

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 6, 2013 7:00 p.m.

#13-08-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 Rob Moss, Annette Boyd, and Joan Byerley.

The following were absent: Commissioners Terry Schultz, Gary Berner, and John Kuchler.

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

REQUEST FOR APPROVAL OF MINUTES OF A REGULAR PLAN COMMISSION MEETING OF JULY 2, 2013

Chairman Muehlnickel entertained a motion to approve the minutes of the July 2, 2013, Plan Commission meeting. Commissioner Boyd made a motion, seconded by Commissioner Moss. Voice vote was taken. Motion carried.

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

REQUEST FOR SPECIAL USE FOR PRELIMINARY P.U.D. PLAT

Bristol Park (Public Hearing)

79.97-acre parcel generally located along the south side of Laraway Road approximately one-quarter mile west of Spencer Road

James Truesdell/DRH Cambridge Homes – Petitioner

Chairman Muehlnickel entertained a motion to open the public hearing at 7:07 p.m. Commissioner Boyd made a motion, seconded by Commissioner Byerley. Voice vote was taken. Motion carried.

Jim Truesdell of DRH Cambridge Homes was present to request a Special Use for a Preliminary P.U.D. Plat for Bristol Park Subdivision.

The preliminary plat and final plat for Unit 1 was reviewed by the Plan Commission a few months ago and after that, a monument sign request was reviewed for this subdivision.

Mr. Truesdell wanted to clarify that this request does not include making the lots smaller in size that were originally approved. The preliminary plat is virtually the same as when it was approved in 2006.

The plat that was approved in 2006 has expired, and the petitioner's intent is to seek re-approval of the same plat.

This request is for the reduction in the required combined side yard.

The property is zoned R-2A Single Family Residential District, which requires a 10-foot minimum side yard with a 25-foot combined side yard.

After evaluating the market for this specific location, the goal is to construct homes more compatible with current market demands. Larger homes with 3-car garages would be more desirable for this area since the Water Chase Estates subdivision is immediately adjacent to this site and has similar homes. The developer is trying to achieve compatibility with the Water Chase Estates subdivision.

When this subdivision was originally designed, the perimeter lots along the north, east, and west that backed up to Water Chase subdivision were larger lots and approximately 100 feet in width. The main issue was with the interior lots that were designed smaller at approximately 81 to 84 feet in width. In order to build homes appropriate for the market at this location, and to satisfy the need for 3-car garages, there is an issue with the 81-foot to 84 foot-wide interior lots having a 25-foot combined side yard setback and being capable to fit a 3-car garage on these lots.

Mr. Truesdell expressed that it is an important factor to be able to offer 3-car garages to the public and increase the value of the homes, in order to be more compatible with the surrounding subdivisions.

These lots would still maintain the 10-foot minimum side yard setback, with a minimum of 20 feet between buildings. It would be difficult to fit a 3-car garage with a 25-foot combined side yard, and a 20-foot combined side yard setback would accommodate the homes with 3-car garages.

Jeff Smith began the Staff Report.

When this property was originally annexed to the Village, a different developer proposed the project and there were concerns about the housing product that would be constructed in the subdivision. In the approved annexation agreement, the Village Board required a certain percentage of homes with 3-car garages and attached single family home elevations to that annexation agreement. That developer eventually lost the property to the bank and another developer came in, who also lost the property to a bank. Currently, the new developer (DRH Cambridge Homes) is intending to construct larger homes with a 3-car garage.

At the same time, the Village Board is reviewing an amendment to the annexation agreement for Bristol Park. The proposed minimum dwelling size for a ranch home in this subdivision is 2,100 square feet, which exceeds the R-2A zoning district requirement with a minimum of 1,800 square feet.

In terms of other housing styles, such as a 2-story home, the amendment to the annexation agreement will call for a minimum of 2,600 square-foot homes. The R-2A zoning district requires a minimum of 2,000 square feet.

To reiterate, the intent is to construct larger homes with 3-car garages. The proposed deviation will allow for a reduced side yard on both sides, will give the developer more flexibility and be more marketable in the current housing market to provide for larger homes with 3-car garages.

The lots on the periphery are at least 15,000 square feet. There are some larger lots on the interior, but the average interior lots are 80 to 85 feet in width and make it difficult to accommodate a 3-car garage and a larger home footprint. This request would give the developer flexibility to construct the desired larger homes with 3-car garages.

In 2008, there was another single-family development to the east called Heather Glen, and the Village Board approved a reduced 10-foot side yard setback for that subdivision, with the intent for building larger homes in that subdivision.

Staff has no objection to the proposed request. It would be in public interest and would not impact surrounding properties. Therefore, Staff recommends that the Plan Commission adopt the Findings of Fact as stated in the Staff Report and recommends approval of the Special Use for a P.U.D. to allow for a reduced 10-foot side yard setback with the sum total of 20 feet for all the lots in Bristol Park.

Chairman Muehlnickel invited public comment.

Jonathon Cohen of 2048 Edgeview stated that he understood that the developer would be building larger homes with 3-car garages. He welcomed larger lots but was concerned that the plat was expired and wanted clarification. Mr. Cohen asked if the plat was expired, would the

developer have opportunity build the homes closer together and create smaller lots. He would be satisfied if the plat was solidified.

Jeff Smith explained that when the property was annexed in 2005, there was a concept plat that was attached to the executed and recorded annexation agreement, and the preliminary plat that was submitted in 2006 abided to that concept plat. That preliminary plat expired and this new developer is here to obtain re-approval of that same plat.

If the developer came in with a different plat with an increased number of lots, and/or changed the lot sizes by making them narrower, the request would be in violation of the concept plat that was attached to the annexation agreement.

The number of lots, the lot areas, lot dimensions, and density was negotiated between the Village Board and the developer in 2005 when the annexation agreement was approved. Any plat that is submitted in since that time must abide to the approved concept plat. If a developer wanted to alter the plan, they would be required to return to the Village Board and amend the annexation agreement to change the concept plat.

This developer is presenting a plat which abides to the approved concept plat.

This request simply allows for reduced side yard setbacks for all 140 lots.

This preliminary plat was reviewed in April by the Plan Commission, and is pending Village Board approval. The preliminary plat for 140 lots and the final plat for the first phase would be approved at the same meeting as the amendment to the annexation agreement that is in place at this time.

Once this preliminary plat is approved, the developer must submit a final plat with at least 20% of the land area within 1 year. The former developer was not capable, due to the market. The original preliminary plat lapsed, and in order to start the process again, a new preliminary plat needs to be submitted. This is the same plat with some minor adjustments with easements and such, but the lots have not been altered.

Victoria Anderson of 2095 Edgeview Drive is concerned that houses will be on two-thirds of the property. She understood that at the Village Board meeting, the developer stated that they wanted to downsize the size of the homes from the ranches being reduced to 1,800 square feet and the two-story homes to be reduced from 2,600 square feet to 2,200 square feet. Ms. Anderson assumes that the proposed houses are not the same size as the houses in her subdivision (Water Chase). Ms. Anderson owns a standard ranch that is 2,900 square feet and is concerned that smaller homes will affect her property value.

Chairman Muehlnickel reiterated that under R-2A zoning, a developer can build a minimum 1,800 square-foot ranch and a 2,000 square foot minimum for other types of housing.

This particular development has a proposed amendment to the annexation agreement that states that the minimum ranch will be 2,100 square feet and other models will be a minimum of 2,600 square feet. These sizes are minimum square-footage requirements and the homes can be built larger.

Lyle Benedetto of 1929 Airway Court is purchasing a home in the Water Chase Estates subdivision located at 2008 Edgeview. Mr. Benedetto is concerned with the style and quality of the homes being built and wanted to know if the homes will be first floor brick, and will be compatible with the Water Chase Estates subdivision.

Chairman Muehlnickel replied that New Lenox requires the first floor to be all brick.

Jim Truesdell stated that the intent is to build homes that range from 2,100 square feet to 4,000 square feet and to abide by New Lenox Building Codes.

Chairman Muehlnickel entertained a motion to close the public hearing at 7:27 p.m. Commissioner Boyd made a motion, seconded by Commissioner Moss. Voice vote was taken. Motion carried.

Chairman Muehlnickel entertained a motion to adopt the Findings of Fact noted in Staff's Report. Commissioner Boyd made a motion, seconded by Commissioner Byerley. Voice vote was taken. Motion carried unanimously.

Chairman Muehlnickel entertained a motion to recommend approval of the Special Use for a Planned Unit Development (P.U.D.) for Bristol Park, which would permit a minimum 10-foot side yard setback per side, with the sum total of both sides of not less than 20 feet, for the pending 140 single-family lots that are zoned R-2A Single-Family Residence District. Motion was made by Commissioner Byerley, seconded by Commissioner Moss. Roll call vote was taken. Motion carried unanimously.

OLD BUSINESS

None.

NEW BUSINESS

Jeff Smith informed that the next regular scheduled Plan Commission meeting is August 20, 2013, and there are agenda items for that meeting and the Zoning Board of Appeals meeting, as well.

ADJOURNMENT

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Chairman Muehlnickel entertained a motion to adjourn the meeting at 7:29 p.m. Motion was made by Commissioner Boyd, seconded by Commissioner Moss. Voice vote was taken. Motion carried unanimously.

Lorrie M. Sowko – Secretary