

VILLAGE BOARD  
Committee of the Whole Meeting  
October 21, 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 Jason Berry, Chris Smith, Darshana Prakash and Marc Maton.

**III. Discussion Items**

**A. Presentation of Municipal Compliance Report Actuary Report Tax Levy Request Discussion**

Finance Director, Chris Smith presented, The Municipal Compliance Report where House Bill 5088 Public Act 95-950, must be provided to the Municipality before the tax levy is filed on the last Tuesday of December. This report is a recap of the actuarial information prepared by Lauterbach and Amen in anticipation of the tax levy for the Police Pension Fund. Municipal Compliance Report shows that on April 30, 2019 the Fund's total net position was \$18,916,475, representing a 6.5% investment return. This investment return is slightly lower than previous years and lower than the assumption rate of 7%. As previously stated in recent years, the only way the fund can obtain the 7% actuarial return is to maintain a diverse portfolio that includes equities. In the equity market returns fluctuate short term; however, historically there have been positive long-term returns. The funding requirement for the 2019 tax levy is \$854,976. The increase in the pension levy requirement is mainly due to the low returns in previous years. As in years past, the Pension Board requests have been greater than the levy requirement due to added outside expenditures. For 2019 tax levy Sergeant Kondrat, President of Pension Board requested a levy of \$884,976, which is \$30,000 greater than the requirement. The Pension Board appreciates the Village Board's consideration and support over the years. Additionally, Bob Rietz actuary from Lauterbach attended and answered questions regarding actuarial assumptions, process, forecasting, and funding. The board is in agreement with funding the Police Pension fund.

**B. FY 2019-20 Business Licenses Discussion**

Community Development Director, Jason Berry presented, with the current fiscal year, the Village adopted a tiered fee structure for General Business Licenses (5.02.040):

0 to 10,000 square feet \$100

10,000 square feet to 1 acre \$300

1 acre to 4.99 acres \$500

5 acres to 9.99 acres \$1,000

10 acres + \$1,500

The Village has 310 licensed business in 2019 (excluding home based businesses and licensed scavengers). Of those, 32 would pay an increased license fee in 2020 (accounting for an additional \$19,300 in license fees). 7 businesses currently licensed in Lemont will be invoiced for the full \$1,500 license fee.

As staff has begun to prepare renewal notices, we've identified 20 business that did not renew in 2019, plus several that may have never had business license. Some are professional services – such as realtors, financial planners, and attorneys – that are licensed by the State. Others are civic and institutional users that may not be aware they need a business license. Board agrees to send out the renewal letters to all the businesses in town.

### **C. Ledochowski Street Alley Variation Discussion**

Community Development Director, Jason Berry presented, Rev. Waldemar Stawiarski from Saint Cyril and Methodius Church who is requesting a variation to the Lemont Unified Development Ordinance §17.07.020 F. 2., to allow an attached garage to be accessed from the street rather than from the existing alley. The requested variation is to allow construction of a new detached single family home after the demolition of the existing structures on the subject property located at 541 Ledochowski Street for the purpose of a new church rectory home with guest suites and rooms. Staff is recommending approval of the variation.

The subject property is zoned R-4A Single-Family Preservation and Infill District. There is an existing home with a detached garage on the lot that the applicant is proposed to demolish and rebuild a detached single-family home with an attached front-loading garage. The home is owned by Saint Cyril and Methodius Church and the new home will be used as a rectory and guest home. Surrounding properties consist of existing single-family homes in the R-4A district to both the north and east. The adjacent property to the south and west is used for parking for the church and associated school.

The purpose of the R-4A zoning district reads as follows from the UDO:

'This district is intended to regulate the height, building coverage, and impervious surface coverage of residential dwelling units in the older established neighborhoods of the Village. Specifically, the district's regulations are intended to prevent the overcrowding of land, ensure proper living conditions, assure the adequate provision of light, air and open spaces, and to foster and preserve the nature, character, and quality of existing neighborhoods, while providing property owners opportunities for infill development on vacant lots or redevelop of lots with existing structures. In particular, this district is intended to prevent the further proliferation of structures that do not conform to the general height, bulk, and scale of existing structures.'

The proposed home will meet the general height, bulk and scale of the zoning district, along with all other applicable UDO requirements besides the variation request to access the attached front-loading garage from the street. This will allow the adequate provision of light, air and open spaces and keep the scale of the existing neighborhood in place. The board is in agreement with the variation, this item will be included in future board meeting for approval.

### **D. Hoffman Subdivision and Variation Discussion**

Community Development Director, Jason Berry presented, Richard J Hoffman and Lauren Hoffman, owners of the property located at 459 4th Street, are requesting approval of variations from the Lemont Unified Development Ordinance (UDO) for the purpose to allow a subdivision of an existing property into 4 single-family home lots. The parcel is zoned R-4, Single-Family Detached Residential District and the four proposed single-family lots do not meet all the required lot and dimensional standards of the zoning district. There is an existing home and structures on the subject property that are proposed to be demolished with the subdivision. Approximately, 4,484 sf of their property will be lost due to right-of-way dedication for both 4th and 5th Streets. Two of the proposed home lots will be accessed off of 4th Street and the remaining two lots will be accessed off of 5th Street. The board is in agreement with this variation and it will presented in future board meeting for approval.

**E. Kiddie Academy Special Use Permit with Variations Discussion**

Community Development Director, Jason Berry presented Kelly Harper and Christopher Grahn of Masters in Educated Incorporated are requesting a special use with associated variations to allow for Kiddie Academy child daycare facility to locate at 15907 W. 127th Street. A child daycare facility is a special use in the B-1 Zoning District. Along with the child daycare facility special use request, the applicants are requesting a variation to allow more than 50% of the parking in the front yard and a variation to allow the reduction in the amount of parking stalls required by the UDO. Staff is recommending approval of the requests with conditions.

There are over 200 Kiddie Academy locations with 21 sites in the Chicagoland area. The applicants are proposing a 11,030 sf building with a fenced outdoor playground in the rear of the facility closest to the residentially zoned land and fully shielded from the parking lot. The facility will host babies as young as 6-weeks up to children 12 years old, providing before and after care. The business will be open from 6:30am to 6:30pm Monday through Friday, excluding holidays. The daycare will be alarmed with cameras and fencing with one secure point of entry into the building via a security code.

For the child day care use, allowing 100% of the parking lot to be located in the front yard allows for better site circulation (parent drop off and pick up), emergency vehicle turnaround and full privacy for kids playing in the back in the outdoor playground area. The Fire Protection District and PZC has requested an emergency vehicle turnaround exhibit that has been provided by the applicant and recently been approved by the Fire Protection District. The landscape island closest to the building will have to be condensed due to the turning radius of the emergency vehicles. The board is in agreement with the special use and variation for the potential new business in town.

**F. Hughie's Irish Pub Outdoor Dining Special Use Discussion**

Community Development Director, Jason Berry presented this item. The applicant is requesting a special use for an outdoor dining and drinking area to be located in the rear yard of the existing establishment. A 1,200 square-foot paved area in the back of the building is proposed to be transformed into an outdoor dining area surrounded by a 6' solid wood fence and decorative metal gate. The outdoor area will be a mix of picnic tables, wrought iron four tops, high top tables, sun umbrellas, heat lamps and outdoor string lighting. The solid wood fence with an ornamental green metal gate has already been installed with a prior building permit. The small raised stage is located farthest from Canal Street in the back corner of the patio. Hughie's will offer live traditional Irish music on the weekends, while during the week the jukebox music will be supplied through the speakers on the patio. The applicant has asked for the opportunity to play music during the week until 10pm and on Thursdays, Fridays and Saturdays until 11pm.

The outdoor dining area proposal requires a special use permit (in D-D and all Business Districts) as it will hold more than 10 people. The UDO allows for outdoor dining areas without a special use when they seat less than 10 people. The maximum occupancy for Hughie's Irish Pub outdoor patio is 112 people due to the size of the outdoor space, although seating will be for less than this number. The applicant has stated that all patio access will be through the front door of the pub. Board is in agreement with the outdoor special use. Staff will prepare ordinance for upcoming board meeting.

**G. Bluestone 83 & Main Development Services Agreement Discussion**

Community Development Director, Jason Berry presented, the Village has recently received the Traffic Impact Study, ordered by Bluestone and prepared by KLOA. This study supports a proposed new full access drive opposite the Sag Quarries Park entrance, with a right-in/right-out access drive on Archer nearer to the intersection of 83 and Main. Three

access drives are proposed on Main Street, two with full movements and one with right-in/right-out access. The location of each of these are indicated on the attached conceptual site plan. The board is in agreement with this variation and it will presented in future board meeting for approval.

#### **H. UDO Amendments Update Discussion**

Community Development Director, Jason Berry presented, as discussed at the August Committee of the Whole (COW), the Downtown District (DD) has a number of inconsistencies with how it addresses the described Type I and Type II Reviews. Staff found no evidence of the Village ever conducting a Type II review, and raised concerns that this review may bypass the PZC.

In order to make the review process within the DD consistent with development across the Village, Type I and Type II reviews are proposed to be eliminated. Development that would have fallen under Type I will continue to be those uses that are permitted by-right.

Development that would have fallen under a Type II review are proposed as mandatory Planned Unit Development (PUD) thresholds, subject to the full review of the Unified Development Ordinance's (UDO) Chapter 17.08 – Planned Unit Developments

[https://library.municode.com/il/lemont/codes/code\\_of\\_ordinances?nodeId=TIT17UNDEOR\\_ARTIIIZOOOR\\_CH17.08PLUNDE](https://library.municode.com/il/lemont/codes/code_of_ordinances?nodeId=TIT17UNDEOR_ARTIIIZOOOR_CH17.08PLUNDE)

The following are proposed as PUD Thresholds:

- New construction, or any remodeling or reconstruction of an existing building on lots 10,000 SF or more
- New construction, or any remodeling or reconstruction of an existing building that will include 7 dwelling units or more.
- New construction, or any remodeling or reconstruction of an existing building that will include 7,500 SF or more of commercial gross floor area
- New construction that will exceed 37 ft. in height or more than 3 stories tall

The board is in agreement with this variation and it will presented in future board meeting for approval.

**IV. Unfinished Business- None**

**V. New Business – None**

**VI. Audience Participation – None**

**VII. The Committee of the Whole Meeting adjourned at 9:04 p.m.**