

Village of Homer Glen

**14240 West 151st Street
Homer Glen, Illinois 60491**

Phone (708) 301-0632 • Fax (708) 301-8407

PLAN COMMISSION REGULAR MEETING

**Thursday, September 1, 2016
7:00 PM**

**Village Council Chamber
14240 West 151st Street
Homer Glen, Illinois 60491**

A. Call the Plan Commission to Order

The meeting of the Homer Glen Plan Commission was called to order by Chairman Maska at 7:00 P.M.

B. Pledge of Allegiance to the Flag**C. Roll Call**

Present for the Plan Commission were Chairman Joe Maska, Members Lynn McGary, Eileen Crement, Chris Locacius, Braque Backal, Kevin O'Donnell and Don Mitchell. Present on behalf of the Village of Homer Glen was the Director of Planning and Zoning, Michael J. Schwarz and Assistant Planner, Caron Bricks. The minutes were recorded and transcribed by Candace Rose.

D. Public Comment

Chairman Maska calls for anyone wanting to make a public comment on any items not on the agenda for tonight's meeting. No public comments were made.

E. Minutes

None

F. Agenda Items

- 1. HG-1617-V Lunar Management (*Public Hearing*): Consideration of a requests for (1) A variance to reduce the required sign setback from fifteen feet (15') to two feet (2') [Chapter 220-1005F(3)d of the Homer Glen Code]; (2) A variance to increase the allowable number of tenant name panels from four to five for a proposed freestanding commercial sign [Chapter 220-1005F(3)g of the Homer Glen Code]; and (3) A variance to waive the requirement that the predominate construction material for a proposed freestanding commercial sign shall be masonry or stone [Chapter 220-1005F(3)b2 of the Homer Glen Code], for certain real property located at 14302-14330 S. Will-Cook Road, Homer Glen, Illinois (PIN: 16-05-12-200-009-0000).**

Member Mitchell moves to leave this item tabled until which time the applicant removes all illegal signs from the property.

Mike Schwarz explains that to leave the item tabled without a specific date would cause problems in that it would need to be re-published, new notices, etc. would have to be given but that Member Mitchell could move to leave it tabled until a specific date and that would mean we could just put it on the agenda for that date.

Member Mitchell amends the motion to leave Case No. HG-1617-V tabled until September 15, 2016 because the property is out of compliance due to illegal signs on the utility poles. The motion is seconded by Member Locacius. Roll call vote was taken. In favor (6) O'Donnell, Locacius, McGary, Crement, Backal, Mitchell. Opposed (0) none. Absent (0) none. Abstained (0) none. The Chairman did not vote. *Motion Carried.*

Mr. Georgievski, 13885 Penny Lane, Homer Glen, Illinois, from Lunar Management states that he removed all the banner signs from the property but when he was removing the signs on the utility poles he sprained his foot and was not able to remove them. He has every intention of removing them as soon as he is able. His partner Mr. Jim Lilas from 15509 Nolen Court, Homer Glen, arrived today from overseas to help him since he hurt his foot.

Member Mitchell asks if there is any way for the Village to enforce the removal of these illegal signs should the Plan Commission allow this item to move forward.

Mr. Lilas states he will help take the illegal signs down tonight.

Mike Schwarz explains that enforcement is a separate issue from the duty of the Plan Commission. Member Locacius asks then if the Plan Commission can make a motion that approval will not be given unless the non-compliant signs are removed.

Member Mitchell then asks if his first motion can be stricken. Mr. Schwarz states that he is not certain of the procedure for striking an approved motion but he would be willing to research if the Plan Commission were to take a recess.

A motion to recess for 5 minutes in order for Mike Schwarz to check Robert's Rules of Order to see if the previous motion (to leave Case No HG-1617-V tabled until September 15) could be withdrawn/rescinded after it was seconded and approved was made by Member Locacius, seconded by Member Backal. Voice vote taken, all in favor, none opposed. *Motion Carried.*

The meeting resumed at 7:27.

Member Crement wants the record to show that the Plan Commission did everything in order to be in compliance with Robert's Rules of Order.

A motion to rescind the previous motion in Case No. HG-1617-V (to leave the item tabled) was made by Member Mitchell, seconded by Member Backal. Roll

call vote was taken. In favor (5) O'Donnell, McGary, Crement, Backal, Mitchell. Opposed (1) Locacius. Absent (0) none. Abstained (0) none. The Chairman did not vote. *Motion Carried.*

Chairman Maska states that anyone wishing to speak at a public hearing tonight needs to be sworn in by Mike Schwarz. Mr. Schwarz swears in the audience.

Mr. Schwarz states that this item was tabled at the last meeting because not all of the certified letters had gone out to the neighbors but tonight he has received proof of all the certified letters being delivered.

Mike Schwarz explains that the subject property is located at 14302-14330 S. Will-Cook Road and is zoned C-2, Local Business District. The subject property has been affected by the Will County Department of Transportation's 143rd Street and Will-Cook Road intersection improvement project, which included the widening of the right-of-way along both 143rd Street and Will-Cook Road at the intersection.

The existing Galaxy Plaza Shopping Center previously had a free-standing sign which was located near the roadway intersection. That sign was removed in 2013 prior to the completion of the Will County DOT 143rd Street and Will-Cook Road intersection improvement project in 2014. There is approximately 21 feet of grass yard located between the back of curb of the existing parking lot and the adjusted right-of-way line. An additional 7 feet of grass parkway is located between the adjusted right-of-way line and the existing sidewalk along 143rd Street.

At this time, the applicant desires to install a new 7 feet high by 8 feet wide free-standing sign 2 feet from the adjusted right-of-way line, which would be 9 feet from the existing sidewalk. The applicant also desires to include 5 tenant name panels on the sign, and to construct the base of the sign using a material that looks like brick but is actually a high density urethane product which is similar to the material that was used on the existing sign for Assumption Greek Orthodox Church, which is located at 15625 S. Bell Road.

Mike Schwarz also explains that the granting of any variance is in harmony with the general purpose and intent of Chapter 220-1005, and will not be injurious to the neighborhood, or detrimental to the public welfare; and,

That the granting of the variance will not:

- (1) Impair an adequate supply of light and air to adjacent property;
- (2) Increase the hazard from fire or other dangers to said property; and
- (3) Diminish the value of land and buildings on neighboring properties.

A motion to un-table Case No. HG-1617-V was made by Member McGary, seconded by Member Mitchell. Voice vote taken, all in favor, none opposed. *Motion Carried.*

A motion to open the public hearing in Case No. HG-1617-V was made by Member Backal, seconded by Member McGary. Voice vote taken, all in favor, none opposed. *Motion Carried.*

Member Backal asks how soon the applicant wants to put the sign up. Mr. Geoactcesu states that as soon as he has the permit. Member Backal asks when he will remove the non-compliant signs. Mr. Geoactcesu states that he will take them down tonight.

Member Backal asks if the sign will be lit from inside. Mr. Geoactcesu states yes, it will be back lit from within.

Mr. Georgievski states that he and Mr. Lilas both chose to live in Homer Glen and have not asked the Village for anything before now. The sign they had was removed because they took so much of their property when they widened 143rd Street and now they are just trying to replace it. They are trying to do the best for their tenants in the center.

Chairman Maska calls for questions or comments from the audience. Hearing none he asks for a motion to close the public hearing.

A motion to close the public hearing in Case No. HG-1617-V was made by Member Backal, seconded by Member O'Donnell. Voice vote taken, all in favor, none opposed. *Motion Carried.*

Member Crement states that in the photo she has of where the sign will go shows that it is placed on an angle along 143rd Street, is that correct. Mr. Georgievski states that he changed the placement to run parallel to 143rd Street.

Member Mitchell states that the Zoning Ordinance allows for a sign that is up to 65-sq. ft. but the ordinance also has a linear requirement based on the frontage of the building. One square foot is allowed for every three feet of frontage. The proposed sign is 56 sq. ft. (7-ft X 8-ft) and according to the frontage along 143rd Street (115-sq. ft.) the maximum allowable size should be about 35-sq. ft.

Mike Schwarz states that he looked very carefully at the ordinance and believes that this sign complies. The ordinance allows for 1-sq. ft. per every 3-ft of frontage but he believes that he is allowed additional square footage because this is a corner lot. He is not certain of the exact language but he could pull several other cases that have already been allowed if the Plan Commissioners so wish.

A motion to recess for 5-minutes in order for Mike Schwarz to research how the maximum size allowable for a sign on a corner lot is determined was made by Member Backal, seconded by Member McGary. Voice vote taken, all in favor, none opposed. *Motion Carried.*

A motion to resume the meeting at 8:05 was made by Member Backal, seconded by Member McGary. Voice vote taken, all in favor, none opposed. *Motion Carried.*

Mr. Schwarz pulled several other cases previously approved including the Shell station at 159th and Bell Road. What is allowed for Lunar Management's corner lots is the length of the side the sign will be placed (143rd Street) which is 115.93-ft plus ½ of the length of the dog-leg piece of property angled between 143rd Street and Will/Cook Road which is 56.7-ft total (28.35-ft). Together this is 144.28-ft and if you divide that by 3 the maximum allowed squared footage for this sign would be 48.09-sq. ft. The applicant is requesting a 40-sq. ft. sign.

Member Locacius states that they should consider putting a condition on this case that the property must be in compliance, and all illegal signs removed before and permit can be issued.

Member Mitchell objects to the waiving the building materials requirement for this sign. He does not believe that there are extenuating circumstances in the case to allow for this variance.

Mike Schwarz states that he included a picture of the sign allowed at the Greek Church on Bell Road made of the same material asked for in this case. This sign was allowed under the same ordinance that exists today. The applicant is trying to match the look of the building. Mr. Georgievski thinks the sign for Sandbox Daycare is also the same material as proposed here.

Mr. Georgievski states that the same company that did the Sandbox sign is doing their sign. He said money is a major consideration as it would cost \$20,000 for brick and stone. Mike Schwarz states that the material on the Sandbox sign is called "ledge stone" and it looks like real stone. Mr. Schwarz wants to be certain the Plan Commission and the Village Board are both comfortable with this other building material and suggests that the applicant bring in a sample of the material.

Member McGary states that if this new building material is the future maybe the Village needs to consider changing the ordinance to allow for it to be used for the signs in the Village.

Mr. Schwarz states that certainly is possible. The staff can write up a proposed text amendment to the sign ordinance and then the Plan Commissioners can review it.

Member Mitchell points out that the Greek Church asked for a variance because they planned on building their church on 143rd Street and this location was only going to be temporary. They wanted to be able to move their sign with them when they built. The case had extenuating circumstances.

Member Backal is comfortable with this request and suggests that the Plan Commission vote and allows it to go to the Village Board.

Mr. Schwarz suggests that the applicant get a sample of the building material to bring to the Village Board meeting so the trustees can see how it will be made and how it will look.

Member McGary is also comfortable with the request but would like to see an example of the material.

Member Locacius states that if the Village is going in the direction of allowing this material then we need to up-date the ordinance.

Member Crement agrees adding that then a variance will not be required.

Chairman Maska asks if they will put a date by which the applicant must be in compliance with their illegal signs on the motion. Mr. Schwarz suggests that it be stated that they must be in compliance before a permit will be issued.

A motion to adopt the findings as the findings of the Plan Commission, and to recommend approval of a variance to reduce the required sign setback from fifteen feet (15') to two feet (2') [Chapter 220-1005F(3)d of the Homer Glen Code], for certain real property located at 14302-14330 S. Will-Cook Road, Homer Glen, Illinois on the condition that all non-compliant signs be removed before the permit it issued was made by Member McGary, seconded by Member Crement. Roll call vote taken. In favor (6) O'Donnell, Locacius, McGary, Crement, Backal, Mitchell. Opposed (0) none. Absent (0) none. Abstained (0) none. The Chairman did not vote. *Motion Carried.*

A motion to adopt the findings as the findings of the Plan Commission, and to recommend approval of a variance to increase the allowable number of tenant name panels from four (4) to five (5) for a proposed freestanding commercial sign [Chapter 220-1005F(3)g of the Homer Glen Code], for certain real property located at 14302-14330 S. Will-Cook Road, Homer Glen, Illinois, on the condition that all non-compliant signs be removed before the permit it issued was made by Member McGary, seconded by Member Crement. Roll call vote taken. In favor (6) O'Donnell, Locacius, McGary, Crement, Backal, Mitchell. Opposed (0) none. Absent (0) none. Abstained (0) none. The Chairman did not vote. *Motion Carried.*

A motion to adopt the findings as the findings of the Plan Commission, and to recommend approval of a variance to waive the requirement that the predominate construction material for a proposed freestanding commercial sign shall be masonry or stone [Chapter 220-1005F(3)b2 of the Homer Glen Code], for certain real property located at 14302-14330 S. Will-Cook Road, Homer Glen, Illinois, on the condition that all non-compliant signs be removed before the permit it issued

was made by Member McGary, seconded by Member O'Donnell. Roll call vote taken. In favor (4) O'Donnell, McGary, Crement, Backal. Opposed (2) Locacius, Mitchell. Absent (0) none. Abstained (0) none. The Chairman did not vote.
Motion Carried.

Mike Schwarz asks Members Mitchell and Locacius why they opposed this motion. Member Mitchell states that the ordinance is very specific that there needs to be extenuating circumstances in order to grant a variance and he does not see any reason for the applicant to not use the correct building material. Member Locacius agrees with Member Mitchell.

Member Backal wants a sample of the building material brought to the Village Board meeting.

2. **HG-1621-V Mary Cernauskas (*Public Hearing*): Consideration of a request for a Variation to reduce the required sign setback from fifteen feet (15') to two feet (2') (Chapter 220-1005F(3)d of the Code of the Village of Homer Glen), for certain real property located at 12542-12550 W. 159th Street, Homer Glen, Illinois.**

Mike Schwarz states that he has received all of the green cards from the applicant in this case.

Mike Schwarz states the subject property is located at 12542-12550 W. 159th Street and is zoned C-3, General Business District. The subject property has been affected by the Illinois Department of Transportation's 159th Street Improvement Project, which included the widening of the right-of-way at this location.

The applicant desires to install a new 10 feet high by 8 feet wide free-standing sign, placed 2 feet from the adjusted right-of-way line. The existing Four Acres Plaza previously had a free-standing sign which was located within the expanded right-of-way and was recently removed. Upon completion of the roadway project, the new sign would be located approximately 32 feet from the planned bike path to be located on the north side of 159th Street, and approximately 50 feet from the edge of the new roadway. If the required 15-foot setback was strictly imposed, the sign would be located approximately 47 feet from the planned bike path, and approximately 50 feet from the edge of the new roadway, and therefore would be difficult to be seen from eastbound and westbound vehicles on 159th Street.

Mike Schwarz further states that The requested variance to reduce the required sign setback from fifteen feet (15') to two feet (2') is in harmony with the general purpose and intent of the Sign Regulations of the Code of the Village of Homer Glen, and would not be injurious to the neighborhood, nor would it be detrimental to the public welfare. In this case, the proposed sign would be located no less than 2 feet from the adjusted right-of-way line, and would be located approximately 32

feet from the planned bike path along the north side of 159th Street. If the required 15-foot setback was strictly imposed, the sign would be located approximately 47 feet from the planned bike path, and approximately 50 feet from the edge of the new roadway, and therefore would be difficult to be seen from eastbound and westbound vehicles on 159th Street. And:

(2) That the granting of the variance(s) will not:

(i) Impair an adequate supply of light and air to adjacent property;

(ii) Increase the hazard from fire or other dangers to said property; and

(iii) Diminish the value of land and buildings on neighboring properties.

Mary Cernauskas is present tonight to answer any questions or address any comments. Ms. Cernauskas states that she needs a sign that will be visible in order for it to be of any benefit to her tenants.

A motion to open the public hearing in Case No. HG-1621-V was made by Member Backal, seconded by Member Mitchell. Voice vote taken, all in favor, none opposed. *Motion Carried.*

Chairman Maska calls for questions or comments from the audience. Hearing none he asks for a motion to close the public hearing.

A motion to close the public hearing in Case No. HG-1621-V was made by Member Mitchell, seconded by Member Backal. Voice vote taken, all in favor, none opposed. *Motion Carried.*

Member Locacius asks if landscaping is required for signs in the Village. Mike Schwarz states that a landscape design plan is required. Member Locacius states that he did not see a landscape plan for Lunar Management. Mr. Schwarz states that he will be required to submit one before the permit will be issued.

Member Mitchell states that this case has all the issues satisfied and does not see any problems with the request.

A motion to adopt staff's findings as the findings of the Plan Commission and to recommend approval of a variance to reduce the required sign setback from fifteen feet (15') to two feet (2') [Chapter 220-1005F(3)d of the Homer Glen Code], for certain real property located at 12542-12550 W. 159th Street, Homer Glen, Illinois, was made by Member Mitchell, seconded by Member Locacius. Roll call vote taken. In favor (6) O'Donnell, Locacius, McGary, Crement, Backal, Mitchell. Opposed (0) none. Absent (0) none. Abstained (0) none. *Motion Carried.*

Mr. Schwarz states that this item will be scheduled for the September 28th Board meeting at 7:00.

Workshops

3. **HG-1624-C Dudlicek (*For Discussion Only*): Consideration of a Concept Plan for a potential 4-lot residential subdivision of seven acres, for certain real property located south of and including an existing house located at 12513 W. Hadley Road.**

Caron Bricks explains that the petitioner, John C. Dudlicek, is proposing to subdivide property located at 12513 W. Hadley Road in order to make the existing seven acre property more marketable to potential buyers.

As part of the petitioner's concept, he proposes to extend Windsor Court onto his property to the west property line. Windsor Court is currently stubbed at the east property line of the subject property, 12513 W. Hadley Road. The petitioner would also extend water, sewer, and storm water mains as part of the project. As Windsor Court currently stubs at the property line, it is assumed by staff and the petitioner that Windsor Court was meant to extend west in the future, which the petitioner is proposing.

The petitioner is proposing to create three new lots that would be accessed via the new extension of Windsor Court. Two of the lots, which would be located on the southern-most portion of the existing lot would be almost 23,000 sf each (115' x 198'). The petitioner proposes that these two lots would be zoned R-3 Single Family Residential to match the R-3 Single Family Residential zoning of the Windsor Court subdivision.

The remaining portion of the lot would be subdivided into two lots. The existing house would remain on a 3.1 acre lot which would continue to be served by Hadley Road. The remainder, 2.5 acres, would front on Windsor Court. These two lots are proposed to remain zoned as A-2 Rural Residential District. However, as the lots are only 231' feet wide, it would require variances for lot width/lot frontage. In the A-2 Rural Residential District the minimum lot width/lot frontage is 300'.

The Comprehensive Plan designates the property as *Single-Family Rural*. This designation requires lots 2.5 acres or larger. Two of the four proposed lots would be 2.5 acres in size. The Windsor Court Subdivision, which was approved after the Comprehensive Plan was written, was designated as *Single-Family Estate*. This requires lots of 1 to 2.5 acres in size, which is larger than the size of the existing lots in the Windsor Court Subdivision.

As proposed, variances for lot frontage/lot width would be required for the proposed new A-2 lots of record.

The petitioner in this case is looking for feedback from the Plan Commission as to how they feel about his idea and is asking for any input they may want to provide.

Member O'Donnell states that he really likes the idea and by extending Windsor Court you can solve the ever present problem of flag lots.

Chairman Maska asks if the road would be a private road or would it be dedicated to the Village. Ms. Bricks states that the developer would pay for the road to be completed and then cede it to the Village. Chairman Maska asks at what point we bring in the fire department to determine if the road is acceptable. Ms. Bricks states that prior to any approvals the Village engineers, fire department, etc. would be asked to review the plans.

Mr. Dudlicek (223 N. Elgin St., Griffith, IN), the petitioner, states that his intention is to sell the property.

Member Backal asks if he lives on the property. No, he grew up on the property and his father lived there until he passed away. It is his intention to sell the property and he is trying to make it more desirable. He had a buyer ask him if he could buy half of the property and that made him think about dividing it. However, if he found someone to buy all of it as is he would sell it.

Member Mitchell asks if he has contacted anyone in Windsor Court. Do they have a Home Owners Assn. and has he spoken with anyone about his idea and would they accept his properties in the association. Ms. Bricks states that he would not need to be a part of Windsor Court or their Home owners association. Member Mitchell states that it would be good to get that feedback before he presents this case any further and he would recommend Mr. Dudlicek do that. That road belongs to the Windsor Court people.

Member McGary asks what would be in compliance with the Comprehensive Plan. Ms. Bricks states that currently the Comprehensive Plan calls for 2.5-acre lots in this area, so the proposed 2 smaller lots would not meet that requirement but the 2 larger lots would. She also points out that Windsor Court development also deviates from the Comprehensive Plan and the proposed smaller lots would fit in with the size of the lots in Windsor Court. Windsor Court was developed in 2003 after the Comprehensive Plan was adopted by the Village. Ms. Bricks also comments on Member Mitchell comment about the road. The original developer should have made the end of that road a cul-de-sac if he had no intentions of it being extended.

Member Crement asks if this property is much lower than the Windsor Court properties or if there may be a future drainage issue to worry about if three additional houses get built here. A Caron Bricks point out that tonight's discussion is only on a concept plan. The issue of drainage would need to be addressed by the engineers if this project were to move forward.

Member Locacius states that if he develops Windsor Court then the owner of the 12525 lot could also extend it further and divide his lot as well. He would also like to know what the residents in Windsor Court subdivision think about this idea.

Member O'Donnell agrees and adds that it would also be good to get feedback from the Roadway commission.

Member Locacius suggest that Mr. Dudlicek be a good neighbor and bring his idea to the residents and provide their feedback.

Chairman Maska states that this idea is certainly preferable to dividing the lot into 5 lots. Member O'Donnell agrees that this is a good solution

Mr. Schwarz explains that the Commissioners will also have to consider how to rezone the property as it will have an impact on the allowable uses. Agricultural A-2 will still allow some agricultural uses like livestock, etc. The larger lot could be zoned A-2 with the three remaining lots zoned R-3.

Member Crement asks if he lives on the lot. Mr. Dudlicek states no, that his dad passed away in January and it is currently vacant.

Member Locacius states that it would be really good to have any comments the Village Board makes about this case before it come back to the Plan Commission.

G. Other/New Business

None.

H. Adjournment

A motion to adjourn at 9:20 pm was made by Member McGary, seconded by Member Locacius. Voice vote taken, all in favor, none opposed. *Motion Carried.*

Approved on September 15, 2016

Chairman Maska


