

VILLAGE BOARD  
Committee of the Whole Meeting  
July 15, 2019  
Lemont Village Hall – Village Board Room  
418 Main St., Lemont, IL 60439

**I. Call to Order**

Mayor Egofske called the COW Meeting to order at 6:30 p.m.

**II. Roll Call**

Present were Trustees, Kittridge, Kwasneski, Maher, McClafferty, Sniegowski and Stapleton. Also present were George Schafer, Jason Berry, Mark Herman, Marc Maton and Ralph Pukula.

**III. Discussion Items**

**A. Covington Knolls Unit 8 Discussion**

Community Development Manager, Mark Herman presented on behalf of John Gallagher of Gallaher and Henry, owner of the subject property, is seeking a Preliminary PUD and Preliminary Plat of Subdivision to allow the construction of 24 detached single-family homes as Phase 8 of Covington Knolls located at the northeast corner of Covington Drive and 127th Street.

The proposed Covington Knolls Phase 8 consists of a 7.7-acre site with 24 detached single-family home lots, 2 parking outlots, a fire access/pathway lot and a public roadway. The parking lots have 20 parking stalls in each lot for a total of 40 off-street parking spaces, to be primarily used by the Park District fields across Covington Drive. Currently in discussion with the Lemont Park District, the parking lots may change and turn into detached single-family home lots as the Park District wishes to construct the parking across Covington Drive on the same side of the fields. The applicant has stated that due to the discussion with the Park District, an updated plan is forthcoming showing 2 homes on the Park District parking lots.

There is a range in home model choices from two-story to ranch homes; all proposed homes with front-loaded three car garages. The detached single-family homes will be designed to meet the appearance standards set forth in the Covington Knolls overall PUD approved sets the appearance standards requiring brick/masonry on all four sides, at minimum to the top of the first story. There are other standards set forth to encourage design variety among dwellings on the same street. In general, no home that is either next to each other, directly opposite the street, or cater-corner to one another shall have the same exterior and there are listed varieties that differentiate the homes from one another. The following departures from the UDO are proposed.

- Lot widths are proposed at 75' rather than minimum 90' in R-4. This is a continuance of Ord 849 and the typical lot width for G&H homes in R-4 of Covington Knolls.
- Proposed side yard setbacks are 7.5' or 10% of the lot width, whichever is greater (the UDO requires 15' in side yard setbacks or if the lot width is less than 80' but greater than 55', each side yard should be 16.5% of the lot width). This request is a continuance of Ord 849 and the side yard setback standards that G&H was approved for in R-4 of Covington Knolls.
- The cul-de-sac is greater than 300 feet long. The Fire Marshal has approved the plan for the road and there is an emergency pathway from Bainbridge to Overton to alleviate the emergency vehicle access concern.

The Board had no issue with this item. It will be added to future Board meeting for

approval.

## **B. Pete's Fresh Market Electronic Message Center Discussion**

Community Development Manager, Mark Herman presented for Eugene Grzynekowicz of PM Market on State Street who is requesting an amendment to the approved Planned Unit Development (PUD) for Lemont Plaza located at 1100 State Street. The purpose of the requested PUD amendment is to allow an electronic message board sign within the existing pylon sign with elements that do not meet the UDO regulations.

Pete's Fresh Market is in the process of renovating the former Chipain's Fresh Market space to open as a community grocery store. Pete's Market is owned by a family owned company with several other successful grocery stores throughout the Chicagoland area. All other Pete's Fresh Market stores have an electronic message board center on a freestanding sign in front of their grocery stores. Pete's Market wishes to install a similar sign on the existing pylon sign in front of their store.

Electronic Message Board Centers (EMCs) are allowed on property zoned B-3 adjacent to State Street and at least 400 feet from another EMC. The distance from the nearest EMC sign is at Illinois Bar and Grill and it is approximately 540 feet away. They must also be at least 250 feet from the nearest residentially zoned property that is adjacent to the same street on which the EMC is located. This distance of 250 feet shall be measured from the base of the sign to the nearest property line of the residentially zoned property. The proposed EMC sign for Pete's Fresh Market does not meet the 250 feet distance from the closest residentially zoned land; the land across the street to the east is zoned R-1 and is the SS. Cyril & Methodius Catholic Cemetery. The sign is about 40 feet from the closest residentially zoned land, as the zoning goes to the centerline of the right-of-way. The applicant is requesting relief from this regulation for the purpose of the EMC sign. Board made positive recommendations regarding the EMC sign. This item will be presented on future board meeting for approval.

## **C. East Street Concept Plan Discussion**

Village Administrator, George Schafer, presented a proposal from the owner of property located at East Street and Short Street who is interested in developing row homes on his property. Because the property is zoned R-6, the owner can likely develop his property with one five unit row house by right without a planned unit development review. On the attached exhibit, the property already owned by the developer is 22-29-218-027, 22-29-218-026 and 22-29-218-025. The developer also owns the previously constructed building on 22-29-225-022.

The owner is requesting that the Village vacate its short street right of way in order to accommodate an additional building and to make a more feasible development. At the June Committee of the Whole, the issue of vacating the property and assisting the developer in financing the cleanup of the right of way was discussed and turned down by the Village Board. The discussion now moves to whether or not the Village would be willing to simply vacate the right-of-way to the developer without direct financial assistance. The Village has appraised the property in the past with a value at around \$30,000. The cost to remove dirt and grade the property is at least this number if not greater. The Board can choose to "credit" the extraordinary costs to the land against the appraised value of the property in a potential vacation.

The advantage for the Village to vacate the right of way includes the following: The Village would be ridding itself of underutilized right-of-way and reducing its maintenance obligations on the property, the property would put the property back on the tax roles for Lemont taxing districts to levy against; the Village would receive permit fees and tax revenue from a larger project; the developer could "parcel-off" all of his units on East street and sell them as town homes which will make them more marketable; and the Village

would have the ability to review the development under its planned unit development process, which is likely to yield a more attractive development. Board did not reach to an agreement regarding this item.

#### **D. Quarry Pub & Grill Outdoor Special Use with Variations and Signage**

Community Development Director, Jason Berry, presented on behalf of the applicant, Mr. Taft, who is requesting a special use for an outdoor dining and drinking area to be located in the front yard of the Quarry Bar & Grill establishment at 1015 State Street. There is an existing grassy area that is proposed to be transformed into an outdoor seating and dining area surrounded by a black aluminum fence and landscaping. While locating the dining area in the front yard of the subject property requires a variance and extra scrutiny.

The outdoor dining area proposal requires a special use permit and variations to be constructed as anticipated. The applicant has stated the maximum capacity of the outdoor seating area will be approximately 60 people (15 tables of four people). There are no extra parking spaces proposed for the additional capacity of the outdoor dining area. The parking lot currently has 105 parking stalls with opportunities for shared parking with neighboring properties. Mr. Taft has an agreement with the office building to the north to share parking and another opportunity to share parking with the property to the south, the Lemon Tree Restaurant. Per the UDO, a restaurant requires 1 per 100 sf of GFA (gross floor area) for parking stalls. The UDO does not address outdoor dining areas but a 'restaurant' use would require approximately an additional 12 parking stalls (as the outdoor dining area is approximately 1,240 sf). The Quarry Bar & Grill building size is 23,382 sf according to a recent building permit for remodeling.

In addition to the outdoor dining area proposal, Mr. Taft is requesting to add wall signage that will bring the subject property over the allowed maximum square-footage. The site currently is maxed out with the "Quarry Pub & Grill" sign at the entrance totaling 72 square-feet, but the applicant wishes to install additional signage stating "Food, Sports, Entertainment" to help customers better understand the offerings at the location. The letters are proposed to be 24" in height and will be a length of 42 feet, bringing the additional signage total to 84 square-feet. The additional signage is proposed to be backlit channel cut lettering, as the applicant states it will be subdued and not too bright for vehicles traveling by on State Street or the neighboring properties. If approved as proposed, the total wall signage area would be 156 sf when the total amount allowed for wall signs facing one street in the B-3 district is 72 square-feet.

Marsha Taylor of 1029 Cherokee Pl, lives behind this property spoke about the loud noise concern. Mr. Mayor and Board had noise concerns for the neighborhood behind the lot. Mr. Taft explained the acoustic band music will be played indoors, the only time noise gets out when the restaurant back door opens and possibly left propped open by staff. In the past, there have never been noise issue or complaints. The neighbors are in support of the business and they enjoy what Quarry Pub and Grill offers. The Board is in consent this this item. This item will be added to future Board meeting for approval.

#### **E. Marble Landing Recapture Agreement for Final PUD Discussion**

Community Development Director, Jason Berry, presented this item on behalf of Tom McSharry of Hartz Construction Co. who has requested consideration of a recapture agreement to coincide with Final Planned Unit Development (PUD) approval for the Marble Landing subdivision. An annexation agreement with Preliminary PUD plat, rezoning, and related exhibits was approved at the September 11, 2017 board meeting and is included as an attachment. The property has been annexed to the Village and rezoned to R-4 Single-Family Detached Residential District and R-5 Single Family Attached District. The Marble Landing subdivision will have 22 single-family detached dwelling units and 22 single-family attached dwelling units.

The Village Engineer asked Hartz to install larger capacity sewer and water infrastructure to serve future development. With these additional costs to the developer, Hartz requested consideration of a recapture agreement at the July 16, 2018 and October 15, 2018 Committee of the Whole (COW) meetings. The board was supportive of a recapture agreement at the COW; when it returned for discussion in October, it was suggested that the Village wait for additional comments from stormwater and transportation agencies. Hartz submitted final response letters on June 24, 2019.

A final draft of the Recapture Agreement for Sanitary and Water Improvements Associated with and near Marble Landing between the Village of Lemont and Hartz Construction Co. Inc. from Odelson & Sterk is attached for discussion. The Village Engineer approved a 70-acre service area with a population equivalent of 210 dwelling units. The agreement requires the owner/developer of a residential dwelling unit to pay \$223.79 per unit for connection to the sanitary sewer and \$770.52 per unit for connection to the water main, a total of \$994.31 per home. Commercial development would pay \$63.94 for connection to the sanitary sewer and \$220.15 for connection to the water main. The agreement provides for simple interest of 3% for 10 years and is binding for 20 years. The Board has no issue regarding this item.

#### **F. 16622 W. 127<sup>th</sup> Street Final Plat-Lames Subdivision Discussion**

Community Development Manager Mark Herman presented this item, Guillermo Gonzalez, who is the owner of the subject property, has submitted an application for a Final Plat of Subdivision for a two-lot detached single-family subdivision located at the southwest intersection of 127th Street and Rolling Meadows Drive named Lomas Subdivision. Staff is recommending approval with conditions.

On October 22, 2018 the Village of Lemont approved a Preliminary Plat of Subdivision with rezoning from B-3 to R-4 for the two-lot Lomas Subdivision. The rezoning ordinance (O-57-18) had the following conditions listed:

1. Address outstanding comments from Village Engineer, Consulting Planner, Fire Marshal and Village Arborist prior to site development permit.
2. The proposal must meet all other requirements of the UDO.
3. Reduce the side yard setback conditioned by the PZC to 40 feet along 127th Street. It will only include the principal structure, so is a building setback and the side yard is not restricted.
4. On the lot closest to 127th Street, the home shall have a garage left.

The Board and staff went over each of the above mentioned conditions. This item will be added to future board meeting for approval.

#### **G. Unified Development Ordinance (UDO) Text Amendment Discussion**

Community Development Manager, Mark Herman presented the UDO text amendment item. The Village was notified by IDNR that date references must be made to the UDO in regards to floodplain regulations. New maps will be adopted by DuPage County effective August 1, 2019 and the UDO must be updated to reflect this date. Staff has been working with the State and Village Engineer to complete the appropriate update and UDO language for this section. The Board is in agreement with the amendment.

#### **H. Gateway Signage Discussion**

Public Works Director, Ralph Pukula presented this item. The village residents have voiced their opinion through engagement surveys that they would like to see Gateway signs that represents the Village. With board's approval staff budgeted \$65,000 for signs. Staff acquired proposal from Parvin-Clauss Sign Company Inc. and they provided designs for gateway signs. The signs will be 100% customized and it will have Lemont logo on it. Board

discussed on the design and location of the signs. They agreed on five primary gateway signage around the Village. The locations that were decided are, Lemont road, I-83 and Main road, 127<sup>th</sup> by I-355, McCarthy road right around Kensington and Archer Ave by Target. Trustee Maher says that, this is not the best use of Village money. Mayor Egofske says, "People want to see money spend on something that is visible and tangible, these signs shows Lemont pride." All other trustees, except Trustee Maher agreed to the proposal for 5 signs.

#### **I. Will County Fuel Center Development Agreement/Recapture Discussion**

Village Administrator, George Schafer presented, the Village Board recently approved an annexation and rezoning for the development of a fuel station/convenience store located at the intersection of 135<sup>th</sup> and Archer Avenue south of the county line in Will County. The development of this property has been a key initiative in the Village's plans to expand its retail development corridor into Will County. Utility extension for the area is problematic due to location, jurisdiction and other related obstacles. While the fuel station will utilize a septic treatment system in lieu of municipal sewer, municipal water will be required for the development. The Village has completed pre-engineering, design and bidding for the water main project and are ready to award the contract. The low responsible bidder is Unique Plumbing at an amount of \$480,354.90, which is approximately 4% below the engineers estimate for the project.

It is standard policy that utility extension costs be borne by the private developer.

Exceptions to this policy have been made in situations in which the Village can benefit financially longer term. The Village Board previously discussed this project and consensus was that the Village could front the costs of the improvement while recouping costs overtime from private developers. The Village has budgeted funds in the current year's budget for this purpose.

Initial conversations with the developer have included a cost share for this project. Staff and board discussed some cost sharing ideas and mechanisms for collection prior to contract award.

#### **IV. Unfinished Business**

- A. Timberline Knolls Nuisance Update-** Staff had a meeting with regional VP and the new CEO of Timberline local. They gave updates on the developments, emergency call numbers went down by 60%, 198 security camera install on lodges, added a security manager for 2<sup>nd</sup> shift, increased campus routing on lodges, added 1 extra safety agent per shift.
- B. High School Detail and Resource Officer IGA-** During Budget time, board renegotiated with High School Board on agreement of Resource Officer for High School. High School provided detail information on football game schedules and all after school activities for they will need a resource officer throughout the school year. Board was originally at 60% without pension, after negotiation board got up to 70% with IMRF pension cost. School board is approving the IGA agreement tonight and Village board added the agreement on agenda for next board meeting.
- C. Downtown Liquor License Request-** We have two business that are requesting liquor license. Rosebuds is one of them. Their liquor license agreement will be up for approval on next board meeting. They are looking to open for business in August'19. Later they plan on expanding on the east side of the building. They will have free valet parking available for guests. Second potential proposal for liquor license is for an upscale wine and spirit bar. The place they are looking is in downtown across from Tom's place and La Dolce Vita, next to Old Town that used to be an ice cream place. The concept is similar to place in Naperville called Sixty Four or the one in Lockport. They are currently in negotiation with landlord for the property rental.

- D. **Recreational Marijuana-** Back in March 18 of this year state passed adult use of cannabis bill, which will be effective Jan 1, 2020. Other municipalities started workshops, but we do not need to start any of that yet. This will generate revenue if Village opt in. The board discussed on possible areas that could be zoned to allow recreation cannabis establishments, potentially for pharmacy/dispensary or a lounge establishment. Board agreed on reaching out to residents with information on this topic through Village website, possibly have a meeting with presentation on marijuana by law enforcement as well.
- E. **Montefiori Subdivision Update-** The original developer selling Glens of Connemara lots to Frank from 5<sup>th</sup> Ave Construction. They bought out majority of single family lots now and they have a deal to buy the rest. They have homes in tough spots like Glens of Connemara but they know how to sell homes. Village staff had meeting with new developer making sure there would not be changes on original plan, one thing that changed with this new developer is the path around the pond in Glens of Connemara is maintained by HOA instead of Village. The board will be seeing a change of plat and other activities soon.
- F. **DD District Discussion-** With new developments going on downtown there will be a new focus group. Downtown zoning code is different than rest of the zoning code, whereas, rest of the town zoning code has bulk standards, setbacks etc. Downtown district zoning was developed in 2005 with zonings like R4, R5. Street types, listed permit use etc. For downtown development there are two different type of reviews. Type one goes through HPC not Village board for approval. The staff will be updating monthly to the board on downtown developments to make sure board is informed on all developments.

V. **New Business** – None

VI. **Audience Participation** – None

VII. The Committee of the Whole Meeting adjourned at 9:26 p.m.