

**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 3, 2015 7:00 p.m.**

**#15-11-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, Rob Moss, John Kuchler, Joan Byerley, Terry Schultz and Kathy Hilton.

The following were absent: None.

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

Also present were Senior Planner Jeff Smith, Planner Jenni Neubauer and Senior Administrative Assistant Secretary Patricia Hansen.

**REQUEST FOR APPROVAL OF MINUTES OF A REGULAR PLAN COMMISSION MEETING OF SEPTEMBER 1, 2015**

A motion was made by Commissioner Berner and seconded by Commissioner Kuchler to approve the September 1, 2015 minutes as presented, with Commissioner Hilton abstaining. Voice vote was taken. Motion carried.

Chairman Muehlnickel explained the public hearing process to those in attendance.

**REQUEST FOR AMENDMENT TO SPECIAL USE FOR A PRELIMINARY P.U.D. PLAT**

**(Public Hearing)**

**Calistoga Residential**

**Approximately 68 acres located along Calistoga Drive, 755 feet south of Laraway Road Tom Scofield / TLS Management, LLC - Petitioner**

Mr. Muehlnickel asked if proof of notice has been submitted to Staff, and Senior Planner Jeff Smith replied affirmatively.

Mr. Muehlnickel asked for a motion to open the public hearing. A motion was made by Commissioner Schultz and seconded by Commissioner Byerley to open the public hearing at 7:03 p.m. Voice vote was taken. Motion carried.

Mr. Tom Scofield of TLS Management, LLC appeared before the Plan Commission on behalf of REO Funding Solutions, the owner of 30 vacant lots in Phase 1 and the balance of the remaining land that makes up Phases 2 through 5 of the Calistoga Subdivision. He explained that their primary purpose is to remove the 2-bedroom maximum restriction that was put in place as a result of the granting of its Special Use Permit. Aside from the 2-bedroom restriction, Mr. Scofield said they are conforming to the zoning district as far as the square footages of the homes is concerned, and that they are looking for an amendment to remove the 2-bedroom restriction only.

Planner Jeff Smith referred to the aerial that shows the Calistoga residential portion of the property and explained that the overall Calistoga property, consisting of 93.28 acres in size, was annexed in 2006 and zoned R-2A Single-Family Residence District and C-3 General Business District. At the same meeting, he said the Village Board approved a Special Use for a preliminary P.U.D. plat for the Calistoga development to consist of commercial lots south of Laraway Road (Calistoga Plaza) followed by 152 detached single-family residences tailored for seniors and “empty nesters” south of the commercial area. Mr. Smith continued by stating that the preliminary P.U.D. plat indicates smaller lots (72 feet minimum lot width), with the majority of the lots just over 8,000 square feet. He said these lots were intended for smaller ranch homes with a maximum 2-bedroom requirement. In 2006, Mr. Smith said the first phase was also approved with 33 single-family lots. Between 2007 and 2008, he said there were three homes built, but nothing built since that time. Mr. Smith again referenced the aerial, stating that the lots highlighted in yellow are the three existing single-family homes. He referenced the next aerial, explaining that the lots in red are 71.5 feet in width. Mr. Smith said the current P.U.D. ordinance states the lots must be 72 feet wide, so in moving forward with this amendment, it is Staff’s recommendation that the amendment allow for a minimum lot width of 71 feet, in order that the six lots can remain, as proposed, in future phases. Along the very southern perimeter of the preliminary P.U.D., he said there is a lot that is only 69 feet in width, and it would have to be bumped up to 71 or 72 feet. Mr. Smith said that going through the amendment process now is the time to do it.

Mr. Smith continued by stating that the preliminary P.U.D. that was approved in 2006 indicated four phases only with 152 single-family lots. He said the approved Annexation Agreement allowed for a future fifth phase for an additional 13 lots for a total of 165 lots. Mr. Smith pointed out that the approved preliminary P.U.D. did not include the fifth phase. Since they are moving ahead with the amendment, he said it is Staff’s opinion that the fifth phase should be shown with the amended preliminary P.U.D. Mr. Smith said as there is one additional lot in the future Phase 5 that is only 69 feet in width; it will also have to be bumped up to 71 or 72 feet in width.

Mr. Smith advised that the applicant is trying to attract a builder or builders to build the remaining 30 lots in Phase 1, as well as the future phases. With the current two-bedroom requirement, he said the Annexation Agreement/P.U.D. had a number of elevations attached. He

said they want the flexibility to attract a builder to construct single-family homes that have more than two bedrooms and perhaps a second story. Removing the two-bedroom restriction should open up the subdivision to a builder or builders to build out the subdivision, according to Mr. Smith. He said Staff has no objection to removing the restriction in order to attract single-family home builders. Mr. Smith noted that the lots are smaller in size, and that the R-2A district requires a minimum dwelling size of 1,800 square feet for a ranch, and all other housing styles must be 2,000 square feet in size. He explained there are some lots that will be difficult to build the larger, wider homes on, but said Staff looked at some of the newer homes built in the Village in Sky Harbor and Heather Glen with footprints of 52, 53, 57, and 58 feet in width. Mr. Smith said many of the homes could fit on the existing lots in Phase 1 as well as future phases. He said there could be a concern if a homeowner wanted a three-car garage based on the narrow lot sizes and the resulting garage domination on the streetscape. In all probability, Mr. Smith said the new homes would have two-car garages as this appears to be the current trend in Heather Glen and Sky Harbor.

Mr. Smith said Staff is looking for Plan Commission comments on the amendment, but does recommend approval for the findings of fact for the amended preliminary P.U.D. and Staff recommends approval of the amendment to the preliminary P.U.D. which would remove the two-bedroom requirement. He said there would no longer be elevations attached to the agreement or the P.U.D. ordinance giving a builder the flexibility to build homes with two, three, or four-bedroom homes as well as two-story homes. Mr. Smith said all of the homes would have to be at least 1,800 square feet for a ranch home or 2,000 square feet for all other housing styles. Mr. Smith explained that some of the changes to the preliminary P.U.D. would include the addition of a fifth phase; the Annexation Agreement would have to be amended as these provisions were also included in the agreement. He said it would also be necessary to change the impact fee requirements.

Mr. Muehlnickel asked if the Plan Commission will see proposed elevations once the property is sold to builder or builders. Mr. Smith replied that typically in a single-family P.U.D. development, the Village Board waives the requirement to submit elevations. He continued by stating it is possible that another amendment could be necessary if builders are unable to construct homes on 72 foot wide lots. If that occurs, he said amendments would have to be made to both the P.U.D. and the Annexation Agreement.

Ms. Hilton asked how large the lots are that accommodate the three existing townhomes. Mr. Smith said the two lots on the north end are 75 feet wide; while the other ranch home nearby is situated on a larger corner lot. She asked why not amend the P.U.D. ordinance and Annexation Agreement at this time to increase the lot widths. Mr. Smith explained that the owner is not the developer so it would just be speculation. He said the Village Board may say they want to see a more traditional R2-A subdivision. Mr. Schultz said he anticipates another amendment because most homeowners desire 3-car garages. Mr. Smith advised that there could be requests for homes with 3-car garages, but over the past number of years there have been a higher percentage of homes built with 2-car garages, adding that the market has changed.

Mr. Berner asked if there is no longer a market in New Lenox for empty-nesters. He also wanted to know how long the property has been on the market. Mr. Smith said the original property owner lost the property to foreclosure. He said the amendment will not prohibit someone from building a 2-bedroom home, but will add flexibility to the development giving the builder more options. Mr. Scofield added that this development was never marketed as an age-restricted community.

Ms. Hilton asked for a clarification on impact fees. Mr. Smith explained that separate public hearing will be held by the Village Board on an amendment to the Annexation Agreement. Within the agreement, he said the impact fees are specified. Mr. Smith stated that now that they are requesting the flexibility to build homes with more than 2-bedrooms, the single-family detached residence impact fee requirement will replace the current two-bedroom townhome impact fee requirement in the amended Annexation Agreement.

Mr. Muehlnickel asked for a motion to close the public hearing. A motion was made by Commissioner Berner and seconded by Commissioner Moss to close the public hearing at 7:25 p.m. Voice vote was taken. Motion carried.

A motion was made by Commissioner Kuchler and seconded by Commissioner Schultz to adopt the findings of fact, as included in Staff's report, for the Special Use for a preliminary P.U.D. plat for Calistoga residential.

Upon Roll Call, the vote was:

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

NAYS: - None.

Motion carried.

A motion was made by Commissioner Berner and seconded by Commissioner Byerley to recommend to the Village Board approval of the amendment to the Special Use for a preliminary P.U.D. plat for Calistoga residential, for the 30 existing vacant single-family lots in Unit 1, and 132 single-family lots in in future Phases 2 through 5, subject to the five conditions stated in Staff's report.

Upon Roll Call, the vote was:

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

NAYS: - None.

Motion carried.

Mr. Smith announced that the public hearing on the Annexation Agreement amendment will be held on November 23, 2015.

**OLD BUSINESS**

None.

**NEW BUSINESS**

In all likelihood, Mr. Smith stated that the November 17, 2015 meeting will be cancelled, but he noted that there will likely be a public hearing scheduled for the December 1, 2015 meeting.

**ADJOURNMENT**

Mr. Muehlnickel asked for a motion to adjourn. A motion was made by Commissioner Kuchler and seconded by Commissioner Schultz to adjourn. Voice vote was taken. Motion carried. The meeting was adjourned at 7:26 p.m.

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Patricia Hansen  
Senior Administrative Assistant