

CITY OF PALOS HEIGHTS



PLANNING AND ZONING COMMISSION

Public Hearing

May 15, 2017

A public hearing was held before the Planning and Zoning Commission of the City of Palos Heights on Monday, May 15, 2017 at City Hall, 7607 W. College Drive, Palos Heights, IL. The purpose of the hearing was to consider a zoning change from R to R-1 filed under Docket 2017-10, and proposed changes to the City's Zoning Code under Docket 2017-17.

The hearing was called to order at 7:00 p.m. by Chairman Stevens.

On a roll call, the following Planning and Zoning Commission members were present: Ed Stevens, Bill DeLeo, Bob Fisher, Jeff Barry, Pat Scully, Mike Lombard, and Thomas Gabel.

Approval of Minutes

Commissioner DeLeo noted there were two corrections to the minutes: Page 1, paragraph 4, correct 20 ft. to 208 ft.; and on page 3, paragraph 4, the property owner placed the sandbags and hay bales on the property, not Public Works.

Commissioner DeLeo moved to approve the minutes of April 10, 2017 with the above-noted corrections, seconded by Commissioner Gabel. All in favor, motion carried.

Docket 2017-10, Continued from the April 10, 2017 public hearing: Petition filed by John Vanderlaan for a zoning change from R to R-1 for purposes of re-subdividing one large parcel located at 12930 S 76th Avenue (PIN 23-36-102-008- 0000) into three parcels each measuring 74' x 208' and containing approximately 15,392 sq. ft.

Mr. Vanderlaan approached the podium stating he was prepared to address the concerns from the April 10, 2017 hearing:

- Lot sizes. Mr. Vanderlaan distributed a copy of the Land Use Map from the City's Comprehensive Plan and a copy of Cook County's Sidwell page to the commissioners indicating the lot sizes in the adjoining subdivision of Palos Pines.
- Traffic Flow on 76th Avenue. He said there was 38 ft. from his property line on the north side to the first driveway. According to standards, a car traveling 20 mph should be able to stop in time to prevent an accident. He said he had talked to the Police Department who estimated there were approximately 800 cars per day traveling on 76th Avenue (north and south bound), or 40 per hour depending on the time of day.
- Watershed. Mr. Vanderlaan stated that when 76th Avenue was re-engineered and the Crawford home was still there, the manhole (storm sewer) on the west side was larger

to catch the run-off water from the property. The run-off water currently flows to the southeast, but the City's Engineer wanted to see the water flow between the new houses to along 76th Avenue (Mr. Vanderlaan pointed it out on the new site plan). Commissioner Barry asked Mr. Vanderlaan if he had the engineering plan re-done since the April 10 meeting. Mr. Vanderlaan stated he did not have an engineering plan, only a couple of concept plans. Commissioner Barry inquired if there was a catch basin and Mr. Vanderlaan confirmed there was. Mr. Vanderlaan said Morris Engineering would be involved with the engineering of the property and had already been out and looked at it.

- Driveway Turn-Arounds and Parking. Mr. Vanderlaan again referred to the new site plan and noted all three driveways had a "T" for turning around so they would not have to back out of the driveway. In regards to parking, he said 2 cars would be able to park in the garage, two on the driveway and two in the "turnaround", totaling six (6) cars. Mr. Vanderlaan noted there was enough depth on the lots (approximately 90 ft.) to move the houses back 20 ft. if need be for longer driveways. House Sizes would be approximately 2400 sq. ft. for a 2-story model, and 2000 sq. ft. for a ranch. Mr. Vanderlaan would be the general contractor. The houses would be all brick and he would install Anderson windows. He said he would build his home first on the far north parcel and the garage would be in the back behind the house. Commissioner Barry inquired what the distance would be between his driveway and the neighboring home. Mr. Vanderlaan said there would be 15 ft.

Commissioner Scully was still concerned about the danger of traffic based on 1.) the numbers (traffic count) reported earlier, 2.) the fact that there was no shoulder on 76th Avenue at that point, leaving no room for a car or truck to pull over, and 3.) the entrance to the first driveway is at the top of the hill making it a dark blind spot. He stated all parking would have to be kept off 76th Avenue. Mr. Vanderlaan said they had cut down many of the bushes and evergreens at the front of the property to improve the line of sight.

Commissioner Lombard inquired who from the City had reviewed the driveways on the proposed site plan. Mr. Busse said he was not at the meeting, but the Building Commissioner had reviewed the proposed plan as well as other alternates, and then he called on members of the License, Permits and Franchise Committee to review the driveways. The Building Commissioner, with input from the LP&F Committee, concluded that the plan with three (3) driveways was a more prudent option. Mr. Scully said if the site plan was approved, he questioned why this was in front of the Planning and Zoning Commission. Mr. Busse stated it was this Commission who would determine the request of rezoning from R to R-1 which would allow Mr. Vanderlaan to construct 3 houses on the property as opposed to two. Commissioner Scully said it was their responsibility, as representatives for the City, and for the sake of the community, to decide if three home was too dense for the property. Commissioner DeLeo stated based on the lot sizes of the adjacent Palos Pines, it would not be too dense. Discussion ensued on the subject.

Commissioner Lombard said he felt Mr. Vanderlaan was trying to answer the commission's questions and agreed the City would need to work with him. He also agreed signage should be installed at the top of the hill indicating "Hidden Driveways". But, he said the question before this commission was whether or not to allow the re-zoning to allow for three house. If Mr. Vanderlaan were only building two houses, he would not have had to come before this commission and the same problems would exist that would need to be addressed by the City. He also noted that if the re-zoning was approved, Mr. Vanderlaan also needed approval for a variance in lot size from the Zoning Board of Appeals.

Mr. Busse stated a solution to the dark blind spot may be to request a street light be installed at that location.

In regards to statements made about flooding at the April 10 meeting from his neighbors, Mr. Vanderlaan was confident the improvements he would make to his property would correct any current problems.

With no further questions from the commission, Commissioner Stevens opened the floor to the audience.

Jack Trevillian, 7654 Sequoia Drive, expressed his opinion that of the 800 cars that travel 76th Avenue per day, only 10 to 15% of the cars do the speed limit of 20 mph. Mr. Trevillian still was concerned about: 1.) the drainage on the property and was unsure if the storm sewer would be able to handle the three homes, 2.) getting approval from IDOT for a curb-cut for a third driveway, and 3) parking on Sequoia Drive to service those homes if no parking was allowed on 76th Avenue. Mr. Vanderlaan said 76th Avenue was a City street and would not need approval from IDOT for a curb-cut.

There being no further questions or comments, Chairman Stevens requested a motion.

Commissioner Lombard moved to allow a zoning change from R to R-1 for purposes of re-subdividing one large parcel located at 12930 S 76th Avenue into three parcels each measuring 74' x 208', seconded by Commissioner DeLeo.

On a roll call, the vote was:

AYES: (6) Commissioners Stevens, DeLeo, Fisher, Barry, Lombard, Gabel

NAYS: (1) Commissioner Scully

With six (6) affirmative votes, the motion carried.

Mr. Busse said the Planning and Zoning Committee would review the recommendation and

motion at their next meeting on Tuesday, May 23.

Docket 2017-17: Petition filed by the City of Palos Heights to consider proposed changes to the Zoning Code.

Mr. Busse explained the reason for the proposed changes to the Zoning Code was due to some discrepancies found at the last Zoning Board of Appeals meeting where there was discussion over the size of garages, attached vs. detached, sheds and accessory buildings. The proposed language changes to Section 153.03, 153.12, and 153.14 clarifies the discrepancies found. Mr. Busse then reviewed the proposed changes to these sections: 1.) The definition of Accessory Building or Use was changed to include Garden Shed; 2.) Definitions for a Detached Garage, a Garden Shed, and Recreational Building were added. He explained with the proposed changes, a resident would be allowed to have three detached structures on their property within the required setbacks (ie. a detached garage, a gazebo, and a shed). These changes affected other sections that then need to be amended: Section 153.12 *Number of Buildings on a Lot*; 1543.13 *Accessory Buildings*; 153.13 *Garden Sheds*, Section 153.43 *Area Regulations in the R District*, and Section 153.17 *Special Uses in the R-1 District*.

The other discrepancy found was in Section 153.150 (b) (7) *Permitted Uses in the B District* and Section 153.151 (A) (4) and (7) *Special Uses in the B District*, pertaining to drive-in restaurants and drive-up windows. Mr. Busse said the way the Code was currently written, Dunkin Donuts had to apply for a special use permits for a drive-up window which took an additional 8 to 10 weeks for permitting process to be approved. He noted there were currently no drive-in restaurants in Palos Heights, but language for restaurants with a drive-thru window should be added. He said drive-in restaurants were referenced in the City's Code, Chapter 114, *Alcoholic Liquor* (Section 114.13) which prohibits a liquor license for drive-in restaurants, such as Dog-N-Suds or A&W restaurants where patrons are served and consume their meal in their parked vehicle. Discussion ensued on the subject.

There being no further questions or comments, Chairman Stevens requested a motion.

Commissioner Gabel moved to approve Docket 2017-17, the proposed changes to the Zoning Code, seconded by Commissioner Lombard.

On a roll call, the vote was:

AYES: (7) Commissioners Stevens, DeLeo, Fisher, Barry, Scully, Lombard, Gabel

NAYS:

With seven (7) affirmative votes, the motion carried.

Mr. Busse said the Planning and Zoning Committee would review the recommendation and

motion at their next meeting on Tuesday, May 23.

Questions/Comments

Commissioner inquired about the Spectrum Development. Mr. Busse explained that the developer had applied for a Class 7b which is currently being processed with Cook County. Spectrum cannot break down until the process is complete. He anticipated construction to begin mid to late summer.

Chairman Stevens requested a motion to adjourn. So moved by Commissioner DeLeo, seconded by Commissioner Gabel. All in favor.

Hearing adjourned at 8:00 p.m.

APPROVED: 4-8-19

Respectfully submitted,

Patricia M. Sheppard
Recording Secretary