

Village of Carol Stream

AGENDA

REGULAR MEETING-PLAN COMMISSION/ZONING BOARD OF APPEALS

MONDAY, JUNE 24, 2019, AT 7:00 P.M.

ALL MATTERS ON THE AGENDA MAY BE DISCUSSED, AMENDED AND ACTED UPON

- I. Roll Call: Present:
Absent:
- II. Approval of Minutes: April 8, 2019
- III. Public Hearing:
 - A. 19-0008 **Triumph Construction Services/Dynamic MD - 250 North Schmale Road**
A Special Use Permit for Motor Vehicle Service
A Special Use Permit for Outdoor Activities and Operations – Parking of Trailers
 - B. 19-0012 **Simonetta Residence – 1303 Sheffield Court**
A Zoning Code Variation (Rear Yard Setback)
- IV. Presentation:
Unified Development Ordinance Workshop/Preliminary Recommendations Memo Overview – Houseal Lavigne Associates
- V. Old Business:
- VI. New Business:
Annual Progress Report – Comprehensive Plan Implementation Informational Only
- VII. Report of Officers:
- VIII. Adjournment:

**Regular Meeting – Plan Commission/Zoning Board of Appeals
Gregory J. Bielawski Municipal Center, DuPage County, Carol Stream, Illinois**

***All Matters on the Agenda may be Discussed, Amended and Acted Upon
April 8, 2019.***

Chairman Parisi called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:00 p.m. and directed Jane Lentino, Community Development Secretary, to call the roll.

The results of the roll call were:

Present: Commissioners Dave Creighton, Angelo Christopher, John Meneghini, Frank Petella, Michael Battisto, Chairman Frank Parisi.

Absent: Commissioner Charlie Tucek

Also Present: Don Bastian, Director of Community Development; Tom Farace, Planning and Economic Development Manager; and Jane Lentino, Secretary.

MINUTES:

Commissioner Petella moved and Commissioner Tucek seconded the motion to approve the minutes of the meeting held on March 11, 2019.

The results of the roll call vote were:

Ayes: 5 Commissioners Creighton, Christopher, Petella, Meneghini, Chairman Parisi.

Nays: 0

Abstain: 1 Commissioner Battisto

Absent: 1 Commissioner Tucek

PRESENTATION:

Mr. Farace introduced the consultants from Houseal Lavigne.

Ms. Carly Petersen, Senior Associate with Houseal Lavigne, introduced herself and Ms. Jackie Wells, and stated that they been contracted to prepare the Unified Development Ordinance (UDO) update. She stated that the project kicked off in January, and that residential and commercial business workshops were conducted today in order to get a sense of feeling surrounding the zoning and subdivision control in the community.

Ms. Petersen stated that the Unified Development Ordinance is a combination tool that will rewrite and reorganize Zoning, Subdivision, Sign Codes, etc., and proceeded to give a presentation which included a page on the Village of Carol Stream website where the public can follow the UDO progress and leave feedback. Ms. Wells passed out a worksheet for the Commission to take home and return to Staff to list potential items for the code update.

Ms. Petersen asked for questions and comments.

Chairman Parisi asked the Commission for questions. Commissioners Meneghini and Christopher had none.

Commissioner Petella asked Ms. Petersen to clarify her comments about the First Amendment and signs.

Ms. Petersen stated Reed-v-Gilbert was a Supreme Court case where the final ruling is that communities cannot regulate signs based on their content. She clarified that if a sign code that specifically mentioned real estate signs, or political signs, or signs that had to be read in order to determine its viability to get a permit would now be a violation of federal law. She stated that a lot of communities are revising their sign code to take out the references with specific content provisions and replace them with provisions that relate more to the look, size, and placement of the sign.

Commissioner Petella asked if they were preparing for the possible legalization of marijuana and how that will affect the community.

Ms. Petersen stated they were looking at medical marijuana provisions in a lot of places, and they are attempting to make sure that those regulations can be easily amended, so that the end result is that you can strike the word "medical" and those issues will be regulated. She stated that getting in front of that issue is probably the best way to handle it. She stated that there are some communities in other states that regulate personal growth of marijuana, and they are looking that as well should marijuana become legalized for recreational use.

Commissioner Creighton asked Ms. Petersen if they were going to clarify the wording of an ordinance so as not to need the Village Attorney in order to interpret the code. He stated that, as a lay person, it can be difficult to make decisions if the code is difficult to interpret.

Ms. Petersen stated that in addition to the code itself, the primary objective is to ensure that a defensible document is in place. She stated that when a document has been amended many times, it ends up conflicting with some other component of the code, and they will ensure that there is no conflict, so that it can be a legible document with a defensive nature and that it will be clear in its definitions and wording. She stated that anyone who comes into Community Development should be able to read the code, know what they're looking for, and be able to interpret the code without a lawyer.

Commissioner Battisto asked that they be as forward thinking as possible based on trends that are navigating the economy, such as the deregulation of pharmaceuticals and moving from a retail economy to a shipping economy.

Ms. Petersen stated that Houseal Lavigne is working across the country in at least 25 states which enables them to see those kinds of trends and issues. She stated that they do economic development market analysis as well. She stated that they want to make sure that the community, through its comprehensive plan and the available land, is able to add to the Village's tax base.

Chairman Parisi stated that the process has improved in the past 15 years because it guides the applicant through the requirements, but it needs to be tweaked.

Chairman Parisi asked about LED lights inside of a window and graphics.

Ms. Petersen stated that they will definitely be including graphics at every juncture where it makes sense to be explicit about the definition.

Chairman Parisi gave the example of a building design where a graphic that covered the entire elevation of the building was considered signage. He noted how different communities interpreted the graphic as signage, even though it was considered artwork, and referred to the very large "Now Open" graphic on the Fountain View building when it opened.

Ms. Petersen stated that temporary signage is one way to get around a lot of the issues with Reed v Gilbert is by having a requirement for a limited duration, such as a grand opening sign/graphic.

Chairman Parisi stated that the community is built out and there are two major corridors that define Carol Stream at their entrance points. He stated that the corridor regulations are part of the Comprehensive Plan on getting walkable streetscape on Gary Avenue, which is a county road. He stated that he would like to see more definition in the Gary Avenue/North Avenue corridor as to what can be built and how. He stated that he feels the Commission has done a pretty good job with setbacks because buildings built on recently annexed properties at the west end of North Avenue, that are in Winfield and sit right on the road, are not very appealing and don't comply with the North Avenue streetscape.

Chairman Parisi addressed the language defining Gary Avenue and stated that he would like to see more language addressing appearance of Gary Avenue as part the ordinance. He stated that it doesn't define materials or setbacks.

Ms. Petersen stated that there was discussion about some of the corridor regulations regarding what it means from a general development perspective, and that they grasp on the key features that contribute to the identity of the Village and make sure that those features are well integrated from a look and feel perspective.

Chairman Parisi asked Mr. Farace if equipment screening is all the way around the equipment, not just on the major elevation.

Mr. Farace stated that it could be better defined as well.

Ms. Petersen stated that the current definition is Service Utility and that they recognize that those need to be really clear.

Commissioner Petella asked Ms. Petersen if the process was going to be more streamlined so that more power is given to Staff.

Chairman Parisi asked Mr. Bastian if there was anything in the ordinance, regarding the I-Industrial zone, which could be automatically approved.

Mr. Bastian stated that he and Mr. Farace have put together a seven page list of possible code updates. He stated that standards can be put into the ordinance, then Staff could decide if the standards are being met, and if they are not then it can go to the Commission.

Ms. Petersen stated that applying some discretion to Staff gives them the opportunity to decide when they are uncomfortable with an issue and bring it to the Commission.

Commissioner Creighton asked if streamlining was trending in other communities.

Ms. Petersen stated absolutely.

Chairman Parisi asked Ms. Petersen to summarize what the prevailing comment was from the residents.

Ms. Petersen stated that there is some concern about senior amenities/senior housing, and one person who works for the senior living community came in. She stated that they don't have a ton of concerns regarding the residential development as long as it's protected, and that the issues where there is commercial integration with residents is garbage pick-up is offset.

Ms. Petersen stated that in the business workshop they talked about the availability of amenities, restaurants, and entertainment options, and how and where there could be additional opportunities for those. She stated that the Gary Avenue corridor is where you'll see additional changes.

Commissioner Petella asked if there was any talk about flooding.

Ms. Petersen stated that the Stormwater Administrator was at the meeting, but they didn't talk about flooding.

Chairman Parisi asked what the next steps will be and how they will identify the portions of the code that will be changed, or if they were going to rewrite the whole code.

Ms. Petersen stated that they will be back for additional workshops at each step, and that the next step the Commission will see is a diagnostic report. She stated that they will be giving the Commission a memorandum with feedback on everything that they see that could align with the Comprehensive Plan, and then have a discussion centered on that information, most likely in June.

Ms. Petersen stated that following that step, they will get into the code itself, and depending on the nature of diagnostic report, the code may be rewritten entirely or a composite of the old and the new codes. She stated that they will be back approximately every two months starting in the fall.

Commissioner Creighton asked if the fence code was being updated.

Ms. Petersen stated that it will be updated.

Mr. Bastian stated that Staff would like to see the fence code and the sign code be part of the UDO, and taken out of the Building Code.

Mr. Farace asked Ms. Petersen when she would like to receive the worksheets.

Ms. Petersen stated that in the next week or so.

Chairman Parisi thanked Ms. Petersen and asked if there was anything else on the agenda.

Chairman Parisi asked Ms. Petersen and Ms. Wells when, in June, they would be coming back.

Mr. Farace stated that no set date was scheduled.

Mr. Bastian stated that they would try to work around the Commission's vacation schedules.

OTHER BUSINESS:

Mr. Farace stated that there was nothing on the agenda for the next meeting, scheduled for April 22, 2019, and suggested that the Commission officially cancels it.

Chairman Parisi asked for a motion to cancel the meeting scheduled for April 22, 2019.

Commissioner Creighton moved and Commissioner Battisto seconded the motion to cancel the meeting.

The motion was passed by unanimous vote.

Mr. Farace reminded the Commission to file the Statement of Economic Interest with the County by May 1, 2019.

OLD BUSINESS:

NEW BUSINESS:

ADJOURNMENT:

At 7:42pm Commissioner Petella moved and Commissioner Christopher seconded the motion to adjourn the meeting.

The motion passed by unanimous vote.

FOR THE COMBINED BOARD

Recorded and transcribed by,

Jane Lentino
Community Development Secretary

Minutes approved by Plan Commission on this ____ day of _____, 20____.

Chairman

Village of Carol Stream
Plan Commission/Zoning Board of Appeals Memorandum

TO: Plan Commission/Zoning Board of Appeals Members

FROM: Tom Farace, Planning & Economic Development Manager *TF*

THROUGH: Donald T. Bastian, Community Development Director *DB*

DATE: June 20, 2019

RE: **Triumph Construction Services/Dynamic MD, LLC – Special Use Permit for Motor Vehicle Service and Special Use Permit for Outdoor Activities and Operations – Parking of Trailers / Case No. 19-0008**

A request for two Special Use Permits was scheduled for review for the June 24, 2019 Plan Commission/Zoning Board of Appeals meeting for Triumph Construction Services/Dynamic MD, LLC. Unfortunately, an error was found in the public notice that was published in the newspaper for the case, and corrected public notification will need to be completed before the PC/ZBA can review the project. Therefore, staff recommends that the case be continued to the July 22, 2019 PC/ZBA meeting.

Village of Carol Stream Plan Commission/Zoning Board of Appeals

STAFF REPORT

June 24, 2019

TO:
Chairman and Plan
Commissioners

FROM:
Community Development
Department

CASE MANAGER:
Tom Farace, Planning &
Economic Development
Manager

ACTION REQUESTED:
The applicant is requesting approval of a variation in accordance with Section 16-8-4 (F)(3) of the Carol Stream Zoning Code to allow a room addition to extend five feet into the required rear yard

APPLICANT/ CONTACT:

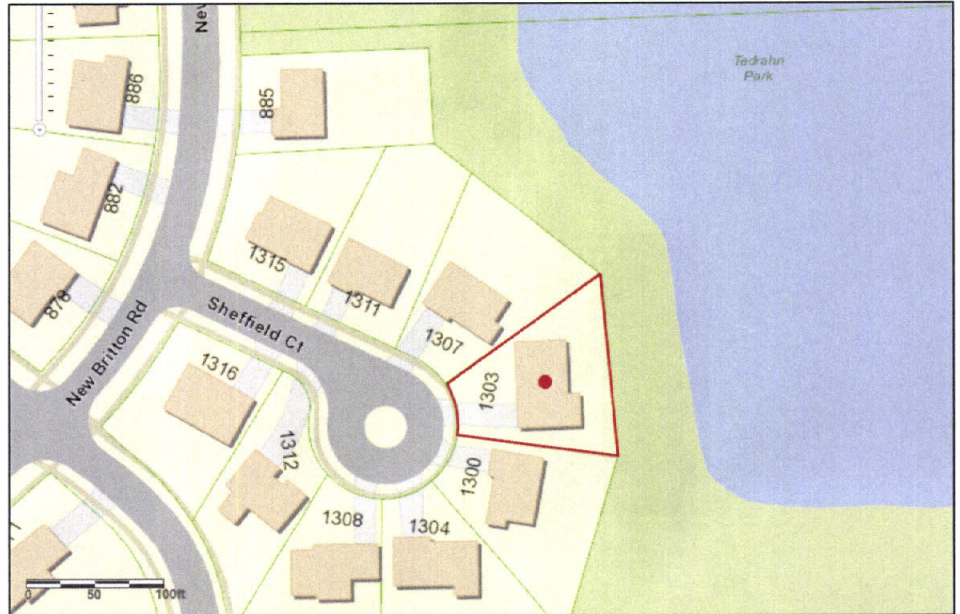
Anthony and Nicki Simonetta
1303 Sheffield Court
Carol Stream, IL 60188



CASE #: 19-0012

LOCATION: 1303 Sheffield Court

PROJECT NAME: Simonetta Residence



LOCATION	ZONING DISTRICT	LAND USE	COMPREHENSIVE PLAN DESIGNATION
Subject Property	R-3 One-Family Residence District	Single-Family Residential	Single-Family Residential
North	R-3 One-Family Residence District	Single-Family Residential	Single-Family Residential
South	R-3 One-Family Residence District	Single-Family Residential	Single-Family Residential
East	R-3 One-Family Residence District	Single-Family Residential	Park District, Tedrahn Lake
West	R-3 One-Family Residence District	Single-Family Residential	Single-Family Residential

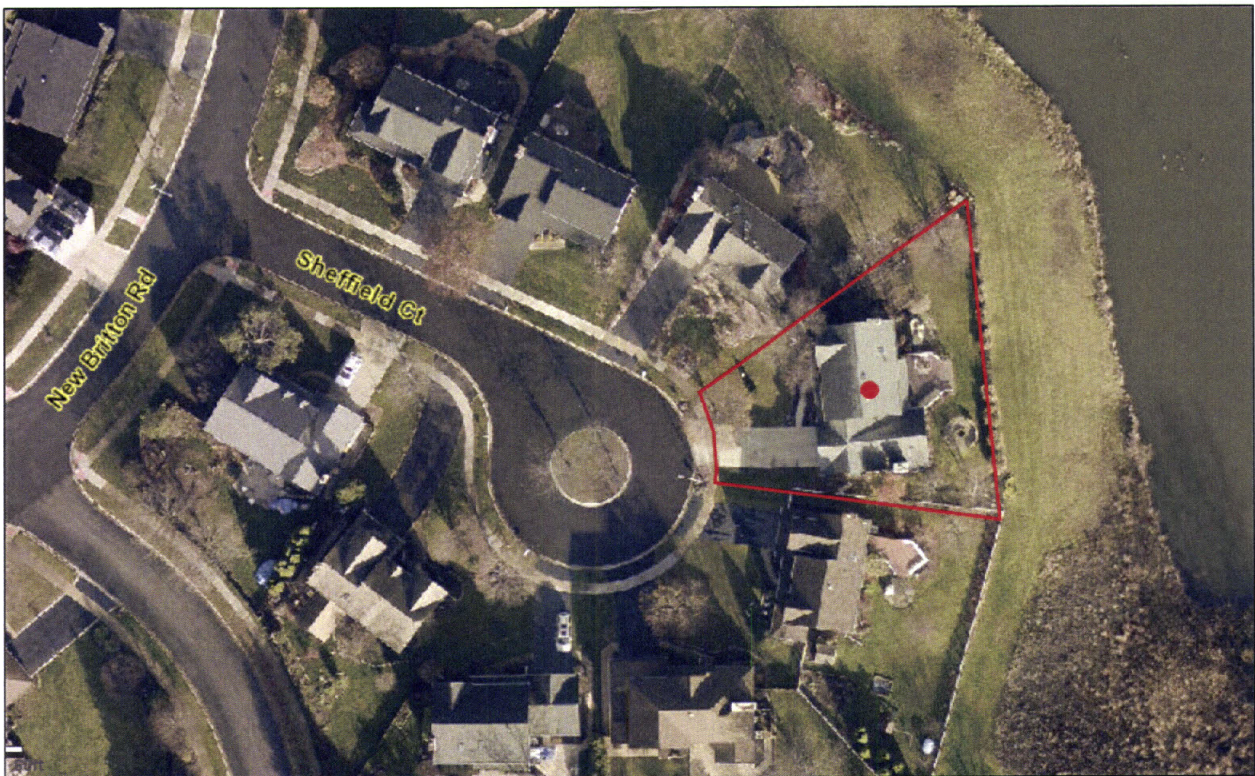
The subject property outlined above in red is located east of New Britton Road and west of Tedrahn Lake in the Rolling Oaks Subdivision.

Site Assessment

COMPREHENSIVE PLAN DESIGNATION:

The subject property is designated for single-family residential uses according to the Village's Comprehensive Plan.

AERIAL PHOTOGRAPH:



Project Summary

ATTACHMENTS:

Attached for review is the General Application, Variation Application, Cover Letter, Sketches for Room Addition, Submitted Photos, Public Notice, and Plat of Survey with proposed room addition location (Exhibit A).

BACKGROUND:

The applicants request approval of a variation to allow a three-season room to encroach five feet into the required 30-foot rear yard setback. The property is located on Sheffield Court and west of New Britton Road in the Rolling Oaks Subdivision.

Staff Analysis

REAR YARD SETBACK VARIATION

According to Section 16-8-4 (F)(3) of the Zoning Code, properties zoned R-3 (One-Family Residence District) are required to provide a rear yard of no less than 30 feet. The subject property contains a single-family home, with a raised deck and fire pit in the rear yard. A small patio has recently been removed in the rear yard in anticipation of the construction of an attached three-season room measuring approximately 180 square feet. The proposed addition would encroach approximately five feet into the 30 foot rear yard setback, thereby necessitating the applicants' request for a variation to the Zoning Code.

While decks and patios are allowed to extend into the rear yard setback, the principal structure and additions to the principal structure are not allowed to encroach into the setback. The proposed three-season room will measure 12 feet in width by 15 feet in length, and will be located at the northeast corner of the house. The exterior of the proposed three-season room will be constructed of siding and roofing materials to match the siding and roof of the house.



1303 Sheffield – Proposed Three Season Room Location

The applicants have provided a letter summarizing their request to encroach into the rear yard setback. According to the submitted letter, the applicants have lived in the home for 29 years, and wish to utilize their back yard for multiple seasons and out of the weather elements. The applicants have also indicated that due to the shape of their lot and location of the home further from the front yard setback than normally required per the Code, the applicants have been confined to adding living space enhancements to the rear of their property. While staff believes the proposed three-season room will be an attractive addition to the house, encroaching into the setback must be reviewed thoroughly and should only be approved after demonstration of a specific hardship.

For additional information for the PC/ZBA, staff researched previous rear yard setback variation requests. We note that requests that were approved by the PC/ZBA were determined to have a unique circumstance or hardship. A brief summary of cases that were approved is provided on the following page.

- 652 Chestnut Lane (Case No. 08151) – the property owner requested a variation to encroach four feet, seven inches into the rear yard setback to construct a kitchen and basement addition. The property sloped downward toward the rear of the lot, the home had a lookout basement, and the basement would be expanded beneath the main level kitchen addition. The property also backed up to a park (Friendship Park). The PC/ZBA recommended approval of the request.
- 1099 Evergreen Drive (Case No. 06180) – the property owner requested a variation to encroach 18 feet into the rear yard setback for an existing screened-in porch that was constructed prior to the current owner purchasing the property. The PC/ZBA recommended approval of the request, along with a request for a lot coverage variation.
- 851 Royal Glen Lane (Case No. 03175) – the property owner requested a variation to encroach 2.5 feet in the rear yard setback for a three-season room due to placement constraints within the rear yard. The PC/ZBA recommended approval of the request.
- 351 Alabama Trail (Case No. 01127) – the property owner requested a variation to encroach three feet into the rear yard setback for a three-season room that was built without a permit as determined when the owners applied for a deck permit years later. The PC/ZBA recommended approval of the request, along with a request for a lot coverage variation.

In review of this case, staff finds that the subject property does not possess unique conditions as compared to other residential properties in the Village. While the proposed three-season room addition may not have a negative impact on neighboring properties, it will encroach into the rear yard setback and could be reduced in size or reconfigured to stay out of the setback area.

VARIATION FINDINGS OF FACT

With regard to any variation, the Zoning Board of Appeals shall not recommend a variation unless it shall make findings based upon the evidence presented to it in the following case, as per Section 16-15-6(D) of the Zoning Code:

1. The property in question, other than a single-family lot, cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

The property in question is a single-family lot, and this criterion is not applicable.

2. The plight of the owners is due to unique circumstances.

Although the applicants have provided several factors that support their argument that a variation is warranted, in staff's view we are not aware of a unique circumstance in this case.

3. The variation, if granted, will not alter the essential character of the locality.

Staff concurs that because the property to the east contains a Carol Stream Park District property (Tedrahn Lake), there would be no apparent negative impact on an adjacent residential property owner. However, the proposed three-season room will encroach into the rear yard a greater distance than normally allowed per code.

4. The plight of the owner is due to the failure of a previous owner of the property in question to follow then-applicable ordinances or regulations, and where the benefit to health, safety or appearance to be derived from correcting the nonconformity would not justify the cost or difficulty of the correction.

The plight of the owner is not due to the action of a previous property owner, and this criterion is not applicable.

5. The particular physical surroundings, shape, or topographical conditions of the specific property involved bring a particular hardship upon the owner as distinguished from a mere inconvenience.

Staff does not believe the physical surroundings, shape and topographical condition of the property bring about a hardship in this case.

6. The conditions upon which the petition for the variance is based would not be applicable generally to other property within the same district.

All of the properties in this neighborhood have a 30-foot required rear yard. It is staff's opinion that many of the properties would also need a variation to allow an addition to be encroach five or more feet into the rear yard setback. As such, these conditions would be applicable to other property within the same zoning district.

7. The granting of the variation will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.

Staff does not believe that the variation, if granted, would be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood. However, if approved, staff would be concerned about the potential precedent-setting nature of this request, since we do not believe that the request satisfies all of the evaluation criteria for variations.

Recommendation

While staff understands the nature of the applicants' request, we do not believe that the evaluation criteria for variations have been satisfied. For this reason, staff cannot support the requested variation. However, if the Plan Commission were to determine that the evaluation criteria were in fact satisfied, staff notes that the property to the rear (east) of the subject

property is open space/public lake site, which reduces the potential for negative impacts on an adjacent residential property owner.

Staff recommends denial of the requested variation to allow the proposed three-season room addition to encroach five feet into the 30-foot required rear yard at 1303 Sheffield Court, Case No. 19-0012. However, if the Plan Commission / Zoning Board of Appeals recommends approval of the request, staff recommends that the PC/ZBA identify a specific and unique circumstance or hardship that allows them to support the request, and that the recommendation be subject to the condition that the applicant must obtain the required building permit for the addition.



Do Not Write in This Space
 Date Submitted: 5/31/19
 Fee Submitted: \$640
 File Number: 19-0012
 Meeting Date: 6/24/19
 Public Hearing Required: Y

Village of Carol Stream

500 N. Gary Avenue ▪ Carol Stream, IL 60188
 PHONE 630.871.6230 ▪ FAX 630.665.1064
www.carolstream.org

FORM A

**GENERAL APPLICATION
 PUBLIC HEARINGS AND DEVELOPMENT APPROVAL REQUESTS**

- Name of Applicant Anthony & Micki Simonetta Phone 708-624-9444
 Address 1303 Sheffield Ct Carol Stream, IL 60188 Fax 630-876-0434
 E-Mail Address AnthonySimonetta@aol.com
 (required)
 Name of Attorney _____ Phone _____
 (if represented)
 Address _____ Fax _____
 Name of Owner _____ Phone _____
 (required if other than applicant)
 Address _____ Fax _____
 Name of Architect _____ Phone _____
 (if applicable)
 Address _____ Fax _____
- *Common Address/Location of Property 1303 Sheffield Ct
- Requested Action (check all that apply)

<input type="checkbox"/> Annexation	<input type="checkbox"/> Gary/North Avenue Corridor Review
<input type="checkbox"/> Planned Unit Development – Preliminary	<input type="checkbox"/> Text Amendment
<input type="checkbox"/> Planned Unit Development – Final	<input checked="" type="checkbox"/> Variation – Zoning (requires Form B-1)
<input type="checkbox"/> Special Use Permit (requires Form C)	<input type="checkbox"/> Variation – Sign (requires Form B-2)
<input type="checkbox"/> Subdivision – Preliminary	<input type="checkbox"/> Variation – Fence (requires Form B-3)
<input type="checkbox"/> Subdivision – Final	<input type="checkbox"/> Zoning Change
	<input type="checkbox"/> Other

Describe requested action We are Requesting A VARIANCE to the setback of our Rear Property To Extend A Lakeside 3 Season Room To be even with our existing deck.

4. After referring to the specific process handout(s) relevant to this application, please indicate below the items that are included with the submittal.

- General Application (Form A) *OK*
- General Variation Application (Form B-1) *OK*
- Sign Code Variation Application (Form B-2)
- Fence Code Variation Application (Form B-3)
- Special Use Application (Form C)
- Application for Development Approval (Form D)
- Gary/North Avenue Corridor Application (Form E)
- Plat of Survey with Legal Description *Village staff*
- Site Plan
- Landscape Plan
- Plat of Annexation
- Preliminary Subdivision Plat
- Final Subdivision Plat
- Preliminary Planned Unit Development Plan
- Final Planned Unit Development Plan
- Drawings of Proposed Signs *Village staff*
- Horizontal Building Elevations
- Floor Plan
- Proof of Ownership or Written Consent From Property Owner
- Project Narrative/Cover Letter
- Total Application Fee \$ 640.00 *verified*

Please submit three (3) full size drawings and one legible 11 by 17 inch reduced reproducible copy of full size drawings, along with a USB flash drive with plans and associated documents saved as pdf or zip files. Additional sets of plans may be required for certain applications. Please contact Village staff with any questions concerning the submittal requirements. **Full size drawings should be folded not rolled.**

5. Applicant Certification

*I authorize the Village of Carol Stream to install a temporary sign or signs on the property having the common address indicated in Item 2 on this form, for the purpose of notifying the public of the upcoming public hearing, once the hearing has been scheduled.

I have reviewed a copy of the informational handout(s) for the zoning process(es) for which I am making an application. I am familiar with the code requirements which relate to this application and I certify that this submittal is in conformance with such code(s).

I understand that incomplete or substandard submittals may increase the staff review time and delay scheduling of the public hearing. I also understand that, per § 6-13-6 of the Municipal Code, the Village's costs of legal reviews, structural engineering review, and other special reviews determined to be necessary by the Community Development Director, performed by means of consultant services, shall be paid at the billed rate to the Village by the applicant.

Anthony M. Simonetti
Print Name

[Signature]
Signature

5/28/19
Date



Village of Carol Stream

500 N. Gary Avenue • Carol Stream, IL 60188
630.871.6230 • FAX 630.665.1064

e-mail: communitydevelopment@carolstream.org • website: www.carolstream.org

GENERAL VARIATIONS

In accordance with the applicable statues of the State of Illinois, no variation shall be made by the Village Board except after a Public Hearing is held before the Zoning Board of Appeals.

Both the Zoning Board of Appeals and Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Code and if there is a practical difficulty of hardship in carrying out the strict letter of the regulations of the Zoning Code.

The Zoning Board of Appeals shall make findings based upon evidence presented on the following standards: (Please respond to each of these standards in writing below as it relates to your request.)

1. That the property in question, other than a single-family residential lot, cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

2. That the plight of the owner is due to unique circumstances.

*Our backyard is a Rear facing view of Tedham Park/Lake
 When sitting outside we have had Coyote, Fox
 Rabbits Skunks & Wildlife encroach on our
 uncovered lower sitting area. Mosquitoes can be terrible*

3. That the variation, if granted, will not alter the essential character of the locality.

*By covering the seating area with a 3 Season
 Room & Roof We will continue to Add to the
 Existing improvements to our Location
 Our goal is to Make the Room Look Like it
 Belongs or WAS A extension of the original
 layout.*

4. That the plight of the owner is due to the failure of a previous owner of the property in question to follow then-applicable ordinances or regulations, and where the benefit to health, safety or appearance to be derived from correcting the nonconformity would not justify the cost or difficulty of the correction. The evidence must show that the current owner had no role in the creation of the nonconformity.

5. That the particular physical surroundings, shape, or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were carried out.

We have a P.e shaped lot. Majority of our Property is unused front space. Due to the property layout the house sits further back on our lot. We ask for the variance since we cant add a room in front without encroaching on the neighbors.

6. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same district.

Due to our shape of our lot we have a unique positioning of our home, we do not have any neighbor directly behind us that would interfere with their future plans

7. That the granting of the variation will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.

We have discussed with neighbors on both sides who appreciate us sharing with them. Has no objections. We would only improve the value in the neighborhood & our 3 season room would have no detriments whatsoever

8. Other pertinent information or reason for the request.

We have added a deck as fire pit & an Addition
All to Stay in Carol Stream and not
Move elsewhere We have lived for for close to
24 years 29 years in town. With no neighbors to
injure, or impede upon, We respectfully
Request our Setback only equal to the Deckline
To give us additional Room & provide a
View of th Lake & Surrounding area.
With Elderly Parents that visit and grandchildren
We want to be able to have them enjoy
an outside area without having to sit in the
house. We want them not have to worry about
Mosquitos West Nile, or other Wildlife,
Tics + Lyme Disease cannot be discounted And
are No fun for the elderly.

Pat + Ruth
Smith
5/28/19

**Request for Variance
Anthony & Nicki Simonetta
1303 Sheffield Ct
3 season room Set Back**

MAY 31 2019
COMMUNITY DEVELOPMENT
DEPT

Dear Planning Board:

In our continuing effort to offer quality Living and stay in the town we have lived in for 29 years, we have decided to invest additional monies in a 3-season room.

The purpose of this letter is to introduce ourselves and to request a variance for the set back of our property. My name is Anthony Simonetta and my wife Nicki and myself have raised our 3 children in the Village of Carol Stream.

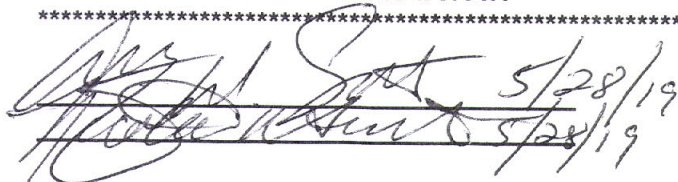
We live on the Lake at Tedrahn Park. We live in the middle of our cul de sac. We have submitted permits for projects and improvements to our property over the years. For our latest improvement, the above project, we were rejected due to the roof line being past the existing set back.

We are asking you to consider a Variance due to the setback limits, dimension of our lot and to take into consideration our location, proximity to neighbors and wildlife. We welcome the opportunity to enjoy our back yard for the multiple seasons with no Mosquitos, bugs, wildlife and the elements all while doing so with 4 generations of family members and visitors to the property. We are looking to construct a permanent structure that is even with the deck and keeps in line with with the aesthetic look and flow of the property.

Our pie shaped lot pushes the home back and our living space addition enhancements has been confined to the rear of the property. And why wouldn't we, we have a beautiful lot, a great town and why move when we can stay here. With no neighbors behind, and the ok from neighbors on each side that really cannot view our outside area from their decks, we have decided to ask for this variance and request a hearing.

Thank you in advance for your consideration and service to the community.

Our contact information is below.



Anthony M. Simonetta
708-624-9444
Nicki Simonetta
630-546-1911
AnthonySimonetta@aol.com

1303 SHEFFIELD PHOTOS

RECEIVED
MAY 31 2019
COMMUNITY DEVELOPMENT
DEPT

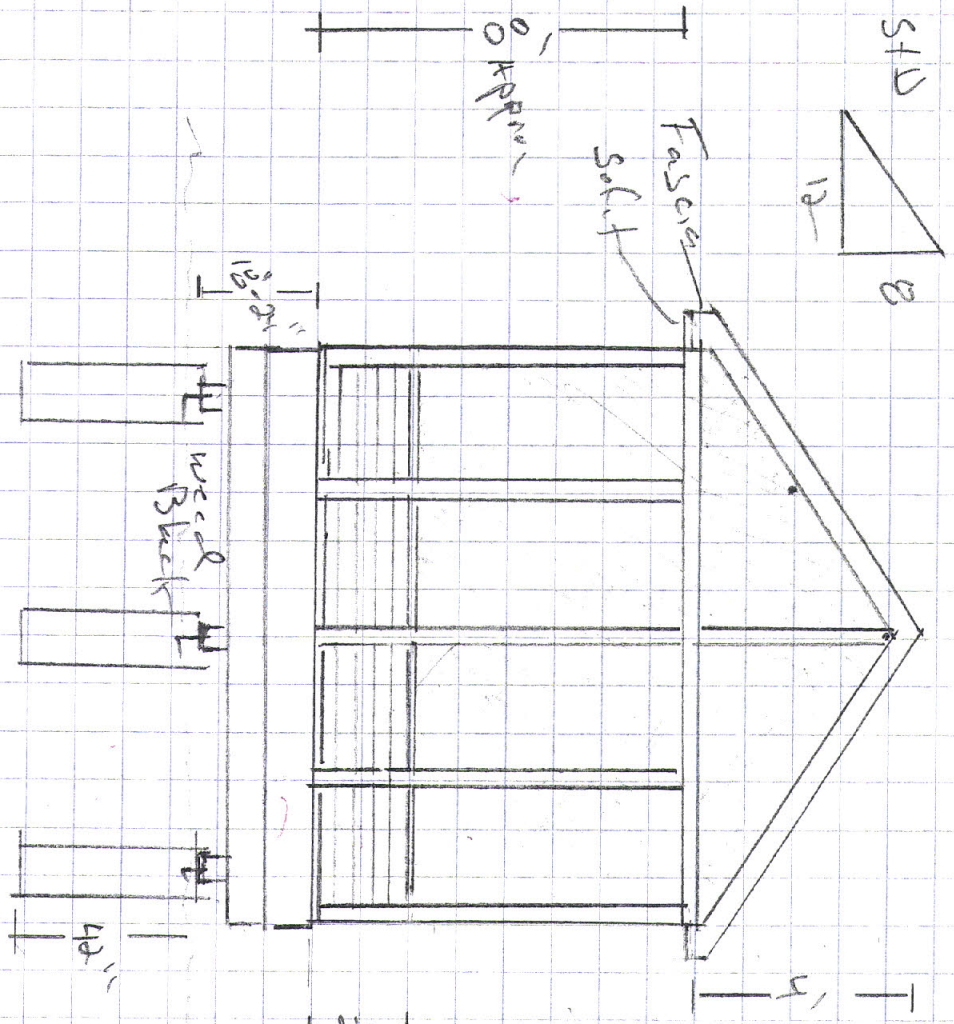








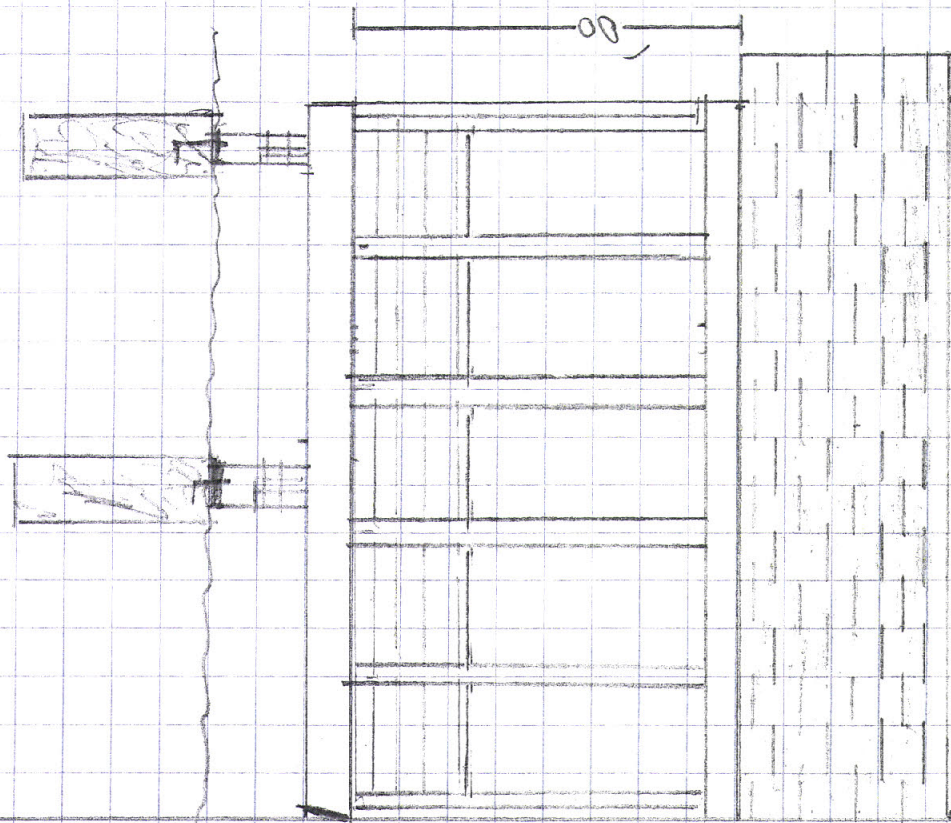
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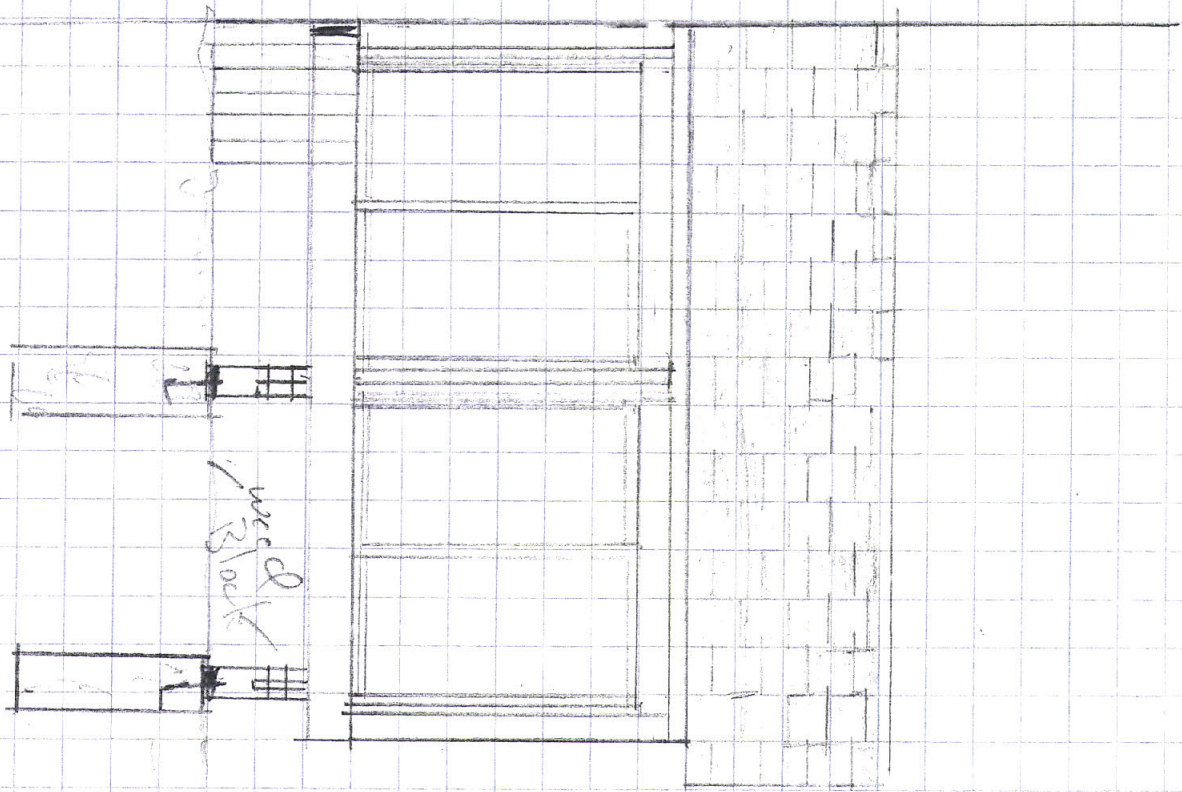


Standard material book
 2x6 Rafters
 2x4 Post-or Stud
 15# Felt
 2 - 2x6 Sides

1" 30# Kinswall
 vinyl or cedar siding

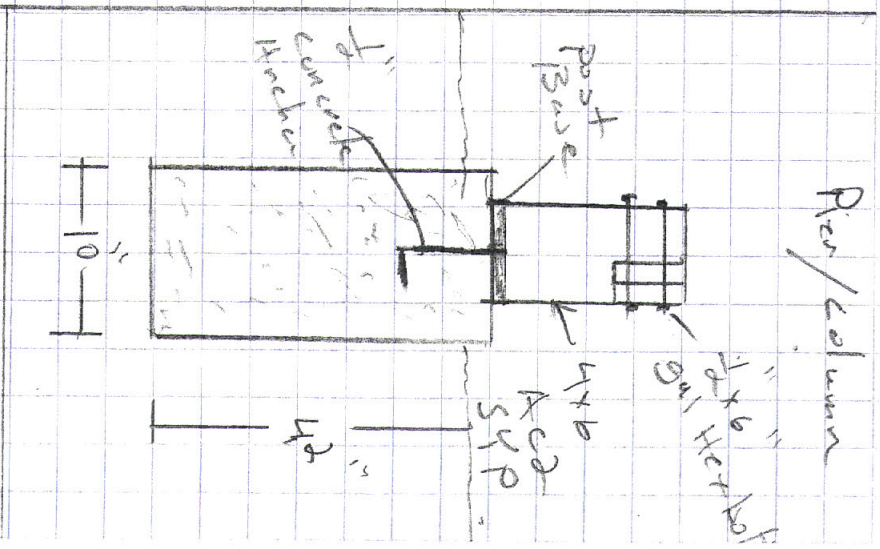
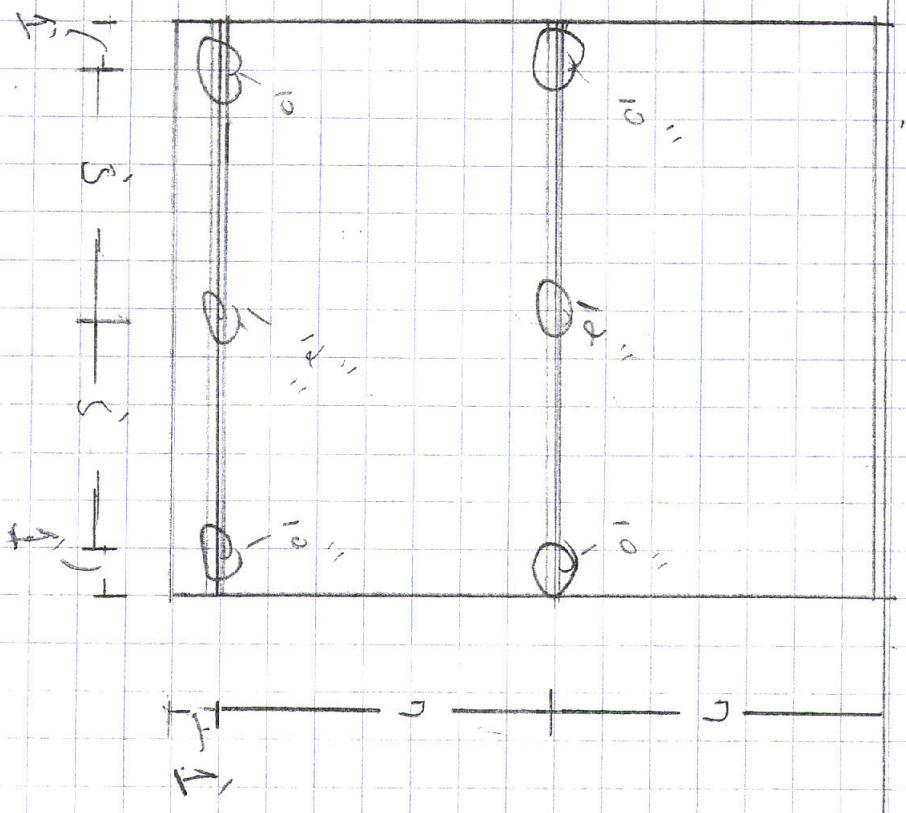
SIMONETTA

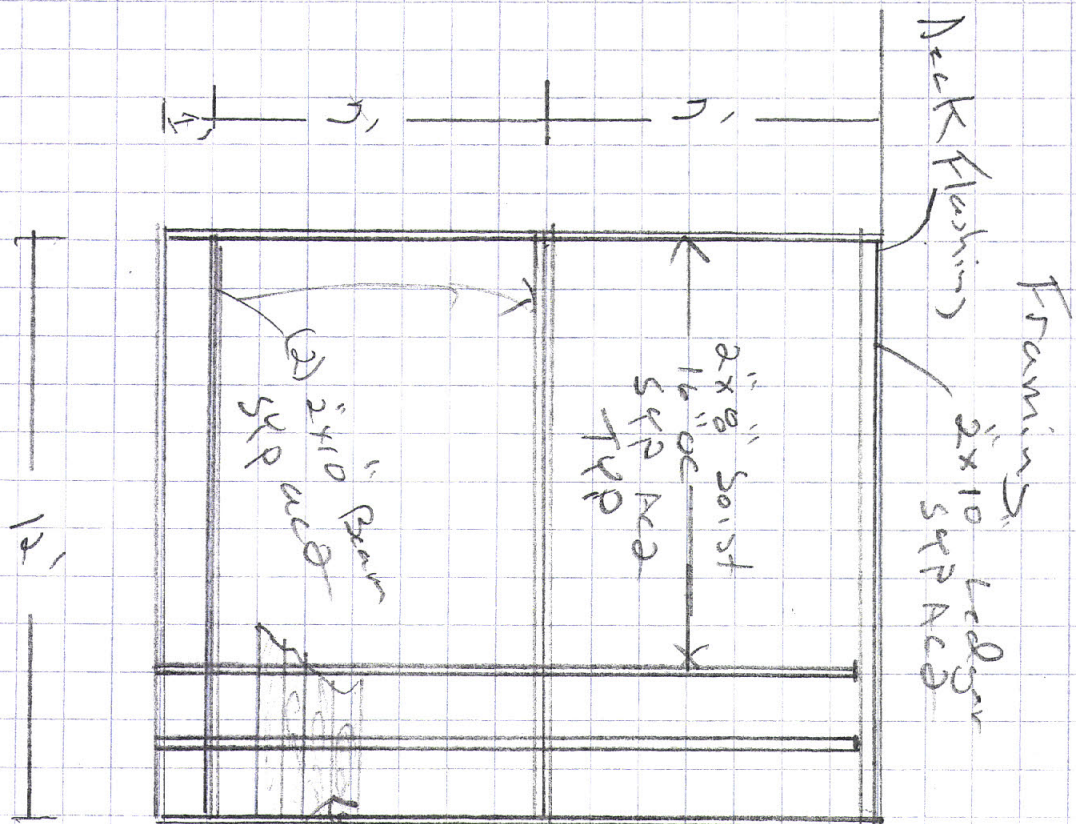




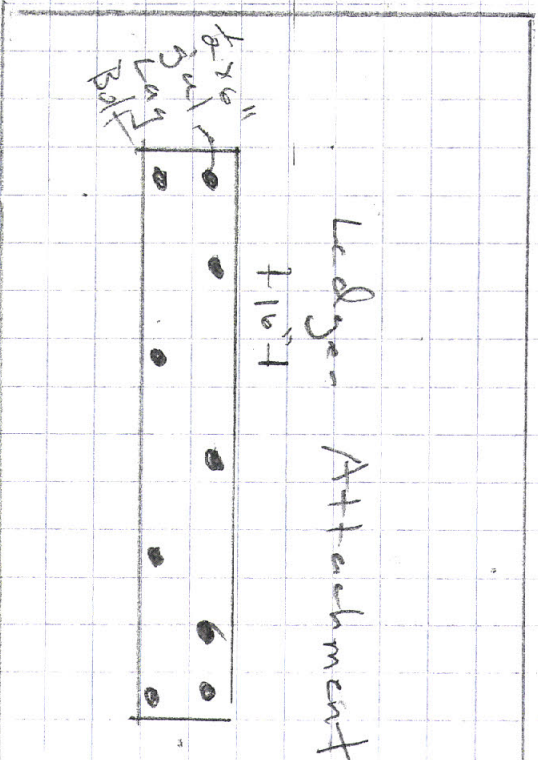
brick wall

Pier Plan





5x6" Plywood
or Plywood



Rafter Layout

Rim Plank Bolted to house

1/2" x 6" (all
2x6's bolt)

1/2"

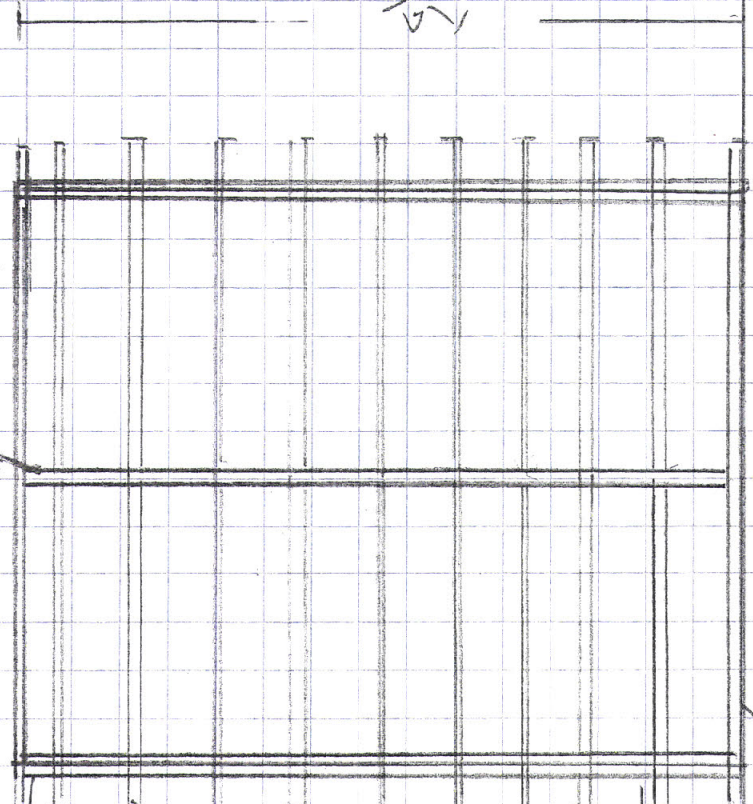
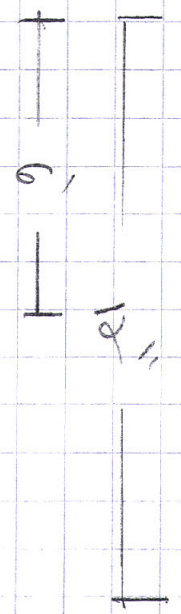
1 1/2" + 3/4"

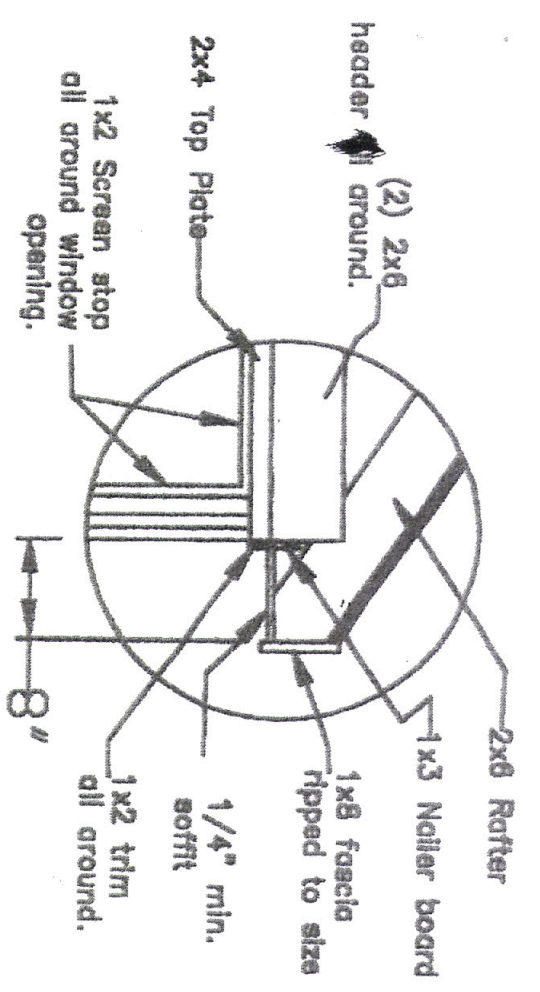
2x6 Rafter - spt or ceds

2x6 Header -

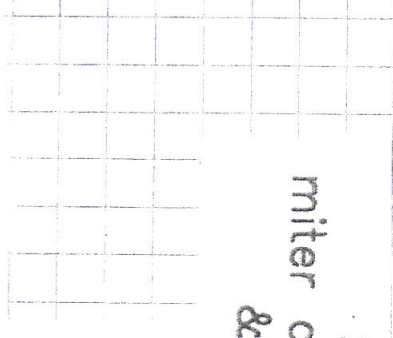
spt or ceds.

2x10 Ridge
spt or ceds



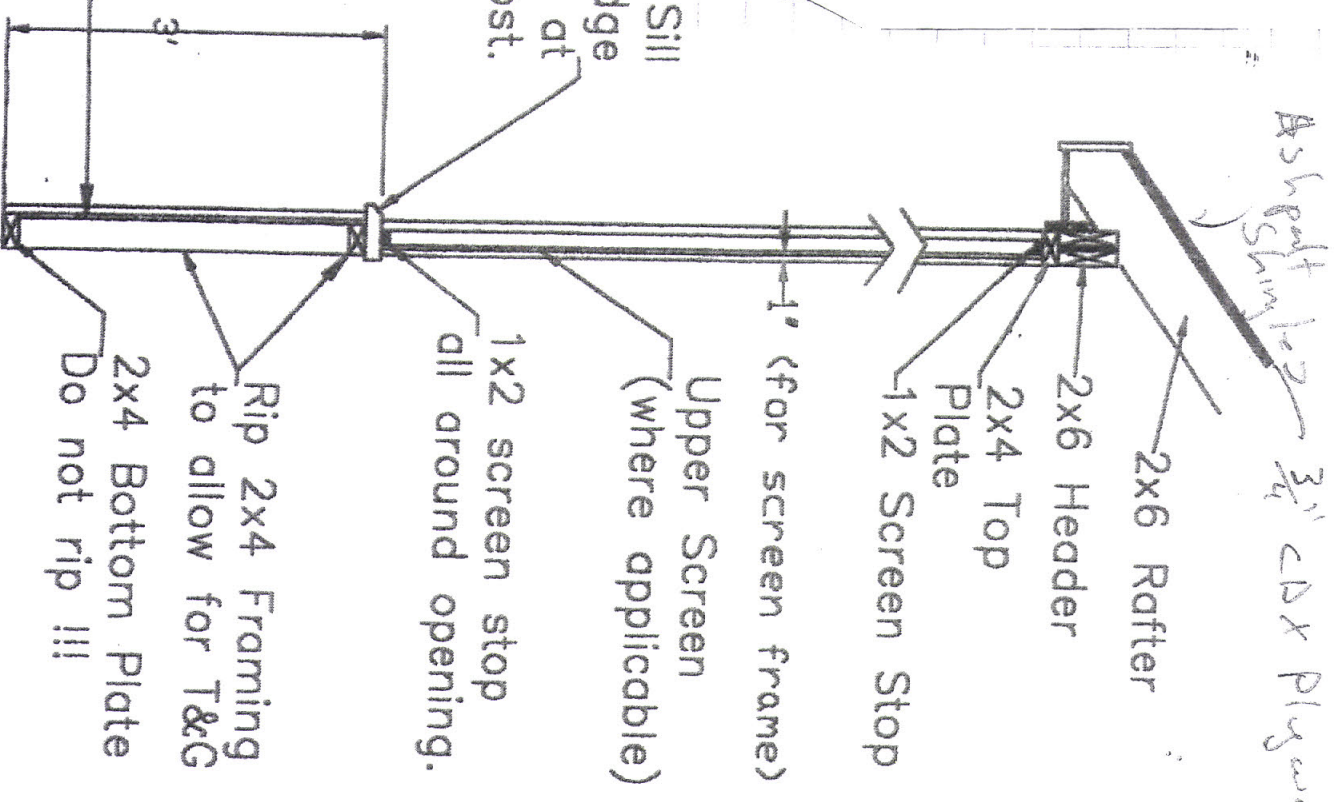


Soffit Detail



2x6 Top Sill miter outside edge & corners at each post.

1x6 T&G Cedar Exterior Kneewall



Typical Wall Section (T&G Kneewall Framing)

Ashpurt Shingles 3/4" CDX Plywood

Certificate of the Publisher

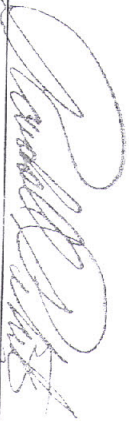
Examiner Publications, Inc. certifies that it is the publisher of The Examiner of Carol Stream. The Examiner of Carol Stream is a secular newspaper, has been continuously published weekly for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the Village of Carol Stream, township of Bloomingdale, County of DuPage, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 times in The Examiner of Carol Stream, namely one time per week for 1 successive weeks. The first publication of the notice was made in the newspaper, dated and published on June 5, 2019 and the last publication of the notice was made in the newspaper dated and published on June 5, 2019. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Examiner Publications, Inc. has signed this certificate by Randall Petrik, its publisher, at The Village of Carol Stream, Illinois, on June 5, 2019.

Examiner Publications, Inc.

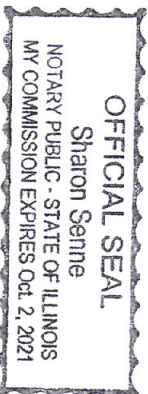
By: Publisher



Randall E. Petrik, Publisher, Examiner Publications, Inc.

Subscribed and sworn to before me this 5 day of June, A.D. 2019.

Notary Public



PUBLIC NOTICE FILE # 19-0012

Notice is hereby given that the Carol Stream Plan Commission/Zoning Board of Appeals will hold a Public Hearing at the Carol Stream City Center, Village of Carol Stream, 500 N. Gary Avenue, on Monday, June 24, 2019 at 7:00 p.m. to consider an application from Anthony and Nicki Simonetta for the following actions:
A Zoning Code Variation (Rear Yard Set-back) from Sections 16-8-4 (F)(3) of the Carol Stream Zoning Code.
For the property located at 1303 Sheffield Court, F.I.N. 01-26-203-014.

A copy of the Variation application is on file with the Community Development Department. All interested parties will be given an opportunity to be heard.

By order of the Combined Plan Commission/Zoning Board of Appeals, Village of Carol Stream, Illinois. Published in The Examiner on Wednesday, June 5, 2019.
Individuals with disabilities who plan to attend the hearing and who require certain accommodations in order to allow them to observe and participate, or who have questions regarding the accessibility of the meeting or facilities are requested to contact the ADA Coordinator at 630-871-6250.

As published in The Examiner June 5, 2019 0605

Jens K. Doe

SURVEY SERVICE, INC.
Registered Land Surveyors

ORDER NO.
95991

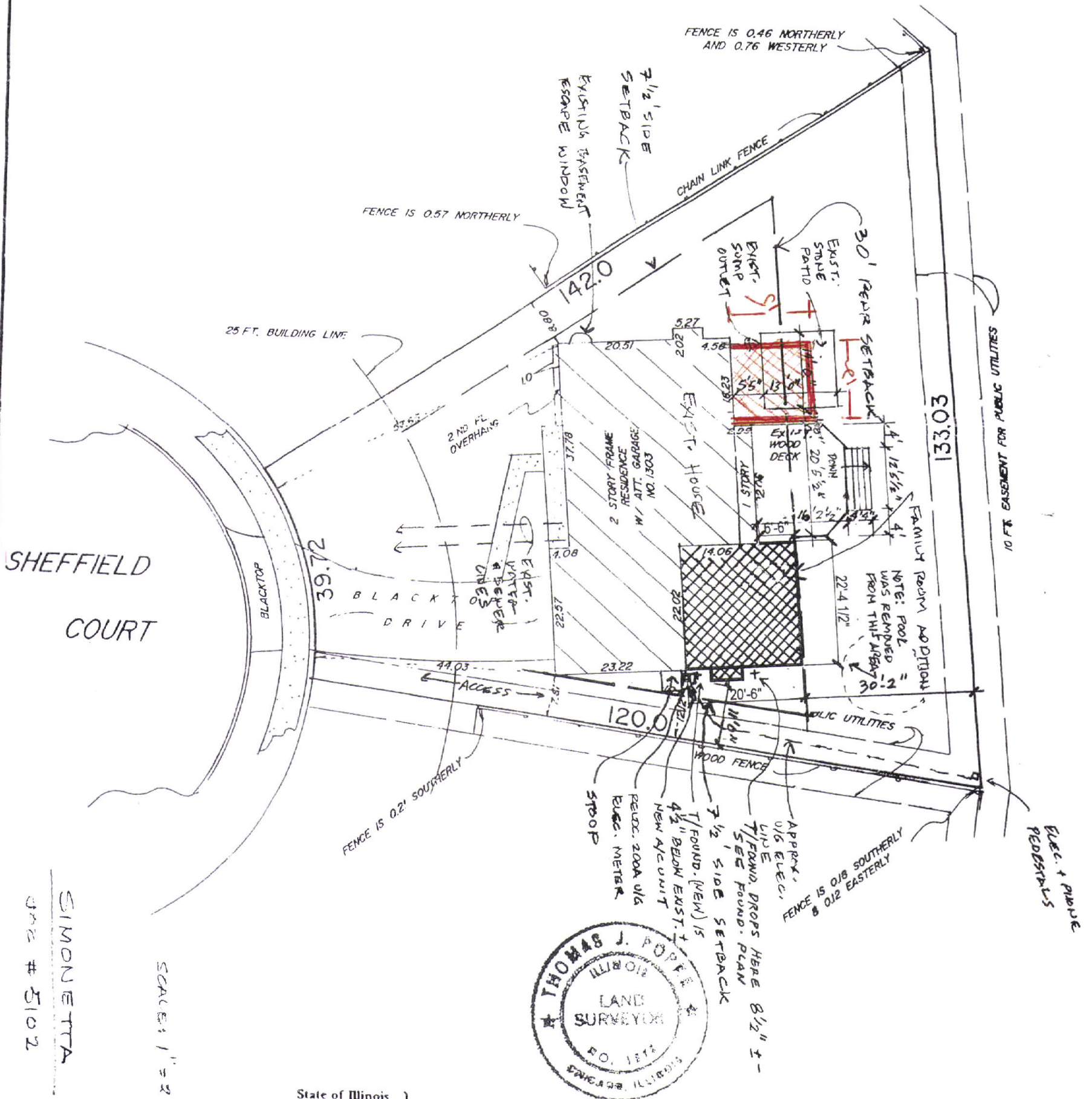


PLAT OF SURVEY

of

LOT 127 IN ROLLING OAKS SUBDIVISION, BEING A PART OF THE SOUTH HALF OF NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 40 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 5, 1988 AS DOCUMENT R88-000837 AND RE-RECORDED MARCH 7, 1988 AS DOCUMENT R88-022271, IN DUPAGE COUNTY, ILLINOIS.

RECEIVED
MAY 31 2019
COMMUNITY DEVELOPMENT
DEPT



SIMONETTA
DATE # 5102

SCALE: 1" = 30'

State of Illinois }
County of Cook }

JENS K. DOE SURVEY SERVICE, INC. does hereby certify that a survey has been made under its direction, by a Registered Illinois Land Surveyor of the property described hereon and that the plat hereon drawn is a correct representation of said survey.

Chicago, Illinois Dated 7TH day of AUGUST, 1995

JENS K. DOE SURVEY SERVICE, INC.

THOMAS J. POPKE, President
(Illinois Registered Land Surveyor No. 1575)

EXHIBIT A

NOTE

Dimensions are not to be assumed or scaled.

The legal Description noted on this plat is a copy of the order and for accuracy MUST be compared with Deed. For building restrictions refer to your Abstract, Deed or Contract.

Village of Carol Stream

Interdepartmental Memo

TO: Plan Commission/Zoning Board of Appeals Members

FROM: Tom Farace, Planning & Economic Development Manager *TF*

THROUGH: Donald T. Bastian, Community Development Director *DB*

DATE: June 20, 2019

RE: **Unified Development Ordinance – Preliminary Recommendations Memo Summary**

Houseal Lavigne Associates (HLA), the consultants preparing the Village’s Unified Development Ordinance (UDO), have prepared a Preliminary Recommendations Memo. The Memo (attached) summarizes how the proposed UDO will align with directives from the Village’s 2016 Comprehensive Plan, summarizes issues identified during the public outreach process (including public workshops and the Plan Commission workshop held on April 8, 2019), and provides the organizational structure of the proposed UDO with the major revisions highlighted.

Below is a summary of the major revisions or new concepts proposed in the UDO. The Plan Commission functions as the UDO project “steering committee,” and will review components of the project at various project milestones.

Consultant Recommendation	Staff Summary/Recommendation
Regulations to have a uniform fence design/material for properties backing up to major arterial roadways (such as Gary, Army Trail, County Farm, Lies, Kuhn)	This has been an issue that has come up in the past, and in order to promote visual and aesthetic consistency, staff believes it is important to provide this proposed regulation. When a property owner applies for a fence permit, the new fence must adhere to the new standard along the portion of the property that abuts the arterial roadway (the remainder of the fence could be a different fence material/design).
Permitting attached or internal accessory dwelling units (ADUs) in certain residential districts (such as granny flats or “in-law” quarters)	Staff and the consultant concur that while ADUs are gaining popularity in certain areas of the region, their demand in Carol Stream needs to be studied further to determine if there is a need for them, and if they fit within our residential lots.
Establish multifamily residential use specific standards to better regulate large scale, high density developments	Currently, there are no use specific standards unique to large scale, high density multifamily development. Establishing use specific standards will help the Village better regulate new development and redevelopment of this type.
Establish a separate Open Space zoning district, or a district that regulates park spaces, open spaces, and floodplain buyout properties	A separate district for parks, open space areas, and floodplain buyout properties (which most are currently zoned residential) will allow for

Unified Development Ordinance – Preliminary Recommendations Memo Summary

June 20, 2019

Page 2 of 3

	<p>protection of said properties and better regulation provisions; the Village would work with the Park District on this provision.</p>
<p>Eliminate the R-1 District and rezone existing R-1 properties to the new Open Space District or other districts as is appropriate</p>	<p>Currently, only two properties designated as R-1 are residential uses. The majority of other parcels are parks, community facilities, and places of worship. Rezoning the properties will allow the Village to better regulate these uses and will also help to address concerns of compliance with RLUIPA (Religious Land Use and Institutionalized Persons Act).</p>
<p>Repurpose the B-1 District to cover the Town Center Area</p>	<p>Very few properties are currently zoned B-1 District (Local Retail District). The consultant recommends repurposing the B-1 District and rezoning properties within the Town Center area to the repurposed B-1. Specific provisions for the District would also be established to encourage the uses the Village hopes to see develop in the Town Center area.</p>
<p>Refine the I, B-4, and R&D Districts</p>	<p>At least two employment/industrial districts will be established to better regulate industrial, manufacturing, flex space, and office uses within the Village’s industrial and commercial areas. Light and heavy industrial uses will be distinguished and use specific standards will be established when appropriate. Heavy industrial uses will be considered special or prohibited uses, providing the Plan Commission greater discretion over their location within the I district. Staff believes differentiating uses and standards in this manner will allow for greater regulatory efforts to take place within our industrial and commercial areas.</p>
<p>Establish Village-wide landscaping requirements</p>	<p>The Zoning Code currently has minimal landscaping standards except for properties along the North and Gary Avenue Corridors, and these standards could be expanded to other commercial and industrial areas to contribute to the aesthetic value of the community for elements like parking lot screening, bufferyard landscaping, use of sustainable plant materials, and landscaping maintenance provisions.</p>
<p>Update the list of prohibited signs and consider prohibiting additional types of signs Village-wide</p>	<p>Signs such as pole signs and box wall signs should also be prohibited throughout the Village in order to promote more aesthetically appealing and contemporary signage in the community.</p>

Unified Development Ordinance – Preliminary Recommendations Memo Summary

June 20, 2019

Page 3 of 3

Refine provisions for termination of a special use permit	Currently, a public hearing before the Plan Commission is required to terminate a Special Use Permit, but it is recommended that a less tedious process be implemented as long as certain conditions are met.
Management and Maintenance of Existing Development	As Carol Stream transitions to a nearly built-out community, greater attention needs to be focused on the management and maintenance of existing commercial and industrial properties. One way to bring older properties closer into compliance with Village regulations is to require improvements to these properties at the time that a new tenant is moving into the building. The consultant proposes to amend the Code to provide a “catalog” of potential improvements that could be completed in conjunction with a permit-related project, such as building façade upgrades, landscaping upgrades, or upgrades to dumpster enclosures.
Establish a Site Plan Review Process (Administrative Versus Commission Review)	Currently, there is no formal site plan review process other than the Gary Avenue and North Avenue Corridor Review processes. A more consistent site plan review process is recommended that will allow Village staff to administratively approve certain site plan provisions (such as outdoor operations in the Industrial District).
Develop an Engineering and Design Standards Manual	As work is completed on updates to the Subdivision Code, an Engineering and Design Standards Manual is proposed as a separate document from the Code, that will contain specifications and details for utility, grading, pavement, and lighting standards (among other items) that can be easily updated as new technologies and materials are introduced. Administrative and procedural requirements will still be laid out in the Subdivision Standards section of the UDO. The Manual would be referenced in the Code.



MEMORANDUM

Date: June 6, 2019

SENT VIA EMAIL

To: Tom Farace
Village of Carol Stream, IL

From: John Houseal, FAICP
Jackie Wells

Re: Zoning, Sign, and Subdivision Code Preliminary Recommendations

This memorandum summarizes our preliminary assessment of the Village of Carol Stream's zoning, sign, and subdivision ordinances. This memorandum includes a summary of how the new Unified Development Ordinance (UDO) will align with the Comprehensive Plan, notes on the issues identified during the public outreach process, our general approach to organizing the new, simplified UDO, and our preliminary recommendations for the revision process. Best practices research informed the preliminary recommendations and is interspersed throughout the document. The approaches recommended in this report are preliminary, based upon information and community input provided to date. Future engagement with the community and staff may result in revisions.

Overarching themes that will be addressed in the UDO Update project include the:

- Reorganization of existing regulations;
- Use of plain English and less legalese;
- Addition of graphics and diagrams to better communicate regulations;
- Simplification of existing tables;
- Addition of cross-references to related sections of the code as needed;
- Revision or creation of districts to accommodate diverse housing options and mixed-use developments;
- Review of site plan review process;
- Modification to use and bulk standards to address non-conformity in residential districts; and
- Modernization of parking, landscape, and fence development standards.

This memorandum includes:

- Plan for alignment with the Comprehensive Plan;
- Summary of issues identified through workshops;
- Proposed UDO structure; and
- Preliminary recommendations.

HOUSEAL LAVIGNE ASSOCIATES, LLC

188 West Randolph Street, Suite 200
Chicago, IL 60601-2901
(312) 372-1008

www.hlplanning.com
info@hlplanning.com

Comprehensive Plan Alignment

The Village of Carol Stream's Comprehensive Plan includes several recommendations pertinent to zoning that will bring Carol Stream into closer alignment with the future it envisions. The strategies outlined below, if implemented through this UDO update process, may result in changes to the zoning map or zoning district regulations in specific locations of the community.

Comprehensive Plan Recommendations Pertaining to Zoning

Comprehensive Plan Recommendation	Page Number	Zoning Approach
Create or revise a district to allow mixed use development either as a permitted or conditional use.	23	Work with staff to identify areas suited for mixed use development and either revise existing district or create new district to support this.
Update parking requirements to ensure an adequate but not excessive amount of parking is constructed in association with new development, using "Parking Strategies to Support Livable Communities" or "Reduced Parking Minimums and Maximums".	23	Consider the use of parking maximums, shared parking, deferred parking, and parking adjustments in efforts to revise parking requirements.
Better reflect current and desired development patterns.	23	Utilize the future land use map to revise boundaries of zoning districts.
Establish general development standard of alignment with comprehensive plan.	23	Review and revise standards of general applicability to ensure requirements align with goals of the comprehensive plan.
Target the St. Charles Road corridor between Schmale Road and Gary Avenue for upgrades - include upgrades to landscaping and access management.	36	Enhance landscape requirements to ensure an adequate level of buffering and screening and consider shared parking to better manage access.
Be open to and encourage multiple commercial uses in the same area, such as retail and office as well as light industrial and multifamily residential	37	Work with staff to identify areas suited for mixed use development and either revise existing district or create new district to support this.
Support multifamily and industrial development to create new local spending.	37	Work with staff to identify strategies to continually support multifamily and industrial development.
Adopt universal design and visitability principles to support 'aging in place'.	54	Consider incentivizing universal design and visitability principles for new development.
Promote senior housing opportunities.	56	Consider the use of density bonuses for senior housing in key multifamily and mixed-use areas.
Continue to preserve the character of existing residential neighborhoods.	57	Maintain existing zoning standards in established, stable neighborhoods.
Make transit accessibility a consideration of future development.	64	Consider including transit accessibility as a standard of review for Planned Unit Development.
Expand the Village's pedestrian system.	67	Review and revise the subdivision regulations to ensure that sidewalks and other pedestrian amenities are required in any new development.
Encourage developers to consider pedestrian and bike circulation.	70	Include pedestrian and bicycle circulation as a standard of review for Planned Unit Development proposals.
Support watershed planning efforts through reviewing development ordinances for stream corridor protection.	77	Consider the establishment of an overlay district or standards of general applicability for any development in the stream corridor.

Promote energy efficient practices.	80	Consider including energy efficiency as a standard of review for Planned Unit Development proposals.
Use future development sites to improve the character of North Avenue.	85	Enhance and expand standards of general applicability to ensure all new commercial development reflects the desired character of the community.
Strengthen and explore expanding design regulations.	87	Analyze success of existing design regulations and revise as deemed appropriate and enhance and expand standards of general applicability to ensure all new development reflects the desired character of the community.

Summary of Key Community Issues

Through outreach events, the Carol Stream community provided input on the issues and challenges with the existing zoning, sign, and subdivision ordinances. Outreach events took place in April 2019 and included residential areas, commercial/industrial areas, and Plan Commission workshops. Participants provided their input with regard to zoning, sign, and subdivision regulations, as well as, code enforcement, procedures, and any other issues related to the Village’s zoning, sign, and subdivision ordinances, and other regulations. The most prevalent and pressing issues are presented below.

- The code no longer reflects regulations applicable to the Village in its current built-out state.
- Previous updates to the codes have not been uniform throughout the code.
- Outdated ‘terms of art’ have been carried forward that are no longer relevant such as haberdashery.
- Lot by lot redevelopment and residential infill development are not addressed well in the code.
- Accessory dwelling units should be considered for certain residential areas.
- Outdoor storage, especially in industrial districts, should have additional use provisions.
- Screening of parking, trash and recycling receptacles, mechanical equipment, etc. is not adequate.
- Fence materials should be more uniform, especially along major roads.
- Strip shopping centers are set back too far and hard to see from the street.
- Strip shopping centers need larger monument signs.
- Pole signs should be prohibited in favor of monument signs.
- Window opacity minimums should be included in the sign ordinance.
- Permitting process should be more user friendly and walk residents through the process.
- Impact of potential recreational marijuana-related uses should be addressed.

Proposed UDO Structure

A UDO should be organized in a manner that makes it straight forward to use and administer. This type of user-friendly code utilizes tables and graphics when appropriate, and orders sections based on how frequently they are used and referenced. Carol Stream’s current zoning ordinance is located in Chapter 16 of the municipal code and includes 19 Articles with 90 sections. Definitions, bulk standards, permitted uses, etc. are scattered throughout the articles, making it difficult to know where in the code to go to find necessary information. Additionally, other key development regulations are located in other chapters of the Carol Stream municipal code. For example, sign and fence regulations are in Chapter 6 and the subdivision ordinance is Chapter 7. It is recommended that the zoning, sign, fence, and subdivision ordinances be combined and reorganized into eight chapters as shown in the table below. Further detail on the proposed structure of the existing articles of the zoning, sign, fence, and subdivision ordinances is attached.

Article 1. General Provisions	Article 6. Sign Standards
Article 2. Definitions	Article 7. Planned Unit Development Standards
Article 3. District Specific Standards	Article 8. Administration and Enforcement
Article 4. Use Specific Standards	Article 9. Subdivision Standards
Article 5. Development Standards	

Preliminary Recommendations

In addition to community outreach, the consultant team worked with Village staff to prepare a more detailed and in-depth analysis of the zoning, sign, and subdivision ordinances. The following assessment provides a summary of key issues, concerns, and observations as well as preliminary recommendations.

Note: The recommendations included below are not intended to be an exhaustive or limiting list of potential revisions but are rather meant to act as a starting off point for the revision process.

Article 1: General Provisions

It is proposed that Article 1, General Provisions, include those sections of the zoning, sign, and subdivision codes that establish the title, intent, purpose, interpretations, rules and construction of language, and other articles that set the stage for the defensibility of the UDO. It is recommended that all articles which include general provisions, also referred to as general requirements, be consolidated and streamlined in Article 1.

Article 2: Definitions

It is proposed that Article 8, Definitions, include those sections of the zoning, sign, fence, and subdivision ordinances that pertain to definitions. Currently definitions exist in sections 6-11-26, 6-12-4, 7-1-7, 7-7-2, 16-18-1, and 16-19-3. All existing definitions will be reviewed and revised to ensure that they are necessary, modern, and consistent, and new definitions will be added to clarify regulations and ensure that the UDO is legally defensible.

Article 3: District Standards

It is proposed that Article 2, District Standards include those sections of the zoning code that establish the Village's districts, detail the intent and purpose of each district, and include the permitted uses and dimensional standards for each district. It is recommended that the permitted uses be consolidated to a single table for ease of use. The table should clearly differentiate between permitted, special, and prohibited uses while maintaining the existing flexibility in interpretation by the Director of Community Development. The following recommendations apply to the Village's permitted uses:

- Review and revise uses and their definitions to eliminate outdated, redundant, and otherwise unnecessary terms.
- Review permissions for religious institution/assembly and non-religious institution/assembly uses to ensure compliance with RLUIPA.
- Establish multiple uses pertaining to senior housing, differentiating them based on scale and intensity.
- Permit smaller scale/lower intensity senior housing in the R-4 district.
- Permit certain retail uses, such as e-commerce businesses, in industrial districts.
- Permit low impact outdoor activities and operations as of right in industrial districts.
- Establish a use for logistics related trailer lots and permit it as a special use in industrial districts.
- Establish a multifamily residential district to better regulate and accommodate large, high density developments.

Likewise, it is recommended that the dimensional standards, including minimum lot size, maximum lot coverage, minimum setbacks, and maximum height among others, be consolidated to a single table organized by district. Additionally, it is recommended that the table better differentiate between maximum lot coverage and maximum impervious surface. Further, it is recommended that these standards be revised to better reflect development that currently exists to eliminate nonconformities wherever possible.

Regarding the Village's zoning districts, the following recommendations apply:

- Eliminate the F-1 and F-2 overlay districts, relying instead on regulatory floodways.
- Eliminate the unused A district.
- Establish an Open Space district to better regulate open spaces and floodplain buyout properties.
- Repurpose the B-1 district to cover the Town Center to better regulate the uses and desired aesthetic of this area as outlined in the Comprehensive Plan, including provisions to allow for mixed use development.
- Divide the I District into two districts differentiating between light industrial and heavy industrial activity.
- Revise the intent and purpose of each district to better align with the goals of the Comprehensive Plan.

Article 4: Use Specific Standards

It is proposed that Article 3, Use Specific Standards include those sections of the zoning code that further regulate specific uses such as model homes and home occupations. Any use specific standards will be cross referenced in the Table of Permitted Uses. The following recommendations apply to the Village's use provisions:

- Establish additional provisions to better regulate uses such as manufactured homes, temporary portable outdoor storage devices, outdoor retail, mini warehouses, and others.
- Clarify standards pertaining to "Temporary Outdoor Demonstrations of Merchandise", "Outdoor Propane Storage and Sales", and Outdoor Dining.
- Revise recreational vehicle standards to better regulate size and define time period for which outdoor storage is permitted.
- Revise standards pertaining to donation drop boxes.
- Clarify standards and strengthen definitions pertaining to adult oriented businesses.
- Establish provisions to better regulate educational and other institutional uses in residential districts.
- Separate garage sale standards and home occupation standards.

Article 5: Development Standards

It is proposed that Article 4, General Development include those sections of the zoning, sign, fence, and subdivision ordinances that are relevant for all uses throughout zoning districts.

Parking and Loading

The Village's schedule of parking requirements is detailed in a table spanning four pages in Section 16-13-3 of the Code. The schedule includes specific uses such as costume rental shops and exterminating shops which could be grouped into broader categories to make the table more concise and easier to navigate. Additionally, the schedule includes many employee or patron-based parking requirements that often make it difficult for new uses moving into existing spaces to comply with requirements. Furthermore, the section does not explicitly state whether listed requirements are minimums or maximums. Finally, the amount of parking required is excessive when compared with current best practices. For example, three parking spaces are currently required for each single-family detached housing unit while two spaces are best practice. It is recommended that the schedule of parking requirements be revised to utilize use categories consistent with those utilized in the permitted uses table, eliminate employee or patron-based requirements, bring requirements up to date with industry standards, and utilize minimums and maximums. Additionally, it is recommended that the Village's current practice of calculating net floor area to determine the number of required parking spaces be codified in the UDO.

Shared parking is currently addressed in Section 16-13-2 (B) of the Village Code. This section allows for joint parking facilities for different buildings, structures, uses, or for mixed uses, however it does not incentivize the practice through parking requirement reductions. It is recommended that the Village revise this section of the Code to encourage shared parking through parking requirement reductions for uses that have different peak hours to reduce the amount of land dedicated to parking areas.

The Village's schedule of off-street loading requirements details a required number of loading spaces per business or industrial use based on the total floor area of the establishment. This method is out of line with industry best practices which suggest that the number of loading spaces be left to the discretion of the developer provided that they do not interfere with the public use of parking circulation areas, streets, alleys, or sidewalks, and are adequately screened and buffered.

Landscaping

Currently, Carol Stream does not have Village wide landscape requirements. It is recommended that the Village establish landscape requirements for both commercial and industrial areas to ensure that parking lots and incompatible uses are properly screened, contribute to the aesthetic value of the community, and help the Village meet its stormwater management goals. The consultant team will work closely with the Village to ensure that staff have the process needed to enforce any proposed landscape requirements.

Other Development Standards

The following recommendations apply to the Village's other development standards:

- Establish lighting standards for residential districts.
- Establish development standards for nonresidential uses in residential districts.
- Establish standards for outdoor storage in residential districts for uses such as rain harvesting barrels and firewood.
- Update and enhance performance standards for commercial and industrial uses.
- Establish standards for certain retail uses in industrial districts.
- Establish standards for low-impact outdoor activities and operations in industrial districts.
- Establish standards for logistics related trailer lots.
- Eliminate standards for parabolic dish antennas.
- Revise driveway regulations to ensure that new, expanded, or replacement driveways do not negatively impact drainage on adjacent lots.
- Establish standards for alternative energy sources including solar and wind.
- Clarify provisions pertaining to fences in front yards and related visual obstructions.
- Establish standards for the material of fences that are visible from arterial roads.
- Review driveway regulations to ensure that new and expanded driveways do not negatively impact drainage on adjacent lots.

Article 6: Sign Standards

The Village of Carol Stream's sign ordinance will be required to be thoroughly revised given the Supreme Court decision of *Reed v. The Town of Gilbert, Arizona* (2015). Carol Stream is among municipalities nation-wide that are affected by the SCOTUS ruling. The Court determined that signs cannot be regulated differently based on the content of the sign's message. This applies to the size, location, and duration of noncommercial and commercial signage. Several instances of content-based regulations exist in the Carol Stream sign ordinance, including varying regulations for gasoline price signs, menu boards, and temporary real estate signs in business zones (6-11-7). The Carol Stream sign ordinance will be revised in accordance with current case law.

In addition to compliance with *Reed v. Gilbert*, it is recommended that the sign ordinance be revised to better manage the size, height, and location of signs. Currently, the ordinance allows for three feet of sign area per every foot of lineal frontage for the first 67 linear feet of frontage, plus an additional 1.5 square feet of sign area for every additional foot of frontage. The maximum sign area permitted is 750 square feet. This amount of permitted sign area well exceeds industry standards and can lead to visual clutter and potentially dangerous commercial areas. Additionally, it is recommended that the sign ordinance be revised to:

- Clarify provisions pertaining to how many sides of a building a sign is allowed.
- Revise the list of permitted temporary signs to include feather sails and other temporary sign trends.
- Update and enhance provisions pertaining to electronic message boards.
- Establish standards requiring the ongoing maintenance of signs when buildings are vacant or uses leave.
- Update the list of prohibited signs and consider the amortization of certain sign types such as pole signs and box signs.
- Update provisions pertaining to menu boards to permit them for businesses other than restaurants.
- Clarify provisions pertaining to the level of repair to a sign which would trigger the requirement for a permit.

Article 7: Planned Unit Developments

Planned Unit Development (PUD) is a tool that is meant to allow for greater flexibility from underlying zoning regulations in siting and design through site development allowances. However, in the Village of Carol Stream, bulk, dimensional, and developments standards for residential, business, and industrial PUDs are prescribed in the ordinance, undermining the intent and purpose of the PUD process. Additionally, when submitting a preliminary plan and outline development plan, applicants designate the zoning district which best suits the proposed use of land rather than requesting site development allowances from the requirements of the existing district designation. Furthermore, PUDs must be approved as a special use which makes the process unnecessarily burdensome for applicants, staff, and the Plan Commission. It is recommended that the Village's PUD be revised to streamline the process, better reflect the intent and purpose of the process, and to make the process more applicable to infill development and smaller site areas.

Article 8: Administration and Enforcement

It is proposed that Article 7, Administration and Enforcement include those sections of the UDO that pertain to nonconformities, elected and appointed bodies, variations, amendments, permitting, and enforcement. Currently these standards are interspersed throughout more than 70 sections of the ordinances and it is recommended that they be combined to one section to be more user friendly. Further, it is recommended that the standards and procedures be revised and enhanced as detailed below. The consultant team understands the Village's constraints in terms of staffing capacity to undertake additional administration and enforcement responsibility and will work closely with staff as this section of the Code is revised and rewritten.

Elected and Appointed Bodies

Several revisions to the existing administration section (Article 15) are necessary to bring this section of the Code into alignment with how staff and elected and appointed officials operate currently. For example, sections 16-15-3 and 16-15-4 which establish the rules pertaining to the Plan Commission and Zoning Board of Appeals should be combined since these bodies are now one and the same.

Procedures for Amendments and Variations

Since the sign, fence, and subdivision ordinances will be moved to the new Unified Development Ordinance, additional administrative procedures will be needed. The procedures for variations and amendments to the sign and fence ordinances will be revised to follow the same procedures used for variations and amendments to the zoning ordinance. However, the current procedures for zoning code text or map amendments (16-15-7) do not include standards for review. Standards for review are necessary to ensure that elected and appointed officials have standards in order to avoid arbitrary and capricious decision making. It is recommended that standards for review be established for UDO text amendments.

Special Uses

Section 16-15-8 of the existing code includes procedures for special uses. This section unnecessarily establishes two special use categories, including one for uses operated by a public agency, publicly regulated utilities, or uses traditionally affected with a public interest; and uses entirely private in character but of such a nature that the operation may give rise to unique problems with respect to their impact on neighboring properties and public facilities. Due to the fact that the procedures for approving or denying a special use does not differ on its category, it is recommended that they be consolidated. Additionally, the requirements for the termination of a special use (16-15-8 (H)) are unnecessarily cumbersome for staff and elected and appointed officials. Currently, it is required that the Plan Commission hold a public hearing, and prepare and deliver written findings of fact, and supply their recommendation to the Board of Trustees for final action. It is recommended that this section be revised to require no further action by the Plan Commission or Board of Trustees to terminate a special use if certain conditions are met. Further, it is recommended that the provisions for the termination of a special use and for the revocation of special use be clearly delineated.

Nonconformities

Article 14 of the existing code includes procedures for the administration and enforcement of nonconforming lots, buildings, structures, and uses. In addition to combining this section with the nonconformities sections in the sign and fence ordinances, it is recommended that section 16-14-2 (A) be revised to clarify standards related to lots with substandard area or dimension held in single ownership. Currently, the section reads that these types of lots shall be "combined" to form one conforming lot, however, the text does not further detail what is meant by the requirement. It is recommended that a formal process be considered for the consolidation of parcels for the purpose of applying zoning regulations. Additionally, it is recommended that the Village's amortization provisions be revised and updated to better reflect modern practices.

Management and Maintenance of Existing Development

In the past, Carol Stream has prioritized the administration and enforcement of its zoning, sign, and subdivision ordinances as they pertain to new and greenfield development. As the Village transitions into being a nearly built out community, it will be necessary to reprioritize and better focus on the management and maintenance of existing development. To increase the oversight of changes to existing form and development in the community, it is recommended that the Village require zoning compliance is established or maintained at the time of occupancy permit certificate issuance under certain circumstances.

Site Plan Review

Currently, the Village does not have a formal site plan review process for all applicants. Due to the fact that the proposed revisions to the UDO would allow for more development as-of-right, it is recommended that a consistent site plan review

process be established. It is recommended that Village staff have the authority to grant administrative approval to a majority of site plans and establish conditions for when Plan Commission or Board of Trustee approval is necessary. The consultant team will work with staff to establish these conditions.

Other Administration and Enforcement Provisions

The following recommendations apply to the Village's other administration and enforcement provisions:

- Revise existing section 16-6-3 to eliminate requirement to take proposed annexations to the Board of Trustees for direction to proceed to better reflect current practices.
- Clarify and strengthen the requirements for residential property maintenance.
- Clarify the administrative review and approval process for temporary uses.

Article 9: Subdivision Standards

The Village's subdivision requirements apply when any new streets for public use are laid out or when any land is subdivided within the Village or 1.5 miles beyond the incorporated boundaries thereof. Design standards for subdivisions are in Article 3 and include several provisions that do not align with recommendations in the Village's Comprehensive Plan. For example, the block length maximum in residential subdivisions is 1,800 lineal feet, which if followed would lead to the development of residential areas that are not walkable, and walkability is a primary goal of the Comprehensive Plan. It is recommended that this and other subdivision engineering and design standards be modernized and removed from Article 6 and located in a standalone manual managed by the Engineering Department. A separate engineering and design standards manual will provide the Village with the flexibility needed to update the standards as new technologies, building materials, etc. are introduced. The consultant team will work closely with representatives from both the Engineering and Public Works Department to modernize and improve the subdivision ordinance with attention given to revisions that will facilitate the Village's stormwater management goals.

Village of Carol Stream
Plan Commission/Zoning Board of Appeals Memorandum

TO: Plan Commission/Zoning Board of Appeals Members

FROM: Tom Farace, Planning & Economic Development Manager *TF*

THROUGH: Donald T. Bastian, Community Development Director *DB*

DATE: June 20, 2019

RE: **Village of Carol Stream Comprehensive Plan – Implementation Progress Update**

It has been three years since the Village Board adopted the updated Comprehensive Plan for Carol Stream. The plan recommends that an annual update be provided summarizing implementation activities that have occurred to date as well as future planned activities. Specific implementation tasks from the Comprehensive Plan are shown in underlined text below, with our update provided thereafter.

Land Use/Development Recommendations

- Focus on Infill Development/Redevelopment – The Village has approved several projects that qualify as infill or redevelopment projects, including new development projects for the Ecolux Auto Spa at 120 S. Gary Avenue, Primrose School daycare at 1271 County Farm Road, LA Fitness at 470 E. North Avenue, and interior remodeling projects for Orange Theory Fitness at 547 S. Schmale Road, DaVita Dialysis at 546 S. Schmale Road, Planet Fitness at 891 E. Geneva Road, McDonald’s at 1335 County Farm Road, Taj Mahal Restaurant at 802 W. Army Trail Road, Bella’s Pizza at 1045 Fountain View Drive, UPS at 775 East Drive, and Royal Die and Stamping at 125 Mercedes Drive.

- Update Key Sections of the Zoning Code – In October 2017, the Village was awarded a grant from the Chicago Metropolitan Agency for Planning (CMAP) for assistance through their Local Technical Assistance (LTA) program to update our Zoning, Sign, Fence, and Subdivision Codes as a combined Unified Development Ordinance (UDO). In late 2018, Houseal Lavigne Associates was retained as the consultant to work on the UDO project, and work commenced in 2019 with kickoff meetings with Village staff, public workshops to gain feedback, and project update meetings with the Plan Commission in April and June. Work on the UDO project will continue through the remainder of 2019.

- Plan for Annexation of Unincorporated Parcels – The Village continued to work with unincorporated property owners who were interested in annexing into the Village, including reviewing a concept plan for redevelopment of the northwest corner of North Avenue and County Farm Road and discussions with the property owner of the vacant motel property near the northeast corner of North Avenue and County Farm Road.

Economic Development

- Maintain and Enhance Industrial Areas – Our Industrial sector remains extremely attractive for new buildings, expansions, interior renovations, and redevelopment, as evidenced by projects for UPS at 775 East Drive (interior building renovations for new temperature controlled storage space), and Royal Die & Stamping at 125 Mercedes (interior building renovations for completion of new research and development space).
- Maintain and Enhance Industrial Areas – Regarding infrastructure, Center Avenue and Tower Boulevard received a structural overlay in 2018, and Lies Road has been resurfaced between Gary and Schmale in 2019.
- Encourage Businesses to attend Choose DuPage events – In April, Choose DuPage and PowerForward DuPage hosted an Export Pitch event, where small and medium-sized companies in DuPage County could pitch ideas on exporting and selling products abroad. One of the finalists at the event was a Carol Stream business (U.S. Surgitech).
- Support Existing and Attract New Commercial Development – New businesses in town include Manny’s Café, Taj Mahal Restaurant, Bella’s Pizza, DaVita Dialysis, Bucky’s, and Sherwin Williams.
- Activity in Three “Key Opportunity” Areas
 - Town Center Node (Opening of WoodSpring Suites in October, opening of new pizza and hot dog restaurants at Fountains at Town Center, completion of the Veteran’s Memorial at Town Center).
 - North/County Farm Node (Concept Plan review for redevelopment of unincorporated parcel at the northwest corner of North and County Farm).
 - North Avenue between Kuhn & Bennett (continued discussions with developers interested in developing the property at the northeast corner of North and Kuhn).

Housing

- Enforce Existing Codes to bring about Improved Property Maintenance
 - Seasonal Code Enforcement program targeting tall grass and weed growth, removal of dead trees on private property, and other common property maintenance issues.
 - Work completed on a comprehensive property maintenance enforcement initiative at a multi-family residential neighborhood in 2018.

Transportation

- Enhance Accessibility by Improving Bus Shelters and Pedestrian Infrastructure
 - Work began on the multi-use path along the west side of Gary Avenue in early 2019, with completion anticipated in 2020.
 - Bike Path extension along the north side of Lies from Gary to Schmale, extension on Kuhn Road from Lies to Army Trail, and Southeast Bike Path along Schmale, Gundersen, and

President between Geneva and the Great Western Trail, are all in the Phase II design stage.

- Improve Pedestrian Scale Lighting
 - In 2019, Public Works will replace approximately 300 less-efficient streetlight fixtures with LED light fixtures along several industrial roadways including Westgate, Tubeway, and Commonwealth, and residential roadways including Hiawatha, Mohican, and Merbach.

Engineering/Natural Environment

- Continue Floodway Mitigation and Watershed Planning Projects and Efforts – Engineering Services continues to study projects to stabilize the streambanks for Klein and Thunderbird Creeks and the Kehoe Boulevard ditch, and has begun study and design phases for the Park Unit I, Shining Waters, and Rolling Oaks detention basin rehabilitation projects. In addition, stormwater modeling and flood storage analysis continues for the area around Tubeway and Westgate, and the southeast area of the Village from Main Street and Gundersen to Northland Mall on Geneva Road to alleviate urban flood damage.
- Continue to Provide and Maintain the Ross Ferraro Town Center – In a joint effort between the Village, the Park District, and the local VFW, a Veteran’s Memorial was completed at the Town Center with plazas, seating areas, and landscaping.

Image and Identity

- Strengthen Code Enforcement/Property Maintenance (commercial properties) – Program seeking removal of dead trees from private properties continues in 2019, and we continue to work with existing developed properties, including several shopping centers, on replacement of required landscape materials.
- Continually Improve Village Communication – The Village continues to focus on the use of various social media tools, and the Village website was revamped in summer 2018 to provide better communication and resources with residents and businesses. The updated website also includes an online property maintenance/code enforcement request form where individuals can report property maintenance issues in the Village.

Please do not hesitate to contact me with any questions about the Comprehensive Plan’s implementation tasks or our progress to date.

cc: Mayor and Board of Trustees
Robert Mellor, Village Manager