

Village of Lemont
Planning and Zoning Commission
Regular Meeting of September 20, 2017

A meeting of the Planning and Zoning Commission for the Village of Lemont was held at 6:30 p.m. on Wednesday, September 20, 2017 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: Cunningham, Forzley, McGleam, Plahm, Zolecki, Spinelli

Absent: Glomp

Community Development Director, Jason Berry and Village Trustee Ron Stapleton were also present.

C. Approval of Minutes – July 19, 2017

Commissioner Forzley made a motion, seconded by Commissioner McGleam to approve the minutes from the July 19, 2017 meeting with no changes. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

II. CHAIRMAN'S COMMENTS

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

III. PUBLIC HEARINGS

A. 17-11 - 15976 132ND Street Annexation and Rezoning

Chairman Spinelli called for a motion to open the public hearing for Case 17-11.

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to open the public hearing for Case 17-11. A voice vote was taken:

*Ayes: All
Nays: None
Motion passed*

Staff Presentation

Jason Berry, Community Development Director, the applicant is requesting to annex into the Village of Lemont and rezone to R-4 Single-Family Detached Residential District. He showed an aerial view of the parcel on the overhead. The parcel is located at the end of 132nd Street with Eagle Ridge subdivision to the north. The parcel is currently zoned R-4 in Cook County. All of Eagle Ridge is zoned R-4. The subject property is a very large site with over two acres.

When a property is annexed into Lemont it is annexed in at R-1, so it is not uncommon for the petitioner to request a rezoning. The lot is much larger than the requirements for an R-4 lot. The concern for the R-1 lot for the petitioner is the side yard setbacks. If he remained at an R-1 then there would be 50 foot front yard and 50 foot side yard. So 100 feet of buildable area would be lost on both sides of the lot. The rear yard is irrelevant since the lot is so deep. There are three recommendations in the staff report. This would conclude staff's presentation.

Chairman Spinelli asked if the applicant was asking for any variances from the R-4.

Mr. Berry stated no they are not. The purpose for the rezoning to the R-4 is so when construction starts variations would not be required.

Chairman Spinelli asked if the Commission had any questions for staff at this time. None responded. He then asked if the applicant wanted to make a presentation.

Applicant Presentation

Johns Antonopoulos, attorney for the applicant, said the applicant purchased the lot about a year ago. The lot is long and narrow. They could build in the county but they would like to build in the Village to get sewer and water. They are willing to meet the setbacks from the easement line and dedicate whatever is necessary on the other side. Someone had posted on Facebook saying that the applicant was planning on building ten houses on this lot. He had contacted that person to clarify to them that they were only building one single-family home. He and the applicant are present tonight to answer any questions the Commission might have.

Chairman Spinelli asked if this was one single lot of record and that they are proposing to only build one single-family home on the lot.

Mr. Antonopoulos stated that is correct.

Chairman Spinelli said he would like to clarify for the record the front yard setback. The R-4 allows a 25 foot front yard setback. However, this parcel has a 33 foot access easement across the north portion which is right against the public right-of-way and that allows for access to the parcel to the east. This was also stated as part of the engineer's review. So he is recommending that the 25 foot front yard setback be measured from the easement line which would then restrict this lot to have a 58 foot front yard setback. He asked if the applicant and the attorney are in agreement with this.

Mr. Antonopoulos stated they are in agreement with that.

Chairman Spinelli said there is a strange configuration with the right-of-way with this location. North of the parcel there is a 66 foot public right-of way. Then immediately west of the parcel there is a 66 foot right-of-way which does not offset. He is asking the applicant to dedicate a 33 foot by 33 foot corner clip and create a plat dedication to the public right-of-way to allow for a smoother transition once the sidewalk gets installed.

Mr. Antonopoulos stated they are in agreement.

Chairman Spinelli asked if he received a copy of the staff report with regard to the written compliance of the installation of the sidewalk. He feels the language for the parkway is a little confusing and feels that he can make it work with the addition of the right-of-way dedication and the access easement.

Mr. Antonopoulos said they will do whatever is required by the UDO.

Chairman Spinelli asked if there were any further question from the Commission for the applicant. None responded.

Public Comment

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

Commissioner Cunningham made a motion, seconded by Commission Zolecki to close the public hearing for Case #17-11. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Plan Commission Discussion

Chairman Spinelli requested that whoever makes a motion that they indicate the front yard setback be at a 58 feet as proposed to the 25 foot setback that is required for the

R-4 zoning, also, to require right-of-way dedication at the northwest corner of the parcel. He 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 Zolecki made a motion, seconded by Commissioner McGleam to recommend to the Mayor and Board of Trustees approval of Case 17-11 15976 132nd Street Annexation and Rezoning with the following conditions:

1. Confirm, in writing, that they will comply with the required installation of sidewalk and parkway per UDO 17.26.110 and 17.26.120 at time of building permit.
2. Confirm, in writing, that they will comply with the require installation of parkway trees per UDO table 17.20-01 at time of building permit.
3. All outstanding comments from the Village Engineer must be addressed prior to final approval.
4. The front yard setback will be 58 feet.
5. A right-of-way dedication, as deemed appropriate, will be placed at the northwest corner of the parcel.

A roll call vote was taken:

Ayes: Zolecki, McGleam, Cunningham, Forzley, Plahm, Spinelli

Nays: None

Motion passed

IV. ACTION ITEMS

None

V. GENERAL DISCUSSION

A. Update from Village Board

Mr. Berry said the Village Board had a discussion at the COW regarding the Mayfair Subdivision, adjacent to Rolling Meadows, and it will be turned over to the Village.

Commissioner McGleam asked if there was anything on the Hartz development.

Mr. Berry stated it was approved at the Village Board. They didn't accept the recommendation to change the single-family unit count, so it stays with 22 single-family homes. They are proposing alternating ten foot setbacks. So lot one would have eight foot side yard setbacks and then lot two would have ten foot side yard setbacks and so on. This will be on both sides of the road. The case that Hartz made to the Board was that they would be looking to build ranch style homes with three-car garages which would require a wider foot print then something that was a two-story. There was a lot of debate in regards to side yard setbacks. One of the Trustees

requested that staff start looking into what other communities are requiring for side yard setbacks.

Commissioner Cunningham said he has not been on the Commission that long but it has always been referenced to what other subdivisions have received. So it is hard to know whether to go by what is required or what has been set by precedence.

Discussion continued in regards to side yard setbacks.

Chairman Spinelli stated he has a couple of concerns with the Hartz project and changing the setbacks. One is from a permitting standpoint, that whoever reviews this has to pay attention to detail. Since he has been on the Commission there has been very thorough plan reviews regarding complying too these PUD's. Along with the side yard setbacks, they have to be careful about utility easements. These easements need to be wider because the side yard setbacks only apply to the exposed foundation. When you have a spread footing that sticks out another 18 inches beyond that foundation with a 7.5 foot side yard and your easement is at a 7.5 foot your footing is in this utility trench. Those utility trenches act like French drains and their sump pumps will run nonstop. If there is a utility easement then the setback should be 15 or 20 feet and you don't get those smaller setbacks with those easements. All of this needs to be considered when adjusting these side yard setbacks.

Commissioner Forzley asked if that will be coming back to the Commission.

Mr. Berry said it will come back for Final PUD.

Chairman Spinelli explained it changed before the Village Board and that is what got approved. When they come back before the Commission and if they substantially comply with what the Village Board approved, then they have to approve it.

Commissioner Forzley stated he went through Krystyna Crossing and there are 26 homes. With the new subdivision having 22 homes and 11 duplexes there will be about 88 cars going through that entrance. That subdivision will be the only subdivision that will not have direct access to 127th Street.

Trustee Stapleton said there is access to Archer Avenue.

Discussion continued in regards to the traffic on 127th Street with Krystyna Crossing and the new proposed Hartz subdivision.

Mr. and Mrs. Revor walked into the meeting.

Chairman Spinelli explained to them that if they were coming for the public hearing for Case 17-11, it had already been heard and approved. He explained to them that it was for one single-family home, it was recommended for approval, and it will now go before the Committee of the Whole. He then gave them the date of that meeting.

Chairman Spinelli asked if there were any updates for the fence on Wend Street.

Mr. Berry said the contractor had come in this week to pull the permit to move it back. He stated New Horizon is possibly looking to rezone the Jurinek property from Commercial to R-4 single-family.

Discussion continued in regards to the Jurinek property and tollway property.

VI. AUDIENCE PARTICIPATION

None

VII. ADJOURNMENT

Chairman Spinelli called for a motion to adjourn the meeting.

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

Ayes: All

Nays: None

Motion passed

Minutes prepared by Peggy Halper