

# VILLAGE OF ORLAND PARK

14700 Ravinia Avenue  
Orland Park, IL 60462  
[www.orlandpark.org](http://www.orlandpark.org)



## Meeting Minutes

Tuesday, June 27, 2017

7:00 PM

Village Hall

## Plan Commission

*Louis Stephens, Chairman*

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

**CALLED TO ORDER/ROLL CALL**

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

**Present:** 5 - Chairman Stephens; Member Aubin; Member Parisi; Member Paul, Member Shalabi

**Absent:** 2 - Member Jacobs, Member Murphy

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

A motion was made by Commissioner Paul, seconded by Commissioner Aubin to approve the minutes of the May 9th, 2017 Plan Commission.

**PUBLIC HEARINGS****2017-0299 2017 Land Development Code Amendments II**

PITTOS: Staff presentation made in accordance with written staff report dated June 27th, 2017.

VUKELICH: Continues staff presentation made in accordance with written staff report dated June 27th, 2017.

PAUL: I have a question on that. In the last meeting, we had that tea room. Would that have pertained?

VUKELICH: That would not have because they were serving beverages and prepackaged food. If it was a commercial establishment that served prepackaged tea that you take home and make yourself, it would apply to that.

PAUL: So a Starbucks would be considered a restaurant under this?

VUKELICH: Yes.

PARISI: Would Mariano's be considered a restaurant under this?

VUKELICH: No.

PARISI: I mean, it's a big store, but it serves wine and has sit down tables and everything.

PITTOS: Those would be considered accessory to the retail function of the grocery store. It would not be considered a restaurant. A Mariano's would still be a Special Use just because of the sheer size.

PARISI: Do they need a Special Use Permit to do that?

PITTOS: Mariano's would need a Special Use Permit because it's greater than 50,000 square feet. That Special Use Permit would cover any of the accessory uses that the establishment would have.

VUKELICH: Continues staff presentation made in accordance with written staff report dated June 27th, 2017.

STEPHENS: What is permanent makeup? Is that a tattoo?

VUKELICH: It uses the same equipment as a tattoo. One common example is enhancing the darkness of someone's eyebrows. It would use tattoo equipment but is basically for enhancing makeup.

GARCIA: Continues staff presentation made in accordance with written staff report dated June 27th, 2017.

PITTOS: Continues staff presentation made in accordance with written staff report dated June 27th, 2017.

STEPHENS: We used to review landscape plans. Then they took it away from us. Now you're giving it back to us.

PITTOS: The preliminary landscape plan. The final landscape plan will be reviewed administratively.

STEPHENS: One question on what you've got here. "No certificate of occupancy or letter of credit release shall be issued until a final landscape inspection approval has been granted by Development Services." Do you guys look for landscape plans on individual single family residences? Or just the development?

PITTOS: The development. Single family residences will not have landscape plans but the subdivision will have a landscape plan. It's usually associated with any kind of buffer yards or the detention pond.

STEPHENS: So what you're saying here is all the subdivision landscaping has to be in place before you'll issue a certificate of occupancy?

PITTOS: That's what the proposed amendment is saying, yes. I think the theory is that you'll have the landscape plan approved and the landscaping installed in the right time during the development, such that you won't have as many failed inspections.

STEPHENS: But you have situations where houses get built and people want to occupy in the winter, but you can't put the landscaping in until the spring. So you're

saying the house is going to sit there all winter until the landscaping can go in in the springtime?

PITTOS: I don't think that's the intent, but we can clarify that.

STEPHENS: That's what it says here to me.

PITTOS: I think that's a fair observation. We should probably change that.

STEPHENS: I think you eliminate "no certificate of occupancy" and just leave letter of credit release. How does that work with staff?

PITTOS: The other thing that comes to mind is that in those scenarios, where a house is built in the winter and landscaping can't go in, what has happened in the past is that the Village issues conditional certificates of occupancy that tells the developer or the homeowner that the landscaping can't go in in the winter. You get a conditional certificate of occupancy and when a certain date in the spring arrives, you should make the plantings happen so you can get a full certificate of occupancy.

STEPHENS: Ok but if this says "no certificate of occupancy" that speaks to conditional certificates of occupancy and final certificates of occupancy.

PITTOS: We could delete it as you suggested.

STEPHENS: I think we should delete it.

PITTOS: Or we could say "no final certificate of occupancy."

STEPHENS: If the building is ready and all the inspections have been passed on the house, you want a final certificate of occupancy. You could get a lot of rain April and May and not be able to get the landscaping in. If the house is ready February or March, they want a final occupancy certificate.

PITTOS: I think we have to take apart the issue a little bit. For subdivision development, the developer isn't necessarily getting certificate of occupancy for the development. For single family homes you would still be issuing a certificate of occupancy. This part of the provision is mainly referring to commercial development.

STEPHENS: But it doesn't say that. It applies to everything.

PARISI: To Lou's point, it has to be commercial. If it was single family, if we're waiting for a certificate of occupancy, someone trying to buy a home would never be able to finalize their financing because there's not a certificate of occupancy.

PITTOS: We can look at it. We'll take the language out.

STEPHENS: So we'll draw a line through "no certificate of occupancy"?

PITTOS: We'll say that no letter of credit release will be issued until final landscape inspection approval has been granted. Which is current practice.

PARISI: Does this only speak to plants?

PITTOS: In what sense?

PARISI: In the sense that you go down certain areas, like 80th Avenue or 167th Street and you see a large area and everybody has a different fence in the back in various colors and stages. Does this address any of that?

PITTOS: It can. If there is a new subdivision, where the aesthetic improvements, such as Parkside Square from a few years ago, where there was a substitution made for the south buffer yard landscaping. They would have been required to put in a buffer yard, but residential homeowners and landscaped buffer yards don't jive together. The developer will put them in and the homeowners will take them out. The land development code does allow for substitutions, and you can substitute those buffer yards with fences. In that case the landscape plan would cover fences for new development, not existing.

STEPHENS: So we're going to amend this to say "no letter of credit release."

PITTOS: Yes.

VUKELICH: Continues staff presentation made in accordance with written staff report dated June 27th, 2017.

STEPHENS: I want to back up a minute. "Monitoring and management plan" – is this something new?

PITTOS: It's not new in the sense that it's in the code right now. This was added to the code in the overhaul of the landscape code. The M&M plan as it's known is to assist in the inspection and maintenance of detention ponds and other water body features that a development may impact.

STEPHENS: And this plan is one or two years?

PITTOS: It's a manual for the pond. It can be around for as long as we want it to be around.

STEPHENS: This is something that the developer gives you?

PITTOS: We have a template that the developer can just fill in the blanks with their pertinent information. It's not a plan that's difficult to develop. Any landscape architect can put one together. It's a fairly standard requirement in the industry as I understand it. But it is a plan that the code intends and we intend to keep and record against various detention ponds around town so that maintenance is properly done.

STEPHENS: In the past they've been giving you these M&M's?

PITTOS: In the past the code required a version of an M&M plan that not all developments submitted. So, no, not every development did that in the past.

STEPHENS: But now it's required.

PITTOS: More recently, we had projects that we requested M&M plans for even though the code didn't require it, and they complied and we found it was an easy process for the landscaping teams to do, so we modeled our code language in the landscaping overhaul to match our experience. That's what you see in the code today.

STEPHENS: So who is supposed to do this?

PITTOS: It depends. If it's a commercial development and the pond is privately owned, the property managers would have to keep to the M&M plan. The plan is a vehicle for village inspectors, when they see deficiencies in ponds to measure and gage the performance of that pond. If it is a public pond, that plan goes to the Village, and the Village has a manual and plan to fix it.

STEPHENS: We don't review the M&M plans, correct?

PITTOS: Staff does, yes.

STEPHENS: Thank you for the explanation. We can move on.

CORONA: Continues staff presentation made in accordance with written staff report dated June 27th, 2017.

STEPHENS: What about Salvation Army, when they set up their Christmas stuff?

CORONA: The cardboard boxes?

STEPHENS: When they set up the kettle and bell?

CORONA: That is not covered under this. That would just be a solicitation for donation.

STEPHENS: Do they need a permit for that?

LELO: They have to get a solicitation through the police department. It's not through development services.

STEPHENS: So this amendment does not have to do with that? Ok.

CORONA: Continues staff presentation made in accordance with written staff report dated June 27th, 2017.

PARISI: I can see why you're doing this with all the recent hearings we've had with car dealerships and all the questions on lighting. This will address that.

PITTOS: This amendment will eliminate a series of variances that are always issued with car dealerships. We've also tested this internally with other projects, and an electric company.

CORONA: We had Hickey Electric look at the changes we made. They gave it their seal of approval and said it was easy to use and in line with industry standards.

STEPHENS: One question on the table. Table 6-315.2.A Lighting Class One – it says retail centers over 500,000 square feet. If it's 500,000 square feet then it doesn't have to comply with this? If it's at that number. Because this says over.

CORONA: If you're at 500,000 on the nose you fall into Lighting Class Two.

STEPHENS: Should we maybe change that to say "500,000 square feet or more"?

CORONA: We could make that change.

PAUL: I have a question. Basically, in using car dealers, if they are in compliance with that, that's pretty much it, right? Even though people will come back and say the lights will be annoying, we have to approve something like that then?

PITTOS: They should not come back with variances. The code has been modeled after a lot of those variance. The legal non-conformities we issue in the past would become conforming to code with this update. If someone asked for a variance for lighting, we could say that our code meets all of the current lighting standards being used by all of the car dealerships, what is different about yours? We could discuss it at that point.

PAUL: As long as they comply with what's here, there's nowhere to go with that then?

PITTOS: Yes.

STEPHENS: This gives us a code to hang our hat on when they come in and say "there's too much light in my backyard."

PITTOS: As it relates to car dealerships we would be able to do that for the first time. These lighting standards are now easier to read.

PITTOS: Continues staff presentation made in accordance with written staff report dated June 27th, 2017.

STEPHENS: What is a rain garden?

PITTOS: A rain garden is an area where you put plant material that is native to the region and can withstand droughts or heavy rain periods. A rain garden in Illinois would work better than an invasive species that you might plant because it's prettier. Tall prairie grasses could go in a rain garden. It has longer root structures and are not as susceptible to droughts as a result. We don't have to put that in the code but we could establish what a standard rain garden could look like. The homeowner could take that and put a rain garden in where they have water troubles and there's a return on investment.

PARISI: Under the premium, I could gain an additional 10% in lot coverage by putting a single solar panel in my house?

PITTOS: Theoretically yes. You would have to do at least Provision A.

PARISI: So you have to do A. Not just any one of them.

PITTOS: So there's always going to be a stormwater benefit. The renewable energy aspect is a bit more costly than some of the land related improvements. The idea is that the homeowner is doing something that brings a return on investment. It gives options. If you're going to go 10% more in lot coverage, you have to do Provision A and double of something else on the list.

PITTOS: Continues staff presentation made in accordance with written staff report dated June 27th, 2017.

STEPHENS: If there's no other questions from the commissioners at this time a motion would be in order.

AUBIN:

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report, dated June 27, 2017.



And

I move to recommend to the Village Board of Trustees to approve the Land Development Code amendments for Section 2-102, Section 5-101, Section 5-112, Section 6-201, Section 6-202, Section 6-203, Section 6-203.5, Section 6-204, Section 6-204.5, Section 6-205, Section 6-205.1, Section 6-212, Section 6-302, Section 6-305, Section 6-307, Section 6-308, Section 6-310, Section 6-314, Section 6-315, Section 6-406 and Section 6-407.1, as presented in the attached Amendment Report titled "2017 Land Development Code Amendments II Amendment Report to the Plan Commission", prepared by the Development Services Department and dated June 27, 2017 subject to the following condition:

1) With changes as noted by the Chairman are received by staff and changes will be made to these code amendments.

PAUL: Second.

RECOMMENDED FOR APPROVAL

**Aye:** 5 - Chairman Stephens, Member Aubin, Member Parisi, Member Paul and Member Shalabi

**Nay:** 0

**Absent:** 2 - Member Jacobs and Member Murphy

## NON-PUBLIC HEARINGS

## OTHER BUSINESS

STEPHENS: I have something to present. I would like to make a motion to recommend to our Development Services Director that we strongly consider hiring Nectarios Pittos as the Assistant Director of Development Services. He's had 10 years of services as a Planner in Orland Park, he's been a longtime resident of Orland Park, he's rewritten probably most of the codes, so he knows these codes inside and out. I think that he would probably be the right choice for our Assistant Director.

All commissioners present concur and support Chairman Stephens recommendation.

**2017-0046 Memo: New Petitions & Appearance Review**

## ADJOURNMENT

STEPHENS: This meeting is adjourned at 7:55 p.m.