



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, September 19, 2012
6:30 p.m.

**Planning and Zoning
Commission**

Dennis Schubert,
Chairman

Commission Members:

Ryan Kwasneski
David Maher
Gregory Messer
Katherine Murphy
Jason Sanderson
Anthony Spinelli

**Community Development
Department Staff**

James A. Brown, Director

Charity Jones, AICP Planner

- I. CALL TO ORDER
 - A. Pledge of Allegiance
 - B. Verify Quorum
 - C. Approval of Minutes: August 15, 2012 meeting
- II. CHAIRMAN'S COMMENTS
- III. PUBLIC HEARINGS
 - A. **Case 12-16 – 423 Holmes Street Variation.** A public hearing for a variation to allow a driveway to exceed 22' feet wide in the R-4A zoning district.
- IV. ACTION ITEMS
 - A. **Lemont 2030 Comprehensive Plan Update, Housing.** A discussion of a draft housing element.
- V. GENERAL DISCUSSION
- VI. ADJOURNMENT

Village of Lemont
Planning and Zoning Commission
Regular Meeting of August 15, 2012

A meeting of the Planning and Zoning Commission of the Village of Lemont was held at 6:30 p.m. on Wednesday, August 15, 2012, at the Lemont Police Department, 14600 127th Street, Lemont, Illinois.

I. CALL TO ORDER

A. Pledge of Allegiance

Chairman Schubert led the Pledge of Allegiance.

B. Verify Quorum

Upon roll call the following were:

Present: Kwasneski, Maher, Sanderson, Schubert

Absent: Messer, Murphy, Spinelli

C. Approval of Minutes

Commissioner Maher made a motion, seconded by Commissioner Sanderson to approve the minutes from July 18, 2012 meeting with no changes. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

II. CHAIRMAN'S COMMENTS

Chairman Schubert greeted the audience. He then asked the audience to stand and raise his/her right hand. He then administered the oath.

III. ACTION ITEMS

- A. Case 12-16 – Covington Knolls Unit 1-A.** A review of a requested final plat of subdivision for a replatting of property within Covington Knolls, along Overton Drive.

Mrs. Jones stated that these lots were originally part of Unit 1. A couple of years ago Gallagher & Henry came in to do Phase VIII, which is the property immediately south of these lots. She said at that time these lots were included in Phase VIII. Mrs. Jones stated that the final PUD for Phase VIII has expired because it was never recorded. She said Gallagher & Henry are now coming forward to do a final plat of subdivision for these lots that were originally part of Unit 1. She stated that since they were originally part of Unit 1 it is really a replatting of lots that have been previously platted, and so it does not require a Planned Unit Development approval. Mrs. Jones stated there are really no changes besides having to move some of the utilities from where they

previously proposed. She said that does not effect the plat of subdivision, so it is the same layout that was approved for Phase VIII.

Chairman Schubert stated for the newer Commissioners, if you match Lot 433 on the Covington Knolls Unit 1-A with Unit 8 that was approved and has lapsed in time, that lot was designed to be an emergency access. This was a concern to people in the community, and for the Village Fire Department. He said that he just wanted to reiterate that for the newer members.

Chairman Schubert asked if the Board had any questions. None responded. He then asked if anyone wanted to come up and speak in regards to this case. None responded.

Chairman Schubert then called for a motion.

Commissioner Sanderson made a motion, seconded by Commissioner Kwasneski to recommend approval for Case #12-16. A roll call vote was taken:

Ayes: Kwasneski, Maher, Sanderson, Schubert

Nays: None

Motion passed

B. Lemont 2030 Comprehensive Plan Update, Economic Development. A discussion of last month's target industries report and review of proposed economic activity centers.

Commissioner Murphy arrived at the meeting at 6:41 p.m.

Mrs. Jones stated that last month they had talked about industries that the Village would want to maybe target when they do things like incentives or do business attraction or retention efforts. She said the next step would be to look at those target industries, see where they are located or figure out where in the future they would want them located. Mrs. Jones had provided in the staff packet a series of maps of different parts of the Village or areas within Lemont's planning district. These areas already exist or are potential future hubs of economic activity. She stated not every little area of commercial activity is represented in the packet. Mrs. Jones said that these maps are not the future Land Use Map, but is a step towards that direction to identify where the major centers of the activity might be.

Mrs. Jones stated that in the packet is a map with a brief description of the area listing some of the assets or weakness. She said it concludes with a matrix of the different economic activity areas and the different target industries. She stated at this time she would open it up for comments or questions.

Chairman Schubert stated that he felt staff did a very good job on this.

Commissioner Sanderson asked if there was money out there to attract businesses to Lemont.

Mrs. Jones stated that TIF money can be used within TIF districts to do business attraction. She said which might be something that they might do with the Route 83 area. She stated the Village is getting more engaged in economic development activities by doing marketing or going to events and conferences. Mrs. Jones said that this report and the last report are just intended to guide some of the activities as they move forward. She stated how much money gets devoted towards that would be a budgeting question for the Village Board year to year. Mrs. Jones said right now the Village has \$25,000.00 budgeted for a marketing campaign for Lemont as a whole.

Chairman Schubert asked how much available space is there at Bell Road and McCarthy.

Mrs. Jones stated there may be sites that could have the potential for redevelopment in the future.

Chairman Schubert stated that staff did include Archer Avenue all the way to I355.

Mrs. Jones said the boundary for that area might look a little funny because of the where Homer Glen meets Lemont. She stated given that the area is an interchange to the interstate, the Village should keep that area in mind for possible future development. She said that there are a lot of obstacles with the land right there.

Discussion continued on the realigning of Archer Avenue and State Street and the flooding of Long Run Creek.

Chairman Schubert asked if it was difficult annexing property when it is in a different county.

Mrs. Jones said that the difficulty is not that it is in another county, because Lemont does already have property in Will County, it is providing them with services or utilities. She stated that sewer services are hard because it requires an amendment to the MWRD Facilities Planning Area. She said it is a definite obstacle to Lemont when annexing any property outside of Cook County.

Commissioner Sanderson asked out of all these different areas is there an area that has a higher priority.

Mrs. Jones stated that 127th Street corridor would be a priority mostly because it already has utilities available to it. The sites located on 127th Street aren't particularly large, but they are well located. She stated for medical office use they are well located near I355 and close to area hospitals. Mrs. Jones stated that the commercial property located in front of Rolling Meadows could be developed as office use. She said that their retail potential is very limited due to traffic and the lots are not large enough for a bigger retailer that looks to develop along the interstate. Mrs. Jones stated Route 83 and Main

is also another priority, because the Village has already invested in it and created the TIF district. She said that the area is a gateway into Lemont.

Commissioner Murphy asked what about east of Bell Road.

Mrs. Jones said that it is either unincorporated residential development, forest preserve or another community.

Mrs. Jones showed staff via overhead display where Lemont's planning boundaries were east of Bell Road.

Commissioner Murphy asked how many acres of potential Lemont has.

Mrs. Jones stated that she has not calculated that for the whole Lemont Township. She said what she is focusing on tonight with this report are centers for commercial activity for commercial or industrial use.

Discussion continued about the benefits that the Village could offer to attract businesses to Lemont or annexed into Lemont.

Commissioner Sanderson asked if the limits for Route 83 are only in the area where they are demoing the buildings down.

Mrs. Jones stated that there is a map included in the packet showing where the boundaries are for the TIF district.

Mr. Stapleton, Village Trustee, stated the junkyards are annexed into Lemont.

Commissioner Sanderson stated that they are raising grades on the east side of Route 83.

Mrs. Jones stated that she would have staff look into it.

Commissioner Sanderson asked from a planning standpoint what would they possible see for the land by the junkyards.

Mrs. Jones stated she felt it would depend on what happened on the larger side of Route 83 on the west side.

Discussion continued on what potential commercial uses could be developed on Route 83.

Commissioner Sanderson asked if the Village is going to make an effort, outside of these couple of areas, to attract certain businesses to other areas, like downtown. He stated are they marketing or researching companies to try to entice them with money or incentives to come to Lemont.

Mrs. Jones stated that they do not have a specific pot of money that is for incentives. She said what they provided in the staff report would be the guide that they would use when they go to try and attract a company. She stated that incentives are evaluated more on a case by case basis. Mrs. Jones stated the next step when they actually draft the Economic Development of the Plan; it will have more guidance on what the Village and its resources will be spending its time on.

Commissioner Maher asked in what county or town is the property on Archer Avenue and I355.

Mrs. Jones stated that it was Will County and it might be Lockport.

Commissioner Maher stated that he feels that area would be a very attractive piece of property.

Mrs. Jones stated that she would look into whose that area was.

IV. GENERAL DISCUSSION

Chairman Schubert reminded everyone that there is a special meeting with the Village Board on Monday, August 20, 2012 at 6:00 p.m.

Mrs. Jones stated that she will be sending out a staff report with the different types of signs and what they are called. There will also be a survey on what other communities are doing with signs. She said that she is looking for four main answers:

1. Does the Village want to allow electronic message centers?
2. If it is allowed, then where?
3. Does the Village want to allow internally illuminated monument signs?
4. If so what kinds?

She stated that she does not feel that they need to discuss specifics of the size or brightness of electronic message centers. She said she has been doing research and found some different ways it can be measured. Mrs. Jones stated that they would have to get a cooperative business owner that owns one and try some different levels of illumination to see what they think is appropriate and works.

Commissioner Kwasneski asked once these standards are made, what happens with existing signs.

Mrs. Jones said the existing signs would get grandfathered in except in regards to the operation of electronic message center signs. She stated those would have to comply with whatever requirements they set. She said for example if they change the display time, then they would have to change their sign to comply with it. They would not however have to take down their sign if the Board decides to prohibit electronic message centers all together.

V. ADJOURNMENT

Chairman Schubert called for a motion to adjourn the meeting.

Commissioner Maher made a motion, seconded by Commissioner Kwasneski 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 #100-12
FROM: Charity Jones, Village Planner
THRU: James A. Brown, Planning & Economic Development Director
SUBJECT: Case 12-12 423 Holmes Street Variation
DATE: September 7, 2012

SUMMARY

Mike Madden Jr., owner of the subject property, has requested a variation from UDO §17.07.020.F.8 to allow a portion of a driveway to exceed 22' in width. Staff is recommending approval.



PROPOSAL INFORMATION

Case No. 12.12
Project Name 423 Holmes Street Variation

General Information

Applicant	Mike Madden, Jr.
Status of Applicant	Property Owner
Requested Actions:	Variation to allow a portion of a driveway in the R-4A district to exceed 22'.
Site Location	423 Holmes Street (PIN 22-20-437-011)
Existing Zoning	Lemont R-4A Single-Family Preservation and Infill District
Size	.25 acres (10,729 sf)
Existing Land Use	Residential
Surrounding Land Use/Zoning	R-4A Single-Family Preservation and Infill Residential use and zoning on all sides
Comprehensive Plan 2002	The Comprehensive Plan calls for this site to be residential.
Zoning History	N/A

Special Information

Public Utilities	The site is serviced by Village water and sewer.
Transportation	N/A
Physical Characteristics	The site is on a steep hill; it slopes down to the north. It is bordered on the south by an alley.

BACKGROUND

A gravel driveway has provided access to the existing garage on the subject site for many years, as shown in the 2008 aerial photo on page one of this report. The applicant applied for a building permit to construct an asphalt driveway in the same location as the existing gravel drive, and was informed that driveways in the R-4A district are limited to 22' wide. The applicant then completed a 22' drive and submitted an application for a variation to extend the asphalt drive to the remainder of the area previously occupied by the gravel drive.

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 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. The driveway will be properly permitted and the access to/from the site is unchanged by the variation request. Additionally, even with the asphalt driveway, the subject site's lot coverage will remain under the R-4A zoning district's maximum.

- **Ensuring adequate natural light, air, privacy, and access to property.** The variation will have no impact on light, air, or privacy.
- **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 encompasses the majority of the older and historic homes in the village. The lots in the R-4A district are typically narrow and deep. The subject site is generally consistent with this pattern, but is trapezoidal rather than rectangular and it is a larger lot in the R-4A district.

The variation would have limited impact on the character of the neighborhood. Many homes in the area have asphalt driveways that, like the proposed drive, begin at the front property line and widen as they approach a garage in the rear of the lot. Additionally, the proposed driveway will occupy the same area as the previously existing driveway.

- **Conserving the value of land and buildings throughout the Village.** Any impact on nearby land or building values would be minimal since the proposed driveway will occupy the same area as the previously existing driveway.

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 site, as noted, sits on a steep hill. The elevation of the area drops nine feet within 65 feet. As shown in the attached photos and site plan, the site includes several retaining walls. One of the retaining walls runs along the north property line of the subject site. The distance between the retaining wall and the newly constructed asphalt driveway is seven feet near the garage and tapers down from that point, as illustrated on the attached plat of survey. Compliance with the 22' maximum driveway width leaves the applicant with a small triangular space between the driveway and retaining wall along the north property line. Toward the west side of the site, this area is practically unusable. At the widest point, toward the east side of the site, the area is wide enough to accommodate landscaping. However, this area is also immediately adjacent to an access door into the existing garage.

The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2. One of these factors is whether the alleged difficulty or

hardship has been created by any person presently having an interest in the property. The applicant purchased the property in December 1995. Lemont Building Department permit files show that the applicant pulled a permit to re-roof an existing garage in September 1996. Therefore, it appears that the current garage, and most likely the gravel driveway, were constructed by a previous homeowner. The applicant asserts that the garage and drive were present upon his purchase of the home.

Staff finds that there are unique conditions on the site (i.e. the topography with existing retaining walls in combination with the configuration of the existing garage and driveway) which result in a practical difficulty for the applicant, and the applicant had no role in creating the factors that contribute to this practical difficulty.

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

Analysis. See the analysis contained within section one of the variation standards, regarding the UDO's purposes of protecting the character of established residential neighborhoods and conserving the value of land and buildings throughout the Village.

Engineering Comments. The Village Engineer stated he has no objections to the variation application.

RECOMMENDATIONS

Staff recommends approval of the variation request.

ATTACHMENTS

1. Applicant Submissions
2. Site Photos

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;

THE VARIATION REQUESTED TO ALLOW A PAVED PORTION OF A DRIVEWAY
TO EXCEED 22 FEET IN WIDTH IS IN HARMONY WITH THE GENERAL
PURPOSE AND INTENT OF THE UNIFIED DEVELOPMENT ORDINANCE.

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

THE UNIQUE CIRCUMSTANCES (SHAPE OF EXISTING DRIVEWAY AND AGE OF THE PROPERTY)
DICTATE THE NECESSITY FOR THE VARIATION. STRICT ENFORCEMENT OF THE UNIFIED
DEVELOPMENT ORDINANCE WOULD RESULT IN PRACTICAL DIFFICULTIES/IMPOSE EXCEPTIONAL
HARDSHIPS DUE TO THE SPECIAL AND UNUSUAL CONDITIONS THAT ARE NOT GENERALLY
FOUND ON OTHER PROPERTIES IN THE SAME ZONING DISTRICT.

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.

THE VARIATION WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE
LOCALITY AND WILL NOT BE A SUBSTANTIAL DETRIMENT TO ADJACENT
PROPERTY

Variation Application Form

APPLICANT INFORMATION

MIKE MADDEN

Applicant Name

Company/Organization

423 HOLMES ST LEMONT IL 60439

Applicant Address

630.220.8006

Telephone & Fax

mike @ razorimage.com

E-mail

gmaddenlaw@aol.com

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

423 HOLMES ST.

Address of Subject Property/Properties

Parcel Identification Number of Subject Property/Properties

Size of Subject Property/Properties

DESCRIPTION OF REQUEST

* EXTEND ASPHALT TO FULLY COVER GRAVEL DRIVEWAY TO EXISTING RETAINING

Brief description of the proposed variation

WALL

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: 8-28-12

By: [Signature]

Application deemed complete on: - need worksheet

By: _____

Current Zoning: R-4A

Fee Amount Enclosed: \$250

Escrow Amount Enclosed: \$300

Variation Application Form

Village of Lemont

APPLICATION FEE & ESCROW

Application Fee = \$250 (per zoning lot)


Fee is non-refundable. A zoning lot is defined as "a single tract of land located within a single block that (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon, under single ownership or control" (Unified Development Ordinance Chapter 17.02).

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 variation 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 variation review process, any unused portion of the escrow account will be refunded upon request.

AFFIRMATION

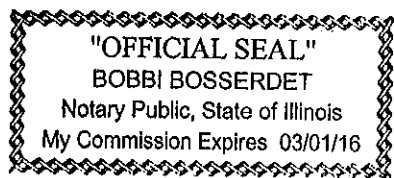
I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. I permit Village representatives to make all reasonable inspections and investigations of the subject 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.

	8/27/12
Signature of Applicant	Date
ILLINOIS	COOK
State	County

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that Michael Madden 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.


Notary Signature

Given under my hand and notary seal this 28th day of August A.D. 20 12.
My commission expires this 1st day of March A.D. 20 16.

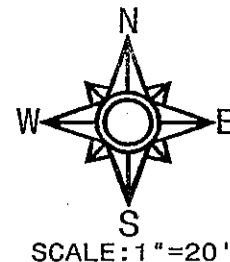


LEGEND

(R) = RECORD	(NW) = NORTHWESTERLY
(M) = MEASURED	(NE) = NORTHEASTERLY
(D) = DEED	(SW) = SOUTHWESTERLY
(C) = CALCULATED	(SE) = SOUTHEASTERLY
(L) = ARC LENGTH	(RAD) = RADIUS
(CH) = CHORD	(A) = ASSUMED
(F.I.P.) = FOUND IRON PIPE (R.O.W.) = RIGHT OF WAY	
(F.I.R.) = FOUND IRON ROD	
— x — x — x — x — x — = CHAIN LINK FENCE	
— xx — xx — xx — xx — xx — = WIRE FENCE	
— — — — — — — = WOOD FENCE	
— o — o — o — o — o — o — = SPLIT RAIL FENCE	
— □ — □ — □ — □ — □ — □ — = WROUGHT IRON FENCE	
P.U. & D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT	
B.S.L. = BUILDING SETBACK LINE	

ARS SURVEYING SERVICES, LLC

1221 LAKEVIEW CT.
 ROMEOVILLE, ILLINOIS 60446
 PH: (630) 226-9200 FAX: (630) 226-9234



SCALE: 1" = 20'

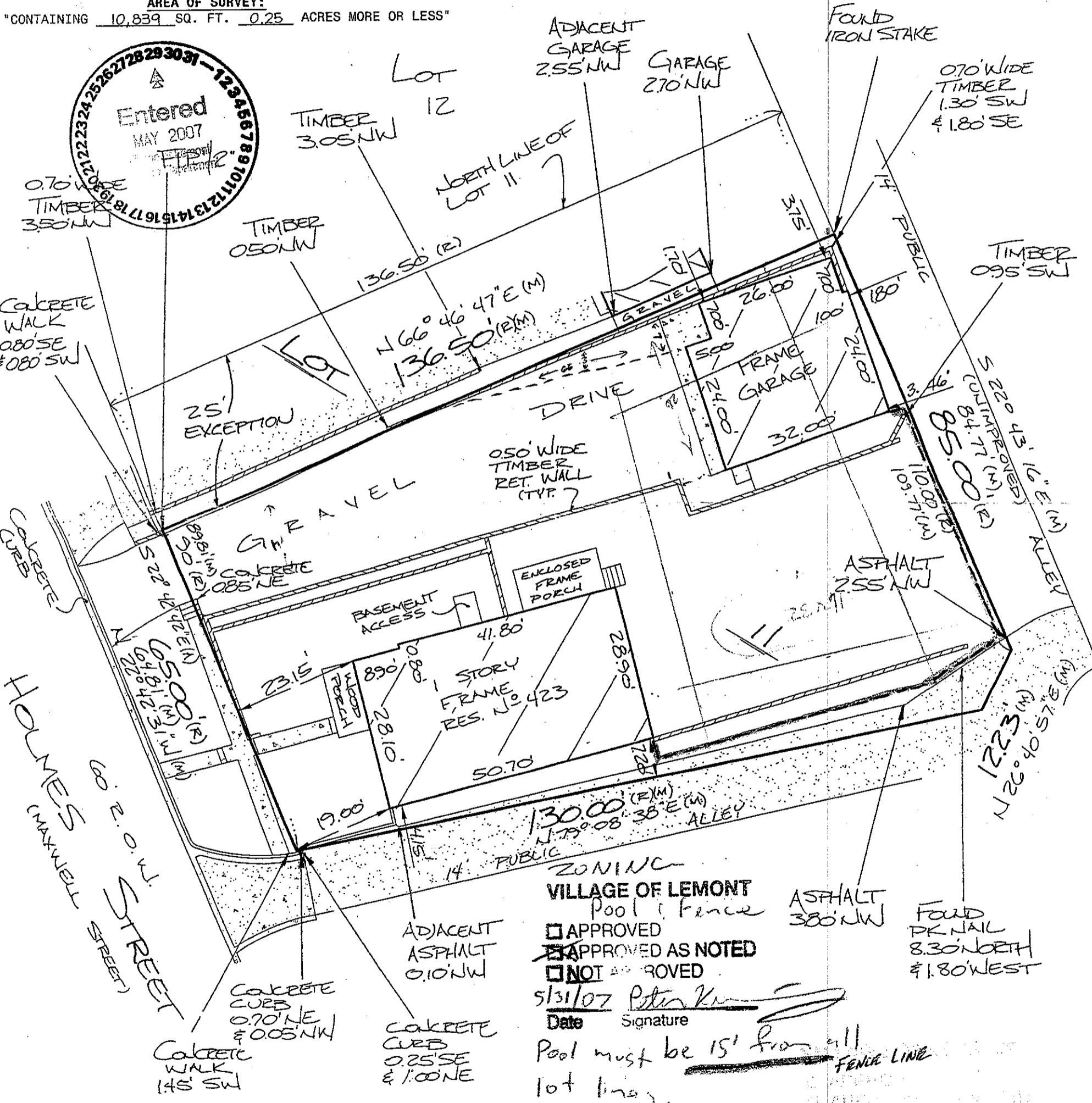


BASIS OF BEARING:
 EAST LINE OF HOLMES STREET AS MONUMENTED AND OCCUPIED PER RECORDED SUBDIVISION PLAT.
 N22°42'42"W (A)

LOT 11 (EXCEPT A STRIP OF LAND 25 FEET WIDE AND 136.5 FEET IN LENGTH LYING DIRECTLY SOUTHEASTERLY OF THE SOUTHEASTERLY LINE OF LOT 12 AND CONNECTING WITH SAID LINE, THE SAID STRIP OF LAND COMPRISING THE NORTHWESTERLY PART OF LOT 11 IN H.W. MARTIN'S ADDITION TO LEMONT BEING A SUBDIVISION OF LOTS 11 AND 12 (EXCEPTING THE NORTHERLY 100 FEET OF THAT PART OF LOT 11 LYING EAST OF HERBERT S. NORTON'S ADDITION TO LEMONT) IN THE COUNTY CLERK'S DIVISION OF LOT 16 OF UNSUBDIVIDED LANDS IN SECTION 20, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AREA OF SURVEY:

"CONTAINING 10,839 SQ. FT. 0.25 ACRES MORE OR LESS"



STATE OF ILLINOIS }
 COUNTY OF WILL }SS

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 8TH DAY OF MAY, A.D., 2007, AT ROMEOVILLE, ILLINOIS.

Mark A. Lindstrom

CLIENT MADDEN

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3482
 LICENSE EXPIRATION DATE NOVEMBER 30, 2008
 ILLINOIS BUSINESS REGISTRATION NO. 184-2961

JOB NO. 90684-07
 FIELDWORK DATE. 5-7-07



ZONING
 VILLAGE OF LEMONT
 Pool & Fence
 APPROVED
 APPROVED AS NOTED
 NOT APPROVED
 5/31/07 *Peter Kim*
 Date Signature
 Pool must be 15' from all lot lines,
 FENCE LINE

Retaining Wall



Subject Site – looking east toward existing garage.



Subject Site – looking west toward Holmes Street.

Housing Element

- 1.
2. Lemont will have diverse housing options that are financially attainable for residents in all stages of life, The diverse housing options will help ensure that multiple generations of families can continue to call Lemont home.
3. Downtown Lemont's population will be increased through continued residential development.

The above statements are intended to be the vision statements for the housing element of Lemont's new comprehensive plan.

4.1 Purpose of Our Homes: the Housing Element

The purpose of the Housing Element of the Comprehensive Plan is to provide a plan for housing preservation and creation in order to meet the needs of the current and future populations. The plan should reflect the community's vision for itself, and needs to account for land use patterns and how the Village will grow. Ideally, the plan should address several inter-related issues concerning housing:

- Growth management. How much new housing is appropriate, where should it go, and what form should it take? Responses to these concerns are found in this element as well as the Land Use element.
- Preservation of community character. Almost any community's identity is forged by the type, quality, and maintenance of its housing stock. Lemont is no different. How does the housing stock define Lemont's character? How should this character be altered or maintained? Responses to these concerns are found in Section 4.3 and ??????
- Affordable housing. Housing within the community should accommodate individuals and families with a range of incomes, including those who serve the community in relatively lower-paying jobs, and those who have not reached their peak income-producing years of employment. Younger members of our community should not be forced to leave because they cannot find affordable housing.
- Fair housing.

4.2 Lemont's Growth and its Housing in a Regional Perspective

Over the last 30 or so years Lemont has seen tremendous growth in the number of residents, the number of acres developed, and the number of dwelling units. Such growth was not unique to Lemont, but rather part of broader regional trends that emerged by the mid-1980s and continued until the mid-2000s. From 1980 to 2007 the Metropolitan Chicago area experienced tremendous population growth and expansion of suburban areas. The population increase and suburban expansion were fueled by: a significant influx of Hispanic immigrants into Chicago and inner ring suburbs and attendant movement of others to outer ring suburbs and the fringes of the Chicago

metro area; an ever-increasing motorized transportation network; favorable interest rates and lending policies that made homes attractive to people who otherwise may not have qualified for a house or for a house at a particular price. The largest share of the region’s residential growth occurred in the outlying western and southwestern suburbs. The population of Will County grew almost 35 percent from 2000 to 2010. In that same period the population of Kendall County doubled. Meanwhile, Chicago’s population decreased by nearly seven percent, and Cook County’s population fell by 3.4 percent. This seems to confirm the trend of growth away from Cook County, which has been the region’s center of population since Illinois statehood.

Numerous communities in the southwest metropolitan region, such as in Plainfield, Frankfort, New Lenox, Mokena and Homer Glen, experienced significant growth in population and land area. To a large extent, the increase in suburban population was accommodated by new single-family construction on greenfield sites. (See Chart 4-1.) The housing boom in Lemont, while nevertheless impressive, did not match the building frenzy witnessed by other nearby communities. Contributing to the more guarded pace of development in Lemont were: a *relative* shortage of large greenfield sites; the community’s aversion to tract housing; an insistence on lot sizes of at least 12,500 square feet; and the Village’s propensity to negotiate all facets of site design, density, and architectural standards into annexation agreements. (See Chart 4-2.)

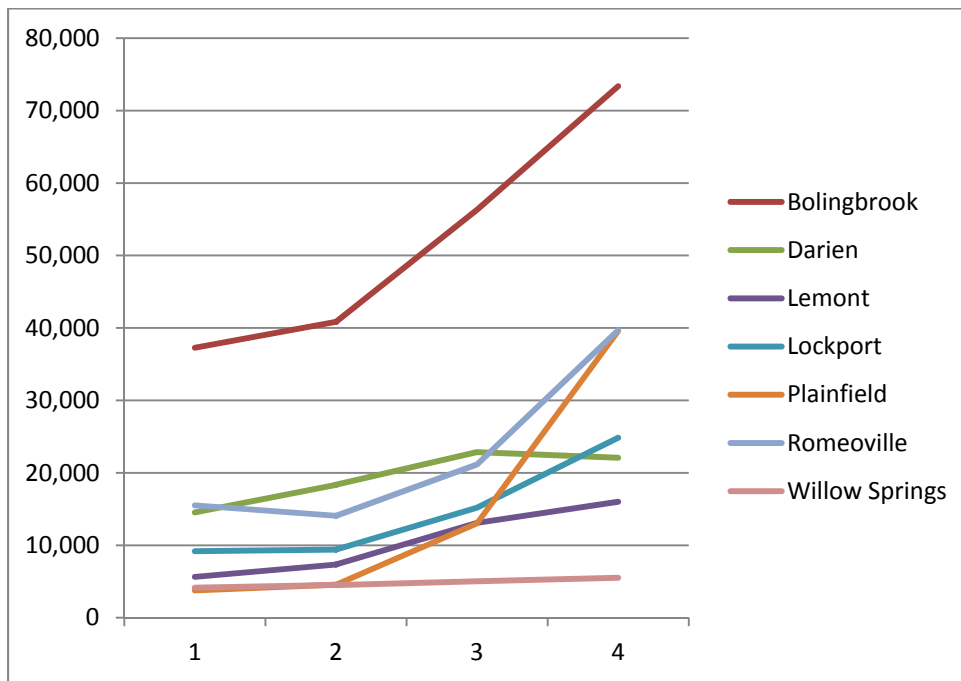


Chart 4-1. Comparison of Growth in Selected SW Suburbs, 1980-2010

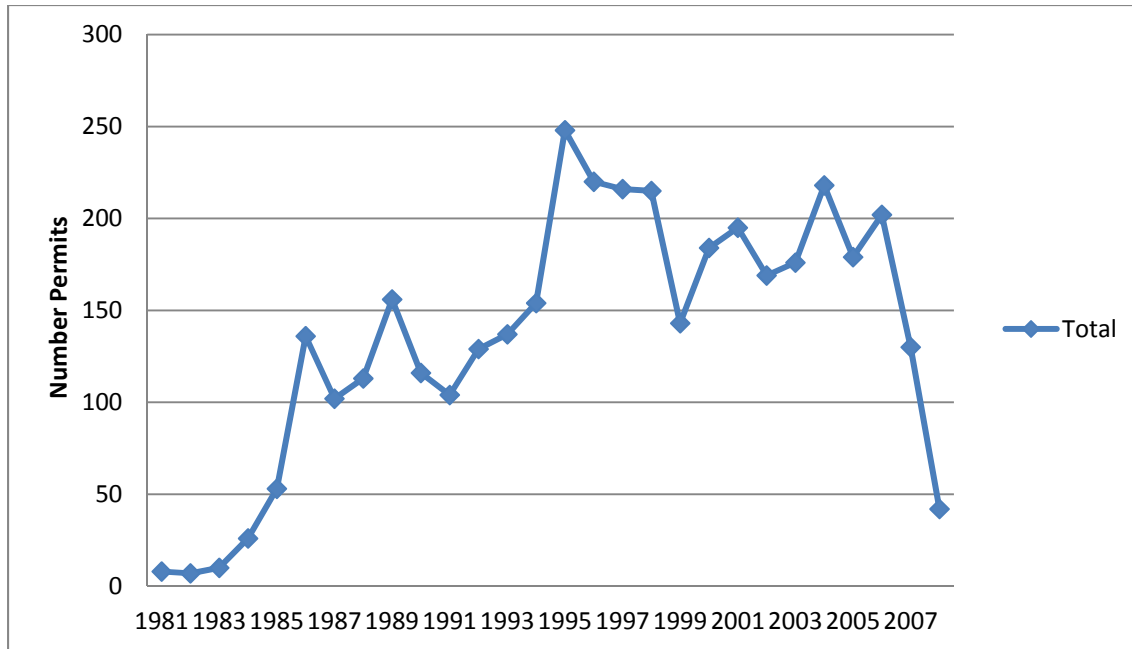


Chart 4-2. Lemont Residential Permits Issued, 1981-2008

In Lemont, in the region, and across the nation, much development over the last 30 years occurred on greenfield sites where single-family homes were constructed on large lots. Concern over the dispersed, large-lot development patterns in the region and throughout the nation led to campaigns for Smart Growth and traditional neighborhood design. Nationally, the American Planning Association (APA) was a proponent of Smart Growth. In 2002 the APA declared:

The American Planning Association supports the development of mixed use, mixed income livable communities where people choose to live, work, and play because they are attractive and economical options rather than forced decisions. The American Planning Association identifies Smart Growth as that which supports choice and opportunity by promoting efficient and sustainable land development, incorporates redevelopment patterns that optimize prior infrastructure investments, and consumes less land that is otherwise available for agriculture, open space, natural systems, and rural lifestyles. Supporting the right of Americans to choose where and how they live, work, and play enables economic freedom for all Americans.¹

The Congress for New Urbanism, formed by a group of architects in 1993, “working against the conventional, predominant sprawl-oriented dogma of the post-WWII period,” became perhaps the leading national organization promoting traditional neighborhood design (TND), i.e. walkable,

¹ American Planning Association, “Policy Guide on Smart Growth,” originally ratified by Board of Directors, April 15, 2002. Updated Guide adopted by Chapter Delegate Assembly and ratified by Board of Directors, April 14, 2012. The full text of the Guide can be found at: <http://www.planning.org/policy/guides/adopted/smartgrowth.htm>.

mixed-use neighborhood development on relatively small lots.² Regionally, the Metropolitan Planning Council and CMAP championed both Smart Growth and TND.

The thriving economy and the accumulation of household wealth also fueled a demand for increasingly larger houses. The average floor area for a new single-family home in the Midwest region peaked at 2,331 square feet in 2008. This average was up from 1,655 square feet in 1982.³ In 2002 the National Trust for Historic Preservation noted that a “disturbing new pattern of demolitions [was] approaching epidemic proportions in many historic neighborhoods across America.” As the demand for larger houses grew, so did the search for alternatives to home sites that were not on the suburban fringe and thus would not require lengthy commutes. Older, smaller homes in established neighborhoods in communities with good transit connections or close to downtown became attractive as sites for newer, substantially larger homes. While many of these new homes replaced sub-standard housing stock, they were often viewed as being out of character with the surrounding homes. And as noted by the National Trust, many charming and historic homes were being lost to this “teardown” trend. Hinsdale and several North Shore communities were particularly hit with teardowns. A teardown frenzy in Kenilworth resulted in the town being placed on the National Trust’s list of “11 Most Endangered Places” in 2006.

Lemont’s growth did not come without controversial development proposals. In the 1980s St. Vincent DePaul High School and Litas Investing Co., Inc. sued the Village of Lemont over the development of the territory north of 127th Street. The issue was settled by a Consent Decree in 1986, which allowed the creation of a large subdivision that eventually became known as Covington Knolls. Commercial developments such as the shopping centers anchored by Jewel-Osco and Target-Kohl were also controversial.

Regionally, the booming housing market included the construction of condos and apartments centered on commuter rail transit in downtown areas (such as Naperville, Downers Grove, Orland Park, Arlington Heights and Des Plaines). The planning and construction of high-density housing near public transit, known as transit-oriented development (TOD), often involved public-private partnerships, and TOD was hailed as effective public policy.

Lemont undertook a couple of studies and efforts aimed at capitalizing on the location of the downtown along Metra’s Heritage Corridor line. In the early 2000s the Village conducted two planning efforts that incorporated TOD principles: “Opportunities on the Waterfront” in 2002 and “Lemont Station Area Plan” in 2004.⁴ “Opportunities on the Waterfront” examined the potential for reclamation and redevelopment of underutilized industrial properties for residential and commercial uses. Two years later the “Lemont Area Station Plan” expanded the geographic and thematic scopes of the 2002 planning effort by studying the interconnected themes of transportation, land use, and economic development in the downtown. This plan proposed the creation of approximately 241

² The quote is from CNU’s website. More on CNU and its promotion of “walkable, mixed-use neighborhood development, sustainable communities and healthier living conditions” can be found at: <http://www.cnu.org/>.

³ U.S. Census Bureau.

⁴ “Opportunities on the Waterfront” was completed with the assistance of Hitchcock Design Group. “Lemont Area Station Plan” was financed in part through a grant from the U.S. Department of Transportation, Federal Transit Administration, and the Regional Transit Authority. URS Corporation partnered with BauerLatoza Studio in completing the study. The document is dated November 5, 2004.

dwelling units over two phases. The plan, however, was largely a study in transportation and urban design, and did not address the housing needs of specific demographics. The new housing units, for example, were to be simply “high-quality” townhouse and condominium units. Neither “Opportunities on the Waterfront” nor “Lemont Area Station Plan” were formally adopted or approved by the Village Board.

Also in late 2004 the Village embarked on a public-private planning and mixed-use development effort with Marquette Companies. To be sure, the effort followed TOD principles, and the partnership resulted in the creation of 82 condominium units along the I&M Canal, not far from the Metra station. But the collaboration with Marquette was mainly an attempt to boost the economic vitality of the downtown. Other than marketing efforts that targeted first-time home buyers and empty nesters to the downtown, there was little emphasis on addressing the needs of specific demographics or anticipated housing needs of the entire community. Again, no formal plan was ever adopted.

Affordable Housing

In many communities in the region, the demand for housing and the construction of larger, more expensive homes resulted in increased housing values that effectively put housing out of reach for moderate and low-income households. Young adults starting new households often found it difficult to find affordable housing in the communities where they grew up. Northeastern Illinois saw the number of rental units in the region decrease by over 7% from 1990 to 2006; in that same time period, the number of owner-occupied units increased by over 28%. In northeastern Illinois, since 1990, household incomes did not keep pace with increases in housing values. The gulf between household income and housing values dramatically grew wider in the region between 2000 and 2005.⁵

Additionally, many advocates for affordable housing were concerned that local zoning and land use regulations were increasing social and racial stratification in the region. In an effort to increase the supply of affordable housing, the State of Illinois passed the Illinois Affordable Housing Planning and Appeal Act in 2003 (310 ILCS67/). The law mandated that municipalities and counties without at least 10 percent of their housing stock classified as affordable to make and adopt an affordable housing plan by 2005.

Responsibility for the implementation of the law went to the Illinois Housing Development Agency (IHDA). The agency identified 49 communities in the state that failed to meet the 10% affordable dwelling threshold. All of the 49 communities were in the Chicago metro region. IHDA’s latest list of non-compliant communities, based on the 2010 census, also includes 49 communities. Most of these communities have complied with the mandate and prepared affordable housing plans. However, a planning professor from UIC who studied local government responses to the state’s affordable housing mandate concluded that “the copycat quality of the policy and implementation portions of the plans evidence little practical commitment to providing more affordable housing.”⁶

⁵ CMAP, “Housing Preservation Strategy Report,” Nov 2008.

⁶ Hoch, Charles, “How Plan Mandates Work,” *Journal of the American Planning Association*, Vol 73, No 1 (Winter 2007), p86-99.

The Village of Lemont met the threshold on both lists, i.e. based on the formula used by IHDA, over 10% of the housing in Lemont is considered affordable. Affordable housing for Lemont should nevertheless remain a concern. Lemont’s absence from the non-compliant list may have more to do with the presence of many senior housing units in town than any actual policy efforts over the last decades to stimulate the construction affordable housing. Indeed, many of Lemont’s zoning regulations and land use policies appear to be inimical to the construction of affordable housing.

Fair Housing

Often confused with affordable housing is fair housing. While affordable housing policy addresses the economic attainability of housing for all segments of the community, fair housing policy addresses equal access to housing. “Equal and free access to residential housing (housing choice) is fundamental to meeting essential needs and pursuing personal, educational, employment, or other goals. Because housing choice is so critical, fair housing is a goal that Government, public officials, and private citizens must achieve if equality of opportunity is to become a reality.”⁷

As a recipient of community development funds from the U.S. Department of Housing and Urban Development (HUD), Cook County is required to “affirmatively further fair housing.” The definition of “affirmatively furthering fair housing” has not been codified, but HUD has defined it through obligations of the funding recipients:

- Conduct an analysis to identify impediments to fair housing choice within the jurisdiction
- Take appropriate actions to overcome the effects of any impediments identified through the analysis
- Maintain records reflecting the analysis and actions taken in this regard⁸

The issues concerning sprawl, teardowns, and affordability abated with the housing market collapse and economic downturn beginning circa 2007. Nevertheless the planning principles raised with these issues remain valid.

4.3 Current Housing Conditions and Issues in Lemont

Housing choices are affected by the number, type, and prices ranges of available units, the age and condition of the units. This section provides information on Lemont’s housing stock.

Lemont has approximately 6,100 housing units. The housing stock consists predominately of single-family detached dwellings. The geographic distribution of these single-family homes is widespread, covering every area of the community, including the downtown. Indeed, certain areas in the heart of the downtown—the northern end of Stephen Street or Talcott Street, for example—include rows of small, wooden-frame single-family homes dating from the late 19th and early 20th centuries. Two-flats are pervasive in certain areas of the Village, particularly in and near the downtown and the older residential areas east and west of State Street to the north of Peiffer. It is uncertain how many of these two flats may have been legally established decades ago prior to the adoption of the first Lemont Zoning Ordinance in 1964? Despite the awareness of two-flats in areas where zoning

⁷ *Fair Housing Planning Guide, Volume 1*, U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity.

⁸ *Ibid.*

regulations prohibit them, e.g. in the R-4A zoning district, the Village has not aggressively pursued their removal.

While not sharing the ubiquity of the single-family detached dwelling units, clusters of townhouse units are nevertheless found many areas of the Village. With one exception, however, the territory to the southeast of Archer Avenue does not contain any townhouse developments, and the Village has largely failed to favorably consider—per a recommendation in the 2002 Comprehensive Plan—development proposals including townhouses southeast of Archer Avenue.

Multi-family housing, i.e. apartments and condominiums, are limited in both number and geographic distribution within the Village. This statement is especially true of one eliminates senior housing from consideration. The downtown area offers apartments or condominiums primarily in mixed-use buildings. Two other clusters of apartment buildings are found in the State Street/Eureka Street area and along the eastern end of Short Street. The only multi-family housing found south of 127th Street is along St. Andrews Court. [true statement?] Senior housing is located in several areas throughout town, including the downtown, the Franciscan Village at the corner of Main Street and Walker Road, on the southeast corner of Walker Road and McCarthy Road, and at the Lithuanian World Center. In 2008 the Village annexed territory and approved a senior housing development at the southeast corner of 131st Street and Parker Road. The downturn in the housing market, with seniors being unable to sell their homes and downsize into such senior housing developments, meant that this proposed project never broke ground.

Lemont was not as hard hit with foreclosures as many communities in the region [need chart/graph]. Moreover, the geographic distribution of foreclosed properties was not concentrated in any specific areas in town; rather, the foreclosures were dispersed throughout the community. [Need map]. These two factors, plus the Village's aggressive work with banks and property owners, largely prevented neighborhood deterioration due to lack of property maintenance. To the contrary, Lemont's homeowners continued to invest in their properties. This is evidenced by the Building Department data. (See Chart/Graph)

The housing age and quality of Lemont's housing is not homogeneous. [Here add discussion of age and quality of Lemont housing stock. Lead to discussion of reinvestment in housing stock.] The two following quotes attest to the importance of maintaining good housing stock:

“For most households, housing characteristics, interacting with evolving stage-of-life preferences for various sizes, styles, cost, and quality of housing, are the dominant reasons for moving. Housing characteristics, therefore, also influence whether current or future residents will choose to reinvest in existing dwellings or purchase new ones. The small size of dwellings built in the 25 years after World War II may be a major obstacle to effecting enough housing reinvestments to achieve neighborhood stability... “Every dwelling needs reinvestment to avoid being discarded when the first vital system (roof, walls, heating, water, sewer, electricity) no longer functions adequately (Natl Association of Home Builders, 1997). The well being of neighborhoods, local governments, and regions is linked to reinvestment in structures. If the reinvestment motivation and capacity of too

many current owners is insufficient, neighborhoods, local governments, and regions will suffer.”⁹

“Most reinvestment in housing is made in modest amounts from savings or windfalls (such as bonuses) by owner-occupants...The sum of remodeling activity amounts to less annually than the cost of new housing construction. New construction, however, adds less than 2 percent annually to the nation’s housing stock. Remodeling reinvestment on more than 98 percent of the housing stock is less than new investment in 1 to 2 percent of housing. The median age of housing has reached 30 years—a notable threshold, the Harvard study noted, ‘because many major systems need replacement every 25 to 30 years...Despite the median age of housing, and the rising median age of the population, which now includes more households in the peak earning ages of the 40s and 50s...’ Projections on housing reinvestment ‘have grim implications for established neighborhoods and local govts, since without additional reinvestment their downward trajectory will accelerate.’”¹⁰

4.4 Affordable Housing For Lemont

[This section will discuss the affordability of housing in Lemont, and the need to increase the range of housing in Lemont, particularly townhouses, two-flats, and units at lower prices.]

4.5 Fair Housing in Lemont

Lemont has a “fair housing ordinance.”

4.6 Implementation Action Areas

The tables on the next pages summarize the housing element’s recommendations and responsible parties for addressing housing issues.

⁹ Lucy, William H. and David L. Phillips, *Confronting Suburban Decline: Strategic Planning for Metropolitan Renewal*, Washington DC Island Press, 2000, p.16-17.

¹⁰ Ibid, p.30.

Implementation Action Area #1 – Amend Zoning Regulations

<p>Change zoning standards for R-4 zoning to allow smaller lots with reduced yard setbacks</p> <p>LEAD IMPLEMENTERS: Planning & Economic Development Dept Planning & Zoning Commission</p>	<p>The Village should consider the creation of a new zoning district, R-4B, aimed at allowing single-family home construction on smaller lots. Requirements for lot size, width and setbacks should be slightly reduced from the current R-4 zoning standards. Zoning standards for this new zoning district could be: minimum lot size of 10,500; minimum lot width of 80 feet; minimum side yard setback of 12 feet; minimum front yard setback of 20 feet.</p>
<p>Change zoning regulations and definitions to allow the construction of “rowhouses”</p> <p>LEAD IMPLEMENTERS: Planning & Economic Development Dept Planning & Zoning Commission</p>	<p>Current zoning regulations effectively prohibit the construction of rowhouses, i.e. groups of townhouse units more than three abreast. The rowhouse product should be allowed as of right in the R-5 and R-6 zoning districts.</p>
<p>Allow construction of two-flats and/or duplexes on corner locations within otherwise exclusively single-family zoning districts</p> <p>LEAD IMPLEMENTERS: Planning & Economic Development Dept Planning & Zoning Commission</p>	<p>Two-flats—at least legal ones—are uncommon in Lemont. This housing product offers great opportunities for multi-generational usage, or provides an income-producing opportunity for homeowners. Two-flats have been successfully blended within the fabric of single-family neighborhoods in many urban environments, and with attendant design controls, need not appear out of place.</p>

Implementation Action Area #2—Obtain and Maintain Right Housing Mix

<p>Encourage and favorably consider residential planned unit development proposals that contain a range of housing products</p> <p>LEAD IMPLEMENTERS: Planning & Economic Development Dept Planning & Zoning Commission Village Board of Trustees</p>	<p>In Lemont, planned unit development proposals have—with only two exceptions over the last 15 years—contained only one type of housing product, e.g. all townhouse units or all single-family homes. Encouragement should come in preliminary talks between the Village and developers, i.e. the Village should express its desire and willingness to see various housing products. Additionally, approval of annexations and planned unit developments should be more closely tied to considerations of the balance of housing products.</p>
<p>Staff should monitor dwelling unit construction and home buying trends and periodically provide elected officials with reports of those trends</p> <p>LEAD IMPLEMENTERS: Planning & Economic Development Dept Building Dept</p>	<p>The Building Department tracks construction activity. Staff, primarily through functions with the Lemont Area Chamber of Commerce, receives antidotal information on home buying activities in town. Planning & Economic Development staff should meet periodically with real estate brokers to obtain information on home buying trends in Lemont. Likewise, staff should track regional home construction and home buying trends. The data from on housing construction and the information from the realtors should be analyzed and reported to elected officials on at least an annual basis. Such reports should form the basis for continuing discussions of the appropriate housing balance and potential amendments to the comprehensive plan.</p>
<p>LEAD IMPLEMENTERS: Planning & Economic Development Dept Planning & Zoning Commission</p>	<p>Two-flats—at least legal ones—are uncommon in Lemont. This housing product offers great opportunities for multi-generational usage, or provides an income-producing opportunity for homeowners. Two-flats have been successfully blended within the fabric of single-family neighborhoods in many urban environments, and with attendant design controls, need not appear out of place.</p>

Implementation Action Area #3—Increase the Supply of Affordable Housing

<p>Reduce the practice of incorporating provisions in development approvals that result in more expensive construction</p> <p>LEAD IMPLEMENTERS: Planning & Economic Development Dept Planning & Zoning Commission Village Board of Trustees</p>	<p>In Lemont, annexation agreements and planned unit development ordinances of often include requirements that increase the cost of home construction. The most common manifestation of this has been provisions for brick facades or high percentages of brick on exteriors. The Village recently prohibited vinyl construction on new single-family homes. To be sure, there will be subdivisions and developments that seek to attract high-end buyers. However, the Village should limit the incorporation of such provisions to a select number of new developments or perhaps require them on only a portion or certain phases of new developments. Likewise, the prohibition on vinyl siding should be reconsidered.</p>
<p>In the downtown, remove regulatory barriers to the conversion of commercial space to residential space.</p> <p>LEAD IMPLEMENTERS: Building Dept Lemont Fire Protection District</p>	<p>Recent attempts of downtown property owners to convert office space to apartments have run afoul of the Lemont Fire Protection District’s fire code and/or the Lemont Building Code. The Village and LFPD should adopt the International Rehabilitation Code or make other appropriate changes to the existing building and fire codes.</p>

Implementation Action Area #4—Remove Impediments to Fair Housing

<p>Appoint a Fair Housing Officer; publicize the officer’s role.</p> <p>LEAD IMPLEMENTERS: Village Administrator Planning & Economic Development Dept</p>	<p>The mayor should appoint a Fair Housing Officer who will have oversight of the Village’s Fair Housing policy and who will function as the initial point of contact for those having inquiries or concerns about fair housing.</p>
<p>Publicize the role of the Fair Housing Officer and encourage residents to contact the officer with inquiries or concerns</p> <p>LEAD IMPLEMENTERS: Planning & Economic Development Dept Village Administration</p>	<p>The appointment of the officer and the officer’s function should be publicized. Residents should be encouraged to contact the Fair Housing Officer, and contact information and details on fair housing should be prominently displayed on the Village’s website and in other appropriate Village documents or media.</p>