



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, June 18, 2014
6:30 p.m.

**Planning and Zoning
Commission**

Anthony Spinelli,
Chairman

Commission Members:

Ryan Kwasneski
David Maher
Jerry McGleam
Gregory Messer
Jason Sanderson
Phil Sullivan

**Planning & Economic
Development Department
Staff**

Charity Jones, AICP, Director
Martha M. Glas, Planner

- I. **CALL TO ORDER**
 - A. **Pledge of Allegiance**
 - B. **Verify Quorum**
 - C. **Approval of Minutes May 21, 2014 meeting and June 4, 2014 meeting**
- II. **CHAIRMAN'S COMMENTS**
- III. **PUBLIC HEARINGS**
 - A. **Case 13-14 - 16548 New Ave. Annexation & Rezoning.** Annexation of approximately 8.43 acres of land located at 16548 New Ave and rezoning to the M-1 Light Manufacturing District
 - B. **Case 14-04 - Talcott Outdoor Dining and Drinking Area Special Use.** A special use permit to allow an outdoor dining and drinking area at 427-443 Talcott.
- IV. **ACTION ITEMS**
- V. **GENERAL DISCUSSION**
- VI. **ADJOURNMENT**

Village of Lemont
Planning and Zoning Commission
Regular Meeting of May 21, 2014

A meeting of the Planning and Zoning Commission for the Village of Lemont was held at 6:30 p.m. on Wednesday, May 21, 2014 in the second floor Board Room of the Village Hall, 418 Main Street, Lemont, Illinois.

I. CALL TO ORDER

A. Pledge of Allegiance

Chairman Spinelli greeted the audience and called the meeting to order at 6:33 p.m. He then led the Pledge of Allegiance.

B. Verify Quorum

Upon roll call the following were:

Present: Kwasneski, Maher, McGleam, Messer, Sanderson, Sullivan, Spinelli

Absent: None

Planning and Economic Development Director Charity Jones, Planner Martha Glas, and Village Trustee Ron Stapleton were also present

C. Approval of Minutes from the March 19, 2014 Meeting

Commissioner Messer made a motion, seconded by Commissioner Sanderson to approve the minutes from the March 19, 2014 meeting with no changes. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

II. CHAIRMAN'S COMMENTS

Chairman Spinelli stated they have a long meeting ahead of them so they will get started right away.

III. PUBLIC HEARINGS

A. Case 14-03 – Chicago Blaze Rugby Club PUD.

A PUD for redevelopment including the construction of a new clubhouse facility and associated parking.

Chairman Spinelli called for a motion to open the public hearing for Case 14-03.

Commissioner Kwasneski made a motion, seconded by Commissioner Maher to open the public hearing for Case 14-03. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Mrs. Glas said this Case came before the Commission back in March of 2014. The applicant has since revised his plans and is now requesting a Planned Unit Development (PUD). She showed an aerial view of the sight on the overhead. There are four structures on the property which included the existing clubhouse, garage, shelter and another framed building. The proposal is to demolish two of those structures and leave two.

Mrs. Glas stated she will go through what was previously proposed then go through what is currently being proposed. The previous proposal was a request for 10 variations. She showed on the overhead the proposed building and the parking layout. The parking was suppose to be mainly all gravel with only the access points paved and the handicapped parking areas. A chain link fence is not permitted and their previous request was to keep the fence and to allow reconstruction of the fence when construction was completed. Another variation was for illumination standards where their entire parking lot was not illuminated. There was a landscape variation for landscaping around the parking lot and detention pond. The variations for the building proposal were in regards to design standards. One was a roof line standard, another was for building entrance design, and lastly was the window standards. Mrs. Glas said another site design standard that was not met was the public sidewalk. The owner at the time did not wish to include a public sidewalk or an interior sidewalk. The last standard was for parking, which exceeded the maximum amount allowed.

Mrs. Glas said staff worked with the applicant in regards to their revised plans. In the new plans, the applicant is proposing to pave the entire west lot in front of the building. The applicant did add a sidewalk from Smith Farms to the second driveway. However, it is not extended the full length of the property. A five foot stripped pedestrian walkway was added to the entrance of the building. She stated the chain link fence has remained as they have originally proposed. The three design standards that they did not meet originally have been left as is with no changes made.

Mrs. Glas stated the applicant did increase the landscaping to the amount that staff recommended. She then showed on the overhead the areas along with the detention pond where they added landscaping. The landscaping in the detention area may be problematic because there is a small portion of land that is part of a property line dispute with neighboring Smith Farms. The detention area is outside of the area but any grading in that area might fall into that area including the landscaping. She showed where staff recommended the majority of the perimeter landscaping should go. However, the applicant chooses to put most of the landscaping along the perimeter where it abuts a vacant parcel. There is no changes happening in that area in regards to the development so it is workable to allow sidewalks and landscaping to be added at a

later date for that area. However, how it is enforced is an issue. Mrs. Glas stated typically if they have conditions on a PUD or special use it is based on the subject property. With this case it would be based on a development of a property north of the subject property. The Village Attorney did respond after staff's report was prepared and stated the recommendation would be that the sidewalk should be installed now or the other option being to do an escrow. Without having the Village Attorney's response staff requested that the sidewalk be put in completely and add a landscape strip that matches. She said staff would recommend approval based on those two conditions.

Commissioner McGleam asked if the gravel lot was included in the PUD.

Mrs. Glas stated it is.

Chairman Spinelli asked if the applicant could step up to the podium. He then asked everyone in the audience to stand and raise his/her right hand. He then administered the oath.

Walt Rebenson, President of the Chicago Blaze Building Corporation, said he won't go into much detail because Mrs. Glas covered everything that they modified. As far as the landscaping on the south edge of the detention area, there is a boundary dispute with Stone Lake Survey Co. They had incorrectly done their survey which included a plat of subdivision. It affects the ten lots on the north side of Pasture Drive. The dispute is about two feet at Smith Road and ten or eleven feet up in the eastern corner. He said the landscaping is outside of the area.

Mr. Rebenson stated their request to not put in the northern most portion of the sidewalk was because there is extensive vegetation that they had put in over the past 20 some years. He did not want to have to remove it, however if they are required to put up an escrow or bond then they would be better off putting it in. He said everything else he feels they had reached an agreement with staff. Once they are approved they will be going forward with getting approval from the Village Board. They are hoping to break ground sometime in August so the building can be up before the winter hits.

Mr. Rebenson said he wanted to thank Mrs. Glas and staff for working with them to resolve some of these issues. He stated he feels they were able to reach agreement in regards to the design standards.

Chairman Spinelli stated he applauds him for working with staff to address a lot of the concerns that were brought up in the last meeting. He likes the new parking lot layout in front and feels it flows a little better. The pavement out in front of the building and along the handicap stalls is good.

Chairman Spinelli asked if any of the Commissioners had any questions. None responded. He then asked if anyone in the audience wanted to speak in regards to this case. None responded.

Chairman Spinelli said the sidewalk is required per Village code. If you have to put up an escrow then you might as well put it in. He stated he understands the owners concern and it was the same concern when Smith Farms came in. Eventually the property to the north of him will connect to it. If people continue to park on Smith Road even though they are not supposed to, at least it will give the pedestrians an escape from Smith Road.

Chairman Spinelli asked if there were any more questions or comments. None responded. He then called for a motion to close the public hearing.

Commissioner McGleam made a motion, seconded by Commissioner Kwasneski to close the public hearing for Case 14-03. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Chairman Spinelli then called for a motion for recommendation to the Mayor and Board of Trustees.

Commissioner Kwasneski made a motion, seconded by Commissioner Maher to recommend to the Mayor and Village Board approval for Chicago Blaze Rugby Club PUD with the following recommendation:

1. A landscaping strip is added in the gravel lot along the west property line to match what was done in front of the west parking lot along Smith Road.
2. The public sidewalk is extended to the lot line.

A roll call vote was taken:

Ayes: McGleam, Kwasneski, Sanderson, Maher, Messer, Sullivan, Spinelli

Nays: None

Motion passed

Commissioner Maher made a motion, seconded by Commissioner McGleam to authorize the Chairman to approve the Findings of Fact for Case 14-03 as prepared by staff. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

B. Case 14-05 – Kohl’s Target PUD Amendment.

A PUD amendment to allow for exterior façade improvements to the Kohl’s Store.

Chairman Spinelli called for a motion to open the public hearing for Case 14-05.

Commissioner Maher made a motion, seconded by Commissioner Kwasneski to open the public hearing for Case 14-05. A voice vote was taken:

Ayes: All

Nays: None
Motion passed

Mrs. Glas said the original Ordinance approving the PUD had building elevations included so any changes to the elevation would require an amendment to the PUD. In addition to exhibits that showed elevations, there was also a paragraph that was descriptive requiring certain items. It included incorporating rough limestone features, a stepped back entryway, an elliptical canopy and horizontal bands of limestone or limestone like material, and a spring arch supported by columns at either side of the Kohl's entryway.

Mrs. Glas showed on the overhead what the Kohl's currently looks like and then what they are proposing. The upgrades are part of a nationwide upgrade program that they have. It coincides with some of the interior remodeling that they are doing. Staff is recommending approval with two conditions. One being to maintain the existing masonry at all locations labeled "8" on the new side elevation depicted in Exhibit "A". She showed on the overhead the location. The second is incorporate limestone or limestone-like architectural elements in the entryway. That was in the original PUD and the columns were the particular feature that had the limestone-like element. She said some of the notations on the elevations currently show that areas "10" and "11" will have panels with a limestone finish, but it is unclear as to whether it is a finish or will it look like limestone. Mrs. Glas stated that the applicant might be able to expand on that a little. She said this would conclude staff's report.

Commissioner Messer asked in the new proposal is there a canopy that is coming away from the building.

Chairman Spinelli asked if the applicant would step up to the podium.

Frank Evans stated he is with Casco who is the architect and engineer for Kohl's. He said they are located in St. Louis. He stated it is an eyebrow which is a metal band and it does not have a roof. It is very similar as to what is located at the Target currently. The element that they were discussing, the lower portions of the gateway, Kohl's likes to continue their finish all the way to the ground. That lower section is not really an EFIS but a DEFS which is an impact product that has a cement board imbedded in the outer surface. This product has been used throughout the country and has not been an issue. As far as the limestone, the white band that is around perimeter of the gateway opening the lower section of that is also made out of DEFS and has a limestone finish with a lotusan coating on it. The coating is a breathable finish so it is very easy for them to maintain. The columns and eyebrow are their current design elements which are aluminum clad fins and snap covers to the existing steel columns as well as base covers. The steel eyebrow is epoxy-coated paint.

Mr. Evans said when he went out to the building he realized he forgot to subtract the extra 72 feet for the topping section that they removed. So they are at about 687 square feet of new EFIS material. The brick that is on the stair step is not coming off they are

just applying the new panels directly adhere over the face. The only removal of masonry would be to the two bottom corners and the two top corners in each of the gateway elements. He asked if the Commission had any questions.

Commissioner Sanderson asked if he brought any of the material with him.

Mr. Evans stated he did forget the material but he is willing to send it.

Chairman Spinelli said that would be good because the Village Board will want to see it. He then asked in regards to the DEFS material what type of warranty is on the product and what is it.

Mr. Evans stated it is an EFIS backer with a 3/8 inch cement board face and the lotusan coating and limestone finish go on top of that to create a nice smooth finish. The manufacture has their standard manufacturing warranty on it. As far as if damage happens to it, Kohl's own this facility. It will get repaired within days and not weeks or months.

Commissioner Maher asked if he could show him where the panel was just going to be put over.

Mr. Evans showed him on the overhead where that will go. He stated there is a mechanical fastener that is temporary until the adhesive sets up. It is a water drain EFIS that goes over the top.

Commissioner Sanderson asked if we allow this.

Mrs. Jones said they do allow it on commercial buildings. She said minor changes to exterior materials on a PUD would make the process a minor amendment. This however, is a pretty significant amount of materials changing. This PUD was specific with requiring limestone and brick with their design elements so that is why it is going through this process.

Mr. Evans stated after going out there today, he noticed that Office Max and Home Goods had a significant amount of EFIS on their façade. They are maintaining the limestone rock-faced element that is throughout the shopping center. The only thing they have done is on the decorative pylaster elements they have painted the lower portion in the perimeter to match the Kohl's standardize colors, but the actual construction remains the same.

Chairman Spinelli asked if there was anyone in the audience that wanted to speak in regards to this public hearing. None responded. He then asked if any of the Commissioners had any questions or comments. None responded. He then called for a motion to close the public hearing.

Commissioner Messer made a motion, seconded by Commissioner Sullivan to close the public hearing for Case 14-05. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Chairman Spinelli asked if there were any further discussion.

Commissioner Maher asked if staff could elaborate on the requirement for limestone in the existing PUD.

Mrs. Glas said there was paragraph included in the elevation that read: Building elevations shall be amended to incorporate limestone like columns on the western section of the center, elevations should include the specific materials and design features to be incorporated on the centers façade including rough limestone features, stepped back entryway, an elliptical canopy, and horizontal bands of limestone or limestone like material, and a spring arch supported by columns at either side of the Kohl's entryway.

Chairman Spinelli stated she mentioned that limestone must be in the western section of the center. He asked would that be Target's building.

Mrs. Glas said the ordinance refers to the Target center as the entire center.

Chairman Spinelli stated then that comment was for the western portion of the center. He said that would be for Target.

Mrs. Glas said the entryway for Kohl's is specific with the spring arch supported by columns and three entryways that will include limestone pierced through the stepped back entry for the largest of the three smaller users, which is Kohl's.

Commissioner Messer asked what the date of the original PUD was.

Mrs. Glas stated it was 1999.

Commissioner Sanderson said when he goes to Kohl's he does not get a limestone feel from the columns. He said he is okay with the way they have it proposed. He stated he is glad that Kohl's is reinvesting in their town and what they are proposing looks current and nice.

Commissioner Sullivan asked if the material between the two entrances was going to change. He said it looks like a planter box under the sign.

Mr. Evans stated it is brick right now and that is not proposed to change.

Chairman Spinelli said they are varying from the original PUD, however if Kohl's is wanting to invest in this store then they apparently want to stay here. As far as the project as a whole it is not a lot of money, but it is still money they are spending to upgrade their entrance. He stated he does not feel that it is a large change that would negatively impact the original PUD. He then called for a recommendation to the Mayor and Board of Trustees.

Commissioner Sullivan made a motion, seconded by Commissioner Sanderson to recommend to the Mayor and Village Board approval of the PUD amendment to allow for exterior façade improvements to the Kohl's Store. A roll call vote was taken:

Ayes: McGleam, Kwasneski, Sanderson, Maher, Messer, Sullivan, Spinelli

Nays: None

Motion passed

Commissioner Maher made a motion, seconded by Commissioner McGleam to authorize the Chairman to approve the Findings of Fact for Case 14-03 as prepared by staff. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

IV. ACTION ITEMS

A. FINAL PLAT/PLAN Approval for the Kettering subdivision and discussion on the residential design proposal

Mrs. Jones said some brief history on the project is that the property was originally known as Leona Farm. The planned subdivision was known as Glen Oak Estates and Montalbano was the developer. Mr. Perino ended up acquiring the property and found that there were some errors in the survey and the engineering needed to be redone for the property. So he took that opportunity to create a new site plan that was vastly improved upon from the old Glen Oak Estates plan. In December of 2012 the Village board approved the amended annexation and Preliminary PUD for the development, now known as Kettering.

Mrs. Jones stated M/I Homes have submitted an application for Final PUD approval, as the contract purchaser of the property. They are proposing no changes to the site plan. She said what they are looking at this evening is to review the Final Plans to ensure consistency with the Preliminary approved plans, so things like final landscaping, engineering, stormwater management. Review the residential design proposal as presented and review sign plan as presented. There were no sign plan or residential guidelines that were included as part of the preliminary.

Mrs. Jones said in regards to the site plan and phasing, they are not proposing any changes to the site plan. They did propose a certain phasing arrangement which differs slightly from the terms of the annexation agreement but staff feels they are equally

acceptable. In regards to engineering, the Village Engineer has been working with the project engineer for some time now. They have applied for site development permit just so they can start that engineering review process and they have been in that process for months. The Village Engineer is confident and satisfied with the engineering plans that have been submitted thus far for the Final PUD approval. The Village Engineer has sent some minor changes to the actual plat of annexation itself which has to do with certificates and such. She stated those changes will be made prior to approval of the Village Board.

Mrs. Jones stated in regards to stormwater management and native plantings, this PUD is a little different from others regarding the detention facility. The detentions for Kettering are proposed to be naturalized so they are planted with native landscape materials. Those materials will help filter out contaminants to improve water quality in stormwater detention basin. She said this is not the way they have done things in the past. There were detailed provisions in the annexation agreement with regards to the naturalized landscaping in those detention basins. The applicant in their initial proposal submitted something that differed substantial with what had been discussed previously with the Village's consultant. Apparently there was some communication after annexation agreement was approved regarding the particular naturalized plantings. That information was not forwarded to the applicant and their consultant. She stated staff feels confident that it will get worked out prior to Village Board approval. Staff has not yet reviewed the proposed street names to ensure there are no conflicts with any existing streets in Lemont or Homer Glen.

Mrs. Jones said the Fire Marshal did note a concern with some of the phasing. When you look at the proposed phasing for Unit 3, Anne Circle would be half done. They would ask that all of Anne Circle be completed during the Unit 3 construction to accommodate and facilitate emergency vehicle access.

Mrs. Jones stated in regards to landscaping and tree preservation, this site includes a large area of preserved trees. The Village Arborist had made some recommendations on how to identify those trees that are near the line between the lot that encompasses all of the woodland preserve area and the lots that are being built upon. She said this is something to take into consideration if site development precedes, otherwise just a note at this time. The Arborist also noted for the areas that are going to be maintained by the HOA, there should be a maintenance plan submitted. There were also a few notes about some parkway trees that are not allowed in the UDO. Staff feels these are not large issues and if the applicant feels differently he can speak in regards to them.

Mrs. Jones said moving on to the residential home design. The annexation agreement and Preliminary PUD did not include residential design guidelines. Staff had spoken with the applicant and discussed the normal process for reviewing anti-monotony. In order to stream line the process, M/I Homes is very eager and capable of executing this development in a quick timeframe. Staff and the applicant has worked to come up with some residential guidelines that would be included as part of the Final PUD that will expedite the building permit. The first design variety is anti-monotony. The applicant

had proposed certain guidelines and after staff reviewed those a recommendation was made. The applicant was amendable to really relying on the models that they have submitted as how staff would review for anti-monotony rather than looking at certain design elements. She stated what staff has proposed is the follows:

- A model cannot be located immediately next to the same model
- If a model is located within two lots or across the street from the same model, it must be a different elevation option of that model and must have a different color package.
- No one model can account for 40% or more of the homes on the small lots (28 lots max.); 35% or more of the medium lots (26 lots max.); or 25% or more of the large lots (23 lots max.).
- Some of the large lots may be sold to other builders. For any homes constructed within the development that are not a model contained within the Final PUD plans, the Village's anti-monotony provisions of the Unified Development Ordinance shall be used in that home's permit review. Additionally, if any of the models included in the Final PUD plans are to be built on a lot that is within two lots or across the street from a home that is not a model contained within the Final PUD plans, the Village's anti-monotony provisions of the Unified Development Ordinance shall be used in that model's permit review.

She said staff and the applicant are in agreement on this matter.

Mrs. Jones stated in regards to materials the applicant has brought with him samples for the Commission to see. The horizontal siding would be a wood composite or cement fiber board. A shake siding is proposed rather than vinyl and the applicant intends to use aluminum soffit and fascia. Staff is not proposing for the small or medium size lots that there be any minimum of brick or stone on the elevations. However, for the large lots staff recommended for first floor brick on all elevations of at least half the lots. She said the applicant stated they would be amendable to 33% of all the lots having a minimum of first floor brick for the large lots. Staff would be comfortable with that since the applicant is giving on some of the other concessions.

The next issue is what Mrs. Jones called 360 degree architecture. The models that they saw where there was a lot of care put into the design of the front elevations, staff felt those elements were not carried through to the side and rear elevations. In order to ensure good quality design, staff feels some of those elements should be carried around the entirety of the home. Mrs. Jones said staff had some initial comments which they provided back to the applicant and they had responded. There is a table on page 5 of staff's report. She stated they did make some concessions in the first go around. She spoke with the applicant today and the applicant has agreed to incorporate some design elements on the side and rear of the home when they are present on the front of the home. She stated she will let the applicant elaborate on that more. What they had already agreed to, which is reflected in the staff report, is providing an additional boarder around all of the windows and providing a decorative vent with trim on the side elevations. Mrs. Jones said what they discussed today was rather than doing a decorative vent on each of the side elevations was to include some of the things that are

on the front elevations. If the front elevation included shake siding and there is an opportunity to continue it on the side or gable then they would.

Mrs. Jones said then they have the issue of what they refer to as high visibility lots. High visibility lots are those along Parker, corner lots and any lot that has their rear on the park site (which is the east/west linear green space). The applicant suggested that the high visibility lot should be only those with a rear lot line facing 131st or Parker Road. She stated she is amendable to that change of definition if the sides and rear elevations of all of the homes are brought up to a higher level than what they were in the initial proposal. If the applicant does include elements from the front façade on the side and rear trim boards then she would be amendable to having the high visibility lots be just those that front 131st and Parker. In the Commissions packet there are revised enhanced side and rear elevations which include the enhanced entryways with either stone or brick. Staff feels this is an appropriate kind of improvement to make to a high visibility lot. What she does not want to see is every lot along 131st and Parker with the same improvement. The applicant is amendable to include other options such as a morning room, so you would have more of a variety on those lots.

Mrs. Jones stated the last issue relates to streetscape and garages. Many of the models have front porches with the garages either inline or recessed a little. The ones that do protrude do so by no more than 10 feet which are all good things. The applicant has also indicated that all of their garage doors would have windows and optional hardware. The only issue staff has is with the number of three car garages on the medium lots. The applicant is not proposing any three car garages for the smaller lots. The medium lots are 75 feet wide, all being front load garages, and with a three car garage it would occupy 40% of the front yard. Therefore, staff feels the three car garages on the medium lots should be limited. Staff is proposing 15% of the medium size lots. Again depending on the additional elements that the applicant is willing to provide on the side and rear elevations to improve the 360 degree architecture of the homes staff might be willing to negotiate that higher. For the large lots staff is recommending a minimum of 33% of the lots should be side load. The orientation of the side load should be varied along the street so that all side loads do not face the same direction.

Mrs. Jones said some of the minor issues staff has been working with the applicant and they have been very agreeable in making some minor revisions to some of the models. She stated she will not go through them in detail but if the Commission wants she can talk about them in more detail. The other new element is the Sign Plan which is more of a vertical column sign. Staff sees no issue with the sign itself, but it will need some proposed landscaping around the base of the sign. She said it will need to be reviewed for compliance with the vision triangle setback requirements.

Mrs. Jones stated this development is like night and day from where it began. Staff feels it will be a great asset to Lemont as a new neighborhood of choice for people. With some of the revisions and conditions noted by staff, the residential design can compliment the excellent site design. The applicant is present and can answer any questions.

Chairman Spinelli asked if staff had a copy of the Preliminary Plat. He said he has seen many versions of the subdivision but he does not remember seeing this final version.

Mrs. Jones stated this conceptual neighborhood plan is what was included in the annexation agreement and Preliminary PUD approval.

Commissioner Maher said this is not what was seen when it came before the Planning and Zoning Board.

Mrs. Jones apologized and stated that her predecessor was handling this development.

Chairman Spinelli said that he and Commissioner Maher were on the Planning Board the second time it had come through. He stated both of them do not recall that configuration being the final configuration. He said he does like the configuration on the south end but the plat they had reviewed and voted on had many more lots on that south property line.

Mrs. Jones stated she does know that it went through revisions after the Planning and Zoning Board. It was April of 2011 when Mr. Perino applied, then before the Planning and Zoning in May or June, before it was finally approved in December of 2012.

Chairman Spinelli said if he remembers correctly, when it came before the Planning and Zoning Board they had given it a negative recommendation.

Mrs. Jones stated that does sound correct. She said some of the revisions were guided by stormwater management.

Commissioner Maher asked if there was a park.

Mrs. Jones said there is space for a park. It is the green space that runs east and west and it will be dedicated to the Park District.

Commissioner Maher asked if the area would be just field grass or a park and who will be seeding the area.

Mrs. Jones stated when she is talking about naturalized areas she is referring to the detention basins. The open space will be deeded to the Park District and would be seeded with grass for them.

Commissioner Maher said he wanted clarification because he feels field grass is not really grass for a park. He stated the other areas like the neighborhood commons area are marked as formalized open space which would be turf grass.

Mrs. Jones said she would have to check the specifics of the landscape plan unless the applicant can answer that question specifically.

Commissioner Messer said he sees that most of the side yard setback are at five feet.

Mrs. Jones stated on the smaller lots there is a six foot minimum side yard setback, on the medium lot it is seven and half foot setback. However, they are not maxing out their setbacks. The applicant is proposing 40 foot models on the 65 foot wide lots.

Commissioner Messer said there was expressed concern about wrapping around the architectural design. He asked if the houses are so close together what the concern is if nobody can see it.

Mrs. Jones stated the neighbor sees it.

Commissioner Messer said he would like to see more examples with a color scheme. The examples provided only show the front of the house in color.

Commissioner Sullivan asked what the density will be.

Mrs. Jones stated 1.92 dwelling units an acre. It is 131 acres and there will be 241 units. She said this is a true conservation design subdivision. Instead of having larger lots and no common green space, you will have smaller lots clustered together with larger green space.

Commissioner Sullivan said you have smaller lots with larger homes.

Mrs. Jones stated some of the homes are comparable to the homes being built in the Glens of Connemara, but some are definitely smaller.

Chairman Spinelli asked what the original density was.

Mrs. Jones said she is not really sure but does know that it did decrease with this site plan. She stated with the Glen Oaks proposal it was at 251 units and this one is at 241 units.

Commissioner McGleam stated he feels this is a good example of conservation design.

Mrs. Jones said she agrees and is excited to see this development happen in Lemont.

Commissioner McGleam said she had mentioned that the Village has their own design guidelines.

Mrs. Jones stated they have minimal design guidelines. What they do have is anti-monotony standards which are cumbersome during the permit review process. In order to expedite their review process, staff recommended to the applicant to develop anti-monotony standards based on the models that they are proposing. In regard to actual residential design guidelines it is limited. It has been customary in the Village that when they have a development this size and it is a PUD there are design guidelines.

Typically they are in the form of required brick or stone that has been incorporated into the annexation agreement or PUD approval. For this case, it was not discussed at the preliminary stage but instead is being discussed now at the Final.

Commissioner Maher asked what percentage of subdivisions that were approved in the last five to six years didn't have brick on three sides of the house.

Mrs. Jones said Krystyna Crossing is 50% brick required and Glens of Connemara is first floor all brick. She stated they are requesting on the larger lots, which are like the R-4 lots, that 33% of the homes would have first floor brick around the home. The small and medium size lots there would not be a minimum brick or stone wrap.

Commissioner Maher asked that staff is willing to work with that.

Mrs. Jones stated she was as long as they are willing to incorporate the front façade elements on the sides and rear of the small and medium size lots. This may not be masonry, but instead colored siding or a piece of trim board that differentiates the first and second floor of the home. She said she personally does not have an issue with a home that is all siding or that has limited brick accent. If they are looking to add variety to their housing stock or diversity of price points then having some of that isn't a bad thing. On the other hand brick and stone are a large part of the community character. Therefore she felt it was reasonable to ask for a brick component on some of the larger lots.

Chairman Spinelli said there are a few municipalities that do not require brick at all and they allow vinyl siding. He stated watching those homes go up over the past 19 years, they are using fiber board behind it and they have minimal structure strength to the siding. The homes have a lot of issues with cold in the winter and heat in the summer. He said he has an issue with going cheap.

Mrs. Jones stated this applicant is not proposing to use vinyl siding with the exception of where they have shake siding in some of the gables. They are proposing to use hardy board or smart side which is a wood composite.

Chairman Spinelli said the Village went to great strides improving building quality and with requiring brick on the first floor. This was one of the many issues with this development when it first came before the Board. He stated he feels that now they are taking a step back.

Commissioner Sanderson stated the whole Country took a step back since 2007. He said there is a reason why this land has sat since 2007 and that is why we are looking at new models. He said he sees some similarities with the houses at Krystyna Crossing and some new urban design with these models. The hardy siding is not a cheap material. He stated he would like to see more stone but you are talking about 240 houses. It was stated by the Mayor that times have changed and the sizes of houses

have changed. There has been talk about trying to appeal to younger families that are trying to buy their first homes.

Mrs. Jones said as she was looking at the proposed models and she was trying to have a more of a holistic approach. She stated she was looking at all four sides of the home and ensuring that it had a cohesive look to it. She said this fits in with aesthetics so in some way it is the eye of the beholder. If you have a full brick and stone front façade and then siding all around that shares no relationship to the front façade, it can seem a little off. In her opinion, if you were able to use a little less brick or stone and continue some of the front façade elements all around it would look better.

Commissioner Sanderson stated he agreed and you do see a lot of the craftsman style around right now, which is not an all brick house.

Commissioner McGleam said his opinion is that the large lots should all be first floor masonry. He stated the compromise should be on the medium size lots. He said he does not understand why the builder could not do masonry on the entire first floor and sell those houses. He stated this is a great conservation design and he can't see only 10% of the houses with only brick.

Commissioner Messer stated he feels there is a confidence level in the homebuyer knowing that the house is made of brick that the maintenance is manageable. If you look at the homes in Chestnut Crossing they still look new. He said he is very happy with the design of the subdivision, but is concerned about the longevity of the subdivision.

Commissioner Sanderson said you are striking a balance by getting a lot of green space. A lot of these other developments it is just all houses and no open space. He stated they are not here to talk about finances but you are trying to balance those two out. He said we can tell him we want it all and we might get nothing then.

Commissioner Messer stated staff did state that the developer might sell some of the lots.

Mrs. Jones said the UDO is not tougher when it comes to materials. It does not require a minimum for brick. Vinyl siding does have to be limited to 30% and no EFIS. The minimum brick has also been negotiated as part of annexation or PUD's.

Commissioner Messer asked since there is a HOA is there a covenants with restrictions drafted already.

Mrs. Jones said the covenants are not part of the annexation agreement. She stated they have gotten away from that practice because it created administrative nightmares for the Village

Chairman Spinelli stated the Village will not enforce HOA ordinance.

Commissioner Sanderson said whatever restrictions they are holding the builder to should be applied to whomever he is selling the lots to. He stated he thought the UDO would be more restrictive.

Mrs. Jones stated the anti-monotony is more stringent in UDO than what they are allowing for the applicant. The applicant has indicated that they may sell a couple of large lots off to local builders in the area. All of the requirements that she is discussing in regards to the materials, garages, side loads, etc., would apply throughout the development regardless of whoever was building the home. The area where it would be different is the anti-monotony provisions whether we are using models or what is in the UDO standards. The other thing would be on the medium or small lots if they wanted to see a percentage on that because it is not addressed. The idea is that the builder will build all of his small and medium size lots.

Commissioner Sanderson said he would like to address it now rather than leave it open.

Mrs. Jones stated it could be handled by only approving the models that are seen and so if anyone wants to build any other type of model then they would have to amend the PUD.

Commissioner Maher asked how they would handle side load garages.

Mrs. Jones said they would keep a spread sheet on how many side loads have been built. It is a first come first serve basis.

Commissioner Sullivan stated the builder is able to put a lot of homes in here because of the smaller side yard setbacks. He feels that they should not lessen their standards because they are getting some open space. He said he feels the developer has not suffered at all because of the side yards. The previous case for Kohl's had a requirement for brick or stone on it. Lemont is mostly residential and if there is a standard that has been set then it should not be lowered. He stated he has seen subdivisions that have been built with the hardy board and if they are not maintained over the years then they don't look good later. There are a huge amount of homes that are facing south and west that will get beat on by the sun.

Commissioner Sanderson said the hardy board is cement and not wood. He asked if they are allowing him the LP Smartsiding.

Mrs. Jones stated it will be allowed and it is allowed under the UDO.

Commissioner Messer asked which loop was she talking about in regards to the Fire Department.

Mrs. Jones said it is the one on the south end. The issue would be if it would remain half done for a long period of time.

Chairman Spinelli stated what they are approving is the Final plat and they are not approving the phasing.

Mrs. Jones said her suggestions are to have a phasing plan as part of the Final PUD. There are two components that they are reviewing tonight. The first being the actual plat of subdivision for the first phase and the other is the Final PUD for the entire development. She feels there should be a phasing plan for the entire subdivision for the Final PUD.

Commissioner McGleam stated that Mrs. Jones had made a very good comment when she said that brick or stone don't make good architecture. Maybe a good compromise would be to increase the percentage of large lots for first floor masonry to about 60% or 70%. Then set a minimum masonry square foot standard for the rest of the other 30%.

Chairman Spinelli asked if the applicant could step up to the podium.

Matt Pagoria, Vice President of Land Acquisitions for M/I Homes, 400 E. Diehl, Naperville, thanked staff for all their hard work. He said they had started out with a long list of comments and have worked that down to about one issue. He stated they are not changing anything from what was previously approved. There is a phasing exhibit which is in staff's packet which shows the eastern half as phase one. When you look at the engineering of the site, phase one and two, there are natural breaks in the underground utilities and the stormwater management. Mr. Pagoria stated you can physically build phase one by itself or phase two by itself. Unit three requires more of two to be done in order to accomplish it.

Mr. Pagoria said one of the good things about this plan besides the conservation design, is it gives them various product opportunities. The plan is divided into three lot sizes which have been marked as small, medium, and large. There are 7,500 square foot lots on the south half which will have a 40 foot wide product. The setbacks would be at a six foot side yard. As you move into the medium size lots, they are proposing a 50 foot wide product. If a third car garage is added it might get them to 60 foot wide product and a seven and half foot side yard. He stated when you get to the larger lots there should be no problems with the setbacks.

Mr. Pagoria stated in regards to the comment about what turf would be used, in the back of the landscape plan there is a turf exhibit. On the exhibit you can see that linear park site and it is labeled as Lemont Park District seed mix. He said they will work with the Park District to find out how they want it seeded. They will grade it, seed it and turn it over to the Park District. All of the detention ponds are naturalized and they will be having talks with the Village's consultant in regard to the seed mix. The overall idea of the naturalized pond is something they are very familiarized with from other developments. The only discussion they need to have is the actual seed mix itself.

Mr. Pagoria said as he has stated there are three different lots sizes and they would be proposing three different products. On the south side with the 7,500 square foot lots they are looking at a 40 foot wide product. In the packet there are six different plans that would range from 1,797 square feet to a little over 3,300 square feet. There are a couple of ranch plans included in there and they do have a two car standard. For the smaller lots they would not be offering any three car garages because of the size lots. In the medium size lots there are seven plans that they are proposing with two of them being ranches. They range in size from 2,200 square feet to 3,800 square feet. The top three homes have a standard three car garage. The other homes are two car standard with a third car option. In that medium size with the seven plans that they are proposing they would also offer the larger 40 foot wide product with a three car.

Mr. Pagoria stated on the larger lots they are proposing all side load homes. They would have the four largest floor plans with side load garages. It creates additional square footage in the house. They would be at 3,100 square feet to over 4,000 square feet. They have been contemplating offering to sell some of the larger lots to local builders in the area. This might help diversify some of the product mix. He said they do not need to sell any of these lots, but thought it would be a benefit. He stated they will develop all of phase one and if they bring in another builder then they would buy a developed lot from them.

Mr. Pagoria said they are proposing LP Smartside or hardy board for their siding. They do have brick and stone on the front elevations. They are wrapping that masonry element to the side elevation a couple of feet. They are not proposing to do on the small or medium size houses any first floor brick wrap. There would be a vinyl shake on some elevations to provide an accent. All of the windows will be trimmed on all four sides that will have grids. Some of the elevations on the front would have shutters, which would be carried around to the sides and rear. He stated staff had mentioned about carrying some of the elements to the sides and rear and they have agreed to do so. Mr. Pagoria showed the Commission using the Grady example from staff's report how they would incorporate the front elevation to the side and rear of a home. He also showed the Commission the material board which had the materials they would be using.

Mr. Pagoria stated in regards to the high visibility lots, they are proposing that everything along 131st and Parker they would incorporate all the details with the windows and detailed elevation elements. However they also offered doing a rear bay extension which is a two foot extension. When they do that whatever masonry that they did on the front elevations would be done with the same on the extension. It might not have a first floor wrap, but it would have brick or masonry on the back. He said this option or one of the other options would be on all of those high visibility lots. He stated someone may choose for a sunroom or morning room for that option. Whether it is chosen by a consumer or not, one of those options would be on the home.

Mr. Pagoria said as far as the first floor wrap of brick. He stated they did agree to having 33% of the larger homes to have a first floor wrap. If they were to sell some of

the lots to builders, then there is nothing to say that they would require those lots to have the first floor wrap. On the other lots they are not proposing to do a standard brick wrap. As one of the Commissioners stated, this is kind of a balancing act of lot sizes, pricing, aesthetics, and architecture. The last thing they would want to do is make something standard that they don't believe they need to. If the comment is all of the buyers looking in this subdivision want that, then he does not have a problem building that type of home. He stated they do not have a problem working with individual buyers if they want to do something that they are not specifically proposing. If people want a first floor brick wrap then he would build that. He said he does not want it a standard for every house that they do.

Mr. Pagoria stated the one issue that they are not in agreement on is the restriction on three car garages. If you look at the subdivision as a whole, 71 of the lots, which are the smaller lots on the south end, are two car garages. All of the large lots, which are 93 lots, are going to be side loads. In the medium size lots there are seven plans they are proposing. Out of the seven there are three that have a standard three car garage. If everyone bought these homes as they are proposing them you are going to have a natural mix of two car and three car garages. They feel this is more market driven rather than architectural driven buy a community. The majority of their buyers want a three car garage. He said he hopes to proceed with the idea that they don't want to limit the medium size lots in regards to how many three car garages they can or can't have.

Trustee Stapleton asked if all the utilities would run through the rear of the lot.

Mr. Pagoria said he has not brought the plans over to NICOR or ComEd but he believes that it would be in the rear.

Trustee Stapleton asked what the price points are at this time.

Mr. Pagoria stated that the small lots would have a base price of \$300,000; medium size lots base price is in the \$400,000, the larger lots would be more than that. He said he hopes he has addressed all their questions. They feel this is a great project and they have had a great experience with building here in Lemont. He stated all of their homes are 100% energy star certified. This means they are as tight as you can get with the appliances, windows, wrap, etc. They have a third party consultant that comes in and certify each of the homes.

Chairman Spinelli said he is glad to hear that it is a third party that is certifying them.

Mr. Pagoria said you can even check with the Village Building department.

Mrs. Jones stated they Building department has had a very good experience with M/I Homes.

Commissioner McGleam asked what their response to the Fire District concern is.

Mr. Pagoria stated he would like to have a conversation with the Fire Department. He said if you look at the phasing, unit two stops right before that circle. He stated he can build all of that, everything in unit one and two right now. To go in and complete that circle now all of a sudden drainage goes to a different area that he is not building yet. He stated maybe they can do some kind of turn around at the end.

Dan Tholotowsky, Fire Marshall for the Village of Lemont, said their concern is for emergency access and turnaround. A temporary turnaround can be put in as long as they are able to move fire trucks and ambulances through there. The other concern would be during the winter and making sure that it is plowed.

Chairman Spinelli asked if they would prefer something like a “T” at the end.

Mr. Tholotowsky stated they would prefer more of a circle as a temporary basis. The “T” is too difficult when you have a big apparatus.

Chairman Spinelli asked if it could be gravel or do they want something that is asphalt.

Mr. Tholotowsky said it should be able to support the weight of the fire apparatus and be able to be plowed in the winter. He stated he is not sure of the timing of the different phases.

Mr. Pagoria stated they will work with the Fire Department and the engineering department to come up with a temporary solve for that.

Chairman Spinelli asked if there was anyone in the audience that wanted to come up and make a comment. None responded.

Chairman Spinelli said as far as the phasing plan with this unit division, why in unit two, phase one are lots 42 through 47 not included.

Mr. Pagoria stated if you look at lots 48 through 51 the rear lot storm sewer goes to outlot A, the pond along 131st. The lots 42 through 47 drains into the pond on the west property line. He said that is were the break in drainage is.

Chairman Spinelli said he is seeing outlot G detention basin connecting to a storm sewer behind lot 50.

Mr. Pagoria showed him on the plans how the drainage is connected and where they all drain off too.

Chairman Spinelli stated if they included those six lots, where they are hooked up to outlot G, it would complete unit two instead of having another unit for five lots.

Mr. Pagoria said phase two you have these five lots but it attaches into the rest of the stuff south and it gives access to phase two down the road.

Chairman Spinelli asked in regards to these naturalized detention areas, who will be taking care of those in regards to the yearly burns.

Mrs. Jones said it is stated in the annexation agreement that there is a three year period where the developer is responsible for the initial maintenance and monitoring. Then the Village will be taking over. This is the first naturalized detention basin that the Village will taking care of so they are making sure they know how to do this and have contacted a developer consultant in regards to this.

Chairman Spinelli asked if they are getting any impact fees for this forever maintenance.

Mrs. Jones said the residents that are buying in the area should know that they are buying into a more naturalized setting.

Discussion continued in regards to the naturalized detention basin and its maintenance.

Chairman Spinelli asked if they used vinyl windows.

Mr. Pagoria stated they use vinyl windows.

Chairman Spinelli stated on the subdivision platting at the south end the lots are “U” shaped. He would suggest extending the lots for lots 184, 185, 189, and 193 to the south property line. There is a similar situation on lot 228 and 227. Wherever that tight basin is on the plat, because if the Village or Park District has to maintain these basins there would be areas that they would not be able to mow if the homeowner puts up a fence. Chairman Spinelli said he understands that he would like all of the large lots to have a side load garage. His concern with requiring it for every lot is the lots are only 135 feet deep with the side load garage and the house you start to encroach in the rear yard. A house this size there might be about 20% of the people that will want to put pools in. They will have to ask the Village for a variance because they will not have enough room to put a pool in. He stated he would careful about requiring every single one of those houses to be a side load.

Mr. Pagoria said right now staff is wanting only 33% to be a side load. At this time they are showing them as being side loads, but they do not have a problem with bringing in three of their larger plans that have front load garages.

Chairman Spinelli stated he sees this problem happening in his neighborhood and the lot depth is 140. The pool goes from house to easement and they have no backyard. He said a question for staff, he noticed that the Final Plat does not have consecutive lot numbering and do they allow that. He said he is specifically looking at Anne Circle were there is lot 189 then lot 193. Another is on Anne Drive where you go from lot 164 to lot 210. A lot of taxing bodies do not allow this.

Mrs. Jones said it has not been an issue that she has dealt with before. However, she will check with the Village Engineer. Even though it may not be an issue for them it may be an issue with Cook County.

Mr. Pagoria stated the engineering plan set was numbered from 1 to 241 and when they came in instead of revising numbers they had broken it up. It is nothing for them to change the numbering if it needs to be sequential.

Commissioner McGleam said he feels they need to discuss the masonry. His opinion is there needs to be a compromise whether it is 60 or 70 percent brick then set a minimum square footage for the rest of them. He stated he likes the concept of the masonry wrapping of the patio doors in back and maybe that is a good option for the remaining 30%. In terms of the high visibility lots, he feels those have to be a high percentage of masonry. Out of the 96 large lots there may be 43 that are high visibility so that puts you in the 46% range.

Commissioner Maher stated he has an issue with setting precedence at this point by giving into the masonry. All of the PUD's that have come in were brick. By going in and making a change and compromising at this point they are starting to set standards for masonry. He said Covington Knolls, Krystyna Crossing, and Glens of Connemara are all brick. This is a guideline that they have set in their town and he has a problem with changing that.

Commissioner McGleam asked how he felt in regards to the small lots.

Commissioner Maher said the houses that we have in this town and the PUD's all have brick. He stated there is brick even on the townhouses. He said they have talked about doing different things and maybe it would be different if he could visualize them. However, they do not have any drawings showing what this would look like. There are other subdivisions that have small lots that will have small homes coming in. He asked is this the precedence they want to set.

Commissioner Sanderson stated you can say that the PUD's of the past there was a requirement for brick. However, in the UDO they don't even require brick on the first floor so he finds it hard to say the standard is brick. He said he does not feel that they are setting precedence.

Commissioner Maher said if you have so many PUD's come through over the past so many years where 50% of the façade is brick on the home and then they go in and change that then that is setting precedence. He stated he understands the changes they are talking about on the homes but he does not have a visual. When he looks through the drawings he is only seeing siding on the side. He likes the homes that have brick on the side.

Chairman Spinelli asked if any of the Commissioners had questions for the developer.

Commissioner Sullivan asked if it was mentioned that most of their buyers that they have experienced recently want three car garages. He asked if he has seen a trend where buyers prefer homes with or without brick. Or is their desire to have less brick based on a cost standpoint.

Mr. Pagoria stated the brick component is geographic. He can go build a house in Downers Grove or Hinsdale and not have one piece of brick or stone. If you go anywhere south of I55 it seems like they require you to have a first floor brick. It is not the buyer and he has never had a buyer ask him for first floor brick wrap. A lot of buyers depending on the price point will want a vinyl house. When talking about maintenance there is no maintenance with a vinyl house, but he is not asking for vinyl.

Commissioner Sullivan said but you can offer a vinyl house for less than a brick house.

Mr. Pagoria stated yes that is true.

Commissioner Sullivan said you can offer more square footage for that vinyl house.

Mr. Pagoria stated yes, but he can also take that same square footage house and go into Downers Grove and sell it for ten times more than if building in Joliet. A lot of this is a geographic conversation. He said he knows a person will buy a single family home here without a brick first floor wrap. If they buyer comes in and wants a first floor brick wrap he will build it for them. He stated buy requiring the first floor brick wrap they are inflating the price of that home. He said the developer is not going to absorb the cost of the brick. It was his understanding when talking to everyone about this community was that Lemont was interested in offering something different then what was done in the past. By not requiring first floor brick wraps he is able to offer single-family homes in Lemont in the \$300,000's. This does not mean they are cheap, because they are not.

Commissioner Sullivan said the Village has given him something that they have not done in the past and that was offering these tight side yards.

Mr. Pagoria stated they are not tight side yards. In his eyes this is a package where you have the design of the land plan, the open space, and the different architectural design. There might be a couple of different builders which will give more diversity and you also have a spread in your price points, which is not currently offered in Lemont.

Commissioner Kwasneski said if they require first floor wrap then they will be pricing out the younger families.

Mr. Pagoria stated by requiring first floor brick wrap they are mandating that the price of the home will be increased. He said they have been adding things since they got here and he feels the plan has been done in a positive manner. The product is better than what it was before. By adding a first floor wrap will not make this a better community. He came into this knowing that this would not be required and when this

was originally approved the brick was not something that was attached to it. He stated he is interested in building in this community, however if this is going to be a requirement then they might not be interested.

Chairman Spinelli asked if the PUD that was approved did require brick.

Mrs. Jones said no. There is no material specification at all in the annexation agreement or the Preliminary PUD approval. It was just the land plan that was approved and there was nothing about the residential design.

Commissioner Sanderson stated if they wanted to restrict anything they could have done it at that time.

Mrs. Jones said yes. Whether it was done intentional or not she is unsure. She is assuming that they figured the residential design would be addressed at the Final stage. She stated she knows that anti-monotony is a concern in the neighborhood. So she would recommend staying away from stating that all of the front of the homes need to be brick or stone. There is a nice variety where some have a three foot brick wall or some have brick first floor and not second floor. There is a nice variety to add to the streetscape. If you require all of them to be 100% brick elevation you are already reducing that variety. If there are particular elevations that was specifically presented where they did not feel there was enough brick for that front elevation, she would prefer they call that out.

Commissioner Messer stated he wanted to commend them on putting this together. He said it is difficult for him to visualize what is going on the side of the homes. He stated it would be easier for them to see if they had colored pictures of what they are trying to do.

Mr. Pagoria said the reason why they do not have that was because of time. They had a very finite window of getting this project started and under construction. He presented as much as he could in the time he was allowed to have. To visualize if you drive by Krystyna Crossing on 127th Street and close your eyes to the first floor wrap, the top of the home has hardy siding. The window on the back would be wrapped in a different color than the siding. He explained to the Commission using the material boards how something would be done differently with the architectural design. He stated he would be happy to colorize the pictures for staff so they could see, but he hopes that it will not hold the Commission up to vote on this tonight.

Commissioner McGleam asked if they were going to have any lighting for the signage.

Mr. Pagoria stated there is no lighting for the signage.

Commissioner McGleam said he would recommend having lighting on the signage.

Commissioner Maher asked if there was any consideration in regards to adding parking for the area that is designated for the Park District.

Mr. Pagoria stated if you look at the size it is not a place where you would have facilities. It is going to be an open space common share area. He said you will not be able to have ball parks or soccer fields there and there is no room to put in a parking lot. The parking on the street will be sufficient.

Commissioner McGleam asked if they were going to have a playground area there.

Mrs. Jones said her conversations with Ms. Egofske, who is the Executive Director for the Park District, is that eventually they vision a play ground there with walking paths. They did express some concerns with parking because they envision residents from Homer Glen to the south possibly using the walking trails.

Mr. Pagoria stated in order to provide parking you would have to eliminate lots.

Commissioner Sullivan asked where all the rain water goes that ends up in the naturalized detention area. He said he was concerned about the large open space in the middle.

Chairman Spinelli said the eastern third would go to the southeast corner of the development.

Mr. Pagoria stated there is rear yard storm sewer around all of those lots.

Commissioner Messer said they have talked about connectivity with multiple subdivisions specifically with walking paths. He asked if this subdivision was going to have any of that connectivity.

Mrs. Jones stated in the requirements for the development it does include construction for a future bike path along the west side of Parker Road.

Chairman Spinelli said is this in lieu of them putting in a sidewalk along Parker. He stated a development like this would the Village not require a sidewalk being putting in along Parker.

Mrs. Jones stated it was written in the original annexation agreement. She thinks the idea is it might be awhile before Homer Glen develops to the south. The idea would be to construct it when it develops so it connects.

Chairman Spinelli said we had this issue earlier this evening and the Village normally requires it.

Mr. Pagoria stated he did not have the annexation agreement with him, but he believes that there is funding set aside for that path.

Trustee Stapleton said M/I Homes has 21 subdivisions being built currently in the Chicagoland area. He asked which of the subdivisions would they go to for comparison for what is being built in Lemont.

Mr. Pagoria stated the closest one would be at 91st and Clarendon Road. He said it is in unincorporated DuPage County and it is a small subdivision with 22 lots that has just started construction. They have eight lots in Willow Springs which is a custom development where they sold one house already and another is at foundation stage. They have two models in Joliet which are a different spec level but it will give you an idea of what the house looks like as well as the interior.

Mrs. Jones said she went and saw the models out in Oswego. The materials are not the same but if you wanted to get a feel of what the homes would look like in regards to massing or the interior. She does have photos of all the models.

Chairman Spinelli asked if Mrs. Jones had a copy of staff's recommendations.

Mrs. Jones stated there is not a list in the staff report. The applicant has agreed to certain things since writing the staff report. The outstanding issues would be brick or stone on side and rear elevations, or if they want more on the front elevations then what is shown and the three car garage issue.

Mr. Pagoria said there is no recommendation for first floor brick as far as staff and he is concerned, they are on the same page.

Mrs. Jones stated for the large lots staff was recommending that 33% must have full wrap on the first floor, but that is contingent on that 360 architect.

Commissioner McGleam asked if she could go over the recommendation for two and three car garage.

Mrs. Jones said for the small lots there are no three car garage proposed, the large lots there is no need to be a maximum, for the medium size lots staff recommends to limit it to 15% so 11 lots. That was not including any of the other concessions that the applicant made.

Commissioner Sanderson asked the applicant what he wanted on the medium size lots with the garages.

Mr. Pagoria stated he wanted to sell whatever he can. He said he does not believe it will all be three car garages but he does not want any restriction.

Chairman Spinelli asked if there were any more questions for the applicant. None responded.

Commissioner Maher said he wants it noted that this plan is not the plan that they had seen the last time.

Commissioner McGleam stated he would like to go through staff's recommendations to see where they are in agreement. He asked if everyone was in agreement with the three car garages for the medium size lots.

Chairman Spinelli said he feels the market should dictate that.

Mrs. Jones stated it is the three car garage she has an issue with but rather the particular arrangement of three car garages the models include. They only include a front load three car garage which is somewhat recessed or in-line with the home. If you have 90% medium size lots with three car garages then the garage becomes more dominant on these lots that are smaller than the typical lot.

Chairman Spinelli said they are only five feet narrower than his subdivision. He does not have an issue with the three car garage.

All Commissioners agreed.

Commissioner McGleam stated the next would be the 360 architect features.

All the Commissioners agreed it should have those features.

Commissioner McGleam said the masonry is remaining and staff is recommending 33% of the large lots have full wrap first floor masonry.

Commissioner Messer stated the best predictor of the future is the past. We live in a town that has a long past. He said if they drove around town through the historic district there would be a consensus that the brick homes look better, they are better maintained and have a good longevity to them. What the Commission and Village Board are voting on is something that goes way beyond ten years. He said they are voting on something that will impact the Village for a 100 years or more. This is a stellar plan and if they can do just a little bit more to influence what that will look like in a 100 years from now would be well worth it.

Mrs. Jones said 33% would be 31 lots and 50% would be 47 lots.

Commissioner Sanderson asked if the other Commissioners felt that they were only talking about the large lots having the first floor brick wrap.

Commissioner Maher stated he would want it around all the lots which would be consistent to all the PUD's that they have issued.

Chairman Spinelli said he doesn't understand why they can't say 50% for all the lots. He stated you can't base this on price points. Staff would like to see features on the

rear of the houses. A possible concession on the brick wrap would be these additional features that staff is looking for. If he was going to concede less than 100% of the lots having full wrap, he would have to go with 50% to 60%. If 50% of the lots are his large lots then it could be on all the large lots. He stated he is torn because he agrees with Commissioner Maher but also with staff in regards to these additional features.

Commissioner Kwasneski stated the large lots are 38% of the entire subdivision.

Mrs. Jones said one of the things that she talked about with the developer in regards to the 360 architecture was there is another point in between a whole first floor brick and no brick. She stated that would be wainscoting or a knee wall.

Commissioner Messer stated it does not have to be all brick there is also stone.

Chairman Spinelli said he would like to keep it simple for staff to be able to check it.

Commissioner Maher stated the medium size homes are not medium size homes. They are consistent to what is being built in Lemont. There are surrounding towns locally where 10,000 square feet is the standard for their lots. He said we can't get hung up on the small, medium and large. The medium size homes are still large homes.

Commissioner Sanderson said he understands the point they are making in regards to the history. This is a different development and the architecture is different. He asked why they are just requiring the brick on the bottom half. If there is concern about maintenance why wouldn't you do the whole thing in brick then? He stated he feels the hardy board is a newer style and the question it comes down to is are they trying to lower the set point on the development.

Discussion continued in regards to price points.

Chairman Spinelli stated everyone has their opinion on the brick and he feels they need to move forward.

Commissioner McGleam said if the Village made a decision to allow a 7,500 square foot lot instead of 12,500, there was the intention that there would be a house on it that did not match the homes on the 12,500 square foot lot. He stated these previous PUD's were approved but were they approved for the larger lots. There is a relationship there with the size of the lots and the materials that are used on the house.

Commissioner Maher stated it is enforced on townhomes also.

Commissioner Sanderson asked they are enforcing brick but for what reason.

Commissioner Messer said it is for the longevity of the home and for the general neighborhood lifespan.

Commissioner Sanderson stated Smartsiding carries a 50 year warranty.

Commissioner Messer said he is talking about 100 years.

Chairman Spinelli stated we are not going to change opinions and called for a motion for recommendation to the Mayor and Village Board.

Commissioner Kwasneski made a motion, seconded by Commissioner Sanderson to recommend to the Mayor and Village Board approval of the Final Plat/Plan for Kettering subdivision with the following conditions:

1. A turnaround needs to be put in on Anne Circle so Fire and Ambulance Equipment will be able to turnaround during construction.
2. Signage for subdivision must be lit.
3. Requiring 33% of large lots to have first floor brick wrap.
4. There will be no restriction on the three car garages for the medium lots.

A roll call vote was taken:

Ayes: McGleam, Kwasneski, Sanderson, Messer, Sullivan

Nays: Maher, Spinelli

Motion passed

Commissioner Messer made a motion, seconded by Commissioner Sanderson to authorize the Chairman to approve the Findings of Fact if required for the Final Plat/Plan for Kettering subdivision as prepared by staff. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

V. GENERAL DISCUSSION

Mrs. Glas said there will be a specially called meeting for June 4, 2014 to cover the Comprehensive Plan.

VI. ADJOURNMENT

Chairman Spinelli called for a motion to adjourn the meeting.

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

Ayes: All

Nays: None

Motion passed

Minutes were prepared by Peggy Halper

Village of Lemont
Planning and Zoning Commission
Special Meeting of June 4, 2014

A special meeting of the Planning and Zoning Commission for the Village of Lemont was held at 6:30 p.m. on Wednesday, May 21, 2014 in the second floor Board Room of the Village Hall, 418 Main Street, Lemont, Illinois.

I. Call TO ORDER

A. Pledge of Allegiance

Chairman Spinelli called the meeting to order at 6:32 p.m. He then led the Pledge of Allegiance.

B. Verify Quorum

Upon roll call the following were:

Present: Kwasneski, Maher, McGleam, Sanderson, Spinelli

Absent: Sullivan

Planning and Economic Development Director Charity Jones, Planner Martha Glas, and Village Trustee Ron Stapleton were also present

II. CHAIRMAN'S COMMENTS

Chairman Spinelli thanked the Commission and the audience for attending this special meeting.

III. PUBLIC HEARINGS

None

IV. ACTION ITEMS

None

V. GENERAL DISCUSSION

A. Comprehensive Plan Update – Future Land Use Element

Mrs. Jones also thanked the Commission for attending the meeting this evening. Staff has been working on finishing up the Future Land Use element of the Comprehensive Plan, which includes the map as well as recommendations related to the built-in environment. At the end of January and the beginning of February there were two public workshops regarding the Future Land Use. Staff brought that information back

to the Commission and received their input. Staff has taken the various public workshop maps that were hand drawn, with the feedback from the Commission and have come up with a composite of two different scenarios. She said they will also go through the vision and guiding principles of that element. There are a couple of topics related to residential design considerations that she would like to get the Commission's feedback on.

Mrs. Jones then went over the different Future Land Use Districts. She then passed out to the Commission the hand out that was given at the public workshop listing the different districts. She stated something that she developed when putting the maps together was a district called residential infill. This would get applied to everything that is a built-out subdivision or neighborhood.

Commissioner Spinelli asked if infill would also be a teardown.

Mrs. Jones stated it could be. This is just easier than trying to figure out how to apply the various designations, because they are shifting away from labeling all the existing residential. Rather than trying to apply these new categories to old developments it is just easier to label them as existing and anything new in those areas will fit in to what is existing. It also helps when they get into the analysis component. To have it as a separate category then they don't have to worry about the software being used calculating new growth in areas that are already developed.

Mrs. Jones then read and explained each of the different categories. She said just like all the other chapters there will be a vision statement and guiding principles. This chapter is a little unique and has two sections. One is historic preservation and the other is community character with the future land use falling in the section of community character. The vision statement is: In 2030 Lemont buildings, structures, and patterns of development will reinforce our community's unique character, although larger in area and in population Lemont will retain its small town charm and sense of community.

Mrs. Jones said the guiding principles for historic preservation are:

- Architecturally and historically significant buildings are a key contributor to our sense of place, as such these buildings need to be preserved and redevelopments of nearby properties need to be compatible with their historic surroundings.
- The I & M Canal and accompany towpath is our community's single most vital historic asset.
- Lemont's public art plays an important role in celebrating our rich history and beautifying our community.

The guiding principles for community character are:

- Maintaining our community character depends largely on ensuring that new development respects existing community character, architecture, and site design.
- Lemont's unique topography sets it apart from other communities in the area and flattening of our natural varied topography diminishes our community character.

- Lemont's skyline viewed from the Des Plaines River Valley is an important view corridor and key component of the community's visual identity.
- Downtown Lemont is the cornerstone of our community's historic charm and improvements to make it a thriving mixed use district are vital to the success of this plan.
- Lemont's small town charm can be supportive through design features and new development that foster community interaction.

She stated the wording of these principles have changed just a little as they have gone through them. She said they will talk about the Future Land Use first. She showed on the overhead the proposed Future Land Use map. Mrs. Jones stated she has mapped everything south of the Sanitary & Ship Canal. Everything north still needs to be mapped, however there was no public input that was any different than what was existing there. There are two pieces that aren't included, which she showed on the map, and the reason why is because they were in the process of working out a boundary agreement with Homer Glen. The proposed boundary line would be from Archer Avenue to the county line.

Mrs. Jones then explained what the different colors meant on the map. She said she did two different scenarios based on areas from the public workshops or if it was an area where there was no input but she felt there were two alternatives that could go there. She stated on some of the larger areas they might feel that the whole area is marked as one category but feel it should only be half the size. She said that can be adjusted and it will be coming back before the Commission again.

Mrs. Jones handed out a list of areas where the two maps are not the same. She would like to focus on these areas and get the Commission's feedback. She will then send a copy of the full map via email to the Commission so they can look at their leisure. She explained to the Commission the software product she uses and how it can help them. The first area they will look at is south of 127th between Rolling Meadows and I-355. On the first map it showed this area as employment center and the other map it was conventional neighborhood. It is currently zoned as commercial.

Commissioner Spinelli said when he moved into the area 12 to 13 years ago he had known that it was suppose to be commercial. Knowing that they do not have any access to 127th and seeing the trend west of the highway he feels that they should expand it with some type of residential component. Commercial property would want direct access and would not be successful because they do not have direct access there.

Commissioner Sanderson stated he thinks townhomes would be a great idea there. He thinks out in Vernon Hills they have some big employment centers that enter off a residential road. He does not see retail going there but he would be open to either residential or an employment center going there.

Mrs. Jones said you do not have to be tied to one or the other. For certain key sites particularly commercial ones where they are open to either retail or employment center

they can develop a matrix as a supplement to the Future Land Use map. It would show one that is preferred but it would should a possible alternative as well.

Commissioner Maher stated he thinks it should stay commercial. They have their access to I-355 and no commercial on any of the four corners. He understands the access issue and does not feel it should be retail. It is a viable option from a commercial perspective. He said he would like to give this property some time. This is their only thoroughfare to I-355 and they have nothing of value to show for it.

Commissioner Kwasneski said he feels it should stay commercial so they can capitalize on having I-355 there.

Commissioner McGleam stated he agreed.

Mrs. Jones said the next property is across the way at the southeast corner of I-355 and 127th Street. The two scenarios were mixed use and community retail.

Commissioner Spinelli stated with community retail you would have restricted access with that property

Mrs. Jones said the Village does own that private access.

Commissioner Spinelli stated you would have a hard time from Cook County getting a full road access with the school entrance and light already there. He said he would like to see offices there rather than retail.

Commissioner Sanderson said he could see neighborhood retail going in there and not mixed use.

Mrs. Jones stated they have seen a proposal from a broker where there is commercial on the front end with residential behind.

Commissioner Sanderson stated he would not like that with the Park District being right there.

Chairman Spinelli said it would be better as a park component that could tie into the Township across the way.

Commissioner Maher stated it should stay retail or mixed use because it has great visibility from the tollway.

Mrs. Jones said it is only ten and a half acres and is probably more of a neighborhood retail rather than commercial retail. She said the next area would be Timberline to the end of Povalish Court. In front of Timberline Knolls there is a row of houses and on map one it is shown as employment center and on map two it is infill residential.

Discussion continued on what Timberline Knolls currently owns.

Chairman Spinelli stated he could see it as being part of Timberline Knolls and would put it as employment center.

Mrs. Jones said they are running out of usable space.

Commissioner Maher asked if there were any historical homes on that site.

Mrs. Jones stated they are not part of the historical district. The next property is located on 127th Street between St. Andrews and Prairie Lane. She showed two area lots that were shown on the map as mixed use or contemporary neighborhood. She said they could be residential rather than mixed use because there is existing residential and newer residential in the area. She feels it should be mixed use or contemporary residential because of the proximity to 127th and you have townhomes and condos in the area.

Chairman Spinelli said he thinks contemporary is better because you will only get the mixed use along the front of 127th Street.

Mrs. Jones stated you might be seeing mixed use more in Cook County because of the tax benefit associated with it. You don't have to have a large residential component to get a very large tax benefit from it. It might be advantageous to have some areas as mixed use because it can attract the retail.

Commissioner Sanderson said he has seen this where they built a 19,000 square foot building and then put a one bedroom apartment on it. It is not a true mixed use development.

Commissioner Maher stated if there is a benefit for putting a mixed use there then put it there. If someone wants to do a contemporary neighborhood there then they will come in and ask for it to change.

Mrs. Jones asked what would they like to see for the other piece of property.

Commissioner Spinelli stated he would like to see it as residential because of the stub streets that lead into the area. If someone wants to change it to commercial they can come back and change it.

Mrs. Jones said she can take the front five acres and tag it as retail then the back remaining as residential or the front part as mixed use and back residential.

Chairman Spinelli stated whatever the depth is across the street for commercial then he would recommend doing the same for this property. The front could then be mixed use with residential in back.

Commissioner Maher said the further away you get from 127th and State the retail space becomes less and less desirable.

Mrs. Jones stated he was correct. It would still be a retail category and it could be like a salon or insurance agent in there.

Commissioner Maher said then the question is do they want something like that in there. He feels continuing the townhouses would be a better fit for the area.

Mrs. Jones stated it will be mixed use for the first property on the west and then residential on the east property. The next big area is the east side of State Street from 129th Street south. One showed it as an employment center all the way down and the other had it split between mixed use and multi family. They also showed the church parcel as going retail.

Chairman Spinelli said he agreed with the retail.

Commissioner McGleam stated he thinks it would be a good employment center site.

Commissioner Maher said he would love to see retail in there. However, as you continue south from State Street the property become less viable. The corner could be commercial because of the I-355 connection. He stated they have examples in the area that retail is not shining other than the big box stores. There is no big residential going up in that area. He said he could either see residential or employment center.

Mrs. Jones stated there is a case that could be made for high density residential which could be very viable there. Apartment complexes like to be on busier streets because they like the visibility. She said Commissioner Maher did bring up a lot of good points regarding retail. The traffic counts on State Street south of 127th are not that great, but the ones on Archer are good. Retail lives and dies on density and traffic counts.

Chairman Spinelli said he feels the strip malls in front of Target would be more productive is they sold a more convenient type product like Dunkin Donuts.

Commissioner Maher stated they did have big names in the strip mall but it does not have the daytime traffic to support it.

Commissioner Sanderson said he thinks it will be some type of residential.

Mrs. Jones stated she will take a look at the area and see what their options are for residential. The next area is north of Archer between Ashbury and Ashford Drive. She has one as conventional neighborhood and the other as contemporary neighborhood.

Chairman Spinelli and Commissioner Maher said they think it should be conventional.

The next area would be the northwest corner of 131st and Bell Road. The property is currently zoned commercial and they have it as neighborhood retail or mixed use.

All Commissioners agreed it should stay retail.

Mrs. Jones said west of Bell Road across from the Church of Nazarene is shown as multi family or contemporary neighborhood.

Chairman Spinelli stated he remembers talking about making it commercial along Bell Road with residential behind it. Because of the power lines that run through there they were going to have some type of medium density with commercial up front. There is no connectivity east/west or north/south.

Mrs. Jones said she can make it a mix of multi family and commercial

Chairman Spinelli stated he can see it as a mixed zoning on the site but not as a mixed use.

Mrs. Jones said the next property is west of Bell, north of Archer but south of Main known as Montefiori. It was shown as employment center and the other retail. It has mixed zoning currently with some residential and some commercial and it would be accessed off of Archer.

Commissioner Maher stated he thinks the houses that are there should be left residential. He does not see that side becoming commercial because of the hills on that side.

Chairman Spinelli said he could see someone purchasing it as its entirety, then clear it out so you have visibility to the hill. He would hate to tag it as residential because once those houses go he does not see someone wanting to build a house right there on that major intersection. He stated he would show it as retail for that corner.

Mrs. Jones stated on the north side of Main, west of the ComEd Row is the next section. She said it shows as employment center or industrial. She sees it as light industrial.

All the Commissioners agreed.

The next area is Mt. Assisi with it being shown on one map as institutional and the other as employment center. Due to the large campus, there might be some type of business that would want their campus facility to be there.

Chairman Spinelli said he can see them converting some of the school into residential.

Commissioner Sanderson stated they could expand and convert it into more senior living.

Mrs. Jones said they could leave it as institutional so if it ever decides to change hands somebody would have to come to them and they could be open for suggestions. Or they could mark it as something they would like to see in the future like a business area or residential.

Chairman Spinelli stated he would keep it as is so they have the flexibility. He said until they know what someone is coming in for with this property; they would also be looking at the golf course and what it is operating at. He would hate to push it as residential and someone comes in and wants to use it as institutional.

Mrs. Jones said the last piece of property is Central School which is similar to Mt. Assisi.

Commissioner Maher stated he would leave it as institutional because he feels it will open up again.

Commissioner Kwasneski said he agreed.

Mrs. Jones said she will make these revisions and then send to the Commission the updated version for them to look at. She stated now they will talk about some items related to residential design. They had talked about 360 design with the Kettering subdivision. She asked if they wanted to incorporate some of that language related to those principles in the Comprehensive Plan.

Commissioner Sanderson asked why don't they put it in the UDO.

Chairman Spinelli stated he would be hesitant about putting structural design in the Comprehensive Plan.

Mrs. Jones said she does not want to write these design standards but would like to give general policy guidance.

Chairman Spinelli stated he does not understand how you would define that within the Comprehensive Plan. He feels you might be introducing to many layers of the Comprehensive Plan for a residential area.

Mrs. Jones further explained how their goals and objectives come from the Comprehensive Plan.

All Commissioners agreed to have a statement in the Comprehensive Plan regarding 360 architect.

Mrs. Jones said the next thing would be if they wanted to give any guidance to architecture specifically. The UDO and the Comprehensive Plan practically give no guidance on design of homes. The only guidance they have is there is precedence with

PUD's and a certain percentage of brick being required on the home. In the UDO, they do not want the houses to look the same.

Chairman Spinelli stated he cautions doing this because the city of Joliet did something similar and it caused a lot of builders to leave.

Mrs. Jones said she is talking about exteriors. She stated she could send Plainfield's residential guidelines as an example of what would not go in the Comprehensive Plan but something that might be an outcome of policies in a Comprehensive Plan. It could be a standalone document or it could go in the UDO.

Mrs. Jones stated she wanted to talk about traditional versus post modern architecture. She would like to get the Commission's opinion in regards to this before she spends any more time on it. She then showed pictures of different types of housing design and explained the differences between the traditional versus modern.

Commissioner Sanderson said he would rather have builders following the market. He is all for brick or having standards for vinyl siding, but he does not want to get into styles and dictating them.

Mrs. Jones stated you can get very specific, which may be appropriate in an R-4A Infill environment or you can be general and state things you don't want. She then continued to show different pictures and explained the differences in style.

Commissioner Maher said he does not have a problem with any of these homes.

Commissioner McGleam stated he likes the variation.

Chairman Spinelli asked if staff was looking to potentially adopted guidelines similar to Plainfield where the Village is going to say a certain percentage has to be a certain style.

Mrs. Jones said she is not and she is just recommending.

Commissioner Maher stated he thinks this should wait till the Comprehensive Plan is finished.

Chairman Spinelli asked if it could be its own standalone document with maybe a reference in the Comprehensive Plan.

Mrs. Jones said it could. She is not looking to develop any standards in the Comprehensive Plan. She is looking from a policy perspective as to where the Village is interested in going with regard to residential design.

Commissioner Sanderson stated he feels that there are standards that they want and there should be some kind of a guide. However, he does not want to be dictating what style of home they can build.

Commissioner Maher said he feels they should get through the Comprehensive Plan and then worry about this after.

Mrs. Jones stated they could have a recommendation or statement in the Comprehensive Plan that they develop residential design guidelines.

All Commissioners agreed.

Discussion continued on whether to have a statement in the Comprehensive Plan.

Mrs. Glas said they do have a chapter about the built environment so they did have to say something in reference to the built environment.

Mrs. Jones stated this will be a process to figure out, but to Mrs. Glas's point they do have to put a few sentences there to finish the chapter. She said she will forward Plainfield's design guidelines just as a reference.

B. Comprehensive Plan Update – Level of Service Standard for Parks

Mrs. Glas said when they did the Natural Resources Element they had talked about adding a level of service standard for the parks. This would be a way to measure where they are at and to give them guidance on whether they need to add parks. It began by first classifying the parks. There are four classifications which included a Mini Park, Neighborhood Park, Community Park, and a Special Use Park. She will go through how they classified each of the parks, put their existing parks into each category, and then mapped it to see where those parks are. She stated then they can see where the level of service is for all the parks.

Commissioner Maher asked if they had talked with the Park District in regards to this.

Mrs. Glas stated they did but the Park District has their own classification. They made sure that they do line up with them and they do except for Community Park. Staff went with the recommendation for the amount of park space but the Park District feels that the service area should be bigger.

Mrs. Glas said Mini Park is an age specific playground and may include some passive recreation such as walking path or bike path. The size is generally under an acre and the service area is a quarter mile radius. It is meant to be within walking distance of the population it serves. The level of service is a half an acre per 1,000 people and the desirable size is an acre.

Commissioner Maher asked when she says walking path or bike path are they saying around the Mini Park or within the neighborhood.

Mrs. Glas stated within the actual parcel. It may include a picnic shelter, a walking path, or bike path in addition to a playground. If it is over an acre and it had those three amenities then it would be classified as a Neighborhood Park.

Commissioner Maher said one of the things that they have been trying to do is attach different areas of the community. He asked is it possible to have an alternative like paths that can take the place of a Mini Park.

Mrs. Glas stated one of their renditions had an idea of a linear park. If you start classifying them then you can start linking them.

Mrs. Jones said the actual location of proposed paths and interconnections are incorporated into the Active Transportation Plan.

Commissioner Maher stated he was wondering if a viable option to a Mini Park is a Linear Park. Like in the Kettering subdivision if part of that land was an actual trail that kind of went through the area that was paved there could be extensions coming in. It would be really nice to have something like a five mile trail system for connectivity. These Mini Parks are useful, but they are only useful to a small part of the population. He said if you had a trail or path that went around that whole Kettering subdivision that would be such a nice alternative rather than giving two lots.

Mrs. Glas showed a list of existing parks that the Park Districts has based on the amenities that they have. The list does not included school facilities that they might take a look at and add. She then showed a map of the distribution of Mini Parks and the radius that they serve. Of the ten parks that are currently in stock there are four that are underdeveloped.

Mrs. Glas said Neighborhood Park is defined as a playground in addition to some type of ball field or court. It is a Park that has good visibility and does not have scheduled games. The service area for this is a half mile radius. The recommended level of service is two acres per 1,000 people and the desired park size is 5 acres but can be smaller or larger if the amenities are provided. She showed a list of existing stock on the overhead.

Commissioner Maher stated the Northview Park should not be listed on there because it does have scheduled games and practices there.

Mrs. Glas said they could change that one to a Community Park or maybe reword the definition. She then showed the geographic area of the parks.

Discussion continued as to which parks have scheduled games or practices.

Mrs. Glas stated Community Parks have multiple amenities including playgrounds and multiple ball fields and courts. Fields and courts accommodate scheduled practices and games with vehicular access and parking that is required. The service area is a mile radius. The Park District's recommendation is a two mile radius. When they mapped that it was most of the town. The parks she has listed is Bambrick, Centennial and the Sanctuary.

Commissioner Maher said he would leave it at a two mile radius.

Mrs. Jones stated you can not think about as where they draw from currently but rather as the community expands or grows how many would you like to have. She said you can make it 1.5 miles.

Discussion continued as to what radius the Community Park should be at.

All Commissioners agreed that the radius should be at 1.5 miles.

Chairman Spinelli asked what the "Bowl" at Central School is considered.

Mrs. Jones said they would need to look at that and it might be included when they add in the school parks.

Mrs. Glas stated the last park is a Special Use type of park. It is one that offers a community a unique recreational opportunity. The size is dependent on the offerings. The park serves residents and may draw interest from neighboring communities. The Heritage Quarries Recreation Area would be in this category.

Mrs. Jones said she thinks the Township property could fit in this category.

Mrs. Glas stated the National Recreation and Parks Association recommends ten acres per 1,000 overall. Our existing stock comes to 10.9 acres per 1,000 using the 2012 population for Lemont. The proposed Level of Service would yield 12.2 so it yields what is higher than what is nationally recommended, but that is the minimum they recommend. The next step would be to look at the 2030 Land Use Plan to see if they can accommodate that amount of space.

Commissioner Maher asked if the sports complex got put in the downtown area would that be included.

Mrs. Glas said they did include the Village's property and might include the school properties.

Mrs. Jones stated they would have to think about that. If it is a pay to play that draws from outside of the community then it is not a community recreation amenity.

Discussion continued as to how they got 10.9 acres and more paved paths in the community.

Chairman Spinelli asked if there was any further discussion. None responded. He then called for a motion to adjourn the meeting.

VI. ADJOURNMENT

Commissioner Kwasneski made a motion, seconded by Commissioner Maher 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
FROM: Martha M. Glas, Village Planner
THRU: Charity Jones, AICP, Planning & Economic Development Director
SUBJECT: Case 13-14 – 16548 New Ave. Annexation & Rezoning
DATE: June 13, 2014

SUMMARY

Timothy White, president of 10970 Archer Ave. Inc., owner of approximately 8.43 acres of land located at 16548 New Ave. is requesting annexation to the Village of Lemont and rezoning from R-1 to the M-1 Light Manufacturing District. Staff recommends approval of the annexation and rezoning.



PROPOSAL INFORMATION

Case No. 13-14
Project Name 16548 New Ave. Annexation & Rezoning

General Information

Applicant	Timothy White, president of 10970 Archer Ave. Inc., owner
Status of Applicant	Owner
Requested Actions:	Annexation & Rezoning from R-1 to M-1
Purpose for Requests	To allow M-1 Light Manufacturing District uses
Site Location	16548 New Ave, PIN 22-30-101-036
Existing Zoning	R-4; Cook County Single Family Residential
Size	8.43 acres
Existing Land Use	Residential with industrial operations
Surrounding Land Use/Zoning	North: Vacant / Cook County I-2, General Industrial District South: Residential / Cook County R-4, Single Family Residential East: Residential / Cook County R-4, Single Family Residential West: Industrial / M-1, Lemont Light Manufacturing & Cook County I-1, Restricted Industrial
Comprehensive Plan 2002	The Comprehensive Plan map designates this area as Office Research Industrial (ORI)

Special Information

Physical Characteristics	Improved with 6 structures; remaining area is heavily vegetated
Utilities	The site is serviced by well and septic.

BACKGROUND

The owner of the property is requesting annexation and rezoning of the subject property in order to move his existing business to the new location. The property is zoned residential under Cook County jurisdiction. Currently 6 structures exist on the property. Four structures consisting of two frame buildings, a frame shed with no foundation and a pigeon coop with no foundation are located in close proximity to the northern lot line abutting New Ave. Two additional frame structures exist approximately 200 feet from the northern lot line. Neither of these structures have a foundation.

The property currently has code violations with Cook County for the operation of a trucking business on the site. The business is being operated by tenants currently residing on the property. The applicant is working on eviction proceedings to resolve this issue. An annexation agreement will be used to identify existing conditions and future land use restrictions. The applicant intends on keeping the existing structures and utilizing them for his business, which is a landscape contractor for snow removal (Snow & Ice Inc.). The applicant also intends on moving an Insituform building onto this property and is requesting to remain on well & septic.

GENERAL ANALYSIS

Land Use/Compliance with Comprehensive Plan. The 2002 Comprehensive Plan calls for this area to be ORI which is office, research and industry. The designation is no longer used in the Unified Development Ordinance but it would be compatible with B-3 and M-1 uses. The property is zoned residential but is currently being used in a commercial/ industrial capacity by a tenant residing on the property. The Target Industries Report for

Lemont, completed in 2013, identifies the manufacturing industry as a preservation target. This site is in line with preservation goals in that it allows for better utilization of a property that is already being used for an industrial purpose.

The proposed use is low intensity manufacturing/industrial use. Areas that allow for low intensity industrial or manufacturing use are needed in a community as they serve as micro employment centers. The community has more demand for smaller industrial properties than we can accommodate with our existing inventory. This property can help fill that need because it is large enough to be subdivided and the applicant has indicated his intention to subdivide it into up to 6 small lots.

Compatibility with Existing Uses. Rezoning the subject site to manufacturing is compatible with existing uses as industrial uses exist to the west and north of the subject site. M-1 Light manufacturing is intended to provide an environment suitable for industrial activities that do not create appreciable nuisances or hazards. This district may be located adjacent to R districts, and thus its provisions include special yard setbacks and screening requirements. Additionally, the site, its size and location make it well suited for uses that may require outdoor storage as part of their principal use. Any heavy equipment coming in and off of the site would not be generating any new adverse impacts, as the site currently has a trucking operation and New Ave. is an established truck route for many of the existing businesses north of New Ave.

Aesthetic and Environmental. The rezoning will allow the applicant to legally operate his intended business and will require that any new development occur in accordance with UDO standards for M-1 properties.

Health and Safety. The M-1 zoning would not allow for the existing trucking operation and outdoor storage and the annexation agreement will need to ensure that this issue is addressed once the property is annexed into the Village. The Fire District on their site visit noted various outdoor storage and debris/waste piles. This will also need to be addressed to ensure health and safety.

Engineering Comments. The applicant should be aware that a 12-inch water main is in front of the parcel on New Avenue, and an 18-inch sanitary sewer is behind the parcel. Redevelopment or subdivision of the property would require hook-up to Village services. Additionally, the property is subject to the Aero Heights / Rolling Meadows Recapture.

The Plat of Annexation exhibits that were submitted with the application need to be revised prior to annexation. Of primary concern is that the Village limits are incorrectly identified to be on the east side.

Fire District Comments. Depending on what is existing and any plans to build new, the fire district would review the proposed use for code upgrades as required for commercial occupancy.

CONCLUSIONS & RECOMMENDATIONS

The proposed rezoning would allow the property to be used for light industrial uses. Currently the property has a trucking business in operation on site which would not be

permitted with the requested zoning. The applicant is working to resolve the issue with the tenant. Once resolved, the applicant will operate his business at this location.

The property has been used in a commercial/industrial capacity and is adjacent to other industrially zoned property. Based on the proximity to other industrial uses, consistency with the Comprehensive Plan and Target Industries Report, staff is recommending approval of the annexation and rezoning request to M-1. An annexation agreement will be prepared to describe existing conditions and restrictions on future land use.

ATTACHMENTS

1. Site Photos
2. Application Materials

SITE PHOTOS



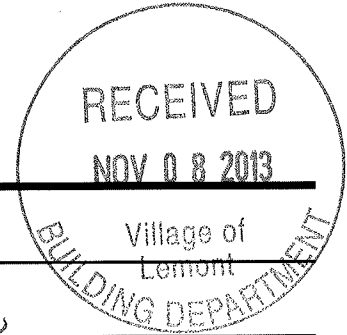


Annexation Application Form (with or without rezoning)

TYPE OF APPROVAL REQUESTED

CHECK ALL THAT APPLY:

- Annexation and Annexation Agreement
- Rezoning



APPLICANT INFORMATION

Tim White
Applicant Name

10970 Archer Ave Property Inc
Company/Organization

10970 Archer Ave Lemont IL 60439
Applicant Address

630-816-3418
Telephone & Fax

TWhite201@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

16548 New Ave Lemont, IL 60439
Address of Subject Property/Properties

22-30-101-036-0000 8.43 Acres
Parcel Identification Number of Subject Property/Properties Size of Subject Property/Properties

DESCRIPTION OF REQUEST

Rezoning for industrial use.
Brief description of the proposed annexation/rezoning

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: _____

At the Village Board meeting, the Village Trustees will hold a public hearing on the annexation agreement. After closing the annexation agreement public hearing, the Board will either approve or deny the annexation, annexation agreement, and, if applicable, rezoning. If the requests are approved, they will be approved by the adoption of individual ordinances at the meeting. Once approved, the property becomes a part of the Village of Lemont.

Attachments:

1. Annexation Application Form
2. Annexation Application Checklist of Required Materials
3. Annexation Petition
4. Annexation Public Notice Requirements
5. Affidavit of Public Notice

Annexation Application Form

Village of Lemont

APPLICATION FEE & ESCROW

Rezoning Application Fee (based on size of property to be rezoned):

< 2 acres = \$300 10 to < 20 acres = \$1,000
 2 to < 5 acres = \$500 20 acres or more = \$1,250
 5 to < 10 acres = \$750

Annexation 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 = \$750 for annexation, plus \$500 for rezoning

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

AFFIRMATION

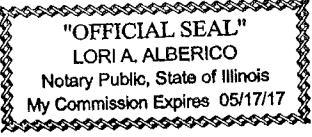
I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. I permit Village representatives to make all reasonable inspections and investigations of the subject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

<p style="font-size: 2em; margin: 0;"><i>[Handwritten Signature]</i></p>	<p style="font-size: 1.5em; margin: 0;">11-7-13</p>
<p>Signature of Applicant</p>	<p>Date</p>
<p style="font-size: 1.5em; margin: 0;">ILLINOIS</p>	<p style="font-size: 1.5em; margin: 0;">Cook</p>
<p>State</p>	<p>County</p>

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that Timothy R White 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.

Lori A. Alberico

 Notary Signature



Given under my hand and notary seal this 7th day of November A.D. 20 13.

My commission expires this 17th day of May A.D. 20 17.

Annexation Application Checklist of Required Materials

Annexation Materials Required at Submittal of Application

A complete application for annexation must include **all** of the following items. Any application that does not include all of the following items will not be considered complete. The Planning & Economic Development Department **will not** schedule a public hearing for any annexation request until a complete application has been submitted.

✓ **Application Form.** One original copy of the attached *Annexation Application Form*, signed by the applicant and notarized.

✓ **Application Fee.** A non-refundable fee in the appropriate amount.

✓ **Escrow Account.** Any unused portion may be refunded upon request after completion of the annexation review process.

✓ **Proof of Ownership & Applicant Authorization.** One copy of a deed that documents the current ownership of the subject property/properties. If the applicant is the owner, this is the only documentation necessary. If the applicant is not the owner, the following are required in addition to a copy of the deed:

- If the applicant is the contract purchaser of the property, a copy of said contract must be attached.
- If the applicant is acting on behalf of the beneficiary of a trust, a notarized letter from an authorized trust officer identifying the applicant as an authorized individual acting in behalf of the beneficiaries must be attached. The letter must also provide the name, address and percentage of interest of each beneficiary.
- If the applicant is acting on behalf of the owner, a notarized letter of consent from the owner must be attached.

If the property owner is a company, a disclosure of the principals of the company must be included in the application materials. For example, an LLC may submit a copy of the LLC Management Agreement.

Annexation Petition. An annexation petition signed by all of the owners of record of all land in the area proposed to be annexed and at least 51% of the electors residing in the area proposed to be annexed. The petition is irrevocable once signed and submitted to the Village of Lemont.

Submittal Packet. 9 collated copies of a submittal packet for distribution at public meetings and one electronic copy for Village files. Additional copies of the submittal packet may be required after initial submission of the annexation application. Department Staff will advise if/when additional copies are needed.

Any plans and maps included in the submittal packet should contain the following: a north arrow or other indication of true north or map north; the date of map/plan preparation; the name of the person preparing the map/map; and a scale, the scale may be expressed verbally (e.g. 1 inch equals 60 ft.) but other forms of scale are preferable (e.g. scale bar or ratio such as 1:24,000). All plats should be printed on at least 11"x17" sized paper.

The submittal packet shall include the following:

- **Project Summary.** A written overview of any proposed development on the property to be annexed. This overview should include a quantitative summary that includes the following, as applicable:
 - Acreage and/or square footage of subject site
 - Square footage of commercial space
 - Proposed residential density (# dwelling units/gross site area)
 - Total square footage covered by structures
 - Total square footage covered by roads and other impervious surfaces
 - Total square footage of commonly owned and maintained open space
 - Number of off-street parking spaces
- **Legal Description.** A legal description of the subject property.
- **Plat of Annexation.** A draft plat of annexation.
- **Additional Plans or Documents as Required by the Planning & Economic Development Director.** Department staff will advise if any additional materials are necessary.

STREET ADDRESS: 16548-72 NEW AVENUE
CITY: LEMONT **COUNTY:** COOK
TAX NUMBER: 22-30-101-036-0000

LEGAL DESCRIPTION:

LOT 29 IN COUNTY CLERK'S DIVISION IN THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 29 AND THE SOUTH LINE OF NEW AVENUE; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SAID NEW AVENUE 230.46 FEET TO THE INTERSECTION OF A LINE THAT IS 200.0 FEET EAST OF PARALLEL TO THE WEST LINE OF SAID LOT 29; THENCE SOUTH ALONG SAID PARALLEL LINE 310.0 FEET; THENCE SOUTHWESTERLY 207.30 FEET TO A POINT ON THE WEST LINE OF SAID LOT 29 THAT IS 250.0 FEET SOUTH OF THE POINT OF BEGINNING.

REAL ESTATE TRANSFER 10/03/2013



COOK	\$175.00
ILLINOIS:	\$350.00
TOTAL:	\$525.00

22-30-101-036-0000 | 20131001600491 | 6AEA14

WWW.CYBERDRIVEILLINOIS.COM

JESSE WHITE
SECRETARY OF STATE



CORPORATION FILE DETAIL REPORT

Entity Name	10970 ARCHER AVENUE PROPERTY, INC.	File Number	68211107
Status	ACTIVE		
Entity Type	CORPORATION	Type of Corp	DOMESTIC BCA
Incorporation Date (Domestic)	11/04/2011	State	ILLINOIS
Agent Name	PETER COULES, JR.	Agent Change Date	11/04/2011
Agent Street Address	15 SALT CREEK LN STE 312	President Name & Address	TIMOTHY R WHITE 10970 ARCHER AVE LEMONT IL 60439
Agent City	HINSDALE	Secretary Name & Address	SAME
Agent Zip	60521	Duration Date	PERPETUAL
Annual Report Filing Date	11/06/2013	For Year	2013

[Return to the Search Screen](#)

Purchase Certificate of Good Standing
(One Certificate per Transaction)

BACK TO CYBERDRIVEILLINOIS.COM HOME PAGE

STATE OF ILLINOIS)
) SS.
COUNTY OF Cook)

IRREVOCABLE PETITION REQUESTING ANNEXATION
TO THE VILLAGE OF LEMONT

TO: THE VILLAGE CLERK, VILLAGE OF LEMONT, ILLINOIS

We, the undersigned Petitioners, owners of record of all of the land herein requesting to be annexed, respectfully represent, under oath, that all conditions required for annexation to the Village of Lemont pursuant to and in accordance with Illinois Municipal Code Chapter 65 Illinois Compiled Statutes Section 5/7-1-8 do hereby state under oath to wit:

1. That the territory requested to be annexed is described as follows:

(See legal description attached hereto on Exhibit A and made a part hereof)


2. That the described territory is not within the corporate limits of any municipality but is contiguous to the Village of Lemont, a municipality organized and existing under the laws of the State of Illinois.

3. That a Plat of Annexation showing the described territory is attached hereto and made a part of this Petition or will be provided prior to adoption of the Ordinance annexing said territory.

4. That this Petition is signed by all of the owners of record of all land in the described territory and at least 51% of the electors residing in the described territory.

5. That this Petition is irrevocable once signed and submitted to the Village of Lemont by the owner(s) of record.

WHEREFORE, your Petitioners respectfully request the Corporate Authorities of the Village of Lemont to annex the above described territory to the Village of Lemont.

<u>NAME</u> (Printed & Signed)	<u>ADDRESS</u>	<u>OWNER</u> (Check all that apply)	<u>ELECTOR</u>
<u>Timothy R White</u>	<u>10920 Archer AVE</u>	<u>X</u>	_____
	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

STATE OF ILLINOIS)
COUNTY OF Cook)

I, the undersigned, a Notary Public DO HEREBY CERTIFY that Timothy R. White, personally known to me to be the person whose name is subscribed to the foregoing Petition for Annexation, appeared before me this day in person and acknowledged that he/she, being thereunto duly authorized, signed and delivered said Petition for Annexation as his/her own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 8th day of November, 2013.



Mary E. Lesnieski
Notary Public

STATE OF ILLINOIS)
COUNTY OF _____)

I, the undersigned, a Notary Public DO HEREBY CERTIFY that _____, personally known to me to be the person whose name is subscribed to the foregoing Petition for Annexation, appeared before me this day in person and acknowledged that he/she, being thereunto duly authorized, signed and delivered said Petition for Annexation as his/her own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this _____ day of _____, 20____.

Notary Public



Residential
Commercial
ALTA

PLAT OF ANNEXATION

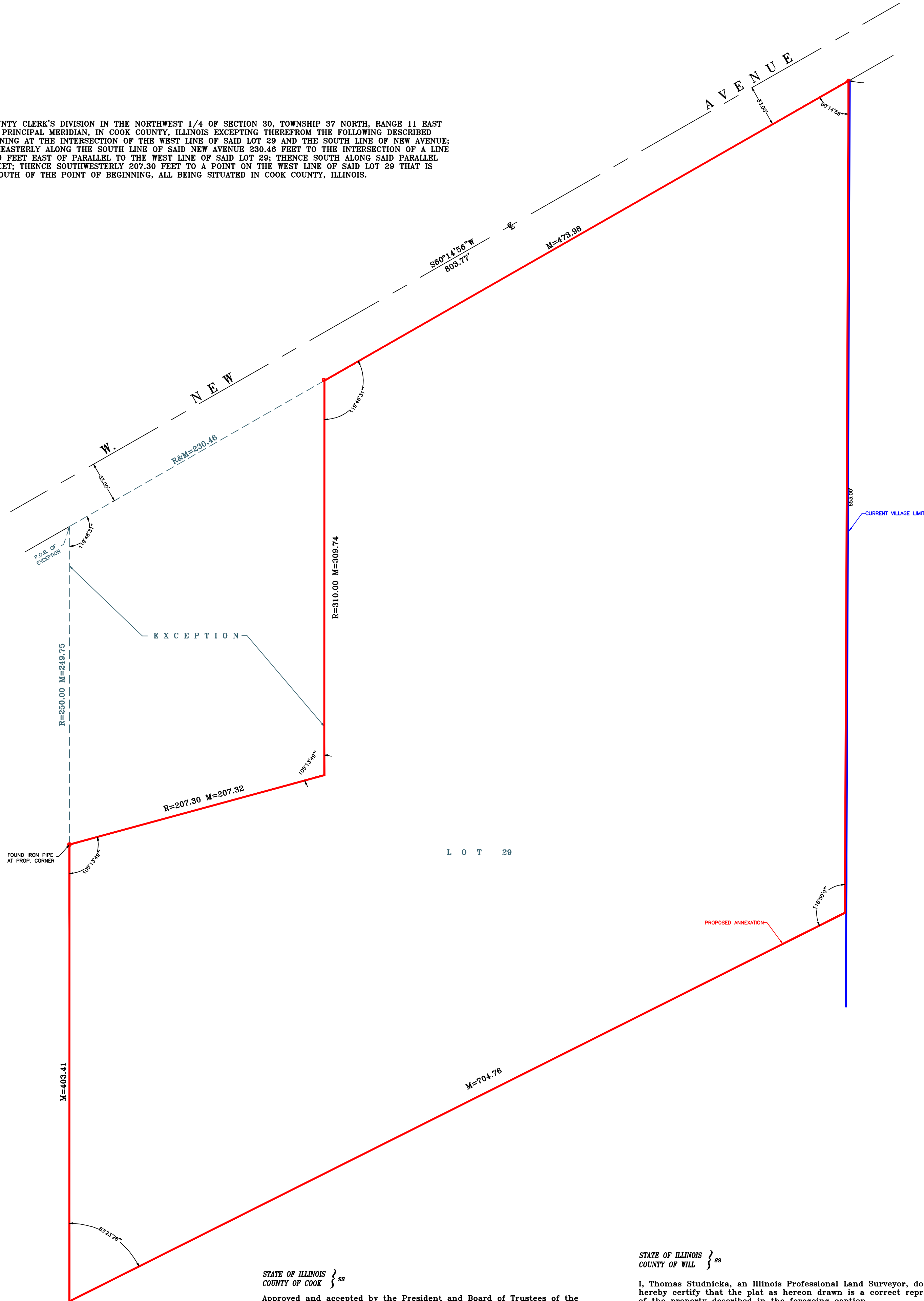
Studnicka and Associates, Ltd.

Topographical
Condominium
Site Plans

Tel. 815 485-0445
Fax 815 485-0528

17901 Haas Road
Mokena, Illinois 60448

LOT 29 IN COUNTY CLERK'S DIVISION IN THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 29 AND THE SOUTH LINE OF NEW AVENUE; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SAID NEW AVENUE 230.46 FEET TO THE INTERSECTION OF A LINE THAT IS 200.00 FEET EAST OF PARALLEL TO THE WEST LINE OF SAID LOT 29; THENCE SOUTH ALONG SAID PARALLEL LINE 310.00 FEET; THENCE SOUTHWESTERLY 207.30 FEET TO A POINT ON THE WEST LINE OF SAID LOT 29 THAT IS 250.00 FEET SOUTH OF THE POINT OF BEGINNING, ALL BEING SITUATED IN COOK COUNTY, ILLINOIS.



Scale: 1" = 40 feet
Distances are marked in feet and decimals.
Ordered by: Tim White
Order No.: 13-9-123
Compare all points before building by same and at once report any difference.
For building lines, restrictions, or easements not shown hereon, refer to abstract, deed or ordinance.
Field work completed: 9/25/2013
Drawn by: S. K.
Proofed by: T.S.
Design Firm Registration # 184-002791

STATE OF ILLINOIS }
COUNTY OF COOK } ss

Approved and accepted by the President and Board of Trustees of the Village of Lemont, Cook, Will, and Dupage Counties, Illinois at a public meeting held:

This _____ day of _____, 2013.

By: _____
President

Attest: _____
Village Clerk

STATE OF ILLINOIS }
COUNTY OF WILL } ss

I, Thomas Studnicka, an Illinois Professional Land Surveyor, do hereby certify that the plat as hereon drawn is a correct representation of the property described in the foregoing caption.

Furthermore, I designate the Village of Lemont to act as my agent for the purposes of recording this document.

Dated this 21st day of November, 2013.

By: _____
Illinois Professional Land Surveyor

License No. 3304 Expires 11/30/14



Residential
Commercial
ALTA

PLAT OF ANNEXATION

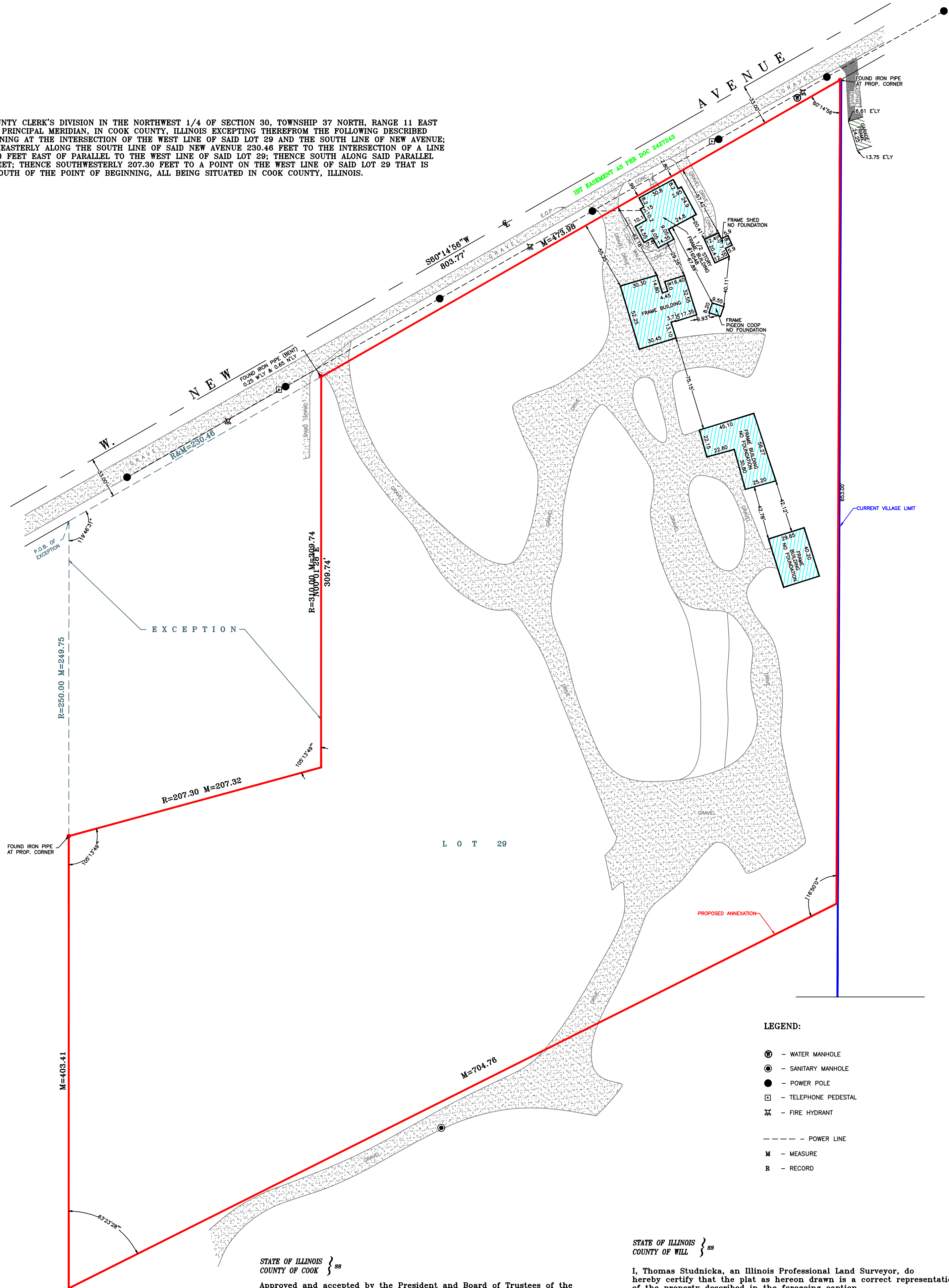
Studnicka and Associates, Ltd.

Topographical
Condominium
Site Plans

Tel. 815 485-0445
Fax 815 485-0528

17901 Haas Road
Mokena, Illinois 60448

LOT 29 IN COUNTY CLERK'S DIVISION IN THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 29 AND THE SOUTH LINE OF NEW AVENUE; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF SAID NEW AVENUE 230.46 FEET TO THE INTERSECTION OF A LINE THAT IS 200.00 FEET EAST OF PARALLEL TO THE WEST LINE OF SAID LOT 29; THENCE SOUTH ALONG SAID PARALLEL LINE 310.00 FEET; THENCE SOUTHWESTERLY 207.30 FEET TO A POINT ON THE WEST LINE OF SAID LOT 29 THAT IS 250.00 FEET SOUTH OF THE POINT OF BEGINNING, ALL BEING SITUATED IN COOK COUNTY, ILLINOIS.



- LEGEND:**
- ⊙ - WATER MANHOLE
 - ⊙ - SANITARY MANHOLE
 - - POWER POLE
 - - TELEPHONE PEDESTAL
 - ⊗ - FIRE HYDRANT
 - - POWER LINE
 - M - MEASURE
 - R - RECORD

Scale: 1" = 40 feet
Distances are marked in feet and decimals.
Ordered by: RICHARD RYMEK
Order No.: 13-9-123
Compare all points before building by same and at once report any difference.
For building lines, restrictions, or easements not shown hereon, refer to abstract, deed or ordinance.
Field work completed: 9/25/2013
Drawn by: S. K.
Proofed by: T.S.
Design Firm Registration # 184-002791

STATE OF ILLINOIS }
COUNTY OF COOK } ss
Approved and accepted by the President and Board of Trustees of the Village of Lemont, Cook, Will, and Dupage Counties, Illinois at a public meeting held:
This _____ day of _____, 2013.
By: _____
President
Attest: _____
Village Clerk

STATE OF ILLINOIS }
COUNTY OF WILL } ss
I, Thomas Studnicka, an Illinois Professional Land Surveyor, do hereby certify that the plat as hereon drawn is a correct representation of the property described in the foregoing caption.
Furthermore, I designate the Village of Lemont to act as my agent for the purposes of recording this document.
Dated this 21st day of November, 2013.
By: _____
Illinois Professional Land Surveyor
License No. 3304 Expires 11/30/14



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
FROM: Martha M. Glas, Village Planner
THRU: Charity Jones, AICP, Planning & Economic Development Director
SUBJECT: Case 14-04, Talcott Outdoor Dining Special Use
DATE: June 13, 2014

SUMMARY

Jerry Kulhanek, partner of 507 Tallcot LLC., owner of the subject property, has requested a special use for an outdoor dining and drinking area at 427-443 Talcott Ave. Staff recommends approval with conditions.



PROPOSAL INFORMATION

Case No. 14-04
Project Name Talcott Outdoor Dining and Drinking Special Use

General Information

Applicant	Jerry Kulhanek
Agent for Applicant	
Status of Applicant	Partner of 507 Talcott, LLC., owner of the subject property
Requested Actions:	Special use for outdoor dining and drinking area
Purpose for Requests	Allow for outdoor use of the brick paver walkway area surrounding the commercial store fronts
Site Location	427-443 Talcott Ave (22-20-405-024-1001, 1002, 1003, 1004, 1005, 1006)
Existing Zoning	DD
Size	6,000 Sq. ft.
Existing Land Use	Mixed Use
Surrounding Land Use/Zoning	North: Canal, Downtown District South: Downtown District East: Downtown District West: Downtown District
Comprehensive Plan 2002	The Comprehensive Plan map designates this area Downtown B-2 Mixed Use

Special Information

Physical Characteristics	The property is currently developed as a six unit, mixed use building
--------------------------	-----------------------------------------------------------------------

BACKGROUND

The petitioner, Jerry Kulhanek, developed the property in 2004 as a mixed use development. There are 6 commercial 1st floor spaces in the subject building. Two of the units are occupied by Bottles, which is owned by the petitioner. A third unit is occupied by Petal Play Design and a fourth unit is occupied by Paws and Klaws pet salon. Pollyanna Brewing Co. is a new business that is scheduled to open this summer will occupy the two most northern units. The development has an outdoor brick paver walkway area that spans across the north, west and south sides of the building. Patrons of existing businesses have in years past used the outdoor seating in this area for eating and drinking. The Unified Development Ordinance requires a special use permit for outdoor dining and drinking areas on private property. The petitioner is requesting a special use permit for the area depicted in Exhibit A.

STANDARDS FOR SPECIAL USE

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 development was constructed with a pedestrian walkway area that allows for outdoor seating. Patrons of the existing businesses have utilized the area in past years for sitting, dining and drinking. The outdoor seating area at this location provides a public convenience in that it allows for outdoor gathering and creates a pedestrian friendly atmosphere for patrons to enjoy.

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

Analysis. There are not many businesses that have the ability to offer outdoor seating and this location is ideally suited to provide that amenity. The outdoor walkway area is raised above grade from the parking lot and is protected from vehicular traffic by a stone seat wall. Additionally, the walkway has canopy trees that provide shade. The width of the walkway area varies from 10-13' along the length of the walkway which allows for seating and the required 4' clearance.

The special use area is currently requested in the area depicted in Exhibit A. Tenants that serve food or drinks that wish to utilize the outdoor dining and drinking area will have to apply for a sidewalk café license and include a site plan indicating that the required clearance is met and indicating how the seating area will be designated. This will ensure that open drinking is contained and there is no inconvenience to tenants that are not in the food or drink industry.

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

Analysis. The special use is not expected to cause injury to the value of other property in the neighborhood. It is an amenity that has a positive impact on the development and adds to the pedestrian friendly atmosphere sought by this and surrounding uses in the downtown district.

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. The special use would not create any demands on Village services as this is on private property. The applicant has requested that the brick paver walkway along the west and north section of the building beginning at the Bottles location to the area in front of the canal be available for a dining and drinking area. The development consists of 6 units. Bottles and Pollyanna Brewing offer alcohol and occupy 2 units each. Neither of these establishments offers food. The remaining 2 tenants (Petal Play & Paws and Klawz) are not food or drink establishments. Because this is an outdoor drinking area and not all of the tenants offer food or drink, the

consumption of liquor needs to be contained to designated areas to comply with open container restrictions.

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

Analysis. Section 17.06.170 states that outdoor dining and drinking requires a special use when on private property. Additionally licensing regulations also apply to the approval of outdoor dining areas. Every establishment wishing to provide an outdoor dining and drinking area in the special use area will be required to get a sidewalk café/outdoor dining license.

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

Analysis. This development was approved July 24, 2004 as a B-2 PUD described as a historic central business district mixed use PUD(O-36-04). The requested special use for an outdoor dining and drinking area meets the PUD objective to encourage and stimulate economic development within the Village. The special use compliments the commercial uses that include food and drink establishments.

GENERAL ANALYSIS

Consistency with the Comprehensive Plan. The Comprehensive Plan designates this area downtown B-2 mixed use.

Aesthetic and Environmental. The special use permit to allow for an outdoor dining and drinking area will increase the aesthetics of the area and provide patrons with an opportunity to enjoy the outdoors. The special use area, when properly controlled to contain drinking to specific areas, will be an amenity to the development and the tenants offering the outdoor use.

Engineering Comments. The Village Engineer commented that a 48" path must be maintained. The walkway area varies in width from 10-13' due to the articulations in the building for each unit but there is room to provide the required clearance. Each tenant wishing to establish an outdoor drinking and dining area will have to submit a site plan indicating compliance when they apply for a sidewalk café license.

Fire District Comments. The Fire Marshal had no objection to the proposal.

CONCLUSIONS & RECOMMENDATIONS

The requested special use will allow for the outdoor brick paver area of the development to be used as an outdoor dining and drinking area. The outdoor area is well suited to provide this amenity as it is raised and therefore protected from vehicles, can provide the required clearance and has areas of shade to provide patrons relief from the sun. However, as discussed previously, not all of the tenants are in the food industry and the tenants will change over time. If the entire area is designated as a dining and drinking area patrons may be tempted to carry alcoholic beverages all throughout the area,

which is a potential enforcement problem. For establishments that do not offer food or drink, this may also infringe on their use of the property in front of their businesses. Based on the above, staff recommends the following:

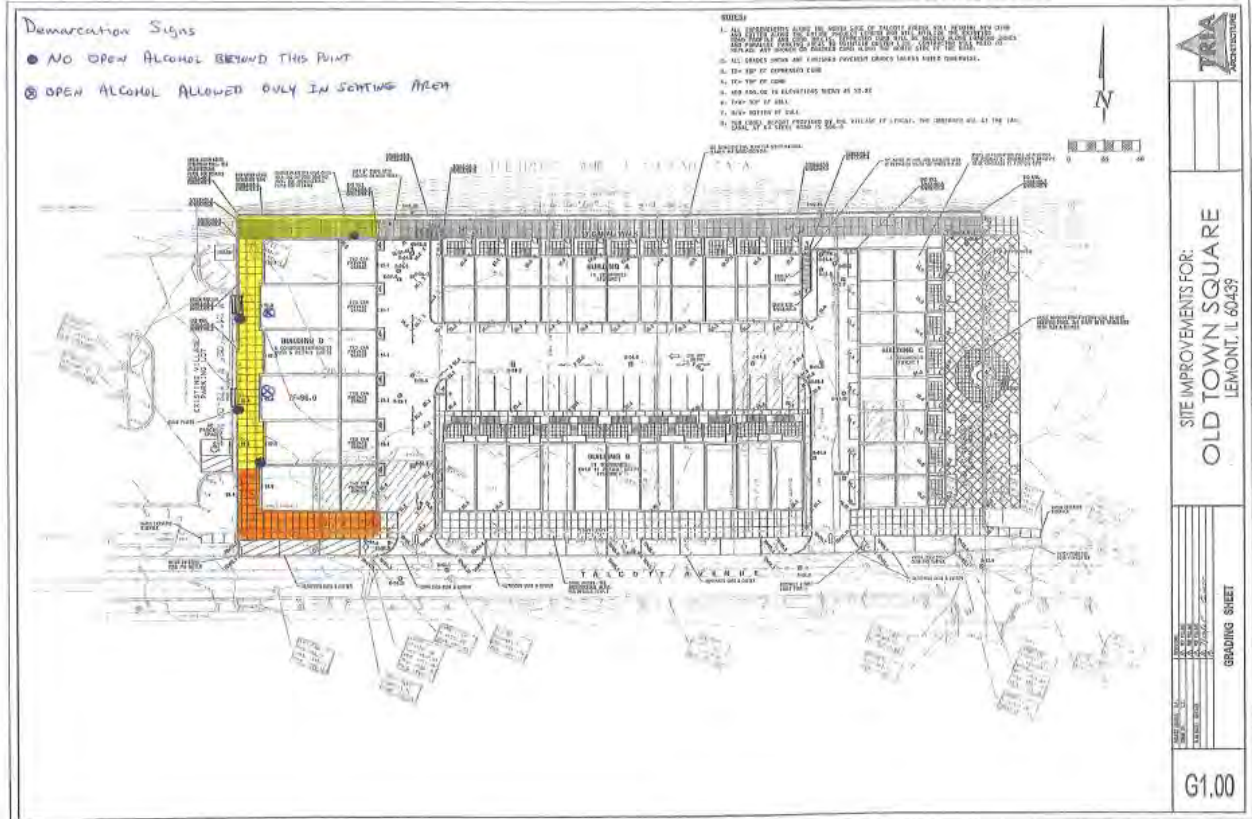
1. Extend the special use area to include the southernmost unit and wrapping around the building on the south end. Allowing the entire area to be available for the special use will allow any future food/drink tenants to incorporate a dining and drinking area provided clearance restrictions are met. See Exhibit A.
2. Limit the drinking and dining seating area to the area in front of tenants (current and future) that provide food and/or drink.
3. Designate the dining and drinking area with markers such as chained bollards, planters and/or signage. Additionally, these markers should be approved by Village staff and used consistently for all tenants (current and future) wishing to establish a dining and drinking area.
4. Incorporate signage at all points of exit indicating that no open alcohol is permitted beyond that point to restrict areas of open alcohol.

ATTACHMENTS

1. Exhibit A
2. Application Materials

Exhibit A

Area Proposed by Applicant = yellow
Area Recommended by Staff = orange



Special Use Application Form

APPLICANT INFORMATION

Applicant Name

Jerry Kulhanek

Company/Organization

507 TALCOTT LLC -

Applicant Address

8525 Kearney Rd Downers Grove IL 60516

Telephone & Fax

773-908-2015

E-mail

JK@bottleslemont.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

Address of Subject Property/Properties

427-443 TALCOTT

Parcel Identification Number of Subject Property/Properties

22-20-405-024-1001, -1002, -1003, -1004, -1005, -1006

Size of Subject Property/Properties

6000 sq ft

DESCRIPTION OF REQUEST

Outdoor Dining and Drinking Area

Brief description of the proposed special use

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: _____

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.

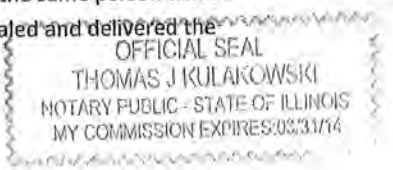
AFFIRMATION

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] Date 3/24/14
Signature of Applicant Date
Illway County Cook
State County

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that Jerry Kulhaneck 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 24th day of March A.D. 20 14.

My commission expires this 31st day of March A.D. 20 14.

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:

The public enjoys sitting outside and many people come down there just because the outdoor seating exists.

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 area has existing boundaries, along with additional signage, that will protect the above. It has been used for this purpose for 4 years already.

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:

It brings people downtown and only brings up the value.

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:

There have not been any excessive demand on
the Village and there will not be.

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:

yes

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 proposed special use is to allow the consumption of food and alcohol along the North and West sidewalk/patio area that is located in front of the retail spaces of 427-443 Talcott. It is currently open to public use and will remain that way. It is also currently being used by patrons of Bottles to enjoy beer and wine. The demarcation of the area, where open alcohol would be allowed for Patrons of Bottles and Pollyanna Brewing Company, would be the existing retaining walls along the parking lot and canal and new signs posted at the stairs and on the buildings at the East and South ends of the area. Signs will also be posted inside the businesses along with the monitoring by employees.



LLC FILE DETAIL REPORT

Entity Name	507 TALCOTT, LLC	File Number	00935093
Status	ACTIVE	On	05/23/2013
Entity Type	LLC	Type of LLC	Domestic
File Date	06/04/2003	Jurisdiction	IL
Agent Name	JERRY KULHANEK	Agent Change Date	05/31/2011
Agent Street Address	8525 KEARNEY RD	Principal Office	8525 KEARNEY DOWNERS GROVE, IL 60516
Agent City	DOWNERS GROVE	Management Type	MBR View
Agent Zip	60516	Duration	12/31/2053
Annual Report Filing Date	00/00/0000	For Year	2014
Series Name	NOT AUTHORIZED TO ESTABLISH SERIES		

[Return to the Search Screen](#)

[Purchase Certificate of Good Standing](#)
(One Certificate per Transaction)

BACK TO CYBERDRIVEILLINOIS.COM HOME PAGE



- Demarcation Signs
- NO OPEN ALCOHOL BEYOND THIS POINT
- OPEN ALCOHOL ALLOWED ONLY IN SERVICE AREAS



- NOTES:**
1. DIMENSIONS ALONG THE NORTH SIDE OF BLDG. AREAS WILL BE SQUARE AND SHALL BE 11,000 SQ FT. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE BUILDING. DIMENSIONS SHALL BE TO THE CENTERLINE OF THE BUILDING. DIMENSIONS SHALL BE TO THE CENTERLINE OF THE BUILDING.
 2. ALL DIMENSIONS SHALL BE FINISHED GRADE UNLESS NOTED OTHERWISE.
 3. 12" TOP OF CONCRETE CURB
 4. 12" TOP OF CURB
 5. 120 500.00 TO EXISTING GRADE AS SHOWN
 6. 1/2" TOP OF SILL
 7. 1/2" TOP OF SILL
 8. 1/2" TOP OF SILL
 9. 1/2" TOP OF SILL
 10. 1/2" TOP OF SILL

G1.00

REVISIONS	DATE	BY	CHKD BY
1. PERMITTED			
2. PERMITTED			
3. PERMITTED			
4. PERMITTED			
5. PERMITTED			
6. PERMITTED			
7. PERMITTED			
8. PERMITTED			
9. PERMITTED			
10. PERMITTED			

SITE IMPROVEMENTS FOR:
OLD TOWN SQUARE
 LEMONT, IL 60439

