Village of Lemont

PLANNING AND ZONING COMMISSION
July 10, 2024 – 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 2024-10 Gas N Wash Main Street Rezoning
- III.B Case 2024-11 UDO Amendments

IV. ACTION ITEMS

V. GENERAL DISCUSSION

VI. AUDIENCE PARTICIPATION

VII. ADJOURNMENT

Village of Lemont
Planning and Zoning Commission
Regular Meeting of May 1, 2024

A regular meeting of the Plan Commission for the Village of Lemont was held at 6:30 p.m. on Wednesday, May 1, 2024, 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 6:30 p.m. He then led the Pledge of Allegiance.

B. Verify Quorum

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

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

C. Approval of Minutes

Commissioner McGleam made a motion, seconded by Commissioner Carmody to approve the minutes from the April 3, 2024, meeting with no changes. A roll call vote was taken:
Ayes: Cunningham, Carmody, O'Connor, Zolecki, Studebaker
Nays: None
Motion passed

Commissioner Pawlak entered the meeting at 6:31 p.m.

II. CHAIRMAN'S COMMENTS

Chairman Studebaker greeted the audience and 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 2024-03 – 609 ILLINOIS STREET PRELIMINARY PLANNED UNIT DEVELOPMENT (CONTINUED)

Chairman Studebaker asked for staff to provide an overview.

Staff Presentation

Jamie Tate, Consulting Planner, said John Grele who is represented by Simon Batistich is requesting approval of a Planned Unit Development (PUD) for a four-unit townhome. It is located in the Downtown District at the northwest corner of Grant and Illinois Street. Currently, the lot is the back lot of 608 Main Street so with the proposal they are doing a plat of subdivision to separate the lots.

At the last meeting, the public hearing was continued to allow for the applicant to complete the application. This would include providing a preliminary landscape plan which the applicant has provided. The applicant needed to provide a preliminary plat of subdivision to show the existing conditions and how they are planning to divide the lots. Also, provide other PUD requirements like summary, objectives, response to TRC comments, and provide feedback to public comments from last month's meeting. Some of the comments from the last public hearing were in regard to the driveways that would be on Illinois Street and how they would be eliminating the existing on-street parking. A traffic study was suggested if the driveway is allowed off of Illinois Street. There were traffic, safety, and visibility concerns as well.

Mrs. Tate stated the first five exceptions that the applicant is requesting within this proposal relate to the garages facing Illinois Street. The code for the Downtown District does not allow for front-facing garages. If there is a front-facing garage then you have to place it at least 20 feet behind the front plane of the house. The garages are shown in line with the front plane of the house so they will not meet that requirement. It also states that new development should create new alleys and they are not creating a new alley. Another is that off-street parking should be behind the principal building and should be at least 10 feet from the right-of-way. The parking is located in the front and at the property line.

Since the last meeting, the Village had a permit application come in for a different owner and lot in the downtown. When it first came through it was a front-facing garage. The reason why this Commission has not seen it is because they meet all of the Village's requirements. Staff did explain that they could not have front-facing garages so they created a driveway on the side of the building and put the garages in the back. Granted, it is a different topography and is more of a flat lot but it is a look at how someone saw the code and tried to modify their plans. Suggestions were given to the applicant to minimize the length of the curb cut for this development. She then showed different examples on the overhead.

Mrs. Tate said the last of the exceptions are about pedestrian scale elements, expression lines, and on masonry buildings, a header and sill are required for all windows. Wood

and stucco buildings should have trim and the applicant is showing trim on the front but not on the side or rear. The front setback should be between zero and ten feet and the setback is at 18 feet because of the driveways in front. Driveways at the property line should be no greater than 22 feet and currently, they are at 38 feet. Lastly, driveway aprons are a maximum of 24 feet and this is shown at 40 feet. This is an IDOT road so it will have to go through that process so what they are looking at today could change. There have been no comments back from them at this time.

In conclusion, townhomes are allowed in the downtown district and the Comprehensive Plan does encourage infill development. There is an opportunity here to adhere to more of the design guidelines and to create a more cohesive and safer development. The applicant could use the Main Street access that is also owned by the applicant. Or create a single drive off of Illinois rather than four separate drives. Staff did include some conditions that are provided in the packet.

Chairman Studebaker asked if there were any questions from the Commission for staff.

Commissioner McGleam asked if the Village was still requesting the garages on the north elevation and then exiting out through the parking lot onto Main Street.

Mrs. Tate stated there are a couple of different options that could be explored. They could have one shared drive that accesses the garages in the rear.

Commissioner McGleam said he looked at the feasibility of a driveway from the north elevation down to that existing parking lot. If you look at the topographical plan the north elevation of the building is at 619 and the existing parking lot is at 610. That is nine feet of drop and if you look for the horizontal dimensions the garage is at 22 feet and there is another 10 feet from the south elevation of the garage and the proposed rear garage. That is nine feet of drop in 32 feet which is not feasible because it is a 28% slope.

Mrs. Tate stated that it is great that he can provide this. Staff was looking for the applicant to provide that information which hasn't been at this point.

Commissioner Zolecki asked if considerations that were presented this evening have been shared with the applicant.

Mrs. Tate said yes. Responding to suggestions is what staff was looking for.

Commissioner Carmody asked besides getting the items noted, if there were any changes from what was previously presented.

Mrs. Tate stated they provided the plat with the existing conditions and the landscape plan.

Commissioner Carmody asked if there is a requirement for two garage spaces per townhome unit.

Mrs. Tate said there was not. The downtown district, lots that are less than a half-acre do not require off-street parking. In any other district outside of the downtown, they do have a requirement for townhomes which is two spaces per unit.

Chairman Studebaker asked what about the other half of Grant Street.

Mrs. Tate stated it is vacated and it is included in their plat.

Commissioner McGleam said the landscape plan looks like two curb cuts with landscape planters in between.

Mrs. Tate stated for the foundation landscaping it meets code. Technically you don't have to have parkway trees because it is a downtown district. Staff feels there should be some type of parkway trees provided but they are in the back.

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

Applicant Presentation

Simon Batistich, architect for the applicant, said Mr. Grele has owned this property for quite some time and they have been working on this for the past few years. It is a challenging site because of the grade. The owner intends is to maintain single ownership and these will be rentals. They did try different ways to meet the parking and even considered not having any parking since it is not required. This would get parking off of Illinois Street and onto the property itself. As far as the design of the building or landscaping, they are willing to work with staff. He is available for any questions from the Commission.

Chairman Studebaker asked if any of the Commissioners had any questions. None responded. He then asked if there was anyone in the audience who wanted to speak in regard to this public hearing.

Public Comment

Tim Hussey, 16374 New Avenue, asked if they were building a landscaping wall for the green area.

Mr. Batistich stated this is why the garages are on the high end and then to the back it is a walkout. There will be no retaining walls on the site.

Trustee Stapleton said it is required to have the rain gutters go out to the rear of the property. He asked if this would cause a problem for the other parcel.

Mr. Batistich stated there is a swale on the north going to the east side. Nothing is changing on the property besides falling naturally and running across.

Chairman Studebaker asked if there were any further comments or questions from the public. 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 2024-03. A roll call vote was taken:
Ayes: McGleam, Zolecki, Carmody, O'Connor, Pawlak, Studebaker
Nays: None
Motion passed

Plan Commission Discussion

Commissioner Zolecki said he was not here last month, but he read that the garage issue was discussed and staff has communicated this to the applicant. He is disappointed that it has not been shown what ideas do or do not work. He appreciates Commissioner McGleam's comment about the grade, but he feels this should be the applicant's engineer explaining so they understand what can work. He feels that the applicant is set on this design and so there is no reason for commentary.

Chairman Studebaker asked if there were any further comments from the Commission. None responded. He then called 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 #2024-03 – 609 Illinois Street Preliminary Planned Unit Development with staff's conditions:

1. Provide an exhibit demonstrating the full capacity of vehicles parked in the driveways. For example, there are two 38-foot-wide driveways, there can be up to 4 cars parked in a row in one drive and the same in the other. Demonstrate there is adequate visibility for pedestrians walking by and for vehicles on Illinois Street when vehicles need to enter/exit driveways.
2. Provide a narrative of how the proposal meets the PUD objectives and the explanations for not meeting the UDO standards. Exceptions within PUDs do not need to meet the Variation Standards, but they are typically granted in return for exceptional site design or public amenities, as further clarified in Section 17.08.010.
3. Incorporate parkway trees in the front of the property.
4. Any other condition or comment determined at the public hearing by the PZC or as a result of public comment.

A roll call vote was taken:
Ayes: McGleam, Studebaker

Nays: O'Connor, Carmody, Pawlak, Zolecki
Motion denied

B. CASE #2024-05 – WHEEL 2 WHEEL SPECIAL USE AT 16430 NEW AVENUE

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

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to open the public hearing for Case #2024-05. A roll call vote was taken:
Ayes: McGleam, Zolecki, Carmody, O'Connor, Pawlak, Studebaker
Nays: None
Motion passed

Chairman Studebaker asked for staff to make a presentation.

Staff Presentation

Mrs. Tate said John Avelar, who is the owner of the property, is requesting approval for an amended special use. The current special use exists for outdoor storage and container yard. In 2020, the property was annexed into the Village and zoned M-1 and at that time a special use was granted to operate J-Avenue Trucking. According to the Village code, it states that a change in the intensity of an existing use or a change in the conditions of the approval of the special use shall be deemed the same as a new special use and shall require approval. The intensity of the existing special use is proposed to be modified by bringing more trucks and vehicles to the property deeming it as a new special use.

The property is surrounded by unincorporated Cook County with existing homes to the north. To the south, is R-5A in the Village of Lemont with some of it being the Copper Ridge Subdivision on top of the hill. To the east is unincorporated Cook County R-4 with existing homes. To the west is unincorporated Cook County R-4 which is the vacant site of the former McMahon location. At the time this property was annexed, it was approved for a 9,000-square-foot truck maintenance garage and a special use for the outdoor storage. It was constructed to include offices and employees. It provides maintenance space for the owner's trucks only. Parking was approved for 28 semi-tractor trailers and 12 dump trucks. The access aisles were paved with curbs and gutters and stripped for the parking areas.

Mrs. Tate stated the new business that is going in there is called Wheel 2 Wheel. They offer wheel alignment, brake repairs, tire rotation, and other minor repairs but no oil changes. The proposed hours of operation are from 7 a.m. to 7 p.m. They state they will have four employees and anticipate daily truck traffic to be approximately ten trucks. The access will be the same that is out onto New Avenue. They did update the traffic study and the Village's traffic consultant did look at it. There were no concerns or comments. It stated that the on-site maintenance service will generate a minimum amount of truck traffic and the intersection is projected to continue at an acceptable

operating level of service. The site access will be adequate to accommodate this new truck traffic.

Outdoor parking and storage of trucks and trailers are permitted when there is an active principal use on the lot. The code does not require specific parking requirements for industrial uses. For light truck sales and service it is one space per 300 of gross floor area and for heavy equipment it is one space per 500 of gross floor area. The subject site does have adequate parking with 20 parking stalls for vehicles, 17 long-haul stalls, and five short truck stalls. The new business does not anticipate overnight parking for any of its trucks. It might only happen if they are waiting on parts, but generally, it is a same-day service.

Mrs. Tate said the special use standards were adequately met and the applicant did provide a response to all of those along with a project summary. In conclusion, staff is recommending approval for the additional use. The hours of operation should be defined and make sure they are included. The special use is for Wheel 2 Wheel only and the same process should apply to any future proposed businesses. Any signage needs to meet all the Village standards and a building permit must be obtained. Currently, there is a sign out on New Avenue that does not meet the code. A person did drop off a letter about 20 minutes prior to tonight's meeting which she made copies of and provided to each of the Commissioners.

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

Commissioner O'Connor asked if the business had started operating initially.

Mrs. Tate stated staff had occupancy and a business license application come through. It was flagged and she checked the special use. She did let them know that they had to go through this process. The applicant was not aware of this and had moved in partially. She does not believe that any work was being done. It did take a while to get the traffic study done to get to this process.

Chairman Studebaker asked if there were any further questions for staff. None responded. He then asked if the applicant was present to make a presentation.

Applicant Presentation

The applicant was not present.

Chairman Studebaker asked if there was anyone in the audience who would like to come up and speak in regard to this public hearing.

Public Comment

Glenn Granat said his property abuts this property. At the meeting back in 2020, there was talk of a Lemont 2030 Plan. He asked if there was a plan with the five houses that are on New Avenue that are now like an island.

Mr. Berry stated there have been no planning efforts for those unincorporated properties there.

Tim Mussey asked if the hours will be from 7 a.m. to 7 p.m.

Mrs. Tate said that is what was in their application and the traffic study.

Mr. Mussey asked if there would be a lot more trucks. There are a couple of other trucking companies coming out of there also. He is concerned about the truck traffic coming out of there.

Mrs. Tate stated they should not be operating right now. The applicant states that it will add ten additional trucks daily.

Mr. Mussey asked if they were just doing service on the big trailers.

Mr. Berry said yes.

Rick Adamski stated he is east of the subject property. Mr. Avelar has been a great neighbor and he has no issues with him. He had requested that Mr. Avelar build a retaining wall to block out some of the truck traffic and he did. He asked if a privacy fence could be put up where the retaining wall ends and where it heads north on his property line. He is concerned that headlights will be shining in their yard late at night or during the wintertime. Mr. Avelar has done a good job with keeping the business off of New Avenue and you don't see it from the street at all. His other concern is that he does not want to see signs lit up on New Avenue. If they can keep it more of a residential feel then most people will not be opposed to it.

Max Schrepfer said he is an employee of Wheel 2 Wheel and is representing the owner. They have not operated or done any business at this location. They are a small family business and mostly do wheel alignments. A wheel alignment takes about a half hour to an hour to do. If they are open for ten hours a day it would be about ten trucks. This is not guaranteed and they could have less. There might be a reduction in traffic because they are utilizing part of the building from Mr. Avelar. As far as hours of operation, they do not see them going past 7 p.m. They might not start until 8 or 9 a.m. This will be a new location so it will take time before people know that we exist. He hopes this addresses some of the concerns that people have had.

Commissioner Zolecki asked what his thoughts were on the signage.

Mr. Schrepfer stated it would be great to have a sign that lights up. They can set it on a timer where it shuts off during the night and comes back on in the morning.

Commissioner O'Connor asked what the requirements are for signage for this district.

Mrs. Tate said they could have an illuminated sign or maybe an outside light shining on it. It can be eight feet in height and 64 square feet with a masonry base.

Chairman Studebaker asked if there was anyone else who wanted to speak in regard to this public hearing. None responded. He then called for a motion to close the public hearing.

Commissioner Carmody made a motion, seconded by Commissioner Pawlak to close the public hearing for Case #2024-05. A roll call vote was taken:
Ayes: Carmody, Pawlak, McGleam, Zolecki, O'Connor, Studebaker
Nays: None
Motion passed

Plan Commission Discussion

Commissioner Zolecki recommends the applicant should work with staff to find something amenable including turning the light off after hours which was mentioned by one of the representatives from the company. For the fence, they had this discussion last month about having a fence on a retaining wall.

Mrs. Tate stated they would have to take a look at it. There could be a maximum height that is combined. A site line study could be suggested.

Chairman Studebaker said there is a full buffer in certain areas and in other spots it is open. He asked if there were any further comments. None responded. He then called for a motion for a recommendation.

Plan Commission Recommendation

Commissioner Zolecki made a motion, seconded by Commissioner McGleam to recommend to the Mayor and Board of Trustees approval of Case #2024-05 – Wheel 2 Wheel Special Use with the following recommendations:

1. The hours of operation should be defined similar to J-Ave.
2. The special use is for Wheel 2 Wheel only and the same process should apply to any future proposed businesses.
3. All signage must obtain a building permit and meet the Village's UDO standards. This condition includes all signage associated with the property at 16430 New Avenue.
4. The consideration of adding a privacy fence and/or landscaping screening along the existing retaining wall for privacy purposes for the adjacent residents.
5. The applicant should work with staff on the signage illumination to turn off after business hours. The illumination should be modest in a way that is agreeable to staff and the applicant.

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

Commissioner Carmody made a motion, seconded by Commissioner McGleam to authorize the Chairman to approve the Findings of Fact for Case #2024-05 as prepared by staff. A roll call vote was taken:
Ayes: Carmody, McGleam, Zolecki, O'Connor, Pawlak, Studebaker
Nays: None
Motion passed

Chairman Studebaker called for a motion for Findings of Fact for Case 2024-03.

Commissioner McGleam made a motion, seconded by Commissioner Pawlak to authorize the Chairman to approve the Findings of Fact for Case #2024-03 as prepared by staff. A roll call vote was taken:
Ayes: McGleam, Pawlak, Carmody, Zolecki, O'Connor, Studebaker
Nays: None
Motion passed

IV. ACTION ITEMS

A. CASE 2024-06 – CASTLEWOOD ESTATES II FINAL PLAT OF SUBDIVISION

Staff Presentation

Mrs. Tate said the applicant and property owner, Danielle Duarte, is requesting a final plat of subdivision to divide the existing R-4 residential lot into two residential lots. This is at the entrance of Castlewood Estates which is along Archer Avenue. The lot subdivision would allow for the construction of two detached single-family homes. The division of the existing residential lot would conform to the lot standards for the R-4 District. The homes will be constructed according to the codes and standards in the Village with utility connections, parkway trees, residential design standards, etc.

The Castlewood Estates Subdivision was platted and approved in 1992. The lot that we are discussing today was not included in the development approval. In 2018, the property owner at that time came through and rezoned the property from B-1 to R-4 for the purpose of constructing a single-family home. Since that rezoning the property was sold and the current owners have been working with staff to make sure the subdivision meets the standards for two lots. Staff is recommending approval.

Commissioner McGleam said the plat refers to the boundaries on the existing pond as approximate. This has a big impact on the placement of the homes on the two lots. He

asked if there should be an updated survey that shows the exact boundaries of the pond relative to the placement of the two proposed homes.

Mr. Berry stated an individual plat of survey would be required for a permit. He understands what he is saying for the position of the building but this is just the division of the land. At time of permit, they would have a plat of survey for Lot One and a separate survey for Lot Two.

Commissioner McGleam said in the checklist for the Final Engineering Plan there is a lot of detail that is required that is not shown on that plat. There are no utilities and no topographical information. The submittal does not match what the checklist calls for.

Mrs. Tate stated for the Plat of Subdivision they don't require that much detail. They will have to do all that when they come through for a permit. They did not have to show where the houses could be on the lot, but staff did not want to bring anything forward if they created a lot that didn't work. The applicant's engineer is here this evening.

Applicant Presentation

Mike Ford, Design Tech Engineering, said what he is viewing is a final plat which is not an engineering plan. They did complete the topographic survey as well as the utility plan. Along Castlewood Drive, there is a water main, sanitary sewer, and storm sewer. There is an existing sidewalk and existing street lighting on the east side of Castlewood. Most of the improvements are provided there from the initial subdivision and they are what these two lots would tap off of.

Commissioner Pawlak asked if they could comment on the yard for lot two and where the house is going to be. He asked if the backyard was going to be water.

Mr. Ford stated they provided the site plan with the foundation showing. They provided staff with all the additional engineering information and provided preliminary site plans to show how the homes would be sited on the lots.

Mrs. Tate showed the preliminary site plans on the overhead.

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

Plan Commission Recommendation

Commissioner O'Connor made a motion, seconded by Commissioner Carmody to recommend to the Mayor and Board of Trustees approval of Case #2024-06 – Castlewood Estates II Final Plat of Subdivision. A roll call vote was taken:
Ayes: O'Connor, Carmody, McGleam, Zolecki, Pawlak, Studebaker
Nays: None
Motion passed

B. CASE 2023-15 – 14447 131ST STREET ANNEXATION

Staff Presentation

Mrs. Tate stated that DJK Custom Homes is the property owner and applicant. They are applying for annexation into the Village for a 5.1-acre vacant parcel that is adjacent to the Magdelena subdivision. Once annexed, the property will remain under the default zoning of R-1, Detached Single-Family Residential District for the purpose of one single-family home. They are not requesting a rezoning so there is no public hearing. The annexation does include an annexation agreement that will be presented to the Village Board on May 13, 2024.

The property will be accessed via the existing 130th Street right-of-way connected to Magdalena Drive. There is a hammerhead there that is to remain at the request of the Public Works Department. Easements will be provided on the subject property for any possible future utility extensions. Draft plans were included just as a reference but not part of the request. Staff is recommending approval.

Chairman Studebaker asked if the hammerhead was going to stay the way it was.

Mrs. Tate said Public Works wants it there for snow storage.

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

Plan Commission Recommendation

Commissioner McGleam made a motion, seconded by Commissioner Pawlak to recommend to the Mayor and Board of Trustees approval of Case #2023-15 – 14447 131st Street Annexation. A roll call vote was taken:
Ayes: McGleam, Pawlak, Carmody, Zolecki, O'Connor, Studebaker
Nays: None
Motion passed

C. CASE #2023-07 – JB HUNT FINAL PLANNED UNIT DEVELOPMENT

Staff Presentation

Mrs. Tate stated JB Hunt is requesting Final PUD approval and Final Plat approval. The special use for the Preliminary PUD was approved on September 11, 2023, and allowed for the redevelopment of the property into a freight transportation terminal with cargo container storage. Upgrades to the site include paving, fencing, improving stormwater detention, removing the Main Street access, significant landscaping, and berming.

Since they were approved by the Village Board, staff has been working with their development team to meet all the conditions that were listed in the Preliminary PUD and finalize the plans. The Plan Commission's review is to verify conformance with the Preliminary PUD and Plat. Staff has found that they are in general conformance. The major change is to the entrance which was a single lane before and now they are doing multi-lanes. There was some rearrangement between the cargo container storage to make sure there was enough room for emergency access. The only thing remaining is that they are one comment away from MWRD and IDOT turn lanes. It is written in the PUD that they can proceed with things like utilities because there is a lot of work they need to do. They have been cooperative with the buffering.

Chairman Studebaker asked if they were going to keep the taller stacks to the north.

Mrs. Tate said yes and they are very cognitive of what the Village wants to see from Main Street. They never want full storage of containers because that means they are not making money.

Commissioner McGleam asked if the existing curb cut on Main Street would be closed.

Mrs. Tate stated they are putting the new gate in and new fencing around the site. It is there for emergency access but it will not be used.

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

Plan Commission Recommendation

Commissioner Carmody made a motion, seconded by Commissioner Zolecki to recommend to the Mayor and Board of Trustees approval of Case #2023-07 – JB Hunt Final Planned Unit Development. A roll call vote was taken:
Ayes: Carmody, Zolecki, McGleam, O'Connor, Pawlak, Studebaker
Nays: None
Motion passed

V. GENERAL DISCUSSION

Commissioner McGleam asked if the proposed restaurant on State Street went before the Village Board.

Mr. Berry said it went to the Committee of the Whole and it is on hold. The parking is still a concern.

VI. AUDIENCE PARTICIPATION

Tyler Tomczak asked how you can find out where the starting boundaries are and where it ends for the Downtown District and also where the historic downtown area is located.

Mrs. Tate showed him how to find it on the Village's website.

VII. ADJOURNMENT

Chairman Studebaker called for a motion to adjourn the meeting.

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

Minutes were prepared by Peggy Billig

418 Main Street | Lemont, IL 60439

TO: Planning and Zoning Commission
FROM: Jamie Tate, Community Development
THROUGH:
SUBJECT: Case 2024-10 Gas N Wash Main Street Rezoning
DATE: July 10, 2024

SUMMARY/BACKGROUND

ANALYSIS

Consistency with Village Policy

STAFF RECOMMENDATION

BOARD ACTION REQUESTED

ATTACHMENTS
PZC Staff Memo Case 2024-10 Gas N Wash Rezoning Main Street with Attachments

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

CASE NUMBER & NAME
2024-10 Gas N Wash Main St. Rezoning

APPLICANT/PROPERTY OWNER
Gas N Wash / Len Mcenery

DATE
July 10, 2024

PROPERTY ADDRESS/LOCATION
12935 Main Street / PIN: 22-14-401-028-0000

BRIEF SUMMARY OF REQUEST

Len Mcenry of Gas N Wash has applied for rezoning of the 7.19-acre M-1 zoned parcel at 12935 Main Street to B-3, Arterial Commercial District in the Village of Lemont. Gas N Wash purchased three parcels near the intersection of Route 83 and Main Street to develop the fuel station, convenience store, car wash, and quick-serve restaurants. During the construction and development of the site, Gas N Wash decided to add an accessory truck parking lot on the M-1 zoned parcel just to the west of the approved and permitted Gas N Wash fuel station. A zoning review of the proposed truck parking lot determined it could be allowed accessory to the fuel station in the B-3 zoning district, but it is not allowed in the M-1 zoning district. While truck, tractor and trailer parking is allowed in the B-3 district accessory to an approved use, there is a four hour maximum time limit.



Source: Google. Subject property indicated in red.

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	REQUESTED ACTIONS	SIZE OF PROPERTY
M-1, Light Manufacturing District	Vacant land	North: B-3, Arterial Commercial District / State Express office (former Meno Stone office and showroom) South: R-4, Detached Single-Family Residential District / Estates of Montefiori East: B-3, Arterial Commercial District / Gas N Wash West: M-1, Light Manufacturing District / State Express vacant lot	Rezoning	7.19 acres

PROPERTY HISTORY

Following extensive redevelopment efforts by the Village of Lemont at the intersection of Route 83 and Main Street, Gas N Wash purchased the property from the Village to redevelop the area with their branded fuel station, car wash and convenience store. Gas N Wash obtained a special use for 3 drive-throughs and several sign variations in 2022. A redevelopment agreement was approved at the same time, including site design, landscaping and upgraded architecture for the redevelopment of the subject property. The agreement was recently revised removing the commercial strip center along Archer Avenue and now including the proposed truck parking area. There are no plans currently for the vacant pad-ready site along Archer Avenue.

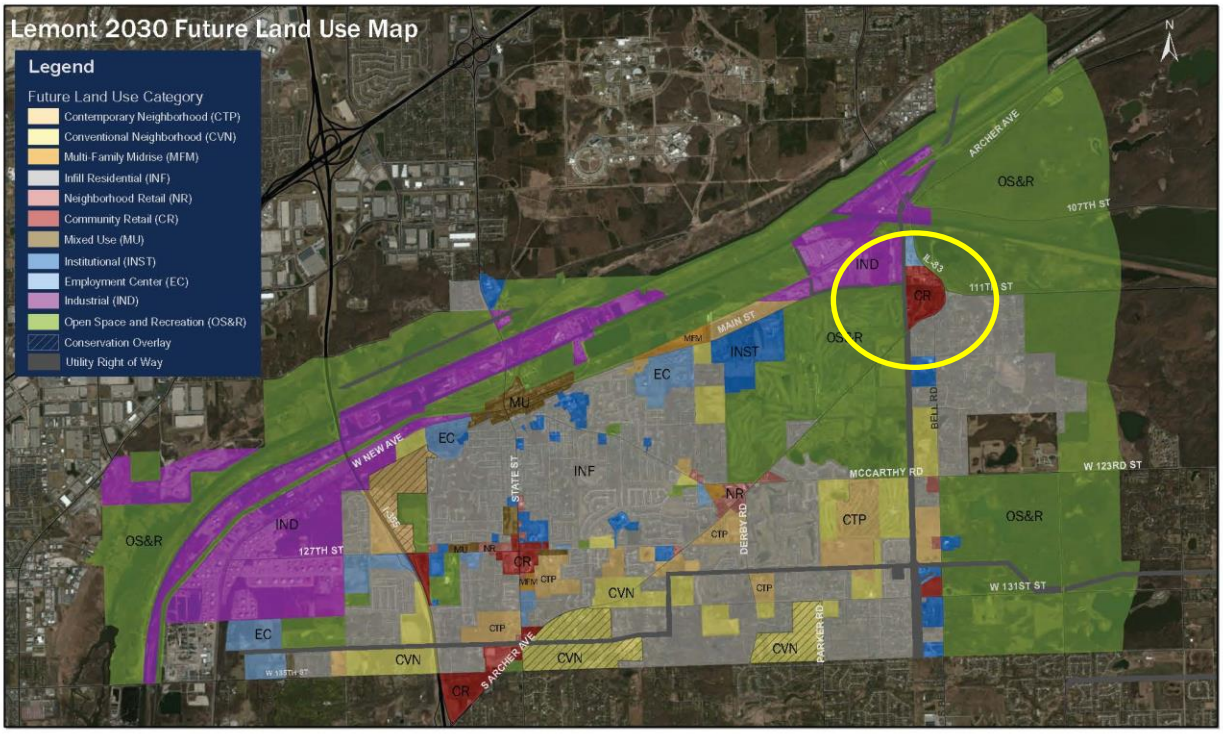
COMPATIBILITY with the COMPREHENSIVE PLAN	**COMPATIBILITY** with the UNIFIED DEVELOPMENT ORDINANCE
The subject property's future land use in the Lemont 2030 Comprehensive Plan is Community Retail (CR).	The proposal allows for compatibility with the UDO.

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

ATTACHMENTS

1. Staff Analysis
2. Site Photograph
3. Rezoning Application & Documents

Attachment 1 – Staff Analysis – Gas N Wash Main Street Rezoning



Comprehensive Plan. The Lemont 2030 Comprehensive Plan identifies the subject property's future land use as Community Retail (CR).

The Community Retail District is characterized by general retail uses, in addition to the convenience-orientated uses also found in the neighborhood retail district. Local residents still form the primary customer base for businesses in this district, but the businesses draw from a slightly larger area and some customers may travel longer distances to visit certain establishments. Developments in this district are generally multi-tenant shopping centers. Shopping centers in this district rely on the population within 3-6 miles for most of their customers. Community shopping centers may have one or two anchor tenants; these tenants are typically grocery stores, discount stores, or large specialty stores like a sporting goods store. The other tenants in a community shopping center are the same as what would be found in a neighborhood center: food service businesses, personal service businesses, and financial services businesses. However, tenants in a community center will generally represent a broader range of retail uses, including more apparel stores.

Buildings in this district are often shopping centers of 125,000 SF to 400,000 SF on sites of 10 to 40 acres. Developments in the community retail district will be more auto orientated

than those in a neighborhood retail district, but bicycle and pedestrian access will still be accommodated, and buildings will be situated to encourage walking between businesses. Due to their size and intensity, community retail developments should be located at or near the intersection of two arterial roadways.

Also in the Comprehensive Plan, the subject property is located within an economic activity center, defined as existing or potential future hubs of business activity; representing areas where there are or may be in the future significant concentrations of economic activity. The plan directs the Village to focus economic development efforts in the economic activity centers. This particular area's growth target industries are retail and professional, scientific and technical services.

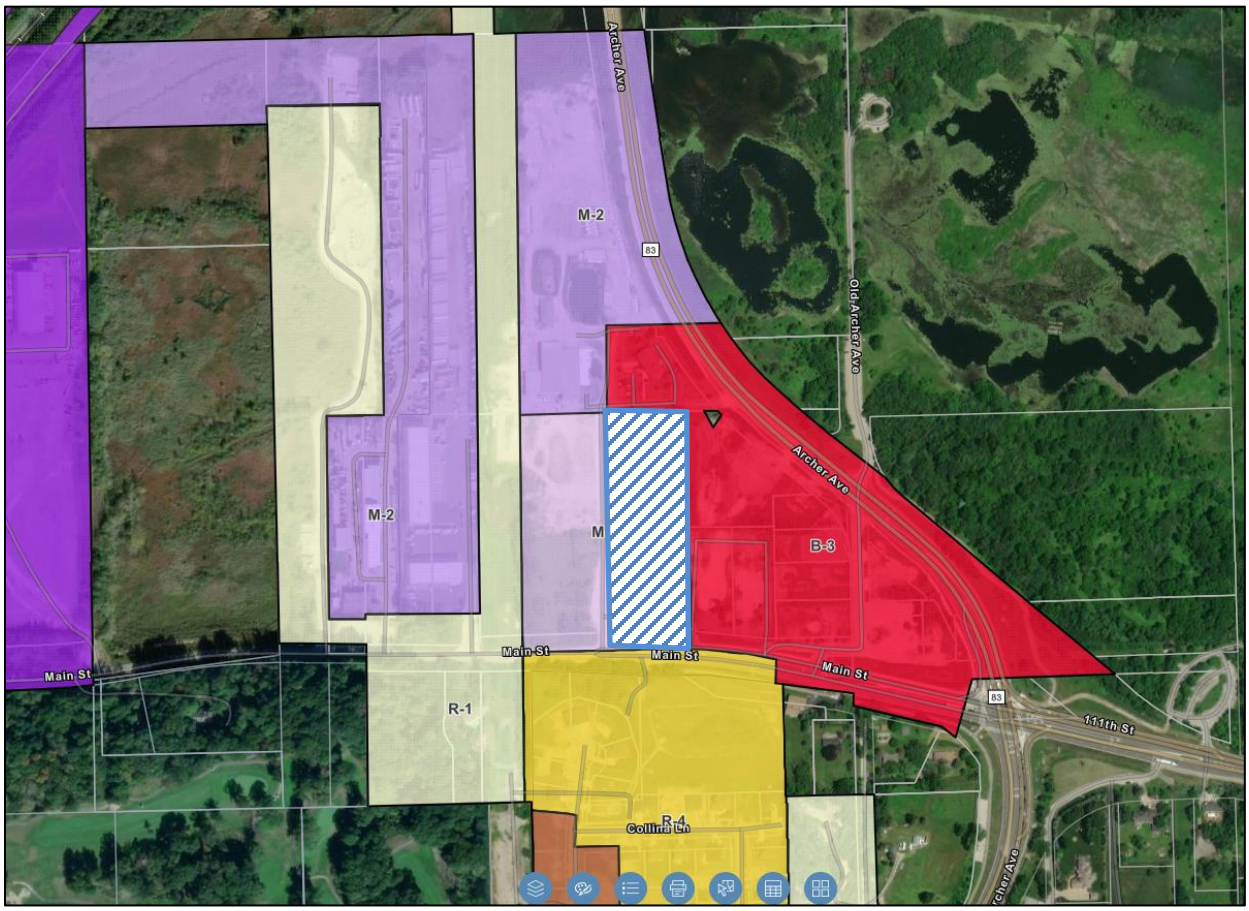
Other goals and objectives that apply to the subject property are the following:

- **Develop inviting gateways into Lemont**. Gateways are key intersections and corridors that represent major points of entry into a community. Ensuring these points are attractive is key to creating a positive first impression of Lemont. Private development at gateways should reinforce public improvements and further enhance the aesthetics of these important areas.
- **Increase local shopping**. Increasing the percentage of total household disposable income spent within the Village will increase local tax revenue and support local businesses.

Developing this major arterial corner into a fuel station, car wash and multi-tenant commercial center was in line with the future land use and other goals of the Lemont 2030 Comprehensive Plan. The rezoning to a commercial zoning designation extends the Route 83 and Main Street commercial corridor further west toward Downtown along Main Street. It will allow for safe and orderly truck and large vehicle parking, increasing the local tax revenue as these patrons are encouraged to spend money at the Gas N Wash convenience store.

REZONING ANALYSIS

The proposed rezoning parcel is indicated by the hatched lines on the zoning map image. The rezoning of the subject property from M-1 (light purple) to B-3 (red) will add commercial zoning to the Route 83 and Main corridor and allow for the development of the site to complement the Gas N Wash fuel center. It will square off the commercial zoning in this location.



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 vacant parcel from M-1 to B-3 adequately meets the LaSalle standards. A B-3 designation is compatible with the adjacent zoning districts. A commercial zoning designation for the subject property is more aligned with the Comprehensive Plan and it allows for the Gas N Wash fuel station to expand their offerings with designated truck parking. There are site design features to ensure the health, safety and welfare of the public such as a safe pedestrian connection from the truck parking lot to the convenience store. The parking lot will be landscaped and screened according to the UDO and through the site development permit process, continuing the aesthetics from the existing Gas N Wash development.

The adjacent property is zoned M-1, and an accessory truck parking lot is both compatible with the adjacent M-1 zoning district and State Express property, and it is compatible with the adjacent diesel fuel station, convenience store and quick service food offerings. While not a truck stop with overnight parking (the B-3 district allows a maximum of 4-hour parking for trucks), there are desirable amenities within the existing Gas N Wash property to attract truck drivers that may want to park for a time, such as gaming, food, indoor and outdoor seating. Any additional use or redevelopment of the subject property will now fall under B-3 restrictions.

CONCLUSIONS & RECOMMENDATIONS

The rezoning of the 7.19-acre property at 12935 Main Street from M-1, Light Manufacturing District to B-3, Arterial Commercial District extends the commercial corridor of Route 83 and Main Street further west toward Downtown. The rezoning allows for the Gas N Wash development to utilize their property for limited accessory truck parking allowing for the larger vehicles to safely park and utilize the amenities found within the C-store and Gas N Wash development. The rezoning furthers the goals of the Comprehensive Plan and is in line with the expected future land use of Community Retail. If the PZC were to recommend Case 2024-10 Gas N Wash Main Street Rezoning, the following conditions should be considered in the recommendation:

1. Address any comments and questions by Staff and Consultants through the site development process and do not start work until all proper approvals are in place.
2. Provide a safe and efficient pedestrian connection from the proposed truck parking lot to the entrance at the rear of the C-store that is indicated for truckers.
3. Post signs indicating the 4-hour time limit and clearly stating 'no overnight truck parking'.

Attachment 2 - Site Photographs

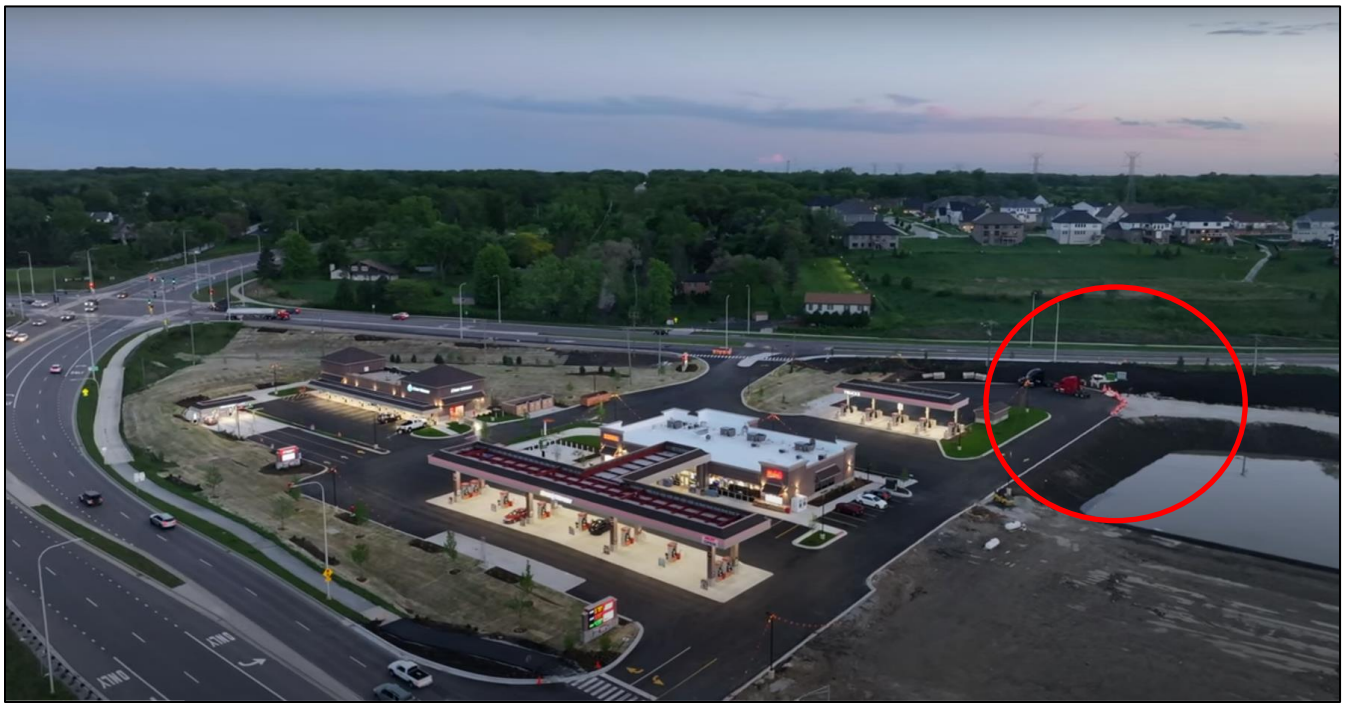


Figure 1. Gas N Wash looking south. Proposed drive aisle to accessory truck parking circled on photo.

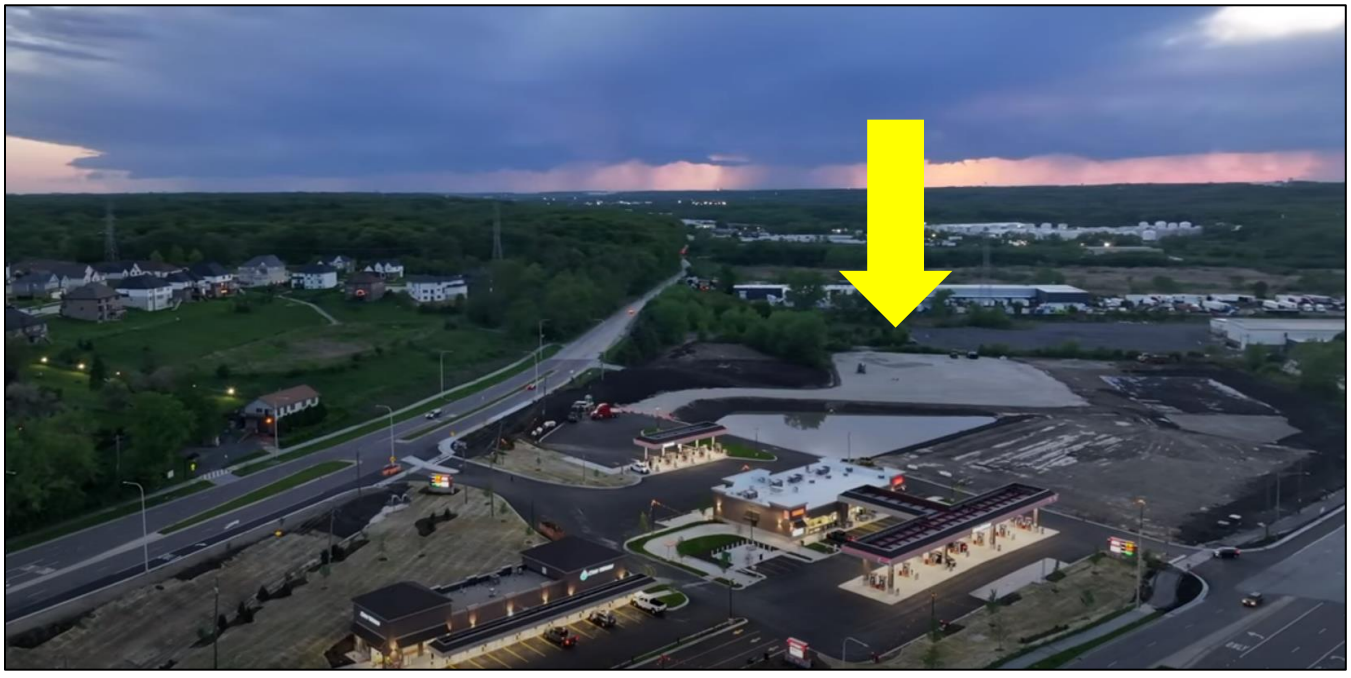


Figure 2. Aerial image of Gas N Wash. Location of proposed truck parking lot is indicated by yellow arrow.



Figure 3. Rezoning parcel approximately indicated by red outline.

VILLAGE OF LEMONT

Community Development Department
418 Main Street · Lemont, Illinois 60439
phone 630-257-1595 · fax 630-257-1598
lemont.il.us

Rezoning Information & Application Packet

Introduction

This information packet was created to assist anyone who is considering applying for a rezoning. The packet presents an overview of the procedures and requirements for rezoning requests. It also includes all forms and information necessary to compile a complete rezoning application. However, this packet does not have any statutory standing and should not be considered a substitute for the actual law, ordinances, codes, or policies of the Village of Lemont. At a minimum, those considering a rezoning request should consult section 17.04.180 of the Lemont Unified Development Ordinance. Also, any person who intends to apply for a rezoning (applicants) should consider a meeting with Community Development Department staff prior to submitting a rezoning application.

What is a Rezoning?

The Village of Lemont Unified Development Ordinance (UDO) establishes the zoning and land development regulations for all properties within the Village. Chapter 17.05 of the UDO divides the Village into zoning districts. Zoning districts establish the allowable uses for all properties within the district; they also regulate aspects of development such as lot size, building height, etc. Every property in the Village has a zoning designation. A rezoning changes the zoning designation of a particular property or properties.

The UDO does not establish any specific criteria that must be met in order for the Village Board to approve a rezoning request. Likewise, Illinois Statutes does not provide any specific criteria. Historically, Illinois courts have used eight factors enunciated in two court cases, *LaSalle Bank of Chicago v. Count of Cook (1957)* and *Sinclair Pipeline v. Village of Richton Park (1960),* when evaluating the validity of zoning changes. The so-called "LaSalle factors" are as follows:

1) The existing uses and zoning of nearby property;
2) The extent to which property values are diminished by the particular zoning;
3) The extent to which the destruction of property values of the complaining party benefits the health, safety, or general welfare of the public;
4) The relative gain to the public as compared to the hardship imposed on the individual property owner;
5) The suitability of the property for the zoned purpose;

6) The length of time the property has been vacant as zoned, compared to development in the vicinity of the property;
7) The public need for the proposed use; and
8) The thoroughness with which the municipality has planned and zoned its land use.

The Community Development Department staff, Planning and Zoning Commission and Village Board will most likely take the LaSalle factors into consideration when evaluating any rezoning request.

Application, Review, and Approval Process

To apply for a rezoning, an applicant must submit all of the items listed on the attached *Rezoning Application Checklist of Required Materials* to the Community Development Department. The Department staff will review the application for completeness. If the application is incomplete, the applicant will be notified and no further action will be taken by the Community Development Department staff until the application has been completed. If the application is not completed within 90 days, the application may be considered withdrawn.

If the application is complete, the Community Development staff will schedule a public hearing before the Planning & Zoning Commission. The Planning & Zoning Commission is an advisory board appointed by the Village Mayor.

Prior to the public hearing, the applicant must fulfill the public notice requirements detailed in the attached *Rezoning Public Notice Requirements.* Failure to complete the required public notice could result in cancellation or postponement of the public hearing. At the conclusion of the public hearing, the Planning & Zoning Commission will recommend approval or denial of the rezoning. The recommendation will be forwarded to the Village Board.

The Village Board or Community Development Department will generally require the rezoning request to be presented at a Committee of the Whole meeting prior to the Village Board meeting. The Committee of the Whole is comprised of all members of the Village Board; it is an informal, working session for the Board. No official action is taken at this meeting.

At the Village Board meeting, the Village Trustees will either approve or deny the rezoning request. If the request is approved, it will be approved by the adoption of an ordinance at the meeting.

Attachments:
1. Rezoning Application Form
2. Rezoning Application Checklist of Required Materials
3. Rezoning Public Notice Requirements
4. Affidavit of Public Notice

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

Rezoning Application Form

APPLICANT INFORMATION

Len Mcenery
Applicant Name

Gas N Wash
Company/Organization

8200 w 185th St. Unit K Tinley Park, IL 60487
Applicant Address

708- 444-0117
Telephone & Fax

lenmcenery@aol.com ; kfarbak@gasnwash.net
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

12775 Main Street Lemont, IL
Address of Subject Property/Properties

22-14-401-028-0000
Parcel Identification Number of Subject Property/Properties

7.19 Acres
Size of Subject Property/Properties

DESCRIPTION OF REQUEST

Requested Zoning: B-3

REQUIRED DOCUMENTS

See Form 502-A, *Rezoning 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:** _____

Rezoning Application Form

Village of Lemont

APPLICATION FEE & ESCROW

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

Fee is non-refundable.

Required Escrow = $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 rezoning 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 rezoning 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.

Leonard McEneny — June 10, 2024

Signature of Applicant — Date

Illinois — Will

State — County

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that Leonard McEneny 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.

Kimberly J. Farbak

Notary Signature

Given under my hand and notary seal this 10 day of June A.D. 20 24.

My commission expires this 19 day of December A.D. 20 24.

OFFICIAL SEAL
KIMBERLY T FARBAK
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 12/19/26

Rezoning Application Checklist of Required Materials

Materials Required at Submittal of Application

A complete application for a rezoning must include **all** of the following items. Any application that does not include all of the following items will not be considered complete. The Community Development Department **will not** schedule a public hearing for any rezoning request until a complete application has been submitted.

X **Application Form.** One original copy of the attached *Rezoning Application Form*, signed by the applicant and notarized.

X **Application Fee.** A non-refundable fee in the appropriate amount.

X **Escrow Account.** Any unused portion may be refunded upon request after completion of the rezoning review process.

X **Proof of Ownership & Applicant Authorization.** One copy of a deed that documents the current ownership of the subject property. If the applicant is the owner, this is the only documentation necessary. If the applicant is not the owner, the following are required in addition to a copy of the deed:

- If the applicant is the contract purchaser of the property, a copy of said contract must be attached.
- If the applicant is acting on behalf of the beneficiary of a trust, a notarized letter from an authorized trust officer identifying the applicant as an authorized individual acting in behalf of the beneficiaries must be attached. The letter must also provide the name, address and percentage of interest of each beneficiary.
- If the applicant is acting on behalf of the owner, a notarized letter of consent from the owner must be attached.

If the property owner is a company, a disclosure of the principals of the company must be included in the application materials. For example, an LLC may submit a copy of the LLC Management Agreement.

X

Submittal Packet. 6 collated copies of a submittal packet for distribution at public meetings and one digital copy for Village files. Additional copies of the submittal packet may be required after initial submission of the rezoning application. Community Development Staff will advise if/when additional copies are needed.

Any plans and maps included in the submittal packet should contain the following: a north arrow or other indication of true north or map north; the date of map/plan preparation; the name of the person preparing the map/plan; and a scale, the scale may be expressed verbally (e.g. 1 inch equals 60 ft.) but other forms of scale are preferable (e.g. scale bar or ratic such as 1:24,000). All plats should be printed on at least 11"x17" sized paper.

The submittal packet shall include the following:

- **Project Summary.** A written overview of any proposed development on the property to be rezoned. This overview should include a quantitative summary that includes the following, as applicable:
    - Acreage and/or square footage of subject site
    - Square footage of commercial space
    - Proposed residential density (# dwelling units/gross site area)
    - Total square footage covered by structures
    - Total square footage covered by roads and other impervious surfaces
    - Total square footage of commonly owned and maintained open space
    - Number of off-street parking spaces
- **Legal Description.** A legal description of the subject property.
- **Plat of Survey.**
- **Additional Plans or Documents as Required by the Community Development Director.** Department staff will advise if any additional materials are necessary.

Materials Required when Public Notice is Served

The following items **are not** required at the time of application submittal. However, these items must be submitted to the Community Development Department prior to the public hearing before the Planning & Zoning Commission. Once the applicant has fulfilled the public notice requirements, the following items must be submitted:

X **Affidavit of Public Notice.** The attached *Affidavit of Public Notice* must be submitted by the applicant once he/she has completed the necessary public notice requirements. A signed and notarized original form should be submitted to the Community Development Department nc later than 15 days prior to the scheduled public hearing for the rezoning request. More explanation regarding public notice requirements is contained in the attached *Rezoning Public Notice Requirements* document.

X **Copy of Written Notice.** Once the applicant has sent the required written notice of public hearing, a copy shall be submitted to the Community Development Department. The copy of the written notice should be submitted at the time that the notice is sent to the surrounding property owners. More explanation regarding public notice requirements is contained in the attached *Rezoning Public Notice Requirements* document.

X **Address List.** A list of all addresses to which the applicant sent the written notice of public hearing shall be submitted to the Community Development Department at the time the written notice is sent to the surrounding property owners. More explanation regarding public notice requirements is contained in the attached *Rezoning Public Notice Requirements* document.

FINAL PLAT OF
COLTON SUBDIVISION

OF

THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

TOTAL LAND AREA = 719,942 SF OR 16.52 ACRES MORE OR LESS

P.I.N. 22-13-302-003
22-13-302-004
22-13-302-005
22-13-302-009
22-14-401-009
22-14-401-010
22-14-401-017
22-14-401-023
22-14-401-024
22-14-401-028
22-14-401-029
22-14-401-032

UPON RECORDING,
MAIL TO VILLAGE OF LEMONT
418 MAIN STREET
LEMONT, IL 60439

SEND TAX BILL TO

ACCESS NOTES

THERE SHALL BE AT MOST ONE (1) DIRECT VEHICULAR ACCESS POINT ALONG ILLINOIS ROUTE 83 LOCATED ON THE COMMON LOT LINE OF LOT 1 AND LOT 2 SERVING THE COLTON SUBDIVISION, AS DEPICTED HEREON.

THERE SHALL BE AT MOST ONE (1) DIRECT VEHICULAR ACCESS POINT ALONG MAIN STREET SERVING LOT 1 AS DEPICTED HEREON.

ALL OTHER VEHICULAR ACCESS TO ILLINOIS ROUTE 83 AND TO MAIN STREET SHALL BE VIA INTERNAL CIRCULATION.

50' 25' 0 50'
1" = 50 FEET

BASIS OF BEARING:
WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 13-37-11 AS FOUND MONUMENTED.
N 01°38'23" E (ASSUMED)

LOT 1
290,734 SF OR
6.67 ACRES

LOT 2
118,212 SF OR
2.71 ACRES

LOT 3
313,278 SF OR
7.19 ACRES

LOT 5
DOOLIN & KIRK'S RESUB.

DOOLIN & KIRK'S RESUBDIVISION DOC. 1149383

PARCEL 1, PARCEL 2, PARCEL 3, PARCEL 4, PARCEL 5, PARCEL 6, PARCEL 7, PARCEL 8, PARCEL 9, PARCEL 10, PARCEL 11, PARCEL 12, PARCEL 13, PARCEL 14

LOT 1 DOOLIN & KIRK'S RESUB.

LOT 2, LOT 9, LOT 10, LOT 11

BELL ROAD

MAIN STREET (R.O.W. VARIES)

LOT 1, LOT 2, LOT 3

CHRISTIAN BOE'S SUBDIVISION DOC. 52612

COUNTY CLERK'S DIVISION DOC. 269297

℄ STATE ROUTE 83 (STATE ROUTE NO. 4-11)

OLD ARCHER AVENUE

℄ CHICAGO — JOLIET ROAD
SAG - LEMONT ROAD

COMMONWEALTH EDISON RIGHT OF WAY

NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14-37-11
NORTH LINE OF LOT 2 IN DOOLIN & KIRK'S RESUBDIVISION

WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 14-37-11
WEST LINE OF COMMONWEALTH EDISON EASEMENT

EAST LINE OF 150' COMMONWEALTH EDISON EASEMENT
LYING 150.00' EAST OF THE WEST LINE OF
THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 14-37-11

WEST LINE OF THE EAST HALF OF LOT 2 OF DOOLIN & KIRK'S RESUBDIVISION

EASEMENT/RIGHT OF WAY PER DOCS 86628706 & 87045408

10' EASEMENT TO COMMONWEALTH EDISON & ILLINOIS BELL TELEPHONE COMPANY PER DOC. NO. 86-371637

300' WEST OF AND PARALLEL WITH THE EAST LINE OF LOT 2 IN DOOLIN AND KIRK'S RESUBDIVISION

WEST LINE OF LOTS 9, 10 AND 11 IN COUNTY CLERK'S DIVISION
EAST LINE DOOLIN & KIRK'S RESUB.

EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 14-37-11
WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 13-37-11

EAST LINE OF THE EAST 110.00 FEET OF LOT 9 OF COUNTY CLERK'S DIVISION OF SECTION 13

SOUTH LINE OF LOT 2 IN DOOLIN AND KIRK'S RESUBDIVISION

NORTH LINE OF ILLINOIS DIVISION OF HIGHWAYS ROW PLAT JOB# R-90-088-068

DEED CONVEYED TO THE DEPARTMENT OF PUBLIC WORKS & BUIDINGS OF THE STATE OF ILLINOIS PER DOC. 21062560

SOUTH LINE OF LOT 5 IN DOOLIN & KIRK'S RESUBDIVISION

NORTH LINE OF LOTS 1, 2 & 3 OF CHRISTIAN BOE'S SUBDIVISION

SOUTH LINE OF THE SOUTHEAST 1/4 OF 14-37-11

SOUTH LINE OF THE SOUTHWEST 1/4 OF 13-37-11

SOUTHWESTERLY LINE OF DOC. 12010930

SOUTHWESTERLY LINE OF ROUTE 83 PER DOC. 13010923

ROW TAKEN PER COURT CASE 71 L 81310

ROW TAKEN PER COURT CASE 69 L 13183

ROW TAKEN PER DOC. 21152943

ROW PER COURT DOC. NO 69-L-13183 PARCEL 2, RECORDED FEB. 7, 1972

PART OF PARCELS 3 & 4 TAKEN PER DOC. 1912717041

PART TAKEN PER DOC. 1912717041

SOUTHWEST CORNER OF DOC. 1713509833

INTERSECTION OF DOC. 1913509833 & DOC. 21152943

PUBLIC UTILITY EASEMENT OVER ALL OF PARCEL 13 PER DOC. 2223417014

PUBLIC UTILITY EASEMENT BENEFITING AT&T AND COMED HEREBY GRANTED

PUBLIC UTILITY EASEMENT FOR SANITARY SEWER AND WATER MAIN BENEFITING THE VILLAGE OF LEMONT HEREBY GRANTED

STORMWATER MANAGEMENT EASEMENT HEREBY GRANTED

20'x25' SBC/AMERITECH EASEMENT DOC. 0020095299

5' WIDE ACCESS EASEMENT DOC. 0020095299

EASEMENT L=215.73' RAD=249.70' CHORD S 26°23'23" E 209.08'

EASEMENT 115.11' S 01°38'23" E

VEHICULAR ACCESS POINT

VEHICULAR ACCESS POINT

POB PARCEL 11

POC PARCEL 10

PT

PT

PT

FBIP 0.11' S 0.14' NE

FIR 9/16" 0.27' S ON LINE NE

FIR 9/16" 0.40' NE 0.05' SE

FIR 9/16" 0.71' S 0.49' E

FIR 9/16" 0.14' S & 0.47' E

FOUND NAIL 0.17' SE 0.11' NE

FOUND NAIL 0.15' NE 0.38' E

FOUND NAIL 0.28' NE 0.39' E

FIP 3/4" 0.28' N 0.42' E

FBIP 0.55' S 1.14' W

FIR 9/16" 0.10' N 0.15' E

FIP 1/2" 0.72' S 0.31' E

FBIP 0.18' S 0.25' E

FIP 3/4" 0.12' S 0.22' E

BEND

FIP 3/4" 3.26' N 1.04' W

FOUND NAIL 2.23' N 0.09' E

FIP 3/4" AT CORNER

FIP 1/2" 0.19' S 0.04' E

FIP 1/2" 0.82' E

FIP 1/2" AT CORNER

FOUND CROSS 0.37' S 7.84' W

FIR 5/8" 2.71' S &2.17' E

FIR 5/8" 2.70' S & 5.34' E

FIR 5/8" 2.33' S 0.33' W

FIP 1/2" ON LINE N 3.96' E

FOUND CROSS 0.52' S & 12.38' E

FIP 1/2" 33.00' N 0.53' E

FOUND NAIL 0.07' S 0.16' W

FOUND NAIL 0.23' N 0.11' E

FOUND NAIL 0.48' N 0.04' E

FIR 5/8" 0.06' S 0.06' E

FIR 5/8" 0.55' N 0.11' E

FIR 5/8" 1.95' S 3.32' W

FIR 1/4" 1.70' S 0.37' W

FIR 5/8" 3.77' S & 0.13' W

FIP 1/2" 0.45' S & 7.92' E

FIR 5/8" 3.85' S 0.31' W

FIP 3/4" 0.54' N

FIP 3/4" AT CORNER

PER MON. REC. DOC. 24927604

14 13
23 24

1328.94'

390.27'

N 88°08'58" E

578.94' DEED

289.47'

150.00'

450.20'

N 01°38'23" E 1324.25'

N 01°38'23" E 1324.25'

19.65'

67.14'

47.50'

52.25

N 34°03'22" E

L=160.59'

CHORD S 47°58'31" E
CHORD 160.51'
RAD=1453.75'

CHORD S 44°22'09" E
CHORD 2.63'

S 31°24'07" E

322.17'

266.17'

265.70'
S 01°42'07" E

400.00'

249.44'

308.70'
S 01°42'07" E

N 38°57'58" E
178.97'

100.00'

8.16'

344.34'

S 51°08'23" E
463.27'

61.19'

320.00'

381.19'
N 88°17'53" E

N 01°42'07" W
786.23'

776.98'
S 01°42'07" E

344.09'
S 60°52'22" E

262.79'
N 38°15'58" E

N 38°15'58" E
262.79'

S 51°08'23" E
15.00'

S 38° 51'37" W
34.50'

N 38°51'37" E
49.50'

S 51° 08' 23" E
26.23'

N 39° 00' 18" E
14.02'

S 50° 59' 42" E
15.00'

S 39°00'18" W
13.98'

N 51°08'23" W
14.50'

S 51°08'23" E
11.70'

11.27' NE
4.55' NW

3.78' SW

3.73' SW
5.05' NW

4.57' NW

NORTH LINE OF THE SOUTH 198.9 FEET OF LOT 1 IN DOOLIN & KIRK'S RESUBDIVISION

118.93'
N 51°08'23" W
198.20'

N 01°38'23" E
22.38'

122.36'
S 01°38'23" E

15.0'

33.00'

33'

S 51°08'23" E
100.00'

N 51°08'23" W
100.31'

751.07'

S 51°08'23" E
100.00'

S 51°08'23" E
25.17'

N 51°08'23" W
335.65'

N 38°51'37" E
242.67'

N 38°51'37" E
289.51'

S 38°51'37" W
278.76'

S 51°08'23" E
100.31'

N 01°38'23" E
88.12'

N 07°10'02" E
68.59'

S 07°10'02" W
74.80'

S 01°38'23" E
82.65'

N 01°38'23" E
6.45'

S 01°38'23" E
39.21'

S 01°38'23" E
136.52'

S 21°05'25" E
90.00'

S 89°59'04" W
17.34'

S 88°34'12" E
300.00'

S 88°28'44" W
316.41'

N 88°34'12" E
200.00'

N 86°35'44" E
88.62'

288.75'
S 86°35'44" W
377.55' (M)
377.04' (R)
S 89°09'11" E

302.80'
N 83°50'21" W

190.37'
S 83°50'21" E

112.43'
N 83°50'21" W

N 83°50'21" W
112.43'

S 83°50'21" E
190.37'

577.14' (M)
576.74' (R)
N88°34'12" E

150.00'

27.00'

60.00'

33.62'

32.38'

26.00'

40.00'

55.00'

33.00'

32.50'

70.37'

172.87'

15.00'

20.00'

39.72'

15.17'

33.00'

429.00'

N 01°38'23" E
33.00'

N 01°38'23" E
1324.25'

N 01°42'07" W
86.10'

N 38°15'58" E
262.79'

N 38°15'58" E
178.97'

N 06°11'57" E
72.45'

N 06°27'37" E
69.80'

S 38°15'58" W
265.50'

S 38°15'58" W
246.52'

S 38°15'58" W
265.50'

S 38°15'58" W
246.52'

S 38°15'58" W
265.50'

S 38°15'58" W
246.52'

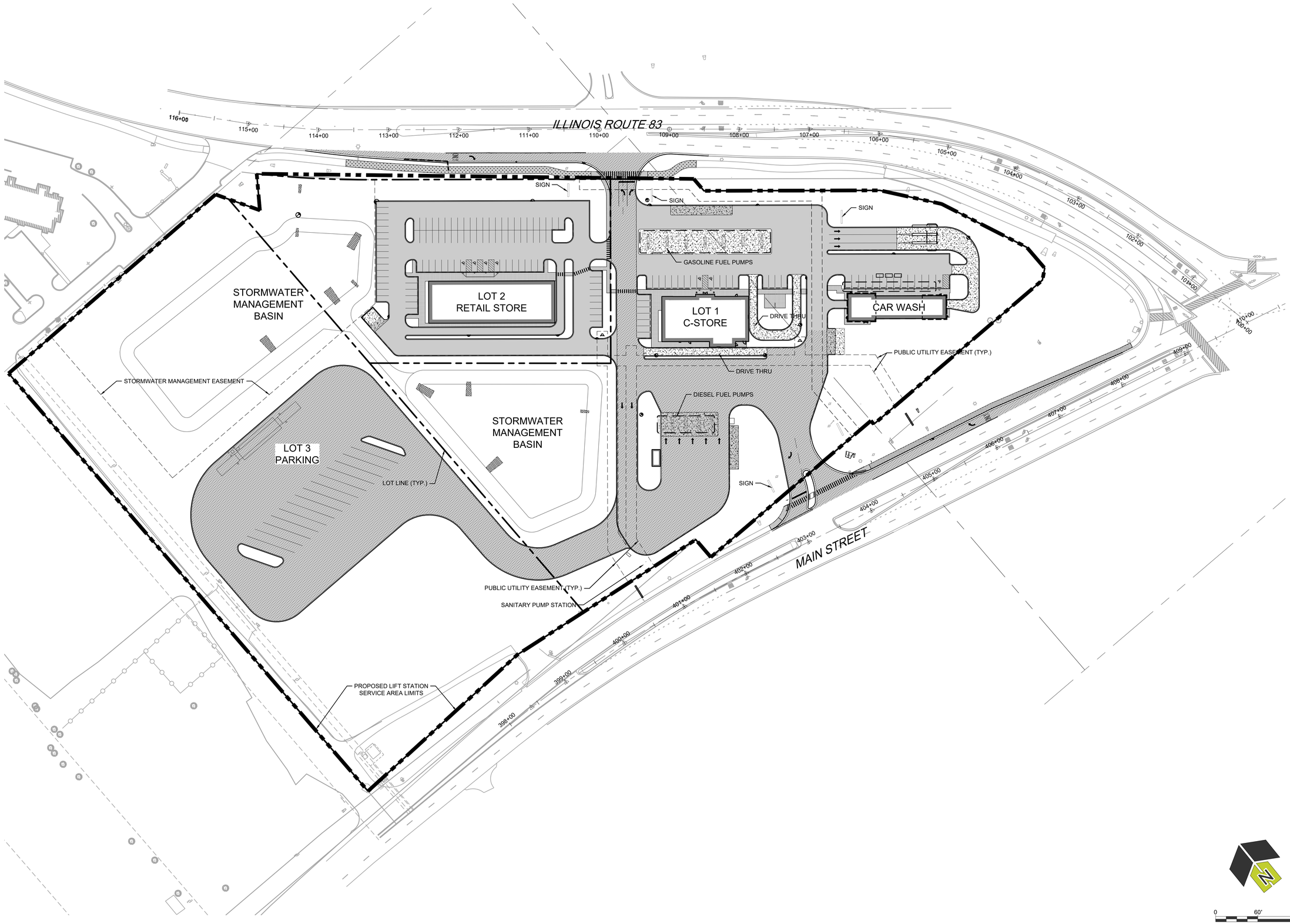
11.09'

47.02'

S 06°11'57" W
47.02'

S 01°42'07" E
776.98'

S 01°42'07" E
468.28



0 60' 120'

1" = 60' (HORIZONTAL)

2200 CABOT DRIVE, SUITE 325
LISLE, IL 60532
P: 630.598.0007
WWW.CAGECIVIL.COM

CAGE CIVIL ENGINEERING

FREDERICK W. THALE III
062-055840
LICENSED PROFESSIONAL ENGINEER

REVISIONS
- 04.17.2024 MWRD PERMIT REVISION
- 04.03.2024 MWRD PERMIT REVISION
- 03.06.2024 MWRD PERMIT REVISION
- 02.26.2024 REVISED PER IDOT
- 02.23.2024 REVISED PER VILLAGE
- 01.09.2024 REVISED PER IDOT/IEPA
- 10.24.2023 REVISED PER HR GREEN

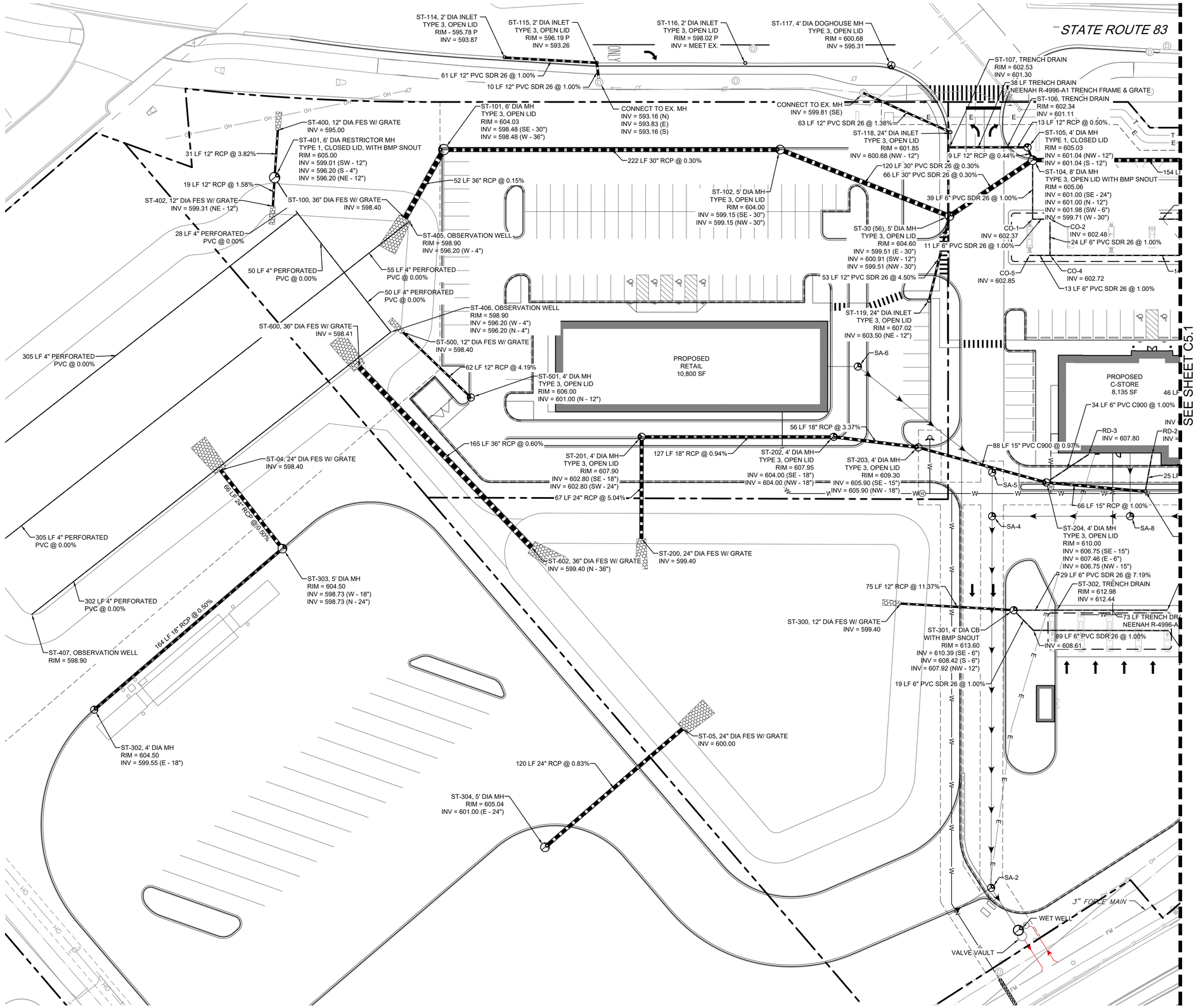
THIS DESIGN AND THESE DRAWINGS ARE THE PROPERTY OF CAGE ENGINEERING, INC. AND SHALL NOT BE USED OR REPRODUCED WITHOUT PRIOR WRITTEN PERMISSION FROM CAGE ENGINEERING, INC. EXCEPT FOR THE VILLAGE OF LEMONT.

PROPOSED IMPROVEMENTS FOR
GAS N WASH - LEMONT
NORTHWEST CORNER OF RT. 83 & MAIN ST
LEMONT, IL

PROJ NO.: 190163
ENG.: FWT
DATE: 05.26.2022

SHEET TITLE
OVERALL DEVELOPMENT PLAN

SHEET NUMBER
C2.0
7 OF 43



0 30' 60'
1" = 30' (HORIZONTAL)

2200 CABOT DRIVE, SUITE
325 LISLE, IL 60532
P: 630.588.0007
WWW.CAGECIVIL.COM

CAGE CIVIL ENGINEERING

FREDERICK W. THALE III
062-055840
LICENSED PROFESSIONAL ENGINEER

REVISIONS
- 04.17.2024 MWRD PERMIT REVISION
- 04.03.2024 MWRD PERMIT REVISION
- 03.06.2024 MWRD PERMIT REVISION
- 02.26.2024 REVISED PER IDOT
- 02.23.2024 REVISED PER VILLAGE
- 01.08.2024 REVISED PER IDOT/EPA
- 10.24.2023 REVISED PER HR GREEN

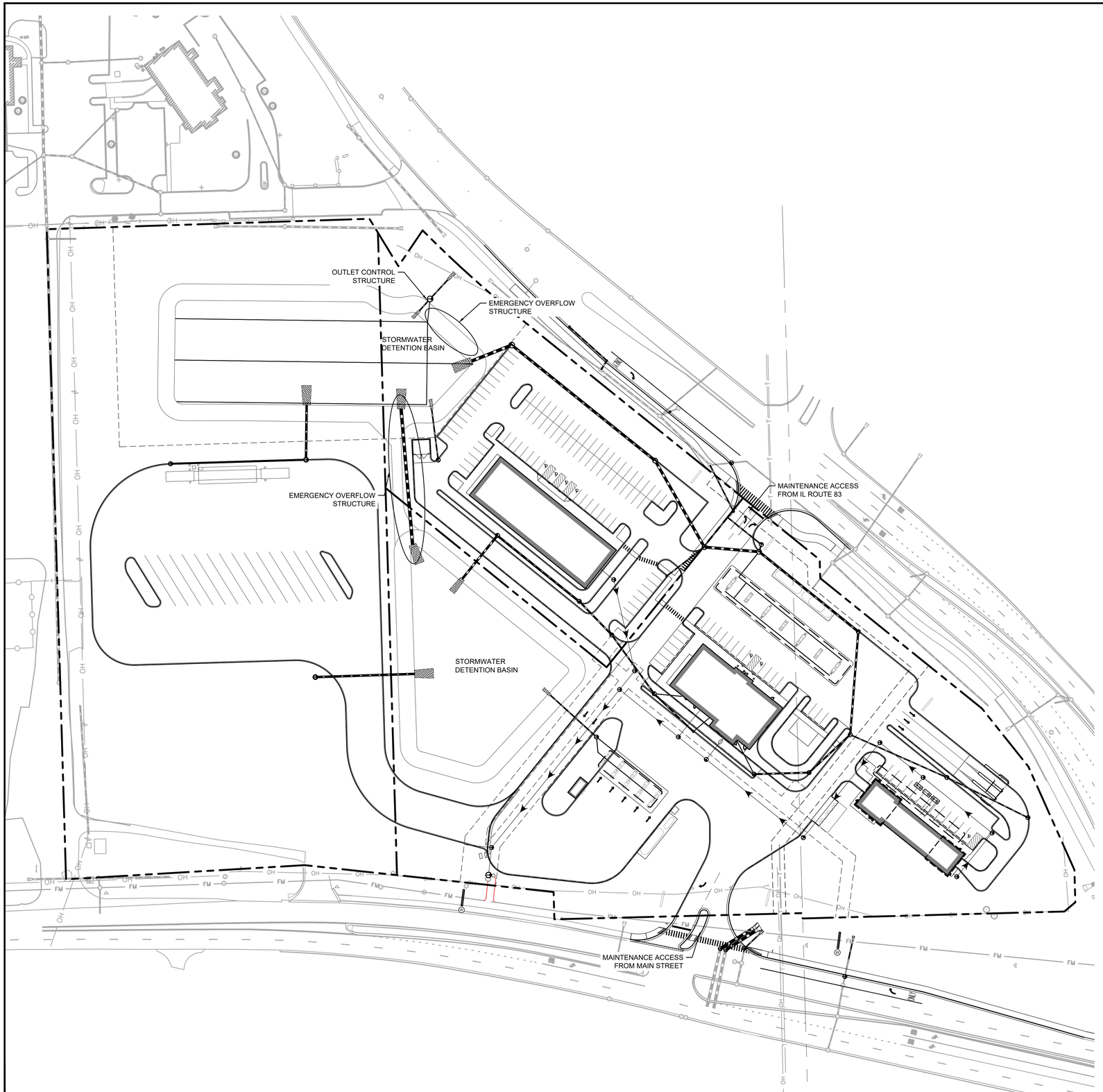
THE DESIGN AND THESE DRAWINGS ARE THE PROPERTY OF CAGE ENGINEERING, INC. AND SHALL NOT BE REPRODUCED WITHOUT PRIOR WRITTEN PERMISSION FROM CAGE ENGINEERING, INC. EXCEPT FOR THE VILLAGE OF LEMONT

PROPOSED IMPROVEMENTS FOR
GAS N WASH - LEMONT
NORTHWEST CORNER OF RT. 83 & MAIN ST
LEMONT, IL

PROJ NO: 190163
ENG : FWT
DATE : 05.26.2022

SHEET TITLE
STORM SEWER PLAN - NW

SHEET NUMBER
C5.0
21 OF 43



MAINTENANCE PLAN FOR GAS N WASH - LEMONT
RECOMMENDED MAINTENANCE PLAN

1. GENERAL
REGULAR INSPECTIONS AND ROUTINE MAINTENANCE OF GENERAL AREAS SHALL BE PERFORMED ON A MONTHLY OR AS-NEEDED BASIS.

SPECIFIC ITEMS OF CONCERN INCLUDE:
- LITTER AND DEBRIS SHALL BE CONTROLLED.
- LANDSCAPED AREAS SHALL BE MAINTAINED WITH REGULAR MOWING AND RESTORED WITH APPROPRIATE SEEDING/VEGETATION AS NECESSARY.
- ACCUMULATED SEDIMENT SHALL BE DISPOSED OF PROPERLY, ALONG WITH ANY WASTES GENERATED DURING MAINTENANCE OPERATIONS.
- ROADS SHALL BE SWEPT, VACUUMED AND/OR WASHED ON A REGULAR BASIS.

2. STORMWATER MANAGEMENT FACILITIES
ALL COMPONENTS OF THE STORMWATER MANAGEMENT FACILITIES SHALL BE CHECKED MONTHLY BETWEEN MARCH AND NOVEMBER AND MAINTAINED AS NECESSARY TO ENSURE PROPER PERFORMANCE. IT IS CRITICAL THAT ALL INFLOWS AND OUTFLOWS TO THE STORMWATER DETENTION BASIN ARE CLEAN AND PERFORMING AS DESIGNED. IN ADDITION, THE DESIGN VOLUME OF THE STORMWATER DETENTION BASIN SHALL ALSO BE MAINTAINED. INSPECTIONS FOR THE FOLLOWING SPECIFIC ITEMS SHOULD BE CONDUCTED MONTHLY BETWEEN MARCH AND NOVEMBER:

SIDE SLOPES/EMBANKMENT/EMERGENCY OVERFLOW STRUCTURE
- INSPECT EMBANKMENTS FOR SETTLEMENT AND EROSION
- REMOVE WOODY GROWTH FROM THE EMBANKMENT
- ANY BREAKS, HIRE REGISTERED PROFESSIONAL ENGINEER FOR DESIGN RESOLUTION
- SEED AND SOD ANY ERODED AREAS
- SIGNS OF PIPING (LEAKAGE) OR SEEPAGE, REPAIR
- REMOVE OBSTRUCTIONS BLOCKING EMERGENCY OVERFLOW SPILLWAY

VEGETATED AREAS
- REGULAR MOWING TO CONTROL VEGETATION.
- NEED FOR PLANTING, RESEEDING OR SODDING. SUPPLEMENT ALTERNATIVE NATIVE VEGETATION IF A SIGNIFICANT PORTION HAS NOT ESTABLISHED (50% OF THE SURFACE AREA). RESEED WITH ALTERNATIVE GRASS SPECIES IF ORIGINAL GRASS COVER HAS NOT SUCCESSFULLY ESTABLISHED.
- EVIDENCE OF GRAZING, MOTORBIKES, OR OTHER VEHICLES, REPAIR.
- CHECK FOR INVASIVE VEGETATION, REMOVE WHERE POSSIBLE.
- ALL VEGETATION MUST BE MAINTAINED PER THE APPROVED PLANTING PLAN.

OUTLET CONTROL STRUCTURE
- INSPECT RESTRICTOR AND REMOVE DEBRIS IF CLOGGED OR DISCHARGE REDUCED
- REMOVE ACCUMULATED SEDIMENT AT OUTLET
- SCOUR AND EROSION AT OUTLET, REPAIR AND RESEED
- ANY ICE DAMAGE TO OUTLET OF PIPE, REPAIR IF NECESSARY
- CONDITION OF TRASH TRACKS, REMOVE DEBRIS
- OUTLET CHANNEL CONDITIONS DOWNSTREAM

ACCESS FOR MAINTENANCE EQUIPMENT
- REMOVE ANY OBSTRUCTIONS PLACED IN MAINTENANCE EASEMENTS

SAFETY FEATURES
- ACCESS CONTROLS TO HAZARDOUS AREAS
- FENCES
- LOOSE OR DAMAGED POSTS
- LOOSE OR BROKEN WIRES
- CONDITION OF GATES
- SIGNS

DETENTION VOLUME
- INSPECT ALL STORMWATER DETENTION FACILITIES TO ENSURE THAT THE CONSTRUCTED VOLUME IS MAINTAINED. NO SEDIMENT, TOPSOIL, OR OTHER DUMPING INTO THE FACILITY SHALL BE ALLOWED.

3. VOLUME CONTROL FACILITY
ROUTINE INSPECTIONS AND MAINTENANCE OF STORMWATER DETENTION BASINS SHALL BE PERFORMED BY THE OWNER ON A YEARLY OR AS-NEEDED BASIS. SPECIFIC ITEMS OF CONCERN INCLUDE:

- FACILITY SHALL BE INSPECTED YEARLY USING THE OBSERVATION WELLS TO VERIFY THE SYSTEM IS FUNCTIONING PROPERLY. OBSERVATION WELLS SHOULD BE INSPECTED MONTHLY BETWEEN MARCH AND NOVEMBER AND ANY ACCUMULATED LEAVES OR OTHER DEBRIS ON THE GRATES AND WITHIN THE STRUCTURE SHALL BE REMOVED.

4. STORMWATER COLLECTION SYSTEM
THE OWNER SHALL PERFORM MONTHLY INSPECTIONS OF ALL COMPONENTS OF THE STORMWATER COLLECTION SYSTEM. THE MONTHLY INSPECTION SHALL OCCUR BETWEEN MARCH AND NOVEMBER AND INCLUDE THE FOLLOWING SPECIFIC AREAS OF CONCERN:

STORM INLETS/MANHOLES
- REMOVE ACCUMULATED LEAVES AND OTHER DEBRIS FROM GRATES
- RESET COVERS/LIDS ON AS-NEEDED BASIS
- REMOVE ACCUMULATED SEDIMENT FROM MANHOLE BOTTOM WHEN 50% OF SUMP IS FILLED.

STORM SEWERS/CULVERTS
- VISUALLY INSPECT PIPES BY REMOVING MANHOLE LIDS, MAKE REPAIRS AS NECESSARY.
- STORM SEWERS AND CULVERTS SHALL BE CHECKED FOR SILTATION DEPOSITS AT INLETS, OUTLETS, AND WITHIN THE CONDUIT, CLEAN OUT AS NECESSARY.
- RESTORE RIPRAP AT OUTFALLS IF EROSION OBSERVED.
- RESTORE RIPRAP AT OUTFALLS.
- REPLANT AND RESEED ANY ERODED AREAS.

OVERLAND FLOW ROUTES (DITCHES/SWALES)
- ANNUAL VISUAL INSPECTIONS SHALL BE PERFORMED THAT VERIFY THE DESIGN CAPACITY OF THE OVERLAND FLOW ROUTES IS MAINTAINED. THE SLOPE AND CROSS-SECTIONAL AREA OF THE DITCH/SWALE SHALL BE VERIFIED DURING THE INSPECTION
- REMOVE ANY OBSTRUCTIONS THAT HAVE BEEN PLACED IN THE DRAINAGE PATH
- SEED AND SOD ANY ERODED AREAS
- RESTORE RIPRAP AS NECESSARY.
- REGRADE TO PROVIDE POSITIVE DRAINAGE AS NECESSARY
- REGULAR MOWING TO CONTROL VEGETATION

5. VEGETATED AREAS
- NEED FOR PLANTING, RESEEDING, OR SODDING. SUPPLEMENT ALTERNATIVE NATIVE VEGETATION IF A SIGNIFICANT PORTION HAS NOT ESTABLISHED(50% OF THE SURFACE AREA AFTER SECOND GROWING SEASON). RESEED WITH ALTERNATIVE NATIVE GRASS SPECIES IF ORIGINAL GRASS COVER HAS NOT SUCCESSFULLY ESTABLISHED
- EVIDENCE OF GRAZING, MOTORBIKES, OR OTHER VEHICLES, REPAIR.
- CHECK FOR INVASIVE VEGETATION, REMOVE WHEN POSSIBLE.
- REGULAR MOWING TO CONTROL VEGETATION; IT IS RECOMMENDED THAT NATIVE VEGETATION REMAIN UNCUT
- DEAD OR DAMAGED NON-NATIVE GRASSY AREAS - REPAIR WITH SEEDING WITH FERTILIZATION OR SEEDING WITH MULCH

6. QUALIFIED SEWER CONSTRUCTION
- THE SANITARY SEWER SERVICE ON SITE WILL REQUIRE ADDITIONAL MONITORING AND MAINTENANCE.
- PERFORM MANHOLE INSPECTIONS ONCE EVERY FIVE YEARS, MAKE REPAIRS AS NECESSARY.
- PERFORM SEWER INSPECTIONS ONCE EVERY FIVE YEARS, MAKE REPAIRS AS NECESSARY.
- PERFORM REGULAR CLEANING SO THAT EACH SEWER SEGMENT IS CLEANED ONCE EVERY 5 YEARS.
- REMOVE ANY OBSTRUCTIONS PLACED IN MAINTENANCE EASEMENTS THAT MAY IMPEDE MAINTENANCE EQUIPMENT ACCESS.

PROJECT SITE SUMMARY:

PROPERTY LEGAL DESCRIPTION:
SECTION 13, TOWNSHIP 37N, RANGE 11E

PROPERTY ADDRESS:
NW CORNER OF ROUTE 83 AND MAIN ST.
LEMONT, IL

TOTAL CONTIGUOUS OWNERSHIP:
16.58 ACRES

PROJECT AREA:
12.25 ACRES

RESPONSIBLE PARTY FOR MAINTENANCE SHALL BE THE LAND OWNER. UPON SUBDIVISION OF THE PARCELS THE OWNER OF SAID PARCEL SHALL BE RESPONSIBLE FOR THE STORMWATER FACILITIES ON THEIR PROPERTY. THIS INCLUDES STORMWATER DETENTION, STORMWATER COLLECTION, AND VOLUME CONTROL FACILITIES THIS WILL BE THE CASE UNLESS AN ALTERNATIVE MAINTENANCE AGREEMENT IS RECORDED.

STORMWATER SUMMARY:

	REQUIRED	PROVIDED
VOLUME CONTROL	0.59 AC-FT	0.60 AC-FT
DETENTION VOLUME	4.62 AC-FT	4.62 AC-FT

D

S

PROPERTY PINS:

22-13-302-006
22-13-302-005
22-13-302-004
22-13-302-003
22-13-312-009
22-14-401-032
22-14-401-023
22-14-401-024
22-14-401-010
22-14-401-029
22-14-401-017
22-14-401-009

MAINTENANCE OF REQUIRED LANDSCAPING:

1. ALL PLANT GROWTH IN LANDSCAPED AREAS SHALL BE CONTROLLED BY PRUNING, TRIMMING, OR OTHER SUITABLE METHODS SO THAT PLANT MATERIALS DO NOT INTERFERE WITH PUBLIC UTILITIES, RESTRICT PEDESTRIAN OR VEHICULAR ACCESS, OR OTHERWISE CONSTITUTE A TRAFFIC HAZARD; AND
2. ALL PLANTED AREAS SHALL BE MAINTAINED IN A RELATIVELY WEED-FREE CONDITION AND CLEAR OF UNDERGROWTH; AND
3. ALL TREES, SHRUBS, GROUND COVERS, AND OTHER PLANT MATERIALS MUST BE REPLACED IF THEY DIE OR BECOME UNHEALTHY BECAUSE OF ACCIDENTS, DRAINAGE PROBLEMS, DISEASE, OR OTHER CAUSES.

N

0 60' 120'
1" = 60' (HORIZONTAL)

CAGE CIVIL ENGINEERING
2200 CABOT DRIVE, SUITE 325 LISLE IL 60532
P: 630.586.0007
WWW.CAGECIVIL.COM

FREDERICK W. THIELE
062-055840
LICENSED PROFESSIONAL ENGINEER

REVISIONS
1 04.17.2024 MWRD PERMIT REVISION
2 04.03.2024 MWRD PERMIT REVISION
3 03.06.2024 MWRD PERMIT REVISION
4 02.29.2024 REVISED PER IDOT
5 02.23.2024 REVISED PER VILLAGE
6 01.09.2024 REVISED PER IDOT/EPA
7 10.24.2023 REVISED PER HR GREEN

THIS DESIGN AND THESE DRAWINGS ARE THE PROPERTY OF CAGE ENGINEERING, INC. AND SHALL NOT BE USED OR REPRODUCED WITHOUT PRIOR WRITTEN PERMISSION FROM CAGE ENGINEERING, INC. EXCEPT FOR THE VILLAGE OF LEMONT.

PROPOSED IMPROVEMENTS FOR
GAS N WASH - LEMONT
NORTHWEST CORNER OF RT. 83 & MAIN ST
LEMONT, IL

PROJ NO.: 190163
ENG : FWT
DATE : 05.26.2022

SHEET TITLE
OPERATIONS AND MAINTENANCE EXHIBIT

SHEET NUMBER
EX-R
43 OF 43

418 Main Street | Lemont, IL 60439

TO: Planning and Zoning Commission
FROM: Jamie Tate, Community Development
THROUGH:
SUBJECT: Case 2024-11 UDO Amendments
DATE: July 10, 2024

SUMMARY/BACKGROUND

ANALYSIS

Consistency with Village Policy

STAFF RECOMMENDATION

BOARD ACTION REQUESTED

ATTACHMENTS
Staff Report for PZC 2024-11 UDO Amendments

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

CASE NUMBER & NAME	**APPLICANT**
2024-11 UDO Amendments	Village of Lemont
DATE	**PROPERTY ADDRESS/LOCATION**
July 10, 2024	N/A

BRIEF SUMMARY OF REQUEST

It is appropriate to review the Unified Development Ordinance (UDO) from time to time due to modernization, trends in land development, a change in policy direction or to update any noted errors in text language. The Lemont 2030 Comprehensive Plan also designates the Community Development Department Staff and the Planning and Zoning Commission (PZC) to review the UDO for updates and changes at least once a year.

The proposed modifications to the UDO have been either repetitive requests, discussions with PZC Commissioners at past meetings, brought forward to Staff by elected officials, errors and language omissions noticed by Staff or clarifications that are necessary due to changes in materials, offerings or law. The following are proposed updates to the UDO to discuss:

- Review and approval of land use and development expiration; and
- Accessory Structures in residential zoning districts

.

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	REQUESTED ACTIONS	SIZE OF PROPERTY
N/A	N/A	N/A	Discussion & Recommendation to approve UDO Amendments	N/A

COMPATIBILITY with the COMPREHENSIVE PLAN	**COMPATIBILITY** with the UNIFIED DEVELOPMENT ORDINANCE
The proposed amendments to the UDO are compatible with the Lemont 2030 Comprehensive Plan. The Comprehensive Plan encourages staff and the Planning and Zoning Commission to review and propose amendments to the UDO at least once a year.	The proposal is compatible with all aspects of the UDO as proposed to be modified.

STAFF RECOMMENDATION: These items are being presented for discussion. Staff requests feedback, input, and direction.

ATTACHMENTS

1. Staff Analysis

Attachment 1 – Staff Analysis – UDO Amendments

For the purpose of discussion, text that is underlined is proposed to be added to the Unified Development Ordinance (UDO) and text that has a strikethrough is proposed to be eliminated from the UDO. Some topics do not have proposed language at this time, rather staff is looking for direction on whether or not the topic should be further researched and explored to be possibly incorporated into the UDO.

Chapter 17.04.040 Public Hearings and Approval.

Village Board Action. The Village Board shall act on the application within 90 days following the receipt of the recommendation of the hearing body or person, unless the petitioner agrees to an extension. The Village Board may grant or deny the application or grant with modification or may refer the application back to the hearing body for further consideration.

Staff and the Village Attorney suggest exploring to remove the 90-days required for action between the public hearing and the Village Board vote on an item that had a public hearing. Quite often, time is necessary in between the public hearing and the vote at the Village Board meeting due to PZC conditions and other updates and influences. Rather than eliminate the 90-day clause, the expiration date can be modified to allow either 6 months or a year. This is open for discussion.

Chapter 17.06.030 Accessory Structures

Catios

There was recently an inquiry for a catio and if/where we allow them. The Village does allow 'dog runs' (with no definition) in the side and rear yards if they are at least 10-feet from all property lines. Catios are not entirely the same as dog runs, likely with less noise and disturbance with neighboring properties, but have the same purpose of allowing pets to be outside in a safe environment. Staff is asking for clarification and if catios should be added to the definitions and accessory use table.



From https://catiospaces.com/, catios are: "enclosed outdoor patios for cats, and sometimes their humans, designed to keep cats safe while enriching their lives in the great outdoors."



Pergolas, Cabanas, Gazebos, and Pavilions (and other similar accessory structures)

As residential outdoor spaces evolve and accessory structures in back yards become more accessible, there has been questions surrounding what qualifies as a 'gazebo' and what is a 'pergola' as the lines between them are sometimes blurry. The Community Development staff would like to discuss the definitions, dimensions, setbacks and the intentions of these regulations possibly leading to tidying up definitions and/or adding or deleting language. The following definitions and restrictions are found in the UDO today:

CABANA. An accessory structure composed of a rigid framework to support a lose membrane or fabric covering, which provides a weather barrier.

GAZEBO. A freestanding, roofed, accessory building that is intended for recreational use only and not for habitation.

PERGOLA. An accessory structure composed of horizontal cross beams or open lattice, supported by vertical posts.

There is no definition for a 'pavilion' but they are put in the 'other accessory buildings' with gazebos in the accessory use table (below). When something has a solid roof, then it's a gazebo or 'other accessory building' and must be at least 10-feet from all property lines. A slatted roof or open roof is a pergola and must be at least 5-feet from all property lines.

Projection, obstruction or accessory use with limitations	Front Yard	Rear Yard	Side Yard	Corner Side Yard
Cabanas, provided they are at least 10 feet from all lot lines or equal to the setback of a conforming principal structure, whichever is less. Such accessory structures shall have a maximum height of 15 feet and maximum area of 320 square feet.	-	P	P	-

Gazebos and other accessory buildings, excluding detached garages and sheds, provided they are at least 10 feet from all lot lines or equal to the setback of a conforming principal structure, whichever is less. Such accessory buildings shall have a maximum height of 15 feet and maximum area of 320 square feet. Overhead (i.e. garage style) or roll up doors are prohibited.	-	P	P	P
Pergolas, provided they are at least five feet from all lot lines. Such structures shall have a maximum height of 15 feet, as measured from the top of the horizontal cross beams or open lattice to the base of the vertical posts.	-	P	P	P

There have been recent instances where the pergola has walls that are being used for privacy and to sometimes place a television. This creates less of an 'open feel' and possibly changes the intentions of allowing the 5-foot setback. There are so many different affordable kits and structures on the market that the staff is bringing the topic forward for discussion with the Planning & Zoning Commission.





Researching other communities, the following is for Oswego:

Cabana, Gazebo, or Pergola.

a. Location. Cabanas and gazebos are allowed in the rear yard only. Pergolas are allowed in the front, corner side, interior side, and rear yards.

b. Number. A zoning lot may have two of either a cabana, gazebo, or pergola.

c. Size. A cabana, gazebo, or pergola may be a maximum of 350 square feet.

d. Design. Each side of a gazebo must be at least 25 percent open.

Stating that each side of a gazebo must be at least 25% open, removes the allowance of a full privacy wall on the sides of a gazebo. Geneva differentiates between attached accessory structure and detached accessory structures. This can be unnecessary as once a structure is attached to the principal structure (typically a home) then it must meet the same setbacks as the principal structure. When detached, Geneva does not have many restrictions:

Gazebos (allowed in rear yard only)
(Maximum allowable height is fourteen (14) feet to the tallest element from finished grade)

Pergolas
(Allowed in any yard except a front yard; maximum allowable height is twelve (12) feet above the covered surface)

Geneva requires a blanket 5-feet setback for all detached accessory buildings, structures or uses.

In Downers Grove, accessory buildings/structures are more generally regulated as well:

Residential Accessory Buildings. The following additional regulations apply to buildings that are accessory to (principal) residential uses:

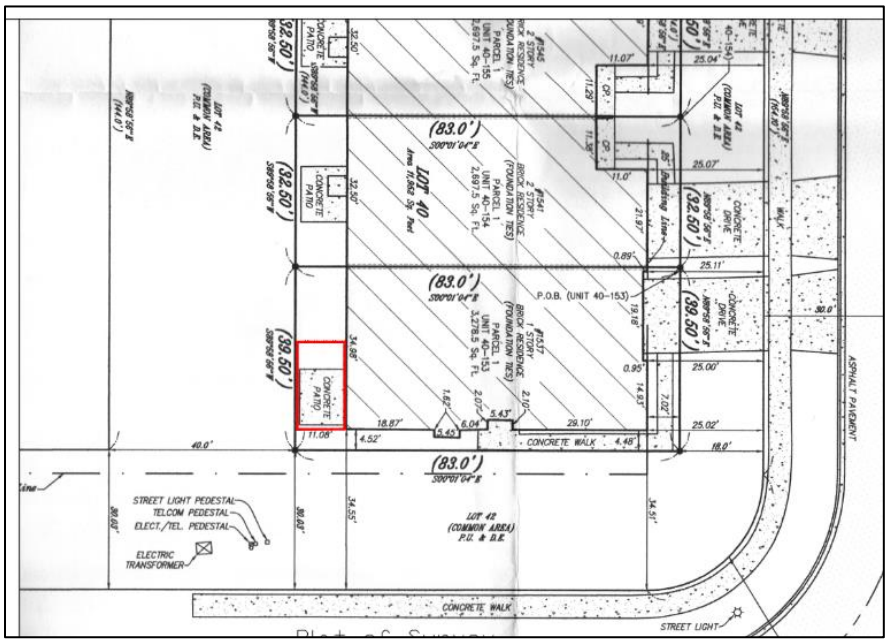
1. Accessory buildings are prohibited in street yards.
2. No more than three (3) detached accessory buildings are allowed on any lot.
3. The aggregate footprint or coverage of all accessory buildings on a lot may not exceed one thousand (1,000) square feet or the gross floor area of the principal building, whichever is less.
4. Residential accessory buildings in the R-4 district are subject to minimum side and rear setbacks of five feet (5'). In all other R districts, the minimum side and rear setback for accessory buildings is six feet (6').
5. Residential accessory buildings may not occupy more than forty percent (40%) of the corner, rear or side yard area.
6. Residential accessory buildings may not exceed twenty-three feet (23') in height, as measured to the highest point on the building.

7. Residential accessory buildings and structures are permitted in corner yards, as specified in Table 14-1 within DGMC Section 28.14.100.
8. A building is not considered accessory if it is connected to the principal structure with a foundation and a covered access walkway.

There is no differential between pergola, gazebo, pavilion, etc. in terms of height, setback or size. The Village of Plainfield also generally regulates accessory buildings and structures. They state that if the accessory structure is attached to the principal structure, then it must meet the requirements of that zoning district. If it is detached, then it shall be at least 5- feet from property lines and not in an easement. In their [similar R-4A district], they shall not be placed within three feet of any rear or interior side lot line. All accessory structures in corner side yards must meet the corner side yard setback of that district.

As communities update their codes, there is a trend to generally categorize accessory structures rather than specifically define and indicate requirements. For example, in Lemont we could group pavilion, gazebo, cabana and pergola in one category rather than have different requirements for each. Staff get questioned on why pergolas can be up to 5 feet from the property line but gazebos and pavilions must be 10 feet. A more general approach will allow for modernization of these outdoor structures to continue to be regulated without changes to the UDO. For example, if a pergola adds walls on two sides, then it's still an outdoor accessory structure rather than requiring further interpretation. Discussion and direction is requested from the Planning & Zoning Commission on this topic.

<u>Accessory Structures for Townhomes</u>



At this time, the Village of Lemont does not differentiate between accessory structures allowed between detached single-family homes and attached single-family homes (i.e. duplexes or townhomes). There are different ways to plat townhomes or duplexes, some with their own small back yards that is a part of their lot and property, and some that have no back yard that is not common space. A few

permits have come through lately that have been denied due to setbacks. For example, a townhome unit with an existing patio has requested to install a pergola that cannot meet the 5-foot setback. Common open space surrounds the townhome unit's "property lines" except on the shared lot line. In reality, the pergola will not look like it is on the property line as it's surrounded by open space, but it technically is on the unit's lot line. Staff is asking the PZC discuss and explore allowing accessory structures in townhomes to be regulated differently when attached to common open space. There could be a provision that the structure must meet the setback on any shared lot line (so there are not back-to-back accessory structures) but can encroach up to ___ feet when adjacent to common open space. This is only meant for discussion and further research and clarification.

CONCLUSIONS & RECOMMENDATION

The proposed Unified Development Ordinance Amendments are meant for discussion and can be recommended as proposed, modified or denied.