# *Village of Lemont*

PLANNING AND ZONING COMMISSION
October 4, 2023 – 6:30 PM
Village Hall - Village Board Room
418 Main Street, Lemont, IL 60439
AGENDA

I. CALL TO ORDER

- I.A Pledge of Allegiance
- I.B Verify Quorum
- I.C Approval of Minutes

II. CHAIRMAN'S COMMENTS

III. PUBLIC HEARINGS

- III.A Case 2023-11 Bambrick Park Annexation & Rezoning

IV. ACTION ITEMS

V. GENERAL DISCUSSION

VI. AUDIENCE PARTICIPATION

VII. ADJOURNMENT

418 Main Street | Lemont, IL 60439

TO: Planning and Zoning Commission
FROM: Jamie Tate, Community Development
THROUGH:
SUBJECT: Approval of Minutes
DATE: October 4, 2023

**SUMMARY/BACKGROUND**

**ANALYSIS**

***Consistency with Village Policy***

**STAFF RECOMMENDATION**

**BOARD ACTION REQUESTED**

**ATTACHMENTS**
Draft PZC Minutes September.pdf

**Village of Lemont**
**Planning and Zoning Commission**
Regular Meeting of September 6, 2023

A regular meeting of the Plan Commission for the Village of Lemont was held at 6:30 p.m. on Wednesday, September 6, 2023, in the second floor Board Room of the Village Hall, 418 Main Street, Lemont, Illinois.

## I. CALL TO ORDER

### A. Pledge of Allegiance

Chairman Studebaker called the meeting to order at 6:34 p.m. He then led the Pledge of Allegiance.

### B. Verify Quorum

Upon roll call the following were:
Present: Cunningham, McGleam, O'Connor, Zolecki, Studebaker
Absent: Carmody and Pawlak

Community Development Director Jason Berry, Consulting Planner Jamie Tate, and Village Trustee Ron Stapleton were also present.

### C. Approval of Minutes

Chairman Studebaker said they would table the approval of minutes till the next regularly scheduled meeting.

## II. CHAIRMAN'S COMMENTS

Chairman Studebaker greeted the audience and explained the process of the meeting. He then asked anyone in the audience who was planning on speaking to stand and raise his/her right hand. He then administered the oath.

## III. PUBLIC HEARINGS

### A. CASE 2023-05 – SUN HILL PLAZA (CONTINUED)

Chairman Studebaker asked for staff to provide an update on Case #2023-05.

**Staff Presentation**

Jamie Tate, Consulting Planner, said Rich Rymek, from R/J Rymek Co., is proposing a Preliminary Planned Unit Development and site plan approval for a multi-building commercial development on the corner of McCarthy and Bell Road. They are requesting a special use for five drive-throughs and outdoor seating within the development. The property is zoned B-3 Arterial Commercial District and is approximately 8.7 acres that is located in the Village.

The case came before the Planning and Zoning Commission on June 14, 2023, and the public hearing has been continued since then. The applicant was given a lot of input from the Commission, staff, and from the public. They have made some modifications to the site which includes removing some excess parking. Removing the parking it added extra green space. They also shifted the office and daycare buildings which are closest to the existing residents. It was moved farther from the property line which provided more of a buffer. They also moved the playground that would be associated with the daycare in between the two buildings to keep it farther away from the adjacent residents as well. Lastly, they reduced the height of the office building from two-story to one-story.

Mrs. Tate stated at the last meeting there was a lot of discussion regarding circulation, deliveries, garbage trucks, asking for stacking details for the drive-throughs, phasing plan, clarifying some traffic issues, and adjacent pollution. The applicant is asking that this be more of a concept rather than getting into the details before they move forward with more specific plans. They made the changes to the building and added the pedestrian gathering space. Staff is suggesting that if the Planning and Zoning Commission wants to move forward with this they can have some discussion on how this would look but approving it as more of a conceptual PUD and having everything with the details come through at final PUD. They would have to do a final PUD with all the buildings and come through for any approvals. As far as the drive-throughs, they are a special use and they would review them at that time on a case-by-case basis. They would look at the type of user and what is the queue for that type of building. Currently, on the plan, there is no outdoor dining shown. It is hard to approve the outdoor dining so that would have to be approved at the final PUD. At the final PUD, they would look at the landscaping, elevations, photometrics, and all other jurisdictional permits that they would need. The applicant is present this evening to answer any questions as well.

Chairman Studebaker asked if they had ever done this before with a concept PUD.

Mrs. Tate said she has been involved with one herself that was called more of a master plan concept. They had to come through for approvals for each of the buildings. She can work with the attorney and the PUD ordinance would be very specific as to what is needed. Because of the lot lines being moved and the information that is needed, she feels the conceptual is more of what the applicant is looking for.

Commissioner McGleam asked along with the conceptual approval would they be voting on the number of drive-throughs and outdoor seating.

Mrs. Tate stated there is an annexation agreement for this property which allows for two drive-throughs. It does say in the annexation agreement that they need to get special use approval for those drive-throughs. She would suggest leaving those for the final PUD.

Commissioner Cunningham asked if the final PUD was a public hearing.

Mrs. Tate said it is not a public hearing but the Commission still votes on it. There would be a public hearing if there is a special use involved.

Commissioner McGleam stated his concern with the drive-throughs and the circulation of deliveries or garbage pickup is the adverse impacts it can have on the adjacent properties. Unless they have a drawing of what is specifically being proposed they should not consider it. It should be in a public hearing because it has the potential to impact the neighbors. If they can vote on the preliminary plans without the special uses then that is what they should do.

Mrs. Tate said they were trying to come up with a way to keep the plan moving because they like the plan and feel it looks good.

Commissioner McGleam stated he understands that the developer needs to get some tenants to understand what is going to be built.

Chairman Studebaker asked if there were any further questions for staff from the Commission. None responded. He then asked the applicant to come up and make a presentation.

**Applicant Presentation**

Rich Rymek, R/J Rymek Co., said they are talking to a couple of national tenants at this time. There is no commitment until they know that they have preliminary approval. The feedback that they have received has been well received. They did move one of the drive-throughs away from the residential property. They are hoping to have two morning fast food service establishments and then two afternoon establishments. This way they will not have to worry about stacking in the drive-throughs or conflicting with each other.

They did address the comments and made the modifications that staff had recommended. They did have a meeting with the neighbors. This is why they moved the playground and changed the height of the office building. They put their setbacks even further away than what is required by the ordinance. They made changes to the pedestrian bridge. He feels they have a beautiful concept plan. The property has been annexed and zoned since 2008 with the two drive-throughs on it. Anyone could have easily come in and put a gas station here. He is hoping they can move forward and bring this to the Village Board. He does not see them starting this project until spring of next year. He does ask that during public comment it does not turn personal like at the last meeting. There was a resident who called the owner of the property stating that she did not want the medical building, drive-throughs, or retail at this location. People should not do that and this is why they

have public hearings for people to voice their opinions. This will conclude his presentation.

Chairman Studebaker asked if any of the Commissioners had questions for the applicant.

Commissioner O'Connor asked what discussions have they had with IDOT regarding the westbound left turn on McCarthy.

Bill Zalewski, Engineer for the project, stated that there is no left turn from McCarthy into the site. The access point for McCarthy is a right-in/right-out. There is full access at the southeast corner of Bell Road.

Chairman Studebaker asked how the right-in/right-out line up with the Villa's across the street.

Mr. Zalewski said it is close but with it being a right-in/right-out it doesn't matter.

Commissioner McGleam asked if TransSystem had comments regarding their traffic study that some trip counts were undercounted. They had recommended additional discussions with IDOT about having a left turn off of McCarthy Road.

Mr. Zalewski stated yes and they had forwarded that to Gewalt Hamilton who performed the traffic study. Those are considered minor in nature because there is no left turn. IDOT is currently doing their review and they have the last say in it. The traffic engineer is considering it but his position is depending on where they go with this, the traffic, and IDOT. They are still in the conceptual phase so there is room for some changes.

Commissioner McGleam said it will be up to what IDOT states.

Mr. Zalewski stated yes and Cook County Department of Transportation has Bell Road under their discretion.

Commissioner McGleam asked if deliveries and garbage pickup for buildings eight and nine will occur in the front of the buildings. The reason why he is asking is because there is no traffic circulation behind the buildings.

Mr. Zalewski said the deliveries are typically handled in an off-peak time. Since this is an office and daycare he believes the deliveries will be through the front door which will not negatively affect anyone.

Commissioner McGleam asked if he sees the plan changing and a road is added behind the buildings.

Mr. Zalewski stated not between buildings eight and nine. That was part of the footprint of each building and how parking is required. That could technically be land banked to where if they need to come back they can add some parking behind the building.

However, with it being a one-story now he does not feel they will need the additional parking. The intention is they have sufficient parking to accommodate both those buildings. They are trying to reduce the adverse effect of parking adjacent to the neighbors.

Commissioner McGleam said he does not feel that there should be land-banked parking opportunities. If they are going to approve these preliminary plans then it needs to come back with the final engineering looking the way it does behind those buildings.

Chairman Studebaker asked if the garbage would be in front and in an enclosure.

Mr. Zalewski stated that building number eight it will be located near the northwest corner. They have to make it convenient for garbage pickup. On the other building, it is hard to say if it will work better on the far south end. They can take out a stall and put in an enclosure. The garbage pickup will be during off-peak hours.

Commissioner McGleam asked if the applicant was in agreement with them taking the special uses out this evening and just voting on the preliminary plan. They can approve it for the two drive-throughs that are part of the annexation agreement.

Mr. Rymek said yes he agreed. Once they know there is an agreement then they will have a couple of national chains on board.

Chairman Studebaker stated he does like the two bridges and they bring a lot of visual value to the project. The bridge that cars can drive over will be very expensive.

Mr. Zalewski said there are companies out there that make premade manufactured concrete bridges that meet all federal guidelines. This bridge has to be designed for that.

Commissioner Cunningham asked if anything had been decided on the fencing.

Mr. Rymek stated that since they increased the setback they are going to do more landscaping. If it becomes a requirement they do not have a problem with it.

Mrs. Tate said they would have to meet the transition yard requirement. If you have fencing then it is less landscaping or it is extensive landscaping if there is no fence. The plan is showing a wood fence though.

Chairman Studebaker asked if there were any further questions from the Commission for the applicant. None responded. He then asked if there was anyone in the audience who wanted to speak in regard to this public hearing.

**Public Comment**

Cathy Wolfkill, 62 Sunhill, asked if there is any way to save the trees that are between this development and the residential next to it. With the fencing, there are issues in other communities with fences being climbed which could be dangerous.

Mr. Rymek stated when they start construction if the trees are too close the roots can be damaged.

Ms. Wolfkill said she is concerned about traffic coming into their subdivision to turn around to get to the plaza. Her subdivision does not have curbs or sidewalks so they walk in the street. It is dangerous to have cars flying through her subdivision. She does appreciate what they are doing for the noise abatement.

Sarunas Skadas stated his property borders the daycare area. He is concerned as to who is going to maintain the fence. By the daycare building, there is a major drainage area for their neighborhood. All the rain and stormwater comes out into the field. He asked if you put a fence or building there will it push the water back into their neighborhood.

Mr. Zalewski said the existing flooding problems that exist off-site will most likely continue. This development will not create any additional problems off-site. They are going to have to go through two to three review agencies. They have to contain all the water from their site and release it in accordance with all the codes. If there is something offsite upstream it could get better because they are going to be directing water into their facilities which has the capacity to hold water. It will not get worse but there is no guarantee that it will be fixed. The water is designed so everything will drain to the middle of the site and then it will discharge from the site.

Commissioner McGleam asked if this was a wet bottom detention or a dry basin.

Mr. Zalewski stated it is a wet detention basin with a waterfall at the south end. The water will go down the waterfall and drain under the bridges. There will be a pump at the end that will pump it back up so the water is circulating. It is a great way to keep the algae from building up. This will be a nice feature for this development.

Jim Bloom, 25 Sunhill Lane, said he was not here for the last meeting. He asked if there were going to be any type of restrictions regarding the hours of operation for the businesses and how late will the drive-throughs be open. He feels it is not a bad plan but there are a few issues with the circulation of the vehicles. He asked who was going to be securing the site at night and cleaning up the debris.

Mrs. Tate stated there are no hours of operation in zoning. Typically, in the past, they have put that into special use ordinances for outdoor dining.

Chairman Studebaker said they also look at the drive-throughs and how the menu boards are faced and how loud they are.

Commissioner McGleam asked when the allowable hours of operation are established.

Mrs. Tate stated they do not establish any hours of operation unless it falls under a special use. Both outdoor dining and drive-throughs are special uses.

Mr. Bloom said in the past two to three years places like McDonald's have eliminated their garbage cans. Before when you went through the drive-through there would be a garbage can there so you could drop off your garbage after you picked up your new food. They need to make sure that they have garbage cans positioned so people can throw out their refuse immediately. This might help keep the area clean and help curb the waste from blowing around.

Commissioner Cunningham asked how facility maintenance is going to be handled.

Mr. Rymek stated there would be an association with the property.

Ms. Wolfkill asked how loud the fountain and pumps were for the water features.

Mr. Zalewski said because of the waterfall feature most likely they will not have a fountain because the water is going to circulate. If there is an aerator it will be just for decoration. They can put the aerator on a timer if needed to go on just during the day.

Chairman Studebaker stated bollards will need to be put in to protect the playground by the daycare especially if there is parking there.

Mr. Rymek said they are trying to make this pedestrian friendly so they have to make sure it is safe.

Commissioner Cunningham asked if there was going to be a pump house for the waterfall. He asked if the water on the other end of the property, away from the waterfall, would be stagnant.

Mr. Zalewski stated the driveway along the west property line is going to have an architectural feature that makes it look like a bridge but it is not. There will be an inlet under the driveway where the water drains into it.

Chairman Studebaker asked if there were any further comments regarding this public hearing. None responded. He then called for a motion to close the public hearing.

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to close the public hearing for Case #2023-05. A roll call vote was taken:
*Ayes: McGleam, Zolecki, Cunningham, O'Connor, Studebaker*
*Nays: None*
*Motion passed*

**Plan Commission Discussion**

Commissioner McGleam said in the recommendations they would state that any drive-throughs beyond the two that were allowed and the outdoor dining would have to come back as a special use.

Commissioner O'Connor stated he agreed that they should be addressed as they come in.

Commissioner Zolecki asked if there were any additional recommendations that the Commission might want to add.

Commissioner McGleam said they would leave the recommendation regarding lighting, garbage and deliveries, and address any outstanding comment letters.

Chairman Studebaker asked if there were any further comments. None responded. He then called for a motion for a recommendation.

**Plan Commission Recommendation**

Commissioner McGleam made a motion, seconded by Commissioner O'Connor to recommend to the Mayor and Board of Trustees approval of Case #2023-05 Sun Hill Plaza Preliminary Planned Unit Development and Plat with the following recommendations:

1. Provide information on lighting with a photometric plan to ensure there is no light spillover to adjacent residences. Decorative but efficient lighting shall be used throughout the development and parking lot. This should be clear in the PUD so if each lot is developed by different entities at different times, there is a universal light fixture for the plaza.
2. Truck deliveries and garbage pick-up are a concern. Provide an auto-turn exhibit to demonstrate circulation through the site and anticipated garbage routes and delivery areas. If each building was allowed to choose a different garbage company, the removal of garbage from the site could be problematic. Garbage containers require screening and it is unclear where they can be located for each business as shown.
3. Address the outstanding comment letters from staff and consultants, including the comment letter from the TRC dated February 23, 2023. There are comments within this letter that have not been addressed such as garbage pick-up and dumpster locations.
4. A separate public hearing will be required for considerations for drive-throughs beyond the two that were approved in the annexation agreement and any proposed outdoor dining.

A roll call vote was taken:
*Ayes: McGleam, O'Connor, Cunningham, Zolecki, Studebaker*
*Nays: None*
*Motion passed*

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to authorize the Chairman to approve the Findings of Fact for Case 2023-05 as prepared by staff. A roll call vote was taken:

*Ayes: McGleam, Zolecki, Cunningham, O'Connor, Studebaker*
*Nays: None*
*Motion passed*

**B. CASE 2023-10 – UDO AMENDMENTS**

Chairman Studebaker asked for staff to make a presentation explaining the UDO amendments.

**Staff Presentation**

Mrs. Tate said short term rental is a special use in the Downtown District and it is located on the use table but there is no definition for it. There was also an inquiry about a barn recently and there was no definition or parameters for that type of structure. She asked if there was anything that the Commission would want to add.

Commissioner McGleam asked if you could put a barn on a lot that is one acre.

Commissioner Zolecki stated that is the ordinance for livestock, but then you would have to look at the structure. There are requirements in place to where it most likely would not fit on an acre lot.

Mrs. Tate said some of the requirements are that it has to be 150 feet from a lot line and 250 feet from any resident. It states it has to be for the housing and care of horses or livestock. The next amendment is for home occupation in the downtown area. The intention for a home occupation is more in a residential district and not in a mixed-use area like the downtown district. They are adding that in the Downtown District, any business or place where members of the public have access as invitees or licensees, including or not limited to, barber/beauty shops, animal grooming services, daycares, and music/dance/arts instruction. Staff was looking at businesses that might take up parking or ones that should be operating out of a storefront rather than an apartment/condo in the downtown.

Commissioner Zolecki asked if these are more prohibited here than elsewhere. He asked if the homes across from the post office were in the Downtown District.

Mrs. Tate stated yes.

Commissioner McGleam said it doesn't seem right if you have a residence just outside the Downtown District that you could have a beauty shop in your home but if you live right down the street in the Downtown District you could not.

Mr. Berry stated what they are trying to prevent is someone who lives on the third floor of say the Budnick building and they have a beauty shop in their home.

Commissioner McGleam said then it should be restricted from multi-unit buildings.

Mr. Berry stated they could change it. Currently, it states a home occupation could go in any dwelling.

Mrs. Tate said the last amendment is to illumination standards. They have had discussions with the Park District in regard to the typical lighting at the Park District. Sports field lights might be taller than what they permit in zoning. If there is a ball game going on there could be light spillage due to safety reasons. They do not want to restrict them with the zoning code and feel they would know better as to what they would need. It would state that they are exempt from light spillage for sports field events and height restrictions.

Commissioner O'Connor asked for the short term rentals if it was just for the Downtown District.

Mrs. Tate stated currently in the use table it is a special use in the Downtown District.

Chairman Studebaker asked if there was anyone in the audience that wanted to speak in regard to this public hearing.

**Public Comment**

None responded.

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

Commissioner McGleam made a motion, seconded by Commissioner Cunningham to close the public hearing for Case #2023-10. A roll call vote was taken:
*Ayes: McGleam, Cunningham, Zolecki, O'Connor, Studebaker*
*Nays: None*
*Motion passed*

**Plan Commission Discussion**

Chairman Studebaker asked if there were any further comments from the Commission. None responded. He then called for a motion for a recommendation.

**Plan Commission Recommendation**

Commissioner Cunningham made a motion, seconded by Commissioner McGleam to recommend to the Mayor and Board of Trustees approval of Case #2023-10 - UDO amendments with changes as discussed in tonight's meeting. A roll call vote was taken:
*Ayes: Cunningham, McGleam, O'Connor, Zolecki, Studebaker*
*Nays: None*
*Motion passed*

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to authorize the Chairman to approve the Findings of Fact for Case 2023-10 as prepared by staff. A roll call vote was taken:
*Ayes: McGleam, Zolecki, Cunningham, O'Connor, Studebaker*
*Nays: None*
*Motion passed*

## IV. ACTION ITEMS

None

## V. GENERAL DISCUSSION

None

## VI. AUDIENCE PARTICIPATION

None

## VII. ADJOURNMENT

Chairman Studebaker called for a motion to adjourn the meeting.

Commissioner Zolecki made a motion, seconded by Commissioner McGleam to adjourn the meeting. A voice vote was taken:
*Ayes: All*
*Nays: None*
*Motion passed*

*Minutes prepared by Peggy Billig*

418 Main Street | Lemont, IL 60439

TO: Planning and Zoning Commission
FROM: Jamie Tate, Community Development
THROUGH:
SUBJECT: Case 2023-11 Bambrick Park Annexation & Rezoning
DATE: October 4, 2023

**SUMMARY/BACKGROUND**

**ANALYSIS**

***Consistency with Village Policy***

**STAFF RECOMMENDATION**

**BOARD ACTION REQUESTED**

**ATTACHMENTS**
Staff Memo, Analysis and Attachments Case 2023-11 Bambrick Park

**STAFF REPORT**
**TO**: Planning & Zoning Commission
**FROM**: Jamie Tate, AICP, Consulting Planner
**THRU**: Jason Berry, CEcD, AICP, Economic & Community Development Director

| **CASE NUMBER & NAME** | **APPLICANT/PROPERTY OWNER** |
|---|---|
| 2023-11 Bambrick Park Annexation & Rezoning | Lemont Park District |
| **DATE** | **PROPERTY ADDRESS/LOCATION** |
| October 4, 2023 | 1330 Smith Road / PIN# 12-02-36-400-012 |

**BRIEF SUMMARY OF REQUEST**

Lemont Park District and the owner of the subject property has applied for annexation into the Village of Lemont with rezoning to Open Lands (OL) District for the southern parcel that makes up Bambrick Park.

The subject property is currently zoned A-1, Agricultural in Will County. The proposed annexation with rezoning is in agreement with the approved Annexation Agreement between PDV Midwest Refining and the Village of Lemont approved as O-54-22 on November 14, 2022. The northern parcel of Bambrick Park, owned by PDV Midwest Refining (CITGO) was annexed and rezoned to Open Lands District on June 26, 2023. The proposed annexation and rezoning will bring the entire Park into the Village of Lemont with Open Lands District zoning. There are no changes or modifications to the subject property in conjunction with the rezoning request.



MAP SOURCE: Will County GIS

| EXISTING ZONING | EXISTING LAND USE | SURROUNDING ZONING & LAND USE | REQUESTED ACTIONS | SIZE OF PROPERTY |
|---|---|---|---|---|
| Unincorporated Will County A-1 | Lemont Park District's Bambrick Park | North: Lemont Open Lands District / Bambrick Park<br>South: Unincorporated Will County Residential R-3 / Com Ed Easement and Existing single-family homes<br>East: Unincorporated Cook County Residential R-4 / Existing Homes<br>West: Unincorporated Will County A-1 / Vacant Land | Annexation and Rezoning | 20-acres |

**PROPERTY HISTORY**
Bambrick Park is in the Lemont Park District and it has ball fields, football fields, soccer fields, disc golf, picnic shelters and pathways in a natural setting. There are no proposed changes with the property following annexation and rezoning.

| **COMPATIBILITY** with the COMPREHENSIVE PLAN | **COMPATIBILITY** with the UNIFIED DEVELOPMENT ORDINANCE |
|---|---|
| Bambrick Park's future land use in the Lemont 2030 Comprehensive Plan is Open Space and Recreation. | The proposal is compatible with the UDO as there are no improvements planned following annexation and rezoning. |

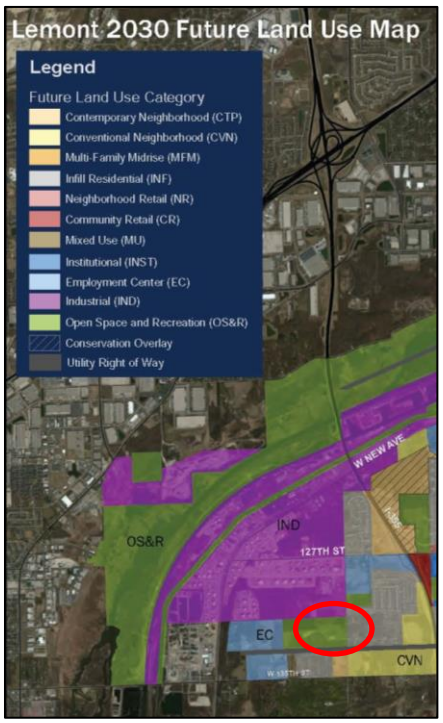
STAFF RECOMMENDATION: **APPROVE** **APPROVAL WITH CONDITIONS** **DENY**

**ATTACHMENTS**

1. Staff Analysis
2. Site Photographs
3. Annexation Application
4. Plat of Annexation

**Attachment 1 – Staff Analysis – Bambrick Park Annexation & Rezoning**

**Comprehensive Plan.** The Lemont 2030 Comprehensive Plan identifies Bambrick Park's future land use as Open Space and Recreation District.




The Open Space and Recreation District is characterized by large parks, open green spaces, and outdoor commercial recreation, such as golf courses. Although the majority of land in this area will remain open, structures such as parking facilities, recreation equipment, and buildings to support recreation uses will be present on sites in this district. Sites may range in size from a 25+ acre community park to large regional open space facilities over 100 acres. Smaller park sites that primarily serve the surrounding neighborhood are not included in this district.; park sites are considered a component of a residential neighborhood.

## REZONING ANALYSIS

The purpose of the Open Lands District (OL) district in the UDO is the following:

"The OL Open Lands District is intended to recognize the existence of major open lands and recreational areas in the Village. The Open Lands District is intended for the designation and protection of open lands, farms and parks as well as public recreational facilities, including both active and passive recreation areas and certain ancillary uses."

The OL District zoning designation is more appropriate for the Bambrick Park parcel rather than an Agricultural zoning designation in the county.

## STANDARDS FOR REZONING

Illinois courts have used an established set of criteria when evaluating the validity of zoning changes. The criteria are known as the LaSalle factors serve as a useful guide to planners and appointed and elected officials who are contemplating zoning changes. The LaSalle factors are as follows:

1. *The compatibility with the existing use and zoning of nearby property;*

*2. The extent to which property values of the subject property are diminished by the existing zoning restrictions;*

*3. The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village;*

*4. The relative gain to the public, as compared to the hardship imposed upon the applicant;*

*5. The suitability of the subject property for the purposes for which it is presently zoned;*

*6. The length of time that the subject property in question has been vacant, as presently zoned, considered in the context of development in the area where the property is located;*

*7. The public need for the proposed use; and*

8. *The thoroughness with which the municipality has planned and zoned its land use.*

The rezoning of the subject property adequately meets the LaSalle standards. The rezonings are in agreement with the Lemont 2030 Comprehensive plan and the parcel will not change uses by annexation and rezoning.

**CONCLUSIONS & RECOMMENDATIONS**

The annexation and rezoning for the remainder of Bambrick Park is aligned with the Lemont 2030 Comprehensive Plan and anticipated future land use of the area. The annexation and rezoning will bring the property within the Village's municipal limits allowing for more control and oversight now and in the future. Staff is recommending approval of Case 2023-11 Bambrick Park Annexation with rezoning to Open Lands District following annexation into the Village of Lemont.

**Attachment 2** - Site Photographs



Figure 1. Bambrick Park parcel to be annexed into the Village of Lemont and zoned Open Lands District.




Figure 2. Bambrick Park parcel to be annexed into the Village of Lemont and zoned Open Lands District.

Attachment 3

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

# Annexation Application Form (with or without Rezoning)

## TYPE OF APPROVAL REQUESTED

**CHECK ALL THAT APPLY:**

__X__ Annexation and Annexation Agreement
_____ Rezoning

## APPLICANT INFORMATION

Louise Egofske
Applicant Name

Lemont Park District
Company/Organization

16028 West 127th Street Lemont, Illinois 60439
Applicant Address

Phone Number: 630-257-6787 x 3010 Fax Number: 630-257-6944
Telephone & Fax

legofske@lemontparks.org
E-mail

**CHECK ONE OF THE FOLLOWING:**

__X__ Applicant is the owner of the subject property and is the signer of this application.
_____ 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 INFORMATON

1330 Smith Road Lemont, Illinois 60439
Address of Subject Property/Properties

Property Pin #12-02-36-400-012-0000 20 Acres
Parcel Identification Number of Subject Property/Properties Size of Subject Property/Properties

## DESCRIPTION OF REQUEST

To annex 20 remaining acres of Lemont Park District owned property known as Bambrick Park. There are currently 4 baseball fields, a walking path and open space (which is typically used as soccer, football, and lacrosse fields at various times of the year on the property).
Brief description of the proposed annexation/rezoning

## REQUIRED DOCUMENTS

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

## 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**

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.

Louise Z. Egofske, Executive Director — 9/5/2023

**Signature of Applicant** — Date

Illinois — Cook

State — County

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that Louise Z. Egofske 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.

Carlene Dickman

**Notary Signature**

CARLENE DICKMAN
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
September 14, 2025

Given under my hand and notary seal this 6th day of September A.D. 2023.

My commission expires this 14th day of September A.D. 2025.

# EXHIBIT A

## LEGAL DESCRIPTION

THAT PART OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 36 WITH A LINE 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 36; THENCE SOUTH 88 DEGREES 16 MINUTES 51 SECONDS WEST, ALONG SAID SOUTH LINE, 2606.02 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 36; THENCE NORTH 01 DEGREE 01 MINUTES 38 SECONDS WEST, ALONG SAID WEST LINE, 334.36 FEET TO A POINT ON A LINE DRAWN 334.33 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTH HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 88 DEGREES 16 MINUTES 51 SECONDS EAST, ALONG SAID PARALLEL LINE, 2605.52 FEET TO A POINT ON A LINE DRAWN 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREE 06 MINUTES 50 SECONDS EAST, ALONG SAID PARALLEL LINE, 334.35 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING, ALL IN WILL COUNTY, ILLINOIS.

PIN: PART OF 02 36 400 008

Common Address:

Attachment 4

P.I.N. 12-02-36-400-012

# PLAT OF ANNEXATION

TO

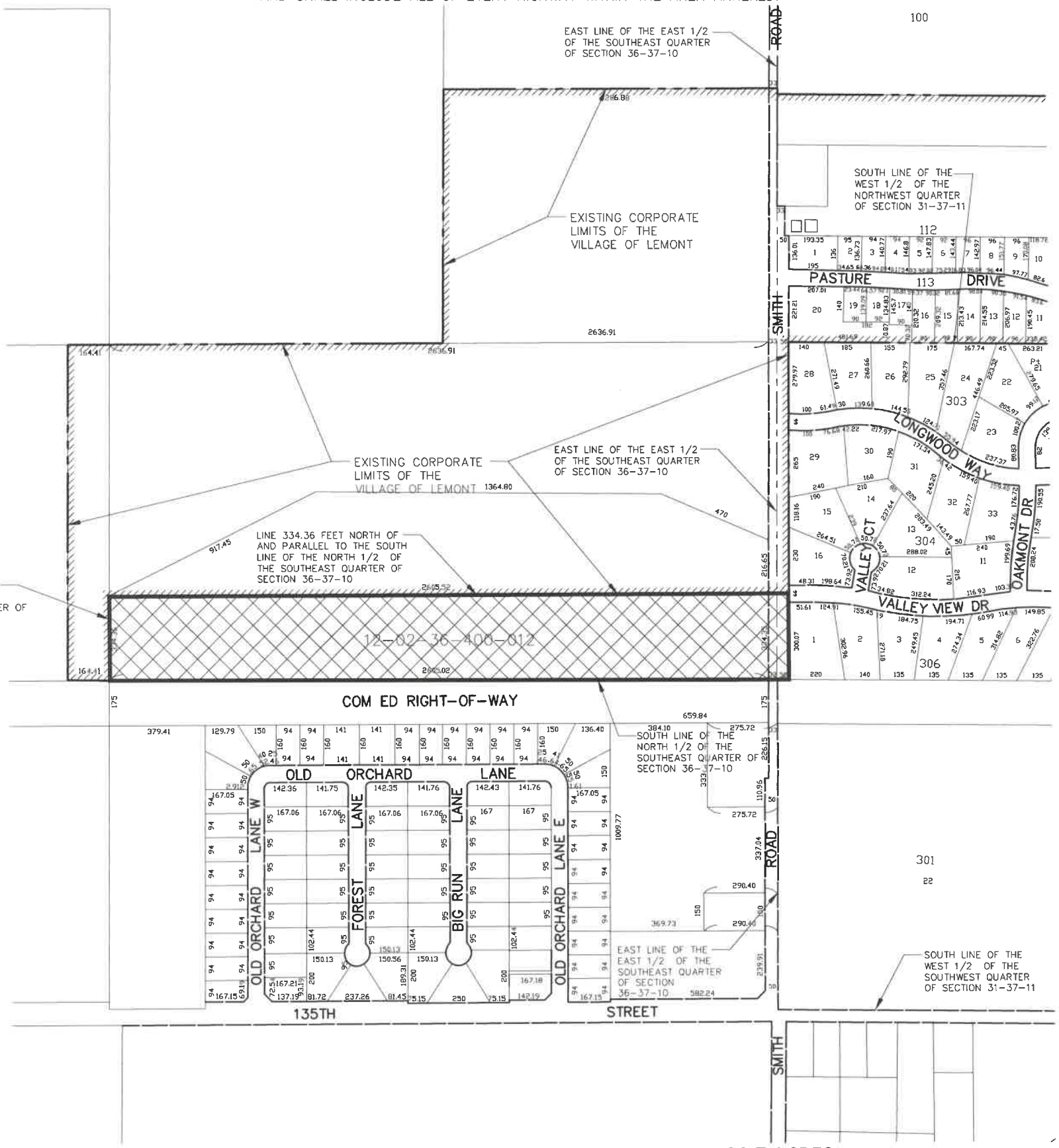
# VILLAGE OF LEMONT

OF

SCALE: 1" =500'

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, WITH A LINE 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE. OF THE SOUTHEAST 1/4 OF SECTION 36 AFORESAID; THENCE SOUTH 88 DEGREES 16 MINUTES 51 SECONDS WEST, ALONG SAID SOUTH LINE, 2606.02 FEET TO THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 36 AFORESAID; THENCE NORTH 1 DEGREE 01 MINUTES 38 SECONDS WEST, ALONG THE AFORESAID WEST LINE, 334.36 FEET TO A POINT ON A LINE DRAWN 334. 33 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE NORTH 1/2 OF SAID SOUTHEAST 1/4; THENCE NORTH 88 DEGREES 16 MINUTES 51 SECONDS EAST, ALONG THE AFORESAID PARALLEL LINE, 2605.52 FEET TO A POINT ON A LINE DRAWN 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST 1/4, THENCE SOUTH 1 DEGREE 06 MINUTES 50 SECONDS EAST, ALONG THE AFORESAID PARALLEL LINE. 334.35 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING CONTAINING TWENTY (20) ACRES, MORE OR LESS, IN WILL COUNTY, ILLINOIS.

THE NEW BOUNDARY OF THE AREA ANNEXED SHALL EXTEND TO THE FAR SIDE OF ANY ADJACENT HIGHWAY AND SHALL INCLUDE ALL OF EVERY HIGHWAY WITHIN THE AREA ANNEXED.




## AREA TO BE ANNEXED CONSISTS OF APPROXIMATELY 20.7 ACRES

LEGEND

DENOTES HEREBY ANNEXED

AFTER RECORDING PLEASE RETURN TO:
THE VILLAGE OF LEMONT
418 MAIN STREET
LEMONT, ILLINOIS 60439

STATE OF ILLINOIS )
COUNTY OF COOK )

APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COOK, WILL, AND DuPAGE COUNTY, ILLINOIS AT A MEETING HELD ON THIS

____ DAY OF _____ A.D., 2022.

BY;_____
PRESIDENT

ATTEST;_____
CLERK

STATE OF ILLINOIS )
COUNTY OF DuPAGE ) S.S

I, JAMES L. CAINKAR, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT AS HEREON DRAWN IS A CORRECT REPRESENTATION OF THE PROPERTY DESCRIBED IN THE FOREGOING CAPTION.

DATED AT WILLOWBROOK, ILLINOIS, THIS 4th DAY OF OCTOBER A.D., 2022.

JAMES L. CAINKAR
ILLINOIS PROFESSIONAL LAND SURVEYOR
No. 2656
EXPIRES 11-30-22

STATE OF ILLINOIS
JAMES LOUIS CAINKAR 2656
PROFESSIONAL LAND SURVEYOR

**JAMES L. CAINKAR, P.E.**
**IL. P.L.S. NO. 2656**
**EXPIRES 11-30-22**

500 0 500
GRAPHIC SCALE
IN FEET

DATE: 10/04/22 PROJECT NO. 19391 (3)