

**Village of Lemont**  
**Planning and Zoning Commission**  
Regular Meeting of August 19, 2015

A meeting of the Planning and Zoning Commission for the Village of Lemont was held at 6:30 p.m. on Wednesday, August 19, 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 6:35 p.m. He then led the Pledge of Allegiance.

**B. Verify Quorum**

Upon roll call the following were:

Present: Arendziak, Maher, Sanderson, Zolecki, Spinelli

Absent: Kwasneski and McGleam

Planning and Economic Development Director Charity Jones, Village Planner Heather Milway, and Village Trustee Ron Stapleton were also present.

**C. Approval of Minutes from July 15, 2015 Meeting**

Commissioner Maher made a motion, seconded by Commissioner Sanderson to approve the minutes for the July 15, 2015 meeting with no changes. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

**II. CHAIRMAN'S COMMENTS**

Chairman Spinelli introduced and welcomed Matt Zolecki as a new Commissioner to the Planning and Zoning Board.

**III. PUBLIC HEARINGS**

**A. 15-11 Dunkin Donuts Final PUD and Rezoning**

Chairman Spinelli called for a motion to open Case 15-11.

Commissioner Maher made a motion, seconded by Commissioner Sanderson to open the public hearing for Case 15-11. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

### **Staff Presentation**

Ms. Milway, Village Planner, stated Eric Carlson, architect for Birch Hill Realty Inc., is the contract purchaser of the subject property. He is requesting Final Planned Unit Development (PUD) approval and zoning classification change from B-1 Office/Retail Transitional District to B-3 Arterial Commercial District. The purpose of the requested zoning entitlements is to allow construction of a drive-thru Dunkin Donuts at 15629 127<sup>th</sup> Street. The site is currently occupied by an optical clinic. The existing structure is a single-family home with detached garage that was converted into a clinic. The building now is functionally obsolete for future commercial uses.

Ms. Milway said prior to submitting a formal application, the applicant submitted plans to the Technical Review Committee on July 6<sup>th</sup>. At that time, the applicant presented a concept plan to develop the southern portion of the property for a drive-thru Dunkin Donuts and sell the northern portion to another party. The TRC raised concerns over building design, lot coverage, sidewalks, and landscaping. Staff also raised concerns over the proposed exterior material of EIFS and cement fiber board siding. Following the TRC, the applicant redesigned the building and altered the proposed exterior building materials. It now includes 75% brick on the front façade, 60-64% on the side elevations, and 65% on rear elevation. The submittal also reflects use of the entire side and incorporates stormwater detention that will be placed in the northern section of the site.

Ms. Milway stated the Comprehensive Plan designates this area as Community Retail Use. The proposed redevelopment is a drive-thru convenience-oriented establishment. The site plan does allow for cross access, enabling the PUD to be incorporated into a larger commercial development that better accommodates the community retail future land use than the existing optical clinic. The developed properties to the north and west are a Firestone Auto Repair to the west and Lemont Express Car Wash to the north. The property to the south is the Jewel-Osco Plaza. The property to the east is vacant after the removal and remediation of a gas station. The property to the northeast is a real estate office; however, the property is likely to develop in the near future to a retail use. The proposed drive-thru Dunkin Donuts would add to the commercial area and is a more appropriate use than the existing optical clinic. Staff sees no concerns with compatibility.

Ms. Milway said the site is proposed to be accessed from 127<sup>th</sup> Street. The site is expected to generate more traffic than the existing optical clinic; however, the existing location of the Dunkin Donuts is in the Chipain's Plaza. The shift in traffic is likely insufficient to require any type of street improvement. Additionally the surrounding

existing uses generate a high volume of traffic and the addition of the Dunkin Donuts would not unreasonably increase traffic in the area. The site is designed to allow for cross access to future developments to the north and east. Staff recommends that the applicant develop dedicated easements for both access points to facilitate the use between sites in the future. The easements will need to be added to the final site plan before the final subdivision and sale.

Ms. Milway stated the Village Arborist has reviewed the proposed plans and comments that the tree survey was not submitted and recommends that one needs to be submitted. From his visit to the site, he had noted that many of the trees in the southern portion of the site are in poor condition or ash trees and will have to be removed. The northern portion of the site may contain trees that are worth preserving; however without an existing tree survey it cannot be determined if tree preservation is warranted. Additionally the landscaping plans submitted by the applicant, although deficient from UDO standards, are acceptable due to the fact that the amount of landscaping is sufficient when considering maintenance of the site. Staff also finds the reduction in plantings acceptable in light of the fact that the proposed building materials exceed the UDO requirements for commercial buildings, that the inclusion of cross access points and dedicated easements and dedicated detention easements for the northern portion of the property will be added in the future. The Village Arborist supports the reduced landscaping request for the site with some conditions such as spacing of plants and plant types that he outlined in his detailed comments.

Ms. Milway said as stated before the proposed building exceeds the minimum amount of masonry requirements and has been substantially improved since the initial submittal. In light of these improvements, the proposed signage on the building with the exception of the signage proposed on the east side of the building is found to be acceptable by staff. She showed on the overhead the proposed signage on the front façade of the building. The proposed signage on the front elevation already exceeds the allowable signage area of 33.8 square feet by 2.3 feet. The additional east side wall sign (shown on the overhead) would increase the total wall signage area to 58.52 square feet which is 73% more than the UDO would allow. Additionally the UDO does not allow wall signs placed on a building elevation that does not face a public or private street. Staff recommends that the proposed coffee cup sign on the east side be removed. The Village Engineer and the Fire Marshal both reviewed the plans and approved the plans.

Ms. Milway stated overall, the proposed development is well designed and complies with most of the UDO requirements. The PUD proposes building materials for all elevations and it exceeds the UDO requirements for commercial buildings. Though the site will have less landscaping which will make the building more visible from a highly trafficked intersection, the appearance of the building will be more appealing. The PUD includes cross access areas for future developments to the north and east allowing for a well designed traffic circulation pattern for customers to enter and exit all three sites in the future. Lastly, the PUD indicates that the northern section of the site will be sold to provide the subject property and the site to the northeast with stormwater

detention facilities and landscaping. Based on the proximity to other B-3 properties and consistency with the Comprehensive Plan, staff is recommending approval of the rezoning request to B-3. Additionally, staff recommends approval of the Final PUD with the following six conditions:

1. The east side elevation sign shall be removed from the plans.
2. Provide an existing tree survey to determine whether existing trees meet standards for preservation or mitigation.
3. Stripe a walkway from the north side of the building through the drive-thru area to the trash enclosure.
4. Provide dedicated easements for the cross access points on the east and north sides of the property.
5. Provide dedicated easements for detention and open space in the northern portion of the property.
6. Address the Village Arborist's comments, specifically the concerns list in comment #8.

Ms. Milway then showed overhead pictures of the existing clinic and then the new proposed development.

Commissioner Sanderson asked if the height of the building complies with the B-3 zoning.

Mrs. Jones, Planning and Economic Development Director, stated yes it does comply.

Commissioner Maher had asked what the variance was for landscaping.

Ms. Milway said the landscaped required for the parkway and the buffering of the parking lot is deficient by about two and half plant units. Village Code requires a very high standard and this site is fairly compact without using the northern portion. The lot kind of precludes you from putting any more trees on the lot. Putting more trees in would cause further issues with spacing and in the winter the salt and snow removal would damage the trees.

Commissioner Maher asked if the landscaping in the front would be consistent with the code.

Ms. Milway stated a normal landscape unit is a series of canopy trees, shrubs, grasses and ornamental trees. Around the entire site it is deficient by two and a half plant units. She said what you see depicted is what they are proposing.

Commissioner Maher asked what is the reason for not asking them to add more trees in the back.

Ms. Milway said if you placed more trees there you would kill them off with the snow removal.

Commissioner Maher asked if the code was based on the lots square footage.

Mrs. Jones stated not for landscape requirements. Perimeter parking lot landscaping is based on the perimeter distance of the parking lot so it is per linear foot. There are other requirements for landscape islands which there is also a deviation from the code.

Commissioner Maher asked about the signs in the front exceeding the sign ordinance.

Ms. Milway said the signs in the front exceed what they would allow by two feet and three inches.

Commissioner Maher asked if staff was asking them to change to the signage in the front.

Ms. Milway stated not the front but only the sign on the side.

Commissioner Maher asked what was the logic for not changing the front signage.

Ms. Milway said they added additional building material of brick which is above what they usually require.

Commissioner Sanderson asked what was being done with the parking lot islands.

Ms. Milway stated there is one bump out island when you first enter the site. Then there is another one by the east side cross access point. Those two are considered islands but those are the only two. So they are deficient by 231 square feet of interior landscape islands. The code requires per space that you have 35 square feet and they have 18 spaces.

Chairman Spinelli asked if the 18 parking spaces meets code.

Ms. Milway said it does meet code.

Chairman Spinelli stated his concern is the entrance coming off of 127<sup>th</sup> Street. The radius on the curb island is too narrow. AASHTO (American Association of State Highway Transportation Officials) designed vehicles require a 14 ½ foot radius for a passenger vehicle and a garbage truck needs at least a 28 foot radius. Just looking at a passenger vehicle it could not make this turn without impacting a car going west on the south side of the building. He said he would like to eliminate one stall and he realizes it would bring them below code but it would open up that entrance and allow easier movement for a car turning into the parking lot. The Village Engineer needs to look at this and evaluate it. Chairman Spinelli stated the architectural plans indicate that the monument sign is on the east side of the entrance although the civil plans show it on the west side. He feels it should be on the west side like the civil plans show and that needs to be clarified. He asked if staff could clarify how they measure the monument sign.

Ms. Milway said the monument sign is a maximum of 64 square feet and it has a maximum height of eight feet.

Mrs. Jones stated for the square foot requirement only the sign area is counted, so only the portion that has a message on it.

Chairman Spinelli said these dimension provide 96 square feet per side if you count the brick columns. He stated it looks nice but it seems large for the ordinance. The north property line can be moved right now to wherever they need it to be moved. The trash enclosure is right on that lot line and he feels it needs to be adjusted. He also asked that the Village Arborist verify that all the plants at the entrance are low growth plants. There should not be anything that can grow to four feet tall just in case they do not get maintained.

Commissioner Zolecki said it was previously stated that the intersection has a high volume of traffic, which he agrees. There was some comparisons made to the existing Dunkin Donuts in the Chipain's Plaza and also related to existing businesses like Firestone. He asked if there was any other traffic studies done or requested. With the comparison the existing Dunkin Donuts does not have a drive-thru and the Firestone does not have the opportunity for an acute high point of traffic.

Mrs. Jones stated a traffic study was not required.

Commissioner Zolecki said the left turning lane on 127<sup>th</sup> does fill up very quickly during a week day. He feels it could be solved with a right turn only sign.

Chairman Spinelli stated 127<sup>th</sup> Street is County jurisdiction. He asked if the applicant is going to be required to notify Cook County because of the usage change for a new entrance permit.

Mrs. Jones said yes they will. She stated the reason for mentioning the Dunkin Donuts in the Chipain's Plaza, is because it is that business that is moving to this new location. She does understand that there is a difference because of the drive-thru.

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

### **Applicant Presentation**

Eric Carlson, ECA Architects, said staff did a nice job of explaining their development. He showed an aerial view of the subject site. The broker has been in discussions with another realtor to purchase the adjacent site as well as their northern site. That is why they have divided the property line and they are just developing the front half. Because they are screened from the west and the drive-thru is on the west it is not really evident that there is a drive-thru so that is why they are requesting the sign on the front façade.

Mr. Carlson showed the site plan on the overhead and stated the civil engineering drawing is the correct drawing. After reviewing with staff, they had added a sidewalk and had modified that area and it must not have been updated on the architectural plans.

Chairman Spinelli said the access from the north side of the building appears to be for employees only. It is currently drawn on the northwest side but the civil plans show it coming off of the northeast side.

Mr. Carlson said that did get moved also.

Chairman Spinelli stated the Fire Department wanted a second ingress/egress for people. He asked if the applicant had any conversations with the Fire Department regarding that. He does not see a second entrance on either plan for the public.

Ms. Milway asked if there was a door on the north side and then one coming from the outdoor seating area.

Mr. Carlson said they do not have one but if that is a requirement then they will. The occupant load per code does not require two so that would be a recommendation by the Fire Department. He stated they do have the ability to add one along the east side.

Chairman Spinelli stated he is not making that suggestion or a requirement but if it is a suggestion from the Fire Department then they will look heavily at it. He asked staff to talk with the Fire Department to see what they are looking for. He is not sure if they did not see the employee service door or if they were looking at other plans.

Mr. Carlson said they did remove that cup logo on the east side. In regards to the main building signs Dunkin Donuts has three sizes of the cup and Dunkin Donut text. He thinks that is the smallest size but he is not 100% sure and he will look into it.

Commissioner Maher asked where the speaker was for the menu board.

Mr. Carlson showed on the overhead where it will be located. In regards to increasing the radius and eliminating a parking space, if requested and approved they would be in favor of that as well. It is tighter than they would ideally like but they were trying to make the parking spaces work. He showed on the overhead the detention area on the north lot. The detention is designed for their lot as well as provisions for this area being considered impervious or at least a high portion of it for future development to the adjacent east properties. When the adjacent property gets subdivided the detention will get reconfigured based on whatever their layout is. The cross access easement will be recorded as part of that sale and that will allow for that to happen as long as the size meets both needs. Fortunately, they are trying to take a guess at that right now but that might get changed down the road. It is a fairly simple detention system and flow to that detention area is fairly flexible.

Chairman Spinelli asked if they are proposing to subdivide into two lots at this time or is that a future lot line being shown.

Mr. Carlson said it is a future lot line.

Mrs. Jones stated they are not subdividing at this time. They are just trying to configure the lot in such a way to anticipate future developments on the other two parcels.

Mr. Carlson said a big part of the discussion was how they can make this lot developable independently but with consideration for the corner lot and the other lot being developable. When they are conformed to all the standards like landscaping the lots get shrunk down and they become undevelopable. Working with staff they had upgraded the building materials and upgraded some features on the building as a trade off for the landscaping and signage.

Commissioner Zolecki stated he sees that staff has requested that the applicant demonstrate sufficient screening of roof top equipment. He said in the architectural and civil plan there is no equipment being shown and asked if the applicant can discuss this.

Mr. Carlson said the parapet is designed such that the roof top unit will be completely screened and will not project past the parapets. The parapets will be acting as a screen.

Commissioner Sanderson stated so the top of the unit will not be higher than the top of the parapet.

Mr. Carlson said he believes that is what the ordinance is and they will comply with that. He then showed on the overhead a survey that the arborist had done, just a quick sketch, of some of the planting material or trees that are out there. Most of them are Mulberry and Ash trees that will need to be taken out. The north end of the lot will be surveyed at the request of the arborist and get those trees identified. If they need to make any modifications to the detention to save any of the trees then they will try their best and work with engineering and the arborist to do so.

Mr. Carlson stated in regards to the conditions, the east side elevation sign has been removed. The tree survey they will take care of and they do not have any issues with providing a stripe walkway path. They will follow through with the dedicated easements for the cross access points. The easements for the detention are obviously something they will create more in terms of the sale of that future property. In regards to the arborist's comments, most of them are straight forward. There was a question in terms of the plantings along the west drive aisle and the proximity of the gas line. The gas line on the civil engineering is along the curved line and the property line; therefore it could be a challenge. What they will do is move that gas line underneath the pavement and keep it out of the way.

Chairman Spinelli asked if it was a main line.



Mr. Carlson said it was a service line for the building. Item C in the arborist's notes was in reference to some evergreens that would be planted in areas that it would soon out grow. Their landscape architect and the arborist will continue to discuss that, but right now the talk is to provide a different type of species of evergreen. Item F is who is going to implement the protocols for establishing the seeding in the north half and who will maintain it. The owner of the Dunkin Donuts will maintain that area. The whole north half of the property will be number three seeded with some native plantings around there. He stated he is happy to answer any questions that the Commission might have.

Chairman Spinelli asked if staff knew what the square footage was for the drive thru sign on the front façade.

Mr. Carlson said it was about five square feet.

Ms. Milway stated the Dunkin Donuts sign and coffee cup (on the façade) by itself does not exceed the allowable limit it is the combination of the Dunkin Donuts sign and coffee cup and the drive-thru sign.

Chairman Spinelli said it is obvious that Dunkin Donuts is going to want their cup and the sign. They would like the drive-thru notification. The drive-thru sign can be removed from the front façade and added to the bottom of the monument sign. That would be more visible to vehicle traffic than a bubble up on a wall. If that is done then there is no longer a variance needed for a wall signage. He stated it would be a recommendation of his.

Mr. Carlson stated it is possible, but his only concern would be landscaping and parkway trees. This is a quick road and the monument sign is kind of tucked back.

Chairman Spinelli said the Firestone sign is about the same size as their sign. That is also why he mentioned that he wanted to make sure all the plantings around the sign were low growing plants so the sign is never covered. The trees are going to grow and will not block the sign.

Commissioner Maher stated he feels that there is no need for a variance on the wall sign. If there is a smaller cup and Dunkin Donuts then that is acceptable or move the drive-thru sign to the monument sign. In regards to the turn radius and garbage being right on the property line, why can't the property be set back a little. He asked if the property owner would be willing to shift the site to get a proper turn radius.

Chairman Spinelli said you do not have to shift the whole site. They are willing to lose one parking stall. If the Commissioners did not want to grant a variance for one parking stall then there is the opportunity to add one parking stall to the north end.

Commissioner Maher stated that is his point that there is plenty of room on this property for an extra parking stall.

Mrs. Jones said the line is a conceptual line at this point however it matches up to the property to the east. There are two different parcels to the east and even though they may get developed together there is a chance that they may not. The reason for the points of access and the potential line are set where they are is so they can match to the existing boundaries of the other two properties.

Commissioner Sanderson asked if someone only buys the Century 21 property what does it do to this back lot.

Mrs. Jones stated if someone buys the Century 21 lot and the north half of subject site then it are set up very well. The other half of the landscape island goes on the north piece because right now they only have half of a landscape island.

Chairman Spinelli asked if this lot was going to be detention for all three lots.

Mrs. Jones said yes.

Chairman Spinelli stated then they could move that lot line five feet or ten feet and it won't matter because the entire north half will be reserved for detention when the lots to the east develop.

Mrs. Jones said the entire north half will not be all detention because there will be circulation that will service the rest of the development.

Chairman Spinelli asked based on the concept plans that staff has seen what percentage is Dunkin Donuts not improving on this north half. He asked how much would be circulation and how much would be detention.

Commissioner Sanderson stated they are making decisions that they can't irreversibly change. He feels they should meet as many design requirements as possible now because you can't go back and change those later. They have all this land and nobody knows what is going to go there so there is no hardship. To him the signage is not that big of a deal and would like to see the business succeed. However, when there is an issue with a radius and this lot is huge that is a problem.

Discussion continued in regards to the challenges with developing the other lots and how it affects the subject site.

Commissioner Maher said the real issue is the front turn radius. They are squeezing this business up to the front of the lot when they have two feet in the back.

Mrs. Jones stated she would not recommend shifting the building. She feels it lines up well with the Firestone. If the Commission is concerned about losing the one parking

space she would then recommend that they add an additional parking space on the north side. When the rest of the site develops they could then lose the parking space.

Chairman Spinelli said the bottom line is that the north property line is not there yet and it is not being created with this development. He could understand staff and the applicant's intent on trying to line this up nicely behind the realtor property. However, if this lot is just being used for circulation and detention a shifted lot line by ten or six feet is not going to make a difference. There is going to be an L shaped property no matter what you do. When they re-subdivide and consolidate those two lots into one lot it would become one lot.

Mrs. Jones stated there are scenarios where the CITGO lot develops separately from the Century 21 lot. These three pieces are most likely going to be tied together by detention and they are trying to work on the circulation. It is very possible that these three lots can be owned by three separate owners.

Chairman Spinelli said even if Century 21 property is not developed with CITGO you can still have off-set lot line behind the Dunkin Donuts to achieve that detention area. He understands why staff was doing it but he does not understand the need to do it because lot lines are shifted all the time. Whoever buys the Century 21 lot and the detention lots are going to have to do a plat of consolidation. If the code calls for 18 stalls then just add on to the north end and adjust the lot line when it gets developed.

Chairman Spinelli asked if there were any more questions for the applicant.

Commissioner Sanderson asked if the other lots get developed this north lot would come back so it can get coordinated on how the detention is going to work.

Mrs. Jones stated this is a PUD so the plans for this specific development are being approved. When the site changes the PUD will have to be amended.

Commissioner Sanderson asked if the downspouts on the side of the building are tied into stormwater.

Mr. Carlson said if it is not there then yes it would, otherwise it would drain into the drive-thru and that would be a mess. In regards to Chairman Spinelli's comments, he agrees that this is an arbitrary line and they could move the one stall to the north end. He asked if in the future the north lot gets purchased they would then amend the PUD and ask to lose that one space.

Chairman Spinelli stated or it could be within an ingress/egress easement on the lot you sell so the stall remains.

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

## **Public Comment**

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

Bob Olsick, owner of Century 21, said it is his understanding that it would be one developer purchasing his property and the CITGO. He is not sure how it will affect the detention area. He is hoping it will be coming to a conclusion in the next few weeks.

Chairman Spinelli asked if anyone else wanted to come up and speak in regards to this public hearing. None responded. He then asked if the applicant wanted to make any closing comments.

Mr. Carlson stated he wanted to comment regarding the drive thru sign on the front façade. He knows in general that the building signage is more visible than the monument sign. That sign is going to be visible and the drive-thru is very important for the success of this business. The visibility of that heading north is going to be important and better to have.

Commissioner Maher asked if the Commissioners were okay with the landscaping.

Commissioner Sanderson said he did not have a problem with the landscaping.

Chairman Spinelli 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 15-11. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

## **Plan Commission Discussion**

Chairman Spinelli stated he had three recommendations to be considered by the Commissioners. One is to revise the south entrance to allow for easier vehicle turning movements and moving the lost stall to the north end of the parking lot. Secondly staff's third recommendation for striping the walkway for employee access, he would not recommend that because it is not a public walkway.

Mrs. Jones said it does provide safety for the pedestrian that has to walk across whether that person is an employee or not.

Ms. Milway stated the UDO does require it.

Chairman Spinelli said the access from the building is on the east side. There is not a direct route from the building to the trash enclosure. The third recommendation would be that the architectural site plan needs to be corrected to reflect the proposed conditions shown in the civil plans. If the applicant is willing to adjust the entrance on the south side for vehicle access then that needs to be shown also so there is no confusion when they pull a building permit.

Commissioner Maher stated he feels they should not have a variance to meet the sign requirements on the front. They can have both signs as long as they meet the requirement, so that might mean they have a smaller sign over the door. He feels Dunkin Donuts has a sign to meet the requirements. The Village's sign requirements are not unique compared to other municipalities.

Commissioner Zolecki said he supports the recommendation of moving the imaginary line back to reconfigure the space in the front. He understands that the traffic concerns will be reviewed but he strongly supports having a right turn only sign. Also, he would recommend making sure the roof top units are not higher than the parapet. In regard to signage he would like clarification that the signs on the front are their smallest size before granting a variance.

Commissioner Maher stated this is a recommendation. If they go back and confirm that this is the smallest size, then go before the Village Board and ask for the variance then that should be accepted. His concern is that our code is relatively standard for municipalities and Dunkin Donuts has 2,000 to 3,000 restaurants so there has to be a standard size sign that meets our requirements.

Commissioner Arendziak said she would like to see the widening of the entrance and the right turn only as a requirement. She feels it would drastically help traffic from not backing up right there.

Chairman Spinelli asked if the entrance is changing from where it is currently located.

Mrs. Jones stated it is not.

Commissioner Zolecki said he feels it is the acute access in the mornings. It is not only the distance to the corner but the left turn lane which is already backed up in the morning.

Commissioner Sanderson stated the signage is debatable. He feels the 2 feet is not a big deal and feels that everyone in town is going to know that there is a drive-thru there. All the landscape issues he is okay with. He asked what the issue is with the sidewalk not going to the west.

Ms. Milway said the full access sidewalk would guide people to walk towards the drive-thru. By not allowing that and keeping plantings there it would keep pedestrians from entering the drive-thru area specifically where the pick-up area is.

Chairman Spinelli stated once the civil plan is changed and updated to address the vehicle movements and the swapping of the parking stall that also needs to be reflected in the architectural plans.

Ms. Milway showed on the overhead where the sidewalk was located that Commissioner Sanderson was talking about.

Commissioner Maher said in many drive-thru operations they are having people pull up and park so to keep the drive-thru going. Without having that sidewalk it forces their staff to go out into the parking lot. He asked if this has been addressed as to whether they were going to allow for people to pull up and wait.

Ms. Milway stated it seems it will not be that way.

Discussion continued as to whether the change of the radius will help the Fire Department with access to the site.

Commissioner Maher said before someone makes a motion he would like to get the opinion of all the Commissioners in regards to the right turn only.

Commissioner Sanderson stated he feels it will be a bigger concern for him when you are talking about the corner lots. He is not concerned with this lot.

Chairman Spinelli said he is not concerned either. The access is County jurisdiction and the County will have to approve this access point. At this stage, this is their only access and restricting them to a right only would be detrimental to this business. If and when the corner lot gets developed and they have access to the Dunkin Donuts property, he would envision that Cook County would shut down that CITGO entrance on 127<sup>th</sup>. This would force them to use the Dunking Donuts entrance.

Commissioner Zolecki stated it could always be removed later and feels strongly about this recommendation. This could help the business from that one person waiting to turn left and is backing up the drive-thru.

Commissioner Arendziak said she gets stuck on that corner everyday and can't see another point of entry for that left turning lane. She would like to see more control in that area.

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

### **Plan Commission Recommendation**

Commissioner Maher made a motion, seconded by Commissioner Arendziak to recommend to the Mayor and Village Board approval of Case 15-11 Dunkin Donuts Final PUD and Rezoning with the following conditions:

1. The east side elevation sign shall be removed from the plans.
2. Provide an existing tree survey to determine whether existing trees meet standards for preservation or mitigation.
3. Provide dedicated easements for the cross access points on the east and north sides of the property.
4. Provide dedicated easements for detention and open space in the northern portion of the property.
5. Addressing the Village Arborist comments, specifically the concerns list in the comment #8.
6. Revise south entrance to improve the turn radius and maintain 18 parking spaces.
7. The architectural site plan should be corrected to reflect proposed conditions shown on the civil plan.
8. Reduce wall signage to meet Village standards.
9. The roof top units should not be higher than the parapets.
10. Provide a right turn only sign for traffic exiting the site.

A roll call vote was taken:

*Ayes: Maher, Arendziak, Zolecki, Sanderson, Spinelli*

*Nays:*

*Motion passed*

Commissioner Maher made a motion, seconded by Commissioner Zolecki to authorize the Chairman to approve the Findings of Fact for Case 15-11 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**

Ms. Milway said the Lemont Nursing did go before the Committee of the Whole (COW). The COW felt the same way about the landscaping so they were given an extension to put the landscaping in and work out some of the drainage issues. They were schedule for August 10<sup>th</sup> but had asked to be moved to the 24<sup>th</sup>.

Mrs. Jones stated they are now looking at September. It took them a long time to coordinate a meeting on the property with the neighbors about the drainage issues.

That meeting did not happen till August 10<sup>th</sup>. Now their engineer has come up with some revised plans that will address some of the pre-existing drainage issues. Lemont Nursing was not impacting the site but they will be improving.

Commissioner McGleam entered the meeting at 8:10 p.m.

Ms. Milway said 508 Illinois Street went before the COW and they had corrected their slopes which are still being reviewed by the Village Engineer. It is scheduled to go before the Village Board on the 24<sup>th</sup> and they were supportive of the second design that the Commission had seen.

Ms. Milway stated the 15800 New Avenue Rezoning and La Dolce Vita was approved. The UDO amendments went before the COW and they had similar ideas for the driveway. However, they did ask to remove the limit on the number of accessory buildings. They just want to allow the 36% rear yard coverage to control how many you can have.

Ms. Milway said the applicant for the Estates of Montefiori did comply with most of the recommendations. The emergency access will not come up from Main Street but rather from Archer Avenue. They are also still looking at their final engineering but they did get preliminary approval contingent that they correct their engineering. They did propose to preserve a number of trees in the areas that staff and the PZC required. Staff will make sure that gets put on their final landscape plans. They are still deciding on whether they want to give up lot 50 or not.

Chairman Spinelli asked if they corrected the first intersection.

Ms. Milway stated yes.

Chairman Spinelli asked if the north detention was going to be given to the Park District.

Mrs. Jones said the north detention area would belong to the Village and the two west detention areas will belong to the townhome HOA.

Chairman Spinelli stated there is a concern by the Park District about Kettering. They know what they have, but they do not like the narrow access.

Mrs. Jones said that will be addressed next month. They are coming in for an amendment to the PUD so they can widen the access for the Park District in exchange for converting 17 of the large lots to 19 medium lots.

Discussion continued in regards to access to detention ponds.

## **VI. AUDIENCE PARTICIPATION**



None

**VII. ADJOURMENT**

Commissioner Maher 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*