

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 16, 2016 7:00 p.m.

#16-08-B

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, Terry Schultz and Jasen Howard.

The following were absent: Commissioners John Kuchler, Rob Moss and Kathy Hilton

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

Also present were Community Development Director Robin Ellis, Senior Planner Jeff Smith, Planner Jenni Neubauer and Recording Clerk Patricia Hansen.

REQUEST FOR APPROVAL OF MINUTES OF A REGULAR PLAN COMMISSION MEETING OF JULY 19, 2016

A motion was made by Commissioner Howard and seconded by Commissioner Schultz to approve the July 19, 2016 minutes as presented. Voice vote was taken. Motion carried.

REQUEST FOR FINAL PLAT APPROVAL

Sky Harbor Unit 2

28.56-acre parcel located southeast of the southeast corner of Laraway and Schoolhouse Roads

Thomas H. McSharry / Hartz Construction Co., Inc. – Petitioner

Mr. McSharry appeared before the Plan Commission requesting final plat approval for Sky Harbor Unit 2. He said this is the final phase for the Sky Harbor single-family development and noted there are 75 lots in this unit. He advised they will be installing all of the improvements in this final phase.

Planner Jenni Neubauer stated that the petitioner has submitted a final plat for Sky Harbor Unit 2, which proposes 75 single-family lots. She said the overall subdivision consists of 145 lots on

approximately 72 acres, which results in a density of 1.9 units per acre that complies with the Village's Comprehensive Plan. Ms. Neubauer went on to say all of the proposed lots comply with the R-2 minimum lot area and width requirements. Additionally, she said the lot sizes exceed the minimum R-2 district requirements.

Ms. Neubauer continued by stating that for lots between 15,000 square feet but less than 20,000 square feet, the Subdivision Code requires the minimum lot frontage to be 90 feet at the 30-foot front yard setback. She said Lots 25 and 27 are 85 feet wide and Lot 28 is 83 feet wide at the 30-foot front yard setback rather than the required 90 feet. Ms. Neubauer stated these lots are located on a street curve, which limits street frontage, and that Staff has no objection to the Subdivision Code waiver for these lots as they all exceed the R-2 district minimum lot width requirement of 75 feet.

Ms. Neubauer stated that the final engineering and landscape plans for Unit 2 depict a stub street from Runway Drive into the future townhome area across from Lot 30. As the preliminary P.U.D. plat for Sky Harbor townhomes has lapsed and the original developer no longer controls the property, she said a new preliminary P.U.D. plat for the remaining townhome area will be required to be submitted and reviewed. As such, Ms. Neubauer said it is possible that the proposed stub street into the multi-family area could change based on any future development. She said that at this time, Staff is not requiring the stub street to be installed with the improvements for Sky Harbor Unit 2.

Ms. Neubauer went on to say that per the Second Amendment to the Annexation Agreement (Ordinance 2238), the following condition applies:

“ . . . Sky View Drive shall be constructed through the part of the Subject Property zoned C-3 and C-7 at the time that such commercially zoned portion of the Subject Property is developed. In the event Sky View Drive has not been constructed prior to the approval of the final plat containing the 116th residential unit, Sky View Drive shall be constructed in conjunction with the public improvements for the final plat containing such 116th residential unit or Owner shall construct a temporary entrance for emergency vehicles from Schoolhouse Road into the residential area. Such temporary access shall be constructed to the satisfaction of the Village Board and the New Lenox Fire Protection District.”

As the 116th lot would be platted with Unit 2, Ms. Neubauer said the petitioner is required to either extend Sky View Drive north to Laraway Road or provide a temporary access drive from Schoolhouse Road into the Sky Harbor Subdivision. She said Staff will work with the petitioner to determine the most feasible option, but it is Staff's recommendation to have Sky View Drive extend north to the Laraway Road / Tower Lane intersection. Ms. Neubauer said that upon further review, it would be determined if the extension would be a private or public roadway. In addition, she said additional easements or a plat of dedication and approval from the Will County Highway Department will be required.

Ms. Neubauer stated that open space for the entire subdivision was provided by the retention and park site areas which were included with Unit 1. In addition, she said Staff is working with the petitioner on the parkway tree plan, as there were some minor comments. Ms. Neubauer said the petitioner is working with the New Lenox Post Office to determine if ganged or individual mailboxes will be required. She said Staff recommends approval of the final plat of subdivision for Sky Harbor Unit 2, subject to final engineering approval, final landscape approval, and resolution of the comments noted, including the resolution regarding secondary access to the Sky Harbor Subdivision. In addition, Ms. Neubauer said Staff recommends approval of a Subdivision Code waiver for Lots 25, 27, and 28. At this time, she said Staff is looking for a recommendation from the Plan Commission.

Mr. Muehlnickel said he would like to see Sky View Drive connect on Laraway Road, and Ms. Neubauer said it will align with Tower Lane, which is just east of McDonalds.

Mr. Muehlnickel asked the Plan Commission for questions or comments.

Mr. Berner said he is not clear about the second access, and Ms. Neubauer replied that the Annexation Agreement requires that once the 116th lot is platted, that either Sky View Drive be extended north to Laraway Road or that the owner provide a temporary access drive somewhere off of Schoolhouse Road into the residential subdivision. She said Staff will work with the petitioner on this and Village Staff is recommending that Sky View Drive extend north to Laraway Road.

Mr. Howard asked if a traffic feasibility study was done as a result of the Parkview Church development, and if so, did that include the additional homes in Sky Harbor. Ms. Neubauer answered that since Parkview has been under construction, she is not aware of a traffic study. Community Development Director Robin Ellis noted that a traffic study was done during Staff's review and that nothing has changed since that time. She said the number of lots in Sky Harbor was known at the time and this information was factored into the traffic study.

Mr. Muehlnickel asked Mr. Berner if Sky View Drive extending north to Laraway Road is his preference for a second access, and he replied affirmatively. Mr. Muehlnickel said he concurred.

Mr. Muehlnickel asked for a motion.

Mr. Howard wanted to know if there is an agreement that stipulates that Sky View Drive must be extended to Laraway Road. Ms. Ellis advised that the Annexation Agreement gives them an option, but the Village has directed them to pursue permanent access, in part because many of the existing residents are already looking for a secondary entrance. She said Staff sees this as the most logical thing to do from a long-term perspective since the buildout of the commercial area is unknown at this time.

A motion was made by Mr. Berner and seconded by Mr. Schultz to recommend to the Village Board approval of the final plat for Sky Harbor Unit 2, subject to final engineering approval, final landscape plan approval, and the resolution of comments noted in Staff's report including

the resolution of a secondary access to the Sky Harbor Subdivision; also recommending approval of a Subdivision Code waiver for Lots 25, 27, and 28 that would allow for a minimum 85 foot frontage for Lots 25 and 27, and 83 feet of frontage for Lot 28 when measured at the 30-foot front yard building setback line. Voice vote was taken. Motion carried.

Mr. Muehlnickel explained that this will soon go before the Village Board.

REQUEST FOR ANNEXATION AND REZONING TO R-2A and R-4

(Public Hearing)

Leigh Creek Estates

141.6-acre property located south of the Bluestone Bay Subdivision / Old Plank Road Trail and east of the Plank Trail Industrial Center

Thomas H. McSharry / Hartz Construction Co., Inc. – Petitioner

Mr. Muehlnickel explained the rules pertaining to a public hearing to those in attendance. He advised that the matters at hand are the annexation and rezoning of this parcel. Mr. Muehlnickel asked if proof of notice was provided, and Staff replied affirmatively. He asked for a motion to open the public hearing.

A motion was made by Mr. Howard and seconded by Mr. Berner to open the public hearing at 7:15 p.m. Voice vote was taken. Motion carried.

At this time, the Recording Secretary swore in anyone intending to speak at the public hearing tonight.

Attorney Cass Wennlund appeared before the Plan Commission on behalf of the petitioner. He introduced Donald Hartz, who was also present, and Tom McSharry, the Director of Development for Hartz Construction.

Mr. Wennlund explained that this is a request for annexation and rezoning to R-2A and R-4 and that it is a natural and logical extension of the Village, as it not only complies with agreements made with neighboring municipalities, but also with the Village's Comprehensive Plan. He said the portion of the property zoned R-2A will consist of 205 single-family lots and the portion of the property zoned R-4 will consist of 78 duplex units.

Senior Planner Jeff Smith explained that in 2005, this property, consisting of 141 acres and a 2 ½ acre exception piece was requested for annexation and rezoning to the R-4 and R-2A zoning districts. He said the Village's Sanitary Sewer Master Plan calls for this property to be serviced by the Jackson Branch Trunk Sewer. Currently, Mr. Smith said the sanitary sewer line terminates west of Cedar Road near Edison Drive, which is several miles from this property. At that time, he said the request to annex and rezone the property was withdrawn because utilities could not be brought to this site partially due to the cost of easements. More recently, Mr. Smith said the applicant recently met with the Village about tying in to the Laraway Road Trunk Sewer, located south of this site. He referenced one of the slides, pointing out that Leigh Creek South Subdivision, located directly south of this property, is also owned by Hartz Construction.

Mr. Smith said the request is to extend sanitary sewer from the Leigh Creek South property through the CN Railroad right-of-way and the ComEd property in order to service this property. As this property is not slated to be served by the Laraway Road Trunk Sewer, he said the Village will require a second relief sewer to be constructed off-site; the timing will be determined by the Village Board. Mr. Smith explained that now that the property can be serviced by the Laraway Road Trunk Sewer, it is now feasible for a single-family and duplex development.

Mr. Smith said the property is contiguous to the Village's corporate limits, and to the west is the Plank Trail Industrial Center that has been annexed into the Village of New Lenox, and to the north is the Bluestone Bay Subdivision that is also in the Village. He said some of the unique aspects of this property are pipeline easements that run through the property with two 50-foot wide easements angling through the central portion and also a 75-foot wide gas pipeline easement that runs along the north side of the property. At the southeast corner of the property, Mr. Smith said there are about 6 acres of isolated wetlands that are non-jurisdictional, but an official Letter of No Objection from A.C.O.E. must still be provided. He again emphasized that the small 2.41-acre vacant parcel that is situated adjacent to the southern portion of Parcel 1 is excluded from tonight's proceedings. Mr. Smith noted that Harvey Drive will not be extended into this proposed development, but said Center Avenue will be extended into this future subdivision.

Mr. Smith referred to one of the slides in the presentation stating there will be a proposed connection from The Bridges of Mokena. He pointed out that Derry Bridge Drive, an existing street in the Bridges of Mokena, was stubbed in order to provide access to this property. Mr. Smith advised that in Bluestone Bay, Windy Lane is also stubbed, but said it is not feasible, based upon grading costs, to have a connection over the trail to the subject property. Therefore, he said access will be provided only from The Bridges of Mokena as well as the Plank Trail Industrial Center.

Regarding the annexation, Mr. Smith concluded by stating it is Staff's opinion that the request for annexation does represent a logical extension of the corporate limits of the Village and Staff would recommend approval of the annexation.

Mr. Smith said the other request is for rezoning, explaining that when property is annexed into the Village, it is automatically zoned R-1, single-family residential. He said the developer is proposing to rezone about 20 acres along the west side of the property to R-4, two-family residential, and he is looking to develop it with 39 R-4 lots for 78 residential units. Mr. Smith advised this would provide a logical transition of land uses from the adjacent Plank Road Industrial Park to the proposed single-family area to the east. He explained that the developer will be required to install landscaping within buffers that will be provided along the western portion of the property, and that the concept plan does propose 30 foot buffers for landscaping and berming as well as a large storm water detention facility to provide an additional buffer between the industrial and single-family zoning. Mr. Smith continued by stating the petitioner is requesting R-2A for the balance of the property, pointing out that this zoning is single-family residential. He said the Comprehensive Plan does recommend low-density residential with a recommendation of two units per acre. He said the proposal for R-4 zoning for the 20 acres and

R-2A for about 121 acres would comply with the Comprehensive Plan, which recommends two units per acre. Mr. Smith said the annexation and rezoning would create 283 residential units proposed, which includes the duplexes and single-family. He said it is Staff's recommendation that the property should be rezoned to the R-2A and R-4 Districts upon annexation, which is subject to approval of the Annexation Agreement by the Village Board.

Mr. Smith continued by stating that included with the applications is a concept plat for information only at this time. He said the Village Board will have ultimate approval or denial of this concept plat, which will be attached to the Annexation Agreement. He again noted that the density complies with the Comprehensive Plan. Regarding open space, the Comprehensive Plan recommends that at least 30% of the development is open space. Mr. Smith referenced one of the slides stating that the pipeline easements, as well as a proposed 5.2-acre park site and buffers would provide the required 30% open space. He said the developer is also proposing an interior trail that will connect the subdivision to the Old Plank Road Trail. Mr. Smith explained that in order to provide more useable open space, Staff would recommend that the petitioner work with the gas pipelines to install a trail within the central pipeline easement to connect to the proposed trail to the park site. He said subject to providing this additional trail, it is Staff's opinion that this would meet the Comprehensive Plan recommendation in terms of providing open space, as well as useable open space.

Regarding the street layout, Mr. Smith said the streets in the single-family and the multi-family areas are curvilinear, which provides a more attractive streetscape appearance as well as promoting traffic calming. He noted that Public Works has reviewed this and has not objected to the street curves. Mr. Smith advised there are some subdivision code waivers that will be required for this project. He related that Center Avenue will be extended into the site, and as there is an open space buffer strip between Center Avenue and this exception parcel, access will have to be provided for a driveway if a home is ever built on the site. Mr. Smith continued by stating that since there is an adjacent industrial park, Staff is recommending through the annexation agreement that signage be placed at Center Avenue prohibiting truck traffic from entering the subdivision. In addition to the access point from Center Avenue, he said there will be an additional connection point from The Bridges of Mokena, where a stub street currently exists. Mr. Smith said this concept plat was shared with the New Lenox Fire Protection District, who stated they would like to see two access points into the subdivision from the west as well as the east. He said Frankfort School District 157C also reviewed the concept plat and indicated it would be necessary to have access from the west as well as the east, emphasizing that the eastern access is very important for their school bus routes, because without it, school busses would have to travel south to Laraway Road and and over to Schoolhouse Road. Mr. Smith said this would result in busses having to leave very early in the morning and children being dropped off much later in the afternoon. He noted that the same would apply to the high school bus routes.

Mr. Smith advised that all of the duplex lots meet the R-4 site and structure requirements, lot area, minimum lot width requirements, and the average duplex lot size is 14,735 square feet. In terms of the single-family, he explained that the R2-A zoning requires a minimum lot area of 10,500 square feet. Mr. Smith said they are providing a variety of single-family lots in the subdivision with the average lot size of 13,794 square feet. He pointed out that all of the future

duplexes as well as all of the future single-family homes must meet the Village's first floor masonry requirements as well as the Village's anti-monotony requirements. Mr. Smith said there will be three (3) storm water detention facilities proposed for this subdivision to control the storm water run-off, noting that the pre-construction run-off cannot exceed the post-construction run-off. He said the proposed concept plat is not the subject of the public hearing, but any comments heard from the Plan Commission or those in attendance will be shared with the Village Board when they review the Annexation Agreement at a future public hearing.

Regarding tonight's request for annexation and rezoning, Mr. Smith said Staff recommends approval of the annexation, as it is a logical extension of the corporate limits of the Village. He said utilities would now be feasible to service the development. Mr. Smith said as the R-2A and R-4 zoning comply with the Village's Comprehensive Plan, Staff recommends approval.

Mr. Muehlnickel asked the Plan Commission if they had any questions or comments about these requests for Staff or Mr. Wennlund.

Mr. Muehlnickel explained that Staff gave him an e-mail from Mr. Pence, who is not present for tonight's meeting, but asked that it be included in the public record. He read the e-mail, stating that it is addressed to Mr. Smith and states he is the managing partner of Old Plank Trail Industrial Center, located west of the proposed Leigh Creek Estates Subdivision and that he has concerns. Mr. Pence said this development will impact traffic patterns and that he is concerned about residential traffic being routed through their industrial park as industrial parks have a unique traffic usage with many trucks/trailers traveling in and out of the park. He said that routing residential traffic through an industrial park is not good for either use. Mr. Pence stated that more importantly, the impact of traffic entering and exiting Schoolhouse Road is massive, and needs to be addressed. He said it is his opinion that Hartz should be required to make and pay for those improvements. Mr. Pence said he objects to permitting a primary means of entrance/exit to a residential subdivision through this industrial park. He said this is a safety issue, but the larger safety issue is the impact to Schoolhouse Road. Mr. Pence said Schoolhouse Road will need improvements, and the Village of New Lenox is in the unique position to require Hartz to pay for the necessary improvements to a road that will be burdened by the increased flow of traffic.

Mr. Muehlnickel related that he has been given a letter from Rick Hunt. Mr. Hunt said the information contained in his letter is first-hand information as well as information from people who live or have lived in Hartz homes. Mr. Hunt stated he is opposed to this developer's request to build this subdivision in New Lenox. He said he has had personal dealings with one of the general site managers from Hartz and has seen the craftsmanship he has allowed on sites he was responsible for. Mr. Hunt said some of the things he has personally seen in and outside of homes being constructed are free-standing studs, sidewalk sections being used as fill in the yards of residents that resulted in burned lawns above the concrete sections. He said these issues occurred in a Hartz development located south of 127th street, east of Cicero, south of I-294. Mr. Hunt said another Hartz development, located in the Chicago Ridge area, was a relatively low-lying property, and construction had already begun on some homes. He said his crew was sent to that location to trench and place ComEd primary and secondary cables, as well as telephone

cables. As the property was low-lying, Mr. Hunt said the construction manager told him to lay the cables on the ground and they would backfill over them. He said he refused to do that, telling him the primary power cable should be placed in the ground at a depth of at least 4 feet, and that 12 inches of fill should be placed between the power cables and the phone cables. Mr. Hunt said he knew the construction manager had no intention of placing the cables at the required depth once he left the area when he told him they would push the fill next to the foundation of the homes with the bulldozer. He said he heard many Hartz homes experienced cracked basement walls due to this practice. Mr. Hunt advised that he told the construction manager that another reason he would not leave the cables for Hartz to bury is because of the type of fill Hartz uses because it would result in their trencher getting stuck. He referenced another Hartz development located south of 127th street near the Cal-Sag channel stating he had pulled some boulders out Hartz had put in that were half the size of a Volkswagen. Mr. Hunt stated that this fill would damage the larger machine that had to be used due to the extreme stress put on the machine from the fill. He said that upon explaining all of this to the construction manager, the manager became irate and insisted that he uses nothing but clean fill. At that point, Mr. Hunt said one of their semi-trucks drove on to the property and dumped its load of fill in front of the manager. When the truck bed went up, he said that along with the fill was what appeared to be storm drain concrete pipe as well as concrete chunks and sections of sidewalk. Mr. Hunt stated that he previously lived in Matteson, IL and when Hartz wanted to develop in that town, he attended a meeting like this one to relate the same information that is contained in his letter. He concluded by stating there is no way he would trust a company such as Hartz, and that he does not want to see another Hartz development in New Lenox.

Mr. Keith Schomig, 2934 Southwind Drive, said he and his family moved to New Lenox from Joliet because Joliet is changing. He asked what is to prevent the duplexes and townhomes in this development from being rented. He said this is a concern of his and wanted to bring it to the attention of the Plan Commission.

Mr. Scott Hersted of 21686 London Bridge Drive, Mokena, IL thanked Staff for their input and help prior to his decision to build in his current subdivision. He said he has four issues he would like to share with the Plan Commission. He asked if a traffic study was commissioned to determine if those two entry points can handle the number of homes expected to be built in this proposed subdivision. Mr. Hersted advised that none of the streets are arterial streets, such as Joliet Highway or Owens Road, and there is a fear that the majority of the traffic that wants access to Leigh Creek Estates will travel through their subdivision. He added that zoning this residential property without a traffic study is disconcerting.

Mr. Hersted also voiced concerns about the current grading, noting that his property abuts the Hartz property. With all of the rains that have occurred in the past week, he said there is a storm sewer easement as well as a public utility easement, and noted they do get a lot of water. Mr. Hersted said the way the development is graded concerns him, particularly those lots that will abut his property.

Regarding easements, Mr. Hersted there is a buffer between the industrial park and the townhomes as well as about 10 to 20 feet of existing vegetation at the Mokena/New Lenox

border with no guarantees as to how this will be maintained. He said he would like to know how it will be maintained

Also, Mr. Hersted brought up the harmonization of his subdivision with this proposed development. He said the homes in his subdivision are a little larger and the construction materials are a little different. Mr. Hersted said it would be nice to know if the homes that will be adjacent to their homes will be a little bit larger. He thanked the Plan Commission for giving him the opportunity to speak.

Mr. John Connolly of 21652 London Bridge Drive, Mokena, IL said his comments echo Mr. Hersted's comments, but wanted to add comments regarding traffic. He said there is a park on the street slated to be extended, as well as a lot of driveways. In comparison to Joliet Highway, behind Target, Mr. Connolly said that street has a lot of traffic and it would be comparable if it was one of the only entrances into this proposed subdivision. He said he does not believe there are a lot of driveways on Joliet Highway nor is there a park. According to Mr. Connolly, traffic is his concern. He noted that his house is also adjacent to the proposed development, and that when there is a sizeable rainfall, it gets pretty soggy behind his house. Mr. Connolly said it is manageable, but is concerned about potential flooding not knowing what the elevations will be behind his house.

Mr. Jim Kosek, 21830 Tower Bridge Drive, Mokena, IL said he is representing The Bridges of Mokena Townhome Association. He said he has noticed that the wetlands are shown as a detention pond on the concept plat, but does not take the same shape as the current wetlands. Mr. Kosek said that since the association owns the property surrounding the pond in the southeast corner, the association would like to see a berm and heavily landscape area like the other ends in order to limit access into the pond area, an area they own and maintain.

Mr. Tim Mason, 21710 London Bridge Drive, Mokena, IL thanked the Plan Commission for allowing him to speak and for providing the Mokena residents notice of the meeting. He said he would like to echo many of the concerns of Mr. Hersted and Mr. Connolly, as well as comments from the person representing The Bridges Townhome Association. Mr. Mason noted there are about 300 kids in The Bridges and that traffic and safety concerns are real issues for residents of The Bridges. He asked the Plan Commission to take their concerns into consideration when considering the request. Mr. Mason said he can attest to the drainage concerns because he is a neighbor of both Mr. Hersted and Mr. Connolly, and that he has standing water behind his house all the time. Mr. Mason said he listened to Mr. Smith talk about sewage and how it was originally planned to run from Jackson Branch, but is now planned to run from Laraway Road. He said he does not understand why this change was other than there is now another Hartz development they can connect to. Mr. Mason said he saw documentation that the Laraway Trunk Sewer is already at 90% capacity. Mr. Mason said he would like some clarification on this.

Mr. Mason continued by stating he would like to see the Village of New Lenox work with Hartz to create a buffer between the neighborhoods, noting there is currently a tree line between the developments. He asked that the tree line remain in place.

Mr. Ron Danno, 11858 London Bridge Drive, Mokena, IL said he is president of The Bridges of Mokena Homeowners Association and is representing the residents that were unable to make tonight's meeting. He said the association held a meeting a few weeks ago and the homeowners that were present at that meeting and the residents he spoke to after the meeting are very concerned about the traffic issue. Mr. Danno explained that most of the children in The Bridges are in fifth grade or younger and in a few years will also be driving, perhaps parking their cars in the streets. He continued by stating most of the traffic will have a tendency to travel east to the train station in Mokena, LaGrange Road to Interstate 80, and Route 30 to Interstate 57. Mr. Danno stated there are concerns about their proposal showing only two entrances. With regard to District 157C and the bus barn being located on Schoolhouse Road, he said it appears more feasible to him to build a road crossing the railroad in order to get to Laraway Road. Mr. Danno also asked if the Village of New Lenox has done a survey and communicated it with the Village of Mokena addressing storm water and 10-year or 100-year storms and how the storm water would be handled.

Mr. Shane Hennessy-York, 21777 London Bridge Drive, Mokena, IL said he is present to represent two families residing on London Bridge Drive. He said a consistent concern is traffic and the age of the children living in the subdivision. Mr. York said this organization has already built a development to the south and it seems that with some additional planning, it may be easy to tie into the neighborhood to the south to help mitigate some of the traffic. He went on to say it appears that Windy Lane has not been considered because according to Village of New Lenox Staff, it is not economically feasible. Mr. York said that after 10 years in land development, he understands that not being economically feasible is not a hardship, but instead is an easy reason out. He said he respectfully requests that both Staff and the recommending committee look at alternatives. Mr. York continued by stating he understands that the industrial center has already voiced their concerns, but that is during business hours. He said a lot of the traffic will be after hours, when a lot of the children will be in the streets.

Mr. William Flowers of 21670 London Bridge Drive, Mokena, IL said he lives between Mr. Hersted and Mr. Connolly. He said he wished to echo their concerns regarding traffic. Mr. Connolly said he also wanted to echo concerns about the easements and proper drainage and is requesting an easement to ensure that the properties backing up to the proposed development do not flood.

Linda Nyblom of 2660 Southwind Drive explained that her house is just off of Windy Lane and if Windy Lane is opened into Bluestone Bay Subdivision, there are 300 homes, a park and a pond in Bluestone, as well as a Target retail store. She said the traffic would be affecting her house, and headlights would be shining into her backyard. Ms. Nyblom said she took Harvey Drive in the other day to see the two entrances and that Harvey Drive is not as heavily traveled as the other entrance. She said it appears to her that Harvey Drive is a better way to enter off of Schoolhouse Road. She said she understands the concerns of the residents of The Bridges as the residents in Bluestone Bay Subdivision do not want the residents of the proposed subdivision accessing their homes through Bluestone Bay Subdivision.

Ms. Beth Tomczak of 11990 Derby Bridge Drive, Mokena, IL said she has the same concerns as those speaking before her, and she also has concerns about the turnaround in her subdivision. She said she has lived in The Bridges for four years and has seen a dramatic increase in traffic due to the turnaround. Ms. Tomczak said it is scary to think about additional traffic using the turnaround.

Mr. Joe Schley of 21700 London Bridge Drive, Mokena, IL said his property also abuts the proposed subdivision. He said he echoes the sentiments of the residents of The Bridges of Mokena. He said he wanted to point out there are two entrances into his subdivision, and the other entrance is a downhill entrance and drivers tend to pick up speed without even realizing it. Mr. Schley said this is a dangerous situation for the young children playing in the subdivision.

Michael Connors of 11930 London Bridge Court said he echoes the opinions of the previous speakers and does not think the roads have the capacity to handle all of the traffic generated by his subdivision.

Mr. Muehlnickel asked Mr. Smith to comment on the sewer. Mr. Smith said a relief sewer will have to be constructed in order to accommodate the 283 units Hartz is proposing. Currently, he said the Laraway Road Trunk Sewer is not at full capacity, and there are other vacant properties that will be included in the Laraway Road Trunk Sewer. In speaking with the Village Engineer, Mr. Smith advised that the relief sewer will need to be built at a certain point in order to allow this development to tie in to the Laraway Road trunk sewer. Mr. Muehlnickel added this is one reason this parcel has remained a cornfield for so long.

Mr. Muehlnickel asked if there will be a homeowners association to maintain the duplexes and Mr. Wennlund replied affirmatively. Mr. Wennlund said many of the concerns brought up at tonight's meeting will be worked out through the engineering process. He said the topic at hand is whether or not the property should be zoned residential, R-2A and R-4 as opposed to industrial zoning. Mr. Muehlnickel asked why accesses from the south and the north will not work. Mr. Wennlund advised that from the south, there is a massive grade change. Ms. Ellis interjected that access from the south would require approval from the CN Railroad, and she noted they are not going to allow any more at-grade crossings. Also, concerning access from the north, the trail would have to be built over the road. She said it is out of the Village's hands, as much as the Village would like to see access from that point. Mr. Muehlnickel pointed out that the retention pond is proposed to be located on the northwest side of the property, close to Windy Lane. He also asked Mr. Wennlund about the wetlands, and he replied they are non-jurisdictional wetlands and will become a permitting issue.

Mr. Schultz asked if the duplex portion of the development could be converted to single-family homes. Mr. Wennlund replied that this could be done, but there is buffering involved in between the single-family and the industrial to the west, as per the Village's Comprehensive Plan.

Mr. Berner asked why Harvey Drive could not be used. Mr. Smith stated that back in 2005, Staff looked at both, and determined that Harvey Drive off of Schoolhouse Road is more of a straight shot and there was concern that industrial traffic would continue east into Leigh Creek as well as

into The Bridges of Mokena. He continued by stating Plank Road comes in and is offset by Center Avenue, so there is less of a concern about a straight shot of industrial traffic entering the subdivision. Mr. Berner asked if the traffic generated from the industrial park is predominately heavy trucks, or all types of vehicles. Ms. Ellis advised that the New Lenox Highway Department is located in the park, and this use most likely generates the heaviest trucks. Mr. Smith added there are a number of vacant lots left for future industrial development. Mr. Berner questioned if the size of the trucks could be monitored with a weight limit in the residential area, if that is a concern. Ms. Ellis answered affirmatively. Mr. Berner asked if there is a rule of thumb as to how many residences should be served by two entrances. Ms. Ellis answered that the New Lenox Fire Protection District does not like any more than 50 units without a secondary means of entry.

Mr. Hersted, 21686 London Bridge Drive says it appears that the Village of New Lenox Staff is placing all of the problems associated with Leigh Creek Estates on The Bridges of Mokena. He said he does not understand why Harvey Drive is not being considered as a third entrance. Mr. Wennlund re-stated that tonight, the only requests that are being considered are the annexation and rezoning of Leigh Creek Estates. Mr. Hersted stated that perhaps this parcel should not be considered for residential zoning, but instead industrial zoning. With that scenario, he said that all traffic entering the industrial area would have to enter off of Schoolhouse Road. Mr. Hersted asked if anyone from the Village of New Lenox has contacted the Village of Mokena about this proposed development. Ms. Ellis responded by stating it is a public road and Staff shared the plans with the Village of Mokena. Mr. Hersted said the Village of Mokena does have a say in whether or not the stub street should be extended.

Mr. Muehlnickel advised that the comments made tonight about traffic, water, drainage, and retention are to be addressed with the Village Engineer, and the project is currently not at that stage. He added that the petitioner may choose to re-design the plan. Mr. Schultz stated that if the property is rezoned to residential, the residents of The Bridges of Mokena feel they lost the fight. Ms. Ellis noted that the Plan Commission would only be making a recommendation to the Village Board for annexation and rezoning. She went on to say the proposed development is at the conceptual plan stage. Ms. Ellis explained that the developer is not going to spend a million dollars on engineering and the final design of a subdivision if he does not know that the zoning is going to be approved. She said this is the way the development process works in the Village of New Lenox. Ms. Ellis said the Village Board will look at a concept plan, and subsequently, the developer will come in with a preliminary plat and then a final plat, and that is when the engineering component comes into play. She said all of these approvals are subject to the final engineering plans indicating that everything works. Mr. Wennlund related that both the preliminary and final plats will be subject to recommendations by the Plan Commission before going before the Village Board for their approval.

Mr. Hersted asked if applications will be submitted to the CN Railroad, ComEd and the Forest Preserve for alternative accesses, while the engineering review process is taking place. Ms. Ellis replied that she is not 100% confident in saying that in that CN Railroad does not want another at-grade crossing. She went on to say it would be the responsibility of the developer. In 2005,

Ms. Ellis said the Forest Preserve was approached and they said an at-grade crossing would not be permitted.

One of the residents requested that the property not be zoned residential tonight in order that the developer look at options available for industrial zoning.

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

A motion was made by Mr. Berner and seconded by Mr. Schultz to close the public hearing at 8:23 p.m. Voice vote was taken. Motion carried.

Regarding the annexation of the property, Mr. Muehlnickel asked for a motion.

Mr. Berner asked if the property is annexed, does it automatically come in at the R-1 zoning classification. Mr. Smith replied that it does.

Mr. Howard asked what the density is in the R-1 zoning district. Ms. Ellis replied it is single-family with a minimum lot size of 12,500 square feet.

A motion was made by Mr. Berner and seconded by Mr. Howard to recommend to the Village Board the annexation of Leigh Creek Estates subject to the successful negotiation of an annexation agreement.

Upon roll call, the vote was:

AYES: - Mr. Muehlnickel

NAYS: - Mr. Howard, Mr. Schultz, Mr. Berner

Motion failed.

Regarding the rezoning of the property, Mr. Muehlnickel asked for a motion.

A motion was made by Mr. Berner and seconded by Mr. Schultz to recommend to the Village Board the rezoning from R-1 to R-2A and R-4 for Leigh Creek Estates.

Upon roll call, the vote was:

AYES: - Mr. Muehlnickel

NAYS: - Mr. Berner, Mr. Howard Mr. Schultz

Motion failed.

Mr. Muehlnickel asked when this request will go before the Village Board. Ms. Ellis responded by stating Staff will regroup with the petitioner after tonight's public hearing. She added that the earliest would be September 12th.

OLD BUSINESS

None.

NEW BUSINESS

Mr. Smith announced that the next Plan Commission meeting is scheduled for September 6th, however nothing is scheduled for that meeting at this time.

ADJOURNMENT

There being no further business to come before the Plan Commission, a motion was made by Mr. Schultz and seconded by Mr. Howard to adjourn. Voice vote was taken. Motion carried.

The meeting was adjourned at 8:28 p.m.

Patricia A. Hansen
Senior Administrative Assistant