

TO: The Sycamore Plan Commission

FROM: Bill Nicklas
City Manager

DATE: April 7, 2004

RE: April 12, 2004 Plan Commission Meeting

The Plan Commission has five action items and two workshop items on its regular agenda.

I. Action Items

A. Consideration of a Petition from Wiseman-Hughes Enterprises for a Final Plat for Unit 2 of the Reston Ponds Planned Unit Development.

Larry Vaupel, director of planning for Wiseman-Hughes Enterprises, has submitted a final plat for Unit 2 of the Reston Ponds development for the Commission's review. The plat depicts the following:

- ◆ 101 single-family house lots (the preliminary plan approved in March 2002 shows 391 detached single family homes; the final plat for Phase One includes 100 lots and was approved in December, 2002).
- ◆ Lot 399 includes about 11 acres for park purposes.
- ◆ Lots 395, 400, 401, 402 and 413 are unbuildable open spaces to be maintained by the homeowners' association, and constitute about 5 acres.

The "hub park" designated as Lot 399 does not yet have a name. Some of the Plan Commission members will recall that the late Gary Stapleton served on the Plan Commission at the time that the southeast area subplan and the hub park were under review, and he was instrumental in reserving that space for the recreational use of future generations. The City Manager recommends that the Commission designate that park as "Stapleton Park," and urge the developer to cooperate with city and park officials in implementing the proper naming features.

Plan Commission approval is recommended.

B. Consideration of a Petition from B&B Development, Inc. to Amend the Heron Creek Annexation Agreement to Convert the “R-3” Multiple Family Residence District in Unit 6, North of the DeKalb Clinic Site on Plank Road, to “R-1” One Family Residence District.

Within the northeast quadrant of the Heron Creek planned development, which was annexed and zoned in February 1999 and recorded in June 1999, there is a 7.946-acre parcel presently zoned “R-3” Multiple Family Residence District. This area was set aside for townhouse development with an allowable density of 12 units per acre under the current City codes. The developer proposes to rezone the area to “R-1” One Family Residence District to allow for 15 detached single family lots, which would be more compatible with the adjacent single family lots now under construction.

The B&B Development firm has included townhouses in other portions of its Heron Creek plan, and the average density has been about 6 units per gross acre, substantially under the allowable parameters. However, these mini-developments have generally been somewhat removed from nearby detached housing units. In the original plan, there is an uncharacteristic lack of separation from the single family homes being established on Daniel Dustin Drive and Moses Dean Street. Accordingly, the developer is not inclined to create a competing and perhaps conflicting density and housing style in close proximity to such homes.

The City staff recommend approval of the developer’s proposed departure from the original preliminary plan (see the appended excerpts) which will reduce the likely number of units from about 42 to 15. The attached final plat would amend that preliminary plan, and thus amend Exhibit “B” in the recorded annexation agreement.

A favorable Plan Commission recommendation is requested.

C. Consideration of a Petition from Lyle Hyatt and Company for a House Moving Permit.

Everett Hyatt of Lyle Hyatt & Company has requested a special house moving permit to relocate a single family house from Barber Greene Road, east of Somonauk Street, to the Janet Johnson farm at 15550 Bethany Road, east of Somonauk Street, on May 4. According to Section 9.6.1 of the City Code, the Plan Commission must first review house moving permit applications before they are forwarded to the City Council, in order to determine whether the move would alter the character of a neighborhood, or otherwise have a deleterious effect on the public welfare. Before action is taken, the City’s Building Department is accountable for confirming that all affected utilities (e.g. Com Ed) and law enforcement agencies have been notified and have not contested the proposed move.

The proposed path of the move will disrupt traffic on Somonauk Road, in particular, and both Barber Greene and Bethany Roads for a lesser period of time. Cooperation will be needed with local and county law enforcement agencies as well as Com Ed. Nevertheless, these challenges can be overcome with proper planning and public notice.

A favorable Plan Commission recommendation is requested.

D. Consideration of a Plat of Dedication for Luther Lowell Lane.

The attached plat of dedication is for roadway purposes only. It defines the future extension of Luther Lowell Drive from Plank Road to Phase Six of the Heron Creek planned residential development, and has been submitted by David Faganal, developer of the North Grove Crossing P.U.D.

Favorable Plan Commission action is recommended.

E. Consideration of a Plat of Dedication for Oakland Drive, Dosen Drive and Wirsing Parkway.

The attached plat of dedication is for roadway and utility purposes. It defines the roadway that will link Oakland Drive at its present eastern terminus with a previously-dedicated and constructed roadway that ends about 700 feet west of Peace Road (see the attached plat). To achieve this link, Oakland Drive is to be extended eastward to “Dosen Drive,” which will eventually be completed to Gateway Drive. Dosen Drive extends southward for about 552 feet to “Wirsing Boulevard,” which will run eastward toward Peace Road. The east leg of the new roadway has been named after the late David Wirsing, who served our community from 1993 to November 2003.

A favorable Plan Commission recommendation is requested.

II. Workshop Items

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

Territorial Development of Batavia, Illinois, represented by Randy Yock, has requested a third and final consideration by the Plan Commission of a petition to rezone Lot 5 of the Farm & Fleet subdivision from “C-3” Highway Commercial to “R-3” Multiple Family. Previously, on July 14, 2003 and on January 13, 2003 Mr. Yock proposed such a rezoning. On both occasions, the Commission reasoned that

- a) 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 of the infill location over time.
- b) 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 (see attached) 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.

At the close of the workshop discussion on July 14, Mr. Yock announced his intention to poll surrounding residents in the nearby condominium, townhouse, and detached single family subdivisions to assess their opinions about the most desirable use on Lot 5.

Since the July 2003 meeting, Mr. Yock has sent a mailing to these neighboring residential propertyowners, and has reportedly maintained communication with the condominium and townhouse associations. In all, about 130 letters were mailed. Mr. Yock has charted the responses of the immediate neighborhood on the attached plan view. One additional response was received at City Hall from Barry and Ellen Brown of 1318 Foxpointe Drive. Though their address is remote from the site, the owners nevertheless received a mailing and took the time to reply. Their response is attached.

The specifics of Mr. Yock's land plan have not changed, and would deserve further attention if not for the need to resolve the main question concerning his continued interest in the rezoning of Lot 5 for residential purposes. The Commission is invited to consider Mr. Yock's research and to make a final recommendation regarding his rezoning interest.

B. Consideration of Chapters One, Two and Three in the Proposed Unified Development Ordinance, As Well as Section 6.2.1, D, 2, "Fences and Walls."

The Plan Commission will begin its public discussion of the proposed Unified Development Ordinance, which includes a new format for established regulations as well as new regulations to implement the Comp Plan of 2003. Members of the Zoning Board of Appeals have been invited to join the Commission in its deliberations.

Chapters One, Two, and Three will be reviewed along with a section from a later chapter that lays out some revised fence regulations. The latter is presented in order to accommodate the interest of a number of local residents who have approached City offices over the past few years in pursuit of fence permits.

Chapter 1 General Provisions.

Chapter 1 is a straightforward exposition of the recitals, definitions, and legal foundations common to zoning codes and similar bodies of law. For the first time, some graphics are added to better illustrate the intent of certain definitions and concepts.

Chapter 2 Decision-Making, Administration, and Enforcement Responsibilities

Chapter 2 identifies the direct responsibility of the Zoning Administrator and City Engineer for much of the day-to-day administration of the development codes and regulations. They are accountable to the City Manager, who is in turn accountable to the City Council and its policy-making authority. The role of the Plan Commission and Zoning Board as advisory bodies remains unchanged.

Chapter 3 Non-Conforming Lots, Buildings, Structures and Uses.

Zoning and development codes have to take into account the fact that, in an established community, structures and lot layouts and uses of a distant origin may no longer conform to today's preferences. As with most modern code texts, there are allowances for such uses and applications to continue to exist, and for non-conforming properties to be

transferred, without penalty, so long as their peculiarities are not extended or enlarged in conflict with present codes.

Section 6.2.1, D, 2 Fence and Wall Requirements (Page 145).

In recent years, as new residents have settled in Sycamore from communities with different fence regulations, there has been increasing interest in variations from our existing fence codes, particularly as they may apply to front yards and corner side yards. Two formal variance requests have been brought before the Zoning Board in the past twelve months concerning fences, and a number of other informal inquiries have been brought to the Building and Zoning Department. In each case, the applicable standards of hardship could not be met to allow variances. However, this pattern encourages a closer look at the existing fence regulations, to see if there are changes that should be made to accommodate new ideas and preferences.

The City's present fence regulations are found in the City Code, Chapter 7 (see attached).

The proposed fence regulations have certain new features including the following:

- a. a distinction between a decorative fence that may be seen in any zoning district (Type A), and a screening fence or wall (Type B) that may serve a privacy need or security function.
- b. Type A or decorative fences may attain 4 feet in height in front and corner side yards in all zoning districts, and 6 feet in height in rear and side yards. Chain link fences and walls, except terraces, knee walls, and retaining walls, are prohibited in front yards. An exception to these regulations is a fence constructed for the safety of children on park or school playgrounds.
- c. A prohibition of fences and walls in the "sight triangle" at lot corners and at driveway entrances. The sides of such triangles shall be thirty (30) feet along street rights-of-way and ten (10) feet where a driveway and street intersect, or where a street and alley intersect.
- d. Barbed wire is prohibited except in AG or industrial districts, where a special use permit is required for such installations.

Plan Commission direction is recommended.