

Village of Lemont
Planning and Zoning Commission
Specially Called Meeting of June 22, 2022

A specially called meeting of the Plan Commission for the Village of Lemont was held at 6:30 p.m. on Wednesday, June 22, 2022, in the second floor Board Room of the Village Hall, 418 Main Street, Lemont, Illinois.

I. CALL TO ORDER

A. Pledge of Allegiance

Chairman Studebaker called the meeting to order at 6:30 p.m. He then led the Pledge of Allegiance.

B. Verify Quorum

Upon roll call the following were:

Present: Carmody, Cunningham, McGleam, Pawlak, O'Connor, Zolecki, Studebaker

Absent: None

Economic and Community Development Director Jason Berry, Consulting Planner Jamie Tate, and Village Trustee Ron Stapleton were also present.

C. Approval of Minutes – June 1, 2022

Commissioner Cunningham made a motion, seconded by Commissioner Pawlak to approve the minutes from June 1, 2022, regular meeting with no changes. A voice vote was taken:

Ayes: Cunningham, Pawlak, O'Connor, Zolecki, McGleam, Carmody, Studebaker

Nays: None

Motion passed

II. CHAIRMAN'S COMMENTS

Chairman Studebaker greeted the audience and explained how the meeting this evening will proceed. He asked if anyone was planning on speaking this evening in regards to the public hearings to please stand and raise his/her right hand. He then administered the oath. He said the Commission will be changing the order to the public hearings. They will first hear the Ozinga Silo variance and then the Gas N Wash second. He asked if all Commissioners agreed with switching the order.

All Commissioners agreed.

III. PUBLIC HEARINGS

A. CASE 2022-05 – OZINGA SILO VARIANCE

Chairman Studebaker called for a motion to open the public hearing.

Commissioner McGleam made a motion, seconded by Commissioner Carmody to open the public hearing for Case 2022-05. A roll call vote was taken:

Ayes: McGleam, Carmody, Cunningham, O'Connor, Pawlak, Zolecki, Studebaker

Nays: None

Motion passed

Staff Presentation

Jamie Tate, Consulting Planner, said the applicant is requesting approval of a variation related to Section 17.07.010 of the Unified Development Ordinance which regulates height in zoning districts. It is to allow the placement of an additional silo greater than 35 feet in height. The proposed cylindrical steel silo is 12 feet in diameter and 72 feet in height. There are two existing silos that project from the roof of the existing metal building. The height of the existing silos is 61 feet. The additional silo is proposed to be located on the north side and adjacent to the existing building. The proposed silo is being repurposed from another site. The purpose of the silo is to store materials for producing more concrete.

The property is owned by MWRD and leased by Ozinga to operate its concrete manufacturing plant. There are existing material stockpiles, a metal building with two silos that project from the roof, a trailer, and many concrete mixing trucks on the unimproved site. In 2018, Ozinga proposed an additional 130-foot tower but it never went through the entire approval process.

Mrs. Tate stated the Comprehensive Plan lists this area as industrial and a concrete plant matches an industrial future land use. It also talks about what they want the future of the industrial properties to look like. Well-designed sites that include suitable buildings with modern functional features, screening for outdoor storage and equipment, and landscaping to create street-side curb appeal. If the property were to ever redevelop it would then have to be brought up to code to where you would see more modern buildings, paving, curb, and appropriate screening. In the M-3 District, anything can't be taller than 35 feet and the installation of the silo is 72 feet. There is currently a much smaller temporary silo in the same location that will be removed. According to the applicant, there will be no change in traffic with the additional silo.

Staff did look at the standards for variations. For a concrete business, a silo is indispensable to the business. Due to the uniqueness of being a concrete batching plant, the restriction of 35 feet in height is not taking into consideration an accessory structure such as a silo. In conclusion, staff is recommending approval of the variation. It is in the M-3 District and in the Canal Overlay District, which provides supplementary land use regulations for areas that have frontage on the Sanitary and Ship Canal. They have seen other properties come through for variances for stockpiles as well. Staff is recommending that they paint the silo a neutral color along with the existing silo. Also, Ozinga should make an effort to reduce the amount of gravel, dirt, and debris running onto adjacent roads and right-of-ways. While paving the site is not a requirement, there are materials and systems available to assist in removing debris when exiting a property.

Chairman Studebaker asked if any of the Commissioners had any questions for staff.

Commissioner McGleam asked what roadway staff is concerned about with the gravel and dirt.

Mrs. Tate said Old Lemont Road and the intersection there.

Commissioner O'Connor asked if staff knew of any systems out there to help.

Mrs. Tate stated the applicant might be able to answer what they do at other sites. There is some type of rubber tiles that you can put down that kicks it off the tires. Staff was relying on the applicant to give suggestions.

Chairman Studebaker asked if there were any further questions for staff from the Commission. None responded. He then asked for the applicant to come up and make a presentation.

Applicant Presentation

Rich Slager of Ozinga thanked the Commission. Ozinga has been part of the community for 35 years. He is going to have Mr. Dobson explain why they need more cement storage and why they are looking to put in a different silo.

Dave Dobson, Project Manager and Engineer for Ozinga, stated their main business is a concrete supplier. They also have a cement business and an aggregate business that feeds into that ready mix concrete. A lot of people think of their business as a cement company. Cement is an ingredient in concrete which can be a misconception. The

purpose of this project is to increase the storage in their ready-mix concrete plant. The cement is a powder form and it needs to be stored in a concealed vessel that is weather tight. If it gets hit with water it will harden up. There are four main ingredients which are sand, stone, cement, and water that create the concrete.

They plan on replacing a smaller silo and replace it with something that has more capacity. With the expansion of Lemont and surrounding communities, there are times they run out of cement halfway through a production day and they would have to stop making concrete. They are waiting for cement to arrive because they do not have enough storage on-site to continue production. Concrete is the most used building material in the world today. Most structures in the world have some sort of concrete in them. There are about 4.4 billion tons of concrete produced every year and they expect in 2050 for that number to grow by about 25%.

Mr. Dobson said the 130-foot silo that was presented in 2018 was going to be a terminal. It would be where they would be taking in the cement and distributing it to other plants. This silo is strictly to support this plant in Lemont and it is not intended to be a terminal. He also heard some of the dust complaints and they would be happy to talk about that. They currently have water trucks on-site and try to water the site to mitigate the dust. They also have a sweeping truck that goes through weekly. They are willing to talk about increasing those to do more to help. They have looked over the past four years for paving out there. It's been a struggle getting past ordinances with being on bedrock and the required detention. They are working with MWRD to try to come to a conclusion or solution for this site. They do want to pave because it makes their operation cleaner and helps them with their business.

Mr. Slager showed on the overhead a picture of their whole site and where on the site the proposed silo would be. They would be removing the existing silo which takes up about 400 square feet of the property and holds about 50 tons of cement. They would be replacing it with a cylindrical silo and it would be reducing it down to 150 square feet and that would increase their storage to 175 tons. They plan on painting it white so it does not stand out. The cement can't get wet so that is why they have to have it in sealed storage and it is delivered to the plant by truck.

He stated concrete is a perishable product and is only good for about two hours. If they are putting in a driveway and they run out they don't want to leave them short. They are trying to make sure they have enough during peak demands. They are not adding more truckloads that would be coming in for the day. They currently get 8 to 9 loads a day and they will be increasing to 13 to 14 loads a day with the new silo. Normally, during the day they would get 6 to 7 trucks a day and they would be reducing that during the

operation of the day to 1 to 2 trucks. They want to make sure they are servicing their customers better and more efficiently.

Chairman Studebaker asked if any of the Commissioners had any questions for the applicant.

Commissioner Zolecki asked if they are required to track any BMPs given that they are dealing with gravel.

Mr. Dobson said they have an environmental engineer on staff and he monitors all the sites to make sure they are meeting the standards. Every site is different and they are meeting all the demands.

Commissioner Cunningham asked how old is the existing silo that is being brought on site.

Mr. Slager stated it is about 15 to 20 years old. As of last fall, it was still erected and they have already painted it.

Commissioner Cunningham asked if there are any safety regulations for moving it or installing it.

Mr. Slager said they have a structural engineer for the footings.

Commissioner Cunningham asked why it is on such a high platform.

Mr. Slager stated it has to be close to the plant to feed into the plant and sometimes you have to drive under the silo. They also have to get it to a height where they batch the cement.

Commissioner Cunningham asked how it was getting to the site.

Mr. Slager said it is being trucked to the site.

Mr. Dobson stated where the cement has to get up into the truck has to be about 25 feet off the ground, so you have to elevate the silo to get it to that point.

Commissioner O'Connor asked if they can talk about the discussions they had with MWRD about paving the site.

Mr. Dobson said they put together a master paving plan for the whole site. They ran into issues with MWRD with their WMO permit and their requirements. On a normal site, you would just dig a detention pond and release the detention water at a designed rate. On this site, it is difficult because a foot and a half below is bedrock so they would have to blast a hole in the bedrock to create the pond. MWRD did not want that and it would also be costly. They have started again talking with MWRD to try and come up with another solution.

Commissioner Carmody asked if this could increase traffic a year or two down the road.

Mr. Slager stated the plant could only produce so much per hour.

Mr. Dobson said this will give them a good start so they would not run out.

Trustee Stapleton asked how is the cement transferred from the truck to the silo.

Mr. Slager stated the cement is transferred through cement bulkers.

Chairman Studebaker asked if there were any further questions from the Commission for the applicant. None responded. He then asked if there was anyone in the audience that wanted to speak in regards to this public hearing.

Public Comment

None responded.

Chairman Studebaker then called for a motion to close the public hearing.

Commissioner Zolecki made a motion, seconded by Commissioner Cunningham to close the public hearing for Case 2022-05. A roll call vote was taken:

Ayes: Zolecki, Cunningham, Carmody, McGleam, O'Connor, Pawlak, Studebaker

Nays: None

Motion passed

Plan Commissioner Discussion

Chairman Studebaker asked if there was any further discussion or questions from the Commission. None responded. He then called for a motion for a recommendation.

Plan Commission Recommendation

Commissioner McGleam made a motion, seconded by Commissioner Zolecki to recommend to the Mayor and Board of Trustees approval of Case 2022-05 – Ozinga Silo Height Variation with the following conditions:

1. The silo should be painted a neutral color along with the existing silos and building to create a cohesive environment.
2. The Ozinga property should make an effort to reduce the amount of gravel, dirt, and debris run-off onto adjacent roads and right of ways. While paving the existing site is not a requirement, there are materials and systems available to assist in removing debris when exiting the property.

A roll call vote was taken:

Ayes: McGleam, Zolecki, Carmody, Cunningham, O'Connor, Pawlak, Studebaker

Nays: None

Motion passed

Commissioner Cunningham made a motion, seconded by Commissioner Carmody to authorize the Chairman to approve the Findings of Fact for Case 2022-05 as prepared by staff. A voice vote was taken:

Ayes: Cunningham, Carmody, McGleam, Zolecki, O'Connor, Pawlak, Studebaker

Nays: None

Motion passed

B. CASE 2022-06 – GAS N WASH

Chairman Studebaker called for a motion to open the public hearing.

Commissioner McGleam made a motion, seconded by Commissioner O'Connor to open the public hearing for Case 2022-06. A roll call vote was taken:

Ayes: McGleam, O'Connor, Carmody, Zolecki, Cunningham, Pawlak, Studebaker

Nays: None

Motion passed

Staff Presentation

Jamie Tate, Consulting Planner, said the applicant is Alex Kugar from Gas N Wash and they are requesting approval of a Preliminary Plat of Subdivision, a special use for drive-throughs in the B-3 District, and multiple sign variations. This would be to allow a fuel station, car wash and convenience store, and multi-tenant retail center on the northwest corner of Route 83 and Main Street.

The Gas N Wash fuel station will offer 5 diesel pumps in the rear of the property. It would be located behind the convenience store and closer to Main Street. The car wash will be 4,805 square feet with free vacuums and it would be located closest to the corner of Route 83 and Main Street with 3 pay lanes. There are 7 fuel pump stations located in front of the Gas N Wash and will be facing Route 83. There are 2 proposed drive-through lanes for the convenience store with one dedicated to a Dunkin Donuts. There is one proposed drive-through lane for the multi-tenant retail center that circles behind the building. There are two full access points to the site. One is off of Main Street and the other off of Route 83. That intersection has recently gone through upgrades and improvements.

Mrs. Tate stated the Village has spent a lot of effort redeveloping this property and this proposal is from long term economic development efforts. The property was rezoned in 2019 from a mix of residential, B-3, and manufacturing. When you look at the Comprehensive Plan this area is listed as Community Retail, which is in line with the proposed development. There are some key goals and objectives in the plan that would be applied. One is to develop key gateways and intersections into Lemont. This is a gateway into Lemont and a key intersection and they should make sure it is attractive to create a positive first impression. The development will increase local shopping which will increase the local tax revenue and support local businesses. Another goal is to maintain high standards for retail commercial buildings. The Village's commercial design standards set high standards for the design of retail commercial buildings.

In the request, there is a special use for three drive-throughs. In the code, there are design standards, which are listed in staff's report. The proposal does meet all the requirements at this time. Currently, they do not have detailed plans that show pedestrian crossing or markings but staff is requesting it to be part of their approval. The proposal also meets the special use standards that are found in UDO. A traffic study is included in staff's packet that was done by KLOA. Interior site circulation should be marked with directional signage related to the drive-throughs and general circulation. All the other recommendations have been incorporated onto the site.

Mrs. Tate said another part of the proposal is the sign variations. Monument signs in the code cannot exceed a height of 8 feet. The applicant is proposing two tenant monument signs that are 15 feet in height and two Gas N Wash monument signs with one being 13'1" in height and the other 11'8" in height. There are two changeable copy centers which are shown on the elevation for the convenience store. The code does not allow more than 50% of the allowable sign area and they are proposing it to be over 50%. The code was recently updated in regards to canopy signage. Each gas station canopy shall be permitted one canopy sign per right-of-way frontage. This proposal has one right-of-way

frontage that is Route 83 and they are proposing four signs on the front that faces Route 83.

Monument signs are allowed one per zoning lot. For the entire development (Lot 1 and Lot 2) there are 5 proposed monument signs. She showed on the overhead where they would be located. The maximum sign area permitted per monument sign is 64 feet per side. The multi-tenant retail sign is shown as 96 square feet. The Gas N Wash signs are 120 square feet per side and the car wash sign is 70 square feet on one side. For wall signs in the B-3 District, it is limited to one square foot per each linear foot of building frontage or 72 square feet, whatever is less. For what they are proposing they would be allowed 216 square feet for the convenience building and 177 square feet for the car wash. The applicant is proposing 291 square feet for the convenience store and 197 square feet for the car wash.

Mrs. Tate stated wall signs in shopping centers are measured differently than a plain standalone building. You are allowed one wall sign per retail unit of a building. Retail units on corner locations are permitted a wall sign on each wall that faces a public street. For the proposal, there is one frontage that is facing a public street, so they would be allowed one sign per unit. The size should be limited to one square foot of lineal feet of retail frontage up to a maximum of 96 square feet. The applicant is proposing the side wall signs and they are also showing signs on the rear of the building. It would be a variance from the location and a variance from the size.

Electronic message boards are allowed in B-3 zoning districts on certain streets. Route 83 is one of the allowable streets but Main Street is not listed. The variance would be to allow EMCs on Main Street. Even though these are within 400 feet of each other, it states that service station EMCs are exempt from that distance. The EMC sign for the car wash is at 34.3% of the total sign area and it cannot exceed 33%. For the service station, the EMC lists the height of the text as no greater than 15 inches and they are requesting 20 inches.

Mrs. Tate said there are standards that you have to look at for each variation. It has to be in harmony with the general purpose and intent of the UDO, the plight of the owner is due to unique circumstances, and it will not alter the essential character of the locality. The applicant has stated due to the proposed variation requests its unique circumstance is that the project is located on a corner with very unique angles. There is a significant elevation change that is over 20 feet. The applicant did provide a topographic that shows the different elevations on the site. The applicant also states the property has multiple uses on the site.

When staff met with the applicant at the technical review committee it was discussed about multiple signs on Main Street and the Gas N Wash wanted their own monument sign. When they submitted there were many more variation requests. The development is not a Planned Unit Development which would allow for more flexibility, rather each variance request must be scrutinized and held to the variation criteria. Since the packet came out, the applicant did submit a site line study which is provided to the Commission this evening. She then showed pictures of other Gas N Wash locations.

Staff is recommending approval of the preliminary plat and the special use for the drive-throughs with the condition that they have safe and clear pedestrian crossing signs and are clearly marked. Staff is recommending more information on the variation requests. The applicant is here to make a presentation also.

Chairman Studebaker asked if any of the Commissioners had any questions for staff.

Commissioner McGleam asked if the request they are seeking tonight includes the signage.

Mrs. Tate stated when the package came in she was not expecting the requests that she received. Her response was she thought there was going to be one sign variance. They were going to go through at that time and maybe eliminate some out but it has not happened. She asked for the topographical survey so they might be able to get a better understanding. She did not get a list as to why they were asking for each of the variances.

Commissioner Zolecki asked if this was to move forward in a way that it was segmented could the variances come back giving them more time and/or information or does it get worked through at a staff level.

Mrs. Tate said she does not think that is possible because of the public notice.

Chairman Studebaker stated there are a lot of signage variances. When the previous gas stations were on the property there was no issue in seeing it was a gas station.

Trustee Stapleton asked if the large billboard on the property is going to be removed.

Mike MacKinnon, Bluestone, said the lease was terminated with IDOT and the Village back in 2016.

Chairman Studebaker asked if the Commissioners had any further questions for staff. None responded. He then asked the applicant to come up and make a presentation.

Applicant Presentation

Mike MacKinnon stated he is here tonight on behalf of Bluestone Development. They have been working with the Village for several years on this project. They were selected by the Village in 2018 to be the master developer of the 16.5 acres that are currently owned by the Village. They are currently under contract to purchase the entire 16.5 acres. They have broken it up into three sections. The section they are talking about tonight is the approximately 7.1-acre eastern portion. The first phase of the development will be the fuel center and the car wash, which will be owned by Gas N Wash. As part of the first phase of the development, access to the site will be constructed. There will be some environmental clean-up that they will be doing. The strip center is 10,800 square feet that will be constructed next spring.

The owners who purchased the Meno Stone property in 2021 are currently under contract to purchase from them the western 9 acres of the Village's property. The Village had asked what will happen if the industrial portion of that development does not come to fruition. The stormwater alternative "A" shows all the stormwater detention would go to the north side of the former Meno stone property. Alternatively, if the proposal does not go through the detention for the retail will go to the western portion of the site, and either they would subdivide it accordingly or they would do an easement. For tonight, they would go through with the plat that is presented and if they had to come back they would make that modification at that time. He will now have Mr. Kalischefski talk about the proposed Gas N Wash development.

Chris Kalischefski, WT Group, said the convenience store will have two food vendors and then the fueling pumps. The CFL fueling lanes will be behind the buildings. There will be an express style car wash where the people stay in their vehicles. There is the option for them to use the free vacuums before or after the wash. For the site to be successful it has to be convenient and safe. The maximum lot coverage for the Village is 80% and they are only at 64%. They are not trying to put too much on the site but will have five businesses on the site. It seems unfair to not classify them as multi-tenant because they have five different properties. If they were classified as multi-tenant then they would not need a lot of the variances.

They are very conscious about traffic movement and turning radius to make sure everything is safe. They purposely kept the CFL traffic away from the auto traffic and

minimize it as much as possible. The stacking requirements were looked at for the drive-throughs and car wash. Dunkin Donuts even has stringent regulations for stacking.

Mr. Kalischefski stated they are not asking for any variances on setbacks or lot coverage. They are not even asking for a variance for the amount of signage allowed. The amount of signage if you calculate for all the different factors comes up to 961 square feet and they are asking for 736.6 square feet. All they are asking for is to place the signage in the appropriate locations. They have five businesses and two roadways that are coming in at an acute angle. They need to capture the business from the cars that are already on the road. That is the purpose of the additional monument signs for both Main Street and Archer Avenue. The State of Illinois requires the gas prices to be posted. The hardship is that they are not considered multi-tenant when they have five businesses.

On the property, there is a drop of 39 feet. If you look at the corner of Main Street and Archer to their first monument sign there is a drop of 25 feet so that is showing the hardship. He showed on the overhead the site line sheet that was given to the Commission today. There are two organizations, the American Planning Association and the United States Sign Council, that recommend the size of signs based on the speed of the road and the complexity of the road. The United States Sign Council has a mathematical formula that determines how big the sign needs to be for someone to safely recognize and move into the appropriate lane to turn safely onto the site. According to their chart which states for a 45 mph road and a four-lane roadway a sign size should be 253 square feet and they are asking for 120 square feet. The American Planning Association has a similar chart as well. They could drop the base and make it lower but you can see they are already 25 feet lower from the corner based on their site line chart.

Mr. Kalischefski said for the changeable copy sign is used to attract customers to come into the store. It is not intended to draw attention from the roadway. For the canopy, there are two signs in the front and two on the sides. Because of the unique shape of the site, they are asking for those additional signs. Since Dunkin Donuts is on the site they put that sign out front for customers going by. The signage for Dunkin Donuts is their standard and is what is required by them.

They are required by the State of Illinois to post pricing for the gas station. Fifty percent of the customers will be coming off of Main Street and the other off of Archer. To not allow them to post the price on Main Street, which is a regulation, would be an extreme hardship. It is only posting the price per gallon and is not necessarily an electronic message center. The prices will not be flashing or changing every 15 minutes. The other EMC is only over 1% of what is allowed because that is what is made by the

manufacturer. They could do a custom sign there but otherwise, it is just the standard size they are proposing there.

Mr. Kalischefski stated the monument signs reflect the quality of the building. The buildings will have a total wainscot around the entire base of the building. The buildings are masonry bearing and Gas N Wash provides super high-quality materials which will last. In summary, they have a unique situation base on the grade of the property at an acute angle. They meet the harmony of the area and it will not affect the area at all negatively. This will be of good quality and a great addition to the area. They are asking to place the signage in the appropriate spots to help customers safely navigate to the site and while on the site. He thanked the Commission for their time.

Chairman Studebaker asked if the Commission had any questions for the applicant.

Commissioner Zolecki asked if he had provided the study that was referenced from the American Planner Association.

Mr. Kalischefski said it was not.

Commissioner Zolecki stated it was referenced that Dunkin Donuts requires those signs. There are several Dunkin Donuts in this town that have come before this Commission. There are multiple signage packages that they have adapted to.

Mr. Kalischefski said they submitted the elevations to them and this is what they came back with.

Commissioner Zolecki stated the other Dunkin Donuts have been able to meet the UDO. He asked what the intent was for the changeable copy signs.

Mr. Kalischefski said some customers are outside the building that they want to entice to come inside. It is hard to meet the requirement because the whole sign is used to convey the message.

Commissioner Zolecki stated that the whole purpose of a sign is to convey a message. He asked if the curb cut for Old Archer Road is the entrance for this proposal off of Route 83.

Mr. Berry said yes it is.

Commissioner Zolecki stated he talked a lot about the acuties of the site and the unique acuity but as you are heading south on Route 83 from the bridge to that curb cut it is straight. There is a long view of the property and the elevation is very similar but they are proposing a 15-foot monument sign in that location. He does not understand the hardship.

Mr. Kalischefski said it is a 25-foot elevation change from Route 83 and Main Street.

Commissioner Zolecki stated he is talking about southbound traffic. Most of the traffic they will get is from the south because most people don't want to turn left and cross over Route 83. From the bridge to the entrance the elevation is flat and they are proposing a 15-foot monument sign. They are afforded a lot with a parcel that is very beneficial on two major roadways with heavy traffic. It also applies to the 15-foot monument sign proposed on the Main Street entrance. Those signs are almost double what the UDO allows. The acuity is at the corner.

Mr. Kalischefski said there is a drop of four feet from the corner to the sign on Main Street and a drop of 16 feet from the corner to the sign on Route 83. It is not where the sign is but the 10 seconds of where you are at driving to see the sign.

Commissioner Zolecki stated he thought the issue with the EMC sign was that it was not allowed on Main Street.

Mr. Kalischefski said the EMC sign that is 1% bigger is for the car wash sign on Route 83.

Commissioner Zolecki asked what about the other EMC sign.

Mrs. Tate stated that was for the area. The EMC cannot be more than 33% of the total sign and the total sign area is already larger for the car wash sign because it is 70 square feet.

Commissioner Zolecki asked if any other gas station had problems with signage and displaying pricing.

Mr. Berry said no.

Commissioner Cunningham said cars exiting might have a hard time seeing around the sign.

Chairman Studebaker stated the Shorewood gas station was very well done with very little signage.

Mr. Kalischefski said he does not believe a Dunkin Donuts is at that Shorewood location and they only have one food vendor rather than two.

Commissioner McGleam stated what he is having an issue with is trying to establish a baseline against what they are reviewing and what they are requesting. There were several references from the American Planning Association and Sign Associations but the baseline is the Village's code and not those associations. During their review, they are looking at what they are requesting versus the code and seeing if there are some unique conditions where they could provide some relief. They are not here to see if a Planning Association or Sign Association is a better baseline for them.

Mr. Kalischefski said he was referencing them for safety and that is how they look at these sites and also reemphasizing they are less than 224 square feet.

Commissioner McGleam stated it was mentioned that if their development was viewed as a multi-tenant then they would not be requesting any of the sign variances. He asked staff if this was multi-tenant.

Mrs. Tate said not by the way the UDO defines it. A multi-tenant would be a retail center. This is more of a multi-user and all that signage would not be allowed for a multi-tenant building. A multi-tenant building is allowed one sign per retail lease space.

Commissioner McGleam clarified through staff that sign updates were just recently done based on best practices that they saw in other communities.

Mrs. Tate stated yes it was and they did research other communities on canopy signage. From her planning background, when you see a canopy with a bunch of signage she would think they were done as PUDs. She does not believe they are getting that from the zoning code but rather through exceptions or a PUD.

Mr. Kalischefski said it varies based on the community. Some communities base it on the square footage and others are specific with one sign then you go through a PUD.

Chairman Studebaker asked for the retail strip center are they asking for a variance on the signage for each retail space.

Mrs. Tate stated they are asking for a variance on the total square footage allowed. For the convenience store, it is 76 square feet over, and for the car wash, it is 20 square feet over.

Commissioner Pawlak said he feels the canopy itself is a sign. He feels there is too much signage going on.

Commissioner O'Connor stated he agrees that anyone driving by there seeing that canopy is going to know it's a gas station. If they see that big of a canopy then they will know that there is a big retail center there for them to get snacks or use the bathroom.

Chairman Studebaker asked if any of the Commissioners had any further questions for the applicant. None responded. He then asked if there was anyone in the audience that wanted to speak in regards to this public hearing.

Public Comment

Jonathan Pesavento, 12820 Main Street, said he is here tonight to oppose the proposal. This is the first time he has heard of this proposal. The reason why he is in opposition of the proposal is because of property values decreasing, the possibility of alcohol sales at night, the crime rate increasing, the visual impact, lighting, the increase in noise, and lastly the safety for him, his family and community. The air quality will be affected. Benzene is known to be a human carcinogen. He is not aware if Lemont has any 500-foot minimum public health safety zone or if there are any current local ordinances that pertain to the distance from the nearest tank or filling station. He would request that the application be put on hold until they are thoroughly reviewed by the Board of Trustees and updated if deemed necessary as well as the zoning requirements. Research shows the most reliable way to protect public health and safety from benzene from harmful emissions is to guide new gas stations to sites that will be at least 500 feet from residentially zoned properties, schools, and other locations where people live, learn or work. His specific potable water source is only 40 feet from the curb on Main Street. This is a highly sensitive groundwater source for himself and his family. Studies have also shown that benzene can be detected more than 500 feet from a gas station. He thanked the Commission for their time.

Bruce Campbell, 11015 Bell Road, stated his well is down by the street. A week ago he had seen an engineer that he knows and he had blueprints of the proposed build. His well is 256 feet from the diesel tanks and you have to be at least 300 feet from a fuel tank. He is concerned with the runoff issues, the brightness of the signs, and operating hours. He also has a conflict of interest with Lemont selling the property to the builders.

Chairman Studebaker asked if a photometric plan was done.

Mrs. Tate said yes there was.

Commissioner Zolecki stated if this has the potential of moving forward with the plat any building code requirements would need to be met.

Mrs. Tate said it will all be part of the permit process.

Chairman Studebaker asked if there was anyone else in the audience that wanted to speak in regards to this public hearing. None responded.

Mr. Kalischefski stated historically a retail petroleum facility that is built with quality materials does not diminish property values but actually improves. This is at a designated B-3 Zoning and on a road that is 45 mph. The noise of the roadway is probably 72 decibels which he could measure and send to staff which will be much more than the noise they will produce. On the yard lights, they will be forced all into the site and the canopy will be all forced down. They do meet all the requirements which the photometric plan shows. The State of Illinois is one of the most restrictive on its requirements from the Fire Marshall. They will visit the site at least six times while under construction. Everything is doubled wall to the tanks and piping. Gas Stations are not like what they used to be in the old days. They will check the distance to Mr. Campbell's well and if they are off a couple of feet then they will move it. He is not aware of a distance requirement for a private well. They do not want to be a negative effect on the community. This is going to be an 8 to 10 million dollar investment and will be here for a long time.

Chairman Studebaker asked if staff received any comments that were submitted by email.

Mrs. Tate said no.

Commissioner McGleam asked if they are voting on all this separately or as all one package.

Mrs. Tate stated she feels they should be voted on separately.

Mr. Mackinnon said there seems to be a lot of questions regarding the signage. There might also be a legal issue if they were to pull out the signage and move forward with the

plat and special use in regards to noticing. He would like to continue to the next Plan Commission meeting and work with staff on the variances so it is all one vote.

Chairman Studebaker then called for a motion to continue the public hearing to the next scheduled meeting.

Commissioner O'Connor made a motion, seconded by Commissioner McGleam to continue the public hearing for Case 2022-06 – Gas N Wash to the next regularly scheduled public hearing. A roll call vote was taken:

Ayes: O'Connor, McGleam, Carmody, Zolecki, Cunningham, Pawlak, Studebaker

Nays: None

Motion passed

Mr. Berry asked that the Commission take a vote on the Preliminary Plat since that is not a part of the public hearing that has to be noticed.

Commissioner O'Connor a motion, seconded by Commissioner Carmody to recommend to the Mayor and Board of Trustees approval of Case 2022-06 – Gas N Wash Preliminary Plat. A roll call vote was taken:

Ayes: O'Connor, Carmody, McGleam, Zolecki, Cunningham, Pawlak, Studebaker

Nays: None

Motion passed

IV. ACTION ITEMS

None

V. GENERAL DISCUSSION

None

VI. AUDIENCE PARTICIPATION

None

VII. ADJOURNMENT

Chairman Studebaker called for a motion to adjourn the meeting.

Commissioner O'Connor made a motion, seconded by Commissioner Pawlak to adjourn the meeting. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Minutes prepared by Peggy Halper