

TO: The Sycamore Plan Commission

FROM: Bill Nicklas
City Administrator

DATE: July 9, 2003

RE: July 14, 2003 Plan Commission Meeting

The Plan Commission has two items to consider in informal workshop sessions.

I. Workshop Items

A. Consideration of a Concept Plan for the Development and Rezoning of Lot 5 of Blain's Farm and Fleet Subdivision.

Territorial Development of Batavia, represented by Randy Yock, has requested a reconsideration of its plan for the rezoning of Lot 5 from "C-3" Highway Commercial to "R-3" Multiple Family for the purpose of creating an attached townhouse development. This concept was first heard by the Plan Commission at its January 13 meeting at the Sycamore Library. At that time, the Commission determined that the plan was not acceptable. There were several reasons:

- a) The Commission reasoned that, in general, the land suitable for commercial development within the City's limits, and within the City's planning area, was limited and should not be further reduced. While acknowledging that the 4.64-acre parcel on Hathaway Drive did not have the visibility that the frontage lots on Peace Road or DeKalb Avenue had, the Commission assumed that the rising traffic counts on Peace Road would add to the value to the infill location over time.
- b) The Commission believed the development plan was too dense. The plan proposes eight 5-unit buildings for a gross density of 8.7 units per acre. This is roughly identical with the Stonegate townhouse development off Peace Road and the Castle townhouses on Plank Road. The developer attempted to soften the density by weaving in a variety of landscape features and special paving techniques. Additionally, the plan offered a variety of rooflines and disguised the garages by orienting them toward an internal system of private driveways very much like traditional urban alleys. But, floor plans and pricing details were missing from the concept design and under the Commission's scrutiny it

was unclear what demographics would be served. Guest parking spaces met the minimum required of other recent townhouse projects, but were not proximate to units 21 through 40. The actual gross area devoted to open space was not clear.

Mr. Yock has returned with the same plan. He has observed the Commission's recent comprehensive planning process and assumes the Commission may be interested in an infill development of the type he has proposed, although he does not propose to "fill in" a commercial pocket with similar zoning.

The Plan Commission's direction is requested.

B. Consideration of Ordinance No. 2003.31.

Based on recent Supreme Court rulings, the City Attorney urged the City Council to amend the hearing procedures to be followed by all boards, commissions, and the Council itself. The Court, addressing the issue of due process, has overturned about forty years of law upholding less formal procedures regarding the presentation of testimony before predominantly volunteer boards and commissions. The new ruling essentially requires courtroom procedures for both the giving of testimony and the cross-examination of witnesses by "interested persons." Some training will be necessary before Commissioners can be assured of compliance with the new procedures, and such training will be provided by the City Attorney at the next regular Plan Commission meeting on August 11.

In order to meet the spirit and the letter of the new Court interpretation, the City Council has prescribed general guidelines for the presentation of evidence at a public hearing. These guidelines—codified in Ordinance No. 2003.31—were approved on July 7. In addition to actual changes in its hearing practices and procedures, the Commission will need to amend its by-laws at an upcoming meeting.