

Village of Lemont
Planning and Zoning Commission
Regular Meeting of June 20, 2018

A regular meeting of the Planning and Zoning Commission for the Village of Lemont was held at 6:30 p.m. on Wednesday, June 20, 2018 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, McGleam, O'Connor, Zolecki, Spinelli

Absent: Glomp and Plahm

Economic and Community Development Director Jason Berry, Community Development Director, Mark Herman, Consulting Planner Jamie Tate, and Village Trustee Ron Stapleton were also present.

C. Approval of Minutes: May 16, 2018 Meeting

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to approve the minutes from the May 16, 2018 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 everyone in the audience to stand and raise his/her right hand. He then administered the oath.

III. PUBLIC HEARINGS

A. 14-12 Donegal Excavating PUD Amendment

Chairman Spinelli called for a motion to open the public hearing for Case 14-12.

Commissioner McGleam made a motion, seconded by Commissioner Cunningham to open the public hearing for Case 14-12. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Staff Presentation

Jamie Tate, Consulting Planner, said Matt Winders is representing Simon Bradley of Route 83 Properties LLC and Route 83 Properties II LLC, who is requesting an amendment to the approved Donegal Excavating Final PUD and Plat located at 13011 Grant Road. The purpose of the requested PUD amendment is to allow a revised office building design and change to the adjacent employee parking lot. Staff is recommending approval with conditions.

On January 22, 2018 the Village Board approved the PUD and Final Plat of Subdivision that included an office/truck maintenance facility, truck and trailer storage, a concrete batching plant, truck wash and repair building, small contractor's yards, concrete crushing/recycling plant, and a construction and demolition debris recycling (C&DD) facility. They are now requesting to have a one-story building with a basement/lower level rather than a two-story design. The applicant has also stated they will add an architectural masonry knee-wall that was not found on the previous building. The revised building is 18,535 square feet (sf) and the previously approved building was 13,842 sf. There is also a reduction of 10 parking stalls on the northeast side of the building. Staff does not have any concerns with parking since the UDO does not address minimum parking stalls for industrial properties. The building still requires the same UDO exceptions that were granted with the original PUD.

Mrs. Tate stated with the new proposed design, the materials include a mix of hardy board, natural stone and EIFS with a standing seam metal roof over the truck repair bay area and an architectural profile asphalt shingle roof over the office portion of the building. The applicant has stated they are exploring doing a precast concrete area for the repair shop as well. There are a large row of windows in the office section of the building and architectural wall lights on all elevations of the proposed building. While EIFS is discouraged, the amount and location of the proposed EIFS on this particular building is acceptable.

This still requires the same departures that were approved in the original PUD, which is the zero foot lot line. The applicant is proposing to remove the part of the building that currently goes over the right-of-way on Grant Road. She showed on the overhead the new proposed building. There were no comments from Engineering or Fire regarding the change in building design or the reduction of the parking stalls. Staff is recommending approval with the one condition for adding the masonry knee wall on the building. The applicant is also present this evening to answer any questions.

Chairman Spinelli asked if they are using any of the existing foundation.

Mrs. Tate said she did not look at the foundation plans, but the applicant can answer that question.

Chairman Spinelli stated they were granted a zero lot line, but when this new building comes in any footings have to be placed outside of the right-of-way so the building cannot be at zero. He then asked if any of the Commissioners had any questions for staff. None responded. He then asked the applicant to come up and speak.

Applicant Presentation

Matt Winders, representing the applicant, said they are planning on demolition the building completely. The reason the office is being redesigned is because after the PUD was approved and they received the demo permit from the County and Village they looked at the block wall and it is not in good shape. It would be unsafe to rebuild on top of it. The existing building and that block wall will be completely demolished and a new foundation will be put in.

Chairman Spinelli stated the staff report should then be revised since it is not a remodel and they are not using any part of that structure. If this is approved they need to make sure any part of the building including the footing needs to be outside of that right-of-way.

Mr. Winders said he understands.

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 public hearing.

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. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Plan Commission Discussion

None

Plan Commission Recommendation

Chairman Spinelli said if there is no further discussion he would then call for a recommendation.

Commissioner Zolecki made a motion, seconded by Commissioner McGleam to recommend to the Mayor and Board of Trustees approval of Case 14-12 Donegal Excavating PUD Amendment with staff's recommendation and the additional condition:

1. Provide a masonry knee wall on the truck repair portion of the building.
2. Verification that none of the building and/or subsurface do not extend into the right-of-way with the zero lot line.

A roll call vote was taken:

Ayes: Zolecki, McGleam, Cunningham, O'Connor, Spinelli

Nays: None

Motion passed

Findings of Fact

Commissioner McGleam made a motion, seconded by Commissioner Cunningham to authorize the Chairman to approve the Findings of Fact for Case 14-12 as prepared by staff. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

B. 18-01 Unified Development Ordinance Text Amendments

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

Commissioner McGleam made a motion, seconded by Commissioner Cunningham to open the public hearing for Case 18-01. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Staff Presentation

Jamie Tate, Consulting Planner, said this is a continuation from the meeting last month. Staff is proposing some text amendments to the UDO to address the provisions related to industrial standards, dock side crew sleeping quarters in the canal overlay district, and residential front and rear lot coverage. Clarifications of the residential street width requirements and updates to resolve text conflicts are also proposed. Additionally, there have been updates for architectural standards for two-family or duplex subdivisions.

Staff looked at the Permitted and Special Use Table and they removed heavy equipment sales or service from the commercial district and just focused them on manufacturing districts. In Industrial Regulations, they want to create a more orderly and safe developments and have added some additional requirements. When making the recommendation, she asked that there be a condition added that she had left out when writing the staff report. The word permanent needs to be added to the Enclosure of Operations. It shall read that all businesses servicing and processing shall be conducted within a completely enclosed permanent building and structures.

Mrs. Tate said the only change from last month in regards to Dockside Crew Sleeping Quarters is she did remove the guest requirement from the UDO. Instead they are letting the businesses handle that on their own. For the residential street pavement width they are going to remove the text and diagram conflict. The asterisk has been removed in the table and they added a definition for pavement width. She asked if there were any questions in regards to the pavement width. None responded.

In regards to the two-family design standards what staff changed was they removed the similarity clarifying section which was not applicable. Nothing changed with lot coverage from their discussion last month. Staff did add a definition for residential walkways to the definition section, she then read the definition. Lastly, a reference was added to single-family home which states to see single-family dwelling unit. On Page 8 of the staff report, under Projection, Obstruction or Accessory Use with Limitations, they added a section for children's playhouses and/or treehouses with maximum size and setbacks. Staff has had some inquiries and they want to be sure that it is clear in there.

Mark Herman, Community Development Manager, stated they are having it mirror sheds. It would be allowed in the rear and side yards but not in the front yard.

Chairman Spinelli asked if there was a definition for permanent structure.

Mr. Berry, Community Development Director, said there is a definition for temporary. He then read the definition.

Chairman Spinelli stated staff might want to clarify a length of time for temporary structures. That way they don't end up with a temporary structure up for extended amount of time, such as 10 years. He then asked in regards to pavement, do they allow rural or non-curb roadways.

Mr. Berry said they do not allow non-curb roadways.

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

Public Comment

Jeanette Daubaras asked if there was something in writing about these changes.

Chairman Spinelli said the entire agenda along with all the changes are posted online.

Ms. Daubaras stated she spent 20 minutes trying to find it this evening. She asked if the packet could be provided on the table for the public. The website needs to be more user friendly so the public can find this information easily.

Chairman Spinelli said the packet this evening is over 200 pages which would be a lot to print. Staff can show her how to find the packet online.

Mr. Herman stated last month when they had discussed these UDO amendments there was a new residential zoning proposed and that is not on the agenda for tonight's public hearing. However, it will be on the agenda for July.

Chairman Spinelli asked if there was anyone else who wanted to speak in regards to this public hearing. None responded. He then called for a motion to close the public hearing.

Commissioner McGleam made a motion, seconded by Commission Zolecki to close the public hearing for Case 18-01. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Plan Commissioner Discussion

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

Plan Commission Recommendation

Commissioner McGleam made a motion, seconded by Commissioner Cunningham to recommend to the Mayor and Board of Trustees approval of Case 18-01 Unified Development Ordinance Text Amendments with the following additions:

1. Add the word permanent to Enclosure of Operations.
2. Under Residential Street Pavement Width add definition for pavement width.
3. Add reference to single-family home definition to see single-family dwelling.

A roll call vote was taken:

Ayes: McGleam, Cunningham, Zolecki, O'Connor, Spinelli

Nays: None

Motion passed

Findings of Fact

Commissioner McGleam made a motion, seconded by Commissioner Cunningham to authorize the Chairman to approve the Findings of Fact for Case 18-01 as prepared by staff. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

IV. ACTION ITEMS

A. 17-08 Hartz Marble Landing Final PUD/Plat

Mrs. Tate said on September 11, 2017 the Village of Lemont approved a preliminary plat/plan for a 22 single-family attached dwelling unit and 22 single –family detached dwelling unit residential planned unit development. The attached residential portion is zoned R-5 and the detached residential portion is zoned R-4. The development is located between 127th Street and Archer Avenue.

There were some UDO exceptions that were in the preliminary plat and PUD. They were reduction in lot sizes, setbacks, and minimum lot widths. The side setbacks for the single-family detached range from 8 to 10 feet and are staggered. The lot area for single-family detached ranges from 10,226 sf to 11,009 sf. The lot width for single-family detached is 80 feet and rear setbacks for attached residential units are 25 feet. The lot sizes for attached residential range from 9,925 sf to 10,566 sf.

Mrs. Tate stated the preliminary PUD/Plat approval indicated the following conditions for final PUD/Plat approval. The applicant had to submit the following plans: subdivision plat plans, final engineering plan, landscaping plan, and tree preservation plan. There were specific conditions to the entire development and all single-family units. She then read those conditions which are listed in staff's report on page two and three.

On June 8, 2018, Thomas McSherry of Hartz Construction Company, Inc. submitted an application for PUD Final Plat/Plan approval as the owner of the subject property. No changes were proposed to the preliminary PUD plans. The site plan is consistent with the approved preliminary PUD; however, there were some changes that have occurred after the PZC's review in July 2017. The applicant has incorporated a walking path on Outlots 34 and 36 and a flower garden with benches on Outlot 36. A sidewalk has been provided along a portion of Archer Avenue. The applicant's Ecologist has been working with the Army Core of Engineers since fall of 2017 and expect the permit very soon once mitigation has been finalized.

Mrs. Tate said the Village Engineer has reviewed the plans and provided comments. Due to the depth of the sanitary sewer required to access the Keepataw Trails Lift Station, and due to its proximity to the existing petroleum pipeline, this method of sewage disposal is not feasible or practical. The plan now shows a new lift station to be constructed to serve this subdivision as well as the capacity to serve an additional

330 single-family residences to the south of 131st Street. The water main loop is being requested by the Water Department and Engineer to be looped off of Archer rather than 128th Street. The Fire Marshal had no comments and was satisfied with the plans.

In regards to landscaping, there has been additional landscaping along the walking path and bench area. The Village Ecologist has indicated that the final plans generally look good but there are a few outstanding issues. A note has been added to the Tree Preservation plan that tree preservation work will comply with Village code. The Village Arborist comments are to provide an as-built landscape plan, update the plant list to show the proper caliper and heights for the proposed plants and address the old path/driveway area between 127th Street and 128th Street with a clean-up and maintenance plan. Both the Ecologist and Arborist comments are listed in staff's report.

Mrs. Tate stated there are three different detached single-family home models and two of the models have multiple variations. She then read the anti-monotony standards that apply for the models. All single-family detached home models are proposed with three car garages. The garages have a protrusion to break up the front and they will not protrude more than 10 feet. The proposed home will have masonry from the grade to the top of the first story on all elevations. There are three single-family detached models and one proposed duplex models. Staff is recommending approval with the following conditions:

1. Finish the process and obtain a 404 permit for any impacts to any jurisdictional wetlands or other environmentally sensitive areas, if necessary.
2. Address any additional outstanding issues as noted by the Village Arborist, Village Engineer, and Village Ecologist.

Chairman Spinelli asked how much time did the Village Engineer had to review the plans.

Mrs. Tate said he did not have that much time.

Chairman Spinelli stated the subdivision's Final Plat is missing numerous dimensions. Specifically, the north right-of-way limit on Lot 39 which is adjacent to 128th Street is not defined. The shading for the proposed pipeline easement obscures numbers and you cannot read them, so the shading should be removed or lightened. It is also not defined in the north/south direction where the pipeline easement is at. Every single sideline lot dimension for Lots 1 through 22 is obscured by the easement line, so they need to be broken out so you can read those dimensions. The south lot line of Lots 1 and 22 are missing a dimension. Plan sheet C-6, the drawing seems to be missing a vertical curve at the point where Marble Street intersects with Archer Avenue. The Lift Station Drawing on sheet C-11 indicates a Lift Station for Winfield, Indiana.

Commissioner Cunningham asked in regards to the Lift Station, it states it is capable for 330 residents south of 131st Street, so is that for any current residents.

Mr. Berry said that is for potential residents.

Chairman Spinelli asked if there were any further questions from the Commission for staff. None responded. He then asked if the applicant wanted to come up and speak.

Applicant Presentation

Tom McSherry, Hartz Construction, stated they stayed substantially compliant with what they were looking to do with the preliminary. They did try to go with gravity sewer for this but it would end up being 12 feet away from the BP pipeline.

Chairman Spinelli asked if they were going to be able to comply with the Water Department and Village Engineer.

Mr. McSherry said they are exploring it. They are working with the Village Engineer. They are concerned about the water pressure so they have to take a good look at that.

Commissioner McGleam asked what is their engineer's opinion in regards to this.

Mr. McSherry stated this was brought to them about a week ago so their engineer is still doing calculations on this.

Chairman Spinelli asked if there were any further questions for the applicant from the Commission. None responded. He then called for a motion for recommendation.

Plan Commission Recommendation

Commissioner Cunningham made a motion, seconded by Commissioner McGleam to recommend to the Mayor and Board of Trustees approval of Hartz Marble Landing Final PUD/Plat with the following conditions from staff:

1. Finish the process and obtain a 404 permit for any impacts to any jurisdictional wetlands or other environmentally sensitive areas, if necessary.
2. Address any additional outstanding issues as noted by the Village Arborist, Village Engineer, and Village Ecologist.

A roll call vote was taken:

Ayes: Cunningham, McGleam, Zolecki, O'Connor, Spinelli

Nays: None

Motion passed

V. GENERAL DISCUSSION

None

VI. AUDIENCE PARTICIPATION

None

VII. ADJOURNMENT

Chairman Spinelli called for a motion to adjourn the meeting.

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

Ayes: All

Nays: None

Motion passed

Minutes prepared by Peggy Halper