office building goes in here, it will be very difficult to get in and out. As much as the petitioner has done with this plan (and noted the petitioner has jumped through hoops to put all kinds of really neat things in the plan), the issue of getting out of Circle Drive onto 135th Street really bothers him. Noted he has approached this from every direction and every time, he experiences difficulty getting in and out of there. As far as the school buses are concerned, asked Ms. Topalidis, if she has been told why School District 230 will not come in with the buses.

TOPALIDIS: Indicated she has been informed that it is too inconvenient for the school bus to wait to cross over 135th Street to enter Circle Drive.

DZIERWA: You now have "no parking" signs on your streets. Is that for residents only or for everyone.

TOPALIDIS: We had requested from the Village of Orland Park that a "no parking" sign be put there because we had a lot of Sandburg students coming and parking there. If we as residents have any visitors or company, obviously, they park in Circle Drive. The rest of us would need to go around (approaching with extreme caution) to turn because there could be cars parked all along Circle Drive.

DZIERWA: Asked the petitioner to address the location of the garbage dumpster.

RASPANTE: For ease of garbage pick up. We propose a fully-enclosed enclosure with full landscaping all the way around it to minimize any eye impact on it. Staff had brought up moving it five feet to the east in order to get landscaping around it on three full sides. The only unlandscaped side would be the portion that faces the parking lot itself.

DZIERWA: As far as the traffic is concerned, I think it is a bad situation now and by adding two more homes, it is not going to get any worse, however, by going to an office-type use, that is just going to make a bad situation worse. I am, therefore, inclined to deny the petitioner.

PARISI: Noted that in the petitioner's initial presentation, he talked about working on the swales. Asked the petitioner if he is going to landscape them or improve them somehow.

RASPANTE: There are existing swales on 135th and LaGrange Road that carries the storm water. What we would be providing here is a swale on the south side which would be a bioswale which would be a native-type swale and we would also be doing the same thing on 135th Street which currently does not exist there.

PARISI: You would be creating additional swales.

RASPANTE: Correct. We would be creating the bioswale on 135th Street. There is a swale that currently exists there now.

PARISI: Asked if this rezoning is a precedent setter.

TURLEY: There is other BIZ zoning on LaGrange Road although not directly adjacent to this property.

PARISI: Were there other residentially-zoned parcels that were rezoned to BIZ zoning along a major thoroughfare?

TURLEY: Indicated she has not been with the Village of Orland Park long enough to know that history.

PARISI: Thank you, nothing further.

CULLIGAN: Thanked all the residents for coming out, expressing their concerns, and stating their arguments. That is appreciated. Also appreciate the fact that the petitioner is somewhat trying to accommodate the building with some elevations that will be compatible to a residential area. Also like the fact that this is a low-intense office building and that the impervious area is well below the maximum allowed. There is a 38-stall parking area which is not huge and the petitioner is meeting the requirements for the parking lot. Overall, looking at the project, there are some things he would like to see. Stated he feels strongly that the building should be located toward the two roadways – placing the building toward the northwest on the site, fronting LaGrange on 135th Street which would be more consistent with code and would allow the parking to the south and to the rear and reduce some of the buffer yard variances. With a parking lot of only 38 stalls, I don't believe we would really be impacting the residents. Indicated that the lighting in the lot can be screened, guarded and directed away from the residents.

This would enable the driveway to the site from Circle Drive to be much farther south. Think we could still keep the center island with a 'no outlet' sign placed down to the south. This would provide a better area for loading, deliveries and refuse pick up. There would be no stalls in the drive entrance. Indicated that if Circle Drive had some road improvements and a walkway along the west side of Circle Drive (the east side of the petitioner's property), that would benefit the pedestrians tremendously. Getting to and from 135th Street should have a walkway connection on the north side along the newly located building proposed, could connect Circle Drive to a future LaGrange Road sidewalk that would be in there. Noted he has been an Orland Park resident for 30 years, all on the northeast side of town. Indicated he attended Sandburg High School and is very, very familiar with 135th and LaGrange Road. Even with that, at times going by there and cutting through there, over the past few weeks he actually stopped and sat there by Circle Drive, watching the traffic come off of LaGrange Road both eastbound from the right lane that are heading north and eastbound from the left turn lane into the traffic that is flowing southward. Keep in mind there is going to be a de-acceleration lane that will shift this LaGrange a little farther to the east for the northbound traffic. You are at Circle Drive before you know it. I've watched people. I've watched their eyes. Before they know it they are on top of this drive. I've gone around the block several times and have taken these turns quite a bit. That is my experience. I am not a traffic expert. I do not reside on Circle Drive. They have far more experience than I do with this area. With this experience, I really have to disagree with this setup that we have right now. I know it may not favor the residents at all. I do see that a development of this type could fit here. I know you may or may not be favorable of an entrance to the south of this property that will be closer to your homes, however, there is no way at this time, I can compromise the safety of anyone that is going to be using 135th Street and Circle Drive and even coming from LaGrange Road. I think this is a safety issue where vehicles are entering immediately into that driveway, right off of 135th Street.

THOMPSON: Concurred with her fellow Plan Commissioner as far as the sidewalks go. I have a large concern about children walking down the street. Noted that Mr. and Mrs. O'Connell stated that when they back out their driveway, their driveway is right where the little island is in the street. They indicated they would back right into that. Asked Mr. and Mrs. O'Connell to show where their driveway is.

MARLENE O'CONNELL: Stated it creates an obstacle when she is backing out of her drive.

THOMPSON: Asked Mrs. O'Connell if she were backing up, how much room would there be.

MARLENE O'CONNELL: Stated she doesn't know exactly where it will be hitting her drive. It looked like it was further south.

STEPHENS: Noted the petitioner stated that the landscape island would be approximately 60 feet north of her existing driveway.

MARLENE O'CONNELL: In other words it is closer to 135th?

STEPHENS: Yes. Asked the petitioner to point out on the plan, where the landscape island will be.

RASPANTE: Accommodated the Chairman's request.

THOMPSON: Asked Mrs. O'Connell, if her home is to the north or south of the driveway.

MARLENE O'CONNELL: Stated it is more to the north of the driveway. Most of the home is to the north of the driveway.

THOMPSON: If you look out your window, you will see that landscaped area.

MARLENE O'CONNELL: Most likely because our home is 57 or 59 feet long. But this is just another obstacle in the road that you do not need and it takes up part of the street if you have delivery trucks coming or the fire department. I had my mother at my home for four months and was helped by paramedics to get into my car so I could take her back home.

THOMPSON: Thank you, that is all I have.

JACOBS: My concern for the homeowners is that when you don't control the land, you are subject to experiencing new development. That could be a lot of different things. The use and design of the project presented by the petitioner will really give the residents a beautiful building to look at in their neighborhood. Indicated she has driven around this area a lot and she feels it will look good. The proposed building is only two stories and it is beautifully designed. It has a very residential feel. Agreed with Commissioner Culligan that perhaps placing it slightly differently on the site might improve some of the issues we have been discussing this evening. I would agree that this petition is a good thing.

AUBIN: Stated he had the opportunity to read the report 200 times and then come to this meeting tonight and listen to the petitioner's point of view as well as the residents. I have a tendency that if I am going to have something done with concrete, I have a concrete professional do it and I respect his opinions. We have that with our Staff and our Engineers. Our Engineers have reviewed this project from stem to stern and they have approved it. Our Staff, all professionals have looked at this project; bisected it, dissected it, and put enough conditions in front of the petitioner that there is no other choice but to approve this project because the petitioner has agreed to do all the conditions recommended by Staff; they would adhere to the conditions. The traffic study was conducted by a professional

who signed his name on a report which said there would be no impact or further impact by putting this building at this location with traffic on Circle Drive or 135th Street. Once again, he is a professional. Why would they say something that was not professional? That is my opinion. I believe this project should move forward.

STEPHENS: Stated he was a member of the Plan Commission in 2003 when this was approved and forwarded. Indicated he stated then and will do so again today, that after 55 years as a residential site, and this site still has not been built on for residential use – and 55 years ago, LaGrange Road was a two-lane highway with very limited traffic. Today LaGrange Road is a four-lane highway and in the very near future it will become a six-lane highway. Keeping it as a residential use makes no sense to me at all. There is an extreme drop from LaGrange Road down to Circle Drive of about ten feet. It is not very conducive for a home or two homes on that site much less having a home there and having your children play in a backyard where you have six lanes of traffic going 50 mph is not safe. In my opinion, based on today, the highest and best use of this site is what the petitioner is requesting which is an office building. I would not want to see this site come in as a McDonald's or some sort of a business which has traffic coming in and out constantly. An office building in itself doesn't really have a great deal of traffic coming in and out. People come to work at various times of the day. They leave. I don't see a great deal of traffic in there. I think that adding the two lanes and creating the landscape island is really going to benefit that intersection considerably from what it is now. It will probably make it a better situation than what exists there now. Unfortunately, the residents in the area or on that block, I can sympathies with all of your comments, however, the fact remains that you still have LaGrange Road there and a block east is where Circle Drive is and 135th Street. You have all of that traffic and that is not going to change whether the office building is built or not. As far as the drainage issue, as discussed by Commissioner Aubin, these have been addressed by two professional engineers – not only the petitioner's engineer who did the drainage calculations but by the Village's engineer who has already approved them. We have two professional engineers telling us that there is not going to be an additional water problem within the community. Additionally, I look at this corner as it exists today, as I've been looking at it for years, and it is just an eyesore. It is a key corner as an entry into the Village of Orland Park. The building they are proposing is an extremely attractive residential-looking building. I have no problem with the look of the building or the concept that it is an office building going in on that corner. Unfortunately, we have a residential street to the inside but that kind of situation exists in other areas within Orland Park as well so it is not as though we are setting a precedent here. We already have that as an existing condition. Therefore, I am in favor of this petition.

STEPHENS: Entertained a motion from the Plan Commissioners.

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated August 14, 2007, and

I move to recommend to the Village Board approval of the preliminary site plan titled "Preliminary Engineering Plan for Park Corners II", prepared by DesignTek Engineering Inc. with McNaughton Development Inc., and dated June 15, 2007, subject to the following conditions:

1. That the petitioner provide a sidewalk/ pedestrian path connection between the sidewalk and the parking lot at the corner of LaGrange and 135th with a crosswalk crossing the parking lot to the building's sidewalk system;
2. That the petitioner place a sign that reads "No Outlet" south of the access driveway to the site parking lot in order to prevent erroneous travel into the residential Circle Drive cul-de-sac;
3. That the petitioner mitigate the silver maple tree at the southeast end of the site if it is removed or damaged and to include that mitigation in the landscape plan;
4. That the petitioner submits a landscape plan within 60 days of final engineering approval. The submitted landscape plan should reflect native landscaping in the bio-swales, which should take into consideration the view triangle at the 135th Street and Circle Drive intersection, and the revised grading on the preliminary engineering plan dated June 15, 2007;
5. That the petitioner transplant or save the parkway trees and indicate this in the landscape plan;
6. That the maintenance of the proposed landscape island at the center of Circle Drive is the responsibility of the petitioner/ land owner of the subject property;
7. That the petitioner designate a 12' x 25' loading area to the site plan;
8. That the petitioner move the garbage enclosure 5 feet to the east to install landscaping that will screen the western façade of the enclosure;
9. That the petitioner continue the tan stone wainscoat around all four facades of the building;
10. That the petitioner provides a gabled roof over the center east entrance of the building-- instead of a hipped roof-- that is the same as the other gabled roofs on the building and that has the same ornamentation but is not cantilevered and is without columns;
11. That the petitioner provide outdoor seating at the concrete patio;

12. That the petitioner submits labeled and scaled elevation drawings that include a title block and data box, elevations clearly marked by cardinal directions, and elevations that illustrate and point out the dimensions, materials, and colors etc. of the proposed building to ensure height limitations are not exceeded and what materials will be used, prior to going to Committee.

13. That the petitioner submits a scaled and labeled site plan with a title block and includes a drawing title, data box and other site plan related items as illustrated on page 7 of the Development Application and Information packet that all petitioners receive from the Village, prior to going to Committee.

and

I move to recommend to the Village Board approval of the requested variance for Park Corners II to allow the parking lot to locate between the building and the public right-of-ways along the LaGrange Road side and the 135th Street side of the building.

and

I move to recommend to the Village Board approval of the requested variance for Park Corners II to allow the garbage enclosure to locate within the building setback along Circle Drive 10 feet from the property line.

and

I move to recommend to the Village Board approval of the requested variance for Park Corners II to reduce the landscape bufferyard width requirement along LaGrange Road from 15 feet to 10 feet.

and

I move to recommend to the Village Board approval of the requested variance for Park Corners II to reduce the foundation planting bed requirements along LaGrange Road and 135th Street from 75% planting along the LaGrange façade to 40% and from 10 foot wide areas for foundation plantings to 5 foot wide areas.

and

I move to recommend to the Village Board approval of the requested variance for Park Corners II to allow a reduction in the required number of tree/ landscape islands in the parking lot from four (4) to one (1).

and

I move to recommend to the Village Board approval of a rezoning of the subject property at 13510 and 13520 Circle Drive from an R-2 Residential District to a BIZ General Business District.

A motion was made by Commissioner Paul Aubin, seconded by Commissioner Nick Parisi, that this matter be RECOMMENDED FOR APPROVAL to the Development Services & Planning, due back on 8/27/2007. The motion CARRIED by the following vote:

Aye: 4 - Commissioner Jacobs, Commissioner Aubin, Commissioner Stephens and Commissioner Parisi

Nay: 3 - Commissioner Dzierwa, Commissioner Culligan and Commissioner Thompson

2007-0268 Open Space Amendment to the Comprehensive Plan

STEPHENS: Due to the late hour, entertained a motion for a continuance from the Plan Commissioners.

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated August 14, 2007,

and

I move to continue the public hearing for the Comprehensive Plan Amendment to the September 11, 2007 Plan Commission meeting.

A motion was made by Commissioner Nick Parisi, seconded by Commissioner Patricia Thompson, that this matter be CONTINUED to the Plan Commission, due back on 8/28/2007. The motion CARRIED unanimously.

Aye: 7 - Commissioner Jacobs, Commissioner Dzierwa, Commissioner Aubin, Commissioner Stephens, Commissioner Culligan, Commissioner Thompson and Commissioner Parisi

Nay: 0

NON-PUBLIC HEARINGS

OTHER BUSINESS

None.

ADJOURNMENT

STEPHENS: There being no further business before the Plan Commissioners, the meeting was adjourned at 11:00 p.m.

Respectfully submitted,

Teri Dougherty
Recording Secretary