

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

**Held in the New Lenox Village Hall, 1 Veterans Parkway**

**Tuesday, November 4, 2014 7:00 p.m.**

**#14-11-A**

**CALL TO ORDER**

A regular meeting of the Village of New Lenox Plan Commission was called to order at 7:00 p.m. by Chairman Mark Muehlnickel.

Chairman Muehlnickel led the assembly in the Pledge of Allegiance.

**ROLL CALL**

Upon roll call, the following were present: Chairman Mark Muehlnickel, Commissioners Gary Berner, Joan Byerley, John Kuchler, Rob Moss, and Terry Schultz

The following were absent: Commissioner Annette Boyd

Mr. Muehlnickel announced there was a quorum present for this meeting.

Also present were Senior Planner Jeff Smith and Planner Jennifer Neubauer.

**REQUEST FOR APPROVAL OF MINUTES OF A REGULAR PLAN COMMISSION MEETING OF SEPTEMBER 16, 2014**

A motion was made by Commissioner Boyd and seconded by Commissioner Byerley to approve the September 16, 2014 minutes as presented, with Commissioner Byerley abstaining. Voice vote was taken. Motion carried.

**REQUEST FOR SPECIAL USE FOR A PRELIMINARY AND FINAL P.U.D. PLAT (Public Hearing)**

**The Shops at 101 American Pride Lane**  
**101 American Pride Lane**  
**Webb Reid/The Reid Group-Petitioner**

Chairman Muehlnickel asked if proper notice was given for the public hearing, and Senior Planner Jeff Smith replied affirmatively. Mr. Muehlnickel asked for a motion to open the public hearing at 7:03 p.m. A motion was made by Commissioner Berner and seconded by Mr. Schultz

to open the public hearing. Voice vote was taken. Motion carried.

Mr. Ed Ritan of Ritan Architects introduced himself and Webb Reid of The Reid Group. He explained that the existing building on the property is the former Exxon Mobil Station, and their plan is to subdivide the site into three parcels. He said there will be commercial buildings on the two parcels along Route 30, while a third parcel at the rear of the site contains the existing wetlands. He explained that the request would permit the development of a 4,000 square foot retail on the eastern portion of the site (Lot 1) as well as a 5,540 square foot retail building with two tenant spaces on Lot 2. Mr. Ritan went into detail about the construction of the buildings. He explained that the projected tenant of the building to be located on Lot 1 is a mattress store. At this time, Mr. Ritan did not have specific information about future tenants for Lot 2.

Mr. Muehlnickel asked for Staff's comments. Mr. Smith stated that the property is zoned C-3 and is adjacent to the New Lenox Town Center. He said the site currently contains a former gas station, which has been vacant for several years. Mr. Smith said Staff sees this as a viable commercial site for redevelopment in the Village and meets the planned unit development requirements in terms of a unified and cohesive development. He said there will be shared parking between the two buildings as well as shared drive aisles. Mr. Smith said there will be a cross-access with the New Lenox Town Center to the west, and when the property to the east develops, there will be another cross-access connection at the southeast corner of the site. He said there is an existing full access curb cut from Route 30, and IDOT will need to review and approve any proposed modifications to this entrance. Mr. Smith pointed out that the significant amount of Route 30 right-of-way fronting the subject site as well as the wetlands at the rear of the site both significantly limit the amount of buildable area for a proposed commercial redevelopment.

As noted in the Staff Report, Mr. Smith stated that the petitioner was seeking Zoning Ordinance deviations on certain items such as a reduced front-yard parking and landscaped setback along Route 30. He said they are also asking for some slightly reduced buffers along the east property line as well as reduced foundation landscaping area along the building walls. Mr. Smith reiterated that the extraordinary Route 30 right-of-way fronting the site and the unbuildable wetland areas at the rear of the site help support the requested deviations, however subject to the petitioner providing for additional landscaping in specific areas of the site.

As the architect described, Mr. Smith said there will be two attractive looking buildings that will be compatible with some of the buildings that were built in the New Lenox Town Center. He said Staff has no objections to the proposed building architecture. Overall, Mr. Smith said the proposed retail uses comply with the C-3 zoning district and the Comprehensive Plan as well as the P.U.D. regulations. Therefore, he said Staff does support the project. Mr. Smith added that a construction schedule was submitted for the project, and they are hoping to get site work started as soon as possible, including the demolition of the former gas station building. He said the plan is to have the 4,000 sq. ft. completed by May 2015. Mr. Smith added that if petitioner is able to get the leases worked out for the larger building, both buildings could be constructed at the same time. Based on these factors, Mr. Smith advised that Staff does recommend that the Plan Commission adopt the findings of fact that are listed in the Staff Report, and Staff recommends

approval of the Special Use for the preliminary and final P.U.D. plat subject to approval of final engineering and final landscaping as well as resolution of all of Staff's comments. He noted that Staff's comments were previously provided to the applicant and that Staff is meeting with the applicant on Thursday in order to go over Staff's comments in detail.

Mr. Muehlnickel asked for questions or comments from Staff or the petitioner. Mr. Berner said the Discount Tires building is much closer to Route 30 than what is being proposed on this site. He said there is an offset in the power lines as well. Mr. Smith answered that there is excessive right-of-way along this property, which is not the case for nearby properties. Mr. Berner asked if a contour plan has been submitted for this development. Mr. Smith replied that the civil plans include the grading/contours and acknowledged that there is a drop in grade from Route 30 to the site. He said this will result in their monument sign having a taller base. Mr. Smith noted that there are also grade changes where the cross-access drive meets Discount Tire. He explained that there will be grading challenges with this site that will be addressed during final engineering review and approval. Mr. Berner asked if anyone knows the profile grade line of the proposed development. Mr. Smith said he does not have that number, but after having been on the site, it appears to be significant. He stated that the steeper grade change will not allow for a sidewalk to be extended from the proposed buildings to the Route 30 sidewalk. Nevertheless, in order to meet Illinois accessibility, there will be internal sidewalks and crosswalks leading to existing sidewalks in the adjacent New Lenox Town Center that eventually provide a pedestrian connection to the sidewalk along Route 30. Mr. Berner estimated an approximate 6% or more grade change, which could be problematic with wet conditions or snow conditions for cars going up the driveway.

Mr. Muehlnickel shared the grade change questions and concerns stated by Mr. Berner. Mr. Muehlnickel mentioned that this grade change could pose a landscaping challenge as well. Mr. Smith said there will not be a retaining wall along Route 30, but a small retaining wall will be placed in the back of a section of the parking lot.

Mr. Berner then asked if a letter from the Army Corps of Engineers (ACOE) has been received by the Village, and Mr. Smith replied that as of the date of Staff's report, it had not been received. Mr. Smith said he was informed that the Engineering Department was recently e-mailed a copy of the letter of no objection from the ACOE. Mr. Berner asked if a wetland delineation has been done, and Mr. Smith answered that the plans do indicate the wetland delineation line. He said this line does go onto the property and then moves off-site. Mr. Smith continued by stating that the P.U.D. would need to allow for a reduction to the Village's 75-foot wetland buffer requirement from the proposed parking lot and buildings, but emphasized that there would not be a building or parking area located within a wetland requiring mitigation from the ACOE. Mr. Berner asked if Staff knows the quality of the wetlands. Mr. Smith answered that he does not, but if the ACOE gave the Village a letter of no objection, then that requirement has been satisfied. He added that the project does propose a small detention basin, which will consist of naturalized plantings. Mr. Berner asked if there will be a provision for a left turn lane for traffic traveling east on Route 30. Mr. Smith said a left turn lane is currently only available for westbound traffic while IDOT would need to specify if left-turn markings will need to be added for left-turns for eastbound traffic into the subject site. Mr. Berner noted that his car has

nicks and dings along the sides, and said he would like to know if a 9-foot wide parking stall can be improved. He asked if Staff has ever considered double striping the parking stalls. Mr. Smith said he has not encountered this request.

Mr. Muehlnickel asked how many property owners are there between this development and Floyd's Alehouse. Mr. Smith replied that there is pipeline property between the two developments. Mr. Muehlnickel asked about buffering, and Mr. Smith explained that a 5 foot buffer along Route 30 was being proposed, which would normally be 20 feet. Mr. Smith said Staff is asking for continuous and consistent landscaping along all proposed reduced buffer yards so as to provide for a more attractive development. For instance, he said there will be some room to add some trees and shrubs along the west side of the property. Traditional landscaping can be added around the detention basin at or above the high water line.

At this time, Attorney Doug Schlak on behalf of Mary Weber, addressed the Plan Commission regarding a recorded 66-foot wide access easement on the east end of the property and how this may impact the proposed easternmost parking spaces for this development. Mr. Smith confirmed there was a 66-foot wide access easement along the eastern portion of the site, as well as a 55-foot wide ingress-egress easement for the American Pride Lane access drive into the site.

Mr. Muehlnickel said that tonight, the Plan Commission is looking at the suitability of the project for this site, and moreover, it is up to the Village Board to make a determination about the potential access easement issue.

Although there were parking spaces proposed within the existing 66-foot wide access easement, Mr. Smith noted that the proposed two-way drive aisle along the eastern portion of the site will still allow for vehicular access within this easement area.

Mr. Schlak provided a history of the excessive right-of-way in front of the former American Pride Gas Station.

Mr. Smith informed the Plan Commission that Staff and Village's legal counsel will review the provisions of the recorded access easement to determine if there will be an issue with the proposed easternmost parking spaces being situated within the easement areas. Overall, the issues brought up by Mr. Schlak will be explored and any findings will be reported to the Village Board.

Mr. Muehlnickel asked for a motion to close the public hearing. A motion was made by Commissioner Moss and seconded by Commissioner Berner to close the public hearing. Voice vote was taken. Motion carried.

Mr. Muehlnickel asked for a motion recommending that the Plan Commission adopt the required findings of fact for the proposed preliminary and final P.U.D. plats. A motion was made by Mr. Kuchler and seconded by Mr. Moss to adopt the required findings of fact for the proposed preliminary and final P.U.D. plats for The Shops at 101 American Pride Lane. Voice vote was taken. Motion carried.

Mr. Muehlnickel explained that the access easement as well as the increased landscaping will be worked out prior to Village Board approval. Mr. Muehlnickel asked for a motion recommending approval of the Special Use for a preliminary and final P.U.D. Plat for 101 American Pride Lane, subject to final engineering approval, landscape plan approval, and resolution of the other issues as noted in Staff's report, as well as resolution of the access easement issue. A motion was made by Commissioner Moss and seconded by Commissioner Kuchler to recommend to the Village Board approval of the Special Use for a preliminary and final P.U.D. Plat for 101 American Pride Lane, subject to final engineering approval, landscape plan approval, and resolution of the other issues as noted in Staff's report, as well as resolution of the access easement issue.

Upon roll call, the vote was:

AYES: - Commissioners Berner, Byerley, Kuchler, Moss, Schultz, and  
Chairman Muehlnickel

NAYS: - None.

Motion carried.

Mr. Smith advised that a first read ordinance is tentatively scheduled for review at November 24 Village Board meeting.

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

Mr. Smith advised that the next meeting will be held on November 18, 2014, at which time there will be four public hearings and a final plat scheduled.

Mr. Muehlnickel stated the Mr. Berner brought up a good point about parking spaces and striping. He asked Staff to look into this option.

### **ADJOURNMENT**

Mr. Muehlnickel asked for a motion to adjourn the meeting at 7:48 p.m.

A motion was made by Commissioner Schultz and seconded by Commissioner Berner to adjourn. Voice vote was taken. Motion carried.

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Patricia Hansen – Senior Administrative Secretary