

**VILLAGE BOARD
COMMITTEE OF THE WHOLE MEETING**

**AUGUST 17, 2015 – 7:00 PM
LEMONT VILLAGE HALL
418 MAIN ST.
LEMONT, IL 60439**

AGENDA

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. DISCUSSION ITEMS**
 - A. UDO AMENDMENTS DISCUSSION
(PLANNING & ED)(STAPLETON)(JONES)**
 - B. TERMINATION OF THE DOWNTOWN TIF DISCUSSION
(FINANCE)(SNIEGOWSKI)(SMITH)**
 - C. DOWNTOWN PARKING DISCUSSION
(PLANNING & ED/PD)(STAPLETON/MIKLOS)(JONES/MATON)**
 - D. PLAZA LEASE – BUDNIK PROPERTY DISCUSSION
(ADMIN/FINANCE)(REAVES/SNIEGOWSKI)(SCHAFFER/SMITH)**
 - E. LEMONT EAST INFRASTRUCTURE PROJECT UPDATE - VERBAL UPDATE
(ADMIN)(REAVES)(SCHAFFER)**
- IV. UNFINISHED BUSINESS**
- V. NEW BUSINESS**
- VI. AUDIENCE PARTICIPATION**
- VIII. ADJOURN**



Village of Lemont
Planning & Economic Development Department

418 Main Street · Lemont, Illinois 60439
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TO: Committee of the Whole
FROM: Heather Milway, Village Planner
THRU: Charity Jones, AICP, Planning & Economic Development Director
SUBJECT: Case 15-09 UDO Amendments
DATE: August 5, 2015

SUMMARY

Attached is a table detailing proposed amendments to the UDO to revise the permitted and accessory uses and obstructions in yards for gazebos, pergolas, and other similar accessory structures and to adjust the maximum driveway widths. Words underlined in table are proposed additions to the text of the UDO and words ~~stricken~~ are proposed deletions. The amendments are organized by topic, rather than by chapter, to facilitate discussion. For each UDO revision, staff's rationale for amendment is provided, along with a synopsis of the Planning & Zoning Commission's input. Also attached are the full Planning & Zoning Commission minutes.

Attachments

1. Draft UDO Revisions for COW Discussion
2. Draft PZC minutes- July 15, 2015

TOPIC: Definitions of Accessory Structures and Buildings	Reason for Change
<p>Chapter 17.02 DEFINITIONS</p> <p>Gazebo. <u>A freestanding, roofed, accessory building that is intended for recreational use only and not for habitation.</u></p> <p>Cabana. <u>An accessory structure composed of a rigid framework to support a loose membrane or fabric covering, which provides a weather barrier.</u></p> <p>Pergola. <u>An accessory structure composed of horizontal cross beams or open lattice, supported by vertical posts.</u></p>	<p>To clarify the accessory structures that qualify as gazebos and cabanas.</p> <p>PZC input: PZC concurred.</p>
TOPIC: Permitted Accessory Structures and Buildings	Reason for Change
<p>Table 17-06-02 PERMITTED ACCESSORY USES AND OBSTRUCTIONS IN YARDS</p> <p>Gazebos, pergolas, and similar structures <u>other accessory buildings, and cabanas</u>, provided they are at least 10 feet from all lot lines or equal to the setback of a conforming principal structure, whichever is less. <u>Such accessory structures shall have a maximum height of 15 feet and maximum area of 160 square feet. Overhead (i.e. garage style) or roll up doors are not permitted.</u></p> <p><u>Pergolas, provided they are at least five feet from all lot lines. Pergola structure shall have a maximum height of 15 feet, as measured from the top of the horizontal cross beams or open lattice to the base of the vertical posts.</u></p> <p>Patios, providing they are at least 5 feet from all lot lines. <u>When located in a side yard, patios shall be setback at least 5 ft from the façade of the principal structure.</u></p>	<p>The request for cabanas, semi-enclosed, and fully enclosed accessory structures have increased. The UDO doesn't currently address these structures specifically. Staff recommends including them with gazebos and placing additional restrictions consistent with the requirements for sheds and garages.</p> <p>PZC input: PZC felt added restriction against overhead doors on accessory buildings to preclude secondary garages.</p> <p>Pergolas are currently required to be 10 feet from all lot lines. Since pergolas are a low intensity accessory use, staff recommends a reduction in the required setback.</p> <p>PZC input: PZC concurred.</p> <p>This amendment is intended to prevent "patios" from serving as extended driveways for outdoor vehicle parking.</p> <p>PZC input: PZC concurred.</p>

TOPIC: Limits on Accessory Buildings in Residential Districts	Reason for Change
<p>17.06.040 NUMBER OF BUILDINGS ON A LOT <u>17.06.040A NUMBER OF PRINCIPAL BUILDINGS PERMITTED</u> No more than one principal detached residential building may be located on a zoning lot, and a principal detached residential building may not be located on a zoning lot that contains any other principal building. This limitation on the number of buildings on a zoning lot does not apply to planned unit developments.</p> <p><u>17.060.040B NUMBER OF ACCESSORY STRUCTURES AND BUILDINGS PERMITTED.</u> In R districts, there shall be no more than two accessory buildings on any lot less than one acre and no more than 3 accessory buildings on any lot one acre or more in size; however detached garages shall not count toward the maximum number of accessory buildings. The overall number of accessory structures in R districts shall not be limited. See Chapter 17.02 for the distinction between a building and a structure.</p>	<p>With more requests for fully enclosed accessory buildings (sheds, misc. accessory buildings, gazebos, etc.) staff feels it prudent to limit the number of accessory buildings on a lot.</p> <p>PZC input: PZC felt that properties over an acre should be permitted an additional accessory building as additional buildings would have less impact on neighboring properties due to the larger lot size.</p>
TOPIC: Residential Driveways	Reason for Change
<p>17.07.040 DRIVEWAYS IN RESIDENTIAL DISTRICTS Driveway width shall not exceed 22 feet at the lot line. From the lot line, driveway width may gradually be increased to accommodate entry into garages. <u>Where the driveway meets the garage door(s), the width of the driveway may extend no more than 2 ft from the outside edge of the garage door(s) (the 2 ft limit does not apply between garage doors).</u> In no case shall driveway width exceed 32 feet.</p>	<p>To clarify the requirements for residential driveways. Also to prevent additional parking pads in front of garages, in excess of what is needed to serve the garage. Currently the engineering specs show a max width of 28 feet for all driveways.</p> <p>PZC input: PZC felt that an additional 1 ft of driveway at the garage door was not sufficient and suggested 2 ft.</p>

Village of Lemont
Planning and Zoning Commission
Regular Meeting of July 15, 2015

A. 15-09 UDO AMENDMENTS CONTINUED

Mrs. Jones stated this was continued from last month. Most of the amendments relate to accessory structures in residential districts. The first change however is for heavy industry to be changed from a permitted use to a special use in M-3 and M-4 Districts. This has come up since dealing with some heavy industry users over the past year. It is a broad category of uses so they would like to have it as a special use so there will be that discretionary review. She said she will have Ms. Milway take them through the power point on accessory structures.

Ms. Milway said they have received recently a lot of inquiries in regards to some creative accessory structures that they have not had a good category for. They tried to have some definitions that specify a little bit more.

Mrs. Jones showed on the overhead some existing definitions. A building is defined as a structure that has a roof and is built for the enclosure of things or people. A structure could be a pool, patio or a deck. An accessory structure/building is an accessory to the principal use on the property. The principal use on the property would be the house and the accessory structure is a deck, shed, detached garage. Additionally, the Code defines garage as only buildings or parts of buildings designed to be used for the parking of vehicles. She said you could have the same size structure or building and one is the garage and one is not depending on what it is intended to store under the current definitions.

Ms. Milway stated staff has proposed to clarify some of those definitions. She then read through the definitions for gazebo, cabana, and pergola. These should help with some of the accessory structures. She then showed some pictures of different types of accessory structures. Staff is proposing that gazebos and cabanas be at least 10 feet from all lot lines. Such accessory structures shall have a maximum height of 15 feet and maximum area of 160 square feet.

Mrs. Jones said the current code is very open for interpretation.

Pro Tem Chairman Sanderson asked if they were going to allow a second garage.

Mrs. Jones stated they are not going to allow a second garage, but they will talk about a little later.

Ms. Milway said they are trying to limit the size so it will prevent it from eventually turn into a garage.

Mrs. Jones stated by limiting the area to 160 square feet effectively prevents it from being a garage.

Ms. Milway said they also added a section that restricts how many accessory buildings could be placed on residential properties. It has been restricted to two on any lot, however a detached garage does not count. You could have a lot that has a detached garage, shed and a pool house, but you would not be able to add a secondary shed.

Commissioner Maher asked if this was for R-4 only.

Ms. Milway stated it was for all residential.

Commissioner Maher asked why limit it to three structures if someone has an acre or an acre and a half. If it was an R-4 size lot he could understand. He feels it should be based on the size of the lot.

Mrs. Jones asked if he felt that lots over an acre should get one more structure. She said staff is trying to keep it streamlined and does not want to make it complicated.

Discussion continued in regards to how many structures should be allowed on a lot with an acre or more.

Pro Tem Chairman Sanderson said to add another structure so a lot that is over an acre can have three accessory structures.

Ms. Milway showed a picture on the overhead of what came in and was classified as a gazebo which now turned into a "man cave". The structure is now enclosed, the windows roll down and there is a garage door.

Mrs. Jones stated this is not what the code envisioned and they are trying to allow for these things but also not let them get out of hand. She then showed a drawing of another example. Someone had come in wanting to add another garage. He was allowed to do so as long as he tore out the driveway leading to the original garage so it could no longer serve the purpose of storing a vehicle, but instead would be an accessory structure.

Discussion continued on how the new code would prevent this from happening.

Mrs. Jones said one thing staff discussed but is not included in the draft that is presented tonight, was a prohibition on garage style doors on accessory structures that are not garages.

Pro Tem Chairman Sanderson stated maybe limited the width of them to six feet.

Commissioner Maher said it should also be limited to one door.

Mrs. Jones stated another concern with these accessory structures is when they get to big and nice they then become habitable and that is not allowed by the code. She asked if the Commission wanted to go with a maximum door width or a prohibition on roll up doors.

Discussion continued on whether to allow an overhead door on accessory structures.

All Commissioners agreed to no overhead doors on accessory structures.

Mrs. Jones said they moved pergolas out of the section of gazebos and cabanas because they are not meant to be enclosed. It will now read that they are at least five feet from all lot lines.

Pro Tem Chairman Sanderson asked if there was a height restriction on pergolas.

Mrs. Jones stated they could put a 15 foot max height on there but they will need to look into it because some people put them on raised decks.

All Commissioners agreed.

Mrs. Jones said in regards to patios it is stated that they are allowed on the side and rear yard but they have to be five feet from the lot lines. Staff is adding that when they are located on the side yard they shall be setback five feet or more than the front façade of the building. The reason staff is recommending this is because people are trying to have these driveways where they can pull their car on the side of the house. Which leads to the next point of driveway width, which reads the width of the driveway can only extend up to one foot on either side of the garage door with a maximum width of 30 feet.

Pro Tem Chairman Sanderson stated he knows of someone whose garage extends two feet wider than the overhead door. He asked would the concrete then have to stop.

Mrs. Jones said yes.

Commissioner Maher stated it would have to be different for side load garages.

Mrs. Jones said staff felt that there would have to be a set distance beyond the garage door that they could go. They did not want to say to the corner of the structure because then the garage could extend really far. She asked if the Commission felt if two feet would be better.

Discussion continued in regards to what the maximum width should be.

Pro Tem Chairman Sanderson stated it should be two feet on either side of the garage door with a maximum width of 32 feet.

Commissioner Arendziak asked if there would still be a special consideration for side load garages.

Mrs. Jones said she does not think it will be a concern now that they are at 32 feet, but staff will check. She stated this would conclude the UDO amendments.

Pro Tem Chairman Sanderson asked if anyone in the audience wanted to come up and speak in regards to these amendments. None responded. He then called for a motion to close the public hearing.

Commissioner Maher made a motion, seconded by Commissioner Arendziak to close the public hearing for Case 15-09. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Pro Tem Chairman Sanderson then called for a recommendation.

Plan Commission Recommendation

Commissioner Kwasneski made a motion, seconded by Commissioner Arendziak to recommend to the Mayor and Village Board approval of Case 15-06 UDO Amendments as discussed at tonight's meeting. A roll call vote was taken:

Ayes: Kwasneski, Maher, Arendziak, Sanderson

Nays: None

Motion passed

Village Board

Agenda Memorandum

To: Mayor & Village Board

From: George Schafer, Village Administrator
Chris Smith, Finance Director

Subject: Termination of the Downtown TIF

Date: August 17, 2015

BACKGROUND/HISTORY:

Downtown TIF District was established in 1991 with a base Equalized Assessed Valuation of \$3,231,716. Over the course of 24 years the Village of Lemont has made many improvements using the tax increment. The 2014 Equalized Assessed Valuation is \$14,691,772. For the tax levy year 2015 all districts including the Village will need to capture the growth when assessing their levy amount.

DISCUSSION:

On December 31, 2015 the Downtown TIF is set to expire. According to TIF regulations the municipality must notify the affected taxing districts and adopt an ordinance dissolving the special tax allocation fund. Staff will begin the process in early September:

- 1) September 14th – Ordinance authorizing the future payments for the Canal Project
- 2) September 21st-Notice of Termination will be sent to the affected tax Districts
- 3) October 12th- Ordinance dissolving the special tax allocation fund and terminating the Downtown TIF

RECOMMENDATION:

Authorize staff to begin the process of dissolving the Downtown TIF.



Village of Lemont
Planning & Economic Development Department

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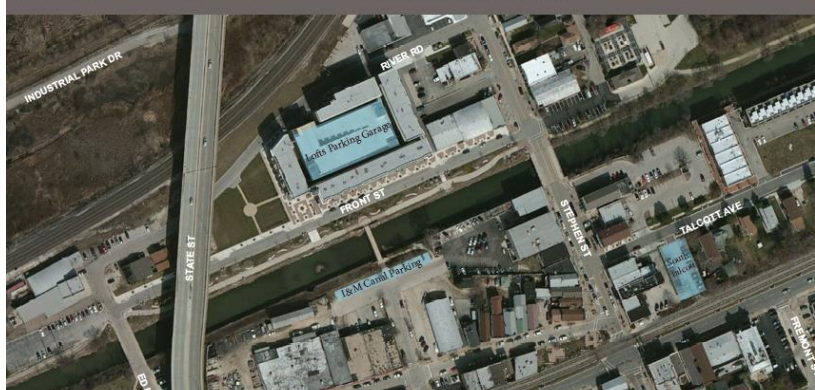
TO: Committee of the Whole
FROM: Charity Jones, AICP, Planning & Economic Development Director
SUBJECT: Downtown Parking
DATE: August 12, 2015

SUMMARY

On July 16, 2015 the Village sent notification to all licensed businesses within downtown that starting August 1, the Village would begin stronger enforcement of the existing downtown parking time limits. Downtown employees and business owners would be able to purchase employee parking permits for \$15 which entitle them to park without time restrictions in three designated areas (see map).

After the notifications were received, several downtown business owners made staff aware of some existing concerns that were not expressed while the Village was not actively enforcing the parking time limits. Some businesses requested that the Village change the existing 2-hour time limit for on-street parking downtown to a longer time frame. Staff

Available Parking for Downtown Business Parking Permit Holders



has been surveying downtown businesses to determine the preference of the majority. Additionally, staff became aware of other on-street parking changes that need to be made along Main St and Talcott Ave.

Finally, the Police Department has requested a change to the overnight parking prohibition downtown. They would like to amend the restrictions so as to only apply on certain nights when street sweeping needs to take place.

A full summary of staff findings and recommendations will be presented at the meeting.

Village Board

Agenda Memorandum

To: Mayor & Village Board

From: George Schafer, Village Administrator
Chris Smith, Finance Director

Subject: Plaza Lease – Budnik Property

Date: August 17, 2015

BACKGROUND/HISTORY:

The Village has been leasing the property located on Canal and Stephen Street from Budnik Family since the 1980's. The last lease that began in 1994 expired on May 1, 2014. The yearly payments were payable on May 1st and increased per year by the Consumer Price Index. The last payment on May 1, 2014 was \$3,209.79. The lease has expired and currently the Village does not have a lease for this property.

DISCUSSION:

As previously mentioned, the lease agreement expired in 2014; however, the Village continues to maintain the property. Over the last fifteen years the Village has made many improvements such as brick pavers, sitting area and clock tower. Staff's recommendation is that we renew the lease with the property owner and entertain the idea of the Village purchasing this property in the next 3 years. Please note that due to the fact that this property is not Village owned, this property is not property tax exempt. The assessed valuation of the property is \$832 for Lot #1 and \$1,095 for Lot #2.

RECOMMENDATION:

Authorize staff to present an agreement at the September 28, 2014 Village Board meeting.