

**Village of Lemont**  
**Planning and Zoning Commission**  
Regular Meeting of July 17, 2013

A meeting of the Planning and Zoning Commission of the Village of Lemont was held at 6:30 p.m. on Wednesday, July 17, 2013 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: Kwasneski, Maher, McGleam, Messer, Sanderson, Sullivan, Spinelli

Absent: None

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

**C. Approval of Minutes: June 19, 2013 Meeting**

Commissioner Maher made a motion, seconded by Commissioner McGleam to approve the minutes from the June 19, 2013 meeting with one change:

1. Under Action Items, change Chairman Schubert to Chairman Spinelli.

A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

**II. CHAIRMAN'S COMMENTS**

Chairman Spinelli stated there are two items on the agenda this evening. He welcomed Mrs. Jones back to the Village. He then asked the audience to stand and raise his/her right hand. He then administered the oath.

**III. ACTION ITEMS**

**A. CASE 13-06 – ST. PATRICK PARKING LOT AT 217 CASS STREET**

A public hearing for special use for a parking lot in a residential zone.

Chairman Spinelli called for a motion to open Case 13-06.

Commissioner Kwasneski made a motion, seconded by Commissioner McGleam to open the public hearing for Case 13-06. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

Mrs. Jones stated this is a special use application from St. Patrick's Church for a parking lot. She said the Church received a Certificate of Appropriateness to demolish the existing home on the lot. She stated there was also a Unified Development Ordinance text amendment to allow for parking lots in residential districts when it is not on the same zoning lot as the principal use to which the parking lot is serving. Mrs. Jones said this is the last step where they have to apply for a special use for the parking lot.

Mrs. Jones stated in the staff report there were a few comments regarding landscaping. She said she wants to update the Commission Board on a few things that has occurred since the staff report was distributed. She stated they did receive a letter from the owner of 215 Cass, which is the property immediately adjacent. Mrs. Jones said it stated they did not have any objections with the proposed special use request. She stated they had received a revised parking lot layout, which shows a little bit of the landscaping. She said it addresses some of the landscaping concerns that were raised in the staff report.

Mrs. Jones said the Public Works Director, after seeing the staff report, noted that he and Trustee Blatzer had discussed the need for repaving of the alley behind this proposed lot. She stated it would be from the proposed lot east to Lemont Street. She said the alley is in bad shape and this parking lot would access on and off the alleyway. Mrs. Jones stated the area around the Church has already been repaved. She said he is recommending that it be a condition of approval, for the alleyway to be repaved, for the special use.

Commissioner Maher asked if this was the Church's responsibility.

Mrs. Jones stated it is a reasonable condition to place on a special use request because of the access onto and off of the alley. She said if they were not accessing the alley then no. She stated just like with a commercial project that would generate a lot of traffic, they might require a turn lane or intersection improvements. She said this is the same thing.

Commissioner Maher asked if the alley was Village property and would the Village plow that alley.

Mrs. Jones said yes the Village does own the property and they would plow the alley.

Commissioner Sanderson asked if there were any impact fees.

Mrs. Jones stated no. She said she mentioned the Commission received a revised plan for the parking lot. She stated they rearranged some of the proposed parking and reduced the number of parking spaces to accommodate for some landscaping. Mrs. Jones said they did accommodate all of the landscaping that was requested for the perimeter. She stated they did not account for any interior landscaping that is required per Village code. She said the remaining issues are the interior parking lot landscaping, which is needed. Mrs. Jones stated a recommendation could be that they have 12 stalls on the left side currently, and staff would recommend that be reduced to ten. She said they could then put the landscape islands there to meet the required code. A certain square footage of landscaping is required per parking space. She stated by removing two parking spaces and adding two landscape islands that would satisfy the requirement of the code. Any deviation from that would necessitate a variation and staff does not want them to have to go through that process again.

Chairman Spinelli asked if staff was specifying where the landscaped islands are supposed to go. He asked if they could put them at the north and south end so they can have continuous parking stalls.

Mrs. Jones said it is supposed to be interior to the parking lot. She stated it would be nice if one of them would be inside the parking lot.

Chairman Spinelli stated he would like to get the first stall on the south end farther away from the sidewalk.

Mrs. Jones said that is fine, but it would be nice to have one island to break up the parking lot.

Commissioner McGleam stated his biggest concern about the layout is the location of the southern stalls in relation to the adjacent property. He asked what the current setback was from the sidewalk.

Mrs. Jones stated that it does not specify, but what was in the staff report was a request for six feet. She said the interior parking lot landscaping is a requirement of the zoning and not necessarily a requirement for the special use approval. She stated what staff would request is a condition for the special use approval that where they show shrubs they would be required to plant large shrubs. Mrs. Jones said the reason why is because they would be of a sufficient height to block the headlights. She stated this would be anywhere their property butts up against another residential property. She said it would be along the south side and the west side of the property.

Chairman Spinelli asked what the traffic flow would be for the property.

Mrs. Jones stated they might have to have people directing cars for the stadium style parking.

Chairman Spinelli said if the traffic flow is suppose to be from north to south, then the landscaping along the south end of the parking lot needs to be lower for site-line for pedestrians.

Mrs. Jones stated she feels they should be higher to block the residents across the street. However, there should be a clearance on both sides of the drive aisle so there is room for someone to see a pedestrian.

Chairman Spinelli said you are not going to be able to screen the vehicles completely. He stated if you want to help the residents to the south, then the traffic flow should be to the north.

Mrs. Jones stated that can be a question for the applicant and can be a condition for the special use approval. She said headlights are typically 22 inches from the ground. So if the shrubs are at 24 inches when planted that should help hide some of that lighting.

Commissioner Messer asked if there was a grading plan.

Mrs. Jones stated no.

Commissioner Sullivan said the shrubs will not be in the driveway, but the headlights are in the driveway. He stated if the traffic went north to south then the landscaping is not going to help with the headlights.

Commissioner Sanderson asked at what point would they have to do a site plan.

Mrs. Jones said they will have to apply for a site development permit at which point they would have to do full engineering. She stated they will have to show full compliance for the storm water management regulations, which is currently not shown on the concept plan. She said they would also be required to do a full landscape plan that will show species, sizes and location.

Commissioner Sanderson asked if they would see that.

Mrs. Jones stated no. She said this is the special use approval and the site plan approval is done at staff level.

Commissioner McGleam asked how many stalls are currently shown on this plan.

Mrs. Jones stated the new plan shows 33 stalls, but with the interior landscape accounted for it would be reduced to 31 stalls. She said that is including the stadium parking.

Commissioner McGleam stated his suggestion with the interior landscaping would be to increase the setback to the south. He said his big concern is there is parking that is

south of the adjacent properties. He stated that the owner at 215 Cass is going to look out his window at cars.

Mrs. Jones said which he is okay with according to his letter. She stated she does see his point and that can be a condition of the special use that the interior landscaping requirement be met at the south end of the parking lot.

Chairman Spinelli asked if there was anything else from staff.

Mrs. Jones stated the applicant revised the illumination as well to comply with what was written in the staff report.

Commissioner McGleam said there was a mention in the staff report about bioswales for drainage.

Mrs. Jones said it could be a possibility rather than traditional requirements.

Commissioner McGleam stated he felt that it would not be a good idea for a small property like this.

Mrs. Jones said it would depend on what they plan on doing with their storm water management.

Chairman Spinelli asked if the applicant would like to come up and make a presentation.

Larry Oskielunas, Chairperson for the Master Planning for St. Patrick's Parish, stated that this was not an engineering drawing and that it is a conceptual drawing. He said when he got the document from Jim Brown they revised it to show the landscaping and lighting. He stated the interior landscaping is not shown, but they would gladly comply.

Mr. Oskielunas stated they have about 46 parking spaces in the other lot, so anything in the 30 range is a bonus for them. He said one concern with the height of the shrubs is the view for police driving by. They will not be able to see into the lot when patrolling.

Commissioner Messer asked if they had an issue with a dedicated entrance and exit.

Mr. Oskielunas stated either direction, whichever they preferred.

Commissioner Maher asked how often they expect this lot to be used.

Mr. Oskielunas said there are two services they have now that is really crowded. He stated the Sunday evening mass at 5 p.m. and the 10 a.m. mass on Sundays.

Mrs. Jones stated there was also a mention that it might be able to provide some parking when they are having events in the other parking lot.

Mr. Oskielunas stated that was correct.

Mrs. Jones said the demand for parking has been demonstrated by the church through photos and previous presentations.

Mr. Oskielunas stated he can show them to the Commission again. He said they show how the alley is blocked which creates a problem for emergency vehicles getting through.

Chairman Spinelli asked if they had posted any signs asking to keep the alleyway open, which was mentioned at the previous meeting.

Mr. Oskielunas said they had talked about making them and posting them, but even with the warnings that they posted in Church and announcements, it did not help.

Commissioner Messer asked if the alley was one direction.

Mr. Oskielunas said it was not marked, but it is wide enough for two cars to get through.

Commissioner Messer asked if there was a designated walking path in the alley.

Mr. Oskielunas stated no.

Commissioner Messer asked if there was a designated walking path and the alley was only one way does he think that would help from having people parking in the alley.

Mr. Oskielunas stated he does not think it will help. He feels people would park on the sidewalk or path. He said it would not alleviate the benefit of having a second parking lot. He stated they currently do use Metra and Markiewicz Funeral Home for additional parking currently. He said Metra is too far away and not safe for their parishioners to walk from. If Markiewicz has a funeral going then they can not park there.

Commissioner Sanderson asked what is the planning for lot 215 Cass.

Mrs. Jones stated the Village is not going to initiate a rezoning for the property, because it would make the person who lives there have a home that is nonconforming. She said she thinks the Church itself is in residential zoning, so it is all residentially zoned there. She stated she appreciates the planning issue of having one single-family home between two parking lots. Mrs. Jones said however, the owner of that home did write a letter saying they had no objection.

Mr. Oskielunas stated they have been in contact with that homeowner to purchase that house. He said the issue with the headlights is a little over dramatized. He said the Church masses are done during the day. He stated there is one in the evening on Saturday. The cars come in and then they are not seen again.

Commissioner Sanderson stated he is not concerned with the headlights. He is concerned about safety. He said the landscaping to the west would be nice so they do not have to look at asphalt.

Mr. Oskielunas stated on the current parking lot there is not landscaping on the south side and that is where they exit.

Commissioner Sanderson asked if they envision people entering off of Cass and then facing the alley.

Mr. Oskielunas stated they can go either way.

Commissioner Sanderson asked if the Police Department had comment in regards to this.

Mrs. Jones stated she does not have any record of comments from the Police Department and does not know if this was ever sent to them.

Mrs. Jones said on a planning perspective it would make sense to have them enter from Cass and exit the alleyway. She said if you have them entering from the alley then they would be entering from two directions.

Mr. Oskielunas stated as a practical standpoint for the Church it would be better if they entered the alleyway from the Church. He said most of the parishioners come down State Street and turn into the parking lot. He stated if they see that it is full then they can go down the alleyway to the next parking lot.

Chairman Spinelli asked if the parking lot to the west faces northbound.

Mr. Oskielunas said the stadium parking faces south. He stated traffic empties onto Cass and there are no shrubs to block the headlights. He said it is one fifteen minute period of headlights then it is done for the week.

Commissioner Messer asked if there was any record of any comments from the residents on Cass.

Mr. Oskielunas stated they sent out all the letters to the owners on Cass and the only one who responded was 215 Cass, which was in support of the lot.

Chairman Spinelli asked if his preference was to have south bound traffic in this parking lot.

Mr. Oskielunas said yes.

Mrs. Jones said in regards to the size of shrubs and police concern, the large shrub requirement is part of their commercial parking lot design and every parking lot has some incorporation of large and small shrubs. She stated she doesn't see much of an issue with police for public safety there. She said in regards to the vehicles facing south, they do not want to put any extra burden on the adjacent property owners. Mrs. Jones stated with the stadium parking facing south, stacked up, waiting to get ready to leave there is still the possibility of headlights shining in the windows. She said she understands that most of the services are during the day, however, a few shrubs don't cost that much and could help mitigate offsite impacts.

Commissioner Maher asked what staff was recommending.

Mrs. Jones said originally they were recommending large shrubs adjacent to residential properties which would be the west and south property line. However, if the Commission chooses to restrict the entrance and exits so the traffic is all south to north then there might not be that much need for it on the south property line.

Commissioner Maher said if they exit through the alleyway onto Lemont Street then the driver's visibility is restricted due to parking on that street. He said the driveway there comes down on an angle and it is very tight on a Sunday. He stated he does not think it would be a safe recommendation.

Mrs. Jones said she would leave it up to the Commission to decide what to do, but if they choose to leave it unrestricted then staff's recommendation would be to have large shrubs along the south and west property lines.

Chairman Spinelli asked if there was a maximum growth height.

Mrs. Jones stated there wasn't.

Chairman Spinelli stated there should be with the sidewalk being right there.

Mr. Oskielunas said they have no problem planting shrubs but he is concerned about what Chairman Spinelli mentioned in regards to the line-of-sight being blocked.

Chairman Spinelli stated by moving the internal islands to the south end of the parking lot on each side and keep the landscaping immediate to the pavement area should help give you an additional five feet.

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

Commissioner Messer made a motion, seconded by Commissioner Sanderson to close the public hearing for Case 13-06. A voice vote was taken:



*Ayes: All*

*Nays: None*

*Motion passed*

Chairman Spinelli asked if there was any further discussion from the Commissioners.

Commissioner Maher stated he would like to make a condition that the landscaping islands be located on the south side. He said he would like to leave it up to the Police Department's discretion as to which direction the traffic flow should go.

Commissioner Sanderson asked if they leave it up to the Police's discretion how does it become part of this.

Mrs. Jones said if the Commission does what Commission Maher is describing then staff would seek input from the Police Department. She stated whatever they recommended then staff would present it to the Village Board as part of a condition to the special use. She said the Police Department can come back and say they don't care either way.

Commissioner Sullivan asked when the storm water runoff gets addressed.

Chairman Spinelli stated through the engineering at the time of permit.

Mrs. Jones asked if they want to address the Public Works request.

Commissioner Sanderson said he feels that burden is not warranted for this size of a development.

Commissioner McGleam stated for him it would depend on what was the increase in traffic.

Commissioner Maher said the alley is terrible now with pot holes all over. He stated that is now before this parking lot. He said the Village should fix the road based on the condition it is in. Commissioner Maher stated he understands that a development is coming in, but we are talking about a road that is already in bad shape. He said we are not asking them to add a turning lane, we would be asking them to fix a Village road that is already in bad condition.

Commissioner McGleam said he feels that requirement is not appropriate at all.

Mrs. Jones asked if she could clarify the traffic restriction.

Chairman Spinelli stated they want to leave it at the discretion of the Police Department. He said there is no restriction on the other lot, but the Church seems to make it work. However, the Commission would like to seek the opinion of the Police Department on the matter.

Chairman Spinelli called for a motion for a recommendation.

Commissioner Sanderson made a motion, seconded by Commissioner Messer to recommend to the Mayor and Board of Trustees approval for Case 13-06 with the following conditions:

1. That landscaping shrubs shall be large shrubs at a minimum of 24 inches in height when planted.
2. The two required internal parking islands shall be relocated to one on each side (east and west) on the southern entrance of the parking lot.
3. Staff will seek input from the Lemont Police Department as to which direction the flow of traffic should enter and exit the parking lot and/or alleyway.

A roll call vote was taken:

*Ayes: McGleam, Kwasneski, Sanderson, Maher, Messer, Sullivan, Spinelli*

*Nays: None*

*Motion passed*

Commissioner Maher made a motion, seconded by Commissioner Kwasneski to authorize the Chairman to approve the Findings of Fact as prepared by staff. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

**B. CASE 13-07 – WESTWAY COACH, INC. AT LEMONT ROAD**

A public hearing for special use for a school bus terminal and repair facility.

Chairman Spinelli called for a motion to open Case 13-07.

Commissioner Kwasneski made a motion, seconded by Commissioner Maher to open the public hearing for Case 13-07. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

Ms. Glas stated the applicant is Westway Coach which is wholly owned subsidiary of Cook-Illinois. She said the applicant does currently operate this business on New Avenue and is looking to relocate to the Lemont Road site. She stated the Lemont Road site is zoned M-3. Ms. Glas said the development ordinance does not necessarily specify a school bus terminal clearly. It could either be identified as a freight transportation terminal or a container storage yard. She said a freight transportation terminal would require movement of product where as a container storage yard is stored

containers. She stated bus terminals fit somewhere in between there, so staff decided to go with the more restrictive approach. Ms. Glas said they went with the container storage yard because that would generate a special use whereas freight transportation would be a permitted use.

Ms. Glas said the applicant worked with the former Director for the Village, so she unfortunately did not have a lot of the background when preparing this. She stated since the staff report was written, staff has received a lot of feedback regarding some of the issues addressed in the staff report. She said she will go through those issues and the response they have received.

The first was a letter from the Fire Protection District dated July 2<sup>nd</sup>. Ms. Glas said it stated they require a fire alarm system, rapid entry system, and a sprinkler system for the building. Since the staff report, the Fire Protection District did meet with a representative of the owner. She said the owner is aware of the requirements and is currently getting cost estimates. She stated the owner is aware that they need to comply with what the Fire Protection District is asking. Ms. Glas said another issue they were concerned about was an underground storage tank on that property. She stated they had no record of removal or abandonment. Since the writing of the staff report the applicant did supply a report indicating that the tank was removed in February of 2001. Ms. Glas said the Fire Protection District was concerned about the extent of motor vehicle repairs. She stated the applicant replied that it would be minor things like fixing broken windows, lights and seats. If oil changes are permitted, then the applicant would like to do that. She said the applicant would comply with all regulations. Ms. Glas stated the applicant had stated no large quantities of combustible liquids would be stored on the site, which was another concern of the Fire Protection.

Ms. Glas said the Fire Protection cautioned about fuel storage on site. The applicant had stated that no fuel storage is proposed currently at this time. However, if they did propose it at a later date they would comply with all regulations. She stated lastly, the Fire Protection was concerned with 90 to 100 drivers leaving the facility during the evening rush hour. She said the applicant had responded by saying 50% of the buses will return about 10 a.m. and then leave again at 3:30 p.m. Most of the buses return to the property at 4:30 p.m. Ms. Glas stated the buses would be leaving the site to the north and turn into the lot using the dedicated turning lane. She said the idea would be not all 90 to 100 buses are leaving at one time.

Ms. Glas stated another issue they had with the application was there was a lack of a site plan and landscaping plan. She said the applicant had replied stating a plat of survey was submitted showing the existing conditions, there is no site development proposed for this parcel. She stated it does have a paved parking area, it is fenced and it would be used as is. The site is 5.1 acres and just over one acre is proposed for bus storage and employee parking.

Ms. Glas said in terms of the outstanding items, there was no reply to what the Village Engineer was asking. She stated he said he had a lack of information regarding the well and septic on the property. She said he requested information on the water and proof of

portable water. Also, he wanted some kind of proof from the Cook County Health Department stating the location of the septic system and the holding tank capacity. Ms. Glas stated they applicant has not written in response to that, however they do understand it will effect the occupancy requirements for the building. She said they can not do anything with the property until they get that resolved.

Ms. Glas stated based on the updated information that staff received today, they are recommending approval of the special use with some conditions. In the staff report they were reluctant to go one way or another due to the lack of information, but they feel like there is a comfortable amount of data to support the use. She stated in terms of conditions, staff would require that the special use be limited to the applicant and not transferrable. She said any additional uses proposed on the property would be subject to a renewal of the special use permit approval. Ms. Glas said lastly, that the applicant provide landscaping in the area of Lemont Road and the existing fence. She stated there is some shrubbery and rough landscaping but staff feels that can be enhanced a little bit. Ms. Glas asked if the Commission had any questions.

Commissioner Kwasneski asked if Lemont Road was controlled by IDOT and will there be any involvement or co-ordination with them. He also asked how was the applicant or IDOT going to handle the stacking of buses in that left turn lane and will that left turn lane have to be adjusted. Lastly, will there be any idea or consideration of a stop and go light at that location.

Mrs. Jones said as to IDOTs involvement the Village Engineer typically sends things on for IDOT review and comment. She stated they are not adding or changing any curb cuts, so she is not sure if he did not send it because of that. She said she understands what he is saying. Mrs. Jones said in regards to adding a light, the addition of the buses could warrant a full stop light at that intersection. She stated the Village has tried to get one before. Now with I-355 being built a lot traffic has been diverted off of Lemont Road and there isn't enough traffic to warrant it.

Chairman Spinelli stated he has the same concerns as Commissioner Kwasneski. He said he has seen past cases, not specific to Lemont, where applicants come in and use existing curb cuts. He stated the State has made them make modifications because they are changing the use of the property. Chairman Spinelli said he does not know when this access was approved and what the traffic counts were at that time IDOT approved it. He stated the Village Engineer or the applicant should reach out to IDOT and get comment from them. He said they might require additional stacking for that southbound left turn.

Commissioner McGleam said a traffic study would identify the need for a stop light. He asked would that be a requirement of the Village.

Chairman Spinelli stated IDOT would usually require it since it is their jurisdiction. He said when the applicant or the Village submits it to IDOT, they will then make a list of what is required if anything.

Commissioner Maher asked if it should have gone to IDOT before it came before this Commission.

Mrs. Jones said typically what she sees going to IDOT for review or approval are new curb cuts or changing or adding ingress/egress. She stated she has not come across anything like this where it is a new tenant with a different kind of use adjacent to an IDOT right-of-way.

Commissioner Maher asked if it was a new curb cut, would it go to IDOT before it came before the Commission or Village Board.

Mrs. Jones stated it would be part of the review process. She said she can not say whether they would get something back from IDOT before it came before the Plan Commission.

Commissioner Messer said his concern is there is already a lot of traffic that exits old Lemont Road northbound. He stated it is mostly commercial traffic that lumbers northbound up Lemont Road and closes the right hand lane. He said now we have another large vehicle heading northbound and both lanes are blocked. He stated these are large vehicles that take awhile to reach the speed limit that is posted and are trying to get up a very large hill. Commissioner Messer said he feels IDOT should have looked at this before it came before the Commission.

Commissioner Sanderson stated he feels there should be a condition stating that IDOT should be made aware of the change of use. He said no matter what is said by IDOT, it does not change what this Commission is set out to do. He stated whether IDOT made them change the road or not, it is not going to change what he would want to see with this.

Chairman Spinelli asked if the applicant would like to make a presentation.

George Maurides, Attorney, 33 North La Salle Street, Chicago, stated he had three people with him this evening. First is Tony Benish, whose family owns Cook-Illinois school bus company. He stated it is a family owned business and if they are ever short a driver sometimes you will see Tony out driving a bus. He said the school bus business is highly regulated because they have precious cargo. Frank Macina, who is a project manager for the owner of the property and Matt Carmody, attorney for the owner of the property are also present.

Mr. Maurides stated he looked at this file back in 2012 and he said that is when he started talking with Matt Carmody. He said if you look at the zoning code for M-3 there are 18 different uses and 13 are permitted. He stated it did not say school bus terminals. Mr. Maurides said there are several freight companies looking for places to go, so Mr. Carmody could rent to someone else tomorrow as long as they get occupancy for it. He said his client's credit and term of lease was more attractive for them. He stated he ran

into Jim Brown, the Village's previous Economic Development Director, and informed him that he will be coming into town to find out what the zoning was for the site. He said in late May he finally came and talked with Mr. Brown in regards to the site. Mr. Maurides said he is very familiar with this type of work and has dealt with IDOT on several occasions. He stated he wanted to talk with the Community Development Director because you can kind of get a feeling if this is going to be something the town will welcome. He said his job was to persuade Mr. Brown into putting him in one of the permitted uses. Mr. Maurides stated he was not surprised when Mr. Brown recommended that he apply for the special use and put them in as a storage container use. He said they had talked about a lot things that day and they went through the special use application. He stated they had talked about a site plan and he asked if there was a landscape requirement for already developed property. Mr. Maurides said he asked if they would have to put in parking lot islands with landscaping and if a traffic study was needed. He stated he asked him everything because he always comes prepared. He said there is a line item in the application where if staff asks for more then they have to give it to them. He stated even though Mr. Brown was making them get a special use permit he feels Mr. Brown's opinion was a bus terminal is less intense then a lot of the permitted uses.

Mr. Maurides stated this site was a concrete plant with trucks going in and out all day long. He said the owner has owned the property for 16 to 17 years and is trying to make some use out of it. He said he has never in all of his years gone back to IDOT to introduce a new use on a site. Mr. Maurides stated if he wanted to change curb cuts or minimize or consolidate then he understands he would have to go to them. He said he has never had a situation like this where the use is changing and he would have to go to IDOT. He stated he did ask Mr. Brown if he wanted a traffic study. He said Mr. Brown asked which direction the buses were going and after finding out they were going north he did not want one.

Mr. Maurides said they also talked about the landscaping issue. He stated if he was applying for a site development permit then he would be required to comply with the landscaping code. He said the reason why this site was attractive for them was because they can use it "as is". Mr. Maurides stated for the owner of the property, if they don't use it then there are 13 other permitted uses allowed on the property.

Mr. Maurides stated he also talked with Mr. Brown regarding occupancy issues versus special use issues. He said the building code issues with the water, sewer, etc. are typical building code issue that you have to do in order to get an occupancy permit. He stated if they don't get a special use approval then it doesn't really matter if they can satisfy all the occupancy issues. Mr. Maurides said he received two business cards for when they were almost ready they could get the property inspected to find out all the occupancy issues. He stated after that on June 22<sup>nd</sup> he sent the submittal package, and all Jim wanted was a survey, an aerial photograph and a overlay showing how the busses will be entering and exiting. Mr. Maurides said Ms. Glas had contacted him when she received his packet on June 24<sup>th</sup>. He stated he was having a hard time getting an appointment with Mr. Brown because that is when Mrs. Jones had left. He said he

then started working with Ms. Glas on getting the public notices. He stated it wasn't until last week that he had received comments from staff. Mr. Maurides said most of the issues were with the occupancy permit and not the special use permit. He stated whether they have a portable water there or not is not reflective for the special use issue. He said he had that understanding that even if he received the special use, his client would not be able to occupy the site. He stated it is their job to get the special use permit and the owner's job to get the occupancy permit. Mr. Maurides stated when they received the list from staff, the owner of the property started working on the things that were on the list. He said he didn't think he would get that list until after this meeting because it wasn't relevant.

Mr. Maurides said in regards to stacking on a street the size of Lemont Road, an additional 90 buses a day is not going to warrant a count. He stated he does not see it being enough to warrant a stop light being put there.

Mr. Maurides stated in regards to the issue of lacking a site plan. He said the site is about 5.1 acres which is about 225,000 square feet. He said the building is 5,000 square feet and they would need 60,000 square feet for the parking of buses and employee cars. He stated he knows they would be able to accommodate all the buses there and he went through those calculations with Mr. Brown. Mr. Maurides said the only thing different would be how they would stripe the parking lot. He said there is plenty of room and he had discussed this with staff today. He stated if you look at the criteria with the extra space out there they just want to make sure that they don't put a bus terminal out there with a freight terminal or something else. Mr. Maurides said they are fine with that because they are only in the school bus business. He stated also their lease states they could only have a school bus company there.

Mr. Maurides said the condition that the special use permit be limited to the applicant and non-transferable is not a problem with one issue. He stated they have a family of companies and Cook-Illinois is the parent company. He said so as long as it is one of the companies under the umbrella, there won't be any issues.

Mrs. Jones stated they had done something similar with Timberline Knolls, where it was non-transferable outside their companies but can be transferable within. She said staff does not have an issue with that.

Mr. Maurides then showed a view of the site on the overhead. He stated they basically have no neighbors except one to the north. He said the site is almost all paved and has been like that forever. He stated they don't plan on changing anything and they are only parking buses on it. Mr. Maurides showed where the turning lane started on the overhead. He said he did not measure the length of the turning lane, but feels they would be able to stack five to six buses. He stated the buses go out and half come back over a two hour period. Some of the drivers keep their buses with them during the day. Mr. Maurides said because the different school districts have different end times and activities after school, 90 buses would be coming back in during a two hour period. He stated usually all the buses are back by latest 4:30 p.m. or 5 p.m.

Mr. Maurides said he drove down to the site today and was able to cross all lanes and head south on Lemont Road. He said there are gaps made by traffic lights. He stated when you are talking about a bus every minute or two, it is really not a significant event. He stated if there was a concrete plant there or truck terminal then he would not be surprised if someone had asked him for a traffic report. Mr. Maurides said he was not surprised that he didn't ask for one because he feels it is not a super intense use as far as traffic is concerned.

Mr. Maurides stated the reason for the special use permit is so you don't impact your neighbors. He said he is having a hard time figuring out how they were going to impact their neighbors.

Mr. Maurides stated that is the history on how they got here. He apologized that if when they read the staff report they thought they weren't providing what they wanted. He said he provided what he was asked to give them and understands why he wasn't asked to give anymore. Mr. Maurides stated he hopes they will look at their special use and recommend them to the Village Board.

Chairman Spinelli asked if the turning lane does become an issue can it be written into the special use that they require them to contact IDOT for lengthening the turning lane.

Mr. Maurides pointed out where the turning lane starts.

Mrs. Jones said it is a decent size turning lane. She stated they could verify the turning lane and compare it to the average length of a school bus to see how many can stack up there. She said she does feel the applicant has a point in that their special use is a less intense traffic generator than some of the permitted uses in that zoning district.

Chairman Spinelli said he does agree, however back when that place was built for small commercial use the turning lanes might only have been 100 feet. He stated with the speed limit being 45 mph then it would not meet today's standards.

Mrs. Jones said it is something that he could direct staff to do before it gets present to the Village Board.

Chairman Spinelli stated he wants to make sure the turning lane taper and storage meets the current standards since the use is changing. He said for the applicant, the Village Engineer did state the property is 100% in a flood plain. He asked did their surveyor do any studies to determine in a flooding condition what the depth of the water is on the property.

Mr. Maurides stated he asked the owners that five times. He said he had asked the owner if he gets five feet of water there do they care. He stated the owner said no. If there is a problem then they would call their drivers in to take the buses out.



Commissioner Messer said it was mentioned that you might do light oil changes. He stated his concern is if you don't want to negatively impact your neighbor and your property floods there are these hazardous materials on-site.

Mr. Maurides stated in the Village Code there is a requirement that if there are combustibles or oil type materials stored on a site that is in a flood plain they have to be stored in a water tight device and it might have to possibly float. He said as far as changing oil there they would like to have it there. However, he feels they are going to require they have a catch basin and they have a septic system. He stated it is very unlikely they are going to have it installed. Mr. Maurides said if they want to have it there then they will have to comply with all their codes.

Mrs. Jones said there is a whole chapter in regards to flood plains.

Mr. Maurides stated he did have a copy of it.

Commissioner Maher asked what their expectation was five years from now. Commissioner Maher said his concern is that down the road there can be 250 to 300 buses there.

Mr. Maurides said they would like 500 buses there, but one of the limiting factors is transportation or gasoline costs. He stated just like the asphalt business they can only go so far around due to trucking costs. He said they can not operate here and service buses in Arlington Heights.

Anthony Benish, applicant, 5734 Lyman Avenue, Downers Grove, stated they have a lease for five years which is longer than their contracts. He said they are hoping to continue that same amount of work.

Commissioner Maher asked if they have had more buses in the past.

Mr. Benish said they have just started in this area.

Commissioner Kwasneski asked if they had any intention for putting a bid into a school where the buses have to come out of the facility and head south on Lemont Road.

Mr. Maurides said he can not answer that because he does not know the geographical configuration of school districts. He stated he can not say they would never do that. He said they got this site to service what they have. He stated they could end up doing the schools here in town. Mr. Maurides said if they started developing problems where buses had to make a left turn out of the property then they might have to hire an off-duty police officer to direct traffic. He stated in all the years he has worked for Mr. Benish they have never had that problem, but he can't say it will never happen. Mr. Maurides said the company also has to deal with the safety of the drivers.

Mr. Benish said it does not make any sense with that intersection to risk the driver's safety. He stated this is why they like the site so much, all they have to do is turn right. He said there are plenty of other ways to get to that direction rather than turning left out of there.

Chairman Spinelli asked what their actual parent name is.

Mr. Benish said it was Cook-Illinois Corporation.

Chairman Spinelli asked if all the other companies were bus companies or transportation type companies.

Mr. Benish said yes.

Trustee Stapleton asked where do the buses fill up for gas currently.

Mr. Maurides stated they fill up at the site they have right now.

Mr. Benish stated they operate with bio-diesel and understand fueling there would be a problem. He said we know we are going to have to fuel off-site.

Mr. Maurides said they have a facility that does major repairs. He stated it is very conceivable that they might change a headlight or a seat. He said they were not planning on doing oil changes here but it was brought up by the fire department which was reasonable.

Trustee Stapleton asked if it would be more cost effective if you had a tank there on site.

Mr. Maurides said yes it would, however, if they want a tank there they have to apply for a tank with the Fire Marshall and meet Village Code. He stated he doesn't feel they are going to prohibit them from doing it. He said when you get a special use permit it states you will comply with all codes. Mr. Maurides said they are not asking for any variations. He stated it is not just Village codes there are also State codes.

Chairman Spinelli said in the staff report there were three conditions. He stated one was the special use was limited to the current applicant. He said which should read Cook-Illinois and its parent companies. Another was additional landscaping along the west property line. He asked what the condition about site modifications was.

Ms. Glas said if they proposed any additional use outside of a bus terminal then they will be required to renew their current special use so they can address other impacts. She stated there are other permitted uses and they are not using the whole site so the staff wants to protect themselves.

Mr. Maurides stated regarding the landscaping issue, currently there is a big hedge row. He said what he understands is staff wants them to put a row of bushes along there.

Mrs. Jones said since this is the gateway to the Village of Lemont, our past precedence have been as new industrial uses come in, they are requiring them to clean and spruce up the place.

Chairman Spinelli stated the property line is about mid-point of the drive-way. He said staff is looking for some enhancement on the property on each side of the driveway. He stated they can work with staff and they will work with you to compliment the existing landscaping that is out there.

Mr. Maurides stated he just does not want to leave the room and then be asked to put in lots and lots of landscaping.

Chairman Spinelli said he can work with staff and get it clarified before it gets presented to the Village Board.

Chairman Spinelli asked if there were any more questions.

Commissioner McGleam stated the Village Engineer raised a lot of questions that they had talked about. He asked how we are addressing these issues.

Mr. Maurides stated as far as water and septic they have to satisfy that before they can get their occupancy permit.

Commissioner McGleam asked if they were agreeing they will be dealt with during occupancy permit and not making them a special condition. He also asked how they are handling the issue with IDOT.

Chairman Spinelli said it would be a recommendation for the Village Engineer to do a quick analysis and make a determination if he feels that adequate stacking and turning protection is provided.

Chairman Spinelli asked if there were any more questions. None responded. He then called for a motion to close the public hearing.

Commissioner Maher made a motion, seconded by Commissioner Kwasneski to close the public hearing for Case 13-07. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

Chairman Spinelli then called for a motion for recommendation.

Commissioner McGleam made a motion, seconded by Commissioner Sullivan to recommend to the Mayor and Board of Trustees approval of Case 13-07 with the following recommendations that were made by staff:

1. The special use permit is limited to the applicant, Cook-Illinois and it's parent companies, and not transferrable.
2. Any additional uses proposed on the property would be subject to a renewal of the special use permit approval.
3. The applicant provides landscaping on the west property line between the area of Lemont Road and the existing fence.

In addition to the conditions made by staff, the Plan Commission has requested that:

4. The Village Engineer reviews the traffic impact and determines if IDOT needs to be contacted.

A roll call vote was taken:

*Ayes: Ayes: McGleam, Kwasneski, Sanderson, Maher, Messer, Sullivan, Spinelli*

*Nays: None*

*Motion passed*

Commissioner Maher made a motion, seconded by Commissioner Sanderson to authorize the Chairman to approve the Findings of Fact as prepared by staff. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

#### **IV. GENERAL DISCUSSION**

##### **A. Staffing Update**

Mrs. Jones formally introduced Ms. Glas as the new Village Planner.

Discussion continued in regards to taking down public notice signs and fee for taking them down.

#### **V. ADJOURNMENT**

Chairman Spinelli called for a motion to adjourn the meeting.

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

*Ayes: All*

*Nays: None*

*Motion passed*

*Minutes prepared by Peggy Halper*