

REGULAR MEETING-PLAN COMMISSION/ZONING BOARD OF APPEALS
Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County, Illinois

JULY 11, 2005

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

Chairman John Bentz called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:30 p.m. and directed Recording Secretary Wynne Progar to call the roll.

Present: Commissioners Spink, Weiss, Michaelson, Sutenbach & Bentz
Absent: Commissioners Vora and Hundhausen
Also Present: Village Planner Don Bastian and Recording Secretary Progar

MINUTES:

Commissioner Weiss moved and Commissioner Spink made the second to approve the Minutes of the Meeting of June 27, 2005 as presented. The results of the roll call vote were:

Ayes: 5 Commissioners Spink, Weiss, Michaelson, Sutenbach & Bentz
Nays: 0
Absent: 2 Commissioners Vora and Hundhausen

PUBLIC HEARING:

**#05151: Lakewood Homes, Inc., Fisher Farm Property, North Side of North Avenue West of Gary Avenue
*Rezoning (Upon Annexation)
Special Use Permit – Planned Unit Development
Planned Unit Development Plan – Preliminary
Subdivision – Preliminary***

Chairman Bentz reminded those in attendance that if they wish to comment or ask questions regarding this matter they need to fill out a request form and turn it in to Mr. Bastian to be recognized after the presentation is made. He instructed everyone to direct their comments to the Board or the staff.

James Truesdell, John May, Joe Maschek, Dan O'Malley, Scott Farris, Kurt Wandry, and Rich Spect were sworn in as witnesses in this matter.

Jim Truesdell said that the request is for a preliminary plat, rezoning of the property to R-4 for the residential section and B-2 for the commercial portion of the project, all under the umbrella of a Planned Unit Development.

Kurt Wandry reviewed the history of the company and noted other developments by Lakewood Homes.

Jim Truesdell presented a PowerPoint demonstration showing the location and proposals for the development. Joe Maschek continued to explain how the project was developed and explained the reasoning for the proposed site plan. The commercial part of the property will be 11.1 acres. The residential component is approximately 38 acres and Lakewood is proposing 284 row homes with all garages and parking to be at the back. The site would contain all public streets and they have provided an access point on the east side of the site which would

eventually connect with either Coachlite or Surrey Drive as well as a boulevard entrance which connects with the Windsor development on the other side of North Avenue. Discussion regarding this being a fully signalized intersection is still under discussion between Windsor, the Village, IDOT and Lakewood. There is a 5.2-acre great lawn or common area open space for the residents. There is a 40-foot buffer around the north and east where it meets the neighborhoods. There will be the 100 ft. setback required by the Gary /North Avenue Corridor requirements. The row homes are designed with rear garages so that the cars are tucked away from the street. There is a request for a minimum setback of 25 ft. from the public right of way, however most of the buildings are set back further than that. The raised ranch end units are 32 ft. from the right of way and the step backs are anywhere from 28 ft. to 30 ft. One portion of the building is at 25 ft. The side to sides are a minimum of 30 ft.

Dan O'Malley, architect said that there are three different plans, one is a five unit building, there is a four unit building and the raised ranch end unit building. The unit sizes range from 1750 sq. ft. to 2300 sq. ft. He explained the design and floor plans of each of the three units to be offered. The exterior will be brick and vinyl siding with some architectural features and balconies on the rear.

Scott Farris, landscape architect discussed the landscape and streetscape character designs for this project. The perimeter plans meet the point requirements for the North Avenue Corridor review.

Mr. Truesdell concluded the presentation stating that they are proposing to develop paths that will be internal and external to the site. The commercial portion of the development would have a right in/right out access point. They are investigation signaling the intersection in cooperation with Windsor Park Manor and IDOT. There has been discussions with the Park District in regard to a tot lot located adjacent to the bike path and the retention area.

Donna Dinges, Daniel Orlow, Irene Montana, Dwayne Kroll, Gerald Meuller, Michelle Erickson and George Piachek spoke of their concerns regarding the street connection to Surrey Drive and traffic control for that intersection, visitor parking, the minimum setback from the right of way, sidewalks for children to get to the schools, distance between new and existing homes, upkeep of greenscape areas, whether sheds will be permitted, the possibility of more greenspace, the proposed connection to Kuhn Road, traffic counts, screening of car courts to prevent headlights from shining into existing homes, additional burden for schools, removal of tot lot from retention pond area, and screening of taller buildings from existing residences.

Brent Coulter, Cemcon traffic engineer was sworn in as a witness in this matter. He explained that the primary access to this site is the public street intersection with North Avenue opposite Windsor Park Manor on the south side. That median opening is about one half mile from Kuhn Road and one half mile from Gary Avenue and it was planned as a potential signalized intersection by IDOT. This intersection should meet the warrants for a signalized intersection. The commercial access will tie into the public street which leads down to that signalized intersection and it will also have a right turn only driveway. They did test a connection to the west Kuhn Road which will primarily benefit traffic to and from the north, especially local traffic to parks and schools north of project. There is a connection shown to the Coachlite/Surrey intersection area. If that connection is made, and it is a preliminary study, there will be some kind of positive guidance traffic control at that intersection. There are many factors to be considered in regard to this proposed intersection such as site distances and site lines as well as the presence of driveways in the area. The benefit of that connection to the Lakewood property, in particular the residential portion is that it does afford a little more convenient access to the north on Gary Avenue, but it provides a neighborhood connection to streets and parks north of this site. This connection will draw traffic from other neighborhoods as an additional route to go east of west on North Avenue instead of using Gary Avenue. Pedestrian and bikeway connections will be designed to meet all requirements.

A question regarding parking within the development was addressed by Mr. Truesdell who said that parking would not be restricted on the main public street, on all of the auto courts parking would not be allowed other than on the individual driveways.

In response to questions about the north side berming and elevation difference, Mr. Truesdell

said that they will bring back cross section drawings of the proposed screening for the north side. Scott Farris said that the best choice would be a combination of approaches where on the east side greenery can be used much more effectively, evergreen trees at ends of all of the parking areas to block the lights and then mix it up with shrubs and trees along the whole slope. The same on the north, except that a combination of plant material and fencing would soften the effect of the buildings being up higher. There would green material also used along the fence as well. In response to the questions about upkeep and maintenance, Mr. Truesdell said that there will be an association formed for all of the exterior maintenance including the buildings, the landscaping, and the entry monument. The question regarding garbage cans and collections was addressed by stating that this will be a single type of field where each individual will bring their trash out to the curb for collection.

In regard to children walking to schools, Mr. Truesdell said that there will be sidewalks along both sides of the public streets and there will be a whole system of walks outside of the public right of way that will go all around the buildings themselves to and through the central open space. The main reason for the proposed Surrey Lane connection is to address the neighborhood connectivity and access to parks and schools from the development. Mr. Truesdell said that when the commercial property develops there will be public access, vehicular access, pedestrian access easements across the commercial property that will allow traffic to come through there and eventually allow it to connect further to the area to the west that is zoned commercial and extends all the way to Kuhn Road.

Chairman Bentz noted that several people, including himself are concerned about the placement of the tot lot next to a detention pond. Mr. Truesdell said that he cannot disagree and they will talk to the Park District about changing the location.

Mr. Truesdell commented about the question of adequate capacity at the treatment plant and he said that the Village has determined that there will not be a problem with capacity for this development.

It was stated that there will be a restriction within the covenant prohibiting sheds.

In response to the question, it was determined that on the north property line there is a sanitary sewer easement that is 30 ft. wide and that it is within the total of the 40 ft. setback line. Mr. Bastian noted that the 40 ft. would be entirely on the Lakewood property.

In response to a question regarding approval by the Fire and Police Departments, Mr. Bastian stated that the Police Department and Fire Protection District have seen the plans and that he is not aware of any concerns that they have from a service standpoint.

Mr. Bastian said that Lakewood Homes is proposing a mixed-use development called "Lakewood at Klein Creek" for the approximate 59-acre property located on the north side of North Avenue about 1,250 feet west of Gary Avenue. Over the past few months, Lakewood Homes has made two submittals to the Village's Executive Development Committee as well as two concept plan submittals to staff in order to gain feedback from the elected and appointed officials and staff regarding their development proposal. With their current submittal, Lakewood Homes is proposing to construct 284 townhome units on 35 acres of land that they are requesting be zoned R-4 General Residence District upon annexation. The townhomes, which will have three bedrooms and two car garages, are expected to range in size from 1,770 to 2,300 square feet, and have an average sale price of approximately \$300,000. The plan also allocates approximately 11 acres of land for future commercial development, for which Lakewood is requesting rezoning to B-2 General Retail District upon annexation. Specific retail tenants are not known at this time.

Lakewood Homes has submitted an application including various plans and documentation in support of their requests for Rezoning upon Annexation, Special Use for Planned Unit Development, Preliminary Planned Unit Development and Preliminary Subdivision. We are forwarding the applicant's requests to the Plan Commission to open the public hearing and allow for a formal presentation by the applicant. **However, please note that at this time our review of Lakewood's application is ongoing, and due to the scope of the project and the likely public interest, staff is recommending that this matter be continued to the August 8, 2005,**

Plan Commission meeting. This report will not include the usual level of detail for a project of this magnitude but will instead present the major discussion items that staff has identified as of this time. The applicant is aware that the Plan Commission will likely be continuing this matter to their August 8 meeting and does not object to this approach for the review of the proposal. This will allow staff the necessary time to review the plans, and will also allow Lakewood to incorporate the feedback provided by the Plan Commission and the public as provided during the public hearing process.

Project Review Process

Lakewood Homes will be requesting several zoning approvals for their project. Their application to the Plan Commission will be made in two parts. The first part, which Lakewood has submitted, includes requests for Rezoning (to R-4 and B-2) upon Annexation, Special Use for Planned Unit Development, Preliminary Planned Unit Development Plan, and Preliminary Subdivision Plan. The Plan Commission will conduct the public hearings for the Rezoning and Special Use, and make the necessary recommendations to the Village Board. If the Village Board is receptive to the project, they will then direct staff to begin negotiation of the annexation agreement with the developer. Once the annexation agreement is in an acceptable format, the annexation and the agreement will be scheduled for a public hearing before the Village Board, and the zoning requests will be brought to the Village Board for final action as well. If the Annexation, Annexation Agreement, Rezoning and Special Use are approved, then Lakewood will subsequently submit their Final Planned Unit Development Plan, North Avenue Corridor Review application, and Final Plat of Subdivision as the second part of their application.

Discussion Items

1. **Zoning Upon Annexation** – Lakewood Homes is requesting rezoning to R-4 General Residence District and B-2 General Retail District, upon annexation, for the residential and commercial portions of the development, respectively. The Future Land Use Plan recommends primarily Research and Development use for the overall property. Several years have passed since the creation of the Research and Development District, with no development of this type having taken place in Carol Stream during that period. In fact, however, it should be noted that a development was proposed in 2002 that met the Village's Research and Development District standards, but which in the end was found by the community not to be an acceptable land use. In addition, there has not been much of a market for this use, and the recommendation of the Future Land Use Plan may not be reflective of current market conditions. The proposed mixed residential and commercial uses proposed by the applicant seem more reflective of current market conditions, and would be much more compatible with the surrounding land uses; as such, staff does not object to the requested R-4 and B-2 District zoning classifications. **Staff invites Plan Commission input regarding the requested rezoning to R-4 and B-2.**
2. **Street Network Connectivity** – Throughout the review of the project, staff has continually stressed the importance of Lakewood's proposed development being well integrated into the existing surrounding residential neighborhoods. It is staff's position that the new development should become a part of the existing neighborhood as opposed to being an isolated development on the south side of the Village, accessible only via North Avenue. As currently proposed, as seen on the Preliminary Planned Unit Development Plan, vehicular access to the new development would be possible either off of North Avenue or through a new connection to Surrey Drive, at the west cul-de-sac bulb of Coachlite Trail.

In review of the level of street network connectivity currently being proposed, staff questions whether the two connections shown are adequate. Staff believes that additional street connectivity into the existing street network should be considered along the north

perimeter of the project site, likely into Shawnee Drive. The advantages of an additional street connection would include better overall neighborhood integration, better access to the existing neighborhood parks and schools, and improved emergency vehicle access. The primary disadvantage associated with an additional street connection point would be the need for property acquisition, as one or more existing residential properties would need to be purchased. An additional consideration is that, with one or more connections to the existing street network, there would likely be some degree of change to the traffic patterns on the existing residential streets. Some of the changes would be beneficial in terms of better neighborhood access and connectivity, while some may be viewed as negative in terms of increased traffic. However, it is important to note that, from a community-planning standpoint, neighborhoods need to be knitted together, and so any residential development on the Fisher Farm property would generate new traffic on the existing neighborhood streets. Staff believes that any negative the changes associated with increased traffic on the existing local streets would be outweighed by the positive aspects of having the new development being well integrated into the existing neighborhood. **Staff invites Plan Commission input regarding the issue of street and neighborhood connectivity; specifically, does the Plan Commission prefer two street connection points, as shown, or should a third street connection point along Shawnee Drive be pursued?**

3. **Pedestrian Connectivity** - Another related issue involves pedestrian connectivity. As currently proposed, pedestrian connectivity to the existing residential neighborhoods is limited, with the only sidewalk connection shown at this time being along the street that will be extended to connect to the Coachlite/Surrey cul-de-sac. This will result in awkward and inconvenient access for children who want to access the parks and schools in the neighborhood to the north. It could also result in problems with people cutting through the existing residential yards in order to avoid the long, circuitous route down to the Coachlite Trail connection. We note that the Preliminary PUD Plan does reflect a possible future trail/path connection near the northwest corner of the development; however details regarding this pedestrian link are limited at this time. Additional pedestrian access could be provided by the aforementioned street connection or via the Village-owned open space/storm water detention parcel at the northeast corner of the site (see item 9 for more discussion of this option). **Staff invites Plan Commission input regarding whether they would prefer the development to include additional pedestrian connections.**
4. **Traffic Signal at North Avenue** – Lakewood Homes has agreed to provide a full traffic signal at the entrance to the development off of North Avenue, which will allow for safe access into and out of the development. The Preliminary Traffic Impact Analysis Report, included in your packet, indicates that full traffic signal installation at the North Avenue intersection is justified based upon projected traffic volumes. Also, for your information, Windsor Park Manor is responsible for a portion of the funding of the traffic signals. Staff is currently working with Windsor Park Manor regarding their obligations in this regard. **For information purposes only.**
5. **Planned Unit Development and Deviations** – Due to the nature of the project, staff recommended and Lakewood Homes agreed to propose the development as a Planned Unit Development. As such, Lakewood Homes is requesting a Special Use for Planned Unit Development. In preparing their Preliminary Planned Unit Development Plan, Lakewood Homes has identified three deviations from the R-4 District Zoning Code requirements for the residential portion of the development, as referenced in the list in your packets. The first deviation is to allow some of the buildings to have five units in a row as opposed to a maximum of four units per building as permitted by the Code. The second deviation is to allow 25-foot front yards as opposed to 40-foot front yards, as required. The third deviation is to have 30-foot side-to-side building separations as opposed to 35-

foot separations as would be required for the 2.5 story buildings. Based upon recently approved townhome projects, staff does not object to the requested deviations. **Staff invites Plan Commission input regarding the three requested deviations.**

6. **Project Amenities and Details** – Under the heading of project amenities and details, we are including several factors that would contribute to the overall character of the development, including landscaping, special features, and overall project details. Staff has conveyed to Lakewood that it is important for this development to have an identity and that a sense of place should be evident not only for future residents but also for people traveling through the development. We note that much more in the way of detail will be provided at the time that the North Avenue Corridor Review application is made; however it is certainly appropriate for the overall design concepts to be established now at the time of Preliminary Planned Unit Development review.

In review of the amenities and details, staff has a few observations. First, the pedestrian facilities and passive recreational opportunities within the development appear to be excellent, with extensive path and sidewalk networks and relatively large, usable open space areas. As indicated in the cover letter from James Truesdell dated July 1, 2005, the central open space areas, measuring 5.2 acres, include an "Arboretum Lawn" and a "Great Lawn". The west end of the Arboretum Lawn will include an entrance pergola, seen on the Conceptual Central Green Landscape Plan, along with groupings of ornamental and shade trees. The Great Lawn, within an elliptical path area, will include groupings of shade trees and will feature three landscaped seating pockets. Also with respect to recreational opportunities, a one-half acre public park site will be provided near the northwest corner of the residential portion of the development. This tot lot will partially satisfy the land donation to the Park District required by the Village Code, with the remaining portion of the donation being satisfied through a cash payment to the Park District. The Park District is supportive of the concept of a combined land and cash donation as proposed. Our second observation involves the landscaped entrance median and entrance monument signage. The landscaped median, monument signage and decorative brick wall features, seen on the Community Entrance Monument Exhibit, will present an attractive entrance to the development off of North Avenue.

In reviewing the submittal so far, however, staff is not certain that the building and landscape architecture meets with the Village's expectations from the standpoint of creating an identity and a sense of place. We request that the developer elaborate in greater detail as to what the unique identity will be for the development once it is constructed. Also with respect to landscape treatments, we believe that berming and screening efforts along North Avenue will need to be significant. We encourage the developer to elaborate on this and other design elements that they believe will serve to create a sense of place and an identity for the development. **Staff invites Plan Commission input regarding the internal pedestrian facilities, landscape design, recreational opportunities and overall project details. Also, does the Plan Commission believe that an identity and a sense of place will be created for the development, based upon the plans as proposed?**

7. **Residential Architecture** – The residential architecture can best be described as row house style. In review of the conceptual townhome elevations, while masonry materials and some intersecting roof elements are proposed, overall the architecture seems uninspired. We have encouraged Lakewood to submit more exciting building elevations; to date these have not been provided. One aspect of the residential elevations that staff does find unique and positive can be found in locations where the end of a block of units faces a street. In these cases, the end unit is rotated toward the street to create a more appealing streetscape. The townhome elevations show the "front" view that will face a

street in these instances. **Staff invites Plan Commission input regarding the proposed residential elevations.**

8. **Commercial Area** – As seen on Preliminary PUD Plan and Area Map and Analysis, Lakewood Homes has allocated 11.1 acres of land for future commercial use. Specific users are not known at this time. Access to the commercial area will take place through the full, signalized access that will be provided at North Avenue. Staff is optimistic that with the additional residential rooftops, the 11-acre commercial site will become an attractive site for quality commercial development. Staff views the land along North Avenue, beginning with the proposed commercial site and heading west to Kuhn Road, as a potentially significant commercial node, as approximately 30 acres of developable commercial land exists in this area. **Staff invites Plan Commission input regarding the size and orientation of the proposed commercial area.**
9. **Engineering Issues** – Staff has a suggestion that would represent an improvement to both area storm water management and pedestrian access that would include the use of two lots that the Village owns, located generally adjacent to the northeast and southeast corners of Lakewood's proposed development. These lots currently serve as neighborhood storm water management facilities for the existing residential development. Lakewood Homes proposes to use the southern lot, which measures 16,515 square feet in area, to create a street connection to the Surrey Drive/Coachlite Trail cul-de-sac, which staff supports. The storm water volume provided by this basin will be incorporated into the storm water management facility for the Lakewood development. Staff's suggestion is that consideration be given to utilizing the northern lot, which measures 21,707 square feet in size, to provide a pedestrian connection (sidewalk) from the proposed development to the sidewalk that is located on the west side of Surrey Drive. Under this scenario, the 21,707 square foot lot, owned by the Village, could be subdivided to create two to three buildable lots for single-family dwellings. For this to be possible, Lakewood Homes would need to accommodate the storm water volume currently provided in the basin within the storm water management facility proposed to be located at the northwest corner of their development. Not only would this improve pedestrian access, but combining the storm water volume into the larger Lakewood facility would be consistent with Best Management Practices, which discourage small, isolated basins, and encourage larger, regional storm water management facilities. **Staff invites Plan Commission input regarding whether they believe that an additional pedestrian access should be provided through the Village-owned storm water management facility adjacent to the northeast corner of the development, and whether two to three buildable single-family lots should be created.**

For informational purposes, the Engineering Services Department's review of the plans is ongoing, and they are not yet in a position in which they can state that the project is buildable as proposed.

Bike Path Connection to Kuhn Road – The Preliminary Planned Unit Development Plan has a label near the northwest corner of the proposed development that reads, "Future Trail Connection." Staff has had general discussions with the developer about this possible trail connection, but we are unclear as to exactly where and when it would be built. We encourage the developer to elaborate as to their plans for providing this recreational amenity. **Staff requests that the Plan Commission encourage discussion of the future trail connection so that future versions of the plan incorporate the necessary design accommodations to include the *trail connection*.**

12. Bike Path Connection to Kuhn Road – The Preliminary Planned Unit Development Plan has a label near the northwest corner of the proposed development that reads, "Future Trail Connection." Staff has had general discussions with the developer about this possible trail

connection, but we are unclear as to exactly where and when it would be built. We encourage the developer to elaborate as to their plans for providing this recreational amenity. Staff requests that the Plan Commission encourage discussion of the future trail connection so that future versions of the plan incorporate the necessary design accommodations to include the trail connection.

Mr. Bastian said that he forwarded to the Plan Commission some information regarding the density of the development and regarding guest parking. The developer has submitted some information regarding the density of the development. The R-4 District Zoning Code requires a certain amount of land area for every town home unit. A three bedroom town home unit is required to have 4500 sq. ft. of land area and the Lakewood plan proposes to have 4780 sq. ft. per unit, which exceeds the land area required by the Code. While the density of the Lakewood plan does meet the density standards of the R-4 District for townhome units, the proposed density seems to be approaching the maximum density allowed in the District and staff invites the Plan Commission to discuss the issue of density as it related to this project.

In regard to Guest parking, as seen on page 3 of the land use table, the townhomes will each have an attached two-car garage, there will be room for two additional cars in each driveway in front of each garage. The review of the initial proposed plan indicated 52 guest parking spaces interspersed around the development which results in approximately 4.2 parking stalls per unit. Staff feels that this will be adequate for the vast majority of the time. In regard to the question of on-street parking, Lakewood is proposing a full-width right of way for the public streets throughout the development, it is not uncommon in town home projects for developers to request reduced width right of ways. The public street will be the standard 66-foot right of way and there would be on street parking allowed on the public streets only. There would not be overnight on street parking. Staff will work with the developer if the direction is to relocate the guest parking that are currently on the perimeter of the development. Staff encourages the Plan Commission to indicate whether there is adequate guest parking.

Staff wanted the applicant to have the opportunity to have a public hearing to get the comments from the interested residents in the neighborhood. We expect the developer to take those comments plus the comments that will be forthcoming from the Commissioners back and address them in the new transmittal that will come back to the Plan Commission at some point. Staff recommends that the Combined Board continue this matter to the August 8th meeting and if the plans are not ready at that time the matter can be continued at that meeting.

Commissioner Weiss thanked the residents and the petitioner for their interest in the Community. He asked the developer if there has been any consideration of the use of any single-family homes within the development to give a combination of town homes and single family units, which would offer a variety of housing in a highly visible location. 284 townhomes could stand to be broken up a little bit by a variety of housing.

Mr. Truesdell said that they tried to do this as a mixed-use sense of development in the sense that there is a mix of commercial and residential. In making the commercial area larger than originally planned, and providing the detention needed, it leaves about 38 acres for residential development. That is not a very large area to build and market a lot of mixed type of uses. Lakewood feels that the best thing to do at this site is to concentrate on one residential type that could create a community consolidated development at this location that would have enough volume for an adequate marketing program. There are financial issues as well since this is an expensive piece of property and in putting all of this together, this is a mixed use plan, but with one residential use. It is very difficult to get a marketing plan for a smaller number of single-family units and Lakewood feels that this number of townhomes is justifiable given the North Avenue location. Mr. Truesdell said that the bottom line is that they felt that for the size of the site, going into more than one product line would be very difficult for them to make this a viable project.

Commissioner Weiss said that Lakewood is proposing the average sale price of these units to be \$300,000 and asked if that is an anticipated base price and was told that that would be the average selling price for the units. This is all projected pricing since the final costs are not known at this time. The base price range will be between \$ 269,000 and \$289,000.

Commissioner Weiss asked if there is any idea how the commercial are will develop. Mr. Truesdell said that stop light between Kuhn Road and Gary will be the dynamic that will bring about the commercial use of that property. The interconnecting road back out to Kuhn Road along the backside of the property will also make for a great opportunity for development. There has been a lot of interest in the property. He said that Lakewood does not do commercial development but they will have the property prepared for a commercial developer.

Commissioner Weiss asked if the commercial area will be included in the annexation and was told that the entire property will be annexed at one time.

Commissioner Weiss commented that any additional connection to the adjacent residential area should only be done if the residents agree that it is needed. He also noted he is in favor of sidewalk access from the development to schools and parks.

Commissioner Weiss said that he has not heard a commitment from Lakewood regarding the traffic signal on North Avenue. It was noted that there are negotiations with Windsor Park and IDOT regarding the installation of this light. It was determined that there will not be a traffic signal for the commercial development, there will be a right in/right out secondary access point. In response to the question about the Kuhn Road access, it was stated that the it is Lakewood's intent for the access to Kuhn Road is rather than having a formal publicly dedicated street, it will be almost like a frontage road system. This cross access system will designed be incorporated into the commercial centers.

Commissioner Sutenbach said that he is generally in favor of the zoning request. He said that if it is possible to do a connection to a third street, he would like to see that. Commissioner Sutenbach asked if there was going to be a deceleration lane going into the property and was told by Cemcon Engineer Brent Coulter that when North Avenue was widened the shoulder of the road is wide enough to serve as a deceleration lane. In regard to the request for a PUD and deviations, Commissioner Sutenbach said that he is generally in favor of it, but he is concerned about the setbacks on the buildings on the north and the east as they abut the single-family homes. He said that he too would like to see single-family homes along those perimeters if at all possible. Doing that would achieve better buffering and the change would not be so dramatic. Commissioner Sutenbach commented that the drawings show a cluster of 6 units or 30 homes, it almost seems like it is a neighborhood within a neighborhood, yet on the perimeter there is a little more openness since it is not clustered. Commissioner Sutenbach said that in developing the green space it appears that the units were placed even closer and therefore even further from the green space areas. It was noted that the drawings do need to show the interior pathways and other amenities and they will be submitted for the next meeting. In regard to the guest parking, it looks adequate as it is and as to density, looking at the presentation, it does look intense. Commissioner Sutenbach asked if any other design was considered for this development and it was said that Lakewood Homes feels that for a townhouse development this probably is a fairly low-density development. Mr. Truesdell said that the reason it looks dense is that they are big units. It is a fairly upscale townhome opportunity. Commissioner Sutenbach asked if it is possible to go less than the 284 units and it was noted that loss of each unit would raise the price of the other units by 3% because the land price stays the same.

Commissioner Spink said that she lives at 168 Surrey Drive. In regard to the traffic signal on North Avenue, she asked how committed Lakewood Homes is to having the signal. Mr. Truesdell said that they have applied to IDOT for review of the request and they will be working hard to get it done. Commissioner Spink asked what information was being used to show that a signal is warranted and was told that the old proposal was for warehouse storage which does not generate a lot of traffic, however this proposal is for 284 homes as well as the 11 acres commercial site which will generate enough traffic to meet warrants. Brent Coulter reviewed the requirements that IDOT uses for warrant analysis and he said that he is confident that this project would meet all of those as well as this development's location between Kuhn Rd. and Gary Avenue. In response to the question he said that a typical townhome would generate between 7 and 8 vehicle trips daily, 284 townhomes would generate about 2500 vehicle trips per day and the commercial area could generate as many as 5,000 to 6,000 vehicles per day.

Commissioner Spink said that until the traffic signal is up and running, the amount of traffic that would be generated on Surrey, Coachlite and Shawnee is much more than these streets were meant to handle and that will be a terrible hardship on those residents. Commissioner Spink asked if this project were to move forward how long would it take and where would it start. Mr. Truesdell said that if this project were to move forward would start at North Avenue moving to the north and will develop this at one time by doing the grading of the overall site, put the streets in and develop the model are somewhere toward North Avenue for visibility and then work out to the north and east. As for the length of the project, it would take from two to three years to completion. There was discussion regarding the pricing of the units with the developer saying that they initially start out with a conservative price, based on projected costs, but as the price will rise if materials cost more and it will be adjusted to whatever the market will bear. Commissioner Spink suggested that parking spaces closer to the green space area be put in by eliminating some of the guest parking areas closer to the town homes. In response to the question regarding how snow removal will be handled, it was determined the public streets will be plowed by the Village and the association can address individual problems if they arise. Commissioner Spink said that she feels that there need to be more sidewalks to get to many of the streets of the existing residential area and to have them be the shortest routes to schools and parks rather than winding around the row houses. Other matters brought up were signage for private streets as well as no parking signs where required, having four unit row houses abutting existing residences which could add an additional twenty feet to the space between the two and have that area densely landscaped with natural plantings and trees. Commissioner Spink asked if there will be any restrictions in the covenants against these being rental units and was told that there are no restrictions about non-owner occupancy and that initially almost all of the units will be owner occupied. It was determined that the developer will address questions regarding the decks on each unit and what the code requires as to barbequing on them and will provide detailed elevation drawings for each type of unit being offered. Commissioner Spink commented that she would like to have the developer do a traffic impact study for Shawnee and Surrey Dr. and stated that she is definitely opposed to the current location of the tot lot by the retention pond.

Commissioner Michaelsen asked if there were any other Lakewood Homes developments like this and was told that this project was specifically developed for this site. He then asked what the brick/siding ratio was for the units since it appears that it could 50/50 on the front of the units, but more like 25/75 on the back of the house which give it the appearance of a barracks. He said that he would like to see more brickwork on the units and the developer said that they would look into what could be done. Commissioner Michaelsen said that the units on the perimeter are too high for the existing homes and the developer should attempt to put some single-family homes along those borders. In the alternative, the five unit buildings could be reduced down to four units, spread them out and lower the height to make the buffer between the existing residential and the new units. Commissioner Michaelsen said that he thinks that if the developer were to take out 60 units, this would make less of an impact on traffic, it would add more beauty to the development itself and would offer more open space and more parking. He suggested that just a pedestrian walkway be done at Surrey Dr. and a street connection at Coachlite. In regard to the residential architecture, Commissioner Michaelsen said that he thinks there should be more done to the front of the homes, more brickwork, more landscaping, and offer a variety of colors. He also noted that they need to do more planning for snow removal and not leave the solution to the association and eventually the Village.

Chairman Bentz said that most of his questions have been asked and answered by the other Commissioners. He asked if any thought was given to making the eastern access, the main access in the northeast corner instead of extending Coachlite Trail. Mr. Bastian said that one of the versions of the plan did that and that maybe it should be revisited by the developer. Chairman Bentz asked what is the target marketing area for this development and it was said that this product was designed for the adult market and there would some interest for young families, but generally it would be to start-up homes and homes for older generations who are selling their primary home but want to stay in the community.

Commissioner Weiss moved and Commissioner Spink made the second to continue this matter to the meeting of August 8, 2005. The results of the roll call vote were:

Ayes:	5	Commissioners Spink, Weiss, Michaelsen, Sutenbach & Bentz
Nays:	0	
Absent:	2	Commissioners Vora and Hundhausen

**05164: McCollister's, 140 E. Fullerton
Special Use – Outdoor Activities and Operations**

At the request of staff and the applicant Commissioner Spink moved and Commissioner Sutenbach made the second to continue this matter to the meeting of August 8, 2005. The results of the roll call vote were:

Ayes:	5	Commissioners Spink, Weiss, Michaelsen, Sutenbach & Bentz
Nays:	0	
Absent:	2	Commissioners Vora and Hundhausen

**05097: Village of Carol Stream, 500 N. Gary Avenue
Text Amendments - Zoning Code**

Mr. Bastian stated that at a regular meeting of the Village Board earlier this year, the Board directed staff to draft a text amendment to the Zoning Code that would permit air conditioning equipment to be located in a *side yard adjoining a street* (corner side yard) for consideration by the Plan Commission / Zoning Board of Appeals (PC/ZBA). The purpose of the Village Board's direction was to recognize that a number of such installations exist throughout Carol Stream, and in many cases the installations were permitted by the Village. Further, many homeowners who have air conditioning equipment located in the corner side yard would need to perform significant architectural modifications to their home in order to relocate the equipment to an allowable location. Staff has drafted a text amendment for consideration that is intended to set standards by which air conditioning equipment could be located in a corner side yard without presenting an eyesore.

Staff had intended to bring the aforementioned text amendment forward as part of a comprehensive set of revisions to the Zoning Code; however, because summer has arrived, staff does not wish to further delay consideration of this issue. Nonetheless, we are bringing forward two additional proposed text amendments involving changeable copy signs and restaurants as a permitted use. These two amendments are being proposed because they reflect a consistent record of approval and application of standards. As such, staff is proposing the text amendments for purpose of efficiency.

PROPOSED TEXT AMENDMENT 1 – AIR CONDITIONING EQUIPMENT

This text amendment would allow air conditioning equipment to be located in a corner side yard, and would establish screening requirements for such location. In December 2004, Mr. Ken Guzel appeared before the PC/ZBA requesting a variation from §16-12-2 of the Zoning Code to allow air conditioning equipment to be located in his corner side yard. Although the equipment was installed by Mr. Guzel without having first obtained a building permit, there are a number of other properties in Carol Stream which have such equipment located in the corner side yard, and the equipment was either located by the original builder or later with a valid building permit.

The case went to the Village Board on January 3, 2005, and was continued to January 17th. At that time, the Village Board tabled the matter and directed staff to develop a text amendment that would create standards by which air conditioning equipment might be permitted in a corner side yard. In so doing, staff considered the aesthetic effects of such equipment being visible from the street, and the desirability of requiring some form of screening to soften the visual impact. In addition, staff recommends increasing the allowable encroachment of the equipment into the yard to four feet, to allow for the larger equipment common today.

The proposed language to allow air conditioning equipment to be located in a corner side yard, with minimum standards, is as follows:

§ 16-12-2 PERMITTED OBSTRUCTIONS IN REQUIRED YARDS.

(A) All obstructions must conform to the standards set forth in all applicable Village ordinances and codes, including but not limited to the Sign, Building, Fence and Electrical Codes.

(B) Obstructions in required yards, as herein defined, shall be permitted in accordance with the following standards, except where actual yards exceed required yards, the following limitations on obstructions shall pertain only to the extent that such obstructions encroach upon required yards, and except where such obstructions would encroach upon the required sight clear distance on corner lots or upon easements, or adversely affect drainage.

Table of Permitted Obstructions in Required Yards				
F - Denotes permitted obstructions in front yards and side yards adjoining streets.				
S - Denotes permitted obstructions in interior side yards.				
R - Denotes permitted obstructions in rear yards.				
C - Denotes permitted obstructions in courtyards.				
1. Awnings or canopies which may project not more than three feet into a required yard or court.	F	S	R	C
2. Arbors or trellis (where trellises are attached to the principal building they may also project into front yards, side yards and courts).	F	S	R	C
3. Air conditioning equipment which projects no more than three <u>four</u> feet into the side yard. <u>Air conditioning equipment located in a side yard adjoining a street shall be adequately screened with decorative fencing, evergreen shrubs or other suitable material, on all sides of the equipment visible from the street, to the satisfaction of the Community Development Director or his designee. Shrubs shall be a minimum of 30 inches in height at time of planting and shall have no significant gaps between them except as necessary to service the equipment.</u>	*	S	R	C

* Air conditioning equipment is permitted in a side yard adjoining a street, but not a front yard, subject to the requirements specified herein.

The current Sign Code was created in June 1992, including §6-11-12, which addressed changeable copy signs. Since 1992, sign technology has advanced, changeable copy signs have become common, and the Village has processed many requests for variation from the standards contained in §6-11-12. By and large, requests for variations have been directed towards the minimum duration in which a copy must appear before it is allowed to change; the current standard is 30 minutes, but variations have typically been approved for three seconds. The proposed text amendment given below revises the duration from 30 minutes to three seconds, and includes the conditions of approval that have commonly been attached to variation approvals. By virtue of their consistent application, the conditions have, in effect, become the Village standards and should be codified as such. In addition, the proposed text clarifies the requirements for changeable copy on window signs, which staff felt to be somewhat vague.

The proposed text amendment to revise the Village's standards with respect to changeable copy signs is as follows:

§ 6-11-12 ILLUMINATION OF SIGNS, CHANGEABLE COPY, AND NEON LIGHTING.

(A) *Illumination.* Illumination of all signs shall be diffused or indirect and shall be so arranged that there will be no direct rays reflecting into the public way or any lot on the perimeter of the premises on which the signs are located.

(1) Exposed light bulbs, flashing, blinking or traveling and similar illumination is not permitted.

(2) Direct lighting shall be allowed only on permanent residential development signs, office complex directory signs, industrial park identification and entry features and so long as direct rays do not reflect into the public right-of-way or onto residential lots.

(3) Backlighting of awning or canopy signs shall be allowed so long as direct rays do not reflect into the public right-of-way or onto residential lots and no part of the illumination device is visible from the right-of-way. Backlighting of awnings or canopies without signs shall be allowed under the same conditions.

(B) *Changeable copy.* Changeable copy is allowed on permanent signs, provided that one-third of the sign area is permanent, containing only the name and/or logo of the occupant; the permanent portion is the upper portion of the sign or, on a ground sign, the street side of the sign if split vertically; and that the changeable copy is either electronically controlled or protected from unauthorized changes with a protective covering or other means of securing the sign. Changeable copy is allowed on window signs provided that the changeable copy is either electronically controlled or protected from unauthorized changes, and that it does not exceed the overall window coverage requirements as set forth in the regulations for the zone in which the sign is located. All changeable copy signs shall not be programmed to flash, blink or pulsate, or display messages that may be likely to distract motor vehicle traffic. Electronic copy cannot be changed more than once every 30 minutes, ~~except for alternating time and temperature only displays three seconds, and the sign shall not be programmed to display more than eight different messages in any one cycle.~~ Changeable copy is allowed on window signs provided it does not exceed the overall window coverage requirements as set forth in the regulations for the zone in which the sign is located.

(C) *Neon.* Exposed neon tubing displayed in any manner shall be prohibited unless it is strictly limited to the following:

(1) In business, office, and industrial zones, "Open/Closed" and "Hours of Business" on ground signs of a business, provided that portion is no larger than six square feet and in compliance with requirements for signs regulating on-premise traffic and parking.

(2) *Window signs in business, office, and industrial zones, and in compliance with the overall window coverage requirements as set forth in § 6-11-15.*

(Am. Ord. 92-06-75, passed 6-23-92; Am. Ord. 93-04-42, passed 4-13-93)

As noted above, sign technology has advanced and one sign feature that is being used today that was not contemplated in 1992 is streaming video. While common in Las Vegas, the use of streaming video is not as common in Chicago land communities. If the PC/ZBA wishes to address the use of streaming video in sign applications, staff suggests three options, given below. Staff recommends the PC/ZBA discuss these options and provide a recommendation.

1. Consider streaming video to be a form of changeable copy, by which a variation would be required to allow the images to change more frequently than every three seconds. With this option, the Village would consider requests for variations on a case-by-case basis, much as has been done for the past 10 years or more with changeable copy signs. No additional text amendment would be necessary.
2. Include streaming video in the Sign Code's list of prohibited signs. Staff would prepare a text amendment for §6-11-10 PROHIBITED SIGNS to be included in the amendments brought forward to the Village Board.
3. The third alternative is to develop standards to allow streaming video to be used on signs in Carol Stream. Staff would need to research standards and bring back a recommendation. In the meantime, until standards are developed, we would recommend that streaming video signs not be permitted.

PROPOSED TEXT AMENDMENT 3 – RESTAURANTS AS A PERMITTED USE

The Zoning Code currently requires a special use permit for all types of restaurants. Text Amendment 3 involves another instance of recognizing that the approval of special uses for restaurants in Carol Stream has become a repetitive process. The criteria by which restaurants are evaluated (parking, odors, trash enclosures, access, etc.) are all specified in the Village Code, and so a typical restaurant can be reviewed and approved as part of the building permit process without need for public hearing. In fact, Carol Stream's neighbors all treat restaurants as permitted uses for the most part, with certain ancillary activities such as liquor sales or drive-through being special uses. In addition, staff suggests addressing the matter of outdoor seating, which is not included in the lists of uses in the Zoning Code.

Staff recommends allowing dine-in and carry-out restaurants without bar areas or outdoor seating to be a permitted use, while restaurants with bar areas, as well as outdoor seating ancillary to a restaurant, tavern or similar use, would be special uses. Please note that staff is recommending that restaurants that are licensed to serve alcohol at tables be a permitted use, while restaurants with a separate bar area are recommended to be a special use. Staff's reasoning is that a separate bar area in a restaurant is vary similar to a tavern, which is a special use; however, a restaurant that serves alcoholic beverages during a meal does not have the characteristics or social impacts of a tavern. Of course, the regulatory aspects of liquor sales would be handled by the liquor license process in both cases. As noted above, staff's recommendations are consistent with the surrounding communities. Finally, please also note that drive-up service windows are currently a special use, and would continue to be so.

Because restaurants are listed in the B-2 Zoning District, and the list of uses for the B-3 Zoning District include all uses allowed in B-2, it is only necessary to revise the list contained in the B-2 Zoning District. The proposed text amendment to revise the list of permitted and special uses in the B-2 Zoning District is as follows:

§ 16-9-3 B-2 GENERAL RETAIL DISTRICT.

(A) *Intent.* The B-2 general retail district is designed to cater to the needs of a larger consumer population than is served by the B-1 local retail district.

(B) *Permitted uses.*

- (1) Uses permitted in a B-1 district.
- (2) Antique shops.
- (3) Art and school supply stores.
- (4) Art galleries.
- (5) Beauty parlors and barbershops or similar personal service shops.
- (6) Bakery shops or shops selling similar commodities where the commodities may be produced on the premises; but all such production shall be either sold at retail on the premises or sold in stores owned and operated by the producing company.
- (7) Bicycle sales, rental and repairs.
- (8) Candy and ice cream stores.
- (9) Camera and photographic supply stores.
- (10) Carpet and rug stores.
- (11) China and glassware stores.
- (12) Clothing and costume rental shops.
- (13) Coin and philatelic stores.
- (14) Currency exchanges.
- (15) Custom dressmaking.
- (16) Department stores.
- (17) Dry goods stores.
- (18) Electric and household appliance stores.
- (19) Flower shops with conservatories.
- (20) Furrier shops, including the incidental storage and conditioning of furs.
- (21) Furniture stores, including upholstery when conducted as part of the retail

operation and secondary to the principal use.

(22) Haberdashery.

(23) Hobby shops and retail of items to be assembled or used away from the premises.

(24) Interior decorating shops, including upholstery and making of draperies, slip covers and other similar articles, when conducted as part of the retail operations and secondary to the principal use.

(25) Jewelry stores, including watch repair.

(26) Job printing shops.

(27) Leather goods and luggage stores.

(28) Libraries and reading rooms.

(29) Locksmith shops.

(30) Musical instruments, sales and repairs.

(31) Office equipment.

(32) Office supply stores.

(33) Optometrists.

(34) Paint and wallpaper stores.

(35) Pawnshops.

(36) Photography studios, including the development of film and pictures, when conducted as part of the retail business on premises.

(37) Physical culture and health service, gymnasiums and reducing salons, masseurs and public baths.

(38) Picture framing when conducted for retail trade on the premises only.

(39) Public meeting halls.

(40) Post offices.

(41) Radio and television broadcasting studios.

(42) Restricted production and repair, limited to the following: art, needlework, clothing, custom manufacturing and alterations for retail only, jewelry from precious metals, watches, dentures and optical lenses.

(43) Sales and display rooms.

(44) Schools, music, dance or business.

(45) Sewing machine sales and service, household machines only.

- (46) Shoe stores.
- (47) Sporting goods stores.
- (48) Tailor shops.
- (49) Telegraph offices.

(50) Temporary outdoor demonstrations and exhibitions of merchandise, to be located on the same zoning lot, and in conjunction with the permanent use found on the lot, and those permitted uses under the definition of an open sales lot (see Article 18 of this Zoning Code); such display or sale shall be for a maximum of ten days and no more than twice during any calendar year.

- (51) Theaters, except open-air drive-in theaters.
- (52) Tobacco shops.
- (53) Toy shops.
- (54) Offices, businesses and professional buildings of less than 6,000 square feet.
- (55) Wearing apparel shops.
- (56) Veterinary clinics (outpatient, no overnight boarding)
- (57) Grocery stores.
- (58) Domestic pet training/obedience school with no overnight boarding.
- (59) Domestic pet service.

(60) Temporary permitted use: carnival, in compliance with § 10-2-12.

(61) Restaurants, indoor, sit-down, without a bar area.

(62) Restaurants, carry-out.

(C) *Special uses.*

- (1) Those permitted in a B-1 District.
- (2) Additional building on a lot, such building limited to no more than 50 square feet of floor area, provided such building is used for a general drop-off center, newsstand, photo processing drop-off, ticketron and other similar uses.
- (3) Banks and financial institutions.
- (4) Clubs and lodges, private, fraternal or religious.
- (5) Hospitals and first-aid stations for the treatment of emergency cases.
- (6) Hotels, motels serving transient guests, hotel apartments.
- (7) Laundries and dyeing and cleaning establishments operated as an

accessory to some other use or uses permitted by this section, provided permits for proper combustibles are obtained from the Village.

- (8) Offices, business and professional, of more than 6,000 square feet.
- (9) Pet supply shops, with ancillary use for the sale of fish and other small aquatic animals, small mammals, and birds (no cats, dogs or larger domestic animals, nor exotic animals).
- ~~(10) Restaurants.~~
- (11) Taverns.
- (12) Drive-up Service Window, ancillary to a permitted or special use.
- (13) Game rooms when operated as an accessory use to a restaurant, tavern, pub or hotel and containing no more than one amusement device for each 400 square feet of total floor area occupied by the principal use. In no case shall such accessory game room contain more than 20 amusement devices.
- (14) Veterinary clinics with indoor overnight boarding.
- (15) Shopping plazas.
- (16) Shopping centers.
- (17) Restaurants, with bar area.
- (18) Outdoor seating, ancillary to a restaurant, tavern or similar use.

In regard to the text amendment allowing air conditioning equipment to be located in the side yard Mr. Bastian noted that a resident that had installed an unit in a corner side yard without a permit came before the Village Board with various pictures of other residences that had the same type of installation. Some were permitted and others were done without permits. This text amendment would allow a corner side yard installation as long as it was properly screened. All of the Commissioners were in agreement with the amendment with no corrections.

In regard to the text amendment for changeable copy signs, the amendment changes the frequency of copy from 30 minutes to 3 seconds and permits no more than eight different messages in any one cycle. It was the consensus of the Commissioners to eliminate the number of different messages in any one cycle since the sign owner should determine what will be most effective for his business. In regard to video streaming onto these changeable copy signs, the Commissioners agreed that streaming video is a form of changeable copy, by which variation would be required to allow images to change more frequently than every three seconds. The Village should consider requests for variations on a case by case basis.

In regard to Restaurants as a permitted use the Commissioners agreed that a straight restaurant use should be permitted, while those requests for a restaurant with outdoor seating and/or a bar area should require a special use permit. Commissioner Michaelsen moved and Commissioner Weiss made the second to recommend approval of text amendments for the Sign Code and Zoning Code for air conditioning units in a corner side yard, changeable copy signs, deleting the restriction of 8 messages per cycle and adding restaurants as a permitted use. The results of the roll call vote were:

Ayes: 5 Commissioners Spink, Weiss, Michaelsen, Sutenbach & Bentz
Nays: 0
Absent: 2 Commissioners Vora and Hundhausen

New Business:

Commissioner Spink moved and Commissioner Sutenbach made the second to Cancel the meeting of July 25, 2005 since there have been no items for publication for that date. The results of the roll call vote were:

Ayes: 5 Commissioners Spink, Weiss, Michaelsen, Sutenbach & Bentz
Nays: 0
Absent: 2 Commissioners Vora and Hundhausen

Commissioner Spink moved and Commissioner Weiss made the second to close the public hearing. The results of the roll call vote were:

Ayes: 5 Commissioners Spink, Weiss, Michaelsen, Sutenbach & Bentz
Nays: 0
Absent: 2 Commissioners Vora and Hundhausen

Adjournment:

At 11:05 p.m. Commissioner Spink moved and Commissioner Sutenbach made the second to adjourn. The motion passed by unanimous voice vote.

FOR THE COMBINED BOARD