



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, January 20, 2016
6:30 p.m.

**Planning and Zoning
Commission**

Anthony Spinelli,
Chairman

Commission Members:
Ryan Kwasneski
David Maher
Jerry McGleam
Jason Sanderson
Matthew Zolecki

**Planning & Economic
Development Department
Staff**

Charity Jones, AICP, Director
Heather Valone, Planner

- I. CALL TO ORDER**
 - A. Pledge of Allegiance**
 - B. Verify Quorum**
 - C. Approval of Minutes November 18, 2015 meeting**
- II. CHAIRMAN'S COMMENTS**
- III. PUBLIC HEARINGS**
 - A. 16-01 Fox Meadows Rezoning and Preliminary PUD** *(continued to February 17, 2016)*
- IV. ACTION ITEMS**
- V. GENERAL DISCUSSION**
 - A. Update from Village Board**
- VI. AUDIENCE PARTICIPATION**
- VII. ADJOURNMENT**

Village of Lemont
Planning and Zoning Commission
Regular Meeting of November 18, 2015

A meeting of the Planning and Zoning Commission for the Village of Lemont was held at 6:30 p.m. on Wednesday, November 18, 2015 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 6:38 p.m. He then led the Pledge of Allegiance.

B. Verify Quorum

Upon roll call the following were:

Present: Maher, McGleam, Sanderson, Zolecki, Spinelli

Absent: Kwasneski

Village Planner Heather Valone, Village Administrator George Schafer, Village Trustee Ron Stapleton, and Village Attorney Bill Raysa were also present.

C. Approval of Minutes for the October 21, 2015 Meeting

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to approve the minutes for the October 21, 2015 meeting with no changes. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

II. CHAIRMAN'S COMMENTS

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

III. PUBLIC HEARINGS

A. 15-14 EQUESTRIAN MEADOWS PRELIMINARY PUD

Chairman Spinelli called for a motion to open Case 15-14.

Commissioner Maher made a motion, seconded by Commissioner Sanderson to open the public hearing for Case 15-14. A voice vote was taken:

Ayes: All
Nays: None
Motion passed

Staff Presentation

Mrs. Valone, Village Planner, said Equestrian Meadows Development Company, owner of the subject property has requested a preliminary planned unit development (PUD) approval for a 34 single-family home subdivision. Staff is recommending approval with conditions. Currently, the property is zoned R-4, single-family residential detached district. The Comprehensive Plan designates this area as conventional neighborhood, which is defined as: "Single-family detached homes with a typical gross density of two to four dwelling units per acre. Most open space will be private yards." This district will have a walkable site design with streets that connect in a logical manner throughout the neighborhood and seamless transitions to adjacent developments.

Mrs. Valone stated the applicant is requesting the following deviations from UDO standards. The UDO requires PUD's with a residential component to include 15% common open space for the benefit of residents within the PUD. The applicant is proposing no common open space. Staff finds the deviation acceptable as each home will have substantial private open space. The Comprehensive Plan indicates that private open space will be primary open space in the conventional neighborhood district. The minimum lot size for R-4 zoned properties is 12,500 square feet, with a minimum lot width of 90 feet, and an interior setback of 15 feet. The applicant is proposing a minimum lot size of 11,070 square feet with a minimum lot width of 85 feet, and an interior side setback of 15 feet. Staff finds the deviation acceptable as the Village has granted similar deviations in consideration for additional design standards and garage restriction in previous PUD's.

Mrs. Valone said the UDO requires that all developments make special effort to preserve trees. The applicant did not submit a tree preservation plan, thus indicating that no trees are proposed to be preserved. Staff finds this deviation unacceptable. The applicant must work to preserve trees where feasible and provide an existing tree survey with the proposed grading plan superimposed, to determine areas where tree preservation can occur. Lastly, the UDO requires 66 feet of Right of way; the applicant is proposing 60, with 27 feet width pavement, and 10.5 foot parkways. Staff finds this deviation acceptable as the UDO contains conflicting requirements for road right of ways. Additionally the proposed 27 foot pavement width, more closely resembles the pavement of Saddlebrook Lane creating a more seamless transition between the existing and proposed roads.

Mrs. Valone stated the proposed development is consistent with the Lemont 2030 Comprehensive Plan designation of Conventional Neighborhood. The proposed density is 2.14 dwelling units per acre, the open spaces are proposed to be private yards, and it provides sidewalks for pedestrian circulation. Its site design logically connects to the existing Saddlebrook Lane and the Carriage Lane/Bell Road intersection. Staff sees no compatibility issues with existing surrounding properties.

Mrs. Valone said the applicant submitted a traffic study for the proposed subdivision to indicate the potential traffic volume increase and directional impacts. The subdivision is expected to generate 34 bi-directional trips during the morning peak hour and 40 bi-directional trips during the evening peak hours. This would be an increase of less than 1% of traffic on Bell Road and less than 2% increase on McCarthy Road. The amount of traffic generated by the proposed subdivision is predicted to have minimal effects on the external road network. The proposed site accesses are adequate to accommodate the expected vehicle trips and the existing traffic on Saddlebrook Lane.

Mrs. Valone stated the Village Arborist has reviewed the proposed plans and comments that an exhibit showing the existing tree locations with the proposed grading is missing as was stated before. The Village arborist finds the applicant's compliance with the UDO standards for parkway and detention pond landscaping satisfactory. The applicant has proposed a logical site design. The detention ponds on the eastern side of the property act as a buffer between the proposed homes and Bell Road. There are only two lots that border the Bell Road right of way. Two points of access are proposed, one from Bell Road that aligns with the Carriage Lane entrance to Equestrian Estates, and a second from the existing Saddlebrook Lane. The application indicates that the two roads in the development will be named Saddlebrook Lane and Carriage Lane. Staff would recommend that Carriage Lane be renamed as the existing Carriage Lane in Equestrian Estates does not wholly align with the proposed road. Staff would also recommend that the east/west portion of the proposed Saddlebrook Lane, generally the road along lots 9-2 and 10-16, be renamed as well.

Mrs. Valone said the applicant has indicated that the single-family homes will comply with UDO residential standards and anti-monotony standards. The applicant has also proposed that all homes will be constructed with masonry on all first floor elevations. In light of the requested reduction in minimum lot widths and sizes, staff additionally proposes the following standards to minimize the appearance of garages within the subdivision. No more than 33% of the homes shall have three-car front loaded garages.

Mrs. Valone stated there is a 1.1 acre existing wetland located partially on the southeast corner of the property and partially on the neighboring property to the south. The applicant submitted a wetland study that delineates the area of wetland on the subject property. The quality of the wetland is not indicated. The preliminary lot layout show two lots, (33 and 34) that are proposed in the wetland area and one lot (32) in the 50 foot wetland buffer area. Army Corps of Engineers (USACE) and MWRD have not reviewed the wetland for jurisdictional determination. The quality of the wetland has not been identified, and ramifications of potentially filling a wetland being located on the boundary between two properties have not been studied. These are several outstanding questions to be answered before the Village could approve a final plat of subdivision for the proposed development. In light of these uncertainties, the applicant has prepared a project phasing plan. Phase one includes lots 1-16 and lots 24-28; it avoids any impacts to the existing wetland and the surrounding 50 foot buffer area. Phase two is the remainder of the development, including the proposed filling of the wetland to accommodate lots 33 and 34.

Mrs. Valone said the application currently before the Planning Commission's consideration is a preliminary PUD. If the Village Board approves the preliminary PUD, the applicant is entitled to proceed with an application for Final PUD approval for the entire development, or Phase One only. If the developer proceeded to construct Phase One only, it still would provide a logical site design. If USACE or MWRD allow the wetland to be filled, the applicant could proceed with final approval for Phase Two. However, if the USACE or MWRD find that the wetland should not be filled, or if the applicant determines that he no longer wishes to fill the wetland in exchange for off-site mitigation, the Village would not approve the Final PUD plan or plat approval for Phase Two as it is currently proposed. The applicant would either need to abandon the development of Phase Two and leave the area as open space or revise the site plan for Phase Two. If the area were left as open space, no additional Village approvals would be needed. If the applicant were to revise the site plan, the revised Phase Two would require a new review for both Preliminary and Final PUD.

Mrs. Valone stated the Village Engineer notes that the proposed slopes of the detention ponds must be reduced to a 4:1 slope rather than the proposed 3:1 slope. As the subdivision will have no homeowner association (HOA) the detention pond will be deeded to the Village after the establishment period. The UDO regulates the detention ponds to be maintained by the Village to have 4:1 slopes, thus the plans will need to be revised. Additionally the Village Engineer notes that the proposed seven foot depth of the detention ponds is unacceptable. The maximum permitted depth is six feet. The engineering plans shall be revised to comply with these requirement.

Mrs. Valone said overall, the proposed development is well designed and complies with most requirements of the UDO; it also conforms to the Conventional Neighborhood district designated by Lemont 2030 Comprehensive Plan. Although the complications of the wetlands will need review from USACE and MWRD, the application is preliminary and it would require the applicant to bring another preliminary PUD application for review if issues related to the wetland caused a future redesign of the subdivision. Therefore, staff recommends approval with the following conditions:

1. The applicant must submit an existing tree survey with the proposed grading superimposed on the tree data to allow for tree preservation review by the Village Arborist. The applicant must also submit a tree preservation plan.
2. The applicant must revise the plans to change the name of Carriage Land and Saddlebrook Lane, as discussed earlier.
3. The applicant will comply with the residential design guidelines as noted earlier.
4. The applicant will revise the grading plans for the detention basins as noted by the Village Engineer.
5. USACE and/or MWRD approval of the proposed wetland disturbance shall be provided prior to approval of the Final PUD plan/plat of Equestrian Meadows Phase Two.

Chairman Spinelli stated in regards to the slopes with the detention basins he thinks in the staff report there were some numbers that were transposed.

Mrs. Valone said the applicant is proposing a 3:1 slope and 4:1 is required.

Chairman Spinelli stated the staff report currently shows the numbers in reverse.

Mrs. Valone said the staff report shows that they are proposing a 4:1 and they would need to comply to a 3:1, which should be reversed.

Chairman Spinelli asked if any of the Commissioners had any questions for staff at this time.

Commissioner McGleam stated that since Castletown Homes is a member of the Development Corporation, he feels obligated to disclose that he purchased his home from Castletown in February of 2011.

Chairman Spinelli asked Commissioner McGleam if he felt if his participation in this case would be swayed one way or another based on his relationship.

Commissioner McGleam said it would have no bearing on his ability to review the facts in a fair and impartial manner.

Chairman Spinelli asked the Village's attorney if there was any objection.

Mr. Raysa, Village Attorney, said there is no objection.

Chairman Spinelli asked if there were any further questions for staff at this time. None responded. He then asked the applicant to come up and make a presentation.

Applicant Presentation

Mathew Kline, Attorney for Equestrian Meadows, introduced the applicants that he was representing. He said they have built numerous houses in Lemont and the surrounding area. They are not the largest builders but they build quality homes. The builders pride themselves on building high quality homes that fit into communities that they build in at a reasonable price.

Mr. Kline stated the subdivision has a very traditional layout. The road Saddlebrook leads to the southwest corner and meets Bell Road at the northeast corner. Detention is provided in the northwest corner and southeast corner. A portion will be built during Phase I and when the wetland issue is resolved the remaining lots will be built.

Mr. Kline said they have been working with the Village of Lemont in regards to this lot for a substantial amount of time. It was part of an annexation agreement in 2010-2011 where the Village will provide sewer and water to the property along Bell Road. The developer is paying a portion of that along with the developer in the southwest corner along McCarthy and Bell. The property to the south of this development was part of that annexation and if in the future that property is developed it would conceivably be connected in southwest corner. If the property to the north gets developed to could potentially get connected by the detention pond in the northwest corner. There are no current plans but there are provisions in place.

Mr. Kline stated the homes that are to be constructed will have surrounding masonry on all four sides of the first floor. Some of the homes will have full front masonry. He then showed pictures on the overhead of what the homes will typically look like. He then asked if the builders wanted to come up and speak in regards to the houses.

Ann Bell, Castletown Homes, said the homes that she has selected for the slide show represent homes that they have had the most success recently in both Krystina Crossing and Mayfair Estates. The homes that have been selling over the past three to four years typically start at 3,100 square feet and go up to 3,600 square feet. They have also been seeing a lot more requests for the craftsman style type of home. She then showed a photo of what that style of home would look like.

Jim Marth, Marth Construction, stated their big issue is the three car garage. Their typical home is between 3,000 and 3,600. They try to incorporate brick covered front porches or turrets. Their homes are very custom so they are not the typical track builder.

Mr. Kline said the homes that they will be building will be tailored to specific customers. There will be some builder selection and some customer selection. In regards to the comment about the detention slope, the existing slope that was provided is 4:1 so they do meet that standard.

Chairman Spinelli stated because the staff report notes the opposite, he wants to make sure that the staff report is corrected so there is no incorrect perception that he can design it at the 3:1.

Mr. Kline said in regards to the garages, these are expensive homes and most of the buyers will have a third car. There are some places where they can do side loaded garages. He feels the restriction that staff has suggested is limiting them to 1/3 of three-car garages. That would fail to meet the customer demand for what people are wanting to see in houses currently. Both builders do heighten ornamentation on the garage doors and that can be increased. He then showed an example on the overhead.

Ms. Bell stated in one of the photos, to try and comply with the request for minimizing three car garages they do have a two car tandem. She then showed on the overhead what that house looked like.

Commissioner Sanderson asked if they are asking only a 1/3 to be three-car garages, which they are saying will not meet the demand, what percentage of houses could have the two-car tandem. The percentage of garage door on the tandem house looks much less than the other home. He asked what are they going to be able to commit to for those tandem type of houses.

Mr. Kline said both builders can do the tandem house but again it is based on customer response and how people live. There are some lots on corners where the garage can face a different direction than the house.

Commissioner McGleam asked if the recommendation was for 33% three-car front loaded garages.

Mrs. Valone stated yes. They can still do either side or tandem.

Commissioner Zolecki asked if they knew how many side load homes they have or how many opportunities.

Mr. Kline said there are five lots that are easy opportunities for it. Both builders built largely to customers, so what house they are going to be build is not chosen until the customer selects it. They are conforming to the UDO and conforming to the anti-monotony concepts, which are going to be met anyways by divergence as to what customers ask for. Until we know what type of home we don't know what the opportunities are to avoid having a three-car garage facing the street. By asking for this you are only limiting the customers because the builders are going to build something anyways. The customers are the ones who want the three-car garages. They ask that the limitation be not included and the builders will make the best effort that they can to minimize three-car garages.

Mr. Marth showed on the overhead another style of home that has a three-car garage. He stated this is what the customers are looking for. If they are not able to have the three-car front loaded garage then they are going to get lower price houses in there.

Chairman Spinelli said they want a quality development. The Commission is not focused on the price of the homes, but rather than the quality. He understands that the market is driving the three-car garages. Staff is recommending a 1/3 and the Commission is taking it under advisement.

Commissioner McGleam asked staff how they arrived at the 33%.

Mrs. Valone stated it is typically what they restricted other developments to. One development that just came through recently was Montefiori. They were restricted to a 1/3 of the three-car front load garages and also restricted them to 50% of the garages to be side load, which is not a requirement in this case.

Commissioner Sanderson asked what was the typical lot size for that subdivision.

Mrs. Valone said they are similar.

Ms. Bell stated they were able to take over Krystina Crossing which was 25 homes, three of the homes out there have side load garages. When driving through there the last thing you notice is how the garages face. She feels it was a popular subdivision with a lot of well-built homes that had a lot of variety. She does not feel that the garages are the most protruding factor. In the Glens of Connemara there were also very few side load garages and the homes stood out based on good quality.

Chairman Spinelli asked if any of the Commissioners had any questions for the applicant at this time.

Commissioner McGleam asked how far along are they with the process with MWRD and Army Corps.

Mr. Kline said they have done a delineation of the wetlands on the site. Before where they have the wetland that they are going to mitigate, the next step is getting the preliminary approval so that they have a design locked into it.

Commissioner Sanderson asked if they are doing that as part of Phase I.

Mr. Kline stated they would be doing it simultaneously. The site plan that they are asking for give them preliminary approval for the entire site. They can't build Phase II until they get the Army Corp approval. If they don't approve and they chose not to pursue then they will have to redesign that portion.

Chairman Spinelli asked if the Army Corp determines that it is jurisdictional and it is high quality, are they prepared to modify their site plan to not disturb that area.

Mr. Kline said there is enough land in the area that is not built because of the phasing. They would not be able to build the same number of lots but they could probable put a cul-de-sac on the south side out of the wetland area.

Chairman Spinelli asked so you are prepared to make modifications based on the Army Corps jurisdiction.

Mr. Marth stated yes.

Mr. Kline said what they have seen so far it does not look like a very high quality wetland. They are expecting favorable action but it may take a while. He then showed an overlay of the site plan to an aerial photo of the site. They have not been able to overlay it on the tree survey that was conducted. The larger area of trees is in the wetland area and at the northwest corner which will be the detention. When you do the construction of streets, sidewalks, utilities, etc. it is going to be difficult to preserve the trees that are on the lots. With the experience of these two developers what they have found is that when they build a house in existing subdivision most of the trees don't survive construction, even the ones that they try and preserve. Both builders typically do what Village's ask for in excess to streetscape landscaping and will provide landscaping on homes, backyard landscaping and some trees. He feels confident that they would be very pleased with the overall site landscaping with the development of the property. He said this would conclude their presentation.

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

Commissioner Maher asked if they were planning on doing mostly custom homes.

Mr. Kline stated there would be custom homes and each developer would build their model first. They would do some homes to their standards, but most homes if they are already started would be modified to customers unless they want one from scratch.

Chairman Spinelli asked if there were any more questions for the applicant. None responded. He then asked if there was anyone in the audience that wanted to come up and speak in regards to this public hearing.

Benjamin Schuster, Attorney with Holland and Knight, said they have been retained by the Village of Palos Park to investigate some of the annexations that the Village of Lemont has been engaging in. In particular one of those annexations being the subject property that is being discussed tonight. Based on their initial reviews of the properties in the annexations it appears that the annexations might have been improper and not compliant with State law.

Mr. Kline stated he understands that this is a public hearing but he does not believe that this is the proper forum.

Chairman Spinelli interrupted and said to Mr. Schuster that this meeting is to hear about the preliminary PUD and not the annexation hearing.

Mr. Schuster stated he understands that.

Chairman Spinelli said if he is objecting to the annexation then it will be noted however we are not discussing the annexation at this point.

Mr. Schuster stated he understands that this process is for the preliminary PUD. They have done their initial review and at this point they have submitted a Freedom of Information Act request to the Village seeking additional documents to further investigate. If the annexation is improper then the Village does not have authority to be moving ahead with the preliminary PUD. What they are asking for at this point is for them to either terminate this proceeding or at least continue it. They are expecting a response to their Freedom of Information Act later this week so they can further look into this. It is important to understand that the Village of Palos Park has some concerns not only because its residents are very close to this PUD and the other properties that are trying to be annexed into the Village. It is also within, if it's the case, that the annexations were not proper and compliant with State law this subject property and others fall within planning jurisdiction of the Village of Palos Park. He then passed out a map that they had concluded with their Freedom of Information Act request that shows the subject property.

Mr. Kline said this should be brought into court or to the Village Board. He is protesting an annexation when this hearing is about a preliminary PUD.

Chairman Spinelli stated he needs to get to point about this preliminary PUD hearing. Again, he said that they are not here for the annexation agreement and they are not taking into consideration their challenges to the annexation agreement at this time. Currently, as far as he is aware, this property is annexed into the Village of Lemont and they are hearing this case regarding a preliminary PUD.

Mr. Schuster said he would conclude that this property is not contiguous and that all they are asking for is to continue this case until they both can further investigate before moving ahead with any decisions that they may make. He thanked the Commission for their time.

Bill Hennessy stated he is a practicing lawyer with law offices in Burr Ridge and Chicago. He is appearing here tonight on behalf of owners of several nearby properties, so he has some standing here. The property that is commonly referred to is Cog Hill collectively and a number of them are within 250 feet of this subject property. He has been unable to secure the documentation via Freedom of Information Act from this Village. Yesterday he had left a letter here for the Director of Community Development and also for the Chairman.

Chairman Spinelli said he received a copy yesterday.

Mr. Hennessy stated he is not going to go into his client's objections in real depth. He is really here to put them on notice that his clients object to all of this. His clients, totaling approximately 1,400 acres are taking their property into the Village of Palos Park, by virtue of what the County has done. This subject property is in unincorporated Cook County and the police power over the property is in the County. He wants to give them notice that a lawsuit is coming and it is a major lawsuit that will involve numerous property owners. It will involve the municipality that has been identified by council and perhaps the County of Cook as well. He is not sure how the subject property can claim to be annexed, and he is not here to litigate that matter. He just wants to let them know what is coming and he would like some co-operation from the Department of Community Development to give him the documentation that he has been looking for.

Chairman Spinelli said he did receive his letter on November 17th. The applicant is not required to provide the information that he has requested prior to the meeting. He has provided the information to staff today, so it is now in their possession. At the time he had requested the information the Village of Lemont did not have possession of those documents.

Mr. Hennessy stated he accepts that. He assumes that the list of addressees he will be receiving as well as the certification as to the accuracy. He said that is really minor stuff compared to the fact that your subject matter, jurisdiction, is highly in question. He thanked the Commission for their time.

Mike Wojcik, 12201 Saddlebrook, said he is here as a concern citizen and not in regards to the annexation. He is concerned about the density of the proposal. The applicant is asking for deviations for open space, lot size, widths, setbacks, road widths and easements. If they were looking for one it would be different, but they are looking for everything to be smaller to fit it in. He suspect that the pictures of homes that they saw tonight were not built on a 85 foot wide lot. If these were bigger lots then there would not be an issue with the three car garages being side load. The wetlands are located right behind his property. His concern is with trying to relocate water and getting it to go somewhere that they want it to go. If they go and fill in the wetland he wants some type of guarantee that it will not flood his property. There is already a lot of accumulation all around there from when it rains and he does not understand how they can guarantee or control where that water is going to go.

Chairman Spinelli stated the developer is waiting on the Army Corp of Engineers determination. Regardless of their determination, the developer has to comply with development codes with the Village and MWRD. Those design guidelines have strict regulations on storm water, wetlands, and development. The developer has to comply with all those regulations. MWRD ordinance covers a lot of municipalities and is very strict. Lemont's codes are stricter than most of the stuff in MWRD.

Mr. Wojcik said he is not sure what someone does if it fails.

Peter Chuchrt, Carriage Lane in Equestrian Estates, said he lives very near the proposed entrance for this development. His concern is that the Carriage Lane entrance off of Bell Road is already very dangerous either way you are going. With the new entrance way across from them it is asking for more problems in this particular area. He had asked if there was any other way that this development could have a different entrance/exit.

Chairman Spinelli stated he has not spoken to the developer regarding this but based on his knowledge of developments, Bell Road is Cook County. Cook County has strict regulations on entrances and the location of entrances. He does not believe that Cook County would allow an entrance onto Bell Road in any other location because it would be more of a conflict. The County will be reviewing this and either approving or denying the application for entrance permit.

Mr. Chuchrt asked if it had to have two entrance points.

Chairman Spinelli stated yes.

Mr. Chuchrt said those lots are less than a quarter acre and they are trying to put a 3,000 square foot house on it. That is going to be too high of density and the developer is trying to maximize their profits. There should be some type of ordinance to have bigger lots for less houses. That would help with a lot of the issues with the Village and the neighbors.

Chairman Spinelli asked if there was anyone else in the audience that wanted to speak in regards to this public hearing. None responded. He then asked if the applicant wanted to make any closing statements.

Mr. Kline stated these are two very good quality builders that they are familiar with the types of homes that they build. They are going to give every effort to build a quality subdivision in Lemont. They have been working with Lemont for over six years and occasionally with Palos Park. They have an annexation agreement with the Village of Lemont and are now seeking preliminary PUD.

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

Commissioner Maher made a motion, seconded by Commissioner Sanderson to close the public hearing for case 15-14. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Plan Commission Discussion

Chairman Spinelli said he would like to discuss the restriction on the three-car garages. He understands it is in reference to front load garages. In his subdivision there was not this restriction, since he has moved in the Village has required windows and other enhancements on garage doors. He does not see the detriment if three-car garages face the roadway. Based on a two-car garage door and a single car garage door you would have approximately 24 feet of garage door. If they build to the maximum possible on the lots, which is 65 feet wide, that is less than 37% of that house space.

Commissioner Zolecki stated that is just the garage door and there is more to a garage door than that.

Chairman Spinelli said the look that they are trying to restrict is that garage door look. The Village has already restricted how far a garage door can protrude in front of the house. He does not have an issue with three-car garages. If the other Commissioners felt strongly about it because it was a front load, he would consider 50% of the homes maximum. His recommendation for the developer is that Lot 2 that is near Bell Road, a corner lot, the driveway location, if facing north, is not a side load. The driveway should access Carriage Lane and not Saddlebrook. His other recommendation would be the roadway pavement widths are too narrow. The ordinance indicates 27 feet of pavement is the narrowest residential street. The drawing currently indicates 27 feet back-to-curb/back-to-curb which only leaves 24 feet of pavement. He has measured his street and it is 27 feet of pavement. He is recommending that the interior streets, Saddlebrook and Carriage Lane, have 27 feet of pavement which is 30 feet of back-to-curb/back-to-curb. The portion of Saddlebrook, between Carriage Lane and Bell Road, should be widen to 33 feet of pavement and 36 back-to-curb/back-to-curb. There is high speed traffic coming off of Bell Road and 24 feet of pavement is too small for that entranceway. He would anticipate Cook County requiring something larger for that.

Commissioner Sanderson stated he struggles with the garage doors. When he looks at the site plan, there are 22 homes in Phase I, there are potentially 6 side load garages that can be done. He understands the concept that these are custom homes and they do not know what the owners are going to want. He said we make the ordinances and staff puts a lot time into the UDO so there are reasons why we have them. He feels Krystina Crossing is a beautiful subdivision and the other homes that they have built in the community are great. They still have an obligation to the community so he feels like there should be something here. He does not mind backing down off of what staff recommended but feels that there should be something in place to still guarantee that this doesn't become market driven.

Chairman Spinelli asked if he would feel comfortable with 50%. That would change it from 11 house to 17.

Discussion continued in regards to percentage.

Commissioner Sanderson said if the six are easy to get then they should make them get them. When he has driven through Krystina Crossing, he would have to agree with the applicant that he has never noticed the garages. At the same time, there are six easy lots that they can choose so he wants to make sure that they pick them. From there it should still be an easy requirement to get. He feels with Phase I no more than 16 houses should be three-car front loaded garages.

Chairman Spinelli stated to make it simply for staff it has to be based on the whole subdivision and not phases. If the wetlands do not change then the site plan has to change and they might be losing lots.

Commissioner Sanderson said his recommendation would be three-car front loaded garages should not exceed 66%.

Commissioner Zolecki stated he agrees that these are good quality homes. Concessions are made on lot sizes and setbacks which are all numbers. If the plans are done smartly then it can be an attribute. He feels that the lot size reduction and setbacks can be fine but putting no restriction on front loaded garages does not seem smart. He feels comfortable increasing it to 50% and possible 66%. If there is no restriction on it then the market is going to drive it and they will all be three-car front loaded garages. If they wanted more than they should have entertained the idea of maintaining the minimum lot sizes.

Commissioner Maher said they should definitely have to do a tree survey with an overlay. If they come back as all bad trees then they could tear them down. He would have preferred to have more trees in his subdivision that were older than the houses. In regards to the three-car garages he is not sure if they should be restricting the builder. He understands that concessions were made, but these houses abide by more of the Lemont's standards than some of the past ones. He is okay with the 66% or he is okay with dropping it.

Commissioner McGleam stated he is in agreement with Commissioner Sanderson's assessment of the percentage. It is always best to go with something more feasible. He would also like to make the comment that he appreciates the fact that the developer provided a traffic study. They do not always get those with the information that they are reviewing. That additional information, a lot of times informs the adjacent neighbors on the amount of additional traffic.

Chairman Spinelli asked if there were any more additional comments or questions. None responded. He then call for a motion for recommendation.

Plan Commission Recommendation

Commissioner Maher made a motion, seconded by Commissioner Sanderson to recommend to the Mayor and Village Board approval of Case 15-14 Equestrian Meadows Preliminary PUD with the following conditions:

1. The applicant must submit an existing tree survey with the proposed grading superimposed on the tree data to allow for tree preservation review by the Village Arborist. The applicant must also submit a tree preservation plan.
2. The applicant must revise the plans to change the name of Carriage Lane and Saddlebrook Lane, generally the east/west portion along lots 9-2 and 10-16.
3. The applicant will comply with the residential design guidelines as noted earlier in the report.
4. The applicant will revise the grading plans for the detention basins as noted by the Village Engineer.
5. USACE and MWRD approval of the proposed wetland disturbance shall be provided prior to approval of the Final PUD plan/plat of Equestrian Meadows Phase Two.
6. No more than 64.7% of the homes shall be three-car front loaded garages.
7. The interior streets, Saddlebrook and Carriage Lane, must have 27 feet of pavement which is 30 feet of back-to-curb/back-to-curb. The portion of Saddlebrook, between Carriage Lane and Bell Road, should be widened to 33 feet of pavement and 36 back-to-curb/back-to-curb.

A roll call vote was taken:

Ayes: Maher, Sanderson, McGleam, Zolecki, Spinelli

Nays: None

Motion Passed

Findings of Fact

Commissioner Maher made a motion, seconded by Commissioner McGleam to authorize the Chairman to approve the Findings of Fact for Case 15-14 as prepared by staff. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

IV. ACTION ITEMS

None

V. GENERAL DISCUSSION

A. Update from Village Board

Mrs. Valone said the Wehn fence variation was discussed at the Committee of the Whole and the Village Board had the same findings as the Commission. It will be coming before the Village Board for approval on November 23rd. She stated 508 Illinois Street was also discussed at the Committee of the Whole but prior to that they needed to comply with the

Commissioner's requirements. They had complied with almost all of the requirements except for the boundary tree. When he had approached the neighboring property owner to determine how they wanted to handle the tree, the neighboring property owner said to just cut it down. The neighbor did not want to be responsible for half of a tree and it is also growing too close to his other two trees that he prefers. The applicant would not comply with that condition, but he will remove the tree and the Village Board was content with that. It will come before the Village Board on December 14th for approval. Staff did reach out to that neighbor to make sure it was amicable and he did state he did not want to be responsible for half of a tree.

VI. AUDIENCE PARTICIPATION

None

VII. ADJOURNMENT

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to adjourn the meeting. A roll call 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: Heather Valone, Village Planner
THUR: Charity Jones, AICP, Planning & Economic Development Director
SUBJECT: Case 16-01 Fox Meadows Preliminary PUD and Rezoning
DATE: January 15, 2016

SUMMARY

Mike Ford of Tempo Development Inc., contract purchaser of the subject property, has requested a rezoning from R-5 Single-Family Attached Residential District to R-4 Single-Family Detached District and a preliminary planned unit development (PUD) approval for a 30 single-family home subdivision. The applicant submitted the application prior to the public notice deadlines; however, two off-site wetlands have been identified, impacting the applicant's proposed lot layout. The 50 ft wetland buffer, required by MWRD for each the two off-site wetlands, encroaches on multiple proposed lots located along the south and east boundaries of the subject property. The applicant is requesting that the hearing be continued to the February 17, 2016 Planning and Zoning Commission meeting to allow him time to redesign the proposed site layout.