

Village of Lemont
Planning and Zoning Commission
Regular Meeting of September 19, 2012

A meeting of the Planning and Zoning Commission of the Village of Lemont was held at 6:30 p.m. on Wednesday, September 19, 2012, at the Lemont Police Department, 14600 127th Street, Lemont, Illinois.

I. CALL TO ORDER

A. Pledge of Allegiance

Chairman Schubert led the Pledge of Allegiance. He then asked the audience to stand and raise his/her right hand. He then administered the oath.

B. Verify Quorum

Upon roll call the following were:

Present: Kwasneski, Maher, Messer, Sanderson, Spinelli, Schubert

Absent: Murphy

Village Planner Charity Jones and Village Trustee Ron Stapleton were also present.

C. Approval of Minutes

Commissioner Spinelli made a motion, seconded by Commissioner Kwasneski to approve the minutes from August 15, 2012 meeting with no changes. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

II. CHAIRMAN'S COMMENTS None

III. PUBLIC HEARINGS

A. Case 12-17 – 423 Holmes Street Variation. A public hearing for a variation to allow a driveway to exceed 22' feet wide in the R-4A zoning district.

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

Commissioner Spinelli made a motion, seconded by Commissioner Messer to open the public hearing for Case 12-17. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Mrs. Jones stated the applicant was present and this variation was to allow a driveway in the R-4A district to exceed 22' feet in width. She said the applicant applied for a

building permit to put in an asphalt driveway and went ahead and put the asphalt driveway in to the maximum extent that is allowed under the code. They are now seeking a variation to extend that width. Mrs. Jones stated prior to the asphalt driveway there was a gravel driveway on the site with a pre-existing garage.

Mrs. Jones stated there are three standards for a variation with the first one being that it is in harmony with the general purpose and intent of the Unified Development Ordinance. She said that staff finds that it is and will have minimal impact on the character of the neighborhood. Many of the homes in area have similar asphalt driveways. Mrs. Jones stated the second standard is the plight of the owner is due to unique circumstances and that strict enforcement of the code would create practical difficulties or hardships. She said in the staff report you could see that the property is located on a hill with a retaining wall very near the driveway. Mrs. Jones stated the difference between the retaining wall and the asphalt driveway at the 22' foot maximum is seven feet at the most and tapers down. She said as the area gets smaller it gets less and less usable. She said staff feels that this creates a hardship for the owner and that it is unique due to the retaining wall on the property line. Mrs. Jones stated that they also consider whether the hardship was created by the person who is applying for the variation. In this circumstance, the conditions of the site were there when the applicant purchased the home. Mrs. Jones said the last criteria is the variation will not alter the essential character of the locality. She said staff feels there are unique circumstances to grant the variation request, it would not set precedence and would have little or no impact on the character of the neighborhood.

Chairman Schubert asked if the Board had any questions for staff. None responded.

Chairman Schubert stated he would like to make a comment. He said he applauds the owner for doing the driveway according to the standard and not proceeding to go further without asking. He said a lot of people would have tried to sneak that in. Chairman Schubert said in the past they have granted variations to driveways or on the side of garages. He said with the change of grade, being able to plow it in the wintertime and not shoot gravel it would be a good idea to grant the variation.

Commissioner Spinelli asked what the driveway width is at the sidewalk.

Mrs. Jones said she thinks it is around 12' feet.

Mike Madden, Jr., 423 Holmes Street, Lemont stated between the steps and the north property line it would be 13' feet. He said where the sidewalk is it is much narrower.

Commissioner Messer asked if any of the neighbors had any comments.

Mrs. Jones stated one of the neighbors were present.

Chairman Schubert asked if the applicant had anything else they wanted to say.

Gina Madden, 423 Holmes Street, Lemont said that she is a municipal attorney and is rarely on this side of the podium. She said she would like to thank the Board and Mrs. Jones for their time and effort. She stated they agree with staff's recommendation. Mrs. Madden stated just for a matter of housekeeping she would like to tender into evidence the affidavit of public notice. She said it is stated that the list which is attached as an exhibit, she had received from the Village. Every homeowner within 250 feet was sent notice by certified mail with return receipt requested. Mrs. Madden stated they did receive some of the green cards back but not all of them. She said the only exception was Mrs. Dentzman who they hand delivered her notice to her. She stated that her signature is indicated on the copy of the notice which is exhibit C to the affidavit.

Dawn Dentzman, 419 Holmes Street, Lemont, stated she lived just north of the Maddens. She said she would feel it would look much better to have the whole driveway completed. There is just a little spot there, you can't grow anything, and it is just a nuisance. Ms. Dentzman said it would be better for the community and make the home and community look a lot better.

Chairman Schubert asked if there were any more questions. None responded.

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

Commissioner Messer made a motion, seconded by Commissioner Maher to close the public hearing for Case #12-17. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Chairman Schubert then called for a motion to recommend approval for the variation to 423 Holmes Street.

Commissioner Maher made a motion, seconded by Commissioner Sanderson to recommend approval of the variation for Case #12-17. A roll call vote was taken:

Ayes: Kwasneski, Maher, Messer, Sanderson, Spinelli (with comment listed below), Schubert

Nays: None

Motion passed

Commissioner Spinelli commented that he was voting yes based on the fact that this house and driveway were existing prior to UDO being changed.

Commissioner Spinelli 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

IV. ACTION ITEMS

A. Lemont 2030 Comprehensive Plan Update, Housing. A discussion of a draft housing element.

Mrs. Jones stated that Jim Brown, Planning and Economic Development Director, will be arriving shortly to cover the housing section. She said the Comprehensive Plan usually covers land use, economic development, environmental resources, public facilities, and housing. This is the first discussion covering housing issues. She stated out of the vision statements the components that relate to housing are that Lemont will have diverse housing options that are financially attainable for residents in all stages of life. These housing options will ensure that multiple generations of families can continue to call Lemont home. Another is that Lemont's downtown population will be increased through continued residential development. Mrs. Jones stated that those are the things that came out of the visioning process that relate specifically to housing.

Mrs. Jones stated within the housing element, staff is trying to accomplish a plan for housing creation. This would include providing housing for current and future population and housing preservation. She said housing preservation is something that is often overlooked in Comprehensive Plans, but it is an important component; often when it comes to providing affordable housing because older homes are priced more attainable for lower income bracket people.

Mr. Brown arrived for the meeting at 6:48 p.m.

Mrs. Jones stated that there is a strategic plan that the Village is putting together, which is a three year plan, trying to attract more residents. Mrs. Jones then put the zoning map on the overhead screen for the Board to see.

Mr. Brown said he would like to cover a couple of different topics related to housing. He said the Board can ask questions as they go along. He stated the next thing he would like to cover is what should be in the housing element. The first thing would be issues related to growth management. Some of issues are how much new housing is appropriate, where it should be located, and what form it should take. Mr. Brown said there would be a certain portion of answers to those questions found in this element as well as the Land Use element. Another part of the element is preservation of community character. Mr. Brown said to an extremely large extent the identity of a community is forged by its housing stock. He stated the housing element should also address affordable housing and fair housing.

Mr. Brown said Lemont is part of a much larger region and has neighboring communities. A lot of the trends that occurred in Lemont were really part of a larger trend over the last 30 years or so. He stated that Lemont experienced tremendous growth in population and housing over the last 30 some years. He then presented a

graph showing the housing boom that occurred in Lemont and surrounding communities from 1980's to current. Mr. Brown said in 2005 they were doing about 200 building permits and now it has been less than 40 for the past two years. He stated if you looked at the other communities Lemont did not grow as much as them. He said he had noted a couple of reasons why he thought Lemont did not grow as much. One being is that Lemont did not have that much available green space. He stated that they are running out of green space now. Another reason being there has always been an aversion to track housing. Mr. Brown said that Village staff did not want these developers coming into Lemont and building these 600 home subdivisions. He stated lastly they did everything by annexation agreement and wanted to see a certain standard maintained which might have kept the totals lower than other communities.

Chairman Schubert asked what other larger pieces of land are there left in Lemont.

Mr. Brown stated there are several golf courses in Lemont. He stated that the Village has had serious talks with Glen Eagles. Their long range plan is to at least entertain the idea of converting it into something else. He said Mid Iron is another large track that would have potential for housing. Mr. Brown stated there are a few other pieces of property, but other than that there is not much green space. He said there are smaller parcels, but for the big 100 plus acres there is not much left.

Mr. Brown then went on to talk about "smart growth". He said these would be smaller lots, alleys, narrower streets, different mix of housing and are usually walkable communities. He said the last Comprehensive Plan mentioned certain concepts that pertained to smart growth, but nothing was ever really done that could be labeled smart growth. Another concept he talked about was "transit orientated development". He stated it is where housing is put around transportation nodes. There were two plans that were looked at, but again nothing was ever adopted or approved by the Village Board. Mr. Brown stated he liked this idea, but the Village is missing the transportation element.

Mr. Brown said in the last Comprehensive Plan the housing element was only one paragraph. He stated staff's goal is to have a very strong housing element. He said when looking at housing issues it can bring up very touchy subjects such as affordable housing. Mr. Brown stated he would like to take this head on and recognize some of the issue.

Chairman Schubert stated that he would like to hear what the definition of fair housing is.

Mr. Brown said fair housing is often confused with affordable housing. He stated affordable housing policy addresses the economic attainability for segments of the community. Fair housing policy addresses equal access to housing and that means you are not discriminated on the basis of protective classes. Mr. Brown stated there is a fair housing ordinance. He said there are currently 6,100 housing units in town. He stated most would say that the housing in Lemont is single family homes all over town. Mr.

Brown said that they have added quite a bit of town houses over the last decade. He stated that the only multi-family home project he can think of is the Lofts.

Mr. Brown stated he wanted to talk very briefly about the quality of housing stock. He said the age and quality of housing stock has great implications on the future of your community. He stated there have been a lot of changes in communities as their housing stock has deteriorated and when people don't reinvest in their housing. Mr. Brown stated some researchers have identified a 30 year threshold when housing starts to deteriorate and people move out. Mr. Brown then gave an example and talked about Park Forest. He said there are certain areas of Lemont that would not meet certain expectations of today homebuyers. He stated it is hard to determine what level of reinvestment is taking place in any of these segments of town. Mr. Brown said he does think this idea of reinvestment in the community and quality of housing stock is something long term that needs to be monitored and addressed.

Commissioner Messer asked would a consideration be a reclamation type of a program where an entity started buying property up.

Mr. Brown said the Village would be limited to what they could do, or willing to do, or the grants that they could get for it. He stated that there is community development block grant money and there is one housing track here in town that is eligible for that. He said he would talk about that later.

Mr. Brown said he would like to go through the charts that are provided in the staff report. He said he has Implementation Action Areas and the first one is Amend Zoning Regulations. He stated the first recommendation was to change zoning standards for R-4 zoning to allow smaller lots with reduced yard setbacks. The reason for this is that the Village should consider the creation of a new zoning district for altering the R-4A to allow single family home construction on smaller lots. Mr. Brown said it seems they are always granting variations in lot size or granting variations in side yard setbacks in every single development that comes in. He stated why not change the zoning so people don't have to jump through hoops. He said that he does not hear any complaints about any of the setbacks that were granted for these subdivisions. Mr. Brown stated should they consider another zoning classification and that would become their default or just alter the R-4 as it exist now. He said they could reduce the standard size from 12,500 square feet to 10,500 square feet and change the setbacks.

Commissioner Spinelli stated that he did not have any problems with it, but did not want to change the front yard setback. The problem with a 20 foot yard setback is you can barely get a normal size vehicle in the driveway without blocking the sidewalk.

Commissioner Maher asked what the intent is by making it smaller.

Mr. Brown said it fits in with growth management and conservation design principals. He stated that you intend to make more walkable neighborhoods. It can also open up

the possibility of getting more green space. He said it could be a trade off with a developer for letting them make the lot smaller and in trade demand more green space.

Mrs. Jones stated a couple of reasons why this would be a good idea is one it has been allowed. She said secondly we bemoan a lack of retail activity and what drives retail activity is a certain concentration of population.

Commissioner Messer stated that it sounds like Lago Vista in Lockport.

Discussion continued on lot sizes and side yard setbacks.

Chairman Schubert said he liked the idea of getting more green space by allowing 10 foot side yard setbacks.

Commissioner Maher said he feels that they would be getting less green. He stated that unless you tie it to more green space it would only be increasing density.

Commissioner Sanderson stated that they are already doing it.

Commissioner Spinelli stated that he has seen municipalities that have an alternate R-4B. He said one of the criteria is that the builder has to design the subdivision based on the R-4A. They will let them go to R-4B but the number of lots would be based on what they could get in R-4A.

Discussion continued on the R-4A lot size.

Mr. Brown then asked if the Board was embracing the idea of going with smaller lot sizes as long as there is more green space. He also asked if they were not in favor a new blanket R-4 set of standards or the creation of a new zoning district with smaller lot sizes and not linking it to green space.

Commissioner Spinelli stated that you would have to link the smaller lot sizes to the open green space. If not you will just get more density.

Mrs. Jones reiterated setting aside the idea of green space, was the Board not in favor of having a variety of zoning districts and housing types.

Commissioner Sanderson stated that you have to make something attractive if you want to develop it. He said if you are not in a rush to get it developed you can stay on your high horse and say this is what we want and we are willing to wait. Commissioner Sanderson said with today's economy people are just not looking to develop.

Commissioner Spinelli stated he does not mind an 80 foot lot. However, you are not going to be attracting these builders because they are not building in Joliet with 60 foot lots.

Commissioner Maher stated that he would agree with smaller lots. He said his concern is the lot coverage.

Mr. Brown summarized Commissioner Maher's concern as, if it is a smaller lot than it should be a smaller house. He then asked the Board if they felt any of the Lemont's subdivisions were cramped. None felt that it was cramped.

Mr. Brown said he wanted to move on to the next point. The zoning ordinance states that it does not allow "rowhouses". This would be a row of units with a party wall, townhouses, more than four abreast. Mr. Brown stated that he feels that rowhouses are perfect for the downtown area. He said to make it easier to come into the downtown and other places in town we need to accommodate in the zoning ordinance for rowhouses.

All Commissioners agreed that the downtown area would be a good place for rowhouses.

Mr. Brown said the third thing for the Implementation Action Area is allow construction of two-flats and/or duplexes on corner locations within otherwise exclusively single-family zoning districts. He stated that he likes the idea of two-flats. He said he has been approached a couple of times in the last few months with people asking if the Village would consider two-flats in certain areas. Mr. Brown stated it would have to be integrated through policy or a zoning statement for a mixture of two-flats in otherwise a single-family area. He said it can be done so that the two-flat looks like a single-family home. He stated he wanted to see if the Board would embrace this idea.

Discussion continued as to where two-flats would be allowed.

Chairman Schubert stated he was not opposed, but you would have to respect the area it was going in.

Mrs. Jones stated having it on a corner lot would help split up the parking.

Mr. Brown said developers are very concerned with their housing mix. Mr. Brown asked if the Board liked the idea in limited applications. All Board members agreed.

Mr. Brown stated they would move on to Implementation Action Area #2, Obtain and Maintain Right Housing Mix. He said they are trying to find different housing products and mixing up developments with different housing products in it. Mr. Brown stated it would be a policy that they would embrace that encourages different housing types and mixes within a development. He said this would help when they sit down with developers and they start talking about different products or green space that they can look at several different types of housing.

Commissioner Spinelli stated that he would not like to see single-family and rowhouses together. He said he would not like to see one extreme to another.

Mr. Brown said the next recommendation, which is tied to the Land Use Map, is that staff should monitor dwelling unit construction and home buying trends periodically so to provide elected officials with reports of those trends. He stated it is trying to get us as a community to periodically reevaluate that housing mix. Then change the Comprehensive Plan respectively.

Mr. Brown stated Action Area #3, Increase the supply of Affordable Housing, recommends reducing the practice of incorporating provision in development approvals that result in more expensive construction. He said one area is lot size, but they also reexamined the vinyl prohibition. He stated they have to realize that not everything should be done in all masonry.

Commissioner Spinelli stated municipalities in Will County started worrying about minimum bedroom size and roof pitches to the point that their fireman and policeman could not afford a brand new house in their town. He said their home rules were that they had to live in town.

Mr. Brown stated they need to stay away from minimum house sizes or bedroom numbers. He said there should be a policy statement so they would avoid that.

Mr. Brown said the next one for Action Area #3, in the downtown, remove regulatory barriers to the conversion of commercial space to residential space. He stated their goal is to increase the number of dwelling units in town in certain areas. He said right now there are fire codes and building codes that make it extremely difficult or expensive for someone to convert space above a storefront from commercial to residential. Mr. Brown stated there are a couple of people in the downtown who have been very vocal and upset with the Village for not changing this. He said the Village and LFPD should adopt the International Rehabilitation Code or make other appropriate changes to the existing building and fire codes. This would give the owners of the building other options that are less costly.

Discussion took place on who sets the codes.

Mr. Brown stated that he hopes that this is resolved this year and does not need to wait for the Comprehensive Plan. He asked if all the Commissioners were in agreement with this recommendation. All Commissioners agreed.

Mr. Brown said the last Action Area is #4, Remove impediments to Fair Housing, which would appoint a Fair Housing Officer. He stated that there should be someone who is appointed and publicized for an initial point of contact. Mr. Brown then gave some background information as to why an appointed officer is needed and how the Fair Housing Policy works.

Discussion ensued regarding the Community Development Block Grant program.

Commissioner Messer asked if Mr. Brown had written what the role and responsibilities were for the Fair Housing Officer.

Mr. Brown said there were a couple of bullet points in his memo, he then read those bullet points from his memo. He stated they would serve as a point of contact for people who feel that their access to fair housing have been violated and then do some type of investigation. Mr. Brown stated that he does not think there would be many complaints.

V. GENERAL DISCUSSION

Mrs. Jones said next month there is a special use for 1 Povalish Court because Timberline Knolls was sold.

Mrs. Jones stated that the November meeting would also have to be moved because it falls on the day before Thanksgiving. She asked if there is something on the agenda would the Board agree to the week prior or a day earlier that week.

The Board agreed to the week prior.

VI. ADJOURNMENT

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

Ayes: All

Nays: None

Motion passed

Minutes prepared by Peggy Halper