

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

Held in the New Lenox Village Hall, 1 Veterans Parkway

Tuesday, June 7, 2016 7:00 p.m.

#16-06-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, John Kuchler, Rob Moss, Terry Schultz, Kathy Hilton and Jasen Howard.

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 Secretary Patricia Hansen.

REQUEST FOR APPROVAL OF MINUTES OF A REGULAR PLAN COMMISSION MEETING OF MAY 17, 2016

A motion was made by Commissioner Moss and seconded by Commissioner Hilton to approve the May 17, 2016 minutes as presented. Voice vote was taken. Motion carried.

REQUEST FOR FINAL P.U.D. PLAT APPROVAL
Century Oaks Resubdivision
3.672-acre property located south of Cedar Crossings Drive
PJ Sidhu/ARGHYA Group – Petitioner

Mr. Rod Tonelli of Ruettiger, Tonelli and Associates appeared before the Plan Commission on behalf of the Joliet Oncology Group and explained that this is part of the Cedar Crossings Subdivision. He explained that the property that is part of this petition is owned by the Joliet Oncology Group and they wish to create two lots where there is currently one in addition to cleaning up some of the property lines.

Planner Jenni Neubauer stated that in June of 2008, the Village Board granted a Special Use for the final P.U.D. plat for Cedar Crossings, Unit 1, which created eleven commercial lots and eight

outlots. She said that in October of 2011, the Village Board approved the final P.U.D. plat for a re-subdivision of Lot 10 in Cedar Crossings Unit 1, which created four lots known as the Century Oaks Subdivision. Ms. Neubauer said that at this time, the petitioner is requesting a final P.U.D. plat for a re-subdivision of Lot 3 and part of Lot 4 within the Century Oaks Subdivision, which would consist of one developed lot and two lots for future commercial development. She noted that Staff is recommending that the lots be renumbered as Lot 3, Lot 4 and Lot 5 in the final P.U.D. plat for the Re-Subdivision of Century Oaks Subdivision.

Ms. Neubauer continued by stating the ordinance approving the final P.U.D. plat for Century Oaks requires vehicular cross-access easements to be recorded on each lot of Century Oaks Subdivision at the time of site plan approval. She advised that the submitted re-subdivision plat depicts 24-foot wide cross-access easements on all three lots, which would connect to the existing recorded cross-access easements on Lots 1 and 2. Ms. Neubauer explained that the project engineer advised that the proposed cross-access easements on the proposed vacant lots would not interfere with any future development.

Ms. Neubauer said the submitted plat of re-subdivision proposed to vacate the existing 10-foot public easement and the 10-foot parking and setback line on proposed Lot 3. She said after speaking to the Village Attorney, the proposed re-subdivision plat cannot vacate a particular easement or setback line, but a Certificate of Correction signed by all property owners within the subdivision would be the means to remove all of the 10-foot building and parking setback lines. Ms. Neubauer said the petitioner would need to remove the "Hereby Vacated" note on Lot 3.

Ms. Neubauer stated that the final P.U.D. plat for the Century Oaks Re-Subdivision substantially meets the Village's Subdivision Code and Zoning Ordinance requirements, as well as provisions included in the ordinance approving the final P.U.D. plat for the Century Oaks Subdivision. She said Staff recommends approval of the final P.U.D. plat for the Century Oaks Re-Subdivision, subject to final engineering approval and resolution of comments noted in Staff's report.

Mr. Ruettiger said his clients are agreeable to comply with Staff's requests.

There being no questions or comments from the Plan Commission, Mr. Muehlnickel asked for a motion.

A motion was made by Commissioner Berner and seconded by Commissioner Schultz recommending approval of the final P.U.D. plat for the Century Oaks Re-Subdivision, subject to final engineering approval and resolution of comments noted in the Staff Report. Voice vote was taken. Motion carried.

Senior Planner Jeff Smith said this will go before the Village Board for first read on June 27th.

REQUEST FOR REZONING FROM AG TO H
(Public Hearing)
Silver Cross Hospital West Campus

58.306-acre property located south of the southwest corner of U.S. Route 6 and Silver Cross Boulevard
Geoffrey Tryon/Silver Cross Hospital – Petitioner

Mr. Muehlnickel explained the public hearing to those in attendance. The Recording Clerk administered the Oath to those intending to speak at the public hearing. Mr. Muehlnickel asked if proof of notice has been received by Staff, and Mr. Smith replied affirmatively. Mr. Muehlnickel asked for a motion to open the public hearing.

A motion was made by Commissioner Berner and seconded by Commissioner Moss to open the public hearing at 7:08 p.m. Voice vote was taken. Motion carried.

Mr. Jeff Tryon, Vice President of Operations, Silver Cross Hospital, appeared before the Plan Commission on behalf of this request. He said they have been experiencing extremely high volumes at the hospital in their surgical department, and as a result have recently purchased fifty-eight acres from the New Lenox School District #122 in order to build an ambulatory surgery center on four acres at the northeast corner of this parcel. He said a mandatory Certificate of Need application has been submitted to the State of Illinois and approval is expected in August or September. At this time, Mr. Tryon turned the discussion over to Rod Tonelli of Ruettiger and Tonelli and Associates.

Mr. Tonelli explained that the property is already annexed into the Village and zoned Village AG Agricultural. He said it is their intent to rezone the property to H Hospital District. Mr. Tonelli said they met with the neighbors about two weeks ago in order to provide them with a preview of the application for rezoning. At this time, he said they intend to develop only the four acres in the northeast corner of the property in order to construct the ambulatory surgery center. Mr. Tonelli said they will return to the Plan Commission with site plan details at the appropriate time.

At this time, Mr. Muehlnickel asked Mr. Smith for Staff's comments.

Mr. Smith advised that the Comprehensive Plan, which was adopted in 2004, and in 2009, the future Land Use Map was updated, recommended future office use for the eastern forty (40) acres of the property that fronts along Silver Cross Boulevard. As a transition from the adjacent Spring View Subdivision, he said about fourteen acres of medium-density residential, with possibly a combination of townhomes or condos, and single-family is recommended for the western portion of the property. Mr. Smith said that when factoring the existing large hospital campus directly across the street, the proposed H District would substantially be in conformance with the Comprehensive Plan in that it recommends office uses for the majority of the property.

In addition to the ambulatory surgery center, Mr. Smith said there are other types of professional and medical office uses allowed in the H District. Additionally, he said there are a limited number of permitted retail and service uses such as drug stores, flower shops, restaurants, fitness centers, hair salons, day care facilities, as well as some residential care uses such as assisted living facilities, independent living facilities and rehabilitation facilities allowed in the H zoning

district. Mr. Smith said it is Staff's opinion that these uses would be compatible with the surrounding land uses. He said Staff requested that the applicant present an overall general concept plan that would indicate what could be developed on the site in the future. Mr. Smith stated that when Silver Cross Hospital was built, there were stub drives that were built along Silver Cross Boulevard and that the applicant is indicating a ring road that would connect the two driveways. Mr. Smith said the plan also indicates two (2) stormwater detention facilities as well; the northwest detention facility to be built upfront, and the southwest facility to be built with future development.

Mr. Smith pointed out that the H District specifies that all buildings and parking lots must meet a stringent 50-foot buffer yard landscape setback along the perimeter areas abutting the existing single-family lots in the Spring View Subdivision. He added the applicant must also comply with the Village's most stringent screening and landscape requirements with berms, fences and extensive plantings contained in these perimeter buffer areas. Mr. Smith advised that the submitted building plans, which include landscape plans, lighting plans, and building elevation plans must go through the Village's detailed site plan review process. Regarding Spring View Subdivision residents contacting Staff, he said one of the significant issues to come up during these conversations is storm water detention. Mr. Smith explained that any new impervious area must be properly detained and cannot make existing runoff conditions any worse than presently exists. He mentioned that these detention facilities that must meet stringent Will County and Village storm water requirements will help improve runoff issues from the developed property. As noted on the concept plan, Mr. Smith said there could be future development areas that would be separated into new lots. When this occurs, he said a subdivision would be required, and the request would be required to go before the Plan Commission for their recommendation and to the Village Board for approval. At that time, Mr. Smith said the Village Board could require additional improvements to Silver Cross Boulevard.

Mr. Smith related it is Staff's opinion that the proposed rezoning from the AG District to the H Hospital District is compatible with the area and meets the recommendation of the Comprehensive Plan. He said Staff recommends approval of this rezoning request.

Mr. Smith advised Mr. Muehlnickel that today he received two e-mails from residents of the Spring View Subdivision and asked that these e-mails be made part of the public record. Mr. Muehlnickel asked if the petitioner received copies of these e-mails and Mr. Smith replied that they were received late in the afternoon and there was no time to get them to the applicant before tonight's meeting.

Mr. Muehlnickel asked the applicant what will be developed if the rezoning is approved. Mr. Tonelli replied that Phase 1 will include the four-acre area in the northeast corner and only the portion of the road along the frontage of the four acres. Mr. Tonelli noted that the circle drive would not be developed in Phase 1. Additionally, Mr. Tonelli advised that only the northernmost detention area would be constructed as well. He said the remainder of the property would most likely be farmed.

Ms. Hilton said that in the existing subdivision, it appears there is a road that abuts the subject property. She asked if there will ever be a connection from the subdivision. Mr. Smith advised there are two stub streets in Spring View Subdivision that will not continue to this property. He said there will be no commercial traffic from the subject property through Spring View Subdivision.

Mr. Schultz asked if there will be ample parking provided for this four-acre site, and Mr. Smith replied that they must meet the Village's parking and landscaping requirements.

Ms. Hilton asked what the tallest allowable structure would be, and Mr. Smith advised that the Hospital District allows for flexibility in building heights; he said a medical office building can be as high as 135 feet; a non-medical building can be as high as 85 ft. He noted that any plan would have to go through the site plan review process as well and ultimately be approved by the Village Board.

Mr. Schultz asked if the height of the landscape berm will be adjusted according to the height of the building. Mr. Smith advised that Village Code requires a minimum of a three (3) ft. tall berm. He said that obviously, a three (3) or four (4) story building cannot be totally screened by a berm.

Mr. Tonelli said it is feasible to construct a six (6) to eight (8) ft. berm, depending upon grading issues with landscaping adding to that height. He said the building that is being envisioned for this property is a one (1) story building.

In answer to Mr. Berner's question, Mr. Smith said the Comprehensive Plan originally recommended medium-density residential along the western portion of the property, which allows up to 3½ units per acre. He said the a portion of the property to the north with frontage along Route 6 is also recommended for medium-density residential, but noted that the future land use recommendation for these identified areas no longer represent the highest and best future land use. Mr. Smith said that when the Comprehensive Plan is updated, which is anticipated to begin later this year or next year, he feels confident that the future land use recommendation will be changed to complement the area, which includes the existing hospital campus across the street.

Mr. Berner said it is known that Silver Cross Hospital will develop this four (4) acre parcel, but questioned who will develop the remainder of the parcel. Mr. Tryon answered this is impossible to predict and will be market-driven.

Mr. Schultz asked if Silver Cross Hospital has the final say in who develops the remainder of the property. Mr. Smith said it is possible that the remainder of the property will be sub-divided and sold off and /or developed by Silver Cross. Mr. Tonelli interjected that the first step in the process is that Silver Cross Hospital will have a say in the prospective users, and either sell the property or lease the land. He noted that the Village Board will ultimately approve the future developments.

Mr. Howard asked if the H Hospital District zoning falls into the same guidelines as commercial development with water flow from the proposed property. Mr. Smith replied that uniform storm water requirements apply to all types of developments.

Mr. Muehlnickel asked where the lowest point of the property is located, and Mr. Tonelli advised that water on the property flows into two different directions. He said the two lowest portions of the property are located where the detention ponds are shown on the concept plan. As previously stated by Mr. Smith, Mr. Tonelli explained they will be obligated to follow all of the Village's rules on managing the stormwater and designing the system, complying with all of the Village's requirements.

Mr. Kuchler questioned the traffic impact the initial ambulatory and surgery center building will generate. Mr. Tryon explained that the facility will contain three operating rooms with three patients at any given time having surgery. He said there will be additional patrons waiting to be prepped for surgery and some patients will still be at the facility recovering from surgery. Mr. Tryon advised that any given time, there could be up to fifteen to twenty patients with up to twenty staff members. He said there will be approximately seventy-five parking spaces. Mr. Tonelli explained that this will be an out-patient facility with no overnight stays. He concluded by stating there will be no traffic impact from this four-acre development, and that traffic will be accommodated by the current Silver Cross Boulevard and the existing turn lanes. Mr. Tryon said one of the reasons they are building the surgery center is to offset some of the volume from the hospital.

At this time, Mr. Muehlnickel asked if there was anyone present who wished to address the Plan Commission.

Mr. Lee Sievert, 19116 West Brown Road, Elwood, IL, said he owns the farm just south of the subject property. He said he does not have a problem with the zoning, but he does have a problem with water and drainage. Mr. Sievert said that looking at the map, it is apparent that water has been routed from the Silver Cross complex to the southwest corner, and this is affecting his property. He said that in 2010, a drainage ditch had to be pitched at a cost of \$5,000.00. Mr. Sievert said the Silver Cross complex sits on seventy-one acres, but when it was farmland, it absorbed water like a sponge, and now the water is being routed to the southwest corner. He continued by stating he rents and farms ComEd property and when heavy rains occur, water rises above the culverts. Mr. Sievert said he thinks ComEd will have to become involved when the property is developed in order to route the water into the ditch he had dredged out and sloped. Although it is noted on the schematics that there are suspected wetlands at the southwest corner, he said he has lived and farmed the area for 65 years and wetlands never existed in that corner. Ms. Hilton asked Mr. Sievert if a retention pond would help, and he replied that it probably would help, but there would be spillage, and the pond would have to be connected to the ditch.

Americo Picchi of 18913 Spring Creek said his concern is also water and has spent almost \$7,000.00 in order to pump this water. He explained his house is at the apex of the proposed circular drive and gets water flow from the south as well as the north. Mr. Picchi said he has a

tube under his driveway and that he has approached the Village about the problem and was told the property would be graded all the way to Route 6, but this never happened. He said water has backed up into his basement through the sump pump hole, and now has two sump pumps in the hole; one a primary, one a secondary. Additionally, Mr. Picchi said it was necessary for him to purchase a gas generator to ensure he always has power. He said this problem did not exist when he initially moved into his home in 1990, but when a Joliet subdivision was later developed, the grade was changed. He said his pump is constantly pumping water, as water is constantly draining on to his property. Mr. Picchi said Joliet will not do anything about the problem and New Lenox will not do anything about the problem either.

Susanne Picchi of 18913 Spring Creek said she is also concerned about water, but another concern is before the rezoning of the property is approved, she would like to know what the plans are for the remainder of the property. She said she and her husband are New Lenox residents and have raised their children in New Lenox as well. Ms. Picchi related that she would like to be assured that as residents; the Village Board would protect them from the concrete structures they may have to look at. Currently, she said her view from the window in the back is Silver Cross Hospital. Ms. Picchi continued by stating there has been no attempt to protect the residents and provide them with a better view than just a concrete complex, and that this proposed development will encroach onto her property even more than the hospital has, and she is concerned. She said she hopes the Village knows what they are approving prior to approval of the rezoning.

Mr. Muehlnickel advised there were two e-mails submitted regarding the rezoning. He said one was from Americo and Susanne Picchi, the two individuals who just spoke, and the second e-mail was from Jacqueline and Ronald Rosinski of 18827 Spring Creek. At this time, he read the second e-mail to the Plan Commission and those in attendance.

Mr. Muehlnickel asked Mr. Tonelli to address the water issues that were brought up by the Spring Creek residents. Mr. Tonelli explained that he appreciates the residents attending the meeting tonight to express their concerns, and that it sounds as though water issues have been a problem for the subdivision as a whole for many years. He said when they hosted a recent neighborhood meeting at the hospital; there were many questions and comments from more neighbors than are in attendance tonight about drainage issues. Mr. Tonelli expressed gratitude that as a result of the meeting at the hospital and tonight's meeting; they now have a thorough understanding of what is happening in Spring View Subdivision.

Mr. Tonelli continued by stating that as indicated earlier, they will comply with all of the Village's ordinances, pointing out that Village's ordinances must comply with Will County's stringent stormwater management ordinances as well. He said many of the concerns expressed by the Spring View Subdivision residents are managed by those ordinances to collect, manage, and release rain water as the site is being developed. Mr. Tonelli pointed out there is no stormwater management of Ag Agricultural land. He explained that a process will now be added by which they can manage the stormwater, improving existing conditions. Mr. Tonelli said it sounds as though some of the homes are experiencing a high water table issue, which has nothing to do with development, but is the condition of the ground. He said there also appear to

be some low spots on the property that do not drain well. He said these conditions can be improved by having a stormwater management plan for the property.

Mr. Muehlnickel said assuming state approval is given for the four acres that will be developed, will all of the water run to the pond, or will some of it run into Silver Cross Boulevard. Mr. Tonelli said there may be some runoff that will drain to the Silver Cross Boulevard storm sewers, but noted that it will be minimal. Mr. Schultz asked if both ponds constructed in conjunction with the construction of the surgery center, and Mr. Tonelli answered that just one pond will be built. Mr. Schultz then asked if it would be beneficial to the residents of Spring Creek Subdivision if both ponds are initially developed. Mr. Tonelli replied that it would not be possible, without having a design or plan for what will be placed on remainder of the property.

Mr. Smith said the remainder of the property will be development-driven and in the future, if a portion of the property is developed and naturally drains to the southern area of the property, storm sewers and the second detention facility will have to be constructed in order to accommodate storm water run-off.

Mr. Picchi again addressed the Plan Commission and explained that the water runoff comes to his house from the south and the north, and then drains into Joliet. He said he has a culvert on both sides of his driveway and when there are heavy rains; water comes in from both sides, runs under the street, and drains into Joliet. As stated before, Mr. Picchi said the developer of the Joliet subdivision changed the grade and as a result, water is not flowing as rapidly as it once did. As a result, he said water runs underground into his drain tile and then into his sump pump. Mr. Picchi said his house is both the high point and the low point, and as he has had water in his basement because the pump could not handle the water, he installed a second pump. Additionally, he said he installed a natural gas generator in order to prevent water in his basement when he loses power. Mr. Picchi said talking to the Village was like talking to a wall because nobody helped him. Mr. Smith said this engineering issue should be discussed with the Village's Civil Engineer.

Mr. Muehlnickel asked if Spring View Subdivision is currently affected by water draining from the Silver Cross property. Mr. Smith said it appears that the regrading that was done for the Joliet subdivision created the drainage problems the residents of Spring View Subdivision are now experiencing. Mr. Muehlnickel said the initial proposed use involves only the 4-acre portion of the property and a detention pond located in the northwest corner of the property. He reiterated that all of the water from this 4-acre site must be properly managed on this property, while being released at a controlled rate to the proposed detention facility. Mr. Smith concurred, while also suggesting that the pre-existing drainage problems experienced by these residents should be brought to the attention of Will Nash, Village of New Lenox Civil Engineer.

Mr. Steve Dana of 18906 Spring Creek said he owns property directly to the west of the property. He said he is the person getting the water and noted there are now permanent wetlands at the bottom one-third of his lot. He explained this is not a Silver Cross issue, but more of an antiquated infrastructure issue with the Village of New Lenox. Mr. Dana said it was probably improperly graded when it was built, and when Spring View West was built, they graded it

higher than Spring View Subdivision. Therefore, he said the water does not flow anywhere and sits on his property typically until sometime in August. Mr. Dana said this is a serious issue and has complained to the Village of New Lenox several times and eventually just gave up. He said this drainage issue will remain regardless of what is done with the Silver Cross property.

Regarding the detention pond in the northwest corner, Mr. Berner asked if will be sized only for the surgery center, and Mr. Tonelli stated that ultimately, the detention in the northwest corner would be sized for the portion of the 58 acres that drains to that corner.

Mr. Schultz asked if it would be possible to increase the size of the berm separating the Spring View residents from the Silver Cross property. Mr. Tonelli said this question is probably best reserved when it is known what the uses will be so it can be effectively evaluated. He added that the size of the berm will depend on the use and the size and height of the proposed structure. Mr. Smith said that according to Village Code, a minimum of a 50-ft. buffer is the most stringent requirement in its commercial zoning districts. Mr. Schultz asked if the Village has the legal right to increase the size of a buffer zone. Mr. Smith said Staff could recommend that the width of the buffer area and the size of the berm should be increased, and the Village Board could emphasize the need for the increase when a development is proposed. Mr. Howard asked if this would be the largest protection for the adjacent residents. Mr. Smith replied affirmatively.

Ms. Hilton asked what uses would be permitted by a 13-story building. Mr. Smith advised a medical office building is the only use in the H District that permits a maximum building height of 135 feet, while other allowed non-medical uses can have up to a maximum height of 85 feet. Mr. Smith noted that when factoring parking, setback, landscape and other Village Code requirements for a future H District development that must ultimately be approved by the Village Board, it is unlikely that that there will be buildings constructed at the allowed peak heights of the H District. Ms. Hilton asked if there is any other location in the Village of New Lenox that allows building heights permitted by the H District. Mr. Smith said that the mentioned peak building height allowances are only allowed in the H Hospital District, and this is the only area in the Village of New Lenox with this designated zoning.

Mr. Muehlnickel asked for a motion to close the public hearing.

A motion was made by Commissioner Berner and seconded by Commissioner Howard to close the public hearing at 8:04 p.m.

Mr. Muehlnickel asked Mr. Smith to be sure to forward the e-mails from the Spring View Subdivision residents to Silver Cross Hospital.

Mr. Muehlnickel asked Mr. Smith when this matter will go before the Village Board. Mr. Smith replied that it will go before the Village Board on June 27th for first read. Mr. Muehlnickel asked what this means for the Spring View Subdivision residents. Mr. Smith said the June 27th Village Board meeting will be a public meeting, but not a public hearing.

Mr. Muehlnickel asked for a recommendation from the Plan Commission.

A motion was made by Commissioner Berner and seconded by Commissioner Schultz to recommend to the Village Board approval of the rezoning of a 58.306-acre parcel from AG Agricultural District to H Hospital District for property located south of the southwest corner of U.S. Route 6 and Silver Cross Boulevard.

Upon Roll Call, the vote was:

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

NAYS: - None.

Motion carried.

OLD BUSINESS

None.

NEW BUSINESS

Mr. Smith announced that most likely, the June 21, 2016 Plan Commission/Zoning Board of Appeals meetings will be cancelled.

ADJOURNMENT

Mr. Muehlnickel asked for a motion to adjourn. A motion was made by Commissioner Berner and seconded by Commissioner Howard to adjourn. Voice vote was taken. Motion carried. The meeting was adjourned at 8:07 p.m.

Patricia A. Hansen
Senior Administrative Assistant