

MINUTES OF A REGULAR MEETING OF THE
VILLAGE OF NEW LENOX PLAN COMMISSION

Held in the New Lenox Village Hall, 1 Veterans Parkway

Tuesday, March 1, 2011 7:00 p.m.

#11-03-A

CALL TO ORDER

A regular meeting of the Village of New Lenox Plan Commission was called to order at 7:04 p.m. by Chairman Mark Muehlnickel, with a quorum present.

Chairman Mark Muehlnickel led the Pledge of Allegiance.

ROLL CALL

Upon roll call, the following were present: Chairman Mark Muehlnickel, Commissioners Joan Byerley, Rob Moss, John Kuchler, and Tony Orsini.

The following were absent: Commissioners Gary Berner and Annette Boyd.

Also present were: Planning and Development Administrator Robin Ellis, Senior Planner Jeff Smith, and Secretary Lorrie Sowko.

REQUEST FOR APPROVAL OF MINUTES OF A REGULAR PLAN COMMISSION MEETING OF FEBRUARY 15, 2011

Chairman Muehlnickel entertained a motion to approve the minutes of the February 15, 2011, Plan Commission meeting. Commissioner Kuchler made a motion, seconded by Commissioner Moss. Voice vote was taken. Motion carried.

Chairman Muehlnickel requested that speakers for the public hearings be sworn in. Public speakers raised their right hands and Secretary Lorrie Sowko proceeded to swear them in.

REQUEST FOR REZONING FROM C-3 TO C-2 AND SPECIAL USE FOR FUNERAL HOME (Public Hearing)

Hickey Memorial Chapels

375 Veterans Parkway

David TeBrake/Miller Architects – Petitioner

Douglas Schlak - Attorney

Attorney Doug Schlak was available to request rezoning and a Special Use for Hickey Memorial Chapels, to be located at 375 Veterans Parkway.

The proposed new funeral home, approximately 2 acres in size, is to be located immediately north of the Village Commons area. Ed and Mike Hickey are proposing to relocate from their existing funeral home on Route 30, which is across the street from Walmart.

Mr. Schlak believes that the construction of the new funeral home will help generate future development in the Village Commons.

There have been concerns regarding traffic issues from the funeral home during such events as Proud American Days and the concert series in the Commons area. Mr. Schlak feels that the funeral home will contribute to these festivities by providing additional parking for such events. The funeral home plans to work with families so that visitation or funeral services do not occur during special events in the Village Commons.

Senior Planner Jeff Smith explained that the petitioner is requesting the rezoning of the property from C-3 to C-2, along with a Special Use for a funeral home. A funeral home is not allowed as a permitted or special use in the existing C-3 District.

C-2 zoning is in compliance with the Comprehensive Plan and provides for better compatibility with surrounding land uses. As such, Staff recommends approval of the rezoning request.

There are five criteria that need to be met in order to grant a Special Use. Regarding the criteria, Staff pointed out the following points below:

Three chapels are proposed with the proposed larger funeral home building, which improves on the ability for the funeral home to provide services for families in New Lenox and surrounding areas.

The property will have two access points. The southern full access drive will align with the bank driveway on the east side of Veterans Parkway, while the north access will be an exit only. The southern full access will be shared with the property to the south, and therefore, a shared access and cross-access easement will be required. Also, traffic controlling signage, such as "Exit-Only" and "Do Not Enter", will be required for the northern curb cut.

The rear portion of the property has existing parking spaces, and there is an existing shared parking agreement with the shopping center located to the west. The rear parking area will need to be resurfaced and restriped. Staff also recommends that no trucks are allowed in the existing rear parking lot and new parking lot areas on the subject property.

The existing and proposed new parking spaces will total 87 parking spaces, which exceeds the minimum requirement of 61 parking spaces for the proposed new funeral home. There will an attached garage structure on the west end of the building to accommodate funeral home vehicles.

The detention will consist of an underground vault system at the rear portion of the new parking lot area.

A significant item that must be properly addressed is the potential traffic impact of a funeral home to the adjacent Commons area. The petitioner estimates that 20% of the funeral home traffic would enter the property from the south, from Haven Avenue and Gear Drive, 10% of the traffic would come from the shopping center to the west, and 70% of the traffic will enter the site from Route 30 to the north.

Typical visitation hours are estimated from 4:00 p.m. to 8:00 p.m. with an average of 75 vehicles arriving and departing during this timeframe. Funeral visitations are estimated to be performed every 3 to 4 days. There will be approximately 100 funerals per year, and one-third of funeral services are estimated to occur at the funeral home.

Staff described the temporary traffic patterns in the Commons area during special events, and also stated a preference that funeral processional traffic shall not travel around the complete Veterans Parkway loop to access U.S. Route 30.

Overall, based on the proposed parking spaces, curb cuts, existing and future cross-access with adjoining properties, and required traffic controlling signs, the site should be able to address traffic issues.

Staff emphasizes the recommendation for high quality architecture since the site is located adjacent to the Commons area. The proposed building materials and design will be compatible to existing buildings in the Commons area.

A monument sign is proposed at the main entrance to the property, which meets Sign Code allowances.

Best management practices (BMPs) are recommended for the property, and the petitioner has now proposed rain gardens near the building, as well as a long bio-swale along a portion of the south perimeter. There are existing Com Ed overhead power lines at the south perimeter, and any landscaping or lighting cannot impede or interfere with the existing power lines.

The exterior lighting fixtures must match the existing fixtures for the Village Hall and the Old Plank Trail Community Bank.

Overall, Staff noted that the proposed funeral home substantially met the Special Use criteria, and recommended approval subject to the following 12 conditions:

1. The proposed new funeral home, as shown on Sheet A-1.1 Site Plan, shall be permitted on the subject site.
2. A crematorium shall not be permitted on the subject property.
3. A minimum of 61 off-street parking spaces shall be available at all times on the subject property (e.g. 54 new parking spaces plus a minimum of 7 existing parking spaces) to accommodate the minimum required parking for the proposed funeral home. As depicted

on the submitted site plan, a total of 87 parking spaces shall be provided on the subject property.

4. Trucks shall be prohibited from parking within the existing rear parking lot and new parking lot areas on the subject property.
5. Prior to the issuance of a building permit for the new funeral home, a shared vehicular ingress/egress and cross-access easement with the adjacent property to the south shall be executed and recorded. A copy of the recorded easement shall be provided to the Village.
6. Prior to the issuance of a certificate of occupancy for the new funeral home building, the existing parking lot at the rear of the subject property shall be resurfaced and restriped.
7. The Village shall have no obligation to issue a certificate of occupancy for the proposed funeral home until all mandated site improvements, including the new parking lot, access to the existing rear parking lot, new curb cuts and traffic controlling signage; underground detention facility and landscaping are completed.
8. Approval of final engineering plans.
9. Approval of the final landscaping plans, which includes the future installation, monitoring and maintenance of the rain garden and bio-swales depicted on Sheets L-1 and L-2 in accordance with the requirements noted in the Landscape Code.
10. All parking lot lights within the site shall be shut off no later than 10:00 p.m. The above specified light poles / supporting fixtures, which shall match the fixture design of other existing uses in the New Lenox Commons, cannot exceed a maximum height of 20 feet above grade.
11. In cases when there are visitations and/or funeral services during a special event in the New Lenox Commons, or during special event setup and cleaning up time periods, the funeral home director shall coordinate with the Village to ensure that vehicles accessing and exiting the funeral home property, as well as funeral procession vehicles, adhere to Village-mandated temporary traffic patterns within the New Lenox Commons area.
12. In order to provide for efficient and safe traffic flow in the New Lenox Commons, funeral procession vehicles shall not travel around the complete Veterans Parkway loop to access U.S. Route 30.

Chairman Muehlnickel asked why the northernmost curb cut was proposed to curve to the right.

Jeff Smith reiterated that curbing adjacent to the north curb cut will be designed to curve southerly in order to dictate an exit-only drive from the property. Traffic controlling signage will also be mandatory to ensure traffic coming from U.S. Route 30 will continue traveling southerly to the full access curb cut when entering the property.

Chairman Muehlnickel commented that his opinion was that the petitioner has gone above and beyond to produce a feasible facility for this location, and also pointed out that waivers or variances were not requested to accommodate the development. He agrees with Attorney Doug Schlak that the funeral home will help generate future commercial development in the Commons area.

Chairman Muehlnickel entertained a motion to recommend approval of the rezoning from C-3 General Business District to the C-2 Community Shopping District for the subject 2.06-acre property located at 375 Veterans Parkway. Commissioner Moss made a motion, seconded by Commissioner Byerley. Roll call vote was taken. Motion carried unanimously.

Chairman Muehlnickel entertained a motion to recommend approval of the Special Use request for the new Hickey Memorial Chapel funeral home to be located on the 2.06-acre property at 375 Veterans Parkway, subject to twelve conditions in Staff's report. Commissioner Byerley made a motion, seconded by Commissioner Kuchler. Roll call vote was taken. Motion carried unanimously.

REQUEST FOR AMENDED REZONING FROM R-1 TO R-4 (Public Hearing)

Bristol Meadows

0.4298-acre of a 99.87-acre property generally located along the north side of Laraway Road, approximately 660 feet west of Schoolhouse Road

Andrew Dystrup – Attorney

Attorney Andy Dystrup was present to request approval for an amended rezoning for Bristol Meadows subdivision from R-1 to R-4.

There were two single-family lots that were originally going to have frontage, including necessary berming, along Laraway Road. The amended rezoning will alter the plan by expanding the R-4 District church lot and eliminating the single-family lots having any frontage along Laraway Road. Therefore, berming for the two single-family lots will no longer be necessary.

Jeff Smith explained that the proposal is for the 0.4298-acre area to be rezoned from R-1 Single-Family Residence District to the R-4 Two-Family Residence District. The petitioner originally requested to rezone the small 0.4298-acre area to the R-2 Single-Family Residence District, to be included as part of a larger proposed single-family area. The petitioner now desires to include this smaller area on a future church lot to be rezoned to the R-4 District.

The petitioner is also requesting to expand a small 0.6331-acre area from the initially proposed R-4 District to the R-2 District to allow for an expanded storm water detention area for Bristol Meadows. This alteration did not require a rezoning public hearing.

In Staff's opinion, this proposal is a more desirable layout. Thus, Staff recommends approval of the requested rezoning from the R-1 District to the R-4 District upon annexation for the subject 0.4298-acre area of the overall Bristol Meadows development.

Chairman Muehlnickel entertained a motion to recommend approval of the requested rezoning from the R-1 District to the R-4 District upon annexation for the subject 0.4298-acre area of the overall Bristol Meadows development. Commissioner Kuchler made a motion, seconded by Commissioner Moss. Roll call vote was taken. Motion carried unanimously.

REQUEST FOR ANNEXATION AND REZONING FROM R-1 TO C-3 (Public Hearing)

Shepherd Parcels/1109 East Haven Avenue

1.792 acres, located along the north side of U.S. Route 30; approximately 200 feet east of Pleasant Street

Keith and Lisa Shepherd – Petitioners

Larry Wennlund – Attorney

Attorney Larry Wennlund was present to recommend annexation and rezoning of the Shepherd Parcels, located at 1109 East Haven Avenue.

Mr. Wennlund explained that the subject parcels have been in the Shepherd family for many years.

On November 20, 2007, an easement was granted to the Village for public utilities, and the owners previously paid the recapture fees for sewer and water. The 1.792-acre parcel is surrounded with commercial development on three sides and is currently zoned C-2 in the county. The property to the north is zoned for residential use. The owners now desire annexation into the Village.

This proposal is in compliance with the existing Will County Land Use Plan and the Village's Comprehensive Plan.

Jeff Smith stated that there is a commercial building on the east parcel and a two-unit residence on the west parcel. A commercial sign exists in the Route 30 right-of-way, which may need to be relocated during future roadway widening. Also, an attached sign for an off-premise business will need to be removed from the commercial sign.

As shown on the presented site pictures, detention is located at the rear of the site.

The property to the east is zoned for commercial use in the Village. Thus, the property is now contiguous to the Village's corporate limits.

A 6-foot fence solid wood fence, along with existing vegetation, is present along the northern perimeter of this site, which will properly screen the commercial site from adjacent unincorporated residential uses. A 4-foot tall chain-link fence is located along the west property line, and portions of the property adjacent to existing residential uses to the west will need to have more enhanced screening, such as a 6-foot tall solid fence and landscaping, if the west parcel is redeveloped in the future with a commercial use.

Staff recommends approval of annexation and rezoning of this property to allow for additional commercial development along Route 30. Rezoning the property to the C-3 Zoning District in the Village will allow for the existing water treatment business to conform to the recommendations of the Village's Comprehensive Plan.

Sarah Wallenberg of 120 Pleasant, asked if the annexation, rezoning, and development of the subject property will impede on the privacy of her and her family, and also wanted to know the type of fence that will be used to screen her property.

Larry Wennlund responded that any changes or redevelopment must comply with Village requirements and respect the privacy of her property by using screening.

Jeff Smith added that any future building and development will not be approved until all site plan requirements have been met (i.e., lighting, screening, detention, landscaping, etc.) The site plan will need to be reviewed and approved by Village Staff and the Village Board prior to construction.

Chairman Muehlnickel entertained a motion to recommend approval of the annexation and rezoning requests for the two adjoining properties totaling 1.792 acres located at 1109 East Haven Avenue, subject to the successful negotiation of an Annexation Agreement. Commissioner Kuchler made a motion, seconded by Commissioner Moss. Voice vote was taken. Motion carried unanimously.

OLD BUSINESS

Planning and Development Administrator Robin Ellis mentioned that the proposed senior housing development for Calistoga (Lenox Place) has been withdrawn and the petitioner is not seeking any other parcels due to the time restriction on the state funding allocation. The other senior housing development proposal will continue to seek approval.

NEW BUSINESS

Jeff Smith announced that the next regular scheduled Plan Commission meeting will be March 15, 2011, and will include a county special use request.

ADJOURNMENT

Chairman Muehlnickel entertained a motion to adjourn the meeting at 7:41 p.m. Motion was made by Commissioner Kuchler, seconded by Commissioner Moss. Voice vote was taken. Motion carried unanimously.

MINUTES OF A REGULAR MEETING OF THE
VILLAGE OF NEW LENOX ZONING BOARD OF APPEALS

Held in the New Lenox Village Hall, 1 Veterans Parkway

Tuesday, March 1, 2011 7:00 p.m.

#11-03-A ZBA

CALL TO ORDER

A regular meeting of the Village of New Lenox Zoning Board of Appeals was called to order at 7:42 p.m., by Chairman Mark Muehlnickel, with a quorum present.

ROLL CALL

Upon roll call, the following were present: Chairman Mark Muehlnickel, Commissioners Joan Byerley, Rob Moss, John Kuchler, and Tony Orsini.

The following were absent: Commissioners Gary Berner and Annette Boyd.

Also present were: Planning and Development Administrator Robin Ellis, Senior Planner Jeff Smith, and Secretary Lorrie Sowko.

REQUEST FOR APPROVAL OF MINUTES OF A REGULAR ZONING BOARD OF APPEALS MEETING OF FEBRUARY 15, 2011

Chairman Muehlnickel entertained a motion to approve the minutes of the February 15, 2011, Zoning Board of Appeals meeting. Commissioner Kuchler made a motion, seconded by Commissioner Byerley. Voice vote was taken. Motion carried.

REQUEST FOR TEMPORARY USE FOR SPECIAL EVENT

Tom Kelly's Restaurant
495 Degroate Road
Tom Rowan – Petitioner

Tom Rowan of Tom Kelly's Restaurant was present to request a temporary use for a special event.

Senior Planner Jeff Smith stated that the petitioner plans to have a tent party from March 17, 2011, through March 19, 2011, and will have band on Friday and Saturday (March 18th and 19th.)

This request is the same request that the petitioner presented in 2010 and Staff has incorporated the same 12 conditions as in 2010. If there is snow on the ground during the event, it must be cleared from the offsite gravel parking lot.

Commissioner Kuchler asked if there will be live music on Thursday, March 17th. Tom Rowan replied that there will not be any music on March 17th.

Chairman Muehlnickel entertained a motion to recommend approval of the temporary use for the proposed special events for Tom Kelly's Chophouse & Pub located at 495 DeGroate Road, subject to the 12 conditions in Staff's Report. Commissioner Orsini made a motion, seconded by Commissioner Byerley. Voice vote was taken. Motion carried unanimously.

OLD BUSINESS

None.

NEW BUSINESS

Planning and Development Administrator Robin Ellis informed that CMAP will have Plan Commission workshops in the near future. If any of the commissioners are interested, they should contact Robin.

ADJOURNMENT

Chairman Muehlnickel entertained a motion to adjourn the meeting at 7:45 p.m. Motion was made by Commissioner Kuchler, seconded by Commissioner Orsini. Voice vote was taken. Motion carried.

Lorrie M. Sowko – Secretary