



15440 S. Central Ave.
Oak Forest, IL 60452
708-687-4050

CITY OF OAK FOREST
Planning and Zoning Commission
Meeting Agenda
Wednesday, October 5, 2016 – 7:00 p.m.
Council Chambers

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

READING OF AGENDA – ADDITIONS, DELETIONS

BUSINESS AT HAND

1. ZC #16-011 149th Street Resubdivision: **PUBLIC HEARING** – *The petitioner requests preliminary/final plat of subdivision approval to resubdivide one lot into three lots to construct single family homes in the R2 – Single Family Zoning District at 5033 W. 149th Street.*
2. WKSH #05-013 147th Street & Ridgeland: **WORKSHOP** – *The Mayor requests the workshop to review a previously approved planned unit development prior to the extension of the annexation agreement for the subject property.*

APPROVAL OF MINUTES – CORRECTIONS, CHANGES

September 7, 2016 Minutes

OLD BUSINESS

NEW BUSINESS

UPDATES

CITIZEN PARTICIPATION

ADJOURNMENT



**CITY OF OAK FOREST
PLANNING & ZONING COMMISSION STAFF REPORT
September 21, 2016**

TITLE: 149th STREET RESUBDIVISION REQUEST

CASE NUMBER: ZONING CASE 16-011

REQUEST: PRELIMINARY/FINAL PLAT OF SUBDIVISION
The petitioner requests preliminary/final plat of subdivision approval to resubdivide one lot into three lots to construct single family homes in the R2 – Single Family Zoning District at 5033 W. 149th Street.

PROJECT INFORMATION:

ADDRESS LOCATION: 5033 W. 149th Street
COMP PLAN: N/A
ZONING: R2 – Single Family District

PETITIONER:

PETITIONER: Malecky Builders
OWNER: Malecky Builders
ENGINEER: N/A
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Adam Dotson, Community Development Director
Katie Ashbaugh, Community Planner

ATTACHMENTS:

- Attachment 1 – Site Plan
- Attachment 2 – Final Plat
- Attachment 3 – Approved Infrastructure
- Attachment 4 – Letter of Intent

I. REQUEST

The petitioner, Malecky Builders, has requested a three-lot subdivision located at 5033 W. 149th Street, Oak Forest, IL. The subject property is zoned R2 – Single Family District and includes a 38,025 square foot lot. The applicant proposes to resubdivide the existing parcel into three lots to build three single-family homes.



II. BACKGROUND

On May 18, 2016, the petitioner initially made the request to the Planning and Zoning Commission (PZC) to subdivide the subject property into three new lots. Following changes to the original request regarding the infrastructure and landscaping to be installed as required by the City Engineer and Public Works per the May 18th meeting, the current request requires no additional conditions of approval.

III. ZONING ANALYSIS

Bulk, Yard, and Space Requirements

The subject property is a corner lot, with a depth of 126.72 feet, as measured from the 149th Street frontage to the south property line. The existing lot width at the frontage of 149th Street is 200 feet and the existing lot area is 38,025 square feet. This exceeds the minimum lot width requirement of the R2 – Single Family District by 140 feet and the minimum lot area requirement by 31,425 square feet.

The dimensions of the single existing lot are as follows:

	Existing Lot Dimensions	R2 District – Minimum
Lot width	200 feet	60 feet
Lot depth	126.76 feet	N/A
Gross lot area	38,025 ft ²	6,600 ft ²

Given that the area of the existing lot is over five times the required minimum area, and that the existing lot width is approximately three times the required minimum lot width, subdividing the lot into three lots in the R2 District will maximize the use of the subject property by allowing three additional single-family residences to be constructed.

The dimensions of the three proposed lots of the subdivision are as follows:

	Lot 1 (interior lot)	Lot 2 (corner lot)	Lot 3 (corner lot)	R2 District
Lot width	64 feet	64 feet	72 feet	60 feet
Lot depth	126.72 feet	126.72 feet	126.76 feet	N/A
Gross lot area	8,110 ft ²	8,110 ft ²	9,126.72	6,600 ft ²

Land Use

Under Appendix A of the Zoning Ordinance, the proposed use of single-family homes is considered a permitted use in the R1 – Single Family District. The proposed use of the newly created lot is compatible with the adjacent zoning districts and land uses, as referenced below:

Direction	Zoning	Use
North	R2 – Single Family District	Single Family Home
South	R2 – Single Family District	Single Family Home
East	R2 – Single Family District	Single Family Home
West	R2 – Single Family District	Single Family Home

All zoning requirements are met.

II. RESUBDIVISION ANALYSIS

Per the City's Subdivision Ordinance, single-family detached residential subdivisions are required to meet the above referenced zoning requirements of the applicable zoning district. Additionally, single-family lots are required to have a minimum lot depth of 125 feet. The three proposed lots each have a depth of approximately 127 feet, therefore meeting this requirement.

Staff required the petitioner to add sidewalks around the entire subdivision as well as the original property owner's current homestead. Trees will now be installed in the parkway and the ditches will be covered. The corner lot at 149th and Lavergne requires the driveway access to be on Lavergne. The petitioner completed requirements for civil engineering final plat being as conditioned at the May 18th PZC meeting. All other requirements of the subdivision code have been met (Attachment 4).

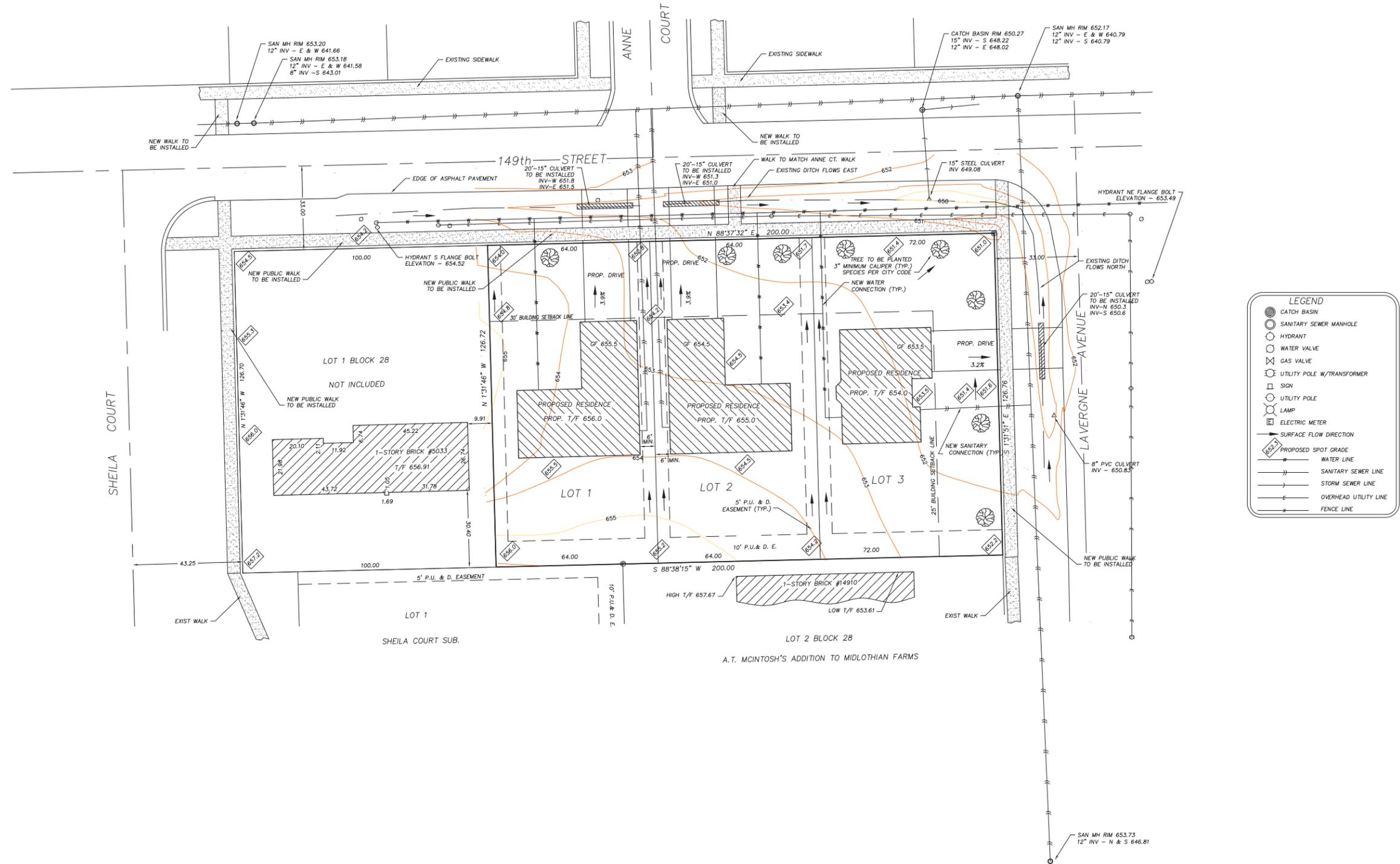
PZC Motion

Motion to recommend approval of the 149th Street preliminary/final plat of subdivision request.

FINAL SITE PLAN

KLOSINSKI'S SUBDIVISION

BEING LOT 1 (EXCEPT THE WEST 100.00 FEET THEREOF) IN BLOCK 26, OF ANNE T. MCINTOSH'S ADDITION TO MIDLOTHIAN FARMS, BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE EAST 1/2 OF SAID SOUTHWEST 1/4 OF SECTION 9, THE WEST 1/2 OF THE SOUTHWEST 1/4 AND THE WEST 33/80ths OF THE EAST 1/2 OF SAID SOUTHWEST 1/4 OF SECTION 10, ALL IN TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



LEGEND	
	CATCH BASIN
	SANITARY SEWER MANHOLE
	HYDRANT
	WATER VALVE
	GAS VALVE
	UTILITY POLE W/TRANSFORMER
	SIGN
	UTILITY POLE
	LAMP
	ELECTRIC METER
	SURFACE FLOW DIRECTION
	PROPOSED SPOT GRADE
	WATER LINE
	SANITARY SEWER LINE
	STORM SEWER LINE
	OVERHEAD UTILITY LINE
	FENCE LINE



STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

THIS IS TO CERTIFY THAT R.H. GRANATH SURVEYING SERVICE, P.C. HAS ISSUED THIS PLAN FROM FIELD SURVEY DATA OBTAINED AT THE PROPERTY INDICATED IN THE CAPTION LEGAL DESCRIPTION AND PUBLIC RECORDS, AND THAT THE FOREGOING IS A TRUE AND CORRECT REPRESENTATION OF THE SAME. THIS PLAN OF SURVEY CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE PER TITLE 68 CHAPTER VII, SUBCHAPTER b: SECTION 1270.56 IN THE RULES FOR THE ILLINOIS PROFESSIONAL LAND SURVEYOR ACT. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.

DRAFT

STEVEN R. GRANATH I.P.L.S. No. 3169
VALID ONLY IF EMBOSSED SEAL IS AFFIXED

NOTE: BASIS OF BEARINGS SHOWN HEREON ARE BY GPS OBSERVATION - ILLINOIS EAST ZONE NAD83-12.
NOTE: ELEVATIONS SHOWN HEREON ARE IN NAVD 1988 DATUM.
NOTE: WATER, SANITARY, ELECTRIC AND TELECOM CONNECTIONS WILL BE BURIED.
NOTE: THIS SITEPLAN IS A REVISION OF PLAN DATED MARCH 11, 2016.

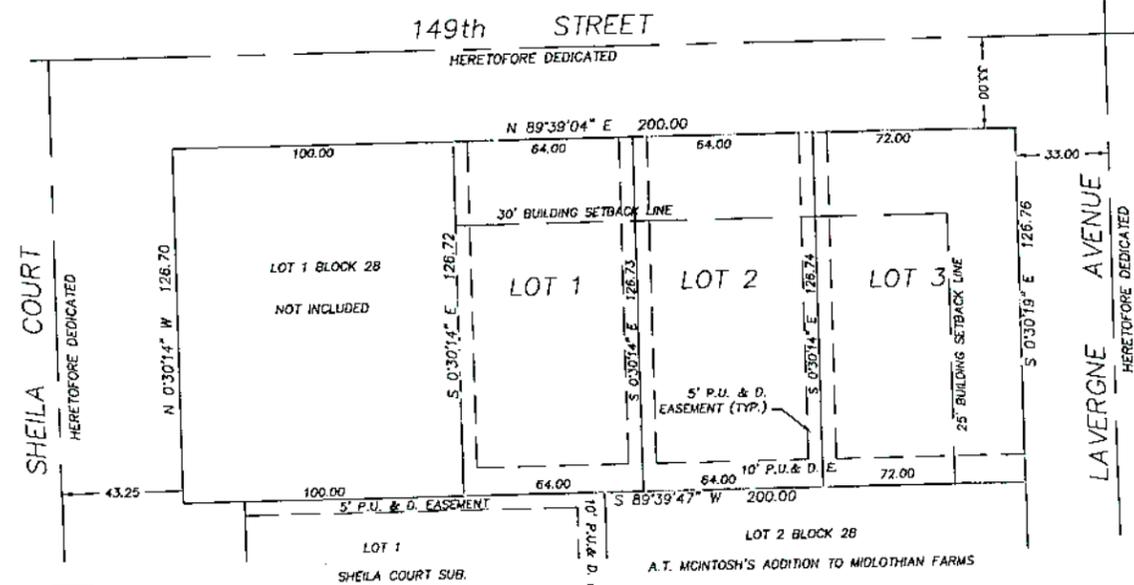
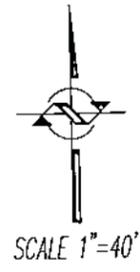
R.H. GRANATH SURVEYING SERVICE, P.C.	
DATE: APRIL 29, 2016	DRAWN BY:
DRAWING NO. 0016-01-015	CAD/SRG
PROJECT 149th STREET & LAVERGNE AVENUE LOCATION OAK FOREST, ILLINOIS	
CLIENT: CAROL A. MALECKY	

KLOSINSKI'S SUBDIVISION

BEING

R.H. GRANATH
SURVEYING SERVICE, P.C.
6006 W. 159th STREET
OAK FOREST, IL. 60452
PH: (708) 371-4478
FAX (708) 371-3922

LOT 1 (EXCEPT THE WEST 100.00 FEET THEREOF) IN BLOCK 26, OF ARTHUR T. MCINTOSH'S ADDITION TO MIDLOTHIAN FARMS, BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE EAST 1/2 OF SAID SOUTHEAST 1/4 OF SECTION 9, THE WEST 1/2 OF THE SOUTHWEST 1/4 AND THE WEST 33/80ths OF THE EAST 1/2 OF SAID SOUTHWEST 1/4 OF SECTION 10, ALL IN TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



NOTICE OF APPROVAL OF FINAL PLAT
NOTICE IS HEREBY GIVEN THAT THE FINAL PLAT OF A SUBDIVISION SHOWN HEREON HAS RECEIVED APPROVAL BY THE CITY COUNCIL OF THE CITY OF OAK FOREST, ILLINOIS, AND UPON COMPLIANCE BY THE SUBDIVIDER WITH PRELIMINARY PLATS AND WITH OTHER REVISIONS AND STIPULATIONS THAT MAY BE REQUIRED, THE CITY COUNCIL WILL RECEIVE THE FINAL PLAT FOR CONSIDERATION WHEN SUBMITTED BY THE SUBDIVIDER IN SUCH FORM AND WITHIN SUCH TIME AS REQUIRED BY THIS ORDINANCE.

MAYOR
DATE _____

CITY CLERK
DATE _____

CITY CLERKS CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, _____, CITY CLERK OF THE CITY OF OAK FOREST, ILLINOIS, HEREBY CERTIFY THAT THE ANNEXED PLAT WAS PRESENTED TO AND BY RESOLUTION DULY APPROVED BY THE CITY COUNCIL OF SAID CITY AT ITS MEETING HELD ON _____ 20____ AND THAT THE REQUIRED BOND OR OTHER GUARANTEE HAS BEEN POSTED FOR THE COMPLETION OF THE IMPROVEMENTS REQUIRED BY THE REGULATIONS OF SAID CITY.

IN WITNESS WHEREOF I HAVE HERETO SET MY HAND AND SEAL OF THE CITY OF OAK FOREST, ILLINOIS, THIS _____ DAY OF _____ 20____

CITY CLERK

SURVEYOR'S CERTIFICATE:

STATE OF ILLINOIS)
COUNTY OF COOK) SS

THIS IS TO CERTIFY THAT I, STEVEN R. GRANATH, ILLINOIS REGISTERED LAND SURVEYOR NO. 3169 DO HEREBY CERTIFY THAT I HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

LOT 1 IN BLOCK 26, OF ARTHUR T. MCINTOSH'S ADDITION TO MIDLOTHIAN FARMS, BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE EAST 1/2 OF SAID SOUTHWEST 1/4 OF SECTION 9, THE WEST 1/2 OF THE SOUTHWEST 1/4 AND THE WEST 33/80ths OF THE EAST 1/2 OF SAID SOUTHWEST 1/4 OF SECTION 10, ALL IN TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

I DO FURTHER CERTIFY THAT THE PROPERTY FALLING WITHIN THE BOUNDARY OF THE SUBDIVISION AS SHOWN HEREON FALLS WITHIN FLOOD ZONE "X" AS PER COMMUNITY NUMBER 170136 PANEL NUMBER 17031C0726 J, EFFECTIVE DATE AUGUST 19, 2008.

THE ABOVE DESCRIBED PROPERTY AS SHOWN HEREON HAS BEEN SUBDIVIDED INTO LOTS AND STREETS, ALL OF WHICH IS CORRECTLY REPRESENTED ON THE HEREON DRAWN PLAT. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF, CORRECT TO 62 DEGREES FAHRENHEIT, AND THAT ALL REGULATIONS ENACTED BY THE CITY COUNCIL RELATIVE TO PLATS AND SUBDIVISIONS HAVE BEEN COMPLIED WITH IN THE PREPARATION OF THIS PLAT.

GIVEN UNDER MY HAND AND SEAL AT OAK FOREST, ILLINOIS, THIS _____ DAY OF _____ 20____

STEVEN R. GRANATH, ILLINOIS REGISTERED LAND SURVEYOR NO. 3169

UNDERLYING P.I.N. 28-09-403-017-0000

SEND TAX BILLS TO: CAROL MALECKY
15536 SOUTH CICERO AVENUE
OAK FOREST, IL 60452

TOTAL AREA IN SUBDIVISION - 38018± SQ. FT.

CERTIFICATE AS TO SPECIAL ASSESSMENTS

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, _____, CITY TREASURER OF THE CITY OF OAK FOREST, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FOREITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT.

DATED AT OAK FOREST, COOK COUNTY, ILLINOIS, THIS _____ DAY OF _____ 20____

CITY TREASURER

OWNERS CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

THIS IS TO CERTIFY THAT CAROL MALECKY IS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT, AND HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

THE UNDERSIGNED HEREBY DEDICATES FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT FOR THOROUGHFARES, STREETS, ALLEYS, AND PUBLIC SERVICES; AND HEREBY ALSO RESERVES FOR THE SBC COMMUNICATIONS, NICOR, COMMONWEALTH EDISON COMPANY, AUTHORIZED CABLE FRANCHISE, AND THE CITY OF OAK FOREST, THE EASEMENT PROVISIONS WHICH ARE STATED ON THEIR STANDARD FORM WHICH IS ATTACHED HEREON.

DATED AT _____, ON THIS _____ DAY OF _____, 20____

NOTARY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____ AND _____ ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNERS, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGN THE ANNEXED PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR PURPOSES AND USES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ 20____

NOTARY PUBLIC

COMMONWEALTH EDISON, SBC COMMUNICATIONS AND CABLE TELEVISION FRANCHISE AN EASEMENT AS SHOWN ON THIS PLAT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, AND COMMUNICATIONS, IS HEREBY RESERVED FOR AND GRANTED TO COMMONWEALTH EDISON COMPANY, AND AMERITECH (GRANTEES) AND THE DESIGNATED CABLE TELEVISION FRANCHISEE OF THE CITY OF OAK FOREST, THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, TO CONSTRUCT, OPERATE, MAINTAIN, RENEW, RELOCATE AND REMOVE FROM TIME TO TIME, POLES, WIRES, CABLES MANHOLES, TRANSFORMERS, PEDESTALS AND OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND AND DISTRIBUTION OF ELECTRICITY, SOUNDS AND SIGNALS, IN, OVER, UNDER, ACROSS, ALONG AND UPON THE EASEMENT AS DELINEATED, INCLUDING STREETS, GRANTEES HAVE THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREOF, THE RIGHT TO OVERHANG ALL LOTS WITH AERIAL SERVICE WIRES TO SERVE ADJACENT LOTS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEES' FACILITIES WITHOUT THE PROPER WRITTEN CONSENT OF GRANTEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF. RELOCATION OF FACILITIES WILL BE DONE BY GRANTEES AT COST OF GRANTOR/LOT OWNER, UPON WRITTEN REQUEST.

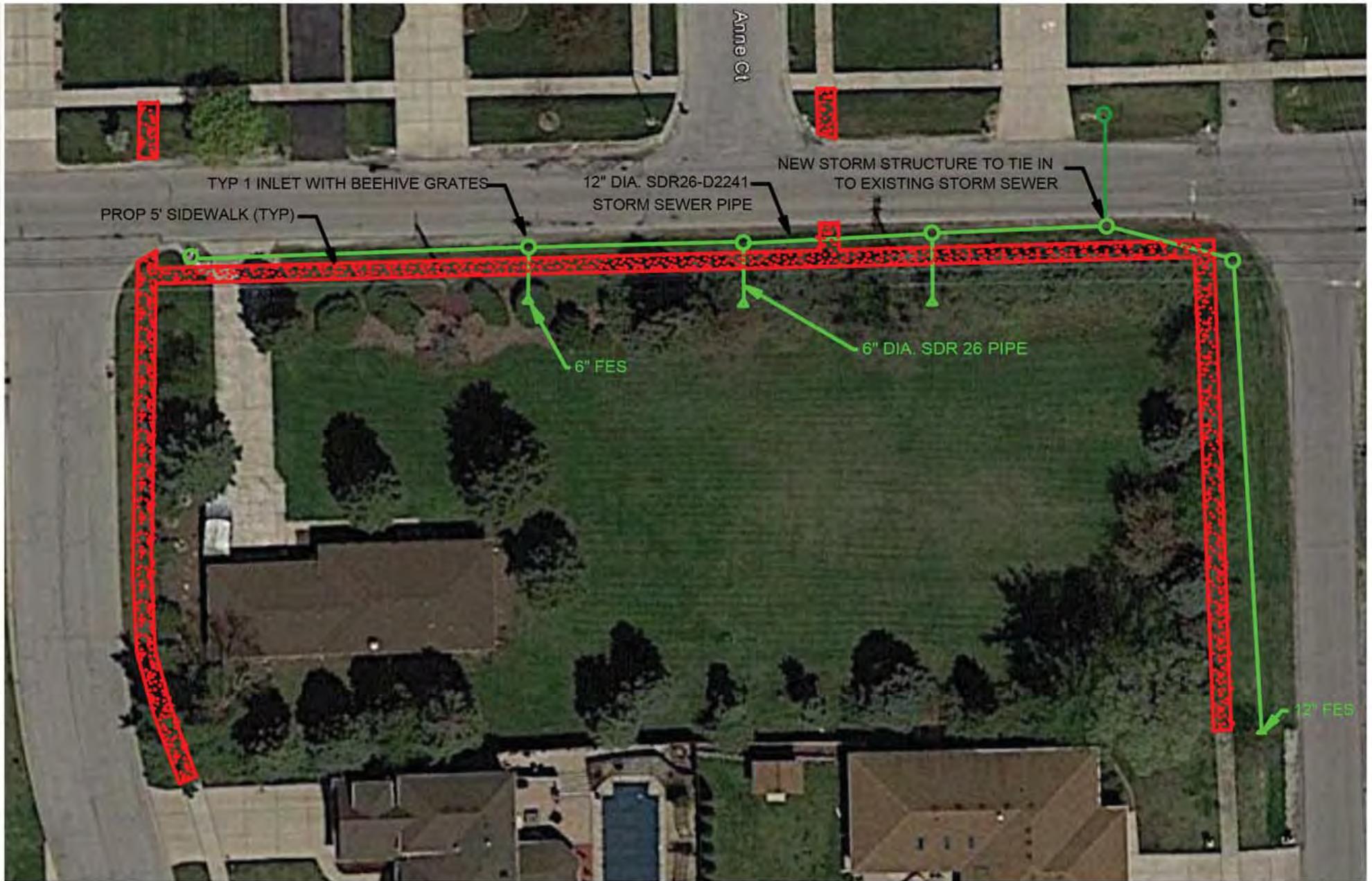
NORTHERN ILLINOIS GAS (NICOR) AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO NORTHERN ILLINOIS GAS COMPANY, ITS SUCCESSORS AND ASSIGNS ("NI-GAS") TO INSTALL, OPERATE, MAINTAIN, REPAIR, REPLACE AND REMOVE FACILITIES USED IN CONNECTION WITH THE TRANSMISSION AND DISTRIBUTION OF NATURAL GAS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN ON THE PLAT MARKED "EASEMENT", AND STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, AND COMMON AREA, OR AREAS, AND THE SERVE OTHER PROPERTY, ADJACENT OR OTHERWISE, AND THE RIGHT TO REMOVE OBSTRUCTIONS, INCLUDING BUT NOT LIMITED TO TREES, BUSHES, ROOTS AND FENCES, AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER NI-GAS' FACILITIES OR IN, UPON, OR OVER THE PROPERTY IDENTIFIED ON THE PLAT FOR UTILITY PURPOSES WITHOUT THE PRIOR WRITTEN CONSENT OF NI-GAS. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

CITY OF OAK FOREST AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF OAK FOREST TO INSTALL, OPERATE, MAINTAIN, REPAIR, REPLACE AND REMOVE FACILITIES USED IN CONNECTION WITH, BUT NOT LIMITED TO SEWER SERVICE AND THE AND DISTRIBUTION OF WATER IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN ON THE PLAT MARKED "AS PUBLIC UTILITY EASEMENT, INCLUDING STREETS, WHETHER PUBLIC OR PRIVATE.

NOTE: P.U. & D. EASEMENT REFERS TO A PUBLIC UTILITY AND DRAINAGE EASEMENT

SCHOOL DISTRICT STATEMENT
THIS SUBDIVISION IS LOCATED WITHIN THE BOUNDARIES OF ELEMENTARY SCHOOL DISTRICT #142, HIGH SCHOOL DISTRICT #228 AND COMMUNITY COLLEGE DISTRICT #510.

DRAWING NO.	CAD 0015-04-020	CAD/SRG
PROJECT	5033 WEST 149th STREET	
LOCATION	OAK FOREST, ILLINOIS	
CLIENT:	MALECKY BUILDERS	



Street trees (3 inch caliper) every 60 feet
 Lot 3 - driveway off of LaVergne Ave.
 Each lot will have sump pump w/ drain tiles to route water to new storm sewer
 Sidewalk, 5 feet in width and 630 feet in lwngh along Sheila Ct., 149th St., and LaVergne

Installation of ~460 linear feet of 12 inch diameter storm sewer
 Installation of 6 Type 1 inlets with beehive grates



September 14, 2016

Adam Dotson
Community Development Director
15440 S. Central Ave.
Oak Forest, IL 60452

Mr. Dotson,

As you are aware, I have submitted a preliminary plat to subdivide one lot into three lots at 5033 149th Street between Sheila Court and Lavergne Avenue. These lots meet the required lot size in the subject zoning area and I am now requesting this subdivision to build three new houses on the proposed lots.

As part of the subdivision I do realize the necessity of the public improvements that are required to do so. In order to effectively provide the proper public improvements I am prepared to do the following with the development of the proposed lots:

- The planting of street trees every 60 feet with 3' calipers. Type of tree to be approved by the Oak Forest Community Development Department.
- Lot 3 will be constructed with a driveway ingress/egress to Lavergne Avenue.
- Each lot/house will utilize sump pumps and drain tiles to route water to the new storm sewer.
- Installation of approximately 630 linear feet of public walk along Sheila Court, 149th street and Lavergne Ave. to connect the existing walk on Sheila Court, Lavergne, at the Northeast corner of Anne Court, and the North side of 149th at Sheila Court.
- Installation of approximately 460 linear feet of 12" diameter sdr 26 storm sewer.
- Installation of 6 (six) - Type 1 inlets with beehive grates.

This list may not be all-inclusive and failure to list any items does not relieve the contractor from completing all items per the approved plans and ordinances. These three new houses will produce a total of over \$15,000 in property taxes and hopefully bring in three new families to Oak Forest. I hope the above improvements are acceptable by the City and we can receive a building permit for a new single family home while the subdivision process is being completed. Thank you for your consideration of this matter

Sincerely,

James A. Malecky
Malecky Builders, Inc



**CITY OF OAK FOREST
PLANNING & ZONING COMMISSION STAFF REPORT**

September 21, 2016

TITLE: 147th STREET & RIDGELAND PUD WORKSHOP

CASE NUMBER: ZONING CASE 05-013

REQUEST: WORKSHOP

The Mayor requests the workshop to review a previously approved planned unit development prior to the extension of the annexation agreement for the subject property.

PROJECT INFORMATION:

ADDRESS LOCATION: Unincorporated 147th Street/Ridgeland Avenue

COMP PLAN: Townhouse Residential

ZONING: Proposed R3 – Single Family District

PETITIONER:

PETITIONER: Don Witte

OWNER: Don Witte

ENGINEER: N/A

ARCHITECT: N/A

ATTORNEY: N/A

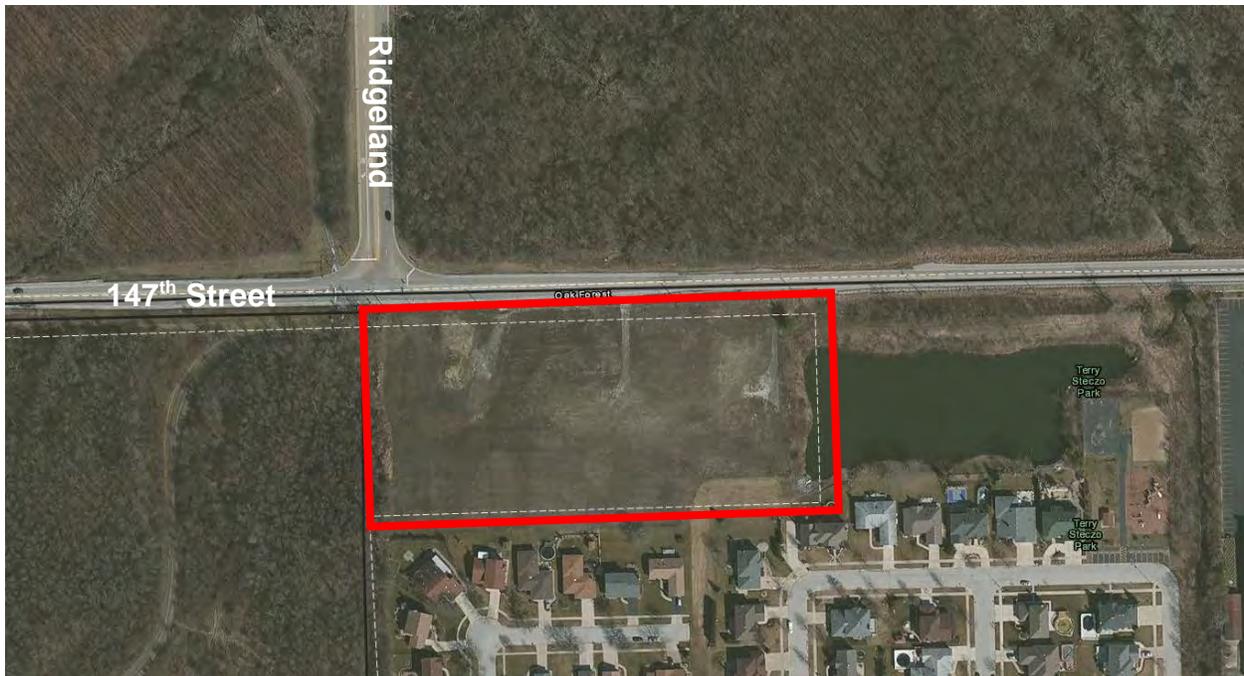
STAFF: Adam Dotson, Community Development Director
Katie Ashbaugh, Community Planner

ATTACHMENTS:

- Attachment 1 – Timeline
- Attachment 2 – Concept Plan
- Attachment 3 – Final Plan

I. REQUEST

The petitioner, Don Witte, previously requested approval of annexation, zoning, and site plan approval of a residential planned unit development in May of 2005 (Attachment 1). The final site plan (Attachment 3) was approved in conjunction with the annexation agreement. However, since that time, the petitioner has not moved forward with construction of the approved planned unit development and the annexation agreement will expire. As such, the petitioner will request an extension to the annexation agreement from City Council at a public hearing. Given the lapse in time between the approval of the site plan and previous annexation agreement, the Mayor found that presenting the previously approved planned unit development to the Planning and Zoning Commission in a workshop format would be appropriate.

AERIAL**PZC Motion**

No motion required.

**147th & Ridgeland Development
Issues List**

<u>Category</u>	<u>Issue/Concern</u>	<u>Date Raised</u>	<u>Raised By</u>	<u>Site Plan</u>	<u>Discussion</u>	<u>Date Resolved</u>	<u>Resolution</u>	<u>Documented Where?</u>
WATER	Drainage into West Ditch and Daniel's Pond	2/2/2005	McNeill memo	Orig 1/25/05				
		4/12/2005	Witte	Orig 1/25/05	Will attempt to drain all water to north pending MWRD approval. If not approved .88 acres will drain to the east into West Ditch and Daniel's Pond			
	% of land that does not absorb water	2/2/2005	Kirchdoerfer	Orig 1/25/05	65% or so			
	Retention pond dry or wet?	2/2/2005	Kirchdoerfer	Orig 1/25/05	Dry most of time			
		5/11/2005	Witte	Rev 1 5/6/05	Dry most of time			
		4/12/2005	Witte	Orig 1/25/05	Expects 5-6' deep with 4 to 1 slope drop ratio			
		4/12/2005	Witte	Orig 1/25/05	Suggested brick retaining wall between homes and retention in pond			
	Water & sewer access	2/2/2005	Kirchdoerfer	Orig 1/25/05	Still looking at it			
		4/12/2005	Witte	Orig 1/25/05	Likely to use Landings lift station			
	Flood plain concerns	2/2/2005	Residents	Orig 1/25/05	Request to involve FEMA to prevent return to flood plain			
		4/12/2005	Witte	Orig 1/25/05	Property not in flood plain, no legal requirement to involve FEMA			
	Clean up of septic problems on Karge property	2/2/2005	Residents	Orig 1/25/05				
Lift Station use / capacity	2/2/2005		Orig 1/25/05					
Soil test for depth of water table	4/12/2005	Residents	Orig 1/25/05	Need to schedule that test per Witte				
	5/11/2005	Residents	Rev 1 5/6/05	Test could not take place as it was raining on 5/11, expect to conduct test on 5/12 weather permitting per Witte				

**147th & Ridgeland Development
Issues List**

<u>Category</u>	<u>Issue/Concern</u>	<u>Date Raised</u>	<u>Raised By</u>	<u>Site Plan</u>	<u>Discussion</u>	<u>Date Resolved</u>	<u>Resolution</u>	<u>Documented Where?</u>
	Integrated FEMA flood study	5/11/2005	Residents	Rev 1 5/6/05	Requested Oak Forest to look beyond property lines for water drainage issues			
	Do not raise land elevations (overflow of Daniel's and West Ditch)	5/11/2005	Residents	Rev 1 5/6/05	Previous engineering work done relative to specific land elevations for water flow			
SITE PLAN	Density	2/2/2005	McNeill memo	Orig 1/25/05	Requested to reduce by 15-20%. Rev 1 dated 5/6/05 reduced from 35 to 31 units for 11.4%			
	Density too high	2/2/2005	Residents	Orig 1/25/05	Proposed at 7.7 u/a with 35 units			
	Lose unit #9	5/11/2005	Residents/McNeill	Rev 1 5/6/05				
	Layout inconsistent with other similar developments (density & design)	2/2/2005	McNeill memo	Orig 1/25/05				
	Zoning	2/2/2005	Kuspa	Orig 1/25/05	TBD, comes in as R1			
		2/2/2005	Residents	Orig 1/25/05	Zone same as Ridgewood and Landings			
	Another egress on 147th?	2/2/2005	Kuspa	Orig 1/25/05	Not likely with IDOT			
	Fire truck turn radius?	2/2/2005	McNeill memo/Kuspa	Orig 1/25/05	3 point turn needed, still need review by Fire Dept			
		5/11/2005	Kuspa	Rev 1 5/6/05	Did Fire Dept approve?			

**147th & Ridgeland Development
Issues List**

<u>Category</u>	<u>Issue/Concern</u>	<u>Date Raised</u>	<u>Raised By</u>	<u>Site Plan</u>	<u>Discussion</u>	<u>Date Resolved</u>	<u>Resolution</u>	<u>Documented Where?</u>
	Lack of open space	2/2/2005	McNeill memo	Orig 1/25/05				
	Lack of public sidewalks	2/2/2005	Kuspa	Orig 1/25/05	Not in the plan			
		4/12/2005	Witte	Orig 1/25/05	No sidewalks			
		5/11/2005	McNeill	Rev 1 5/6/05	Still not in the plan, requested again			
	Outside lighting	2/2/2005	Kuspa	Orig 1/25/05	Outside garages, maybe street lighting			
	2 car attached garages	2/2/2005	Kuspa	Orig 1/25/05	Yes			
	Parking spaces	2/2/2005	Kuspa	Orig 1/25/05	2 on drive, 4 in between units			
	Building structure	2/2/2005	Stuewe	Orig 1/25/05	2 stories - 1st all brick, 2nd siding			
	No street parking	2/2/2005	Stuewe	Orig 1/25/05	Met code, will look at again			
	Lack of guest parking spaces	5/11/2005	Kuspa	Rev 1 5/6/05	Need to be able to handle parties, etc			
	Maintenance of detention area	2/2/2005	Residents	Orig 1/25/05	By homeowners association			
	Driveways	4/12/2005	Witte	Orig 1/25/05	Blacktopped			
	Draft of townhome bylaws	4/12/2005	McNeill	Orig 1/25/05	Requested prior to annexation			
		5/11/2005	Residents	Rev 1 5/6/05	Not yet provided, requested again			
	Landscaping plan	5/11/2005	Residents	Rev 1 5/6/05	Desire to see landscaping plan			

BUFFER	Make it a gated community	2/2/2005	Residents	Orig 1/25/05				
	Buffer on south of property	2/2/2005	Kuspa	Orig 1/25/05	Retention 55' to property line			
	Abundance of bushes to buffer	2/2/2005	Kuspa	Orig 1/25/05	Something to look at			
		5/11/2005	Witte	Rev 1 5/6/05	5' high fence or landscape wall on south side only			
		5/11/2005	Kuspa	Rev 1 5/6/05	Requested fencing/barrier on 3 sides of development			

**147th & Ridgeland Development
Issues List**

<u>Category</u>	<u>Issue/Concern</u>	<u>Date Raised</u>	<u>Raised By</u>	<u>Site Plan</u>	<u>Discussion</u>	<u>Date Resolved</u>	<u>Resolution</u>	<u>Documented Where?</u>
PARK ACCESS	Access to Landings park or own park	2/2/2005	Kuspa	Orig 1/25/05	Something to look at			
		4/12/2005	Residents	Orig 1/25/05	City suggested sidewalk along north side of Daniels Pond, Witte did not commit			
		5/11/2005	Residents	Rev 1 5/6/05	Witte said he'd be willing to work with city on it			
	Strongly discouraging walking through residents yards	2/2/2005	Kuspa	Orig 1/25/05	Something to research			
		4/12/2005	Residents	Orig 1/25/05	Wrought iron fencing and shrubs suggested, Witte did not commit			
UNITS	Unit size	2/2/2005	Burns	Orig 1/25/05	1800 sq ft, 2 bedrooms, look at 3 bedrooms			
		5/11/2005	Witte	Rev 1 5/6/05	1900 sq ft, 2 and 3 bedrooms			
	Unit price	2/2/2005	Burns	Orig 1/25/05	\$250,000			
		4/12/2005	Witte	Orig 1/25/05	\$250,000			
		5/11/2005	Witte	Rev 1 5/6/05	\$260,000 - \$275,000			

Community Development Response

Any project requiring MWRD approval cannot proceed without their permit; meaning if denied, site plan revisions would have to be made to the drainage plan and resubmitted. Such review by the City would take place at a DRC meeting at a future date; a revised drainage plan would then be submitted to MWRD. This process was discussed by me (and I believe Witte's engineer) at the 4/12/05 meeting.

That percentage (65%) is not uncommon and could quite likely rise higher if a developer chose to maximize his available density by choosing to build high-rise condominiums instead of townhomes. Again, discussed several times with residents in response to the Witte proposal.

Retention or detention? Retention is intended to retain water for an indefinite period of time; used by some projects as an amenity. Detention is a temporary holding of flood water until dissipated or transferred via discharge pipes, or a combination.

Staff will not recommend any barrier which walls off the project from its neighbors. An open fence (iron, wood, etc) accomplishes the same degree of separation, without the negative connotations associated with a wall.

As stated several times in virtually every communication with the residents; this is a technical issue to be resolved by staff through the mechanism of the Development Review Committee, on technical considerations alone.

In all probability, yes. If capacity is deemed insufficient by the DRC, we will recommend a new lift station with the cost to be absorbed by Witte.

Request does not make it an issue. FEMA will not make a determination on property not in the flood plain. What they will do, is throw the ball back at the property owners or the city, to pay for the watershed study suggested in the most recent memo from the Edborgs.

Don is correct; legally, there are no grounds for FEMA to review the project. Joe Nordman discussed this process with residents after the last meeting and reinforced the futility of this effort.

DRC issue to be resolved by staff.

See above

While soil borings are recommended for any project in Oak Forest, this type of test is not a normal requirement, but one which would have been recommended at the DRC level.

Community Development Response

By definition, drainage involves looking beyond the property lines. What the residents want, and what we can legally require a developer to do is an issue being placed before the City Attorney for an opinion. What I know we cannot afford to do, is conduct an extensive watershed study for one of the most exclusive areas in Oak Forest and expect the city to pay for it, without raising a clamor for similar studies in other areas, also paid for by the City. We have options to pay for such studies, but they involve increased taxation which is never a popular solution.

DRC issue to resolved by staff. One note from experience; on occasion, changing the grade can lead to improved drainage under many circumstances.

Reduction in density proposed by Witte is generally acceptable to Community Development, pending a thorough DRC review of the site plan to address issues such as emergency access and traffic flow.

I take issue with my name being at the left; My comments to Witte regarding the need to "lose the unit" reflect my opinion that he concede on a point which he can likely afford to do so. There is an estimated 55 feet between the resident's house in question and the building wall proposed by Witte. As a side yard, under the same zoning as in force in the Landings area, he could approach as close as 6 feet to the property line. Witte's proposal greatly exceeds what could be built if the property were developed with a SF detached home, in the same orientation.

The project density has been lowered to where my original concerns have been satisfactorily addressed;

The zoning in the residents area is R-3; a mid-level density of roughly 6 units/acre. The difference in density between SF detached (Landings) and SF attached housing (housing) is often much higher than the difference under consideration with this project. Bringing the project in as a PUD under R-1 offers the highest degree of control and regulation - a commodity that is negotiated through the DRC, PZC and Council process, to where a fair accommodation is reached.

Not a smart move in my opinion, for the reasons stated above.

The possibility of an emergency access point near the W side of the project, has been under investigation for some time and has been broached with the developer.

Official FD review is undertaken as part of the DRC process.

DRC meeting had not been scheduled because a revised site had not been "officially" submitted by the developer.

Community Development Response

Basically discussed in relationship to the density issue, which has been addressed.

Witte was informed at the last meeting, in no uncertain terms, that staff's recommendation would require sidewalks and additional guest parking be provided.

Some street lighting is a likely requirement, but the amount and placement is to be resolved at the DRC level.

Many projects only offer 1-car garages.

Need for street parking is questionable under normal circumstances, but guest parking will be a requirement to gain staff recommendation.

Standard operating procedure; contracted to management company.

Responsibility of requesting and reviewing bylaws rests with the DRC/staff and will be addressed through a pre-annexation agreement. As stated before, these are not required prior to an ordinance being presented to the Council, or unless a PZC commissioner requests them to be made available prior to an official vote being taken.

Landscaping plans are optional, at the discretion of my office, or if the DRC/PZC feels a formal plan is necessary. I have been working with Witte on a couple of options which provide him flexibility and address concerns of glare/privacy, but these have not been formalized yet.

Staff will oppose any gated communities in Oak Forest. Gated communities in predominantly white populations are often perceived as discriminatory, despite the original intent behind their inception.

DRC issue to be resolved by staff.

Fencing has been suggested as a means of preventing unwanted pedestrian traffic through adjoining properties. Residents who have such a problem usually seize the initiative and place their own fences as a means of insuring privacy. There is a degree of reasonableness to the request for a fence on the S side of the property, and to a lesser degree, on the E side. Requiring a fence on the W side would be inconsistent with our practice on other projects adjoining forest preserve property and cannot be recommended by staff as a requirement.

Community Development Response

The Landings Park is a public facility and should be accessible via public land whenever possible. While we can try to mitigate unwanted pedestrian traffic in private space, people in the Witte project must have pedestrian access to the park.

A possibility, using grant funds; its uncertainty should not be used to penalize the project.

See above

See above

Witte has evidently met everyone's expectations along these lines



LINDEN
LENET
LAND
DESIGN

PLANNING AND
LANDSCAPE
ARCHITECTURE

320 W. 49th Street
Suite 500
Chicago, Illinois
60618
(312)829-0060

T.R.D.	04-26-05
T.A.B.	06-06-08



PREPARED FOR:
DON WITTE
LOCATION:
OAK FOREST
DATE:
01-25-05
SCALE:
1"=30.00'
COMPUTER NAME:
SUBMITTAL
JOB NUMBER:

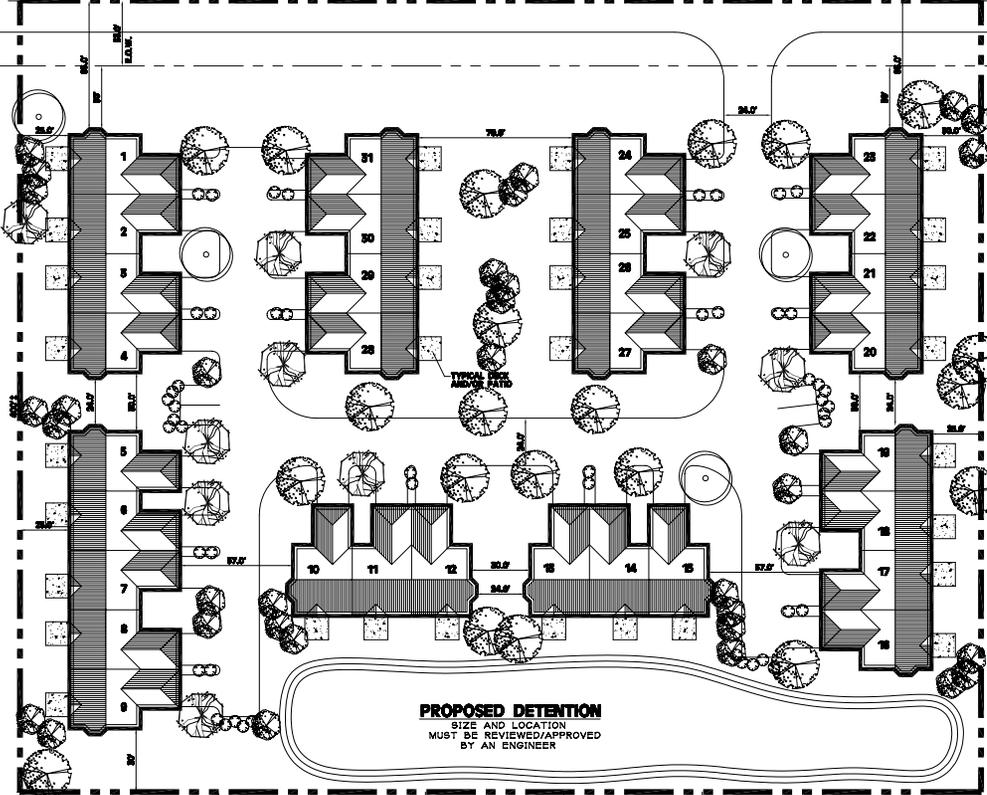
SHEET

1

ADJACENT
COURT COUNTY
PUBLIC PROPERTY

147th STREET

ADJACENT
COURT COUNTY
PUBLIC PROPERTY



SITE DATA

GROSS LAND AREA	194,400 sf	4.5 ac
DEDICATED STREET AREA	16,038 sf	
NET LAND AREA	178,362 sf	4.1 ac
TOTAL UNITS	31 UNITS	
TOTAL PARKING	128 SPACES	
OPEN	62 SPACES	
ENCLOSED	66 SPACES	
BUILDING LAND COVERAGE	46,312 sf	25.97%
PARKING AND DRIVES AREA	30,323 sf	17.00%
OPEN AREA	101,727 sf	57.03%

PROPOSED DETENTION
SIZE AND LOCATION
MUST BE REVIEWED/APPROVED
BY AN ENGINEER

5' HIGH FENCE OR
5' HIGH LANDSCAPE WALL
TO BE LOCATED ALONG
SOUTH PROPERTY

ADJACENT
COURT COUNTY
PUBLIC PROPERTY

KNOLLWOOD DRIVE

GENERAL NOTES

1. REFER TO PLAT OF SURVEY FOR LEGAL DESCRIPTION, BOUNDARY DIMENSIONS AND EXISTING CONDITIONS.
2. REFER TO ARCHITECTURAL PLANS FOR BUILDING MIX, SIZE AND FOOTPRINT.
3. REFER TO ENGINEERING PLANS FOR DETENTION CALCULATIONS, UTILITY LOCATIONS TOPOGRAPHIC INFORMATION AND THE LIKE.
4. ALL LANDSCAPE SHOWN IS FOR VISUAL PURPOSES ONLY.

CONCEPT PLAN ONLY

CONCEPT PLAN ONLY, ALL AREAS
AND DIMENSIONS ARE APPROXIMATE

© 2005 Consultant. This Drawing is the Property of Linden Lenet Land Design

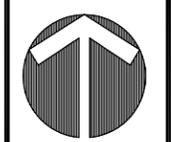


**LINDEN
LENET
LAND
DESIGN**

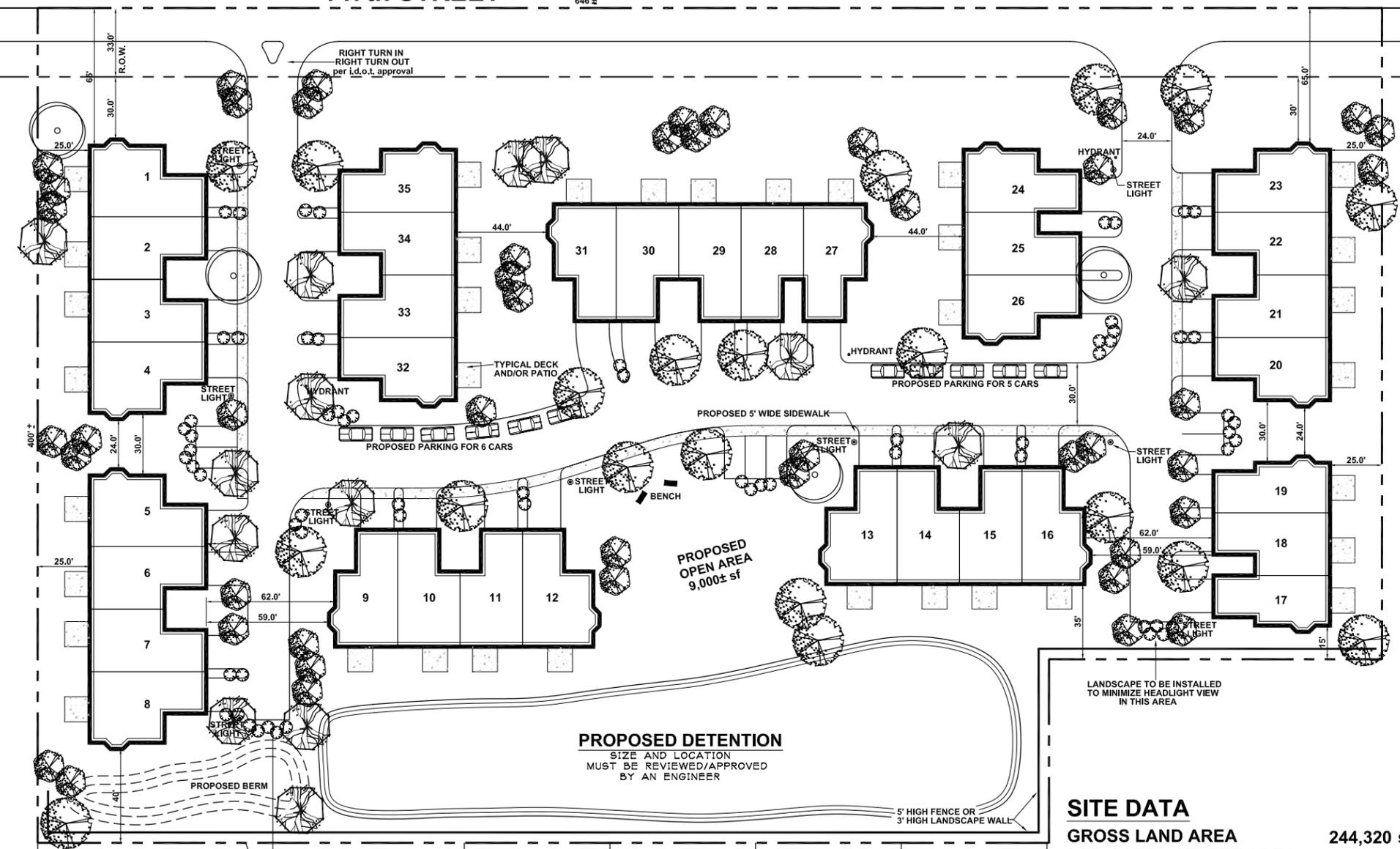
**PLANNING AND
LANDSCAPE
ARCHITECTURE**

329 W. 18th Street
Suite 506
Chicago, Illinois
60616
(312)829-0080

T.R.B.	04-26-05
T.R.B.	05-18-05
T.R.B.	05-23-05
T.R.B.	06-1-05
T.R.B.	06-28-05
T.R.B.	06-30-05



147th STREET



SITE DATA

GROSS LAND AREA	244,320 sf	5.6 ac
DEDICATED STREET AREA	21,318 sf	
NET LAND AREA	223,002 sf	
TOTAL UNITS	35 units	
TOTAL PARKING	158 spaces	
OPEN	88 spaces	
ENCLOSED	70 spaces	
BUILDING LAND COVERGAE	52,718 sf	23.64%
PARKING AND DRIVES AREA	38,752 sf	17.38%
OPEN AREA	131,532 sf	58.98%

GENERAL NOTES

1. REFER TO PLAT OF SURVEY FOR LEGAL DESCRIPTION, BOUNDARY DIMENSIONS AND EXISTING CONDITIONS.
2. REFER TO ARCHITECTURAL PLANS FOR BUILDING MIX AND FOOTPRINT.
3. REFER TO ENGINEERING PLANS FOR DETENTION CALCULATIONS, UTILITY LOCATIONS TOPOGRAPHIC INFORMATION AND THE LIKE.
4. ALL LANDSCAPE SHOWN IS FOR VISUAL PURPOSES ONLY.

CONCEPT PLAN ONLY

CONCEPT PLAN ONLY, ALL AREAS AND DIMENSIONS ARE APPROXIMATE

**KNOLLWOOD DRIVE
ATTACHMENT 3**

© 2004 Copyright. This Drawing is the Property of Linden Lenet Land Design.

PREPARED FOR:
DON WITTE

LOCATION:
OAK FOREST

DATE:
01-25-05

SCALE:
1"=30.00'

COMPUTER NAME:
site6

JOB NUMBER:

SHEET

CITY OF OAK FOREST

PLANNING/ZONING COMMISSION MEETING

Wednesday

September 7, 2016

The Plan/Zone Commission meeting was called to order by Chairman Stuewe at 7:00 p.m. with Roll Call. The Pledge of Allegiance was led by Mr. Cowgill.

PRESENT: Mr. Riha
Mr. Walsh
Mr. Ziak
Mr. Schroeder
Mr. Cowgill
Mr. Wolf
Chairman Stuewe

ABSENT: Mrs. Morrissy
Mr. Oostema

PUBLIC HEARING - PZC CASE #16-010

Chairman Stuewe requested a motion to open the Public Hearing in PZC Case #16-010.

Mr. Cowgill made the motion.

Mr. Wolf seconded.

Everyone was in favor.

Chairman Stuewe introduced PZC Case #16-010 for approval of a minor subdivision plat to re-subdivide one lot into two lots at 15250 La Crosse Avenue in the R-1 Single Family Zoning District, Petitioner Edward McCain. The Chairman then explained the Hearing rules.

Community Planner Katie Ashbaugh was sworn in. Miss Ashbaugh explained that the Petitioner's lot is located at the northwest corner of La Crosse and 153rd Street and is about 2.5 times the

minimum requirement of a lot in the R-1 zoning district, with the width measuring about twice the minimum requirement. Based on this, the Petitioner is able to subdivide the property in order to get its maximum use and value. The Petitioner also will be able to sell the additional lot. Miss Ashbaugh believes the existing house has been significantly upgraded/remodeled and will remain in place. The additional lot will be sold.

Based on the zoning requirements, Miss Ashbaugh stated that the lot that will be created meets the minimum requirements for the R-1 Residential Zoning District and has no zoning issues from a planning perspective. No variations to the Code will be required.

Miss Ashbaugh went on to state the plat will require some engineering adjustments as it is not done to the City's standards, possibly due to the way it was drafted. The Petitioner will need to provide more information. She noted that that Baxter and Woodman is reviewing this for engineering compliance.

Miss Ashbaugh stated explained that there are motions that the subdivision can be approved with. There are Conditions: Retitle the plat "McCain Subdivision", per the City's standard Preliminary and Final Plat; remove the platted zoning setback on the first lot because a zoning setback stays on the property even if the property is rezoned in the future; and comply with any additional engineering review comments that Baxter and Woodman supply. These Conditions must be met before the plat can go before City Council.

The Commissioners had no questions or comments at this point. Chairman Stuewe offered audience members an opportunity to speak.

Ms. Francesca Stirrat, 15301 S. Lamon, introduced herself and was sworn in. She noted that her residence is directly across the street from the house in question. Ms. Stirrat stated that she has owned her 1-acre property for about 10 years. She then explained that the Petitioner purchased the house in question as a foreclosure, with the intent of subdividing and selling.

Ms. Stirrat voiced concern regarding issues with the rehab of the existing residence, including multiple visits from the police, failure to meet Code, etcetera. She noted that the Petitioner has not yet completed the rehab of the existing house. She stated that the Petitioner took apart the deck and was burning

the chemical-treated wood, nonstop; producing billows of possibly toxic smoke and leading Ms. Stirrat and neighbors to call the police.

Ms. Stirrat also noted that the Petitioner did not use a proper dumpster for construction debris and basically has made the side lot into a junk yard, dumping debris there. She went on to state that the Code Enforcement person has come to the property multiple times and told the Petitioner to clean up the lot. Ms. Stirrat listed items on the lot, such as box trucks, jet skis, racks, garbage, etcetera. She commented that this has been horrible.

Ms. Stirrat noted that she and her husband own investment property in Oak Lawn but choose to live in Oak Forest and intended to grow old in their current home. She does not feel that she should open her door and have to deal with chemical smoke and garbage/debris. She voiced concern about the intended subdivision and future construction, noting that the Petitioner is exhibiting very low standards.

As a homeowner and taxpayer, Ms. Stirrat feels that the Petitioner's 100% for-profit situation will become detrimental to her family and their neighbors.

Chairman Stuewe responded that all of the issues Ms. Stirrat talked about come under Code Enforcement and need to be addressed with the police and Code Enforcement. He explained that the Petitioner can divide the property because of the zoning.

Ms. Stirrat stated that they do not want to see another house on the property in question. Chairman Stuewe explained that the Petitioner purchased the property as an investment and has the right to make a profit on it.

The Chairman mentioned that he had expected the Petitioner to be present at this Public Hearing, but he is not. Ms. Stirrat commented that it is in the Petitioner's character to not show up for this hearing.

Chairman Stuewe reiterated that the Petitioner will be allowed to subdivide this property. Ms. Stirrat pointed out that this type of issue will drive people out of Oak Forest. She again explained her position.

Ms. Stirrat also questioned the level of quality in this case. Chairman Stuewe stated that the building requirements for the new house is where the quality will be seen. It is the Chairman's understanding that the Petitioner will be selling the lot.

Ms. Stirrat stated that the lot already is listed, with a realtor's sign on the lawn, even though the subdivision has not yet been approved. She questioned whether this is legal. She and Chairman Stuewe briefly discussed this. The Chairman summarized that the second lot cannot be sold until the subdivision has been approved.

Mr. Wolf asked about the front and side variances and the setback for the back yard versus the frontage. He also voiced concern about the how close the porch on the existing house is to the lot line, in terms of the backyard setback.

Miss Ashbaugh explained that a setback is the distance a primary structure needs to be from the street. For a corner lot, there must be 30 feet from the street on both sides. She believes the current house is only 29+ feet on the side. Hypothetically, if the existing house were to be torn down, the north property line would then serve as the rear yard so the house would need to be 40 feet from the north property line. The side lot adjacent to the new lot would need to be no closer than 8 feet because the minimum space between the property line and structure needs to be 8 feet. The house still would need to be 30 feet from La Crosse and 30 feet from 153rd Street.

Miss Ashbaugh stated that, the way this lot is proportioned, the Petitioner would get maximum use by having 153rd Street serve as the front yard.

Chairman Stuewe asked whether the rear yard setback starts at the house or at the end of the deck. Miss Ashbaugh stated that the rear yard setback is measured from the rear property line. A brief discussion ensued about the address of the property.

Miss Ashbaugh stated that the lot is 109 feet by 129 feet. She noted that the maximum use would be to have the property run north to south. She and the Chairman discussed this.

| Miss Ashbaugh stated that the existing deck is about 16+8 feet from the proposed property line. Chairman Stuewe reiterated his question about whether the rear yard setback is from the deck to the property line or from the house to the property line. Miss

Ashbaugh stated that the deck can be as close as 8 feet from the property line. The Chairman and Miss Ashbaugh discussed the property. Miss Ashbaugh stated that the existing deck is ~~15~~ about 16 feet from the proposed property line.

Mr. Wolf expressed some confusion. Chairman Stuewe explained that the west side of the house will be a side area.

Mr. Wolf commented that the prior depth was 189 feet. Miss Ashbaugh agreed.

Mr. Wolf commented that, once subdivided, the former back yard will become a side yard. Miss Ashbaugh agreed that this is better, from a zoning perspective. She explained that the new lot's rear yard will be the north property line, as opposed to the far west property line. Currently, the proposed new lot serves as the rear yard for the existing property.

Mr. Wolf talked about the current property having the backyard and deck, window lines, etcetera, which will now become a side yard. He noted that there is a driveway cut that runs to the deck. He also noted a pad at the west, which may have once been a garage but the existing house has no garage. Mr. Wolf questioned where a garage would be. Miss Ashbaugh stated that this issue will be looked at if a garage permit is applied for; in terms of buildable area. She believes there are provisions in which portions of a garage can go into the rear yard. In that case, the corner lot would have a certain amount of its garage in the rear yard, in the 40 foot buffer area, as an accessory structure.

Chairman Stuewe asked about the distance between the existing house and the north property line. He noted the driveway cut on the south side of the lot but questioned where a garage could be if there is no more than 40 feet on the north side. Miss Ashbaugh stated that the existing house appears to be right on the required setbacks for the corner and front yard. She stated that there is space between the rear yard setback on the proposed Lot 2 and the house.

Mr. Wolf commented that it is hard to see what the setbacks are on all four sides, based on the drawings provided. Chairman Stuewe stated that the setback from the west property line is 15 feet from the deck, the front setback is 30 feet, the north side is approximately 80 feet and could accommodate a garage and a driveway. Miss Ashbaugh agreed. She also clarified that the

| rear-side setback is required to be at least 8 feet, but this is 15 feet.

Miss Ashbaugh stated that accessory structures can be as close as 3 feet to a property line. She pointed out that there are size limitations.

Mr. Walsh asked whether the lot with the existing house conforms to all zoning. Miss Ashbaugh stated that it does not. The house is slightly closer than the required 30 feet (29.18 feet) from the south property line on 153rd. The property does comply with zoning on the La Crosse frontage.

Mr. Walsh asked whether this discussion is about the property now or in the future. Miss Ashbaugh stated that the home is an existing condition. She noted that the intent of rezoning amendments to the Zoning Ordinance in 2014 was to create fewer nonconformities. She added that the current lot conforms and the proposed subdivided lots both will conform to the existing zoning district.

Mr. Walsh asked if there is any reason not to approve this; aside from the 'not good neighbors' issue. Miss Ashbaugh stated that there is no Code-related reason not to approve the proposed subdivision.

Ms. Jamie Harling, 15238 S. La Crosse, introduced herself and was sworn in. Ms. Harling stated that she just found out about what is going on with respect to subdividing this property. She had hoped that the Petitioner would be at this Public Hearing and explain what they intend to do. She commented that her family cannot see what the Petitioner is doing, but they can smell it.

Ms. Harling voiced confusion about how the Petitioner's plans will affect the 153rd Street properties and the houses along the south end of La Crosse, in terms of building and zoning, etcetera. Miss Ashbaugh clarified that the Petitioner is not asking to rezone the property. The property will remain R-1 Single Family Residential.

Miss Ashbaugh went on to explain that there are minimum lot requirements in the districts. R-1 is the lowest density zoning district and has the largest lots permitted. The minimum lot area is 10,000 square feet and the minimum lot width is 80 feet. She stated that the proposed lot meets both of those requirements as the proposed second lot area will be just over 10,200 square

feet and will have 80 feet width at the 153rd Street frontage. Miss Ashbaugh added that the corner lot is significantly larger. Because both lots meet the minimum requirements for lot size and width, the Petitioner is able to subdivide.

Ms. Harling questioned what size house can be built on the second lot, assuming this is approved and the lot is sold. She does not feel that there is enough room to build another house there. She voiced concern about this and asked whether this will damage the property values for residents on La Crosse.

Miss Ashbaugh stated that, in terms of land use, building a single family home on the new lot is permitted because the property meets the zoning district requirements. The Code has already been approved, so a text amendment would be needed in order to require a larger minimum lot size.

Chairman Stuewe clarified that Ms. Harling's question is about the size of the house that will be allowed on the second lot. Miss Ashbaugh stated that the house cannot be closer than 8 feet from the property line on one side, and the distance on another side can be no closer than 12 feet. The house must be 30 feet from the street on the 153rd Street side. Miss Ashbaugh apologized for not having calculated the buildable area but agreed to do so after the meeting. She explained that a house could be in the buildable area within the setback requirements.

Ms. Harling asked for clarification about the engineering that was previously mentioned. She questioned whether drainage would become an issue for properties on La Crosse. She asked for more information about the procedure and how it will affect the properties to the north.

Mr. Cowgill explained that the engineering studies are to ensure that the proposed subdivision and/or construction will not adversely affect the existing properties. He stated that there are checks and balances that will allow the Petitioner to only do certain things. He added that an adverse physical impact will not be allowed. From a market/financial standpoint, Mr. Cowgill stated that a new home will be built.

Mr. Cowgill also explained that the Harlings and other residents were notified of this Public Hearing because they live within a specific distance of the property in question; not because it has anything to do with the Harlings or any other resident. Ms. Harling thanked Mr. Cowgill for this explanation.

Chairman Stuewe added that signs were posted in the parkway to notify residents about this Public Hearing. Miss Ashbaugh added that Public Hearing notices are required by State law so that people can voice their concerns and ask questions.

Mr. Riha asked whether the residents will have an opportunity to speak when/if this goes before City Council. Chairman Stuewe responded that the residents will have that opportunity; however, he noted that the proposal has to meet three further conditions before it gets to City Council.

Mr. Wolf asked whether this came before PZC because there are conditions on this proposal. Miss Ashbaugh responded that this came to PZC because the Petitioner is creating a new lot. The Code requires a Public Hearing if a new lot is being created.

Mr. Wolf commented that he wished he had more specifics since there is an existing structure on a portion of the lot in question. He talked about the Comprehensive Plan, Zoning, etcetera. He stated that he does not want to see anything like what happened on 155th Street happen again.

Mr. Wolf went on to state that he believes the Petitioner should be present at this Hearing to talk about what will be on these lots and to answer questions and concerns the Commissioners have.

Mr. Wolf stated that he is uncomfortable approving this because there is an existing structure and he has concerns about the appeal of subdividing these lots without restrictions. He feels that the City loses control. Miss Ashbaugh stated that the restrictions are the zoning requirements of how large they can be and height requirements for the zoning district. She added that only single-family homes can be built in this district.

Mr. Wolf voiced concerns about the setbacks of the existing house. He also voiced concern about the changes to the corner lot frontage.

Chairman Stuewe explained that the existing house is not part of this discussion. When the Petitioner requests a permit for a garage for the existing house, the setbacks will be discussed at that time. He explained that tonight's goal is only to decide whether to subdivide the lot. The Chairman briefly talked about setbacks for the future house.

Mr. Wolf talked at length about the lack of infrastructure necessary for a new development. Miss Ashbaugh stated that this will be included as part of the engineering for public improvements, if it's needed.

Mr. Wolf asked what the engineering Condition covers. Miss Ashbaugh responded that this covers any and all public improvements. She explained that the zoning is just the land use and the size of the lot. The rest is infrastructure, grading and drainage. She also explained that this will review what goes on the lot and whether it will have any adverse impact on the adjacent homes. Ideally, this will be connected to the existing infrastructure system.

Miss Ashbaugh added that this is intended to be a shorter review process because the subdivision is in a developed area not a new construction area.

Miss Ashbaugh noted a minor correction: The maximum lot coverage for the R-1 Zoning District is 50% and the maximum building coverage is 45%. She noted that this will be based on whichever is more restrictive; whether the setbacks confine it or the percentage. The Petitioner will need to comply with the setbacks, regardless. Chairman Stuewe added that plans and engineering must be submitted prior to construction of any new structure.

Chairman Stuewe and Mr. Wolf agreed to having concerns about the existing house. The Chairman agreed with Miss Ashbaugh that this is an existing home and, if a garage and driveway are requested, the owner will need to submit plans and engineering at that time.

Mr. Ryan Stirrat, 15301 Lamon, introduced himself and was sworn in. Mr. Stirrat asked who decides what will be allowed on the new lot in terms of architectural relevance within the area; a 500 square foot ranch house versus a giant McMansion versus a typical Cape Cod like what is already on that street. Miss Ashbaugh responded that, at this time, the City cannot restrict the design of a private home as long as the setbacks and Code are complied with.

Mr. Stirrat surmised that a person can build a shanty as long as it complies. Miss Ashbaugh responded that the house would need to comply with all current building standards that the City administers.

Mr. Stirrat commented that the Commissioners really have no restrictions on any of it. Chairman Stuewe responded that the City has quite a few restrictions. He and Mr. Stirrat discussed this.

Mr. Stirrat expressed concern that there be an architectural element since this neighborhood is part of the older section of Oak Forest. He also talked about the house that was plopped on 155th Street, which he feels doesn't look like it belongs there.

Miss Ashbaugh responded that the City would have to administer architectural design guidelines, ~~which cannot be done legally at this time~~. Currently, there is no design review process for single-family residential homes.

Mr. Walsh agreed with Mr. Stirrat that no one wants a crazy-looking house being built next door. Mr. Walsh added that the PZC is only looking at zoning tonight.

Mr. Stirrat explained that he has an architecture background and looks at plans every day. Mr. Walsh explained that any proposed house will have to conform to minimum/maximum square footage, height restrictions, brick or frame construction, etcetera; however, the City cannot control the architectural design of the house.

Mr. Walsh reiterated that this hearing is only to discuss whether the proposal meets the zoning guidelines, which it does. Mr. Stirrat agreed that it meets zoning guidelines, but not the standards.

The Chairman asked Miss Ashbaugh to clarify. Miss Ashbaugh stated that the Conditions apply to the engineering aspect of the subdivision, not the zoning. Mr. Walsh explained that the engineering report will cover drainage, proper ingress/egress, correct setbacks, etcetera.

Mr. Stirrat commented that Oak Forest does not have a Building Commission, so he assumed Planning and Zoning did both. Mr. Walsh responded that Planning and Zoning does not cover Building Commission issues. Miss Ashbaugh clarified that PZC does not do this for residential properties; only commercial properties.

A discussion ensued about a Building Commission. Miss Ashbaugh explained that Oak Forest does not put residential elevations to a vote.

Mr. Wolf asked what is wrong with the current plat. Miss Ashbaugh responded that the plat is hand-drawn and difficult to read. Also, there is zoning information on the plat, which should not be there because the setback will still apply if the property is rezoned 100 years in the future. She added that Engineering is reviewing this plat for technical requirements because this does not fall within the purview of Planning and Zoning.

Mr. Wolf asked for further information. Miss Ashbaugh stated that the "30 foot setback" should not be listed on the plat itself. She pointed out that Lot 2 has a 35 foot setback which was already listed on the plat and now cannot be removed. She reiterated that, once a zoning item is on the plat, it cannot be removed in the future.

(END SIDE A) (BEGIN SIDE B, in progress)

Mr. Wolf asked about the average setback of existing homes on the block in question. Miss Ashbaugh asked for clarification. Mr. Wolf specified the front corner for corner lot side yards. Miss Ashbaugh responded that one side yard would need to be a minimum of 8 feet and the total needs to be 20 feet. She again explained that the side yard setbacks can be any combination totaling 20 feet but a side yard setback must be at least 8 feet.

Mr. Wolf noted that the plat does not show the total dimensions. Miss Ashbaugh agreed, stating that the plat is illegible and needs to be redrawn, which is one reason Engineering is reviewing it.

As an example, Miss Ashbaugh stated that the "Lot 31, Arthur T. McIntosh" label is an existing condition on the plat and cannot be removed; however, the new subdivision is 'Lot 1 and Lot 2, McCain Subdivision'.

Mr. Wolf talked about front yard setback averages. Miss Ashbaugh stated that there are no averages. She asked what Mr. Wolf what he means by "average". Mr. Wolf explained that a lot in a Single Family Residential District is not subject to any platted building line.

Miss Ashbaugh asked what Mr. Wolf is taking an average of. Mr. Wolf explained that he is talking about the front setback. He stated that this issue has come up in the past. He talked about an instance in which a developer wanted to build a house 60 feet

from the street on a block where the other homes were 40 feet off the street, so an average was used to determine the lot/building line.

Chairman Stuewe asked whether Mr. Wolf is talking about the aesthetics of the area. Mr. Wolf stated that he is referring to Code. Miss Ashbaugh stated that the current setback requirement for the corner side of a corner lot in the R-1 Single Family District is 30 feet, not an average of any other lot.

Mr. Cowgill asked whether PZC can wait until the final Engineering review and plat are available. Chairman Stuewe asked what information Mr. Cowgill is looking for.

Mr. Cowgill agreed that PZC is only concerned with the subdivision issue at this time; however, this cannot go to City Council until the Conditions are met. Miss Ashbaugh reiterated that the Petitioner will have to meet all Engineering comments before this goes before City Council.

Mr. Cowgill asked whether the residents will be notified before this goes to City Council. Chairman Stuewe and Miss Ashbaugh commented that this will be posted on City Council's agenda as Zoning Case #16-010 after the Engineering Conditions are met. A discussion ensued.

Mr. Cowgill commented that engineering doesn't happen overnight and this could take months. He again asked whether the residents will be notified when this is going to City Council or if the residents will need to watch City Council's agendas to get that information. Chairman Stuewe suggested the residents could make a phone call. He added that there is a 15-day agenda notice. Miss Ashbaugh believes City Council is not required to hold another Public Hearing in cases of this type. The only Public Hearing is at the PZC level.

Chairman Stuewe asked when residents will hear that this case is coming up. Miss Ashbaugh responded that this will be posted on the City website. An audience member expressed dissatisfaction that residents will not be notified.

Mr. Walsh asked whether the Petitioner can request to be placed on an agenda even without meeting the Engineering conditions. Miss Ashbaugh responded that they cannot.

Mr. Wolf asked for confirmation that the Petitioner has to meet all conditions before this goes to City Council. He stated that he has seen City Council pass cases with Conditions. Miss Ashbaugh reiterated that Staff will not forward this to City Council until the requirements have been met.

As there were no other questions or comments, Chairman Stuewe requested a motion to close the Public Hearing.

Mr. Cowgill made the motion.

Mr. Schroeder seconded.

Everyone agreed and the Public Hearing was closed.

Chairman Stuewe requested a motion to recommend approval of a minor subdivision plat to re-subdivide one lot into two lots in the R-1 Single Family Zoning District at 15250 La Crosse Avenue with the following Engineering Conditions: (1) The plat be retitled as 'Preliminary and Final Plat, McCain Subdivision', (2) That all Zoning-related information be removed, and (3) That all technical adjustments required per Final Engineering Review be completed prior to forwarding to City Council for final approval.

Mr. Walsh made the motion.

Mr. Ziak seconded.

The Roll Call vote was taken as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mr. Walsh	Mr. Wolf		Mrs. Morrissy
Mr. Ziak	Mr. Riha		Mr. Oostema
Mr. Schroeder			
Mr. Cowgill			
Chairman Stuewe			

The motion to approve PZC Case #16-0101 carried, 5/2, with Two ABSENT.

Chairman Stuewe noted that this will go before City Council after everything is completed, contingent upon the third Condition. The Chairman also stated that the residents have the opportunity to go before City Council and voice their opinions. He added that the residents also can seek out their alderman to discuss this.

A female audience member asked a question that was not picked up by the recording device. Chairman Stuewe responded that it would be at the resident's expense.

APPROVAL OF MINUTES

Chairman Stuewe requested a motion to approve the minutes of August 24, 2016. No additions, deletions or corrections were requested.

Mr. Ziak made the motion.

Mr. Riha seconded.

The Chairman allowed five minutes for Mr. Wolf to read the August 24, 2016 minutes.

The Roll Call vote was taken as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mr. Ziak		Mr. Schroeder	Mrs. Morrissy
Mr. Riha		Mr. Cowgill	Mr. Oostema
Mr. Walsh			
Mr. Wolf			
Chairman Stuewe			

The motion to approve the minutes of August 24, 2016 carried, 5/0, with Two ABSTAIN and Two ABSENT.

UPCOMING MEETINGS

Miss Ashbaugh stated that the upcoming agenda will include the subdivision to create three lots at Sheila Court, Petitioner Malecky Properties.

Miss Ashbaugh stated that BP has not yet submitted the Special Use Permit documents for their sign, so that will not be on the next agenda.

Chairman Stuewe asked whether there is a percentage of change since the original time the Malecky Properties case came before PZC. Miss Ashbaugh responded affirmatively, adding that there also are significant public improvements. She noted that there is a Preliminary and Final Plat rather than a minor subdivision. Miss Ashbaugh noted that this case will go to City Council shortly after PZC.

Mr. Wolf and Miss Ashbaugh briefly discussed the Malecky Properties case.

UPDATES - DISCUSSION

Miss Ashbaugh stated that the Ace Hardware property should be closing within the next ten days. She added that site design and elevations should be coming before PZC for review shortly thereafter.

Miss Ashbaugh stated that the opening date for Eagle Gun Club has not yet been determined. She noted that the Club's electric has now been approved and they are waiting for Com Ed to turn the electric on so the air conditioning, etcetera can be approved. She added that the former Mazda property is too large for most restaurants, so this has been an issue.

Miss Ashbaugh reported that a laundromat is trying to work things out with the property owner of the former Wayne's Radiator.

Miss Ashbaugh stated that the City did close on the trailer park property and the residents have been notified that they need to vacate and/or remove their trailers within a year.

Miss Ashbaugh reported that the City also has received a \$50,000.00 grant for an analysis of the two building pads at the Gateway district, for multi-family residential. Miss Ashbaugh noted that this will include a storm water analysis and ~~an~~.

| architectural elevations in order to entice a developer to build on the property.

Miss Ashbaugh stated that she has been working on the Open Space sections of the Design Guidelines and researching other communities. She hopes to submit drafts for the Commissioners to review soon.

A brief discussion ensued about approval of the August 24, 2016 minutes.

ADJOURNMENT

As there were no further questions or comments, Chairman Stuewe requested a motion to adjourn.

Mr. Cowgill made the motion.

Mr. Ziak seconded.

Everyone was in agreement and the meeting adjourned.

CHAIRMAN JAMES L. STUEWE

PLAN/ZONE COMMISSION MEETING

MEETING DATE: 7 September 2016

PETITIONER: PZC Case #16-010
Edward McCain

ADDRESS OF PROPERTY: 15250 La Crosse Avenue

REQUEST: To recommend approval of a minor subdivision plat to re-subdivide one lot into two lots in the R-1 Single Family Zoning District, contingent upon compliance with all Conditions

VOTE: Motion to recommend approval Carried, 5 Ayes, 2 Nays, with 2 Absent