



Village of Lemont
Planning and Zoning Commission

418 Main Street · Lemont, Illinois 60439
phone 630-257-1595 · fax 630-257-1598

PLANNING & ZONING COMMISSION
Regular Meeting
Wednesday, April 20, 2011
6:30 p.m.

**Planning and Zoning
Commission**

Dennis Schubert,
Chairman

Commission Members:
Tony Armijo
Kerry Erber
David Maher
Katherine Murphy
William O'Malley
Anthony Spinelli

I. CALL TO ORDER

A. Pledge of Allegiance

B. Verify Quorum

C. Approval of Minutes: March 16, 2011

II. CHAIRMANS COMMENTS

III. PUBLIC HEARINGS

A. Case 11-01: 703 Porter Street Variation. Public hearing for a variation from the required garage setback in the R-4A district to permit the construction of a garage at 703 Porter Street.

B. Case 11-02: 10985 S. Archer Avenue. Public hearing for rezoning to the B-3 zoning district and a special use for a drive-through for property proposed to be annexed, located at 10985 S. Archer Avenue.

IV. GENERAL DISCUSSION

A. Comprehensive Plan – Natural Resources

V. ADJOURNMENT

**Community Development
Department Staff**

James A. Brown, Director

Charity Jones, AICP Planner

Village of Lemont
Planning and Zoning Commission
Regular Meeting of March 16, 2011

A meeting of the Planning and Zoning Commission of the Village of Lemont was held at 6:30 p.m. on Wednesday, March 16, 2011, in the second floor small conference room of the Village Hall, 418 Main Street, Lemont, Illinois.

I. CALL TO ORDER

A. Verify Quorum

Upon roll call the following were:

Present: Armijo, Maher, Spinelli, Schubert

Absent: Erber, O'Malley, Murphy

Village Planner Charity Jones and Planning and Economic Development Director Jim Brown were also present.

B. Approve Minutes

Commissioner Maher made a motion, seconded by Commissioner Armijo to approve the minutes of the February 16, 2011 meeting with no changes. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

II. CHAIRMAN COMMENTS None

III. GENERAL DISCUSSION

A. What is Economic Development?

Mr. Brown stated that economic development was the effort to accommodate and stimulate economic activity. He said that the Comprehensive Plan's context can discuss such things as business retention, attracting new businesses, workforce development/education, business incentives, and tax policies. Mr. Brown stated that the current plan of 2002 is rather weak on economic development and he is hoping to improve this with the new Comprehensive Plan. He said that he and Mrs. Jones continue to field questions and misunderstandings as to what role the Village has in economic development. He stated that staff is welcome to expanding that role if the Board feels that it is necessary. Mr. Brown stated that years ago the Village did have a separate department for economic development; however that department no longer exists.

B. Past & Current Economic Development Efforts

Mr. Brown then showed a power point from Marquette that was from January 2005, during the planning of the Front Street lofts development. It showed where local spending was going, and what retail businesses the Village might try to attract. The focus was to develop the downtown as an area where people can live, shop and work.

Mr. Brown discussed the impact of sales tax revenue to the overall Village budget.

Commissioner Maher asked who owned the (former Tri-Central Marine) property on the other side of the railroad tracks downtown.

Mrs. Jones stated that MWRD. (Metropolitan Water Reclamation District) She said that property is mentioned in the 2002 Comprehensive Plan stating to support the clean up in the area, but did not specify a use.

Commissioner Maher asked how polluted was the land.

Mr. Brown stated that phase one was done and they were still waiting for phase two.

Commissioner Maher asked if the Village was interested or had looked at that property.

Mrs. Jones stated yes, and the Village is still pursuing clean-up of the site so it could possibly be developed.

Mr. Brown stated that the site has been discussed and that there are certain problems. He stated that there is no good road access. It would be hard to develop because there is barge traffic, trains and road traffic overhead.

Mr. Brown stated that he would like to get some kind of direction because some of the land use decisions should be based on the economic development goals.

Mrs. Jones then passed out a copy of a summary report that was created by a company called 4 Insights Inc. who was hired by Marquette during the 2005 planning process. They conducted a retail analysis of the downtown area. She explained that report states that retail depends on nearby residential, which would be within a three mile range. The potential consumer would be someone who leads a "suburban lifestyle". Mrs. Jones then read the elements listed in the report's proposed downtown retail strategy. The report is not a full strategy report because the consultant did not know the number of units that were available downtown; therefore they did not know what the consumer spending base would be. However, Mrs. Jones stated that many of the strategies are still viable for the Commission to consider in identifying economic development priorities, particularly for the downtown and retail.

Mrs. Jones said that in 2008 the Chamber of Commerce hosted a business forum. At that time there was a lot of misconceptions on economic development and what role

the Village plays. She stated that the Village responded by creating an Economic Development and Downtown Improvement Work Program that included short and long-term goals for the Planning & Economic Development Department. She said that a lot of the long-term recommendations that are in the work program are what staff is looking to incorporate into the Comprehensive Plan.

Mrs. Jones stated that on March 15, 2011 she and Mr. Brown met with three of the Board members from the Chamber of Commerce. She said they wanted to get their input as to what issues they see facing the Village with economic development and what the Chamber viewed as economic development priorities. Mrs. Jones stated that the Chamber Board members responded that there should be more general marketing of the Village to attract individual customers and business and the Village should be playing a role in that marketing. She stated that the Chamber Board members expressed a need for the Village to capture more of the available spending within the community, rather than having people spend their money outside of the community. Mrs. Jones said that one challenge the Chamber Board sees facing the community is a lack of co-operation or a lack of desire to work together among the business community. She said another thing mentioned was reducing the number of vacancies in the downtown and having a more aggressive business attraction strategy. She stated that one Board member suggested making Route 83 a gateway to draw people into Lemont.

Mr. Brown stated that the Village had won the billboard case. He stated that the vision that was outlined for the I & M canal corridor in the Comprehensive Plan played a large part in the judge's decision. He said that even though the Comprehensive Plan does not enforce ordinances or laws it does play an important role and is used in a lot of court decisions.

C. Discussion of Future Economic Development Priorities

For this discussion, Mr. Brown said they would start with what was said yesterday at the meeting with the Chamber of Commerce. He said the Chamber's Board felt that the Village as a whole should be doing more to attract people into the town. The Village should also make the community aware of what there is to offer. Mr. Brown stated that he felt the Village should play a role, but he is not sure what medium should be used. He did state that they would not advertise for specific businesses.

Mrs. Jones stated that there are two different routes the Village could take with marketing. There is the marketing of the community for potential new visitors, residents, and individuals. Second, there is marketing to new businesses as a business attraction strategy. She said that both involve two different skill sets and different mediums to communicate this message.

Mr. Brown suggested one cost effective marketing strategy would be a brochure that would highlight why Lemont is a good place to live or open a business. This could

then be passed out and put on the website. He then asked the Board what they thought as far as what role the Village should take.

Commissioner Maher asked if they have ever gone to a marketing company and what that cost would be.

Mr. Brown stated that they have looked into it and it would be at least \$15,000 or more.

Commissioner Maher asked if there was any grant money to do these things.

Mr. Brown stated that there is not a lot of money out there for that type of thing. He said the best way would be to tie it into the historic downtown or historic preservation efforts.

Commissioner Maher asked about the TIF districts and how much revenue did the Village get out of those districts.

Mrs. Jones said that she did not know, however one would be expiring in two years.

Commissioner Maher asked if there was any money in the TIF district to fund a study. He suggested that maybe the Village try using a company that recruits or looks for businesses to come to our town. Another suggestion was to look at trade shows. Commissioner Maher then told a story about a friend who was looking to open a business in Lemont. The person had a hard time finding out who he should talk to about incentives and possible locations or sites. Commissioner Maher suggested making sure the Village website was up-to-date and had a more prominent display for new business or events.

Chairman Schubert stated that adding more trains would be a major marketing factor for the downtown area. He said he was concerned that businesses were not working or talking together.

Mrs. Jones asked what role the Village take on this issue of business cooperation.

Chairman Schubert stated that Village needed to support the Chamber.

Commissioner Armijo said that the Chamber should be talking with the businesses to see what they expect from them, and to see what those businesses are willing to do to help themselves. He stated that the Chamber can only go so far.

Chairman Schubert stated that if there is a big event in town, the businesses should come together and help promote the event. One such example would be promoting the event on the LED signs that are in town.

Mr. Brown stated that there is a business forum that the Village will be starting and hopefully will continue with regular meetings.

Chairman Schubert asked Mr. Brown if he knew who owned the property up by Chipain's. He said that they are the people that you would want to build relationships with and have come to the forum. Instead of having the storefronts vacant maybe they can work with them to bring in new businesses.

Commissioner Maher stated that the Village should spend money on marketing because the Village has a vested interest in increasing sales tax revenue. He said the Village should be actively recruiting businesses or looking for companies that go out and look for businesses. He stated that the Village should support these landlords, but also talk with them to see what they are doing or what incentives they are offering to fill these empty buildings.

Chairman Schubert asked what other suggestions the Chamber Board came up with.

Mrs. Jones said marketing, lack of co-operation, and business recruitment which were all talked about. She asked how the rest of the Board members felt about business recruitment.

Discussion continued about trade shows for business recruitment.

Mrs. Jones stated that the Village should identify target industries, which could include heritage and eco-tourism, retail and employment generating industries. She said that in the past the focus has been on tourism and retail. She asked if these industries should still have priority, is there one that should have top priority, or should they just focus on retail.

Chairman Schubert stated that tourism should not be a top priority. He stated that kiosks should be placed around the Village where people shop and visit.

Mr. Brown stated that the grant that they just received is looking into ways to draw people into the quarry area.

Commissioner Armijo stated that they should promote that whole area by maybe have a fishing tournament.

Mrs. Jones stated that currently a consulting firm is looking at the different populations that would be interested in the quarries, then what improvements would the Village need to do to make it attractive to people. She stated that they need to improve the assets they have and then market those assets to attract visitors.

Commissioner Maher stated that when he rides his bike down there, he is not sure what paths he can or can not take. He stated that the quarries are the biggest asset to

the downtown, not the buildings. He said if there was some way to get the trails to connect to the Centennial trails it would be a great asset.

Mrs. Jones stated that they are looking for grant funding to help connect those two trails.

Mr. Brown stated that there was one item that was brought up by the Chamber that he would like to discuss. He said it was ideas on how to get people to shop in town. He stated that the Village had the shop local campaign, which at least raised awareness.

Mrs. Jones asked what role the Village should take on this subject.

Chairman Schubert stated that it was up to the business owners to market their businesses.

Commissioner Spinelli stated that the downtown businesses close too early.

Commissioner Maher stated that the Village should take a leadership role.

Mr. Brown reiterated to the Board some of the major comments/recommendations:

1. Pursue commuter rail service.
2. Look at the website and make sure it is updated and displaying information to businesses.
3. Look at maybe going to some regional trade shows.
4. The Village should be fostering communication between businesses.
5. The Village should be willing to spend money on marketing the Village.
6. The quarries should be exploited as an asset.
7. The development of tourism is not a benefit at this time.

Mr. Brown stated that they would want to start to create or think about a vision statement for economic development. He said he had a few suggestions and they can change or make suggestions:

- Lemont is a community with a range of commercial activity.
- Lemont is a community that has strong tax generating commercial activity.
- Lemont is a municipality that seeks to create jobs, so people can work, live, play and shop in town.
- Lemont is a community that is a destination for numerous people with a variety of interests.

IV. ADJOURNMENT

Commissioner Maher made a motion, seconded by Commissioner Spinelli to adjourn the meeting. A voice vote was taken:

Ayes: All

Nays: None
Motion passed

Minutes prepared by Peggy Halper



Village of Lemont
Planning & Economic Development Department

418 Main Street · Lemont, Illinois 60439
phone 630-257-1595 · fax 630-257-1598

TO: Planning & Zoning Commission #023-11

FROM: James A. Brown, Planning & Economic Development Director

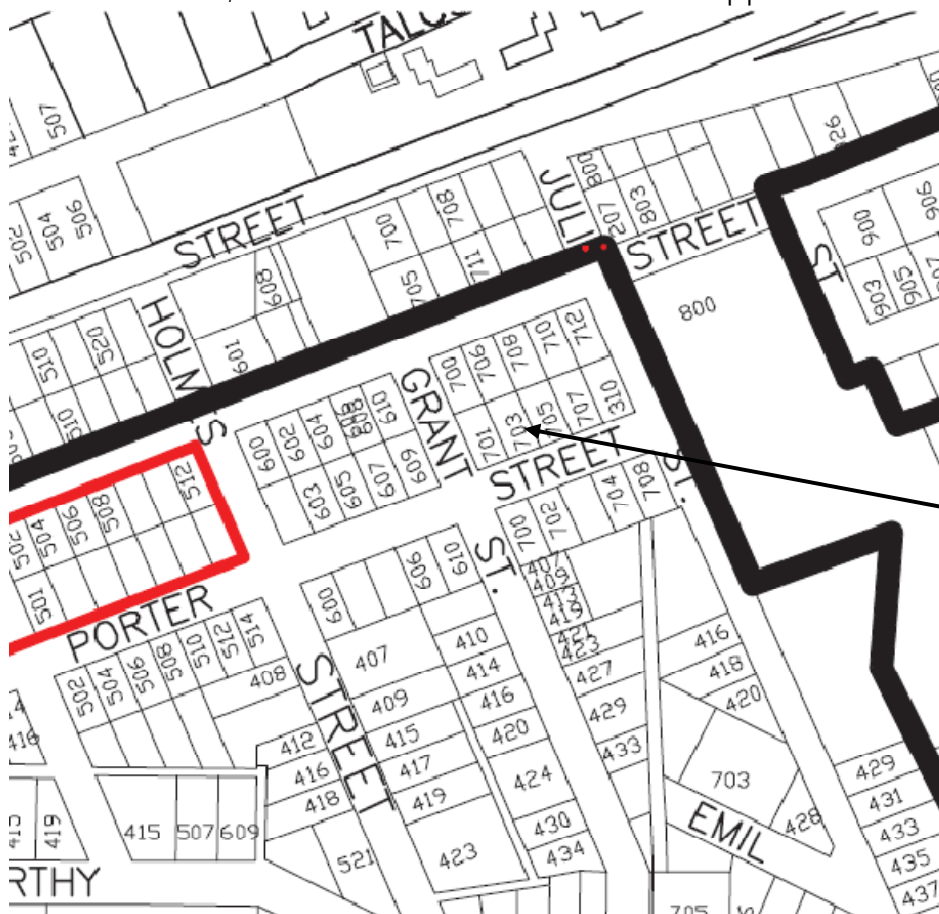
THRU

SUBJECT: Case 11-01 – 703 Porter Garage Variation

DATE: 13 April 2011

SUMMARY

Keith Michalek, owner of the subject property, has requested a variation to the Village's side yard setback requirements in order to construct a replacement unattached garage at his residence, 703 Porter Street. I recommend approval of the request.



The subject property at 703 Porter is within the R-4A zoning district (thick lines) and a little over one block from the historic district (thin lines). Note that the lot at 703 Porter is similar in size to nearby lots.

PROPOSAL INFORMATION

Case No. 11.01
Project Name 703 Porter Garage Variation

General Information

Applicant	Keith Michalek
Status of Applicant	owner of the subject property
Requested Actions:	Variation from side yard setback in order to construct a garage within three feet of the property line
Site Location	703 Porter Street
Existing Zoning	Lemont R-4A Single-Family Preservation and Infill District
Size	92.59ft x 50 ft = 4,629.5 sq ft
Existing Land Use	Single-family residential
Surrounding Land Use/Zoning	Single-family residential and R-4A zoning on all sides
Comprehensive Plan 2002	N/A
Zoning History	N/A
Special Information	
Public Utilities	N/A
Transportation	N/A
Physical Characteristics	Ground slopes from front of lot (south) to rear.

ZONING REQUIREMENTS AND THE APPLICATION

Section 17.07.020.F governs the size and placement of garages in the R-4A zoning district. Detached garages must be accessed from an alley whenever possible, and the garages must be five feet from both the rear and side lot lines. In this instance, there is no alley; the detached garage at 703 Porter is accessed from the street. The exiting garage is located almost on the rear lot line and approximately 1.75 feet from the side lot line. A variation is therefore sought to replace the existing garage with one of similar dimensions on the same location, i.e. less than five feet from the lot lines.

STANDARDS FOR VARIATIONS

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

Analysis. The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to this variation request. The variation request is generally consistent with the remaining four components.

- *Promoting and protecting the general health, safety and welfare.* The variation request will not injure the public health, safety and general welfare.

- *Ensuring adequate natural light, air, privacy, and access to property.* The applicant requested the variation in order to replace an existing garage that is not in compliance with zoning regulations. The existing garage does not adversely affect the natural light, air, privacy, or access to the property; the new garage will not either.
 - *Protecting the character of established residential neighborhoods.* The subject site is in an established residential area. It is located within the R-4A zoning district, which generally contains Lemont's oldest residential developments and smallest lot sizes, where nonconforming structures exist with perhaps greater frequency than elsewhere in the Village. The replacement of the existing garage with a one of similar dimensions will not adversely affect the character of this established residential neighborhood.
 - *Conserving the value of land and buildings throughout the Village.* The proposed height variation will not have an impact on the value of land and buildings throughout the Village.
2. The plight of the owner is due to unique circumstances and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

Analysis. The applicant suggests that the unique circumstance in this case is that the lot is small and slopes to the rear of the lot. Many lots in the R-4A are indeed small, and this particular lot is smaller than most: only 69 out of 1091 lots in the R-4A are less than 5,000 square feet. Lot depth—only 92 feet—creates a problem with moving the garage away from the rear lot line. While the lot width (50 ft) is not too restrictive, access to the garage is provided by a driveway that runs from the curb on Porter Street and then along the house to the garage. Placing the garage away from the lot line and more toward the center of the lot would inhibit easy vehicular access to the garage.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

Analysis. The requested variation will have no impact on the essential character of Lemont. See analysis above for the proposed variations' impact on the adjacent properties.

Engineering Comments. The Village Engineer had no objections to the requested variation.

Fire District Comments. The Fire Marshal had no objections or concerns to the requested variation.

RECOMMENDATIONS

Normally we should seek to eliminate nonconforming structures—such as the existing garage on site—and bring properties into compliance with the Unified Development Ordinance. In this instance, however, I believe reconstruction of a new, similarly sized garage on the same location as the current nonconforming garage is justified.

FINDINGS OF FACT

If the Planning and Zoning Commission recommends approval of the variation, the following findings-of-fact might be considered among those appropriate, that:

- a. The requested variation will have no impact to the Village as a whole and the impact to the adjacent properties will be negligible, since the new garage will be of similar dimensions and placement as an existing garage.
- b. The variation request will not injure the public health, safety and general welfare.
- c. The unusually small size of the lot and placement of the house and driveway on the lot make it impractical to place a new garage within conformance of the setback requirements for garages in the R-4A zoning district.

ATTACHMENTS

1. Site Photos
2. Applicant submissions

SITE PHOTOS – CASE 11-01 / 703 PORTER STREET GARAGE VARIATION



View of east side of house looking toward rear of lot and garage

View of existing garage



View of back yard and garage



Variation Application Form

APPLICANT INFORMATION

KEITH MICHALUK
Applicant Name

Company/Organization

703 PORTER ST. LEMONT, IL 60439
Applicant Address

630-273-8551
Telephone & Fax

K.MICHALUK@SBCGLOBAL.NET
E-mail

CHECK ONE OF THE FOLLOWING:

- Applicant is the owner of the subject property and is the signer of this application.
- Applicant is the contract purchaser of the subject property.
- Applicant is acting on behalf of the beneficiary of a trust.
- Applicant is acting on behalf of the owner.

PROPERTY INFORMATION

703 PORTER STREET LEMONT, IL.
Address of Subject Property/Properties

Parcel Identification Number of Subject Property/Properties

Size of Subject Property/Properties

DESCRIPTION OF REQUEST

APPLYING FOR SETBACK VARIANCE FOR GARAGE
Brief description of the proposed variation

REQUIRED DOCUMENTS

See Form 500-A, *Variation Application Checklist of Required Materials*, for items that must accompany this application.

FOR OFFICE USE ONLY

Application received on: _____

By: _____

Application deemed complete on: _____

By: _____

Current Zoning: _____

Fee Amount Enclosed: _____

Escrow Amount Enclosed: _____

Variation Criteria Worksheet

Unified Development Ordinance (UDO) Section 17.04.150.D.1 establishes the criteria that all applications for variations must meet. In addition, Section 17.04.150.D.2 of the Unified Development Ordinance requires that the Planning & Zoning Commission or Zoning Hearing Officer take the following conditions into consideration when determining whether a request qualifies for a variation. You may want to consider the following in your variation request:

- The particular physical surroundings, shape, or topographical condition of the specific property involved results in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations of the Unified Development Ordinance were fulfilled;
- The conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification;
- The alleged difficulty or hardship has not been created by any person presently having an interest in the property;
- The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject property is located; and
- The variation will not impair an adequate supply of light and air to adjacent properties, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Please describe below how your variation request meets the criteria of UDO Section 17.04.150.D.1. Attach additional sheets if necessary.

UDO Section 17.04.150.D.1.a

The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

LOOKING TO REPLACE CURRENT GARAGE WITH SAME SIZE GARAGE AT
SAME LOCATION. LOT IS ON A HILL AND MOVING IT WOULD CAUSE A
A RAISE IN BACK LOT OF SEVERAL FEET. ALL CURRENT UNATTACHED
GARAGES ON BLOCK ARE NOT TO NEW SETBACK CODES FOR THIS
SAME REASON.

UDO Section 17.04.150.D.1.b

The plight of the owner is due to unique circumstances and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unusual conditions that are not generally found on other properties in the same zoning district; and

HOUSE IS ON SMALL LOT THAT IS 90 YEARS OLD. LOT IS ON
HILL AND GARAGE IS SET AT BASE OF HILL. SLOPE WOULD BE TOO MUCH
TO MOVE LOCATION OF GARAGE.

UDO Section 17.04.150.D.1.c

The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

GARAGE PROPOSAL OF SAME SIZE AND SAME LOCATION
OF CURRENT GARAGE. ADJACENT SHED TO BE REMOVED.

LOT 7 IN BLOCK 26 IN ATHENS, IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Associated Surveying Group, P.C.

IL Dept. of Prof. Regulations # 184-003013

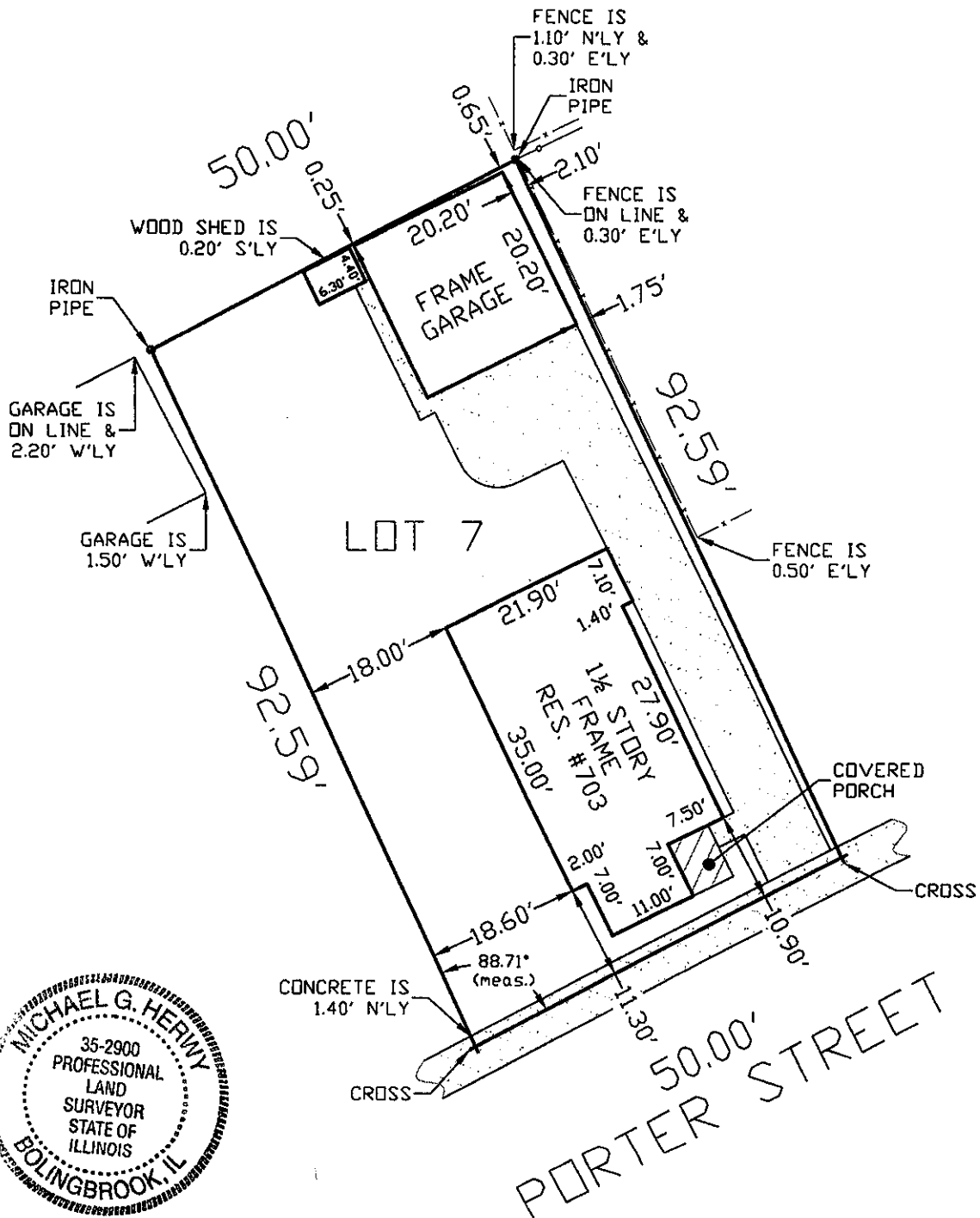
P.O. Box 810
PH (630) 759-0205

Bolingbrook, IL 60440
FAX (630) 759-9291

PLAT OF SURVEY



LOT 7 IN BLOCK 26 IN ATHENS, IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



State of Illinois }
County of Will }SS

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

I, Michael G. Herwy, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the parcel of land hereon described and that the Plat hereon drawn is a correct representation of said survey.

Dated, this 4th day of FEBRUARY, A.D., 2005, at Bolingbrook, Illinois.

Michael G. Herwy
Illinois Professional Land Surveyor No. 35-2900
License Expires Nov. 30, 2006

CLIENT MICHALEK

JOB No. 59289-05

For Building Lines, Easements and Other Restrictions not shown hereon refer to your Deed, Title Policy, Ordinance, etc.

LOT 7 IN BLOCK 26 IN ATHENS, IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PAY ONLY THIS AMOUNT

\$ 1,066.66

BY 04/01/11 (on time)

2010 First Installment Property Tax Bill

Property Index Number (PIN)	Volume	Code	Tax Year	(Payable In)	Township
22-20-431-007-0000	062	19006	2010	(2011)	LEMONT

082 66	098 66	IF PAID LATE: 06/02/11 - 07/01/11	\$ 1,114.66
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TAX CALCULATOR	
2009 TOTAL TAX	1,939.38
2010 ESTIMATE	1,550.00
2010 1ST INSTALLMENT	1,066.66

PAY THIS BILL AT COOKCOUNTYTREASURER.COM OR AT ANY CHICAGOLAND CHASE BANK.

LATE PENALTY IS 1.5% PER MONTH, BY STATE LAW.

Property location and classification for this PIN

PAID DATE APRIL 1, 2011

Cook County Treasurer
 cookcountytreasurer.com
 312-443-5100

KEITH J MICHALEK
 703 PORTER ST
 LEMONT IL 60439-3733

IF YOUR TAXES ARE PAID BY MORTGAGE ESCROW, BE SURE NOT TO DOUBLE PAY.

PAYMENT COUPON

\$ 1,066.66

BY 04/01/11 (on time)
If paying later, refer to amounts above.

See the reverse side of this bill for detailed payment instructions. Please include only one check and one original payment coupon per envelope. Use of this coupon authorizes Treasurer's Office to reduce check amount to prevent overpayment.

Property Index Number (PIN)	T1ST
22-20-431-007-0000	Volume 062

Amount Paid

Name/Mailing Address change? Check box and complete form on back to update your name and/or mailing address.

Include name, PIN, address, location, phone and e-mail on check payable to Cook County Treasurer.

0000106666 222043100700004 01018 00001082668 00001098664 00001114660



20 022204310070000 0 10 0 421060
 KEITH J MICHALEK
 OR CURRENT OWNER
 703 PORTER ST
 LEMONT IL 60439-3733

COOK COUNTY TREASURER
 PO BOX 4468
 CAROL STREAM IL 60197-4468

22204310070000/0/10/E/0000106666/1



Village of Lemont
Planning & Economic Development Department

418 Main Street · Lemont, Illinois 60439
phone 630-257-1595 · fax 630-257-1598

TO: Planning & Zoning Commission #25-11
FROM: Charity Jones, Village Planner
THRU James A. Brown, Planning & Economic Development Director
SUBJECT: Case 11-02 – 10985 S. Archer Avenue
DATE: April 11, 2011

SUMMARY

Gus Tingos, owner of the subject property, has requested annexation to the Village, rezoning to the B-3, Arterial Commercial zoning district, and a special use for a drive-through. Staff recommends approval with conditions.



PROPOSAL INFORMATION

Case No. 11.02
Project Name 10985 Archer Ave.

General Information

Applicant	Gus Tingos
Status of Applicant	owner of the subject property
Requested Actions:	Annexation
Requested Actions:	Rezoning from R-1 to B-3
Requested Actions:	Special Use to allow a drive through.
Site Location	Intersection of Bell Road (old Archer Avenue) and Archer Avenue (IL State Route 83) PIN 22-13-302-009.
Existing Zoning	Cook County, C-3 General Service District
Size	26,424 sf; approx. 0.61 acres
Existing Land Use	Vacant
Surrounding Land Use/Zoning	North: Open Space/Recreation, Cook Co. P-1 Public Land District
	South: Commercial, Cook Co. C-4 General Commercial District
	East: Open Space/Recreation, Cook Co. P-1 Public Land District
	West: Light Industrial, Cook Co. C-8 Intensive Commercial District & Cook Co. C-3 General Service District.
Comprehensive Plan 2002	The Comp Plan does not designate a future land use for this parcel.
Zoning History	N/A

Special Information

Public Utilities	Water is available through a 12" main along Main Street. Gravity Sewer is located approximately 1,500 ft away along Main Street; a 3" force main to service Camp Sagawau is located approximately 300 ft south of the subject site along Main Street.
Transportation	Traffic impact study not required.
Physical Characteristics	The site is largely paved over and is vacant. It was formerly occupied by an Amoco gas station.

GENERAL ANALYSIS

Land Use/Compliance with Comprehensive Plan. The proposed zoning is consistent with the Comprehensive Plan and the Gateway TIF Redevelopment Plan. The 2002 Comprehensive Plan Map does not specifically address this parcel. However, the text of the Comprehensive Plan supports the annexation of this site. The Lemont Comprehensive Plan of 2002 recommends as a long-range goal to "annex, to the extent that is practical, legally defensible, and cost-effective, the remainder of the territory in Lemont Township" (p.18). The Plan also states that the future eastern boundary of the Village should extend to Will-Cook Road, "excepting the portion of Lemont Township already occupied by Willow Springs" (p.18).

The parcels on the west side of Bell Road (Old Archer Avenue) are addressed on the Comprehensive Plan Map and are designated to be ORI – Office, Research, & Light Industrial. The ORI future land use district is defined as "land uses characterized by

professional office and high technology industry, which typically generates minimal emissions into air, water, and land and is compatible with hotels, day care centers, restaurants, and banks.” The Village used to have an ORI zoning district, but with the adoption of the Unified Development Ordinance in 2008 the ORI zoning district was eliminated. The two parcels in the Village that were zoned ORI at that time were rezoned to M-1.

Although the Comprehensive Plan Map specifies light industrial uses for this area, the text of the Comprehensive Plan supports some retail development in this area as well. The Comprehensive Plan states that the Village should “redevelop the S.R. 83 area, including the industrial district north of Main Street, west of S.R. 83 and the junkyards in the vicinity of S.R. 83, Archer Avenue, and Grant Road, as improved light industrial or office-research-industry sites, with some commercial development” (p.11).

The requested B-3 zoning district is consistent with the Arterial Commercial¹ future land use category. The site is well situated for Arterial Commercial use by the Comprehensive Plan’s standards. The Arterial Commercial future land use category is defined as “areas of existing or planned commercial development of an intensity typical of arterial highways and their intersections” (p.23). The subject site is located along an arterial road, as identified by the Comprehensive Plan (p.33).

The subject site is adjacent to the Gateway TIF District, established in 2008. Like the 2002 Comprehensive Plan, the Gateway TIF Redevelopment Plan plans for a range of uses including not just industrial, but also commercial uses in the TIF district.

Compatibility with Existing Land Uses. The proposed zoning is compatible with the surrounding land uses. The surrounding properties are primarily a mixture of light industrial, commercial uses, and forest preserve. Several properties are marginally maintained and in general do not match the high aesthetic standard found elsewhere in the Village. Single-family residential uses are located south of Main Street, approximately 400 feet from the subject site.

Aesthetic and Environmental. No environmental concerns appear evident at this time. At the time of development of the subject site, the applicant will be required to follow all requirements of the Lemont Unified Development Ordinance to address site design, aesthetic, and environmental concerns.

Storm Water Management/Engineering Comments. The Village Engineer has no objections to the proposed annexation, rezoning and special use. As noted in the attached letter, a minor correction is needed to the plat of annexation.

Fire Department Comments. The Fire Marshal had no comments regarding the requested approvals of annexation, rezoning and special use.

¹ The Comprehensive Plan map calls this land use category “Arterial Commercial” while the text of the Comprehensive Plan refers to it as “Arterial Business.” Although the titles are slightly different, they are the same future land use category.

STANDARDS FOR SPECIAL USE

The applicant has requested a special use for a drive through. UDO Section 17.04.150.C states that special use requests must be consistent with the following six standards to be recommended by the PZC for approval:

1. The special use is deemed necessary for the public convenience at that location.

Analysis. The requested special use could provide convenient services for the public at the subject site. However, because the applicant is not seeking any specific use or site plan approval at this time, it is unknown exactly what services would be provided by the drive through. The site's location is well suited for a drive through in that it is located along a major arterial roadway with high traffic volume.

2. The special use is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected.

Analysis. No specific plans have been submitted at this time. However, the requirements of the UDO (see #5 below) would ensure that pedestrian and traffic safety would be addressed during plan review and approval.

3. The special use will not cause substantial injury to the value of other property in the neighborhood in which it is located.

Analysis. As noted, the other incorporated parcels in this area are within the Gateway TIF district. The 2008 TIF Redevelopment Plan states that properties in the TIF area exhibit several blighted factors, including "deteriorated buildings and parking lots" (p.22). Redevelopment of the subject site under current Village standards would have a positive impact to the value of other nearby property.

4. The special use shall not create excessive demands on Village service or impair the ability of the Village to maintain the peace and provide adequate protection for its citizens.

Analysis. Drive-throughs, if properly designed, do not create excessive demands on Village services, nor impair the ability of the Village to maintain the peace and provide adequate protection for the citizens.

5. The special use is consistent with standards enumerated elsewhere in this ordinance for the specific use, including planned unit developments.

Analysis. UDO §17.04.140C requires that all drive-throughs meet the following requirements:

- Each drive-through facility shall be designed so that the drive-through window is not on a side of a building facing a public street.
- The queue area shall not interfere with other on-site circulation and parking arrangements.

- All pedestrian walkways for a drive-through development shall be clearly marked and enhanced with special paving or markings when they intersect the drive-through aisles.

No site plan is being approved at this time, so the exact location and configuration of the proposed drive-through is currently unknown. When the development is reviewed for PUD or site development permit approval, the proposed drive-through should be designed to comply with these requirements of the UDO. Given the odd shape of the subject site, the proposed location of the drive-through shown on the conceptual site plan is likely the least visible from a public street.

6. The special use meets, as applicable, the standards for planned unit developments found in Chapter 17.08 of this ordinance.

Analysis. Not applicable.

CONCLUSIONS & RECOMMENDATIONS

The requested annexation is consistent with the Comprehensive Plan, and will provide the Village an opportunity ensure that the redevelopment of this site is consistent with Lemont's high development standards. The requested B-3 zoning is appropriate; the site is appropriately situated for arterial commercial use by the standards of the Comprehensive Plan and the site is far too small to support most industrial uses. Staff recommends approval of the annexation and rezoning to B-3.

Due to the blighted nature of the surrounding properties, the requested special use for a drive-through should not have any negative impact on surrounding property values. If properly designed, the drive-through should not create excessive demands or safety hazards. Since no particular use or site plan is being approved at this time, it is difficult to say whether the drive-through is necessary for the public convenience or if it is designed, located, and proposed to be operated in a way that protects the public health, safety, and welfare. Therefore, staff recommends approval of the special use for a drive-through, with the following conditions:

- The drive-through must face the south property line to the greatest extent possible. In no case shall the drive-through be oriented any farther toward the east property line than as shown on the conceptual site plan.
- Prior to issuance of a full site development permit or a building permit, the drive-through design shall be reviewed and approved by the Planning & Economic Development Director, Chairman of the Planning & Zoning Commission, and President of the Board of Trustees to ensure compliance with UDO §17.04.140C.

FINDINGS OF FACT

If the Planning and Zoning Commission recommends approval of the rezoning and special use, the following findings-of-fact might be considered among those appropriate, that:

- a. The requested rezoning is consistent with the Comprehensive Plan in that it provides commercial space near industrial uses, in the vicinity of S.R. 83. The site is appropriately situated for arterial commercial use under the standards of the Comprehensive Plan.
- b. Sufficient safeguards exist within conditions of the special use approval and the Unified Development Ordinance to ensure that the proposed special use will be designed so that it protects the public health, safety and welfare.
- c. The requested special use will create minimal demands for Village services.

ATTACHMENTS

1. Village Engineer comments
2. Fire District comments
3. Site photos
4. Applicant submittals



Village of Lemont

418 Main Street • Lemont, Illinois 60439

Village of Faith

April 6, 2011

Mayor
Brian K. Reaves

Village Clerk
Charlene M. Smollen

Trustees
Debby Blatzer
Paul Chialdikas
Clifford Miklos
Rick Sniagowski
Ronald Stapleton
Jeanette Virgilio

Administrator
Benjamin P. Wehmeier

Administration
phone (630) 257-1590
fax (630) 243-0958

Building Department
phone (630) 257-1580
fax (630) 257-1598

**Planning & Economic
Development**
phone (630) 257-1595
fax (630) 257-1598

Engineering Department
phone (630) 257-2532
fax (630) 257-3068

Finance Department
phone (630) 257-1550
fax (630) 257-1598

Police Department
14600 127th Street
phone (630) 257-2229
fax (630) 257-5087

Public Works
16680 New Avenue
phone (630) 257-2532
fax (630) 257-3068

www.lemont.il.us

Ms. Charity Jones
Planner
Village of Lemont
418 Main Street
Lemont, Illinois 60439

Re: **Case 11-02**
10985 Archer Avenue

Dear Charity:

I have reviewed the Land Use Application submitted for Case 11-02, and have the following comments:

- 1) Since the Case does not involve a site plan approval, no detailed engineering review has been made. (We reviewed a similar plan back on November 25, 2009, and the comments are attached.) The new plan indicates an 8" water main extension to service the property. Since there is well over 110 psi of static pressure in the main at this location, water supply to the site should not be an issue of negative consideration.
- 2) Upon annexation of the area, the Village limits should extend to the far west right-of-way line of old Archer Avenue.

Please call if you have any questions, or if I can be of further assistance.

Sincerely,

VILLAGE OF LEMONT

James L. Cainkar, P.E., P.L.S.
Acting Village Engineer

JLC/kes
Enclosure

cc: Mr. Ben Wehmeier, Administrator, w/Encl.
Mr. James Brown, Planning & Economic Dev. Dir., w/Encl.
File No. 09373



Village of Lemont

418 Main Street • Lemont, Illinois 60439

Village of Faith

November 25, 2009

Mayor

Brian K. Reaves

Village Clerk

Charlene M. Smollen

Trustees

Debby Blatzer
Paul Chialdikas
Clifford Miklos
Rick Sniegowski
Ronald Stapleton
Jeanette Virgilio

Administrator

Gary C. Holmes

Ms. Charity Jones

Planner

Village of Lemont

418 Main Street

Lemont, Illinois 60439

Re: **Slyck Weiner Hot Dogs**
10985 Archer Avenue
Preliminary Plan Review

Dear Charity:

I have reviewed the preliminary submittals for the above-captioned proposed restaurant, and have the following comments.

- 1) The site would need to be annexed into the Village of Lemont via the Forest Preserve District and Meno Stone.
- 2) The plan indicates a 295-foot extension of 8-inch ductile iron water main connecting to the recently installed 12-inch water main by Cook County that services the Camp Sagawau Learning Center. Prior to this connection occurring, the water main on Main Street needs to be deeded to the Village of Lemont by the County. Also, the water main should be extended further north to the north of the proposed driveway, in order to facilitate future extension by other parties. Finally, the Village Board would need to establish a policy for possible recapture of water main costs, to defray SSA#1 bond levies, since this property was not included in the Special Service Area..
- 3) Sanitary service is provided with a cavitet and sand filter, since there is no gravity sewer within 1,200 feet of the site. A Permit from the Cook County Health Department would be required for this system.
- 4) An IDOT Permit will be required for both the Old Archer Road entrance and IL Route 83 entrance removal and modification work. It is noted that one of the existing entrances on IL Route 83 is to be removed, and the other to be re-aligned.

Administration
phone (630) 257-1590
fax (630) 243-0958

Building Department
phone (630) 257-1580
fax (630) 257-1598

Community Development
phone (630) 257-1595
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Engineering Department
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fax (630) 257-5087

Public Works
16680 New Avenue
phone (630) 257-2532
fax (630) 257-3068

www.lemont.il.us

0937B

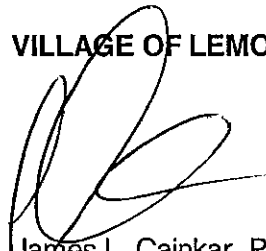
Ms. Charity Jones
Planner
Village of Lemont
Page Two

- 5) Stormwater detention is required by the Village of Lemont, and probably by IDOT, for connection to their drainage system. The current plan indicates sheet flow out to Old Archer Road, which is not acceptable without a couple of restricted drainage structures located at the west driveway, on private property, at the property line. These may need to be connect to an underground detention system. Logical point of discharge is to the catch basin on Old Archer Road to the north of the driveway, in the curb line. For basin capacity purposes, since this is a redevelopment project, the net increase in impervious area should be determined, in order to determine what is a fair amount of detention to provide (exclusive of what IDOT may require).
- 6) No sidewalks are shown to be installed; this will be a Village Board/Staff decision due to the property's location.
- 7) There are other minor plan details that need minor revisions, but nothing of significance at this point.
- 8) It is assumed that all environmental issues will have been cleared related to site clean-up.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

VILLAGE OF LEMONT



James L. Cainkar, P.E., P.L.S.
Acting Village Engineer

JLC/debi

cc: Mr. Gary C. Holmes, Administrator
Mr. Ben Wehmeier, Asst. Village Manager
Mr. Dan Fielding, Director of Public Works
Mr. James Brown, Community Development Director
File No. 09373



LEMONT FIRE PROTECTION DISTRICT



BUREAU OF FIRE PREVENTION

15900 New Avenue
Lemont, IL 60439
Business: (630) 257-0191
Fax: (630) 257-5318
lemontfire.com

April 01, 2011

To: Ms. Charity Jones
Village Planner
Village of Lemont

From: John F. Rutkowski
Fire Marshal

Subject: Land Use Application for 10985 Archer Avenue. Case 11-02.

Dear Ms. Jones:

This Department is in receipt of the submitted documents for the proposed project listed above. This application request is for annexation and rezoning and a special use. After reviewing this information, this office has no objections to this request at this time.

Thank you for allowing us the opportunity to offer our input in this project. In the interest of Life Safety and Property preservation from fire.

cc: file



Subject Site



East of Subject Site (Forest Preserve)



South of Subject Site



West of Subject Site

Special Use Application Form

APPLICANT INFORMATION

GUS TINBOS, STAVROS KOTTOS, George GAVRIELIDES
Applicant Name

Company/Organization

7737 LYMAN AV. DARIEN ILL. 60561
Applicant Address

630-910-9900
Telephone & Fax

noulat@yahoo.com
E-mail

CHECK ONE OF THE FOLLOWING:

- Applicant is the owner of the subject property and is the signer of this application.
- Applicant is the contract purchaser of the subject property.
- Applicant is acting on behalf of the beneficiary of a trust.
- Applicant is acting on behalf of the owner.

PROPERTY INFORMATION

10985 S. ARCHER AV.
Address of Subject Property/Properties

22-13-302-009-0000
Parcel Identification Number of Subject Property/Properties

26,424 SQUARE FEET
Size of Subject Property/Properties

DESCRIPTION OF REQUEST

Re ZONE To ALLOW DRIVE THRU
Brief description of the proposed special use

FAST Food WINDOW PICK UP.

REQUIRED DOCUMENTS

See Form 501-A, *Special Use Application Checklist of Required Materials*, for items that must accompany this application.

FOR OFFICE USE ONLY

Application received on: 3-24-11

By: JB/CJ

Application deemed complete on: 3-24-11

By: JB/CJ

Current Zoning: Cook Co.

Fee Amount Enclosed: \$ 800

Escrow Amount Enclosed: \$ 1250

Annexation Application Form (with or without rezoning)

TYPE OF APPROVAL REQUESTED

CHECK ALL THAT APPLY:

Annexation and Annexation Agreement

Rezoning

APPLICANT INFORMATION

GUS TINBOS, STAVROS KOTTOS, George GAVRIELIDES
Applicant Name

Company/Organization

7737 LYMAN AV. DARIEN ILL. 60561
Applicant Address

630-910-9900
Telephone & Fax

E-mail

CHECK ONE OF THE FOLLOWING:

Applicant is the owner of the subject property and is the signer of this application.

Applicant is the contract purchaser of the subject property.

Applicant is acting on behalf of the beneficiary of a trust.

Applicant is acting on behalf of the owner.

PROPERTY INFORMATION

10985 S. ARCHER AV.
Address of Subject Property/Properties

22-13-302-009-0000
Parcel Identification Number of Subject Property/Properties

26,424 Square Feet
Size of Subject Property/Properties

DESCRIPTION OF REQUEST

ANNEXATION AND REZONING TO DRIVE THRU-
Brief description of the proposed annexation/rezoning

EAST FOOD RESTAURANT

REQUIRED DOCUMENTS

See Form 506-A, Annexation Application Checklist of Required Materials, for items that must accompany this application.

FOR OFFICE USE ONLY

Application received on: _____

By: _____

Application deemed complete on: _____

By: _____

Current Zoning: _____

Fee Amount Enclosed: _____

Escrow Amount Enclosed: _____

Special Use Application Form

Village of Lemont

APPLICATION FEE & ESCROW

Application Fee = \$500 for properties less than 10 acres, \$750 for properties 10 acres or larger
Fee is non-refundable.

Required Escrow = \$500

At the time of application, the applicant shall submit a check for the establishment of an escrow account. The escrow money shall be used to defray costs of public notice, consultants, or other direct costs incurred by the Village in association with the special use application. Additionally, should the applicant fail to remove the required public notice sign in a timely manner, the escrow account may be used to defray the costs of the sign's removal. After completion of the special use review process, any unused portion of the escrow account will be refunded upon request.

AFFIRMATION

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. I permit Village representatives to make all reasonable inspections and investigations of the subject property during the period of processing of this application. I understand that as part of this application I am required to establish an escrow account to pay for direct costs associated with the approval of this application, such as the fulfillment of public notice requirements, removal of the public notice sign, taking of minutes at the public hearing and fees for consultants hired by the Village to evaluate this application. I understand that the submitted fee is non-refundable and that any escrow amount leftover upon project completion will be refunded upon request. I understand that I am responsible for the posting of a public hearing sign and for the mailing of legal notice to all surrounding property owners as required by Village ordinances and state law.

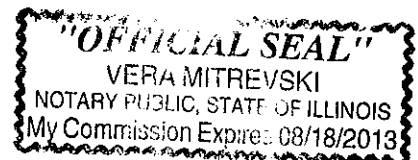
[Signature] 3-11-16
Signature of Applicant Date
IL Madison County
State County

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that GUS NTINGOS is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and that said person signed, sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

[Signature]
Notary Signature

Given under my hand and notary seal this 16th day of March A.D. 20 11.

My commission expires this 18th day of August A.D. 20 13.



Special Use Criteria Worksheet

Unified Development Ordinance (UDO) Section 17.04.140.C establishes the criteria for approval of special use requests; no special use will be recommended by the Planning & Zoning Commission unless it meets the following criteria.

Please describe below how your variation request meets the criteria of UDO Section 17.04.140.C. Attach additional sheets if necessary.

UDO Section 17.04.140.C.1

The special use is deemed necessary for the public convenience at that location:

Absolutely. The drive thru will allow the public to conveniently access food. This will also help Remont in general, because it will bring an additional choice for meals, and beautify the gateway to the town.

UDO Section 17.04.140.C.2

The special use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected:

The drive thru will be operated in a way that will keep drivers safe and also help maintain public health and welfare.

UDO Section 17.04.140.C.3

The special use will not cause substantial injury to the value of other property in the neighborhood in which it is located:

At anything the drive thru will increase value of the other property as it will increase interest to the area. The gateway will be substantially more valuable as more people are drawn to the area.

UDO Section 17.04.140.C.4

The special use shall not create excessive demands on Village service or impair the ability of the Village to maintain the peace and provide adequate protection for its citizens:

The operation is designed for families. Drive thru's allow families to get food easier & will allow for ease of movement. The establishment is one that will close early and again be centered around families.

UDO Section 17.04.140.C.5

The special use is consistent with the standards enumerated elsewhere in the UDO for the specific use, including but not limited to, planned unit developments:

The special use is designed according to planned unit developments.

UDO Section 17.04.140.C.6

The special use meets, as applicable, the standards for planned unit developments found in Chapter 17.08 of the UDO:

Yes, the special use drive thru meets the standards for planned unit developments found in Chapter 17.08 of the UDO.

PLAT OF ANNEXATION

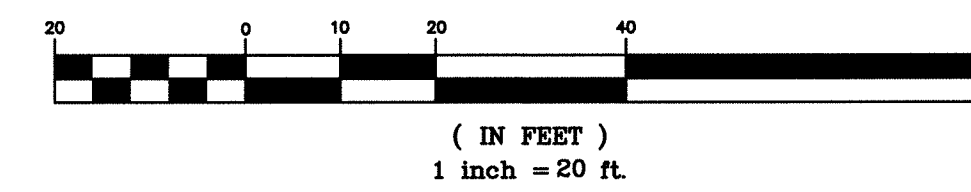
LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID SOUTHWEST 1/4 AND THE SOUTH LINE OF A ONE (1) ACRE TRACT OF LOT 3 IN CANAL TRUSTEE'S SUBDIVISION IN THE SAID SOUTHWEST 1/4, SAID SOUTH LINE BEING 660.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE NORTH ALONG SAID WEST LINE OF SOUTHWEST 1/4 TO THE SOUTHWESTERLY LINE OF ROUTE 83 AS DEDICATED BY DOCUMENT NO. 12010923 AND RECORDED ON JUNE 11, 1937; THENCE SOUTHEASTERLY ALONG SAID WESTERLY LINE TO THE AFORESAID SOUTH LINE OF THE ONE (1) ACRE TRACT; THENCE WEST ALONG SAID SOUTH LINE OF THE (1) ACRE TRACT TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS (EXCEPTING THE WEST 33.00 FEET THEREOF AND ALSO EXCEPTING THEREFROM THAT PORTION FALLING WITHIN ROUTE 83), IN COOK COUNTY, ILLINOIS.

LEGEND

N	NORTH
S	SOUTH
E	EAST
W	WEST
---	LIMITS OF ANNEXATION
- - - -	EXISTING RIGHT-OF-WAY LINE
----	SECTION LINE
▨	CORPORATE LIMITS

GRAPHIC SCALE



ANNEXATION AREA DATA

GROSS AREA:	125,369 SQUARE FEET OR 2.878 ACRES
PARCEL DATA: (LEGALLY DESCRIBED ABOVE)	26,424 SQUARE FEET
RIGHT OF WAY DATA: (ILL. RT. 83)	98,945 SQUARE FEET

HEREBY ANNEXED TO THE
VILLAGE OF LEMONT

STATE OF ILLINOIS }
COUNTY OF WILL } SS

THIS IS TO STATE THAT I, STEVEN J. LAUB, AN ILLINOIS PROFESSIONAL LAND SURVEYOR THAT I HAVE PREPARED THE PLAT OF ANNEXATION OF THE ABOVE DESCRIBED PROPERTY FROM THE OFFICIAL RECORDS AND AN ACTUAL SURVEY, AND THAT THE PLAT HEREON DRAWN WAS PREPARED AT AND UNDER MY DIRECTION.

ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

DATE: MARCH 8, 2011
STEVEN J. LAUB
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3160
MY LICENSE RENEWS ON NOV. 30, 2012
DESIGNTEK SURVEYING, LLC REG. #184-4929



CLIENT		
GUS TINGOS 7737 LYMAN DARIEN, IL		
PROPERTY ADDRESS		
10985 S. ARCHER AVENUE LEMONT, IL.		
PARCEL IDENTIFICATION NUMBER		
22-13-302-009-0000		
BASIS OF BEARING		
ASSUMED		
DTS DESIGNTEK SURVEYING, LLC PROFESSIONAL LAND SURVEYORS 9500 BORNHET DRIVE, SUITE 304 MOKENA, ILLINOIS 60448 (708) 326-4961 IL Prof. Lic. No.: 184-004929		
REVISION		
PLAT OF ANNEXATION		
PT. SW 1/4, SEC. 13-37-11 COOK COUNTY, ILLINOIS.		
DRAWN S.J.L.	CHECKED	PROJECT NO. 10-03503
DATE: 03/08/11		SHEET 1
SCALE: 1" = 20'		OF 1

L:\Surveying\Drawings-Projects\2011\Projects\11030500\Annexation\Plat.dwg, 3/8/2011 8:58:22 AM



Village of Lemont
Community Development Department

418 Main Street · Lemont, Illinois 60439
phone 630-257-1595 · fax 630-257-1598

TO: Dennis Schubert, Chairman
Planning & Zoning Commission #024-11

FROM: James A. Brown, Planning & Economic Development Director

THRU:

SUBJECT: **The Comprehensive Plan – Natural Resources**

DATE: 14 April 2011

Natural Resources and the Comprehensive Plan

The natural heritage of the Lemont area—the woods, savanna, wetlands, streams—have gradually disappeared or been altered as the Village has grown. These natural resources are difficult, if not impossible, to replace. Take for example, the grove of oak trees on the Leona Farm property. Under the current annexation agreement, these majestic trees would disappear upon development of the site. Natural resources such as this grove or wetlands make the community more attractive, provide recreational opportunities, and have positive impacts on the environment such as stimulating biodiversity, mitigating flooding, and sequestering carbon dioxide.

The natural resources element of the comprehensive plan identifies natural areas of the community that should be protected, preserved or restored. Moreover, this element suggests the specific measures that should be accomplished in order to ensure such protection, preservation, or restoration.

Natural Resource Protection in Lemont

The Village's 2002 Comprehensive Plan contains a short section on natural resources. Additionally, the section on land use and growth management offers recommendations related to natural resource protection. The recommendations of the 2002 Comprehensive Plan's related to natural resources are found in Attachment 1 to this document.

Additionally, in November 2007 the Village Board adopted Resolution R-77-07, which stated the Village's commitment to conservation efforts and established Lemont's Green Initiative. Then in June 2008 the Village Board approved the Green Lemont Plan which contained goals and objectives for creating an environmentally friendly community.

Some of the objectives of the Green Plan were quickly accomplished: an e-waste recycling program was started, and the Village became a partner in US Fish & Wildlife efforts to protect the Hines Emerald Dragonfly, which is on the federal list of endangered species. You can view the Green Plan at: <http://www.lemont.il.us/index.aspx?NID=84>

2002 Comprehensive Plan Natural Resources Recommendations and Status

RECOMMENDATION	STATUS
Growth Management	
<ul style="list-style-type: none"> ▪ Increase open space resources in direct proportion to the increase in development in the community 	<ul style="list-style-type: none"> ▪ In general, the preservation of open space in larger developments has been meager (e.g. Glens of Connemara, Woodglen, Glen Oaks).
<ul style="list-style-type: none"> ▪ Encourage cluster or conservation design as a means of preserving open space and natural features of the site 	<ul style="list-style-type: none"> ▪ Efforts at cluster or conservation design met with resistance from neighbors, and where not favorably received by the appointed or elected officials of the Village (Ludwig Farm, Leona Farm). A conservation design was proposed for an area south of 131st Street and an annexation agreement prepared, but the housing market collapsed and investors backed out of the project. Current efforts to revise the Glen Oaks agreement are underway.
Open space Preservation	
Natural Resources Section	
<ul style="list-style-type: none"> ▪ Preserve bluffs and views of the bluffs and from the bluffs 	<ul style="list-style-type: none"> ▪ No development that would threaten the bluffs or views has been proposed. The Village did successfully fight the erection of two electronic billboards that would have marred the view of the bluffs and Des Plaines River valley.
<ul style="list-style-type: none"> ▪ Adopt local wetland regulations to prevent the dredging and filling of high quality isolated wetlands. 	<ul style="list-style-type: none"> ▪ This recommendation may have been in response to a 2000 Supreme Court decision. Legislative reaction to that decision may have made this recommendation moot, i.e. there are sufficient EPA or ACOE controls already in place.
<ul style="list-style-type: none"> ▪ Maintain unique physical landscape: avoid mass grading, avoid loss or degradation of woodland, wetlands, etc. 	<ul style="list-style-type: none"> ▪ Not accomplished
<ul style="list-style-type: none"> ▪ Use an overlay map of known wetlands in conjunction with new local regulations preserve wetlands. Adopt the American Planning Association policy as a guideline to determine where wetlands are saved. 	<ul style="list-style-type: none"> ▪ Not accomplished
<ul style="list-style-type: none"> ▪ Adopt setbacks from stream courses to protect both the stream course and the property owner from flooding and erosion 	<ul style="list-style-type: none"> ▪ Not accomplished
<ul style="list-style-type: none"> ▪ Obtain Tree City USA status for the Village 	<ul style="list-style-type: none"> ▪ Not accomplished

Steps in Preparing a Natural Resources Element

The first step is determining goals. Appropriate goals for a natural resource element might be: reduce flooding and storm water runoff, improve fishing, provide opportunities for passive recreation; protect wildlife; foster biodiversity. The second step is to collect and analyze information on the natural environment and land use. The third step is to determine which areas should be protected. And finally, any problems affecting the protected areas should be assessed, and implementation measures should be proposed.

An Environmental Checklist for Proposed Developments?

I believe specific goals relating to natural resources and the environment should be articulated in the comprehensive plan, and that staff, the PZC, and elected officials should refer to those goals when making land use recommendations and decisions. The Delaware Valley Smart Growth Alliance uses a "Sustainable Development Checklist" to evaluate proposed developments. I have attached this checklist to this memorandum. Would such a checklist be appropriate and beneficial for Lemont?

Our Land Use Regulations

In 200 the Village began updating its zoning and other land use regulations. This effort culminated with the adoption of the Unified Development Ordinance (UDO) in March 2008. Although the zoning regulations received a thorough review and significant redrafting, other land use regulations concerning engineering standards and site development were barely changed; they were simply incorporated into the outline of the UDO.

I believe our regulations concerning storm water management and green infrastructure could be strengthened.

PZC Discussion

I would like to focus on the following natural resources/green topics:

- Review the recommendations of the 2002 Comprehensive Plan and their status and discuss which recommendations should be included in the updated plan (see section above)
- Review the Lemont Green Plan of 2008(brief slide presentation)
- What are appropriate criteria to use in evaluating land use proposals? For example, should something similar to the attached Delaware Valley Smart Growth Alliance's checklist be used? How could such a checklist be modified to fit Lemont? (See attached checklist.)
- What specific areas do the PZC members believe are worthy of protection?
- To what extent do the Village's land use regulations concerning storm water management or tree preservation need to be modified?

- To what extent should the Village and staff be engaged in promoting sustainability and participating in regional efforts like the Chicago Wilderness or the Lower Des Plaines Ecosystem Partnership?

**ATTACHMENT:
Delaware Valley Smart Growth Alliance**

Two types of criteria are considered in reviewing a proposed project. First, a project must meet all of the base or threshold criteria. Projects meeting these five (5) base criteria are then reviewed against the detailed criteria. A set of questions tailored to each criterion will help the project sponsor determine whether the elements of the detailed criterion have been met.

II. CRITERIA

- A. Location
- B. Density, Design, and Diversity of Uses
 - 1. Density
 - 2. Design
 - 3. Diversity
 - 4. Affordable Housing
- C. Transportation
- D. Environment
- E. Community Assets and Participation
 - 1. Benefits
 - 2. Participation

I. Base Criteria (Prequalifying Standards):

At a minimum, a proposed project must meet all of these five criteria:

- A. Location: The project must be in an area designated or appropriate for growth or revitalization, most particularly for infill development or sites adjacent or close to developed residential or commercial areas. It should take advantage of existing or short-term planned community or public water and sewer service, and should be accessible to existing or short-term planned public transportation.
- B. Density, Design, and Diversity of Uses: The three Ds of good, smart growth development must be present, either within the proposed project or in the vicinity. That is, a project or an area must have sufficient density and scale to support a mix of uses, walkability, and public transit. The project should be designed so that it is integrated into the existing community fabric.
- C. Transportation/Mobility/Accessibility: The project should be designed, located, and programmed to offer alternatives to single occupancy vehicle trips, by enabling safe and effective pedestrian and bicycle access to multiple uses and activities and by being accessible to public transportation.
- D. Environment: The project should effectively protect, conserve, or mitigate damage to open space, water, and air quality, and important ecosystem components.
- E. Community Assets and Participation: The project should generate benefits for the surrounding area and the host community. These may include positive economic impacts, affordable housing, support for the school system, historic preservation, public access to parks or open space, support for local efforts to encourage alternative transportation, adaptive reuse of obsolete buildings, or other improvements to the quality of community life.

II. Criteria

Following are the criteria that all selected projects must meet. Each criterion is accompanied by several questions. While not all projects must address all of the questions, a preponderance of positive answers will be required to win recognition.

A. Location. Base Criteria: The project must be in an area designated or appropriate for growth or revitalization, most particularly for infill development or sites adjacent or close to developed residential or commercial areas. It should take advantage of existing or short-term planned community or public water and sewer service, and should be accessible to public transportation.

* 1. Is the project in an area designated for growth, intensification, or revitalization by the Destination 2030 plan of the Delaware Valley Regional Planning Commission, the New Jersey State Development and Redevelopment Plan, the Delaware Strategies for State Policies and Spending plan or another State or County plan?

* 2. Is the project a redevelopment or renovation on a site with previous disturbance?

* 3. Is the site within or adjacent to a city or town, or is it within a designated town center or village area, or will it effectively connect to a neighborhood, community, or town center, or is it a large development with a density that can support a balanced mix of employment, retail, entertainment and residential uses such that it can function as a self-sufficient economic unit?

* 4. Is the development within a current community or public sewer and water service area, or if the project is within a planned community or public sewer and water service area when will that service be delivered?

* 5. Is the project located in an area with existing or planned transportation infrastructure adequate to serve the project at build out?

B. Density, Design, and Diversity of Uses. Base Criteria: The three Ds of good, smart growth development must be present, either within the proposed project or in the vicinity. That is, a project or an area must have sufficient density and scale to support a mix of uses, walkability and public transit. The project should be designed so that it is integrated into the existing community fabric.

1. Density

* a. Will net density exceed the density of the surrounding area?

* b. Is density sufficient to encourage mixed uses, walking, biking, use of civic spaces, increased public transportation, and the reduction of single-occupancy vehicle trips?

* c. Will a project located within a half-mile of an existing or planned transit Station, be dense and varied enough (compared with existing uses in the adjacent area) to help the neighborhood support 12- to 18-hour activity?

* d. Will an infill project, located farther than a half-mile from an existing or planned transit station or a town, be dense and varied enough (compared with existing uses in the adjacent area) to enliven the area, support public transportation, and take advantage of existing public infrastructure?

* e. In suburban areas, will the residential density of the project or of expanding communities be high enough to support some retail, employment, civic uses, and increased public transportation in the community and does it allow for mixed uses?

* f. In rural/village/small town areas, will density be sufficient to support and enhance existing development and use existing public infrastructure efficiently?

2. Design. The design of the project should be of high quality and should respect the visual character of the surrounding area.

* a. Is the project designed to relate to and encourage connectivity with the

surrounding community and not create an isolated enclave?

* b. Is the project's design consistent with the vernacular architecture of the surrounding area, or will the project's visual character respect and make a positive contribution to the surrounding community?

* c. Will the project include sidewalks, street trees, inviting street frontage, attractive street lighting, and human-scale streetscapes so that pedestrians feel safe and are buffered from traffic?

* d. Will the project use lighting mechanisms that do not pollute the night sky or negatively affect the surrounding area?

* e. Will the project incorporate usable public open space and public civic spaces?

* f. Does the project's parking design promote pedestrian-friendly environments and lend to good-quality design by concentrating parking at the rear of buildings, underground, or in garages, and/or by using landscaping and other techniques to maintain high aesthetic qualities?

* g. Is the project designed to accommodate the handicapped and elderly?

3. Diversity. Although mixed-use projects are preferred, at a minimum, the project should add to or complement the mix of uses in its surrounding area.

* a. Will the proposed land uses help to balance the jobs, housing, and services mix of the surrounding community?

* b. If the project is located within a half-mile of a transit station or an area of a single land use type, will the proposed development balance the jobs, housing, and services mix with the uses already there?

* c. If the project is located farther than a half-mile from an existing or planned transit station or near an area of a single land use type, will the project offer an effective internal mix of residential, retail and commercial uses?

* d. Will the project promote vertical integration of land uses, for example, housing above stores, or is there more than one use type in a single building?

* e. In the absence of vertical mixing, does the project provide for well-integrated mixed uses with effective pedestrian and functional connections?

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4. Affordable Housing³. If the project has a residential component, a mix of housing types that can accommodate all income levels is expected.

* a. Will the development encourage and produce a mix of housing types for a range of income levels commensurate with job opportunities in that geographic area?

* b. Will the development provide at least 10 percent of affordable housing?

C. Transportation, Mobility, Accessibility. Base Criteria: The project should be designed, located, and programmed to offer alternatives to single occupancy vehicle trips, by enabling safe and effective pedestrian and bicycle access to multiple uses and activities and by being accessible to public transportation to employment centers.

* 1. Is the project designed and located within a half-mile of other land uses and transportation options to encourage residents and workers to walk or bike to school, employment, parks, shops, and services and to use public transit?

* 2. Is there safe, convenient and attractive access to pedestrian, bicycle, and transit facilities through well-marked crosswalks on site and links to external areas, including public transit?

* 3. Does the pedestrian/bicycle design include landscaped, lighted trails that are independent of the street or highway edge and that go to adjoining communities and neighborhoods, and to other trail systems?

* 4. Will the project design support and encourage internal circulation and local pedestrian use (i.e., provide sidewalks between residences and other land uses, streetscaping, and traffic calming) and bike travel, including providing secure, convenient and sheltered bike parking facilities?

* 5. Are the project's internal transportation connections linked (e.g., do they connect paths, sidewalks, or transit routes with each other?), and will its design and location enable the creation, extension, or improvement of additional public or private transit in the community?

* 6. If congestion is a problem, will the project contribute to/participate in transportation demand management and/or provide incentives to promote ridesharing and transit use?

* 7. Will the project minimize street widths and off-street parking by using good design, shared parking concepts, and transportation management techniques that reduce demand for parking?

* 8. Will the project minimize the use of surface parking where transit is located?

* 9. Does the development support external vehicular, transit, bicycle, and pedestrian connections?

* 10. Does the design of the project's road system support connectivity (including through trips) with the road system of the surrounding area?

D. Environment. Base Criteria: The project should effectively protect, conserve, or mitigate negative effects to open space, water, and air quality, and important ecosystem components. The project should be sensitive to existing environmental features and systems and should protect natural resources

where feasible. Where possible, sustainable design features should be incorporated into the project's design.

* 1. Will the project sensitively preserve, protect, or enhance wetlands, forests, agricultural lands, and aquifer recharge areas and sustain areas of unfragmented ecosystems?

* 2. Will the project protect existing stream and river buffers or create new buffers?

* 3. Will the project avoid disturbing steep slopes and highly erodible or unstable soils?

* 4. Will the project incorporate natural or engineered solutions to prevent (or reduce existing) nonpoint source pollution within a single, small watershed?

* 5. Does the project reduce stormwater runoff by providing for on-site water retention, infiltration or staged release? Does the project incorporate a green roof? Does the project re-use gray water? Does the project contribute to off-site stormwater retrofits or other stormwater reduction solutions?

* 6. Will the project protect or restore a variety of on-site habitat, particularly for threatened or endangered species?

* 7. Will the project's open-space areas be connected to protect green infrastructure?

* 8. Will the project, by its location and design, help reduce air pollution?

* 9. Does the project systematically protect existing trees?

* 10. Are sustainable design techniques that will conserve and protect water, energy, air quality, and land incorporated into the project?

* 11. Will the developer or owner apply for LEED certification, and if so at what level?

* 12. Will the project reduce construction waste or use recycled materials?

* 13. Will the project redevelop a brownfields or greyfields site?

E. Community Assets and Participation. Base Criteria: The project should generate benefits for the surrounding area and the host community. These may include positive economic impacts, affordable housing, support for the school system, historic preservation, public access to parks or open space, support for local efforts to encourage alternative transportation, adaptive reuse of obsolete buildings, or other improvements to the quality of community life.

1. Benefits. A range of benefits should be considered.

* a. Will the project fulfill the goals of an approved community revitalization or development plan?

* b. Will the project offer the community a significant quality-of-life benefit such as a park, a school site, a civic structure or use?

* c. Will the project offer a significant benefit to the arts community by creating exhibition space, theaters, studios, or other features?

* d. Will the project offer the community a significant economic benefit such as jobs, tax base, cultural arts, etc.?

* e. Will the project help support or benefit existing schools?

* f. Will the project connect its open space internally, and will it link its open space to external or community open-space resources such as greenways?

* g. Will the project retain, restore, and incorporate existing historic structures and sites?

* h. Will the project work to retain or relocate any displaced business and residents?

* i. Will the project provide pedestrian, bicycle, transit and other offsite transportation improvements for the community consistent with smart growth?

2. Participation. The developer should encourage substantial community participation during the development process.

* a. Has the jurisdiction provided for meaningful community participation in planning and design review?

* b. Has the developer worked responsibly with local groups to identify and resolve local concerns and needs?

* c. Does the developer have a plan for community participation?

* d. Does the developer have written support, e.g., letters from community members and groups?

* e. Has the developer engaged public sector decision makers in the design and development of the project?