

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

Held in the New Lenox Village Hall, 1 Veterans Parkway

Tuesday, August 7, 2012 7:00 p.m.

#12-08-A

CALL TO ORDER

A regular meeting of the Village of New Lenox Plan Commission was called to order at 7:01 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 Rob Moss, John Kuchler, Tony Orsini, Joan Byerley, and Annette Boyd.

The following was absent: Commissioner Gary Berner.

Also present were: Senior Planner Jeff Smith and Secretary Lorrie Sowko.

REQUEST FOR APPROVAL OF MINUTES OF A REGULAR PLAN COMMISSION MEETING OF JULY 17, 2012

Chairman Muehlnickel entertained a motion to approve the minutes of the July 17, 2012, Plan Commission meeting. Commissioner Kuchler made a motion, seconded by Commissioner Boyd. Voice vote was taken. Commissioner Orsini abstained. Motion carried.

Chairman Muehlnickel explained the rules for the upcoming public hearings. Chairman Muehlnickel then invited public speakers for the public hearings to be sworn in. The speakers stood, raised their right hands, and were sworn in by Secretary Lorrie Sowko.

REQUEST FOR SPECIAL USE FOR CAR WASH (Public Hearing)

Fullers Car Wash

3.310-acre site located at the northeast corner of U.S. Route 30 and Lincolnway Drive

Chris Kalischefski/CD+DG, LLC - Petitioner

Chairman Muehlnickel entertained a motion to open the public hearing at 7:06 p.m. Commissioner Moss made a motion, seconded by Commissioner Kuchler. Motion carried.

Chris Kalischefski of CD+DG, LLC was present to request a Special Use for Fuller's Car Wash.

The site is located on an approximate 3.3-acre parcel at the northeast corner of U.S. Route 30 and Lincolnway Drive. The site includes a detention area, a central future development area and the proposed car wash. Mr. Kalischefski displayed these specific areas and car wash facility on the PowerPoint presentation.

The central area is for a future commercial tenant.

The car wash facility will offer full and automated services, with a pay station area at the drive-through area where customers will choose the particular service. Customers can also utilize the office area for ordering full service washing and detailing. A patio will be incorporated to serve as a waiting area for customers.

An approved plan that was submitted in 2008 was also shown on the PowerPoint screen. Since the economy was strained at that time, the project was delayed until now.

The car wash will be located along the east side of the property, and the new building layout will allow for less congestion at the front of the site while also providing for adequate drive aisle widths and subsequent convenient traffic flow.

The grades on the site have been changed from the original plan and all the detention will be located at the lowest portion of the site, which is located at the far southwest portion of the property. No underground detention is necessary.

Mr. Kalischefski described some design details for the building and noted that LED lighting will be used under the canopy and for all other freestanding light sources.

Senior Planner Jeff Smith explained that a Special Use was approved by the Village Board in 2008, which expired because no building activity took place on the site. A new Special Use is required.

The Zoning Ordinance has a number of criteria that must be met in order to grant a Special Use. The following are some of the significant issues:

1. The car wash will provide a number of services to the customers in New Lenox and the surrounding areas which make it a desirable use for this location.
2. Traffic concerns were mentioned by nearby residents in 2008, but the current widening of Route 30 will address increased traffic along this arterial roadway as well as the traffic to be generated from the car wash facility. There will be a right-in/right-out from Route 30 and a full-access curb cut from Lincolnway Drive. In 2008, the Village required a roadway widening of Lincolnway Drive but did not require curb and gutter. IDOT is now widening a portion of Lincolnway Drive, which includes the installation of curb and gutter. Also, the intersection at Route 30 is wide enough to accommodate the needed turn lanes. Through the Special Use, the Village can require further Lincolnway Drive

improvements, such as curb, gutter and roadway widening for the area not included in the scope of the IDOT improvements; to the north property line of the subject property that must be complete prior to issuance of an occupancy permit for the car wash facility. The improvements will address the traffic along Route 30 and Lincolnway Drive. The Village Board will need to decide if a sidewalk is necessary along the east side of Lincolnway Drive. Route 30 improvements should be completed by the spring of 2013, which is approximately the same time Fuller's Car Wash plans to open.

3. There are some grade changes along the northern portion of the property that abuts residential properties. A 4-foot to 5-foot retaining wall and a 6-foot fence with plantings will be installed along a portion of the north perimeter adjacent to the private access drive, while the fence and landscaping will continue along the complete balance of the north perimeter in order to provide for adequate screening. Staff recommends that a sight line exhibit be prepared to depict the grade changes along the access drive and to ensure proper screening of vehicle headlights. Staff also recommends a second sight line exhibit to assure proper screening for the car wash drive-through to prevent headlight annoyance from the nearby residents.
4. The lighting requirements have been substantially met, with exception of an area along the entrance drive where the illumination must be slightly reduced. Staff is recommending that the lights are shut off one hour after closing.
5. The dryers will be placed at the southern portion of the building and located completely inside the building. Thus, the combination of the interior dryer location, building location and north perimeter screening should properly address any noise concerns.
6. The petitioner is depicting plywood to be used on the upper portion of the building and Staff is recommending that masonry or stone be used to meet the Building Code.

Subject to the ten conditions in the Staff Report, Staff recommends approval of the Special Use, subject to:

1. Meeting all Staff's comments and any comments made by the Plan Commission and the Village Board, to allow for a 7,000 square foot car wash facility on the property.
2. Approval of the building plans subject to some of the changes mentioned such as the upper elevation materials.
3. Dryers being located completely inside the building.
4. Approval of engineering plans.
5. Approval of final landscape plans including the north perimeter screening, sight line exhibits, etc.
6. Approval of the lighting/photometric plan including the minor changes.
7. All lighting to be shut off 1 hour after closing.
8. Approval of all signage.

9. Coordination with the Engineering Department and IDOT on additional required improvements to Lincolnway Drive that must be completed prior to the building being occupied.
10. Compliance with the New Lenox Fire Protection District requirements.

Chairman Muehlnickel asked if Staff had any comments regarding building elevation issues.

Jeff Smith stated the upper elevation walls must consist of brick or stone in order to meet the Building Code. Also, awnings have been provided above some windows as previously suggested, but additional awnings above the remaining windows on the east elevation, as well as awnings or canopies possibly above the bay doors on the west elevation, are still being recommended to improve the appearance of the long and flat building walls.

Chairman Muehlnickel asked for questions and/or comments.

Commissioner Kuchler asked for the hours of operation.

Mr. Fuller stated that the hours of operation are 7:00 a.m. to 9:00 p.m.

Chairman Muehlnickel questioned whether or not a sidewalk constructed on Lincolnway Drive along the site frontage would connect to an existing sidewalk to the north.

Jeff Smith confirmed that if a sidewalk is required along the Lincolnway Drive frontage, it would not connect to another sidewalk. There will be a sidewalk along Route 30 and the applicant will be required to build a sidewalk and cross-walk leading from the Route 30 sidewalk to the building entrance.

Chairman Muehlnickel wanted to know what will be planted in the central area between the detention pond and the car wash facility.

Mr. Kalischefski responded that the area in question will be seeded with grass and well-maintained.

Chairman Muehlnickel entertained a motion to close the public hearing at 7:29 p.m. Motion was made by Commissioner Boyd, seconded by Commissioner Kuchler. Voice vote was taken. Motion carried unanimously.

Chairman Muehlnickel entertained a motion to recommend approval of the Special Use request to allow for a stand-alone car wash in the C-3 General Business District for Fuller's Car Wash, located at the northeast corner of U.S. Route 30 and Lincolnway Drive, subject to ten conditions in the Staff Report. Motion was made by Commissioner Orsini, seconded by Commissioner Byerley. Roll call vote was taken. Motion carried unanimously.

REQUEST FOR AMENDMENT TO PRELIMINARY P.U.D. PLAT (Public Hearing)

Heather Glen Townhomes
43.72-acre site located along the east side of Schoolhouse Road north of Laraway Road
First United Bank – Petitioner
Arthur C. Zwemke - Agent

Chairman Muehlnickel entertained a motion to open the public hearing at 7:31 p.m. Commissioner Moss made a motion, seconded by Commissioner Boyd. Voice vote was taken. Motion carried.

Kevin Gorman, Chairman of First United Bank, explained that the bank is the current owner of the Heather Glen townhome project. Art Zwemke is the consultant for the project, Tom Burney is the attorney, and Land Planner Terry Smith of BSB Design and Architect Joe Safin were also available. Tech 3 is the engineering firm for this project.

Art Zwemke explained that there are four families living in Heather Glen Townhomes and there is one vacant unit is for sale.

Mr. Zwemke gave details on the housing market changes in the Chicagoland area from 2006 to present.

The previously approved 150 units are no longer marketable because the prices were too expensive and the units were too large. The proposal is to keep the same refinements and to create more marketable townhome units. Market studies have been performed and different product types will be incorporated in this development to meet the needs of the future market. Terry Smith depicted the former Heather Glen project including 150, two and three-story townhome units with a combination of single-level ranch units and two-story townhomes. Currently, there are two buildings on the site; there is a 3-unit building and a 2-unit building.

Phase 1 of Heather Glen was developed with a public street with individual development pads and utilities installed. In addition, detention had been constructed.

In Phase 2, only mass grading has been completed.

There are 195 units proposed, including the existing 5 units. The plan is to have two separate development programs in place.

One development program will be 56 single-level ranch villas in duplex and triplex arrangements and located on the interior loop of the street. Basements will be standard and some look-outs and walk-outs will be incorporated.

The second development program will consist of 134, two-story townhomes located on the perimeter of the project.

There is a third development program being proposed which consists of a flat-over-flat unit with a one-car garage. There are 30 units being proposed and will be one on top of the other.

Of the 134 townhomes, 104 will be standard two-story townhomes and 30 will be flat-over-flat.

Some of the requested deviations from the 2006 proposal will carry over to this project. These deviations include the minimum 30-foot building separation.

Architect Joe Safin, a partner of BSB Design, described a typical proposed ranch villa elevation and floor plans for the units that range in size from 1,350 square feet up to approximately 1,680 square feet. Each plan will have either a standard basement, look-out basement, or a walk-out basement, based on the topography of each lot. Different types of building materials will be used to construct the exterior of the units.

The flat-over-flat townhome has a single-level living unit sitting on top of a single-level living unit. The five different proposed unit types range from 1,100 square feet up to approximately 1,600 square feet. These units will be arranged in three, four, and five-unit buildings. The base plan proposed is a slab-on-grade foundation with an option for a basement foundation for a particular building. Within a building, a slab foundation will not be mixed with a basement foundation.

Joe Safin further described potential floor plans for the variety of units.

Art Zwemke noted that there will be different buyers for different types of units, depending on individual lifestyles.

The plat that was originally submitted and approved for the first phase has not changed, which includes the lot locations depicted on the current amended preliminary P.U.D. plat. The engineering plans will need altering to accommodate for additional services where necessary.

The cost of doing a slab-on-grade versus a crawl space is a cost difference of \$7,000. The petitioner is requesting deviations from the Building Code to allow for perimeter townhome buildings units to have the option for slab-on-grade in order to cut costs. Other requested Village Code deviations include one-car garages versus the required two-car garages for the flat-over-flat end units and a minimum dwelling size of 1,100 square feet for the lower flat unit (1,200 square feet is required). The petitioner is also requesting that some of the buildings have 5 units per building, as the Zoning Ordinance allows for a maximum 4 units per building.

Attorney Tom Burney asked if the Village has adopted any precedent in terms of eliminating basements and incorporating slab-on-grade.

Art Zwemke responded that there may have been apartments in New Lenox that were approved for slab-on-grade.

Tom Burney referred to the Ordinance adopted in June 2011 that allows slab-on-grade for apartment buildings and asked if Building and Zoning Administrator Warren Rendleman had a chance to review the deviation request.

Art Zwemke stated that he did not know if Mr. Rendleman reviewed the request.

Art Zwemke added that there are no changes to the original landscape plan.

Tom Burney asked if there is a request to change the zoning or simply amend the existing P.U.D.

Art Zwemke confirmed that the request is to amend the existing P.U.D.

Tom Burney wanted to know if the proposed changes are consistent with the underlying zoning restrictions.

Art Zwemke responded “yes.”

Tom Burney referred to the Comprehensive Plan which allows up to 6 units per acre and stated that the existing plan is at 3.3 units per acre. If the number of units goes up to 195 units per acre, it would result in 4.33 units per acre, which is still in compliance.

He also asked if the variety of product being proposed is designed to accommodate different types of residents.

Art Zwemke answered that the variety of product is to broaden the appeal to different types of residents.

Tom Burney verified that there will be 56 ranch villas dwelling units within 21 buildings.

Jeff Smith explained that every P.U.D. requires a submittal of a market study and the market study for this project has been submitted to help support the proposed increase in the number of units/density and the different types of housing products.

The applicant mentioned that the adopted Comprehensive Plan in 2004 recommended High Density Residential (6 units per acre). The Heather Glen townhomes were approved in 2005 for 150 units, resulting in the density of 3.4 units per acre. When the Future Land Use Map was updated in 2009, the subject area was switched to Medium Density Residential at 3.5 units per acre to reflect the approved Heather Glen townhome plan. The first phase (Heather Glen Unit 2) was approved in 2007 and only two townhome buildings have been constructed.

The market study results reflect that providing only 2 and 3-unit townhomes will not sell in the current market. Providing different types of townhome units is more marketable.

There is unincorporated property to the north that is recommended for High Density Residential (6 units per acre), if annexed to the Village in the future. There are commercial uses to the south, future single-family to the east, while there are industrial uses on the west side of Schoolhouse Road. The market study findings, along with examining the transition of existing and nearby land uses, can help support an increase in the number of units to a maximum of 195 units, subject to a number of conditions being satisfied.

For instance, the ranch villa and two-story townhome models should be compatible with the existing townhomes.

The concern with the ranch villas is the thin-set stone veneer for the lower elevation. The Village Building Code requires a minimum of 3-inch thick stone or similar material. Staff is recommending that the Building Code be applied for the ranch villas and that the builder verify that they are in compliance with the Building Code.

Staff is recommending that the amended P.U.D. ordinance include anti-monotony conditions, which would also apply to providing for variable and complimentary color schemes as well.

Staff is also recommending that if the 30 flat-over-flats do not sell, they can easily be converted into 2-story townhome units on the end.

Some of the previously approved Village Code deviations will still be applicable, such as the 30-foot front yard setback to a public street and 24-foot front yard setback to a private court. In order to allow for this amended project, there are additional deviations now requested.

The flat-over-flat units would have a 1-car garage. This type of smaller unit will attract young professionals, retirees and other types of residents that would likely not have children or multiple vehicles. Additional parking spaces in the private court areas will accommodate residents and/or guests.

There is a deviation request for the lower flat unit having a minimum dwelling size of 1,100 square feet, as opposed to 1,200 square feet required by the Zoning Ordinance. Staff's only additional recommendation is that there be a maximum of only 2 bedrooms allowed in the lower flat unit, which was displayed on the proposed floor plan.

The request for up to five units per building would only apply with the buildings with the flat over-flat-units on the end of a two-story townhome building.

There are a few five-unit buildings proposed on the east perimeter of the site, which abuts future single-family homes in Heather Glen. A 50-foot wide pipeline easement to contain a trail will provide a buffer between the future single-family homes and the perimeter townhomes. The Plan Commission and the Village Board may require that there is a maximum of 4-unit townhomes on the east perimeter, while some of the larger lots in other perimeter areas could possibly have a 5-unit building.

A deviation that Staff discovered when reviewing the plans is the R-3 Multi-Family District minimum lot size requirement of 13,875 square feet that will not be satisfied for two lots proposing a 3-unit townhome. There will be 2 lots on the northern perimeter with 3-unit buildings that are slightly under the minimum lot size requirement. Since the building separation and other setback requirements will be in compliance, it is Staff's opinion that the proposed slightly reduced lot sizes for these two particular lots will not have a negative detriment to the townhome development.

The last deviation is for a slab-on-grade construction for the perimeter 2-story townhome buildings. This was discussed in 2011 with the Development and Land Use Committee. Some of the potential concerns included the potential long term liability of having slab-on-grade construction, potential maintenance concerns, and lack of storage space. A crawl space or partial crawl space could alleviate some or all of these concerns.

The Engineering Department reviewed the plans and had some concerns regarding additional sanitary and sewer lines to accommodate 4 and 5-unit buildings, and also necessary mass grading adjustments for the western portion which was originally planned for basements and walk-outs. The approval of the amended Preliminary P.U.D. will be subject to approval of engineering plans.

Overall, subject to providing for anti-monotony conditions to ensure diversity of townhome units and ranch villas, resolution of other comments noted in the Staff Report and comments to be made by the Plan Commission, and approval of engineering, Staff feels that this project can still be in the public interest and therefore recommends approval of the amendments to the preliminary P.U.D. plat for Heather Glen Townhomes.

Wayne Silas submitted a letter signed by himself and Heather Glen residents Deborah Silas, Jason and Gina Buffone, Yogin and Pinal Soni, and Richard and Laura Rot. Chairman Muehlnickel read the letter as follows:

On Tuesday, July 31, 2012, we the residents of Heather Glen were privileged to attend a meeting by invitation of the First United Bank Chairman of the Board, Kevin Gorman, along with their Land Planner, Architect, and Consultant. They presented the amendments that they were planning on bringing before the New Lenox Plan Commission on August 7, 2012.

While we are appreciative of their commitment to this property and their willingness to keep us abreast of their future intentions, we have some concerns that we would like to address to the New Lenox Plan Commission also. Below are some key concerns that we have in regards to the proposed amendments.

While we realize that some of these concerns are not in relation to the actual land/occupancy amendments, however, we were told that if this amendment were to pass, we would have no further meetings in regards to the construction and materials used if there were to be a potential builder. Since this would be the case, we would like to propose that the following issues would

also be established in this amendment for future building purposes. We had shared these concerns with the First United Bank at the meeting on July 31, however, we would like them to be considered and recorded as a voice heard from us, the residents of Heather Glen.

1. The prices of the proposed Villas have a starting price of \$228,000 - \$254,000. The prices of the proposed Townhome/Condo have a starting price of \$175,000 for the Condo and \$247,000 for the Townhome.
2. All units are to be built on either a crawl or basement. No units to be built on a slab for the sole purpose of quality in construction and to avoid future maintenance in regards to structural repairs due to foundation issues.
3. All building materials to be equal to the existing units (i.e. windows, exterior doors, garage doors, vinyl siding vs. hardy board for exterior above brick walls).
4. All driveways to be concrete with California finish as are the existing unit driveways.
5. Different looks for buildings so that no buildings are side by side with the same look (i.e. color, roof lines, and number of units).
6. All units to have concrete address block inserted in the brick adjacent to each garage door.
7. If all units are to have concrete decks/patios, there should be an amendment to the bylaws, of restrictions of a resident adding a deck over the concrete to only be constructed with Trex Deck as existing decks on the units at present.
8. All residents will abide by the existing by laws in place for the conformity of Heather Glen.

Thank you for considering the above concerns from the residents who are currently residing in the Heather Glen Subdivision.

After Chairman Muehlnickel read the letter, he invited public speakers for questions and/or comments.

Wayne Silas of 1862 Glen Lake Court stated that he is speaking on behalf of the four homeowners in Heather Glen subdivision, who were present.

Mr. Silas thanked Frank Gorman and First United Bank for hosting a very informative meeting that occurred July 31, 2012, to explain the preliminary site plans for Heather Glen. He also thanked Jeff Smith for further explanations.

Mr. Silas was pleased with the positive appearance of the ranch villas, the starting price range for the ranch villa, the different basements options depending on topography, and the appeal of the landscape plan.

There are concerns with the increased number of residents resulting in additional traffic and subsequent safety concerns for children.

The bank assured the residents that buyers will be given an option for a crawl space or basement. Also, the price of the perimeter townhomes would start at \$175,000 for flat-over-flat units, to \$247,000 for second floor units.

Rick Rot of 1874 Royal Glen Drive has two areas of concern.

Mr. Rot did not approve of the patio/deck location for Unit B, and felt it should be located outside of the building wall to prevent noise issues.

He also feels that there is not adequate living space in the perimeter townhome units and recommends that these units have basements.

Chairman Muehlnickel is in favor of the design diversity suggested by Staff for the proposed ranch villas and two-story townhomes, and added that the exterior material for the ranch villas should be consistent with a 3-inch thick stone material. He was not in favor of the hardy board siding to be used on the garages of Units A and C and also suggested that the buildings should be first floor brick or stone and that all units be built on at least a crawl space.

Chairman Muehlnickel liked the flat-over-flat concept but requested that the lower unit be larger than a minimum of 1,100 square feet. He asked if the concept models that were being presented were the actual buildings that will be constructed and also wanted to know if the current bylaws will carry over to the new units.

Commissioner Moss prefers that the units be a minimum of 1,200 square feet, each building have no more than four units, no 1-car garages, and that no units be built with slab-on-grade.

Art Zwemke stated that the bylaws will remain the same.

The architecture is important, but currently, there is no builder secured so affirmation of the exact building plans is subject to the plans a builder will bring forth. The elevations presented are for illustration purposes. Anti-monotony, color, and other building design issues will be discussed when the detailed elevation plans are presented.

Jeff Smith noted that there is a Final P.U.D. ordinance for Unit 2, which is the first phase, or the west phase of Heather Glen. Simultaneously with amending the Preliminary P.U.D. plat, the Final P.U.D. plat will also need to be amended. Certain language will be required to be in the ordinance to assure anti-monotony language and certain architectural features that are required. The future eastern phase will need to come to the Plan Commission for review and approval (not a public hearing) of another final P.U.D. plat. At that time, hopefully there will be a developer in place with actual details and models of the units.

Art Zwemke added that if the flat-over-flat units are larger, it will make the upper units larger and will result in an increase in the cost for the townhomes.

The prices quoted for the proposed townhomes are base prices and do not include any interior upgrades and/or options.

Chairman Muehlnickel would like the following issues to be addressed by the Village Board.

1. Slab-on-grade construction proposed for the perimeter townhomes.
2. One-car garages versus two-car garages for the flat-over-flat end units.
3. The minimum dwelling size of 1,100 square feet for the lower flat unit.

Chairman Muehlnickel entertained a motion to close the public hearing at 9:00 p.m. Motion was made by Commissioner Kuchler, seconded by Commissioner Boyd. Voice vote was taken. Motion carried.

Chairman Muehlnickel entertained a motion to adopt the Finding of Facts for the proposed amendment for the Special Use for the Preliminary P.U.D. Plat for Heather Glen Townhomes. Motion was made by Commissioner Kuchler, seconded by Commissioner Byerley. Roll call vote was taken. Ayes: Commissioners Kuchler, Boyd, Byerley, Orsini, and Chairman Muehlnickel. Nays: Commissioner Moss. Motion carried.

Chairman Muehlnickel entertained a motion recommending approval of the amendment for a Special Use for a Preliminary P.U.D. Plat for Heather Glen townhomes, subject to engineering approval and resolution of other issues noted in Staff's Report. Also, comments made by the Plan Commission regarding slab-on-grade for the perimeter townhomes, the 1,100 square-foot minimum dwelling size versus 1,200 square feet for the lower flat units, and one-car garages versus 2-car garages for all flat-over-flat units should be forwarded to the Village Board. Motion was made by Commissioner Boyd, seconded by Commissioner Kuchler. Roll call vote was taken. Ayes: Commissioners Kuchler, Boyd, Byerley, and Chairman Muehlnickel. Nays: Commissioners Moss and Orsini. Motion carried.

Jeff Smith announced that the next step is to amend the annexation agreement, and a public hearing is scheduled before the Village Board on August 27, 2012.

OLD BUSINESS

Chairman Muehlnickel requested a report from the retail convention that was attended by Community Development Director Robin Ellis and Director of Economic Development Nancy Hoehn.

NEW BUSINESS

Jeff Smith informed that there are no items scheduled for the Plan Commission meeting on August 21, 2012, which will likely be cancelled.

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ADJOURNMENT

Chairman Muehlnickel entertained a motion to adjourn the meeting at 9:04 p.m. Motion was made by Commissioner Orsini, seconded by Commissioner Kuchler. Voice vote was taken. Motion carried unanimously.

Lorrie M. Sowko – Secretary