

TO: The Sycamore Plan Commission

FROM: Bill Nicklas  
City Manager

DATE: October 5, 2005

RE: October 10, 2005 Plan Commission Meeting

The Plan Commission agenda has three action items.

## **I Action Items**

### **A. Consideration of a Petition from Arthur and Julie Bingham for a Rezoning of 126 Sabin Street from “C-1” Neighborhood Business District to “R-2” Two Family Residence District in the City of Sycamore.**

The Bingham's own the property at 126 Sabin Street. The property has a residential look with a mansard roof. As the attached memorandum from Lyle Doty explains, the structure was built to offer a beauty shop on the first floor level and a residence on the second floor. Such an arrangement has been permitted in “C-1” Neighborhood Business Districts. More recently, a succession of owners have tried to keep the building rented for the competing uses but have not been successful.

The Bingham's are willing to add some substantial improvements that will create the fire separations necessary for two dwelling units. The property has an abundance of room in the rear yard for the required residential parking, although the current gravel parking area will need to be paved to satisfy the City's ordinance requirements. As Mr. Doty observes, the proposed rezoning would be more compatible with the essential character of the neighborhood south of the State Street frontage than the mixed zoning that is currently in place.

A favorable Plan Commission recommendation is requested, with the assurance that the required off-street parking surface will be paved appropriately.

**B. Consideration of a Petition from Territorial Development to Rezone Property Located at 1235 Hathaway Drive from “C-3” Highway Business District to “C-4” Mixed Use Commercial District for a Planned Unit Development with Thirteen Office/Warehouse Units and Thirty-Two Residential Townhouse Units with a Minimum Front Yard Setback of Thirty-Five Feet from Hathaway Drive in the City of Sycamore, Illinois.**

At the June 13 Plan Commission meeting, representatives of the commercial development firm, Territorial Development, presented a revised, conceptual development plan for Lot 5 of the Farm & Fleet Subdivision. The parcel comprises 4.64 acres on Hathaway Drive immediately south of the Farm & Fleet store and is presently zoned “C-3” Highway Business District.

The principal owner of Territorial Development, Randy Yock, originally presented a concept plan for a rezoning to “R-3” Multiple Family Residence District in a Plan Commission workshop on January 13, 2004 and presented a similar plan on April 12, 2004. On both occasions, the Commission identified two key concerns:

- a) the rezoning would result in the loss of about 5 acres of commercially-zoned land, and
- b) the proposed townhouse development appeared rather dense for the area (8.7 units per acre), although two different multifamily subdivisions had been developed to the east of the property (the Foxpointe Townhome Association and the Foxpointe Condominium Association).

At the June 13 2005 meeting, the petitioner noted that 4.64-acre lot remains undeveloped so none of the allowable commercial uses in the underlying “C-3” Highway Business zoning are in play. No bona fide commercial retail business tenants have shown interest in the lot since the Farm & Fleet subdivision was approved about ten (10) years ago. Recently, however, there has been some interest in storage garages and also in commercial condos for small contractor shops. However, the residential zoning of the vacant land to the east and the developed properties to the south have concerned commercial prospects who would not be interested in risking complaints about their commercial activities. After consultation with the City staff, Mr. Yock presented a hybrid “mixed use” concept to provide a zoning transition on the lot, and commercial uses that would be more compatible with adjacent residential neighbors.

The concept plan presented on June 13 depicted twelve (12) commercial condos facing west, or toward the private drive that extends from Hathaway Drive to Walgreen, the Country Inn & Suites, and Farm & Fleet. These condos were to be used for retail purposes, but the local market presently leans toward professional offices or contractor shops. The east half showed “stacked” or up-and-down residential condos that would be buffered by landscaping from the new commercial uses to the west and Farm & Fleet to the north, and would offer two-car garages with ample guest parking. The overall property tax and potential sales tax generated per acre would likely exceed that generated from a single warehouse or commercial user. The residential

condos would probably be valued at about \$80-plus per square foot, versus \$55 per square foot for warehouse/office or retail space.

In contrast with the earlier option of a dense residential development, the Commission felt that the mixed-use plan had merit and encouraged the petitioner (by a straw poll of 9-2) to proceed with a rezoning plan. The attached plan essentially conforms to the mixed use plan presented on June 13 with the following revisions:

- a) the number of commercial condos has increased from 12 to 13;
- b) more guest parking spaces have been added;
- c) the overall zoning has been changed to “C-4” Mixed-Use Commercial. A copy of the UDO table describing the allowable commercial uses in a “C-4” district is appended for the commission’s review.
- d) The front-yard setback on Hathaway is 35 feet. The Unified Development Ordinance (UDO) normally requires a front yard setback of 25 feet for residential and 50 feet for commercial. In this case, the staff felt that a uniform setback for both types of uses would be more presentable to passerby.

A favorable Plan Commission recommendation for the proposed rezoning to “C-4” Mixed-Use Commercial is requested.

**C. Consideration of a Petition from Gracious Living Homes-Sycamore, LLC for a Final Plat for a Planned Unit Development South of Bethany Road and West of the Bethany Road Retention Pond.**

On June 7, 2004 the City Council approved a preliminary plat for a residential development targeting persons 55 years of age or older. Gracious Living Homes is the developer, and intends to abide by the provisions of the Fair Housing Act of 1995, and the Housing for Older Persons Act (“HOPA”) of 1995. These federal enactments permit developers to require that buyers be 55 years of age and over, and have no children in their units under the age of 19 for more than 30 consecutive days or 45 days in any six month period. These provisions effectively preclude the possibility that school-age children will remain long enough to be enrolled in the local school system.

The development was approved with the following features:

- The plan area comprises 16.79 acres, including about 3 acres of commercially-zoned property along the Bethany Road frontage.
- The entire plan area is zoned “C-4,” Mixed Use, Commercial Business District. The “C-4” district was created with the Comp Plan of 2000 and maintained in the Comp Plan of 2003 to accommodate planned unit developments that feature low-impact commercial uses that serve, or are adjacent to, housing units such as the type proposed in this plan. “C-4” districts may also feature some type of “community” facility, such as the clubhouse proposed by the developer.
- The gross density is 4.53 units per acre. A total of seventy-six (76) attached townhouses are featured in the residential area.

- Access to the residential use is through the commercial zoning along the Bethany Road frontage. All streets south of the Bethany Road right-of-way serving the property shall be private streets maintained by a homeowner's association.

The attached final plat depicts the entire plan area. A favorable Plan Commission recommendation is requested.