



Village of Lemont

418 Main Street • Lemont, Illinois 60439

Village of Faith

Mayor

Brian K. Reaves

Village Clerk

Charlene M. Smollen

Trustees

Debby Blatzer
Paul Chialdikas
Clifford Miklos
Rick Sniegowski
Ronald Stapleton
Jeanette Virgilio

Administrator

Benjamin P. Wehmeier

Administration

phone (630) 257-1590
fax (630) 243-0958

Building Department

phone (630) 257-1580
fax (630) 257-1598

**Planning & Economic
Development**

phone (630) 257-1595
fax (630) 257-1598

Engineering Department

phone (630) 257-2532
fax (630) 257-3068

Finance Department

phone (630) 257-1550
fax (630) 257-1598

Police Department

14600 127th Street
phone (630) 257-2229
fax (630) 257-5087

Public Works

16680 New Avenue
phone (630) 257-2532
fax (630) 257-3068

www.lemont.il.us

**VILLAGE BOARD
COMMITTEE OF THE WHOLE MEETING**

NOVEMBER 15, 2010 - 7:00 P.M.

- I. CALL TO ORDER.**
- II. ROLL CALL.**
- III. DISCUSSION ITEMS**
 - A. DISCUSSION OF BIKE/PEDESTRIAN REQUIREMENT WITH IMPACT TO WALKER/McCARTHY PROJECT AND DERBY/ARCHER/McCARTHY PROJECT.
(PUBLIC WORKS/ENGINEERING)(BLATZER)(PUKULA/CAINKAR)**
 - B. DISCUSSION OF AMENDMENT TO LEMONT VILLAGE SQUARE SIGN PLAN.
(PLANNING & ED)(STAPLETON)(BROWN/JONES)**
 - C. UPDATE—DOWNTOWN BUSINESS PARKING/PARKING ON STEPHEN STREET.
(PLANNING & ED)(STAPLETON)(BROWN/JONES)**
 - D. DISCUSSION OF STOP SIGN - EAGLE CREST DRIVE AND CONNAUGHT.
(PUBLIC SAFETY)(MIKLOS)(SHAUGHNESSY)**
 - E. DISCUSSION OF FRONT STREET CANTINA LICENSE AGREEMENT
(COOLER ON VILLAGE PROPERTY).
(ADMINISTRATION)(REAVES)(WEHMEIER/SCHAFFER)**
 - F. DISCUSSION OF REVISED LANDSCAPE CONTRACTOR'S LICENSE.
(BUILDING DEPT)(STAPLETON)(BUETTNER)**
 - G. 6-MONTH BUDGET REVIEW (VERBAL UPDATE).
(ADMINISTRATION/FINANCE)(REAVES/SNIEGOWSKI)(WEHMEIER/SCHAFFER).**

IV. UNFINISHED BUSINESS.

V. NEW BUSINESS

**A. SUBDIVISION ACCEPTANCE POLICY - DISCUSSION.
(PLANNING & ED)(STAPLETON)(BROWN/JONES)**

VI. AUDIENCE PARTICIPATION.

VII. ADJOURN.

Village Board

Agenda Memorandum

Item #

to: Mayor Brian K. Reaves
Village Board of Trustees

from: James L. Cainkar, P.E., P.L.S., Acting Village Engineer

subject: Discussion Concerning Bicycle Accommodations
on McCarthy Road, from Archer Avenue to Walker Road

date: November 8, 2010

BACKGROUND

On June 1, 2010, IDOT adopted a Procedures Memorandum No. 68-10 placing into effect the "Complete Streets Law", which mandates bicycle and pedestrian accommodations within urban areas where construction (other than resurfacing) takes place on IDOT maintained roadways.

McCarthy Road is an IDOT maintained roadway, and IDOT has required that the Village follow the Complete Street Laws procedures for the Walker Road and McCarthy Road Intersection Improvement project, unless the Village opts out of the program. The proposed on-street bicycle accommodation would need to be a 6-foot width on-street bike lane along the curb, in both directions. The ramifications of this mandate are numerous. For the McCarthy & Walker project, additional right-of-way would be required to include the bike path, and a redesign of the current Phase I project scope would be needed.

There is also a good chance that the Complete Streets Law would also affect the "Triangle" (Archer/McCarthy/Derby) Intersection Improvement project that is scheduled for an April 2011 bid letting. On this project, there is no way that bicycle lanes can be accommodated on McCarthy Road, without major utility relocation work and acquisition of additional right-of-way. Some of the additional right-of-way would need to come from Cog Hill Golf Club, which could be difficult and time consuming. There are no on-street bicycle paths within 5 miles to the east on McCarthy Road, nor along McCarthy Road or Stephen Street to the west. Since it is extremely unlikely that McCarthy Road will ever be widened east or west of the above projects, it makes little sense to provide accommodation for on-street bicycles in this highway corridor. Any inclusion of bicycle facilities on the "Triangle" project would delay it to the 2012 or 2013 construction season and require a complete redesign of all elements of the plans, including roadways, storm sewers, and traffic signals; with possible right-of-way condemnation. This also would increase the project cost to the Village of Lemont. Please note that we are including sidewalks in the design of both projects.

Note: While the Active Transportation Alliance letter supports the use of bicycles on McCarthy Road, the Illinois Official Bicycle Map notes that McCarthy Road is "Not Recommended for Bicycling".

RECOMMENDATION

Staff recommends approval of the attached Resolutions.

ATTACHMENTS

- Draft Resolutions rejecting the inclusion of bicycle facilities for both projects
- Copy of Complete Street Law, with Summary
- Copy of Active Transportation Alliance Letter for the McCarthy / Walker project
- Illinois Official Bicycle Map

VILLAGE BOARD ACTION REQUIRED

Consideration of approval of the attached Resolutions.

#05027/07171

**RESOLUTION
A RESOLUTION REJECTING THE INCLUSION OF
BICYCLE FACILITIES ON McCARTHY ROAD, FROM EAST OF ARCHER AVENUE TO WEST OF
DERBY ROAD FOR PROJECT M-8003(504)**

WHEREAS, the Illinois Department of Transportation (IDOT) has the power to approve and determine the final plans, specifications and estimates for all State highways; and

WHEREAS, IDOT's projects must adequately meet the State's transportation needs, exist in harmony with their surroundings, and add lasting value to the communities they serve; and

WHEREAS, IDOT must embrace principles of context sensitive design and context sensitive solutions in its policies and procedures for the planning, design, construction, and operation of its projects for new construction, reconstruction, or major expansion of existing transportation facilities by engaging in early and ongoing collaboration with affected citizens, elected officials, interest groups, and other stakeholders to ensure that the values and needs of the affected communities are identified and carefully considered in the development of transportation projects; and

WHEREAS, bicycles and pedestrian ways must be given full consideration in the planning and development of transportation facilities, including the incorporation of such ways into State plans and programs; and

WHEREAS, the State's complete streets law requires bicycle and pedestrian ways to be established in or within one mile of an urban area in conjunction with the construction, reconstruction, or other change of any State transportation facility, except in pavement resurfacing projects that do not widen the existing traveled way or do not provide stabilized shoulders, or where approved by the Secretary of Transportation based upon documented safety issues, excessive cost or absence of need; and

WHEREAS, during the development of highway projects throughout the State, IDOT gives consideration to accommodating bicyclists and pedestrians on a need-basis; and

WHEREAS, IDOT has presented the Village of Lemont, for its consideration, a bicycle and/or pedestrian improvement with funding to be split 80% State, 20% local with maintenance to be provided by IDOT; and

WHEREAS, there are no existing bicycle accommodations within 5 miles of the project area to the east on McCarthy Road, nor to the west on McCarthy Road, which highway sections are denoted on the Illinois Official Bicycle Map as "Not Recommended for Bicycling", nor is McCarthy Road in IDOT's long range plan for any improvements other than roadway resurfacing; therefore, be it

RESOLVED, THAT THE Village of Lemont hereby rejects IDOT's proposed bicycle improvement and acknowledges that such rejection will result in a cancellation of the proposed bicycle improvements; and be it further

RESOLVED, that a suitable copy of this Resolution be presented to the Project Engineer associated with the proposal, or his or her equivalent, within IDOT.

PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL AND DuPAGE, ILLINOIS, on this 22nd day of November, 2010.

	<u>AYES</u>	<u>NAYS</u>	<u>PASSED</u>	<u>ABSENT</u>
Debby Blatzer				
Paul Chialdikas				
Clifford Miklos				
Rick Sniogowski				
Ronald Stapleton				
Jeanette Virgilio				

Approved by me this 22nd day of November, 2010.

CHARLENE SMOLLEN, Village Clerk

A t t e s t :

BRIAN K. REAVES, Village President

CHARLENE SMOLLEN, Village Clerk

**RESOLUTION
A RESOLUTION REJECTING THE INCLUSION OF
BICYCLE FACILITIES ON McCARTHY ROAD
AT ITS INTERSECTION WITH WALKER ROAD, FOR PROJECT D-91-664-09**

WHEREAS, the Illinois Department of Transportation (IDOT) has the power to approve and determine the final plans, specifications and estimates for all State highways; and

WHEREAS, IDOT's projects must adequately meet the State's transportation needs, exist in harmony with their surroundings, and add lasting value to the communities they serve; and

WHEREAS, IDOT must embrace principles of context sensitive design and context sensitive solutions in its policies and procedures for the planning, design, construction, and operation of its projects for new construction, reconstruction, or major expansion of existing transportation facilities by engaging in early and ongoing collaboration with affected citizens, elected officials, interest groups, and other stakeholders to ensure that the values and needs of the affected communities are identified and carefully considered in the development of transportation projects; and

WHEREAS, bicycles and pedestrian ways must be given full consideration in the planning and development of transportation facilities, including the incorporation of such ways into State plans and programs; and

WHEREAS, the State's complete streets law requires bicycle and pedestrian ways to be established in or within one mile of an urban area in conjunction with the construction, reconstruction, or other change of any State transportation facility, except in pavement resurfacing projects that do not widen the existing traveled way or do not provide stabilized shoulders, or where approved by the Secretary of Transportation based upon documented safety issues, excessive cost or absence of need; and

WHEREAS, during the development of highway projects throughout the State, IDOT gives consideration to accommodating bicyclists and pedestrians on a need-basis; and

WHEREAS, IDOT has presented the Village of Lemont, for its consideration, a bicycle and/or pedestrian improvement with funding to be split 80% State, 20% local with maintenance to be provided by IDOT; and

WHEREAS, there are no existing bicycle accommodations within 5 miles of the project area to the east on McCarthy Road, nor to the west on McCarthy Road, which highway sections are denoted on the Illinois Official Bicycle Map as "Not Recommended for Bicycling", nor is McCarthy Road in IDOT's long range plan for any improvements other than roadway resurfacing; therefore, be it

RESOLVED, THAT THE Village of Lemont hereby rejects IDOT's proposed bicycle improvement and acknowledges that such rejection will result in a cancellation of the proposed bicycle improvements; and be it further

RESOLVED, that a suitable copy of this Resolution be presented to the Project Engineer associated with the proposal, or his or her equivalent, within IDOT.

PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL AND DuPAGE, ILLINOIS, on this 22nd day of November, 2010.

	<u>AYES</u>	<u>NAYS</u>	<u>PASSED</u>	<u>ABSENT</u>
Debby Blatzer				
Paul Chlaidikas				
Clifford Miklos				
Rick Sniegowski				
Ronald Stapleton				
Jeanette Virgilio				

Approved by me this 22nd day of November, 2010.

CHARLENE SMOLLEN, Village Clerk

Attest:

BRIAN K. REAVES, Village President

CHARLENE SMOLLEN, Village Clerk

AN ACT concerning roads.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Illinois Highway Code is amended by adding
Section 4-220 as follows:

(605 ILCS 5/4-220 new)

Sec. 4-220. Bicycle and pedestrian ways.

(a) Bicycle and pedestrian ways shall be given full
consideration in the planning and development of
transportation facilities, including the incorporation of such
ways into State plans and programs.

(b) In or within one mile of an urban area, bicycle and
pedestrian ways shall be established in conjunction with the
construction, reconstruction, or other change of any State
transportation facility except:

(1) in pavement resurfacing projects that do not widen
the existing traveled way or do not provide stabilized
shoulders; or

(2) where approved by the Secretary of Transportation
based upon documented safety issues, excessive cost or
absence of need.

(c) Bicycle and pedestrian ways may be included in pavement
resurfacing projects when local support is evident or bicycling

Public Act 095-0665

SB0314 Enrolled

LRB095 09575 LCT 29775 b

and walking accommodations can be added within the overall scope of the original roadwork.

(d) The Department shall establish design and construction standards for bicycle and pedestrian ways. Beginning July 1, 2007, this Section shall apply to planning and training purposes only. Beginning July 1, 2008, this Section shall apply to construction projects.

Section 99. Effective date. This Act takes effect July 1, 2007.

5-5.02(o) Bicycle Accommodations

The Agreement will base the division of cost between the State and the Local Agency on the following criteria:

1. On-Road Bicycle Lanes. Proportion the cost 80/20 between the State and Local Agency for the construction of new on-road bicycle lanes as indicated by the facility selection criteria contained in Chapter 17. Proportion the cost 80/20 between the State and Local Agency for right-of-way, utility adjustments, barriers, retaining walls, and other collateral items that are required for bike lane construction necessitated by the IDOT project. The Local Agency is responsible for 100% of the costs for right-of-way, utility adjustments, barriers, retaining walls, and other collateral items that are not required solely for the bike lanes. The State will assume the maintenance of on-road bicycle lanes.
2. Wide Outside Lanes and Widened Shoulders. The State will pay 100% of all costs for wide outside lanes or widened shoulders indicated for bicycle accommodation. The State will also assume the maintenance of these facilities.
3. New and Deteriorated Side Paths. If the side path selection criteria are met and the Local Agency agrees to maintain the paths, proportion the improvement costs associated with new or deteriorated paths as follows:
 - a. New Paths. Proportion the cost 80/20 between the State and Local Agency for construction of new paths within the project termini or for short distances outside the project termini as may be required to connect paths to significant bicycle traffic generators (e.g., schools, transit facilities). The Phase I Study Report will document the need for path construction.
 - b. Right-of-Way, Utility Adjustments and Other Items. Proportion the cost 80/20 between the State and Local Agency for right-of-way, utility adjustments, barriers, retaining walls, and other collateral items that are required for path construction necessitated by the IDOT project. The Local Agency is responsible for 100% of the costs for right-of-way, utility adjustments, barriers, retaining walls, and other collateral items that are not required solely for the bike paths. When the State acquires right-of-way for the State's and Local Agency's needs, the State will require the Local Agency to pay for the local portion.
 - c. Path Removal and Replacement. The State is 100% financially responsible for removing and replacing existing paths if such a need is caused by the construction of an IDOT highway improvement.
 - d. Local Agency Does Not Accept Maintenance Responsibilities. If the Local Agency does not agree to maintain the path, the State will not construct it, even if it is warranted. However, the State will take reasonable actions to not preclude future additions of paths at such locations.

- e. Paths Above and Beyond Selection Criteria. If facility selection criteria for side paths are not met and the Local Agency still requests side path installation, the Local Agency is 100% financially responsible for all costs for installation of the path above those costs for the improvement identified in the selection criteria, including any necessary right-of-way and construction.

All side path construction can be considered for federal-aid participation. In such cases, cost shares will apply to federal-aid matching amounts.

4. Adjustment of Existing Paths. If an existing path requires adjustment due to an IDOT improvement, the State will pay 100% of the adjustment cost. The Department will construct the replacement in accordance with IDOT path criteria. The Local Agency is 100% financially responsible for path adjustments that are caused or initiated by a work request from the Local Agency.

5-5.02(p) Bicycle and Pedestrian Accommodations on Structures

If bicycle and/or pedestrian accommodations are warranted within the termini of a project, those accommodations should be carried over any structures within the project. Please see Chapter 17 for further guidance. If the project omits structure improvements, then bicycle and pedestrian improvements on those structures may also be omitted.

1. New, or Replacement Structures. The State will pay 100% of all costs for bicycle and pedestrian accommodations on new or replacement structures and approaches. The State will assume the maintenance of on-structure accommodations. The Local Agency will pay 100% of the cost difference of a separate bicycle and pedestrian structure if bicyclists and pedestrians could have been safely accommodated on the roadway structure.
2. Reconstructed or Rehabilitated Structures. The State will pay 100% of all costs for bicycle and pedestrian accommodations on reconstructed or rehabilitated structures and approaches. The Local Agency will pay 100% of the cost difference of a separate bicycle and pedestrian structure if bicyclists and pedestrians could have been safely accommodated on the roadway structure, or request grade separation when at-grade crossings are considered safe.

In determining cost shares, an approach is defined as the length of roadway necessary to transition the structure improvement into the existing highway system.

5-5.02(q) Other Work

Municipalities will bear all additional costs of improvements outside the traffic lanes including utility adjustments, curb or curb and gutter repair, drainage structure adjustments, sidewalks, traffic signal installation or modernization, and entrance reconstruction, except as otherwise noted in Section 5-5.02.



ACTIVE
TRANSPORTATION
ALLIANCE

9 West Hubbard Street
Suite 402
Chicago, IL 60654-6545

T 312.427.3325
F 312.427.4907
info@activetrans.org
www.activetrans.org

October 12, 2010

Mr. Benjamin Wehmeier
Village Administrator
Village of Lemont
418 Main Street
Lemont, IL 60439

RE: Village of Lemont
Section No.: 08-00042-00-TL
Project No.: P-91-664-09
Bicycle Accommodation/McCarthy Road & Walker Road

Dear Mr. Wehmeier:

Thank you for contacting us regarding bicycle accommodation within the scope of intersection improvements at McCarthy Road and Walker Road.

In the 5th Edition Chicagoland Bicycle Map, McCarthy Road at Walker Road is identified as a recommended on-street bicycle route accessing downtown Lemont and the nearby Centennial Trail and Palos Forest Preserve trail system. The routes on the map were identified by area cyclists as more convenient, more accommodating, and/or more direct than other available routes connecting important destinations.

The Village of Palos Park has identified McCarthy Road as a route to be improved for bicycle access in their village bicycle plan as part of its goal to improve non-motorized connections to surrounding communities.

McCarthy Road is the primary east-west option for cyclists in Lemont and in Palos Park. Accommodating cyclists within the intersection design in accordance with the state's Complete Streets policy improves the level of service for current cyclists and will accommodate higher levels of cycling traffic expected as cyclist accommodations on McCarthy Road improve in future road improvement projects.

In addition to the cyclist accommodations you find appropriate within your scope, we recommend the installation of Share the Road signs and that signal detector loops be designed and adjusted to detect bicyclists. Traffic signals that are unresponsive to waiting cyclists encourage cyclists to cross against the signal, or ignore the signal entirely. The MUTCD provides for signs and pavement markings that can aid the cyclist in proper positioning at the signal to trigger a light change.

Sincerely,

Steve Buchtel
Southland Coordinator

cc: Dan Persky—Active Transportation Alliance
Rick Boehm—Village of Palos Park
John O'Neal—Chicago Metropolitan Agency for Planning

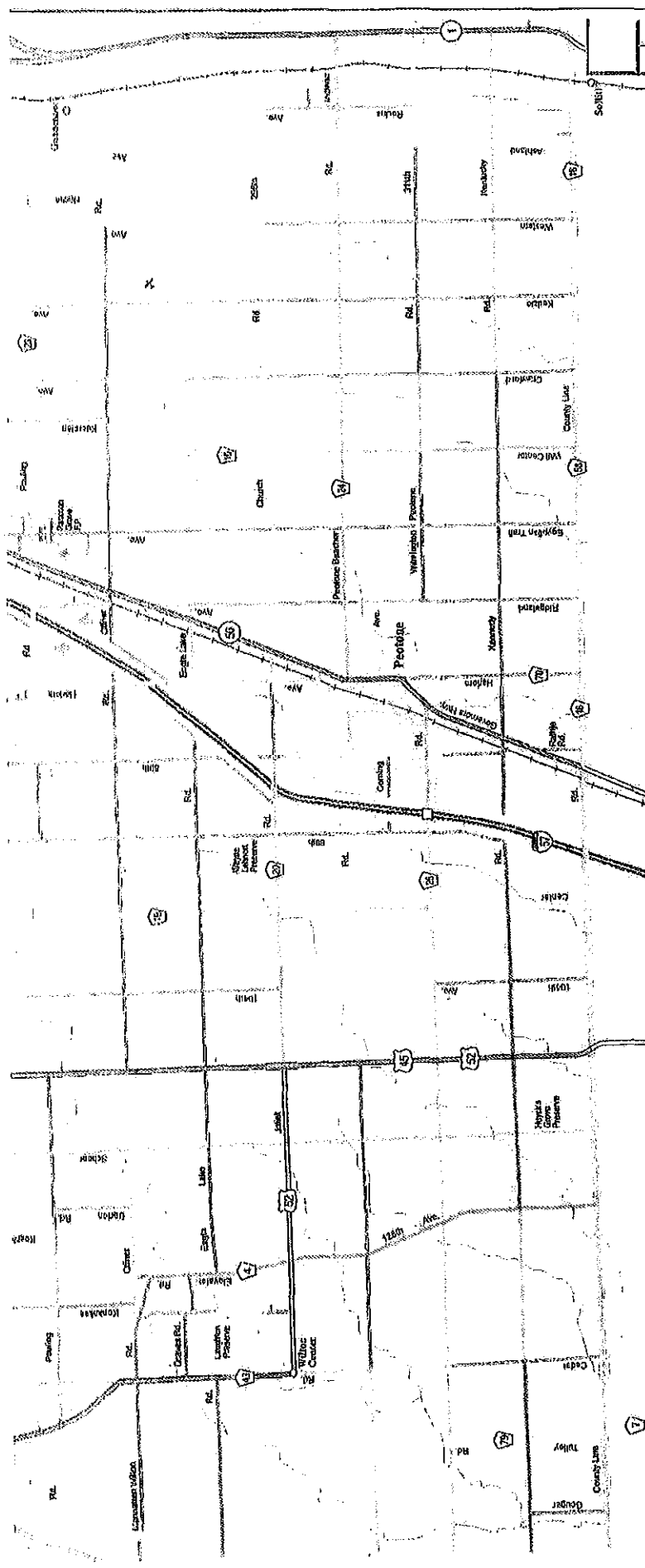
ILLINOIS

Official Bicycle Map



*Chicago / Northeastern
Illinois Map 1*

Free Distribution Only



LEGEND

ROUTE MARKERS

- INTERSTATE HIGHWAY
- INTERSTATE HIGHWAY
- U.S. HIGHWAY
- U.S. DIVIDED HIGHWAY
- STATE HIGHWAY
- COUNTY HIGHWAY
- OTHER ROADS
- GRAVEL, OILED GRAVEL, EARTH OR OILED EACH SURFACE US 8, year duration

UNINCORPORATED OR PLACE NAMES

- UNINCORPORATED OR PLACE NAMES
- OTHER POINTS OF INTEREST
- STATE PARK, MEMORIAL, HISTORIC SITE
- CONSERVATION AREA OR FOREST
- ILLINOIS STATE POLICE HOOPS
- STATE INSTITUTION
- COLLEGE OR UNIVERSITY
- INTERSTATE REST AREA, TOURIST INFORMATION CENTER
- INTERSTATE REST AREA FULL FACILITIES
- ROADSIDE REST STOP

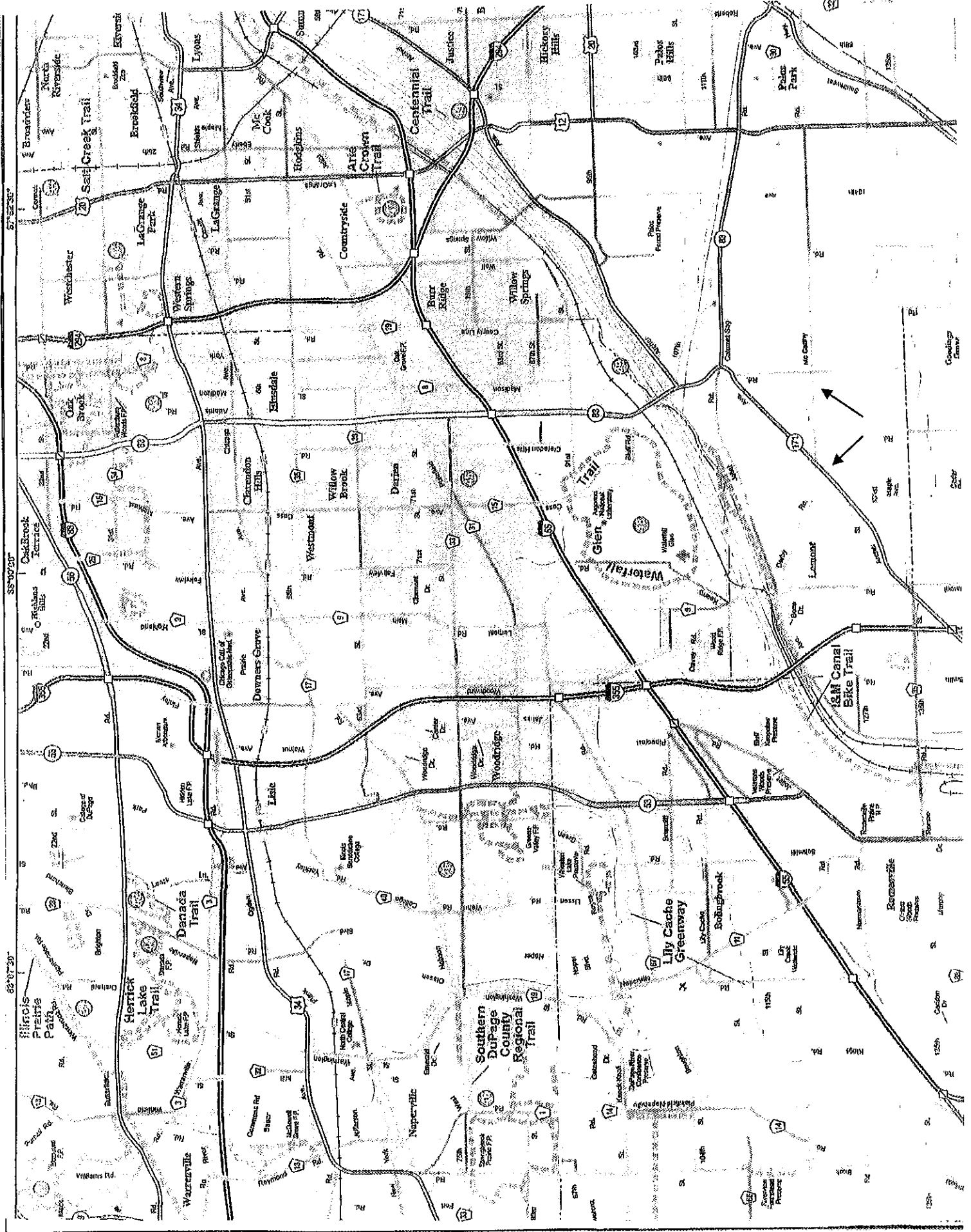
RAILROADS

- RAILROAD
- COMPUTER STATION
- FULL INTERCHANGE
- PARTIAL INTERCHANGE
- BIKE LANE
- BIKE TRAIL (leased)
- BIKE TRAIL (owner possession)
- BIKE TRAIL (owner possession)
- BICYCLE NUMBER (setback on back of copy)
- SCENIC ROUTE
- GRAND ILLINOIS TRAIL

RAILROADS

- COMMERCIAL AIRPORT WITH SCHEDULED SERVICE
- GENERAL AVIATION AIRPORT
- PUBLIC CAMPGROUND
- NATIONAL FOREST PARKER STATION
- RAILROAD
- COMPUTER STATION
- FULL INTERCHANGE
- PARTIAL INTERCHANGE
- BIKE LANE
- BIKE TRAIL (leased)
- BIKE TRAIL (owner possession)
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SCALE: ONE CENTIMETER EQUALS 1.18 INCHES
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Village of Lemont
Planning & Economic Development Department

418 Main Street · Lemont, Illinois 60439
phone 630-257-1595 · fax 630-257-1598

TO: Committee of the Whole #128-10

FROM: Charity Jones, Village Planner

THRU James A. Brown, Planning & Economic Development Director

SUBJECT: Case 10-14 Lemont Village Square Sign Plan Amendment

DATE: November 2, 2010

SUMMARY

Brad Byarski, as a representative of OS Lemont Development, LLC, owner of the subject property, is requesting an amendment to the Annexation Agreement for Lemont Village Square to amend the sign plan adopted therein. The Planning & Zoning Commission and staff recommend approval of the amendment.



CASE HISTORY

PZC Public Hearing. The Planning & Zoning Commission (PZC) reviewed the requested annexation agreement amendment on October 20, 2010. The PZC had no objections to the requested changes and voted 6-0 to recommend approval of the annexation agreement amendment to the Board.

PROPOSAL INFORMATION

Case No. 10.14
 Project Name Lemont Village Square Sign Plan Amendment

General Information	
Applicant	OS Lemont Development, LLC
Status of Applicant	Owner of the subject site
Requested Actions:	To amend the adopted annexation agreement for Lemont Village Square, to revise the signage requirements therein.
Site Location	1237, 1243, and 1251 State Street (PINs 22-32-200-008, 029, and 048)
Existing Zoning	Lemont B-3, Arterial Commercial District
Size	314,123 sf; approx. 7.2 acres
Existing Land Use	commercial
Surrounding Land Use/Zoning	North: Commercial & Residential, Lemont B-3 and Cook County R-4 South: Commercial & Residential, Lemont B-1 and Cook County R-4 East: Commercial & Residential, Lemont B-3 and Cook County R-4 West: Commercial, Lemont B-3
Comprehensive Plan 2002	The Comp Plan calls for this site to be Arterial Commercial.
Zoning History	The site was annexed to the Village on February 14, 2005. At the time of annexation, an annexation agreement was approved and a PUD was adopted. Since that time, the approvals have been amended to allow for an Aldi's grocery store (O-90-07 and O-91-07); to amend the monument sign design (O-71-07); and to amend the signage allowances for Starbucks (O-77-07).
Special Information	
Public Utilities	The site is serviced by Village water or sewer.
Transportation	Traffic impact study not required.
Physical Characteristics	The site is developed with a shopping center consisting of one main building and one outbuilding.
Other	None.

BACKGROUND

When Lemont Village Square was approved in 2005, the annexation agreement included a sign plan for the development. The requirements of the Lemont Village Square sign plan are generally more restrictive than the standard UDO B-3 and shopping

center sign requirements. Additionally, the sign plan contains language that is unclear or contradictory. Over the past two years, as new tenants have moved into the shopping center, the existing sign plan has created challenges for their wall signage. Below are a few examples of some of the issues with the current sign plan requirements (see attachments for illustrations of each).

Example One – Starbucks. Starbucks applied for a variation to the UDO and an amendment to the approved sign plan for Lemont Village Square to accommodate its wall signage. The Lemont Village Square sign plan limited Starbucks to two wall signs, each no more than 1'6" tall. The total sign area allowed by the sign plan is unclear; it was either 25 square feet, or 1 square foot per linear foot of store frontage. The UDO further restricted the placement of signs to only the elevations facing a public right of way (i.e. only the west side of the building). The variation and amendment requests were approved, allowing Starbucks signage on all three elevations of the Lemont Village Square outbuilding in which it is situated. Starbucks has secured its additional signage, but the other units in the outbuilding remain subject to the requirements of the sign plan.

Example Two – Verizon. The Lemont Village Square sign plan states that wall signs on the outbuilding shall be "limited to the name of the tenant and shall not include services provided or tag lines, but may include corporate logos." Verizon's proposed sign included the store name "Verizon Wireless" and the words "premium retailer". Staff interpreted that "premium retailer" was not a tag line or description of services and therefore allowed the sign. However, this sign plan requirement is highly open to interpretation and other similar signs may be interpreted differently.

Example Three – Jimmy John's. Jimmy John's has not yet opened for business, but has recently applied for a sign permit. Based on the information provided in the application, the total sign area is acceptable but the sign does not comply with the sign plan requirements because the logo is 30" tall and the sign message is 24" tall.

ANALYSIS

Staff finds that the current sign plan requirements are overly restrictive (e.g. signs can be no taller than 1'6"), vague (e.g. what constitutes "tag lines"), and at times contradictory (e.g. a maximum sign area of 25' vs. 1 square foot of signage per linear foot of frontage). Therefore, changes to the adopted sign plan are warranted. Based on an evaluation of past, current, and future tenant sign permits, standard UDO sign requirements, and consideration of equal treatment for the center's tenants, staff recommends the following provisions for an updated Lemont Village Square sign plan; these changes would not effect the approvals granted to Starbucks by O-77-07.

Monument Sign

1. Requirements shall remain as approved by O-71-07.

Main Building Wall Signs

1. Number of Signs
 - a. Each tenant shall be permitted one sign per retail unit occupied (e.g. a tenant occupying three spaces could have three wall signs). *This is consistent with UDO Section 17.11.150.E.1.*

- b. Tenants in corner units shall be allowed one sign per façade. For the purposes of this sign plan, a façade shall be defined as "that exterior side of a building that faces and is most closely parallel to a public street, a customer parking lot, or pedestrian promenade. *This definition of façade would differ from the UDO definition; the UDO only includes sides of a building that face a public or private street. This would allow signs on the north and west sides of the main building, but not on the east or south side of the building.*

2. Allowable Sign Area

- a. Each tenant shall be permitted one square foot of signage per linear foot of storefront façade, up to a maximum of 96 square feet. *This is consistent with UDO Section 17.11.150.E.2.*
- b. Corner units may transfer allowable square footage from one façade to another, provided that the total sign area does not exceed the maximum set in 2.a above. For example, this would allow a corner unit with two 30' wide facades to have one 60 square foot sign or two 30 square foot signs. *This provision was added primarily for the benefit of the units that are tucked into the back corners of the main building, to provide the tenants with some flexibility in designing their signs for optimal exposure.*

Outbuilding Wall Signs

1. Number of Signs

- a. Each tenant shall be allowed one sign per façade. *This would allow signs on all sides of the outbuilding.*

2. Allowable Sign Area

- a. Each tenant shall be permitted one square foot of signage per linear foot of storefront façade, up to a maximum of 96 square feet.
- b. Corner units may not transfer allowable square footage from one façade to another. *The outbuilding already has high visibility and therefore allowance to transfer square footage from one façade to another is not necessary.*

Awnings

1. Awning signs are prohibited. *This is consistent with the current requirements of the Lemont Village Square sign plan, and with the existing awnings in the development.*

Conflicts with the UDO

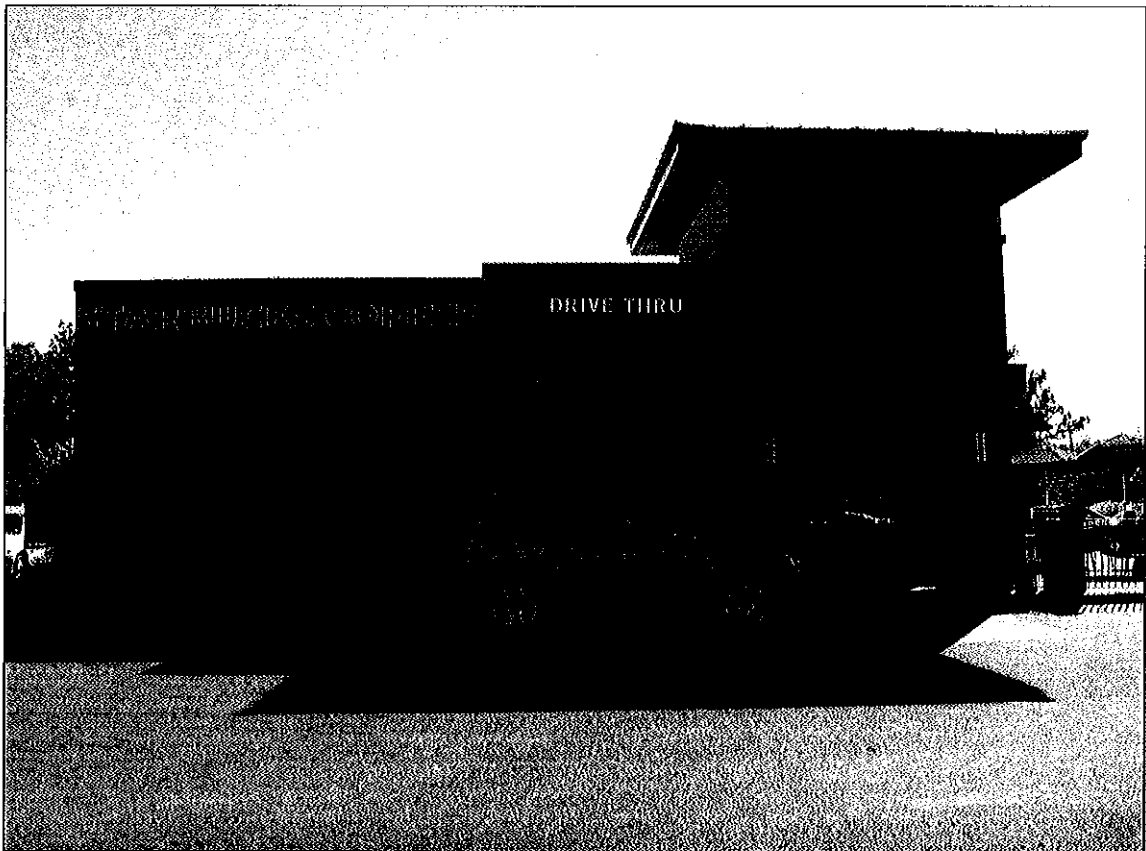
1. Where conflicts exist between the requirements of the Unified Development Ordinance and this sign plan, this sign plan shall apply. Where no conflict exists, or where this sign plan is silent, the requirements of the Unified Development Ordinance shall apply.

CONCLUSIONS& RECOMMENDATIONS

Staff recommends approval of the above revisions to the Lemont Village Square sign plan.

ATTACHMENTS

1. Site Photos – example signs
2. Lemont Village Square Sign Plan from O-10-05
3. UDO Section 17.11.150.E
4. Applicant submittals
5. Draft PZC minutes – October 20, 2010





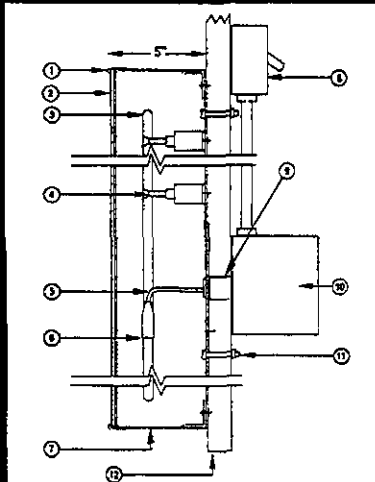
Attachment 1


Internally Illuminated Flush mounted channel letters

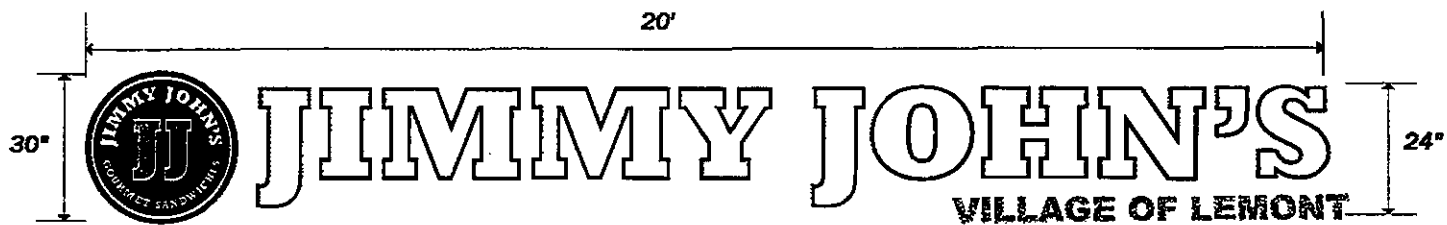
44'



INDIVIDUALLY-MOUNTED CHANNEL LETTERS



1. TRIM CAP WITH RETAINING SCREW
 2. PLEX FACE
 3. NEON TUBE
 4. NEON TUBE SUPPORT
 5. LISTED GYO CABLE
 6. ELECTRODE INSULATING BOOT AND SLEEVE
 7. ALUMINUM .063" BACKS / .040" RETURN
 8. DISCONNECT SWITCH
 9. SEAL TIGHT PASS-THROUGH WIRING KIT
 10. 30 ma TRANSFORMER W/ WALL BOX
 11. WALL ANCHORS AS REQUIRED
 12. WALL FASCIA
-  LISTED



STRICTLY NEON, INC.
 4608 W. 137TH ST.
 CRESTWOOD, IL 60445
 (708)597-1616
 (708)597-8638 FAX

1251 STATE
 LEMONT, IL

CLIENT
 JIMMY JOHN'S

INDIVIDUALLY INTERNALLY ILLUMINATED CHANNEL LETTERS

APPROVED
 APPROVED AS NOTED
 NOT APPROVED

* FLUSH MOUNTED PAINTED.
 * FACES 3/16" WHITE #7328 WITH 1/2" BLACK VINYL BORDER ON FACE
 * RETURNS 5" DEEP, BLACK
 * TRIM CAP 1" BLACK
 * NEON 15MM DOUBLE TUBE 6500 WHITE
 * TRANSFORMER 60 ma.
 * LOGO BLACK FIRST SURFACE VINYL JJ PMS# 186 TRANSLUCENT VINYL

Date _____ Signature _____

Attachment 1

**RETAIL CENTER
LEMONT, ILLINOIS**

**RETAIL SIGNAGE REQUIREMENTS
Revised December 22, 2004**

**M2O Development
Owner/Developer**

**Aria Group Architects, Inc.
Retail Architect**

Retail Sign Package

A. Design Concept

1. The architectural design goals of the development's signage are to provide superior sign design using quality materials. Each sign should be design to enhance the architectural character of the buildings and comply with the size requirement established by the Village of Lemont.

B. Sign Types

1. Monument/Multi-Tenant Sign. The design of the monument sign incorporates materials used in the retail buildings. It consists of brick piers and a limestone base. Center between the piers is a sign box with an arched top that relates to the arches of the building architecture. The sign box is framed in burgundy metal also matching burgundy accent metal found on the building. The top field of the sign box will have raise black metal letters of 5" and 8" with a silhouette lighting effect naming the development. Below the project name will be four tenant signs with internally illuminated color acrylic face letters of a style unique to the tenant's brand. The maximum height of the letters will be 8" high. The total area of the sign box will be a maximum of 60 square feet. The maximum height of the sign box shall be 8' high above the surrounding grade. The entire monument sign structure shall be set 8' off of the property line.
2. Tenant wall signs-main building. These signs are limited to one per tenant and are limited to the sign band area. Centered in the sign band vertically they are limited to 50 square feet for multi-bay tenants and 25 S.F. for single-bay tenants (based on a 25 foot storefront module). A maximum of one square foot per linear foot of frontage, plus a 10 percent bonus if all signs are a channel letter (no backing). For example a 20 foot wide storefront has an allowance of 22 sq. ft., a 25 foot wide storefront is allowed 27.5 sq. ft. Maximum height of wall sign message is 4' for multi-bay tenant and 3' for single-bay tenants with a single letter maximum height of 2'. Wall sign messages shall be limited to the name of the tenant and shall not include services provided or tag lines but may include corporate logos. Signage can mirror corporate logo including such elements as graphics descriptive wording etc. that appear in corporate logo. Wall signs must be internally illuminated channel letters with black metal returns. Extension of letters from wall face shall not exceed 12".
3. Tenant signs-out building. These wall signs are limited to two per tenant with a maximum of 25 square feet per tenant and limited to the sign band area or directly above tenant entry doors. The maximum total for the two signs must not exceed the allowance. A maximum of one square foot per

linear foot of frontage, plus a 10 percent bonus if all signs are a channel letter (no backing) applies here as well. Maximum height of wall sign message is 1'-6" centered vertically in the sign band with a single letter maximum height of 1'-6". Wall sign messages shall be limited to the name of the tenant and shall not include services provided or tag lines but may include corporate logos. Signage can mirror corporate logo including such elements as graphics, descriptive working etc. that appears in corporate logo. Maximum height of logo may be 3'-6" when located above tenant entry doors. Wall signs must be internally illuminate channel letters with black metal returns. Extension of letters from wall face shall not exceed 12".

4. All graphics and signage are prohibited on awnings.

UDO Section 17.11.150.E →

E. Wall Signs within a Shopping Center or PUD.

1. One wall sign per retail unit of a building shall be permitted. Retail units on corner locations within buildings shall be permitted a wall sign on each wall that faces a public street. (Ordinance O-36-08, 2008)
2. Size of each wall sign shall be limited to one square foot of sign area for each linear foot of retail unit frontage, up to a maximum of 96 square feet.

F. Awning Signs within a Shopping Center or PUD. Awning signs are permitted within a shopping center or PUD. A maximum of one awning sign per establishment shall be permitted. For §17.11.090.C of this chapter for additional provisions on awning signs.

G. Changeable Copy Centers. Changeable copy centers shall be permitted within a shopping center only as approved as part of a special use/planned unit development ordinance. A maximum of one such sign shall be allowed per shopping center or PUD.

H. Sandwich Signs. One sandwich sign shall be permitted per street frontage, per establishment.

17.11.160 SIGNS IN THE DD DISTRICT

A. General. The Downtown District encompasses much of the historic core of the Village, and most of this zoning district is also within the Lemont Historic District. The sign regulations for this zoning district therefore are promulgated in order to maintain and promote the historic character of the area. Unless otherwise stated in this section, the provisions of §§17.11.080-090 shall also apply. If the provisions of this section conflict with provisions found elsewhere in this chapter, the provisions of this section shall apply.

B. Approval of Signs. Sign applications are approved by the Community Development Department. Additionally, the Lemont Historic Preservation Commission shall review applications for signs that are within both the Downtown District and the Lemont Historic District. Upon determination that the application meets the standards of this ordinance the Historic Preservation Commission shall issue a Certificate of Appropriateness. An applicant may erect a sign only after:

Annexation Agreement Amendment

Annexation Application Form (with or without rezoning)

Village of Lemont

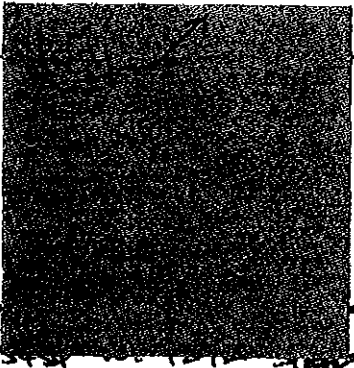
Community Development Department
418 Main Street Lemont, Illinois 60439
phone (630) 257-1595
fax (630) 257-1598

TYPE OF APPROVAL REQUESTED

CHECK ALL THAT APPLY:

Annexation and Annexation Agreement Amendment
 Rezoning

APPLICANT INFORMATION

Applicant Name: BRAD BYAPSKI
Applicant Name: OS LEMONT DEVELOPMENT, LLC
Company/Organization: 2617 BEAZON HILL, ARDEN HILLS, MI 48326
Applicant Address: 248-373-5080 248-373-6280
Telephone & Fax: BTRYAPSKI@YAHOO.COM
E-mail: 

CHECK ONE OF THE FOLLOWING:

Applicant is the owner of the subject property and is the signer of
 Applicant is the contract purchaser of the subject property.
 Applicant is acting on behalf of the beneficiary of a trust.
 Applicant is acting on behalf of the owner.

PROPERTY INFORMATION

Address of Subject Property/Properties: 1237, 1243, 1251, 1217 STATE & 1545 W. 10TH AVE. - ARDENT.
Parcel Identification Number of Subject Property/Properties: 1-6 ADRES
Size of Subject Property/Properties: 1-6 ADRES

DESCRIPTION OF REQUEST

Brief description of the proposed annexation/rezoning: MODIFY ORDINANCE 0-10.05 TO BE MORE CONSISTENT WITH CHAPTER 17.11 / SIGNS OF VILLAGE ZONING ORDINANCE AND ALLOW

REQUIRED DOCUMENTS

See Form 506-A, Annexation Application Checklist of Required Materials, for items that must accompany this application.

1 SQUARE FOOT OF SIGNAGE FEE TOTAL FRONT FOOT, OF STORE FRONT, SUBJECT TO PLANNING APPROVAL OF SCALE AND CHARACTER.

FOR OFFICE USE ONLY

Application received on: _____ By: _____
Application deemed complete on: _____ By: _____
Current Zoning: _____
Fee Amount Enclosed: _____ Escrow Amount Enclosed: _____

Annexation Application Form

Village of Lemont

APPLICATION FEE & ESCROW

Rezoning Application Fee (based on size of property to be rezoned):

- < 2 acres = \$300
- 2 to < 5 acres = \$500
- 5 to < 10 acres = \$750
- 10 to < 20 acres = \$1,000
- 20 acres or more = \$1,250

Annexation Application Fee = \$250 (per zoning lot)

Fee is non-refundable. A zoning lot is defined as "a single tract of land located within a single block that (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon, under single ownership or control" (Unified Development Ordinance Chapter 17.02).

Required Escrow = ~~\$750 for annexation, plus \$500 for rezoning~~ **\$500**

At the time of application, the applicant shall submit a check for the establishment of an escrow account. The escrow money shall be used to defray costs of public notice, consultants, or other direct costs incurred by the Village in association with the annexation application. Additionally, should the applicant fail to remove the required public notice sign in a timely manner, the escrow account may be used to defray the costs of the sign's removal. After completion of the annexation review process, any unused portion of the escrow account will be refunded upon request.

AFFIRMATION

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. I permit Village representatives to make all reasonable inspections and investigations of the subject property during the period of processing of this application. I understand that as part of this application I am required to establish an escrow account to pay for direct costs associated with the approval of this application, such as the fulfillment of public notice requirements, removal of the public notice sign, taking of minutes at the public hearing and fees for consultants hired by the Village to evaluate this application. I understand that the submitted fee is non-refundable and that any escrow amount leftover upon project completion will be refunded upon request. I understand that I am responsible for the posting of a public hearing sign and for the mailing of legal notice to all surrounding property owners as required by Village ordinances and state law.

8/23/10

Signature of Applicant

Date

State

County

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that _____ is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and that said person signed, sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

Notary Signature

Given under my hand and notary seal this 23RD day of AUGUST A.D. 20 10.

My commission expires this 23 day of Sept A.D. 20 11.

JAMES M. TORRE
Notary Public, State of Michigan
County of Oakland
My Commission Expires Sep. 23, 2011
Acting In the County of Oakland

Village of Lemont
Planning and Zoning Commission
Regular Meeting of October 20, 2010

A meeting of the Planning and Zoning Commission of the Village of Lemont was held at 6:30 p.m. on Wednesday, October 20, 2010, in the second floor Board Room of the Village Hall, 418 Main Street, Lemont, Illinois.

I. CALL TO ORDER

A. Pledge of Allegiance

Chairman Schubert led the Pledge of Allegiance.

B. Verify Quorum

Upon roll call the following were:

Present: Armijo, Erber, Maher, O'Malley, Spinelli, Schubert

Absent: Murphy

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

C. Approve Minutes

Commissioner Maher made a motion, seconded by Commissioner O'Malley to approve the minutes of the September 15, 2010 meeting with no changes. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

II. CHAIRMAN COMMENTS

Chairman Schubert asked the audience to stand and raise his or her right hand. He then administered the oath.

III. NEW BUSINESS

A. Case #10-14: Lemont Village Square Sign Plan Amendment.

Review of request to amend the Lemont Village Square Annexation Agreement to revise the sign plan for the shopping center.

Mrs. Jones stated that the application before the Board is to amend the annexation agreement. She said the sign plan for the Lemont Village Square was incorporated when the property was annexed in 2005. Mrs. Jones stated that as tenants have moved in there have been some issues with the sign plan. She then presented to the Board and the audience, via power point, a drawing of the building and how it is laid out on the property. Mrs. Jones stated that Starbucks, who is a tenant on the property, did have a problem with the sign plan. Starbucks pursued and received a variation for their

signage. She stated that signage on the east or north-facing façade of the building was not allowed according to the UDO and sign plan. Mrs. Jones then presented pictures, via power point, showing the variation for Starbucks. Mrs. Jones stated that another example that was deemed appropriate was Verizon Wireless. She said that the sign plan states that wall signs will not include tag lines. Verizon Wireless has the words “premium retailer” under their name. She stated that Verizon’s sign meets the square footage. However, the tag line could be an issue with another tenant. She said that another example would be Jimmy John’s who has not yet opened. Mrs. Jones did not have a photo of their sign. She said based on their application submitted, the size of the sign was fine, however the sign height was too tall. She stated that the sign would be similar to the Coldstone sign that was there.

Mrs. Jones stated that the requirements to the monument sign would stay the same as were adopted in ordinance 0-71-07. She said the amendment would mostly affect wall signage. She said for the main building, staff is proposing one retail sign per unit. Mrs. Jones stated that if a tenant had three retail units then they could have three signs. She said that tenants in corner units would be allowed one sign per façade. She stated that a façade would be anything facing a parking lot or pedestrian walkway in the shopping center. Mrs. Jones stated that normally in the UDO a façade is defined as only a street facing façade, which often causes issues in shopping centers. She stated that as far as maximum allowable sign area, the signs would have to be consistent with the UDO. She said that the amendment would allow corner units to transfer the allowable signage from one facade to the other. She stated that this would only apply to a couple of units. She stated that where Slammers is going in, it is tucked back in the corner of the shopping center. She said that this would allow them some sign flexibility with their signage. She said that the size that would be allowed, based on the linear footage, would be about 60 square feet.

Mrs. Jones stated that the outbuildings would be allowed one sign per façade. She stated that this means that the units on the ends could have signage on all three sides. That is what Starbuck’s was allowed to have. She said that those units would not be allowed to transfer allowable square footage from one façade to another. Mrs. Jones stated that awning signs are prohibited and that would remain the same. She stated that they would be subject to all the other requirements of the UDO that were not conflicting with the revisions of this plan.

Chairman Schubert asked Mr. Byarski if there was anything else he would like to add.

Brad Byarski, OS Lemont Development, LLC, owner of the subject property stated that Slammers is the reason this all came about. He said because of lettering, how the square footage is measured, and the design of the storefront he figured it was time to have it amended.

Mrs. Jones stated that allowing the signage on the non-street facing façade of the outbuilding would be consistent with what was allowed in the plaza by Target and Kohl’s.

Chairman Schubert stated that allowing signage on the back of businesses in circumstances like this makes it easier for customers to know that these businesses are there.

Chairman Schubert asked if there were any questions or comments. None responded.

He then read the Findings of Fact:

1. The current sign plan is unduly burdensome and vague. A revised sign plan would expedite sign approvals and be in the best interest of the shopping center's tenants and the Village.
2. The proposed sign plan provides adequate signage for businesses and includes proper controls to ensure an attractive environment for residents and customers.

All Commissioners agreed.

Commissioner Spinelli made a motion, seconded by Commissioner Armijo to recommend approval of Case #10-14. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

IV. GENERAL DISCUSSION

Chairman Schubert stated that Palos is trying to annex property by the forest preserve, Mid-Iron and then continue right on thru to Glen Eagles, Cog Hill and so on. He said that the Village is working hard to not let this happen.

Mr. Stapleton stated that Mayor Reeves is working hard and is sitting down with as many people as he can. He said that Mayor Reeves is very upset with the Mayor of Palos. Mr. Stapleton stated that in December Palos passed their Comprehensive Plan and it states right in the plan that they were going after 2,000 acres of Lemont Township.

Mr. Stapleton then provided to the Board a map showing the properties that Palos might try to annex. He stated that Palos is planning on zoning the property that is annexed as commercial.

Discussion then continued as to how Palos would get water and sewer out to the area and what areas they are looking to annex.

Commissioner Spinelli asked when they were going to hear the Judge's decision on the billboard case.

Mr. Stapleton stated that on Thursday, October 21st at 11:00 a.m.

Mrs. Jones stated that she gave the Board some fliers on the Canal Corridor Association. She stated they are looking for some public input at their workshops so if anyone would like to attend they are welcome to.

V. **ADJOURNMENT**

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

Ayes: All

Nays: None

Motion passed

Minutes prepared by Peggy Halper



Village of Lemont
Planning & Economic Development Department

418 Main Street · Lemont, Illinois 60439
phone 630-257-1595 · fax 630-257-1598

TO: Committee of the Whole #130-10

FROM: Charity Jones, Village Planner

THRU James A. Brown, Planning & Economic Development Director
George Schafer, Assistant Village Administrator

SUBJECT: Downtown Parking

DATE: November 8, 2010

At the September Committee of the Whole meeting, the Committee discussed current downtown parking regulations and the possibility of creating a permit system to allow parking for downtown business owners and employees that is not restricted to a four hour time limit. Based on that discussion, and a review of other communities' practices, staff drafted the following proposals.

Parking Permits

Attached is a draft letter to all downtown businesses, to notify them of the establishment of a downtown business parking permit program. Highlights of the program are as follows:

- Downtown business owners and employees may purchase a permit hangtag that entitles them to park on the 4th or 5th floor of the parking garage.
- Cars displaying a hangtag may park in any non-reserved space on the 4th or 5th floor of the garage and be exempted from the four hour parking time limit.
- Proof of employment at a downtown business is required to receive a permit hangtag.
- Parking spaces on the 4th and 5th floors of the parking garage will be available on a first come, first served basis.
- Permits are valid for up to a year; all permits will expire January 1st of each year.

Staff feels that a permit fee is prudent to 1) discourage people from purchasing hangtags but never using them and 2) defray some of the costs of printing and administering the hangtags. Please discuss and provide staff direction regarding fees.

Downtown Parking Lots

All parking lots in the downtown will be posted as four hour parking only from 9 a.m. to 6 p.m., with the exception of Village Hall. The Village Hall parking lot will be designated as

Village Hall business only from 8:00 a.m. to 5:00 p.m. Monday through Friday. All lots will continue to prohibit parking from 3:00 a.m. to 6:00 a.m.

Illinois Street & Stephen Street

A request has been submitted to Public Works to add additional on-street parking spaces on Illinois Street, near the intersection of Illinois Street & Stephen Street. The spaces would be located in front of the soon-to-open Muffins located at 400 Illinois Street. The Public Works Department has investigated the request and finds that there is sufficient distance to add two additional on-street parking spaces in that location. Staff is recommending a time limit of two hours for these new parking spaces, to provide some customer parking for the businesses located at 400 Illinois Street. The proposed two hour limit is consistent with the on-street parking time restrictions throughout the rest of downtown. A code change will not be needed to accommodate the two-hour parking, as the code already designates the area as two hour parking.

Attachments

1. Draft letter to downtown businesses, re: downtown business parking permits



Village of Lemont

418 Main Street Lemont, Illinois 60439

Village of Faith

Mayor
Brian K. Reaves

Village Clerk
Charlene M. Smollen

Trustees
Debby Blatzer
Paul Chialdikas
Clifford Miklos
Rick Sniegowski
Ronald Stapleton
Jeanette Virgilio

Administrator
Benjamin P. Wehmeier

Administration
phone (630) 257-1590
fax (630) 243-0958

Building Department
phone (630) 257-1580
fax (630) 257-1598

Community Development
phone (630) 257-1595
fax (630) 257-1598

Engineering Department
phone (630) 257-2532
fax (630) 257-3068

Finance Department
phone (630) 257-1550
fax (630) 257-1598

Police Department
416 Main Street
phone (630) 257-2229
fax (630) 257-5087

Public Works
16680 New Avenue
phone (630) 257-1590
fax (630) 243-0958

[Recipient Name]
[Title]
[Company Name]
[Street Address]
[City, ST, ZIP Code]

[DATE]

Dear [Recipient Name]:

This fall the Village finished installing new signage throughout the downtown. The new directional signs will make it easier for visitors to find parking and points of interest throughout downtown. New parking signs have also been installed in all public parking lots downtown. As before, parking in these lots is generally limited to four hours and on-street parking spaces are limited to two hours to provide convenient parking for downtown patrons. The Village recognizes that although these parking time limits serve the needs of our downtown guests, they can also create challenges for downtown business owners and employees. Therefore, the Village is now allowing all day parking on the top two floors of the parking garage for downtown business owners and employees who purchase and display a Downtown Business parking permit hangtag in their vehicles.

Downtown Business parking permits can be purchased for \$_____ at Village Hall. Village Hall is located at 418 Main Street and is open from 8:30 a.m. to 5:00 p.m. Monday through Friday. When purchasing a permit, you will need to bring proof of employment at a downtown business and the license plate number(s) for the vehicle(s) you intend to park on the fourth or fifth floor of the garage. Permits are valid until January 1 of the following year; each January, the permit must be renewed. All permits issued in 2010 will be valid until January 1, 2012. Upon issuance, you will receive a permit hangtag to display in your vehicle.

Vehicles displaying a valid permit hangtag may park in any non-reserved space on the fourth or fifth floor of the parking garage (310 River Road); reserved parking spaces are for Front Street Lofts residents only. Parking permits are valid for parking from 6:00 a.m. to 3:00 a.m. daily. No overnight parking is allowed. The permit hangtag must be displayed at all times.

Downtown Business permit hangtags are only valid for use on the fourth and fifth floors of the parking garage. Vehicles parked in any other areas must comply with the time limits posted for those parking areas.

We hope that this new system will provide downtown employees and business owners parking spaces to meet their needs, while saving the most convenient parking for our downtown guests. If you have any questions, please contact George Schafer at (630)257-1590.

Sincerely,

Benjamin P. Wehmeier
Village Administrator

**Village Board
Agenda Memorandum**

To: Mayor & Village Board

From: Chief Kevin W. Shaughnessy

Date: October 25, 2010

Re: **Four way stop sign requested at Eagle Crest Drive and Connaught**

BACKGROUND/HISTORY

Responding to public complaints, the Police Department has recommended a four way stop at the intersection of Eagle Crest Drive and Connaught. A traffic study was conducted and traffic counts indicated the four way stop is warranted.

PROS/CONS/ALTERNATIVES (IF APPLICABLE)

Due to the close proximity of this intersection to the Lemont Park District, safe travel by pedestrians would increase public safety.

RECOMMENDATIONS

Stop Signs to be erected at the intersection of Eagle Crest Drive and Connaught.

ATTACHMENTS

Ordinance

SPECIFIC VILLAGE BOARD ACTION REQUIRED

Ordinance Approval

VILLAGE OF LEMONT

ORDINANCE _____

**ORDINANCE AMENDING CHAPTER 10.12 OF THE
LEMONT MUNICIPAL CODE:
THROUGH, STOP AND ONE-WAY STREETS**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LEMONT**

This _____ day of November , 2010

**Published in pamphlet form by
authority of the President and
Board of Trustees of the Village of
Lemont, Counties of Cook, Will, and
DuPage, Illinois this _____ day
of November , 2010**

ORDINANCE _____

**AN ORDINANCE AMENDING CHAPTER 10.12 OF THE
LEMONT MUNICIPAL CODE:
THROUGH, STOP AND ONE-WAY STREETS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lemont that the Lemont Municipal Code Chapter 10.12 be amended as follows:

SECTION 1:

10.12.055 All-Way Stop intersections designated.

Stop signs shall be erected at the following locations:

47. Eagle Crest Drive and Connaught Street

SECTION 2: Effective Date: This Ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

SECTION 3: Repealer: All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

The Village Clerk of the Village of Lemont shall certify to the adoption of this Ordinance and cause the same to be published in pamphlet form.

**PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF
THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL AND DU PAGE, ILLINOIS ON
THE _____ day of _____, 2010.**

Debby Blatzer
Paul Chialdikas
Clifford Miklos
Rick Sniegowski
Ronald Stapleton
Jeanette Virgilio

AYES NAYS PASSED ABSENT

BRIAN K. REAVES, Village President

Attest:

CHARLENE M. SMOLLEN, Village Clerk

Village Board

Agenda memorandum

Item #

to: Mayor Brian Reaves
Village Board of Trustees

from: Ben Wehmeier, Village Administrator

subject: License Agreement with Front Street Cantina

date: November 10, 2010

BACKGROUND/HISTORY

The License Agreement is the standard mechanism used by municipalities to grant permission for the use of public property by another entity. Front Street Cantina is requesting such permission to locate its industrial cooler on public property directly connected to the restaurant at 301 Front Street.

PROS/CONS/ALTERNATIVES (IF APPLICABLE)

The License Agreement provides for appropriate annual liability insurance provided by Front Street Cantina during the duration of the Agreement. The Agreement does not provide for an end date, and will remain in effect as long as the use of the public property is required by the restaurant.

RECOMMENDATION

ATTACHMENTS (IF APPLICABLE)

- 1) License Agreement drafted by the Village Attorney.

SPECIFIC VILLAGE BOARD ACTION REQUIRED

Discussion

LICENSE AGREEMENT

WHEREAS, WATER BAR INVESTMENTS, LLC, an Illinois Limited Liability Company d/b/a FRONT STREET CANTINA, (hereinafter referred to as "**Grantee**"), has requested permission of the Corporate Authorities of the VILLAGE OF LEMONT, Illinois (hereinafter referred to as "**Grantor**" or "**Village**") to place an industrial cooler, (make, model number) (hereinafter referred to as "**Cooler**") on the public property directly connected to the commercial business known as Front Street Cantina at the property located at 301 Front Street, Illinois; and

NOW, THEREFORE, upon the mutual covenants and agreements here-inafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the **Grantor** hereby grants a License, without Warranty of Title and without grant of any possessory estate or interest or rights in the land described below, unto the **Grantee**, to install, construct, operate, maintain, repair, and remove, the **Cooler** to be located on the public property directly connected to the commercial business known as Front Street Cantina at the property located at 301 Front Street, Illinois, legally described as follows:

(insert legal here)

which license is granted, however, subject to the following terms, covenants, and conditions:

1. At any future time after the date hereof, the **Grantor** may revoke this license contained herein at will and without notice to the **Grantee** and without cost to either the **Grantor** or its successors or assigns.

2. Upon such revocation of this license by the **Grantor**, the **Grantee** shall not remove the **Cooler** installed and constructed by it pursuant to the terms of this license, unless requested to do so by the **Grantor**. In the event the **Grantor** requests removal of such **Cooler**, the **Grantee** shall undertake such removal within thirty (30) days of such request and accomplish same within thirty (30) days after commencing such removal.

3. Upon completion of its work (installation, construction, maintenance, repair, or removal, as the case may be) the **Grantee** shall removed from the public property all other materials and shall replace all remaining unused public property in a neat and workmanlike manner. **Grantee** shall at all times, and under all circumstances, indemnify, protect, and hold harmless the **Grantor**, its grantees, licensees, agents, lessees and invitees, from and against any and all damages, losses, claims, demands, actions and causes of action whatsoever (including any reasonable costs, expenses and attorneys' fees which may be incurred in connection therewith) whether or not the claim, demand, or action asserted be meritorious, and which results from or is alleged to arise out of or in connection with, the installation, construction, reconstruction, operation, maintenance, alteration, repair, replacement, removal or existence of the **Cooler** upon the public property, or the existence of the license granted **Grantee** herein; provided, however, that in the event any such claim, damage, loss, demand, action, or cause of action is asserted against the **Grantor**, or its agents, **Grantor** shall furnish **Grantee** with written notification thereof and **Grantee** shall conduct the defense thereof before any court, board,

commission or other governmental body exercising jurisdiction therein. No settlement or compromise of any such claim, damage, loss, demand, action or cause of action against **Grantor** shall be made unless agreed to by **Grantor**.

4. **Grantee** agrees to pay **Grantor**, its grantees, licensees, agents, lessees and invitees for any and all damage or injury (including death) to person(s) or property or any expense which they, or any of them, may sustain resulting from or arising out of or in connection with, the installation, construction, reconstruction, operation, maintenance, alteration, repair, replacement, removal, or existence of the **Cooler** upon public property, or the existence of the license granted **Grantee** hereunder. The **Grantee** shall, at its own expense, within fifteen (15) days of the date hereof, and not less than thirty (30) days prior to the end of each year hereafter, procure and deliver to the Village Clerk of the **Grantor** an insurance policy issued by an insurance carrier acceptable to the **Grantor**, naming the **Grantor** as the insured, having limits of coverage for public liability including death in the amount of not less than Five Hundred Thousand Dollars (\$500,000) per person and not less than One Million Dollars (\$1,000,000) per occurrence, and having limits of coverage for property damage in the amount of not less than One Hundred Thousand Dollars (\$100,000) -- all as approved by the Village Attorney of the **Grantor**. The delivery of such policy shall be made prior to the exercise of the privilege of the license granted hereby and not less than thirty (30) days prior to the expiration of any preceding policy certificate.

5. **Grantor** shall not be liable to **Grantee**, its grantees, licensees, agents, lessees, or invitees for any damage or injuries (including death) to any person or to any of their properties except to the extent that injuries or damages are caused by the negligent, willful or malicious misconduct of **Grantor**. **Grantee** shall indemnify and hold harmless the Village, its officers, agents and employees to the fullest extent permitted by law due to any claim arising out of, or in any way related to the letting, the use of the Premises and/or the execution or implementation of this Agreement.

6. Any notice herein provided to be given shall be deemed properly given if in writing and delivered personally or mailed to the **Grantor** c/o the Village Administrator with a copy to the Village Clerk at 418 Main Street, Lemont, IL 60439, or to the **Grantee** at 301 Front Street, Lemont, IL 60439, or to such other person or addresses as the parties hereto may from time to time designate upon written notice.

7. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors in interest.

8. The **Grantor** and the **Grantee** certify hereby that they are not barred from entering into this License Agreement as a result of violations of either Section 33E-3 or Section 33E-4 of the Illinois Criminal Code.

IN WITNESS WHEREOF, the parties hereto have caused this License Agreement to be executed by their proper officers, thereunto duly authorized and their respective seals to be hereto affixed, this _____ day of _____, 2010.

WATER BAR INVESTMENTS, LLC,
an Illinois Limited Liability Company d/b/a
FRONT STREET CANTINA,

By: _____
Its _____

ATTEST:

Its _____

VILLAGE OF LEMONT

By: _____
Village Administrator

ATTEST:

Village Clerk

Village Board

Agenda memorandum

Item #

to: Mayor Brian Reaves
Village Board of Trustees

from: Ben Wehmeier, Village Administrator

subject: Licensing for Landscape Contractors

date: November 10, 2010

BACKGROUND/HISTORY

The attached amendment to the Municipal Code adds Chapter 5.45 requiring Landscape Maintenance Contractors to obtain a license to perform work in the Village. It has been practice, but not specifically included in the Municipal Code that Landscape Contractors engaged in cutting grass and performing other yard maintenance activities require licensing.

PROS/CONS/ALTERNATIVES (IF APPLICABLE)

For the protection of the resident, the village and the contractor, licensing, bond and insurance is required by these provisions.

RECOMMENDATION

ATTACHMENTS (IF APPLICABLE)

- 1) Amendment to Municipal Code: Chapter 5.45: Landscape Maintenance.

SPECIFIC VILLAGE BOARD ACTION REQUIRED

Discussion

**VILLAGE OF LEMONT
ORDINANCE NO. _____**

**An Ordinance Amending Chapter 5 of the Lemont, Illinois Municipal Code
Relating to Licensing of Landscapers**

**ADOPTED BY THE
PRESIDENT AND THE BOARD OF TRUSTEES
OF THE VILLAGE OF LEMONT
THIS ___ DAY OF _____, 2010**

**Published in pamphlet form by
Authority of the President and
Board of Trustees of the Village of
Lemont, Counties of Cook, Will and
DuPage, Illinois, this ___ day of _____, 2010.**

ORDINANCE NO. 2010-_____

**An Ordinance Amending Chapter 5 of the Lemont, Illinois Municipal Code
Relating to Licensing of Landscapers**

WHEREAS, the Village of Lemont (“Village”) is an Illinois Municipal Corporation pursuant to the Illinois Constitution of 1970 and the Statutes of the State of Illinois;

WHEREAS, the Village has the authority to regulate certain businesses; and,

WHEREAS, the Illinois Municipal Code grants the authority to the Village to regulate and license persons and entities in the landscape maintenance business or in the business of generating landscape waste (65 ILCS 5/11-42-14);

WHEREAS, the Village President and Board of Trustees find that it is the best interests of the health, safety and welfare of the community to require the registration of landscapers operating and working within the Village limits

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT and BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COOK, DUPAGE AND WILL COUNTIES, ILLINOIS, as follows:

SECTION ONE: The Lemont, Illinois Municipal Code (“Village Code”), as amended, is hereby further amended by adding in its entirety the new section 5.45.010 *et. seq.* as indicated as follows:

Chapter 5.45

LANDSCAPE MAINTENANCE

Sections:

- 5.20.010 Definitions.**
- 5.20.020 License--Required.**
- 5.20.030 License--Term.**
- 5.20.040 License--Fees.**
- 5.20.050 License--Revocation conditions.**
- 5.20.060 Compliance with Village ordinances.**

5.20.010 Definitions.

The following terms used in this chapter have the following meanings unless the context otherwise requires:

- A **“Landscape Maintenance Services”** means the improvement and/or maintenance of the appearance of an area of land by planting and/or maintaining trees, shrubs, grass, or other plants and lawn ornaments, or by altering the contour of the ground. In addition, Landscape Maintenance Services shall include the providing of services in the nature of cultivation or beautification of gardens; the trimming, cutting, or pruning of hedges, plants, and/or grass; the raking, sweeping, or gathering for removal of landscape waste and other yard debris; or other activities similar in nature to the foregoing.
- B **“Landscaper”** means any Person or Business engaged in the business of providing Landscape Maintenance Services within the Village. This definition shall not apply to Persons while and to the extent that they are acting as Landscaping Contractors.

5.20.020 License--Required.

A. It is unlawful to engage in business as a Landscaper or to otherwise provide Landscape Maintenance Services as a business within the Village without first having obtained a landscaper license, as hereinafter provided.

5.20.030 License--Term.

The Village Clerk shall issue a license upon proper application and compliance with this chapter. All Landscaper licenses shall expire on December 31st of each year.

5.20.040 License--Fees

There shall be no fee for the licensing of Landscapers.

5.20.050 License--Revocation conditions.

Any Landscaper license may be revoked or suspended by the Village Administrator for violations of any law relating to landscaping, or any other ordinance of the Village relating to the

work performed by such landscaper. Provided, except in emergency the Village Administrator shall provide the Landscaper with notice and an opportunity to respond prior to any such suspension or revocation. Provided further, a Landscaper which has had its license revoked or suspended in excess of 10 days may appeal such action to the corporate authority. Such suspension or revocation may be in addition to any fine imposed for violating this chapter.

5.20.060 Compliance with Village ordinances.

It shall be the duty of all landscapers to comply with all ordinances relating to landscaping and all laws or ordinances pertaining to or regulating the activities engaged in.

SECTION TWO: Publication. That the Village Clerk of the Village of Lemont be and is directed hereby to publish this Ordinance in pamphlet form.

SECTION THREE: Effective Date. This Ordinance shall be in full force and effect from its passage, approval and publication as provided by law, and shall be applicable at all meetings held on or after January 1, 2011.

PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL, AND DUPAGE, ILLINOIS, on this ___ day of _____, 2010.

PRESIDENT AND VILLAGE BOARD MEMBERS:

	AYES:	NAYS:	ABSENT:	ABSTAIN
Debby Blatzer	_____	_____	_____	_____
Paul Chialdikas	_____	_____	_____	_____
Clifford Miklos	_____	_____	_____	_____
Ron Stapleton	_____	_____	_____	_____
Rick Sniegowski	_____	_____	_____	_____
Jeanette Virgilio	_____	_____	_____	_____

BRIAN K. REAVES
President

ATTEST:

CHARLENE M. SMOLLEN
Village Clerk