

**Village of Lemont**  
**Planning and Zoning Commission**  
Regular Meeting of August 7, 2019

A regular meeting of the Planning and Zoning Commission for the Village of Lemont was held at 6:30 p.m. on Wednesday, August 7, 2019 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 6:37 p.m. He then led the Pledge of Allegiance.

**B. Verify Quorum**

Upon roll call the following were:

Present: Cunningham, Glomp, McGleam, O'Connor, Plahm, Zolecki, Spinelli

Absent: None

Community Development Director Mark Herman and Village Trustee Ron Stapleton were also present.

**C. Approval of Minutes - July 10, 2019 Special Meeting**

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to approve the minutes from the July 10, 2019 special meeting with no changes. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

**II. CHAIRMAN'S COMMENTS**

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

**III. PUBLIC HEARINGS**

**A. 19-05 THE FORGE LEMONT QUARRIES REZONING FOR 14411 –  
14597 MAIN STREET AND PUD AMENDMENT**

Chairman Spinelli called for a motion to open the public hearing.

Commissioner McGleam made a motion, seconded by Commissioner O'Connor to open the public hearing for Case 19-05. A voice vote was taken:

*Ayes: All  
Nays: None  
Motion passed*

### **Staff Presentation**

Mark Herman, Community Development Manager, said the request is for the rezoning of parcels on Main Street. The Forge has been to the Planning and Zoning Commission in May of 2019. At that time they were requesting rezoning, Preliminary PUD Phase II and the Final PUD for Phase I. This was approved by the Village Board on June 10, 2019. With the rezoning there was a request to rezone the property that was owned by the Forge and the Lemont Township to B-4 north of the tracks. The request also included rezoning for B-3 for the Main Street Parcels on the south side of the tracks, but to limit the uses to hotel, restaurant, office/administration and/or indoor recreation facilities.

The current request specifically only pertains to the parcels on Main Street that based on the approval in June currently have B-3 zoning. The current request is to rezone them from the B-3 to B-4 Commercial Recreation District which is consistent with the rest of the rezoning of the Forge project. The rezoning of the parcels is a specific condition of the approval as documented on the Phase II Preliminary PUD approval as approved by the Village Board in June. He showed the subject property on the overhead.

Mr. Herman stated in 2009, the subject property was part of a townhome proposal called Windsor Court where there was a separate annexation agreement and one ordinance that had both a rezoning to the R-5 at the time and Preliminary PUD approval. The annexation agreement to Windsor Court contained a provision that the zoning would revert to R-1 single-family zoning if a Final PUD application was not filed within one year. There were a few extensions that were granted the last was done in 2011 and the zoning reverted back to R-1 on June 13, 2012. At the time, the zoning maps continued to show R-5 zoning.

The purpose of the B-4 zoning is to provide for orderly compatible development of land and maximum recreation potential of the land since the Forge is an outdoor recreation adventure park. There are accessory uses, like a restaurant, for the Forge outdoor recreation. The B-3 zoning is an arterial commercial district, which is meant for the highest intensity of commercial uses. Some examples would be on State Street where we have the Aldi, Jewel and where the Pete's Fresh Market is going. The Forge proposed use does not quite fit the B-3 intent. Staff is suggesting as a part of the conditions of the request, to remove certain B-4 uses that are entirely unrelated to an adventure park use, such as cemetery, garden center and animal uses.

Mr. Herman said staff did look at the LaSalle Factors for the standards for rezoning. The compatibility with the existing use and zoning of nearby property is primarily vacant residential, zoned both medium and high density. The property to the south is

zoned R-5 and developed as Franciscan Village. Property values of the subject property are not diminished by the existing zoning restrictions but will likely increase with a rezoning to B-4 with the additional specific uses. The development of the adventure park will likely increase the property values of all adjacent parcels as it is a unique and attractive development not available in this metropolitan area, region or state.

Another factor is the extent to which the proposed amendment promotes the public health, safety and welfare of the Village. The proposal encourages outdoor activity and physical activities for residents of the Village. The improvement of the adjacent intersection at the corner of Main and Walker with a stoplight will promote safety with better traffic management. The proposal as a whole will promote the welfare of the Village as it will attract visitors from the surrounding region that will then spend time and money in the Village of Lemont.

The Comprehensive Plan designates this area as multi-family midrise. According to the 2030 plan, multi-family midrise (MFM) are larger scale condominium buildings on sites of at least 10 acres. The subject property is less than ten acres and the adjacent properties that are also designated MFM are smaller narrow and are less than ten acres each. Again, the property has sat vacant for at least a minimum of 10 years. Staff feels that MFM would be more appropriate downtown closer to the Metra station.

Mr. Herman stated it is difficult to fully determine the public need for the proposed use without a formalized plan. The B-4 zoning would be consistent with the adventure park. A hotel space could host people coming in from out of town which could possibly be a public need at that time, in addition to other potential uses that would be compatible to the overall outdoor adventure park. The last standard is the thoroughness with which the municipality has planned and zoned its land use. The Comprehensive Plan is used as a guide and the property is zoned, as stated previously, MFM. The property has sat vacant for over 10 years and is only 6.5 acres compared to the recommend 10 acres. The Comprehensive Plan was adopted in 2014 and it would be expected the future land use plan would be in line with the zoning of vacant land in the Village at time of the adoption. Since there was a residential proposal (unbuilt), it is typical to assume it would develop as another residential development in the Comprehensive Plan even if this may not be the most appropriate land use for this site.

In conclusion, the proposed development overall meets and accomplishes many of the goals and objectives of the Lemont 2030 Comprehensive Plan. Pertaining to the rezoning of the Main Street parcels to B-4, the proposed rezoning of the subject property allows for complementary land uses to the entire Forge project. Staff has conditions for approval which are as follow:

1. The B-3 uses of a hotel, restaurant, office/administration building, and/or indoor recreation facilities are allowed on the 6.5 acre Main Street Parcels as part of the rezoning and PUD Amendment.

2. For the 6.5 acre Main Street property at the northwest intersection of Walker and Main, the animal shelter and kennel use, animal grooming and sales, animal veterinarian, garden center use or cemetery on this property, are not allowed as part of the approved Forge PUD.
3. Obtain a Plat of Consolidation for the Main Street parcels to create on B-4 lot.

He said this conclude staff's report. He asked if there were any questions from the Commission.

Chairman Spinelli verified the 6.5 acres was part of the previous approval.

Mr. Herman said that is correct.

Chairman Spinelli asked if a right-of-way dedication for the half road is going to be required on Walker Road going north of Main Street.

Mr. Herman stated the improvements to Walker Road are part of Phase II, which is only a Preliminary PUD at this time. The applicant is working with their engineer and it also involves the railroad with the extension of the crossing. Those specifics would need to be part of the Final PUD.

Chairman Spinelli said when a development comes in adjacent to a public road they would have to dedicate their half of the road to the Village of Lemont. Also, typically the annexation goes through the entire right-of-way, but in this case the right-of-way does not exist. Currently, both owners east and west own up to the center line of the road. He wants to make sure that dedication does happen because this road serves a property north of the tracks.

Mr. Herman said it could be in the annexation agreement from 10 years ago, but they only received preliminary approval and never received the final approval.

Chairman Spinelli stated when this goes to Final Plat there should be a formal dedication for a half road to Walker. The Township has some major issues with this roadway, not structurally, but with the road and the property owner to the north of the tracks.

Commissioner Cunningham asked if the proposed improvements are a special use in the B-4.

Mr. Herman said it is a PUD, which is a special use. They have a PUD which is a special use approval for the outdoor recreation. There is nothing shown on these parcels in the Preliminary Phase II approval. There would need to be follow plans showing those improvements and they would have to go through the process as a PUD amendment.

Commissioner O'Connor said the zoning is currently B-3 which has all the attributes that the applicant is looking for such as hotel and restaurant. He asked why there was the requirement for the B-4 zoning.

Mr. Herman stated the applicant was comfortable with the B-4 zoning as it was proposed. It was a timing issue of getting PUD and the rezoning of the other parcels done. They did not receive a positive recommendation for the B-3 zoning from the Planning and Zoning Commission and the Village Board stated as part of the approval they would have to come back and rezone it to B-4. The B-3 zoning, which has the highest intensity of commercial use, does not fit the purpose. As part of the PUD there are some related uses that aren't listed in the B-4 that the applicant would like to have use of.

Commissioner Zolecki said with the PUD there are going to be conditions of any manner off of any zoning. This is staff working with the developer and finding the most appropriate underlying zoning as a basis with the conditions that staff stated.

Commissioner McGleam asked if in the B-4 was there a height restriction on multiunit buildings.

Mr. Herman stated it is 35 feet in both the B-3 and B-4 zoning.

Commissioner McGleam verified that the applicant is not looking for any variances from the B-4 other than the uses that are provided in B-3.

Mr. Herman said they are comfortable with the B-4 zoning provided that they have those additional uses. Staff suggested that they limit some of the other uses that were found in the B-3 zoning.

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

### **Applicant Presentation**

Jeanette Virgilio, applicant, stated the uses that they intended for this piece fell in between B-3 and B-4. They always wanted to have a restaurant, indoor recreation, and administrative building associated with the park's function. They felt it would be more consistent for the overall zoning for the area to be B-4.

Chairman Spinelli asked if there was any issues regarding his comment about the half dedication of Walker Road.

Mrs. Virgilio said they have no issues and that is their intent.

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

### **Public Comment**

None

Chairman Spinelli called for a motion to close the public hearing.

Commissioner McGleam made a motion, seconded by Commissioner Cunningham to close the public hearing for Case 19-05. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

### **Plan Commission Discussion**

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

### **Plan Commission Recommendation**

Commissioner Zolecki made a motion, seconded by Commissioner McGleam to recommend to the Mayor and Board of Trustees approval of Case 19-05 The Forge Lemont Quarries Rezoning for Parcels at 14411 – 14597 Main Street with staff's conditions listed in staff's report on page 9. A roll call vote was taken:

*Ayes: Zolecki, McGleam, Cunningham, O'Connor, Glomp, Plahm, Spinelli*

*Nays: None*

*Motion passed*

### **Findings of Fact**

Commissioner Glomp made a motion, seconded by Commissioner Cunningham to authorize the Chairman to approve the Findings of Fact for Case 19-05 as prepared by staff. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

## **IV. ACTION ITEMS**

None

## **V. GENERAL DISCUSSION**

Mr. Herman stated the Village Board did approve the Quarry Pub & Grill special use and variations, the Pete's Fresh Market EMC sign and the plat of consolidation for River Street. The next Village Board meeting should have Covington Knolls Phase 8 and Hartz Marble Landing.

## **VI. AUDIENCE PARTICIPATION**

None

## **VII. ADJOURNMENT**

Chairman Spinelli called for a motion to adjourn the meeting.

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

*Ayes: All*

*Nays: None*

*Motion passed*

*Minutes prepared by Peggy Halper*