

Agenda
Village of Homer Glen
PLAN COMMISSION
Thursday, May 2, 2019 – 7:00 p.m.
Village Board Room, 14240 W. 151st Street, Homer Glen

- 1. Call to Order.**
- 2. Pledge of Allegiance to the Flag.**
- 3. Roll Call.**
- 4. Public Comment.**
- 5. Minutes.**
 - a) **April 18, 2019**
- 6. New Business.**
 - a) **HG-1907-S, 16849 S. Cedar Road (*Public Hearing*):** Consideration of a request for an Amendment to the Planned Unit Development (PUD) granted by Ordinance No. 16-011 for the property commonly known as 16849 S. Cedar Road, Homer Glen, Illinois. The applicant is requesting to allow wedding and banquet type events at the new Train Depot.
- 7. Reports of Plan Commissioners and Staff (includes Old Business).**
- 8. Adjourn.**

***DISABLED:** Any individual requiring special accommodations as specified by the Americans with Disabilities Act is requested to notify the Village Clerk of Homer Glen at 708-301-0632 at least 24 hours in advance of the meeting date.*

Plan Commission

Minutes of the Meeting on
April 18, 2019

DRAFT

**Village of Homer Glen
14240 W 151st Street, Homer Glen, IL 60491
Village Board Room**

1. Call to Order.

The meeting was called to order at 7:01 p.m. by Chairman Don Mitchell.

2. Pledge of Allegiance to the Flag.**3. Roll Call.**

Members present at 7:01 p.m. were Chairman Don Mitchell, Members Broque Backal, Bryan Kozor, Lynn McGary, Dave Stanly and Jerry Young.

Also present were the Director of Planning and Zoning, Vijay Gadde and the Plan Commission Secretary, Gia Cassin. The minutes were recorded and transcribed by Christine Camardo.

Members absent: Beth Verdun.

4. Public Comment.

None.

5. Minutes.

a) April 4, 2019

Chairman Mitchell stated that the minutes from the April 4, 2019 Plan Commission meeting were being presented for approval. Member McGary made a motion to approve the minutes from the April 4, 2019 meeting; seconded by Member Kozor. The motion passed unanimously.

Planning Director Gadde swore in persons in attendance who intended to speak during the meeting's public hearings.

6. New Business.

- a) **HG-1908-V, 14530 136th Street (*Public Hearing*):** Consideration of a Variance to reduce the required side yard setback for the proposed addition from twenty-five (25) feet to nineteen (19) feet for certain real property located in the R-1 Single-Family Residential District at 14530 136th Street, Homer Glen, Illinois.

Planning Director Gadde introduced the case by stating the applicant was in attendance at the meeting, and her existing home located at 14530 136th Street in the Creekwood Subdivision was built in 1996. The applicant is proposing to build an 11'x16' one story office/guest room on the west side of the existing home. Planning Director Gadde referred to the property plat in the Commission Member packet and stated that it appears there is more room on the east side, but there is a detached

garage which is not shown on the plat. Therefore, the west side is the only place to put an addition. Director Gadde also referred to the aerial pictures to show that there are quite a few homes in the subdivision that are located less than twenty-five (25) feet from the property line. Some of the homes shown are not built in the center of their property, but they are built near one of the property lines. Staff believes the character of the neighborhood will not be affected by adding the 11'x16' addition nineteen (19) feet off the property line.

The applicant stated that the addition is 14'x16' not 11'x16'.

Chairman Mitchell called for a motion to open the public hearing in Case No. HG 1908-V. Member McGary made a motion to open the public hearing; seconded by Member Kozor. Voice vote taken, all in favor, none opposed. The motion passed.

Chairman Mitchell asked the applicant to come to the podium to state her case and add any additional comments. The applicant did not have any comments.

Ms. Kathleen Kerestes, Homer Glen resident, stated she lives on the west side of the applicant at 14544 W. 136th Street. Her own garage is closer than twenty-five (25) feet to her own property line, but the home was built in 1961 when there were different rules. Ms. Kerestes does not object to the applicant's addition to her home. However, she would object if it was possible to sell the home as a duplex, or if it was possible to rent the additional living area. Chairman Mitchell replied that no one can guarantee the zoning of the property for a lifetime. He believes the house is currently not zoned for a duplex, however the entire home is most likely zoned to allow for rentals. Planning Director Gadde stated he is not aware of any active rentals in the Village, but he would check for any restrictions before Case No. HG-1908-V is presented at the Village Board meeting. Chairman Mitchell stated that it is a possibility for the property to be rented. This statement was confirmed by Planning Director Gadde. After further discussion, Chairman Mitchell stated that currently the house is zoned for a single-family dwelling not a duplex. If the applicant wanted to sell the house as a duplex, she would have to go through the Plan Commission and the Village Board to rezone the property. It could not be rezoned on the volition of the owner.

Mr. Gerald Rosenbaum, Homer Glen resident, stated he lives two (2) houses from the applicant at 14608 136th Street. He is also the treasurer for the Creekwood/Springcreek Community Club. Mr. Rosenbaum's concern is to uphold the covenants from the original grantor to the original owner, which states that only single-family homes are allowed in the subdivision, not divided lots. Mr. Rosenbaum stated that it is very hard to enforce this covenant, and he would like the Village to help uphold the covenant. Mr. Rosenbaum also shared Ms. Kerestes's concern about the applicant's house being sold as a duplex. He stated that there appears to be other lots in the area that might possibly be subdivided. Chairman Mitchell informed Mr. Rosenbaum that the subdivision is currently zoned for single-family residential. The possibility of subdividing a lot is problematic and cannot be discussed at tonight's Plan Commission meeting. It is an issue that may or may not happen. Chairman Mitchell suggested Mr. Rosenbaum discuss his concerns of subdivided lots with the Building Department. Planning Director Gadde pointed out that the subject properties are 165 feet wide, which is exactly what is needed for an R-1 single-family home subdivision. Therefore, the lots would not be able to be subdivided. Chairman Mitchell reiterated that nothing

can be done tonight to alleviate Mr. Rosenbaum's concerns, but his concerns will be on record.

Mr. John Lobick lives a block away from the applicant at 14432 W. Hickory. Mr. Lobick stated that when the subdivision was platted in 1948, the original covenant stated that homes had to be ten (10) feet on the sides from the property line. Those covenants were changed or dissolved in 1964 when the Civil Rights Act passed. Mr. Lobick was concerned about drainage on the applicant's property. He wanted to know if there had been any consideration for runoff. Mr. Lobick stated that in the 1960's and 1970's, the area next to the applicant's house was partially filled, and he is concerned whether or not the addition will affect the runoff. Planning Director Gadde replied that the grading plan will be reviewed as part of the building permit which is the next step. Member Backal asked Planning Director Gadde to clarify that the drainage was not being addressed at the current meeting, but it was the next step in the process. Planning Director Gadde stated the applicant has to address the drainage upon submittal of the grading plan to the Building Department. Member Backal inquired that if the case was approved, it would be dependent on the approval of the drainage. Chairman Mitchell replied that the grading plan is always dependent on the Building Department approval of the drainage before it goes to the Village Board. It is a standard step. It does not need to be included as a condition because it is automatic.

Member Backal asked if the setback was still nineteen (19) feet since the addition is 14'x16' instead of 11'x16'. After some discussion, it was determined that the setback was still nineteen (19) feet.

Member McGary asked the applicant if she had any water issues when there are heavy rains. The applicant replied that there is a tiny creek behind her property, and the water drains into the creek. The owner stated she does not have any water or drainage issues.

Planning Director Gadde swore in resident William Gliwa, who wanted to make a comment.

Mr. William Gliwa, Homer Glen resident, stated he lives at 13525 Maple on the east side of the street. His property sits relatively lower than other properties in the area. The north end of his property borders with the Village of Lemont, Cook County, and he is in Will County. There is a running water creek that moves east and west on the northern side of the border of his property. The creek has large culverts at both ends of the creek. He has lived in his house for twenty-nine (29) years, and no one knows who owns the creek. Mr. Gliwa has learned how to manage and control water issues on his property. He is concerned that possibly there could be something that may somehow influence his property. Chairman Mitchell stated his concerns could not be addressed at the current Plan Commission meeting. Chairman Mitchell asked Mr. Gliwa if he had gone to the Building Departments in Will County and Cook County to ask about ownership of the creek. Mr. Gliwa has contacted each entity regarding ownership of the creek, but has never received an answer. Chairman Mitchell suggested Mr. Gliwa call the assessor in Lemont and Homer Township because they would know who is paying taxes on the property if it is taxable property. Chairman Mitchell stated Mr. Gliwa's concerns would be on record and to refer to the meeting

minutes if he came back to a Plan Commission meeting in the future to discuss the same topic.

Chairman Mitchell called for a motion to close the public hearing in Case No. HG-1908-V. Member McGary made a motion to close the public hearing; seconded by Member Stanly. Voice vote taken, all in favor, none opposed. The motion passed.

Member McGary was surprised that there is thirty-three (33) feet on the side of the applicant's property because it doesn't appear that way from the street. The applicant replied that it is on the plat.

Member Backal asked the applicant why she wanted an addition to her home. The applicant replied that her 47-year old son has cystic fibrosis and other health issues. She stated that he needs his privacy, and also needs to have a bathroom and bedroom on the same floor. She then stated that they will be the only two living in the house.

A motion to adopt the staff findings as the findings of the Plan Commission and to recommend approval of a Variance to reduce the required side yard setback for the proposed addition from twenty-five (25) feet to nineteen (19) feet [Attachment 1, Table 1B (Site and Structure Bulk Requirements for Residential Districts) of Chapter 220 (Zoning) of the Code of the Village of Homer Glen] for certain real property located in the R-1 Single-Family Residential District at 14530 136th Street, Homer Glen, Illinois [HG-1908-V, 14530 136th Street] was made by Member Backal; seconded by Member Stanly.

A roll call vote was taken. In favor, (6) Backal, Kozor, McGary, Stanly, Young, Mitchell. Absent (1) Verdun. Abstained (0) None. Motion carried.

Planning Director Gadde stated that Case No HG-1908-V will be presented to the Village Board at the Village Board Meeting on May 8, 2019.

- b) **HG-1907-S, 16849 S. Cedar Road, (Public Hearing):** Consideration of an Amendment to the Planned Unit Development granted by previously amended Ordinance No. 16-011 for the property commonly known as 16849 S. Cedar Road, Homer Glen, Illinois. The applicant is requesting to allow wedding and banquet type events at the new Train Depot.

Chairman Mitchell stated that this case would be tabled because the petitioner withdrew and is planning to come back at a later date when the paperwork is finalized.

7. Reports of Plan Commissioners and Staff (includes Old Business).

Director of Planning and Zoning, Vijay Gadde stated that there will be three (3) cases at the next Plan Commission meeting on May 2, 2019. The first case is a P.U.D. change at the Konow Farm Train Depot to allow for planned events. The second case is a Variance at 14343 S.E. Glenn Drive, and the third case is a possible gas station on five (5) acres at 159th Street and Gougar Road submitted by Parent Petroleum. The challenge for the gas station is to restrict truck traffic onto Gougar Road. There will be a truck bay on the north end and a car wash, now that there is water and sewer that is connected to the property.

Member Backal stated that he will not be in attendance at the May 2, 2019 meeting.

Planning Director Gadde stated that the Village Board approved Savoy Consulting Group to update our comprehensive plan. The Steering Committee will have their first meeting on May 14, 2019 at 4 p.m. in the Community Room to discuss the comprehensive plan. There will be one (1) liaison needed from the Plan Commission and one (1) liaison needed from the Village Board. Planning Director Gadde asked if any of the Plan Commission members would like to volunteer to be on the committee. Chairman Mitchell stated that Member Verdun had previously indicated she would volunteer to be a member of the committee if no one else was interested. After discussion, the members of the Plan Commission accepted Member Verdun's offer to be the Plan Commission liaison for the Steering Committee.

8. Adjournment.

Motion to adjourn was made by Member Stanly; seconded by Member Young. The motion was passed. The meeting was adjourned at 7:38 p.m.

Respectfully Submitted: Christine Camardo

Chairman Mitchell: _____

Approved (Date): _____

HOMER GLEN PLAN COMMISSION
MEMORANDUM

To: Chairman and Members of the Homer Glen Plan Commission

From: Vijay Gadde, AICP, Director of Planning & Zoning

Meeting Date: May 2, 2019

Agenda Item Number: 6.a

Subject: HG-1907-S, 16849 S. Cedar Road (Konow Farm)

Item Title: Consideration of a request for an Amendment to the Planned Unit Development (PUD) granted by Ordinance No. 16-011 for the property commonly known as 16849 S. Cedar Road, Homer Glen, Illinois [HG-1907-S, Walter Konow].

Property Information

Location: 16849 S. Cedar Road

Property Size: 79.55 acres

Existing Zoning/Use: A-1 Agricultural

Adjacent Zoning: N: Lockport/Homer Glen A-2 Rural Residential
E: A-1 Agricultural (Forest Preserve)
S: A-1 Agricultural
W: Unincorporated Will County/Lockport

Background

The applicant, Walter Konow has relocated the historic train depot, built in 1900, on August 15, 2018. The land occupied by the train depot has been donated to the local historical society by the applicant.

Planned Unit Development (PUD) Amendment

Previously, the applicant had a Special Use Permit for a Planned Unit Development (PUD) to use the “Tilsey Barn” and a tent for wedding and banquet type events via Ordinance 16-001. The applicant would like to host similar events at the train depot (depicted in *Attachment 1*) from April through December. In addition, during September and October of each year the depot would be used as an entrance for the corn maze event.

Under the A-1 Agriculture zoning the setback requirements apply to all farm structures. The train depot is 245 feet from the front property line along S. Cedar Road. The required front yard setback is 77 feet. The maximum lot coverage is 20 percent and the subject property complies.

Other Code Standards

Exterior Construction Standards (Chapter 75, Article II)

The Exterior Construction Standards only apply to residential buildings located on agricultural properties. *However, the applicant shall adhere to Village Code standards regarding the submittals required for building and engineering permit reviews.*

Lighting (Chapter 75, Article II)

The applicant is encouraged to use dark sky compliant light fixtures to minimize glare and reduce light trespass and skyglow.

Conservation Design (Chapter 107, Article IV)

The Conservation Subdivision regulations do not apply to this request because the applicant has not proposed the development of a residential subdivision greater than ten (10) acres in area, nor have they proposed the development of a residential subdivision made up of lots less than one and one-half (1.5) acres in size.

Tree Preservation (Chapter 107, Article III)

The Tree Preservation regulations do not apply to this project as there are no significant trees located near the train depot.

Subdivision & Stormwater (Chapter 138, Article I):

The Stormwater regulations apply to this request and the applicable site plans will be reviewed as part of the permitting process. *The applicant needs to submit a preliminary grading and utility plans for the train depot site.*

Park Donation (Chapter 138, Article II)

The Park Donation regulations do not apply to this request as these regulations only apply when the final Plat for a residential subdivision or development has been approved, or when the final Plat for a Planned Unit Development has been approved.

Community Plans

Comprehensive Land Use Plan

The Comprehensive Plan designates the subject property as *Commercial/Single family-low density*.

Transportation Plan

The project will not change the existing ingress and egress to and from South Cedar Road.

Findings of Fact

Section 220-1209D of the Code of the Village of Homer Glen states the required standards for making findings of fact for a Special Use Permit. The Code requires that the Plan Commissioners consider these standards in making its finding and determining a recommendation to send to the Village Board.

Motion for Consideration

Is there a motion to recommend _____ (approval / approval with conditions / denial) of an Amendment to the Planned Unit Development (PUD) granted by previously amended Ordinance No. 16-011 for the property commonly known as 16849 S. Cedar Road, Homer Glen, Illinois, as follows:

1. In addition to the "Tilsey Barn" and the tent, the "Train Depot" will be used for wedding

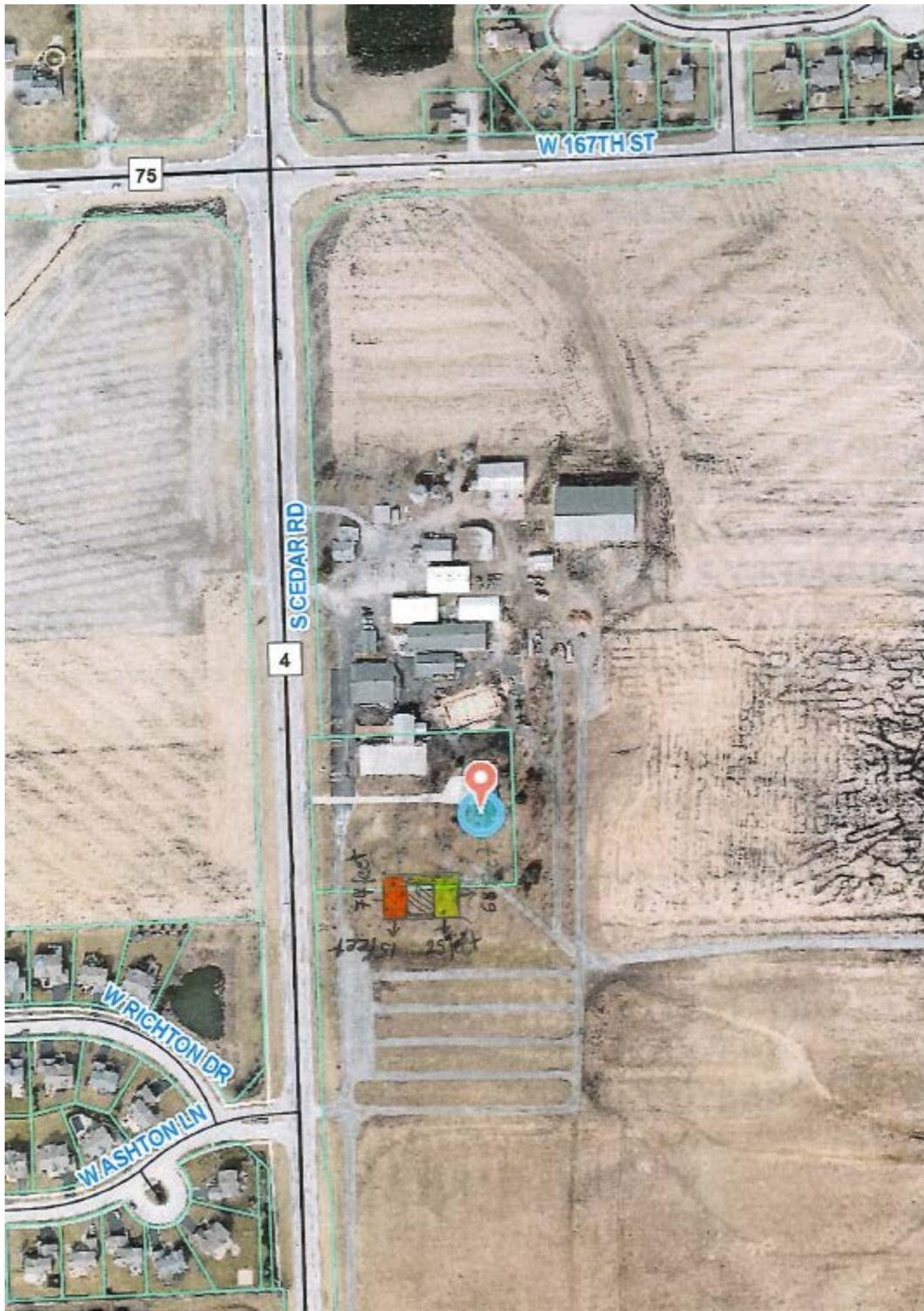
- and banquet type facilities.
2. The Earth-Arbor Day activities are no longer held on the subject property.
 3. The owner shall maintain compliance with NFPA 72 complete Fire Detection System for the "Train Depot."

[HG-1907-S, Walter Konow].

Attachments

1. Location of the Train Depot
2. Staff-Suggested Findings of Fact

Attachment 1 - Location of the Train Depot



Deck 68' x 25'

Patio Brick 74' x 15'

Attachment 2 – Staff-Suggested Findings of Fact

Standards for Special Use Permit

Section 220-1209D of the Code of the Village of Homer Glen states the required standards for making findings of fact for a special use (and any amendments thereto). The following are the categories with staff's suggested findings (*in italics*):

1. That the establishment, maintenance or operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort or general welfare.

The Special Uses requested by the applicant to permit wedding and banquet type events in an additional building on the subject property will not be detrimental to the public in any way.

2. The proposed use at the proposed location will not have an undue or substantial adverse effect, above and beyond that inherently associated with such use, irrespective of the location in the particular zoning district, upon adjacent property, the character of the neighborhood, or other matters affecting the public health, safety and welfare of the community.

The proposed Special Use at the subject property will not have an undue or substantial adverse effect upon adjacent properties, the general area or the public as the requested use is already permitted on the subject property.

3. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

The proposed Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity.

4. The proposed use at the particular location is desirable to provide a service or facility in the interest of public convenience and the gain to the public and all or a part of the community exceeds the hardship imposed upon the property owner.

The proposed Special Use at the subject property will provide a unique experience to the community.

5. The proposed special use is generally suitable for the particular zoning district and will not adversely affect development of adjacent properties in accord with the applicable district regulations.

The proposed Special Use will not adversely affect the development of the adjacent properties.

6. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The Special Use will not impede the normal and orderly development and improvement of the surrounding properties.

7. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.

The proposal would not have any impact on the exterior architectural appeal and functional plan of any existing structures.

8. That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

The proposed development will comply with the Village's Subdivision and Stormwater regulations and will account for the necessary extension and connection of all public utilities.

9. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

The subject property has existing ingress and egress to and from South Cedar Road.

10. The proposed use has been considered in relation to the location, goals and objectives of the Village's Comprehensive Plan and is in general accord with the guidelines of the plan.

The Comprehensive Plan designates the subject property as Commercial/Single family-low density.