

TO: The Sycamore Plan Commission

FROM: Bill Nicklas  
City Administrator

DATE: December 4, 2002

RE: December 9, 2002 Plan Commission Meeting

The Plan Commission agenda has five action items and one workshop item. All five of the action items concern residential land that has already been annexed and zoned, and propose to substantially conform to the original development plans.

## **I Action Items**

### **A. Consideration of a Request from Jim and Guyla Yagen for a Special Use Permit to Subdivide a Duplex Lot at 1142 and 1144 Penny Lane to Create Two Attached Single Family Dwellings.**

At the September 9 meeting of the Plan Commission, the Commission considered special use requests for the division of a number of duplex lots on Penny Lane into attached, single-family dwellings, to enable them to be sold in fee simple. This request is for the same purpose and is necessary for the same reason. On July 15, 2002 the City Council created authority for the administrative processing of certain limited re-subdivisions of land such as those contemplated in this instance, and at the September meeting. However, such authority did not extend to special use permitting, annexation, rezoning or other actions for which public hearings and Council action is required by state statute.

The lots in question are in Phase One, Unit Two of the Townsend Woods planned unit development. On July 16, 2001 the Council rezoned these lots from "R-1" One Family Residence to "R-2" Two-Family Residence but no special use permits were issued, since at the time the applicable zoning provisions required later action to subdivide when future owners were identified.

The attached ordinance would establish special use permits for the subdivision of the one lot in question. The City Engineer, as designated plat officer, will handle the proper filing and recording of the necessary subdivision plats.

A favorable Plan Commission recommendation is requested.

**B. Consideration of a Request from Wiseman-Hughes, Inc. for Approval of a Final Plat for Phase I of the Reston Ponds Planned Unit Development.**

The annexation, rezoning, and approval of the preliminary plat for the Reston Ponds planned development occurred on May 6, 2002. Since early November, construction crews working for the developer—Wiseman-Hughes Enterprises, Inc.—have been scraping and stockpiling black earth and taking steps to begin the underground utility installations and stormwater retention ponds that are described on the preliminary plan. The developer has forwarded a request for consideration of a final plat for Phase I, which involves about one-quarter of the development site and a total of 100 single-family lots. The approved preliminary plan shows a total of 391 single-family lots. The Phase I lots extend northward from Bethany Road and along the east side of a large retention pond (please see the attached graphic).

The plat submittal satisfies the provisions of the annexation agreement and the City Code. A favorable Plan Commission recommendation is requested.

**C. Consideration of a Request from B&B Development for Approval of an Amendment to the Preliminary Plat and Annexation Agreement for the Heron Creek Planned Unit Development.**

In the course of the final engineering for the first phase of estate lots south of Peace Road at Frantum Road, B&B Development and their engineering consultant, John Wills of Christopher Burke Engineering, have reconsidered their interest in linking the smaller estate lots to the north with the larger estate lots to the south by a dedicated street. It happens that the 66-foot street right-of-way shown on the approved preliminary plat would result in the clearing of 40 mature hardwood trees of 20 or more inches in diameter. In addition, about 400 hardwood (oak) trees of 12 inches or more diameter would have to be removed for the construction of the retention area shown at the confluence of Heron Creek and Heron Creek Tributary. One of these trees is a 51-inch diameter oak tree that may be the oldest in the area.

The connecting roadway was introduced in the negotiations surrounding the preliminary plat approval in 1998-1999 because of the City concern about one way into the “deepest” lots on Merry Oaks Court, namely the access from IL Rt. 23. At that time, the developer was averse to providing another access road from the rear of the commercially-zoned area. It should also be noted that, notwithstanding a considerable amount of site surveying by the developer’s technical team, the character and breadth of the tree stand in the middle of the southwest quadrant of the Heron Creek development was not sufficiently appreciated until more detailed engineering and survey work was undertaken.

In light of the information provided by Mr. Wills, a series of design meetings involving the City Administrator, City Engineer, and representatives of B&B Development have been held to attempt to balance the City’s public safety concerns with the shared concern about the removal of so many natural features that contributed to the appeal of the original development plan. In the attached background information, the City

Administrator has attached a copy of the approved preliminary plan for the southwest quadrant of the Heron Creek development, a copy of a proposed revision to that quadrant plan, and a larger plan view of how the revised quadrant plan would look when integrated with the original preliminary plan. As the Commission members will note, a second access road has been added that connects Whitmore Drive to the commercial access drive at Peace Road. Although the preferred emergency response path for Fire and Police vehicles would be north on IL Rt. 23 to Merry Oaks Drive and then west on Merry Oaks Drive, the introduction of an alternate path provides flexibility in the event that the primary path of emergency travel is blocked for unexpected reasons. Further, the storm water management plan has been revised to replace the larger retention pond with a series of small ponds to protect most of the hardwood trees.

Is there a hidden savings for the developer in all this? The revision would require a new roadway that is less expensive than the original extension of Heron Creek Drive. However, the addition of a pedestrian bridge crossing at the Heron Creel tributary plus the new access road plus the reduction of lots 318 to 322 plus the additional engineering work has likely offset any cost savings. Whatever the arithmetic may be, it is safe to say that, on balance, the saving of the large stand of hardwood trees--a unique feature within our corporate limits--is an unvarnished gain in this proposal, and is worthy of the effort.

If the Commission is inclined to support this proposal, two minor changes in the original annexation agreement are also in order. Where the annexation agreement references the preliminary plan, known as "Exhibit B," it would hereafter read "Revised Preliminary Plat dated December 16, 2002." The City Attorney has crafted a document memorializing such a change to alert persons doing future research in these documents. Additionally, the developer has requested the insertion of some language in Section 9 of the annexation agreement to permit the introduction of wetland plantings to augment the natural wetland development. At the time of the adoption of the original document, the City did not encourage wetland plantings adjacent to single-family lots because of concerns about proper wetland maintenance. Given the non-conventional habitat surrounding this development area along the Heron Creek watershed, the staff believe this development area is peculiarly suited for a managed wetland to augment the storm water storage capacity of the watershed. City Attorney Peter Smith has included such language in the attached ordinance draft.

The City staff recommend favorable Plan Commission action.

**D. Consideration of a Request from B&B Development, Inc. for Approval of a Final Plat for Phase I of the Heron Creek Estate Lots.**

B&B Development, Inc. has petitioned for the approval of a final plat for the estate lots south of Peace Road and roughly centered on the southward extension of Frantum Road (see the attached plat). A total of 60 single-family lots are involved, as well as several large lots representing retention ponds, wetlands, and park lands. The average size of the single family lots is about 18,625 square feet (.43 acres) and the largest single-family lot is 30,182 square feet (.69 acres).

If the revision to the Heron Creek preliminary plan is approved as recommended (see Item “D,” above), this area would be connected to the larger estate lots to the south by a series of paths for bicyclists and pedestrians that are integrated with a unique system of wetlands and more conventional retention areas.

The proposed plat conforms with the terms of the annexation agreement and the provisions of the City Code. A favorable Plan Commission recommendation is requested.

**E. Consideration of a Request from B&B Development for Approval of a Final Plat for a Three-Lot Subdivision on the Northeast and Northwest Corners of Peace Road and Frantum Road.**

The attached final plat provides a more orderly configuration of the Heron Creek properties north of Peace Road in the vicinity of Frantum Road. The three-lot re-subdivision creates a Lot 1, which encompasses the Stonegate townhouse development approved by the City Council on October 21, 2002; Lot 2 consists of the 3.324-acre site that is presently dedicated to the City for public purposes such as a new fire station, a new well, or a new water tower (or all three facilities); and Lot 3 is dedicated for retention and open space.

A favorable Plan Commission recommendation is requested.

**II Workshop Item.**

**A. Consideration of a Request From ARC Design Resources for Direction Regarding a Concept Plan for the Development of Condominium Units in the Townsend Wood Subdivision, South of Mt. Hunger Road.**

ARC Design Resources is seeking the Commission’s direction regarding their plan for the development of the multiple family zoning in the Townsend Wood Planned Unit Development, south of Mt. Hunger Road. The Commission will recall that the annexation agreement for the planned development, approved in 1996, anticipated the development of the Townsend Wood subdivision in phases, and held the developer or his successors to an obligation to comply with local codes and ordinances as they might evolve over the years, unless exceptions were noted in the agreement. One key feature that cannot be compromised is the ability to develop the multi-family parcel south of Mt. Hunger Road with a gross density up to twelve units per acre. Other issues such as the location of access points at Mt. Hunger Road and the storm water management requirements are subject to engineering and planning review. The revised (2001) Zoning Ordinance’s open space requirement of 30 percent of the gross land area also applies.

A photocopy of an excerpt from the original preliminary plan depicting the multiple family zoning is attached for the Commission’s reference. In 1996 the expectation was that the largest portion of the multiple-family zoning would be developed in lots, with attached townhouses or condominiums on each lot. Each condominium, according to the annexation agreement, was to have at least 1,100 square feet of living area plus a one or two-car garage. To the west, a 7.7-acre parcel with frontage on IL Rt. 23 was slated to be developed for commercial purposes. The petitioner proposes to re-configure all of the

multiple family zoning, removing the lot lines and establishing a planned development. The principal features of their proposal are as follows:

a) Buildings

- ◆ The erection of eighty-three (83) 4-unit buildings or 332 condos in all.
- ◆ All units have two bedrooms.
- ◆ Each unit has a one-car garage.
- ◆ A price range of \$130,000 to \$150,000 per condo.

b) Site

- ◆ A gross area of 34.12 acres, including 6.02 acres of detention.
- ◆ A gross density of 8.79 units per acre.
- ◆ Open space of 55.5% of the gross land area.
- ◆ Resident parking of 2 spaces per unit (the code allows one in the garage and one outside the garage provided no vehicle encroaches on the sidewalk area).
- ◆ Guest parking of .75 spaces per unit or 3 units per building.
- ◆ Two access points on Mt. Hunger Road.
- ◆ Totally private streets.
- ◆ All garages face the private streets.
- ◆ Sidewalk on one side of each street (similar to the townhouses on the north side of Mt. Hunger Road).
- ◆ No interior access is permitted to the commercial area to the west or the residential zoning to the east.

The uniformity of the building designs and the huddled line-up of buildings certainly provides economies for the builder, but would leave a monotonous look for the community. However, the packed look easily complies with the Zoning Ordinance's density and open space allowances because of the large area of detention. In most essential respects (excluding the sidewalk on one side), the plan complies with the City's codes and ordinances and the annexation terms. The chief administrative decision is whether or not the City is willing to allow a revision of the preliminary plan to show a planned development versus a conventional subdivision with each building occupying a lot. The Commission and the City could say no, with the understanding that (a) the existing preliminary plan configuration of multiple family lots is more preferable or (b) there is a more creative approach that is also economically feasible. Some specific planning direction would be advisable if the City is inclined to follow assumption (b).

This is not a creative look or a path-breaking approach to higher density living, as we might desire, but it is basically allowed by law. Plan Commission direction is requested.