



**PLAN COMMISSION AGENDA
VILLAGE HALL BOARD ROOM
25 E. STATE STREET
TUESDAY, APRIL 3, 2018
7:00 PM**

ROLL CALL

APPROVAL OF MINUTES

1. Approval of Plan Commission Minutes dated March 6, 2018.

PUBLIC HEARING

1. **Petition #18-04 (511 Sharon Lane)** The petitioner requests a variance to allow additional fence height on the subject property.
 2. **Petition #18-05** The Village of North Aurora requests a text amendment to Title 17 of the North Aurora Municipal Code (Zoning Ordinance) amending the business district design standards.
 3. **Petition #18-06 (Property consisting of 1.53 acres of vacant land at the northwest intersection of Randall Road and Interstate 88)** The Village of North Aurora requests a map amendment to rezone the subject property, which is currently zoned R-1 Single Family Residence District to the B-2 General Business District under the North Aurora Zoning Ordinance.
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NEW BUSINESS

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3. **Petition #18-06 (Property consisting of 1.53 acres of vacant land at the northwest intersection of Randall Road and Interstate 88)** The Village of North Aurora requests a map amendment to rezone the subject property, which is currently zoned R-1 Single Family Residence District to the B-2 General Business District under the North Aurora Zoning Ordinance.
4. The Village of North Aurora requests a text amendment to Title 16 of the North Aurora Municipal Code (Subdivision Ordinance) amending storm sewers and sump drain regulations.

OLD BUSINESS

1. None.

PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES

ADJOURNMENT

**VILLAGE OF NORTH AURORA
PLAN COMMISSION MEETING MINUTES
MARCH 6, 3018**

CALL TO ORDER

Chairman Brackett called the meeting to order.

In attendance: Chairman Mike Brackett, Co-chairman Jennifer Duncan, Commissioners Aaron Anderson, Anna Tuohy, Tom Lenkart, Connie Holbrook, Mark Bozik. Not in attendance: Commissioners Mark Rivecco and Doug Botkin.

Staff in attendance: Village Administrator Steve Bosco, Community & Economic Development Director Mike Toth, Village Clerk Lori Murray, Village Attorney Kevin Drendel, Jim Bibby (Rempe Sharpe) and Pete Iosue (Teska Associates).

APPROVAL OF MINUTES

1. Approval of Plan Commission Minutes dated February 6, 2018

Motion for approval made by Commissioner Bozik and seconded by Commissioner Duncan. All in favor. **Motion approved.**

PUBLIC HEARING

1. Petition #18-03 (194 Alder Dr.) The petitioner requests the following actions on the subject property:

- 1) Variance to allow a reduction in the amount of required parking.**
- 2) Site Plan Review (non-public hearing item).**

Chairman Brackett called the meeting to order. Mike Toth stated that the petitioner, Abelei Flavors, Inc., is building a 21,000 s.f. addition to the building which is a greater than 25% expansion, requiring site plan approval. Petitioner is also looking to land bank 25 parking spaces. They are requesting the parking reduction for the development as it sits now. The Zoning Ordinance requires two off-street parking spaces per 1000 s.f. of gross floor area for manufacturing office space. Staff included some conditions if the Plan Commission decides to recommend approval of the variance. One would be to mass grade the area where the land bank parking would be and to keep an eye on the property if there were any issues to arise from the deficiency in parking, the Village could do a study and revisit at a further date. Marcia Arb and Shelley Henderson of Abelei Flavors addressed the Plan Commission. They stated that they currently have 24 spaces to the north side of the building that sit empty every day. Abelei has 18 employees and 42 parking spots. With the addition, they may hire two more people. Most of the addition is warehouse, storage and for raw materials and shipping. Toth noted that the area where parking would be is in a stormwater easement.

(Commissioner Lenkart arrived)

There were no audience comments. Public portion of the hearing was closed.

Commissioner Duncan asked if the property will be affected negatively by mass grading. Jim Bibby said that the storm water management has been previously provided in the previous Abelei Flavors project for the future impervious of the area.

Commissioner Holbrook asked how many additional spaces are not being used at this time. Shelley Henderson replied 20-22 spaces.

Commissioner Lenkart asked if at some time Abelei moves and the new tenant needs parking, will that condition run with the building? Toth said the Village will probably record this with the property.

Motion made by Commissioner Bozik to approve the variance subject to staff recommendations. Commissioner Lenkart asked if the motion could include that the variance goes with the land. Bozik amended his motion to include that item as well as site plan review. Motion seconded by Commissioner Lenkart. **Roll Call Vote:** Bozik – yes, Duncan – yes, Holbrook – yes, Lenkart – yes, Anderson – yes, Tuohy – yes. (6-0).

2. Petition #18-02 (2500 N. River Road) The petitioner requests the following actions on the subject property:

- 1) Map Amendment**
- 2) Special use to allow a Planned Unit Development with deviations from the Zoning Ordinance and Subdivision Ordinance.**
- 3) Preliminary Subdivision Plat Approval**

Toth stated that the hearing tonight is for a recommendation before the Plan Commission. No action to approve or deny the development will take place as part of this hearing. The property is located at 2500 River Road. It is the former Fox Valley Golf Course which is owned by the City of Aurora, but is located in the Village of North Aurora. The Lincoln Valley on the Fox product is a mixed residential use consisting of 374 units, single-story, age-targeted development to include single family homes, duplexes and townhomes. It is in the R1 zoning district (single family). The petitioner is requesting a map amendment to accommodate the underlying zoning for the residential uses. Proposed R1A use to accommodate the single family portion of the development. Zoning overlay of R3 on the southeast portion of the property to accommodate duplexes and on the southwest portion, zoning R4 for the townhomes. Per the Zoning Ordinance, a planned unit development is required by code since it is larger than two acres.

Toth said that a number of emails were received from property owners and those emails were forwarded to the Plan Commission.

The plan that was presented has been at the conceptual level before the Development Committee and the Committee of the Whole. Staff has been working with DR Horton for over a year and the product has been carefully planned out with the developer. Staff recommends approval of the development which is consistent with the Comprehensive Plan. In 2014, the Village embarked on a Homes for a Changing Region study. What came from that was the need for senior housing in North Aurora.

On behalf of DH/Cambridge Homes, Inc.:

Schain Banks, Attorneys at Law: Jim Griffin

DR Horton: Mark Fields, Bruce Mellon, Deborah Beaver, Jeff Ende

WBK Engineering (land planners): Chuck Hanlon and Adam Rak

Cemcon (civil engineering firm): Kevin Serafin

Gary Weber Associates (landscape architect): Monica Goshorn-Maroney

GeWalt Hamilton (traffic engineers): Justin Opitz

Knight Engineers: Clayton Shipley

Mark Fields addressed the commission and stated that they started the process in July of last year with a pre-application meeting, proposing an active adult community with a low maintenance environment, onsite activities such as a clubhouse, pools, other active uses and open space incorporating paths and walking trails, open water ponds and parks.

Adam Rak from WBK Engineering noted the evolution of the site plan:

-July 17, 2017 – Pre-application meeting. Original proposal for 407 units and a total open space of 17.78 acres. At this meeting, DR Horton was encouraged to reduce units and increase open space.

-September 29, 2017- Proposed 400 units and open space of almost 27.8 acres.

-November 6, 2017 – Committee of the Whole meeting - 362 units and a larger increase of 32.12 acres of open space

-March 6, 2017 – Proposed 374 units and open space of 32.29 acres.

Reason for the increase: In the duplex lots, after further study on architectural footprints, the lots were reduced a bit to accommodate the units. The road network did not change. Some interior lot lines were adjusted.

Developing Site plan – The existing drainage on Banbury road travels to the west. Halfway into the site it splits to the northwest and one leg goes straight. DR Horton wanted to preserve this overland flow and create some premium lots in this area. The existing drainage also guided the location of the detention areas. Open space was carved out for a park and a green corridor around Route 25. Access to the site will align with Oak Crest Drive on the northeast corner of the site and an additional secondary access on Banbury to the south. There will be 149 units in the R1A zoning. The premium lots overlooking the central park area with the detention basin will provide a nice visual since these homes sit at a higher elevation. Duplex lots will be located in the southeast corner and will include 126 total units. Some of these will also overlook the open space. The townhome development of 99 units will be comprised of 33 buildings. Sidewalks will be included on both sides of the street.

Chuck Hanlon of WBK Engineering stated that there will be a total of 1168 new trees that will be planted. Of those, there will be 548 parkway trees, 214 shade trees, 223 evergreen trees and 183 ornamental trees.

Gross Density – development is at 3.65 dwelling units per acre.

Mark Fields spoke about the product:

Specifically geared to the ranch homes, it is centered around first floor master bedrooms, open kitchens, wider doors and bathrooms designed for future aging and all maintenance free.

****Single Family** – The homeowner would be in charge of the actual home, exterior and roof but the HOA would be in charge of the landscaping, mowing, and snow removal. It is a maintenance-free living environment. Square footage would range from 1600-2400 s.f. The homes would include 2 bedroom/2bath with a 3 bedroom option. Average sales price in the mid to upper 300s.

****Duplex home** – Two-home unit. 2 bed/2 bath. The HOA would be in charge of exterior maintenance. Homeowners do not take on the burden/obligation for exterior maintenance. Square footage would range from 1462 – 1559 s.f. Average sales price in the mid to upper 200s.

****Three-unit attached townhome/villa** – Each building has three units. Square footage ranges from 1205 – 1458 s.f. All are 2Bed/2BA. Larger square footage has a third bedroom option. All maintenance exterior shell, siding, roofs, would be taken care of by the HOA as well as snow removal and yard mowing.

Amenities – lifestyle of having an all-inclusive ability to live and play in the neighborhood. Sitting up on a hill will be the 5,000 s.f. clubhouse. It will include a common area, storage facilities for pool uses, pickle ball court, bocce ball, themed gardens, warming kitchen, exercise rooms and picnic areas.

Recommendation of approval by staff for the special use.

Atty. Drendel noted that the audience will have the opportunity to ask questions or address the petitioners.

Those who were planning to speak were sworn in at this time.

Delores Warner, 727 Hartfield Drive, North Aurora – *What is the time frame for the project?*

Mark Fields said they anticipate mass grading within the fall and winter pipe development through the winter. Foundations could be completed in early spring.

John Moe, 214 Ridge Road, North Aurora – *How much green space between our homes and the south end of the townhomes and duplexes? Will there be some landscaping added to block the view from west to east from Route 25 to Banbury?* Fields said that there is a 40-foot minimum buffer on the north and south perimeter. On the areas of the side of the townhomes to the south will be closer to 50 feet. To the north have maintained a 40-foot separation. Fields said they are proposing additional trees and landscaping on the north and areas to fill in the gaps to the tree line on the east. Buffer landscaping trees will be along the entire south perimeter line.

Beth Hoffman, 447 Bellar Court, North Aurora – *Will you be preserving the existing tree line along Banbury and add to it or will you remove and plant new?* Fields said the intent is not to clear-cut and take out any substantial areas. As for crossings for stormsewers that could be an impact. There may be a need to move trees. Bruce Mellon (DR Horton) said that they are in the process of evaluating the quality of the trees and will enhance the quality of the streetscape. The plan is to save as many viable quality species and replace as necessary to complete the green screening for residents and rest of community.

Ron Lingle, 700 Doral Lane, North Aurora – *What is the traffic impact on Banbury? What has been done to the corner of Banbury and Route 25 since there have been deaths at that intersection? What is being done to improve the water situation so that we don't get cut off?* Fields said they are not asking for any special uses for watering and would follow the village ordinances. In regard to traffic, Justin Opitz with GHA stated that the study was generated by trips of traffic based on normal single family homes and townhomes in order to have more of a conservative analysis. In terms of measuring impacts on intersections, it is measured in terms of level of service and is ranked from A to F. Currently, this intersection at River Road is sitting at a B rank. The rank shows that there would be no impact. Opitz said the site would be generating five trips in the morning off of River and sending out 16. It would bring in 17 trips in the afternoon and sending out 10. Opitz said that the way this development is organized as age-targeted, the trips will be more dispersed because not everyone will be leaving for work at the same time or coming home at the same time in the afternoon. A resident asked when the data was collected. Opitz said that the data was collected on Thursday, September 28, 2017 from 6 – 9 a.m. and 4-7 p.m. Data was collected at Banbury & River, Banbury & Oak Crest and Banbury & Butterfield Road.

Village Administrator Steve Bosco addressed the question regarding water restrictions. The Village has a water conservation effort. This does not mean that the Village does not have water. Residents water between 6 – 9 am and 6 to 9 pm on odd and even days. A lot of towns have that as a conservation effort. The Village has four deep wells and two active towers. We started drilling a 5th deep well this week and approved a 6th deep well at last night's village meeting. Those should be online in the next year. We are also building a 3rd water tower. This is being done for operational needs, future needs and redundancy.

Audrey Bly, 1307 Turnberry Drive, North Aurora – *What the Village's plan is to remove the coyotes currently living on the golf course land?* Fields said that they have not analyzed the coyote population but the coyotes will be existent. They migrate and move to other locations.

Erica Hagen, 2S943 Shagbark Drive, Batavia – *Will water be draining into the properties to the north?* Answer: All the existing drainage characteristics for the offsite flows will be maintained. If water is flowing from your property now onto our site it will continue to do so. It will make its way into swales and then into our detention basin and release water downstream per the Village and County ordinances. There will be no change to anyone's stormwater flows. Hagen asked if there are any studies to prove that the water will not be draining from the new changes over to the existing properties. Hagen asked if she could obtain such a report. Village Engineer Jim Bibby said that there is significant natural relief from east to west across the Fox Valley Golf Course acreage. Also, the land plan shows the central lake that runs from southeast to northwest. That was placed to respect the stormwater overflow path and route. Chairman

Brackett said that this has been a concern for developers coming into the Village for years. The development has to retain its own water and cannot worsen another property's water. It can only improve it.

Diana Sharp, 2S965 Shagbark Drive, Batavia – Concern with water running south to north. Sharp said she can see the water run through her back yard to the current hole 7 of the golf course when there is a decent rainfall. It is by the line of trees that will be planted.

Scott Parsons, 2S957 Shagbark Drive, Batavia – Parsons noted that the issue is with the grade of the golf course. Hole 7 is higher than all of the residents' properties. Water runs off of the golf course and into the back yards. *Will the grade be lowered and are there stormsewers that run behind the single family homes to remove the water?* Kevin Serafin, design engineer on the project, said that the drainage on the north line will be picked up in storm sewers and swales and brought to the northern detention site. Exhaustive studies have been done to get a thorough understanding of how each individual water shed upstream behaves. DR Horton will work with existing grading and the proposed road grades so that the water gets collected before it leaves the proposed site.

Robin Hicks, 720 Lindsey Circle, North Aurora – Hicks asked if the public would have access to the area, noting that HOAs typically close off their recreational space so it can't be used by the public. Fields said that areas of the site that back up to private ownership would be private. As far as the ability to use the sidewalks, the site would be accessible through the public walk system. Hicks then asked about the Comprehensive Plan of 2015. In that plan it states the Village is promoting LEED development and sustainable building practices. Fields said that as a builder, they are always looking to improve the quality of their developments. Fields also noted that they are bound by the efficiency requirements of the State of Illinois and the Building Code Requirements in the Village of North Aurora.

Mike Toth noted that the state mandates the energy conservation codes and that the Village has to abide by those codes. Toth also noted that when a development comes into town and does not provide public park land, they have to pay a fee in lieu to the Village, which gets used by the park district towards land for park improvements within the Village of North Aurora.

Pat Lenz, 2S956 Thorncrest Road, Batavia – *What will the residents be getting in return for this development?* Answer from the DR Horton team: This will be a tremendous attribute since there is a need in this community for this type of development. It will provide a needed housing stock to the Village. This development will also create a tremendous amount of increased taxes that will go to North Aurora and the other taxing bodies.

Mike Toth said that the property is privately owned by the City of Aurora. Once they closed the golf course they made the representation that the property was for sale for development. The Village has met with developers in the past that had not come this far and the Village has to entertain the zoning request. Chairman Brackett said that as a private development there is no tradeoff, however, some of the benefits will be park district improvements, school improvements and improvements to the surrounding communities.

Jerry Kalita, 367 Ridge Road, North Aurora – Mr. Kalita was concerned with the view of their homes due to this development and mentioned that tightening up the duplexes will lessen green space.

Kalita asked if 40 feet from the development's property line to the back of the buildings would be open. Fields said it would be 40 feet to the property line for duplexes with townhomes having a greater offset. Toth said, per the Zoning Ordinance, buffer yards are only required between residential and non-residential uses. The buffer along Route 25 is the only one required for this development by code of 50 feet.

Ryan Hettinger, 920 Banbury Road, North Aurora – In terms of the buffers, *what is the plan with the green space on the west side of Banbury Road?* On the Banbury, from the Banbury right-of-way, is 40 feet to the property line and then a building setback from that point.

Maureen Joy, 329 Ridge Road, North Aurora – Joy said that the topography from the townhomes dips down and then rises to the golf course. There are also retaining walls. *What is the plan for some of the landscaping by the retaining walls? Will there continue to be the rise? What about runoff?* Kevin Serafin said that the intention is to cut down some of the peaks on the four to six buildings closest to the west along the south property line that will preserve the lower swale to direct runoff to the southernmost basin. The existing retaining walls will not be impacted.

Robin Blair, 2S840 Shagbark Drive, Batavia – *In terms of the use of the area to the west of River Street, what will be done to let people cross River Street?* Fields said they have engaged IDOT to find out what is allowable and not allowable for a pedestrian crossing. Bibby said that a formal request to initiate a study to reduce the speed limit along Route 25 has been submitted.

Chuck Hanlon of WBK addressed the Commission and noted, for clarification, that the duplexes from the property line to the south property line will be 50 feet. The townhomes from the property line to the townhome buildings will be 40 feet. The townhomes are perpendicular to the property line and there is a 60-foot gap from back of townhome to back of townhome.

Scott Parsons, 2S957 Shagbark Drive, Batavia – *Has a traffic study had been done for traffic heading toward downtown Batavia on Route 25 & Wilson in the morning or the evening?* Parsons said that the intersection is horrible during those times. Another question was about the distance from the single family home building to the lot line.

Bibby said in relation to traffic, it reflects 15 cars in the a.m. peak hour and 10 coming back in the p.m. peak hour northbound on Route 25. This will result in a 2% increase in traffic.

Toth said, in reference to the distance from single family homes to the south property line along Shagbark, if there is a 40-foot buffer between the property line and the north property of the golf course and then the rear yard setback is 30 feet, there would be 70 feet between the property line from their south property line to the nearest structure.

Kathy Miller, 840 Banbury Road, North Aurora – *Where is the south entrance going to be placed?* Fields said that the south entrance from our property line to our center line is less than 200 feet. It will be north of the resident's home.

With all of the additional housing, is there a concern with emergency vehicles being able to reach the homes? Steve Bosco said the North Aurora Fire District has not mentioned any additional concerns. Bosco added that he could mention this to the Fire District and get additional input.

Miller mentioned her concern with the speed limit on Route 25. Bosco said he would forward this to the Police Chief. Residents said they have mentioned this to the Police Department in the past.

Lin Dukar, 373 Ridge Road, North Aurora – *How many trees will be preserved?* Fields said he did not have an actual number but that there are areas that have been identified for preservation.

What communications have you had with the school district and how will children who may be living in the development get to the school without a crossing or bussing? Bosco said that the school district is aware of the development and the Village would keep them updated with questions and concerns.

What are the sizes of the trees that you will be using on the perimeter? Monica Goshorn-Maroney of Gary Weber Associates said that street trees would be provided at 2-1/2 inch caliber and evergreens and ornamentals at 6-foot in height. Toth said that the tree count can be viewed on the Village website. Bosco also noted that packets are posted on the website before the meetings and can be viewed by going to www.northaurora.org.

Sue Nelis, 2W903 Thorncrest Road, Batavia – Nelis said that another traffic study needs to be done and that another concern is with crime during the building process of the development since there was higher crime when two other subdivisions were built in the past.

Amy Lawhead, 604 Wingfoot, North Aurora – Lawhead asked if the petitioner approached the Village or if the Village reached out to the developer. Fields stated that the property was made available through the City of Aurora. D.R. Horton looked at uses related to the site and, as a company, decided the market and local area would support an age-targeted development. Lawhead asked if they have demographics on how many people, 55 and older, are in North Aurora and the surrounding areas. Fields said he did not have a demographic study that was submitted, but their marketing team did look at numerous details to determine the viability of an age targeted community. Lawhead commented that the sale price of the homes is too high for a couple looking to downsize.

Bosco mentioned that when the City of Aurora decided they did not want to operate the golf course any longer, they went through a public process. DR Horton submitted a plan to say they wanted to develop the land. The Village has no control with the City of Aurora putting out a proposal for the land. It then comes to the Village to move forward.

Margaret Gazdacka, Manager of Red Oak Nature Center – *When will construction end for the development and will construction traffic be off of Route 25?* Fields stated that they anticipate the site to be developed in two phases. Mass grading/drainage would be done in the first phase and the streets and curbs would be looked at in a phased approach. From a buildout perspective, that will be determined by the market. Construction traffic would be coming off of Route 25. Gazdacka asked when DR Horton will be done with the infrastructure. Fields said 4 – 5 months on each phase.

How much will the construction affect those going to impact the Nature Center and those homeowners who live around the property? Fields said this would be regulated by the permit process and IDOT.

What will be the hours of construction? Fields said construction would be done during construction hours allowed by the Village. Toth said that start time is 6 a.m. for Monday through Saturday and 8 a.m. on Sundays.

Toth asked if DR Horton intends to use any of the existing infrastructure (roads to and from the site) as haul roads or staging areas for construction. Answer from DR Horton was that they will be installing all of their required sediment and road control measures. There will be a construction access and will look at using the existing driveway off of Route 25.

In regard to water runoff, Gazdacka said that the nature center gets a lot of erosion with the culverts under Route 25 and all of that goes directly to the Fox River. *Will swales collect the pond water and filter the pollutants with natural plantings? How much more water is to be expected?* Fields said that the ponds will be built with sediment basins at the infalls and outfalls. There will be naturalized plantings at least on the banks of the ponds. Kevin Serafin stated that as far as stormwater into and out of the sight, the proposed detention ponds are designed with smaller restrictors and will be reducing peak flows by 15%. That retention volume will also assist with the water quality.

Robin Hicks 720 Lindsay, North Aurora – *Has DR Horton had an opportunity to work with the Integrated Management Plan of the Fox River Ecosystem Partnership?* Answer was that they were not aware of that partnership.

How far in advance should the project proceed before reaching out to the police so that they can study the impact? Toth said that staff meets with the police on a weekly basis. Bosco noted that it was through discussions with the police that the Village was able to move forward to see if IDOT would provide a traffic study for Route 25.

Scott Parsons, 2S957 Shagbark Drive, Batavia – *Will the development have gates at the entrances?* Fields said no.

How will the developer be able to limit the size of the family since it is an age targeted community? Fields said that the product does not support familial living and the buyer profile does not produce much student impact.

What are the chances that this plan of 55 and over can change if sales do not go the way you are planning? Mike Toth said that through the special use process, a PUD agreement will be

drafted. A number of things can be outlined in that agreement. The developer has been very forthcoming that the plan is age-targeted and not age specific. Atty. Drendel said the Village would have some oversight in review of the covenants and the covenants are where a lot of those restrictions would be contained that would be conducive to an older community and not a community with younger children.

Ed Sweeney, 6065 Spyglass Court, North Aurora – Sweeney said he was curious about the road improvements that are anticipated. Banbury Road is a curbless country road. With the Route 25 speed limit at 50 mph, the intersection at Route 25 and Banbury is a tragedy in the making. *Will there be any right turn lanes on Banbury Road and Route 25?* Clayton Shipley with Knight Engineering said there is no proposed additional turn lanes at Banbury and Route 25. At the entrance of Route 25 there is a left turn lane proposed for access to the site. No proposed improvement on Banbury Road at this time.

Marcia Gerzan, 291 Ridge Road, North Aurora – Concern is density. Density of the duplexes and townhomes. Gerzan noted that if each of the 374 units had two cars, there would be over 800 cars in the development.

Joel Hagan, 2S943 Shagbark Drive, Batavia – *Did the traffic numbers come from a professional engineer?* Answer was that the existing numbers came from the cameras and was viewed by a professional engineer. *Did North Aurora waste money by coming up with a land use plan only to change it once someone requested a major deviation?* Atty. Drendel said that North Aurora does not dictate who builds or who owns property. North Aurora creates zoning but it has to be flexible. The Village can't be so rigid that no one can build anything in the community. There always has to be an adjustment for a development.

Steve Bosco said there may be some confusion between a Comprehensive Plan and a strategic plan. Staff takes the plan and gets it to the most workable plan possible and brings it forward to be voted on. The strategic plan is a set of goals and objectives the Village sets. The Comprehensive Plan is a longer range plan, looking 20 years out as to what the Village plans to see in the future.

Atty. Drendel said that with a PUD, sometimes there are deviations so that the Village can get something in return. The developer could have come in with a plan that was all duplexes that met straight zoning where they would not have to request anything from the Village. A plan like what is being presented provides more open space.

John Moe, 214 Ridge Road, North Aurora – Upon completion of the development, taxes will come up to \$1.7 million combined. *Does North Aurora and Aurora share that? What kind of fence will be allowed in this new development?* Fields said the resident will not be able to put up just any type of fence. This would be a part of the restrictions within the CC&R's to restrict fencing styles. Bosco said in reference to taxes, since it is already annexed into the Village, the taxes would go to all of the taxing bodies that surround it: North Aurora Fire District, Village of North Aurora, Fox Valley Park District and School District 129.

Johnny Lloyd, 456 Bellar Court, North Aurora – *Can the residents come up with a plan and do away with the current proposal?* Atty. Drendel said that this would be up to the petitioner.

Lloyd suggested making Lippold Park a beautiful park that all residents could enjoy and more open space. Drendel said that pitch needs to be made to the land owner. Public bodies can't hold land hostage with what a property owner wants to do with the property. Toth said there were rights of first refusal given to certain park operators before the developers, but no one has expressed interest in the property.

James Lawhead, 604 Wingfoot Drive, North Aurora – *Why age targeted rather than age restricted?* Fields said that restricting to a specific age limits the buyer profile. In a restricted environment, you are reducing your targeted buyer. Also, in a restricted environment, there is a lot of time and effort going back to school district or park districts or the Village to renegotiate fees. It is a combination of marketability, resale-ability and practical nature of the time to other governing bodies.

If a group of four guys wanted to buy a house, would they be restricted from doing so? Fields said that with restrictions in the HOA, there are car restrictions and restrictions that would limit what they could do.

When DR Horton leaves, how do they hold the homeowners association intact? Fields said that the Village would have some control.

Tom Sharp, 2S965 Shagbark Drive, Batavia – *Can the Village tell the builder that it wants the development to be restricted to people 55 and over?* Drendel said it is possible. They could push forward with this plan if they wanted to. Sharp asked if the Village wanted to mandate an age restriction. Fields said he does not have an answer and this not in their application, but if the Village wanted to attach that to the request, they would have that ability. Drendel questioned whether it would be an appropriate land use restriction or regulation. Sharp said that there is nothing in place to say that a family of four couldn't move in to the development. Fields said the product does not support single family living. Sharp proposed to see that restriction put in place. Toth said the existing zoning right now allows for single family development with no restrictions. By right, someone can put in single family homes.

Iosue said the Village updated the Comprehensive Land Use Plan a few years ago and this property was identified as a potential redevelopment site and suggested that what the petitioner is asking for is in line with the Comprehensive Plan

Bosco said it is already zoned R1 so a development comes in and if they don't ask for a deviation, they can go and build it.

James Lawhead, 604 Wingfoot Drive, North Aurora – *What type of materials for the outside façades?* Answer was a mixture of vinyl and natural materials.

-What type of warranty on the homes? Answer – did not have this information available. Lawhead said that warranties need to be provided to the Village.

-Will there be basements? - Answer - yes.

-What type of shingles? Answer - architectural shingles.

-What is the distance between each home? Answer – 10 feet. Lawhead said he is concerned with fire spread since the homes are so close together. Fields said that this is the existing sideyard required setback.

-How is landscaping and maintenance of the property enforced? Fields said it is done through contracts that are set aside for the different maintenance items. There is also an extensive HOA contract.

-What kind of study has been done regarding waterflow drainage? Jim Bibby stated that the offsite tributary was studied extensively for this project. It is 240 acres tributary and includes a number of properties including east of Hart Road and half the acreage of Marmion.

Kevin Serrafin said that supplemental surveys were done. They worked with the Village and got plans for the Banbury Ridge subdivision, Fox Valley Country Club Estates subdivision, The Vineyards subdivision and modeled each one of the stormwater management facilities. DR Horton has a clear understanding as to how the watershed operates.

Dan Calabrese, 2S973 Shagbark Drive, Batavia – *Will there be any street lights in the subdivision?* Answer was yes.

If the houses do not sell, do any houses need to be enrolled in section 8? Answer was no. This is not a section 8 housing development.

Will any of the trees along the northern tree line be touched? Answer – Tree line on the north is identified as a protection area.

Will anyone from DR Horton be in attendance to supervise the tree demolition? Fields said that the site contractors will be present to supervise.

Amy Lawhead, 604 Wingfoot Drive, North Aurora – *Is there any way the Village of North Aurora will say they do not want this project to come into the Village or is this a done deal?* Bosco said that this is not a done deal and the Commission is appreciative of the turnout of residents so that concerns are noted. Bosco noted that the builder could come in and build R1 since that is the current zoning.

The Plan Commission will look at this and make their recommendation. If approved or denied by the Plan Commission, the petitioner has the right to go forward to the Village Board. The Board is the only board that has the authority to approve the project. The next step after the Plan Commission would be at the Committee of the Whole meeting. After that, the Village Board can take action to approve or deny.

There were no further questions. Chairman Brackett closed the public portion of the hearing.
Commissioner Comments

Commissioner Anderson asked Jim Bibby if there have been other traffic studies at Banbury and Route 25 – Bibby said this was reviewed by Steve Grabowski in Bibby's office. It is a

moderately low traffic total volume, the concern being the a.m. and p.m. hours. There was another study but it would have been done three or four years ago. Bibby said he believes the counts are accurate and that the study was appropriately done; on a single day with clear weather.

Anderson asked the developer about reviewing the overall landscape plan. Plantings are six feet or lower in height. Would like to see more greenscape. The developer needs more of an effort to try and enhance the view the current homeowners will be looking at. Identify the fence profile and a list of the approved materials. Any light that can be shed about the HOA would be helpful so that homeowners have a full understanding. Provide some information on the turnover language so the Village and residents know when the developer is no longer responsible for the HOA and the upkeep.

Anderson asked if it is the builder's intention to build the units on a per contract basis or a built for sale with a spec use projection. Fields said that DR Horton is a spec builder so there will be more of those as well as constructed/buyer select options.

Commissioner Duncan asked for the reasoning for the departure of 140 feet for the streetlights. Fields said they are looking for a minor departure and requesting the lights be farther apart. This would not be for all lights, only selective spacing in areas. Toth asked if they will use LED lights. Answer was, yes. It would be detailed in the plans and will be built to the Village spec.

Duncan asked what is meant by a "horizontal reversed curve". Serafin said it is an S curve and the Village requires a certain length, a hundred feet of tangent. There is one area in the plan that is shorter. Toth said that the Fire District has reviewed this. Duncan said the one cul-de-sac in the middle of the development looked tight.

Duncan said that the biggest issue is density.

Commissioner Tuohy said she was also concerned with density. Tuohy asked if there will be evergreens or deciduous trees at the south and north property line. Monica from Gary Weber Associates said that buffers along the property line will include a mixture of shade, ornamental and evergreen trees. Tuohy encouraged a heavier evergreen population.

From a waste management perspective, is there going to be a central location or individual for pickup? Fields said that Waste Management would serve at the driveway line. On the public streets, waste management will serve at the property line. For the attached product, there will be a designated collection at the curb.

Tuohy asked if there are different elevations. Fields said that the exterior on the single family will be a mix of natural stone or brick with vinyl. There will be multiple elevations for the attached buildings.

Commissioner Holbrook noted her concern about the price point. What will be the cost of the HOA? Fields said that the single family assessment will be less than the attached product. The assessment for common area will be equal.

Holbrook asked about having a left hand turn from Route 25 into the subdivision. Will there be a right turn lane as well as a left turn lane into the subdivision? Clayton Shipley said that there is a proposed left turn into the site. There is no right turn lane into the subdivision.

Commissioner Lenkart asked the builder if they would be requiring different colors on the buildings so that they are not all the same. Fields said they would set up some of the anti-monotony requirements.

Lenkart asked why the floor plans were not included in the packet. Fields said that he normally does not submit those at the preliminary stage, but could submit those as a follow up item. Lenkart asked about the width of the sidewalk and when the walking paths would be built. Answer on the sidewalk was five feet. Amenities and paths will be done within the first phase of development. Lenkart said he would like to see as much of the walking paths completed by then.

Lenkart questioned the plan for a splash pad. Fields said that splash pads have become very popular with grandparents. It allows them to do be involved with the kids through something other than a pool. Lenkart asked how much of the plan will be flat. Jim Bibby said the open spaces in the interior were focused in on to preserve the overflows and the natural depressional storage areas and the mature trees. DR Horton said they made sure they utilized the existing terrain and preserved the naturalized areas.

Lenkart asked what would prevent the storm water detention ponds from overflowing and flooding Route 25 during a major rainfall. Answer was that they are designing the improvements around the standards of the Kane County Stormwater Ordinance. Have modeled this for the 100 year storms. Also reducing the peak flows to the Route 25 right-of-way. Bibby suggested Lenkart look at the contours on the lakes that are being created, adding that it is a massive storage potential.

Lenkart said that there are 80 trees identified as needing to be removed. What percentage will be left of the inventoried trees? Lenkart said he would like to keep as many as possible and put in evergreens for screening during the winter. Toth said the ordinance is written to preserve trees. Lenkart said that there should be a serious fine if the developer takes down a tree that was not supposed to be removed.

Lastly, Lenkart said that the development should be age restricted rather than age targeted.

Commissioner Bozik asked why they are not being made to install curb and gutter along Banbury Road. Bibby said on the east side of Banbury, across the frontage, is a saw tooth of portions of unannexed property. The street was just reconstructed three years ago with a rural cross section and a very substantial pavement to stay as a rural cross section. That project did not envision tearing the street up and going to curb and gutter. Bozik said this seems to deviate from putting curb and gutter throughout the village.

Bozik suggested that Sussex Court, west of Darwin, be widened to 33 feet to accommodate fire apparatus. Bibby said that is a very good point.

Bozik said that he spoke with Chief Lambert to address some of his issues. The building separation with a 5-foot sideyard setback is unacceptable. A 10-foot distance between houses, especially houses with vinyl siding, is problematic. In the Village's Zoning Ordinance, everything is a minimum of 10 feet. Need to stay with a 10-foot sideyard setback. Eliminate the R1A zoning and go straight R1 and change lot sizes and require a 10-foot sideyard setback. In the Village's zoning map, there is no reference to R1A. Leave street lights at 250 feet and if a deviation, it would be at the discretion of the Village Engineer. This is a subdivision in which we are catering to 55 and older and reducing the lighting is a security issue. Bibby said that staff agreed. Bozik said that age restricted is more efficient.

Bozik stated that no one anticipated a large piece of property that is already annexed into the Village being developed like this. When it comes to the fire department impact fees, there was never any thought for making the provision for property that is already annexed into the Village. As the plan stands, with the 374 units at a \$715 per unit impact fee, it would be \$267,000 that the fire district would receive for impact fees, but as written now, will not.

With a 750-1069 population, this will increase the call volume from 91-130 calls per year. Bozik said that consideration should be made to ensure there is an impact or gap fee that is provided to the Fire District.

Bozik noted that density is a big concern. If the land was strictly R1 zoning, the Village would be looking at 230 units. The proposed 374 units constitutes a 61% increase in density.

Mike Toth noted the following Conditions:

1. Led street lights per Village specification
2. Additional evergreens around perimeter of property
3. Sussex Court widened to 33 feet
4. 10-foot setback for single family homes
5. Distance of street lights per village engineer
6. Fire district impact fee
7. Additional traffic study
8. Tree fine

Curb and gutter on Banbury and age restricted vs. age targeted was not placed as a condition but as a discussion item.

Motion made by Commissioner Anderson and seconded by Commissioner Lenkart to approve and move forward to the village board subject to the conditions noted and also for map amendment, special use and the preliminary subdivision plat. **Roll Call Vote:** Tuohy – yes, Bozik – yes, Lenkart – yes, Holbrook – yes, Anderson – yes, Duncan – yes. **Motion approved.**

ADJOURNMENT

Motion to adjourn made by Commissioner Lenkart and seconded by Commissioner Bozik. All in favor. **Motion approved.**

Respectfully Submitted,

Staff Report to the Village of North Aurora Plan Commission

FROM: Mike Toth, Community and Economic Development Director

GENERAL INFORMATION

Meeting Date: April 3, 2018

Petition Number: 18-04

Petitioner: Troy Johnson

Request: Fence height variance.

Subject Property(s): 511 Sharon Lane

Parcel Number(s): 12-34-405-022

Size: Approximately 0.33 acres

Current Zoning: R-1 Single Family Residence District

Contiguous Zoning: North, South, East & West - R-1 Single Family Residence District

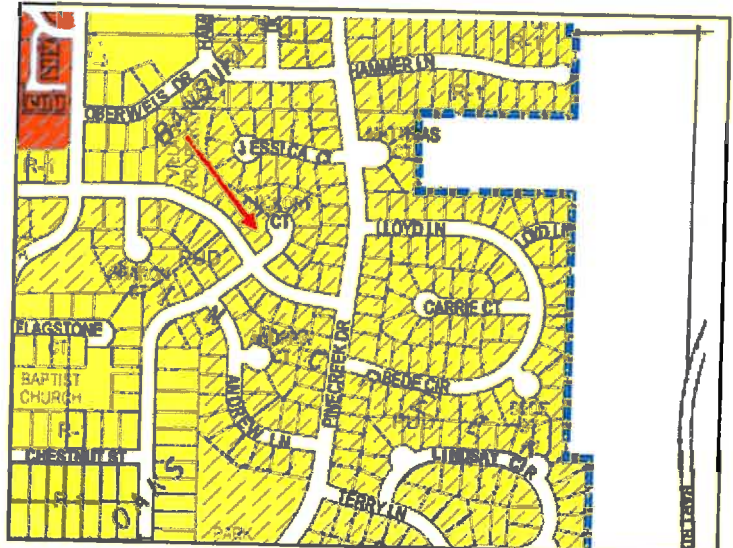
Contiguous Land Use: North, South, East & West - Single Family Residences



BACKGROUND

The petitioner is requesting a variance to erect a six (6) foot backyard fence. As the information below is intended to demonstrate, the configuration of the subject property is atypical and can be classified as a number of different lot types, which makes interpreting the allowable fence height in this situation difficult. It is of the interpretation of the Community and Economic Development Director that the petitioner would be allowed to erect a four (4) foot fence in the proposed location.

The subject property is situated on Sharon Lane at the entrance to the Hickory Court cul-de-sac and is of a 'peninsula' configuration. While the Zoning Ordinance does not have a specific definition for the peninsula configuration, staff believes the subject property falls under three differing definitions of lot types:



Lot, Corner. A lot situated at the junction of, and abutting on, two or more intersecting streets.

Lot, Double-Frontage. A lot, sometimes referred to as a "through lot," having frontage on two streets at opposite ends of the lot, which is not a "Corner Lot."

Lot, Reverse Corner. A "Corner Lot" where the side lot line adjoining a street is substantially a continuation of the front lot line of the first lot to its rear.

*Staff notes that Section 16.12.050 of the Subdivision Ordinance prohibits double frontage lots except where lots back upon a primary street. The subject property does not back upon a primary street.

For reference purposes, the following table illustrates allowable fence heights for residential districts:

Residential Fence Height Table

	Front Yard and/or Corner Side Yard	Interior Side Yard	Rear Yard
Residential and Estate Districts	Fence shall not exceed three feet above grade in front and four feet above grade in corner side yard.	Fence shall not exceed six feet above grade or eight feet above grade if adjacent to a business, office or industrial district.	Fence shall not exceed six feet above grade or eight feet above grade if adjacent to a business, office or industrial district.

The Zoning Ordinance defines a 'yard' as *an area on a lot which is unoccupied and unobstructed from its lowest level to the sky, except for obstructions specifically permitted by this Ordinance. A yard extends along a lot line for a depth specified by the zoning district in which such lot is located.* The Zoning Ordinance defines the various yards as follows:

Yard, Corner Side. A side yard on a corner lot which abuts a public street.

Yard, Front. A yard extending the full width of the lot between side lot lines for the required minimum depth, as specified by the zoning district in which such lot is located, measured perpendicular to the front lot line.

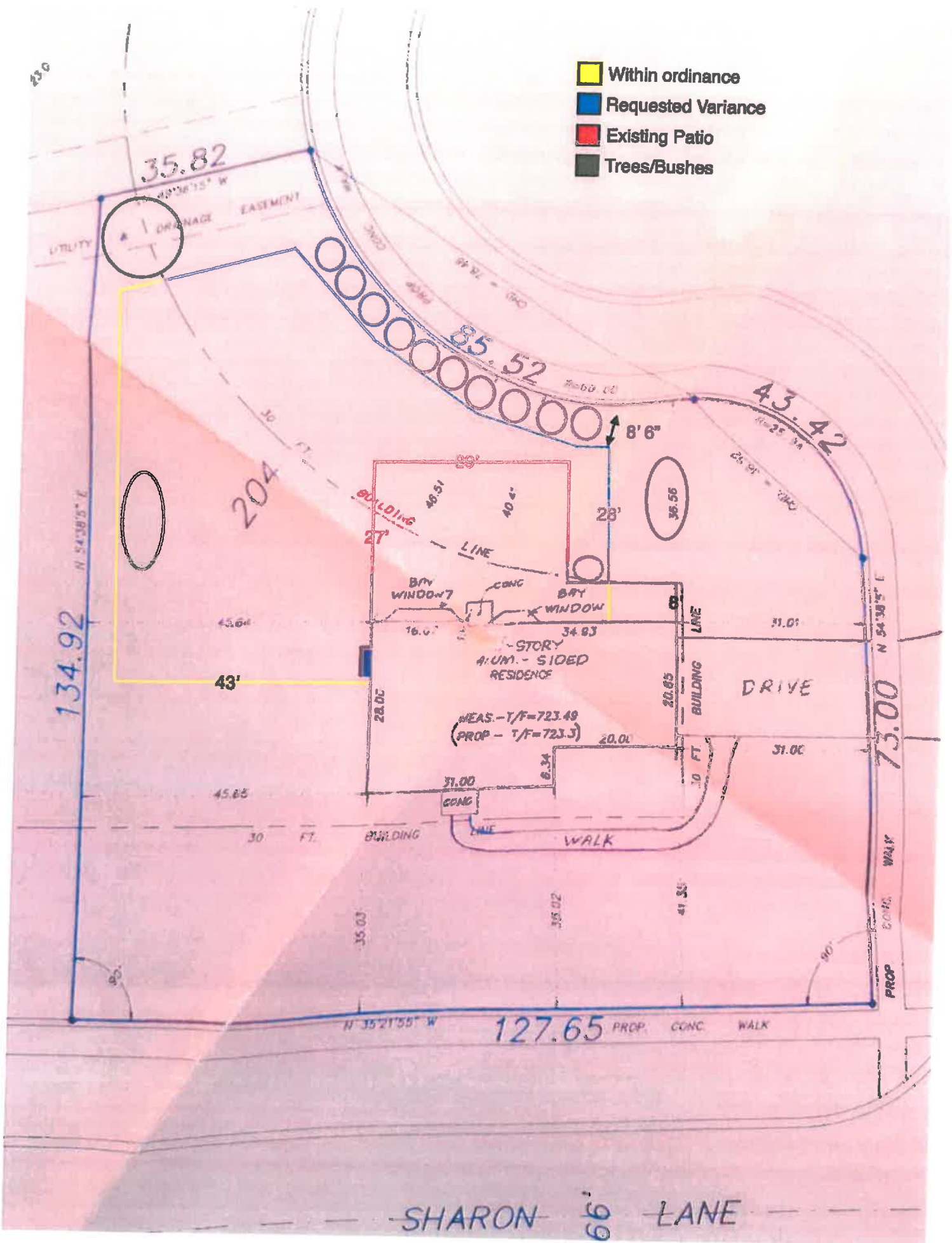
Yard, Rear. A yard extending between the side lot lines for the required minimum depth, as specified by the zoning district in which such lot is located, measured perpendicular to the rear lot line. In the case of an irregular or triangular shaped lot, the rear lot line shall be deemed to be a line ten (10) feet in length, within the lot, which is parallel to and at a maximum distance from the front lot line.

Yard, Reverse Corner Side. A side yard of a reverse corner lot which abuts a public street.

Yard, Interior Side. A side yard that does not abut a street right-of-way.

Yard, Side. A yard extending along a side lot line between the front and rear yard, for the required minimum depth, as specified for the district in which such lot is located, measured perpendicular to the side lot line.

- Within ordinance
- Requested Variance
- Existing Patio
- Trees/Bushes

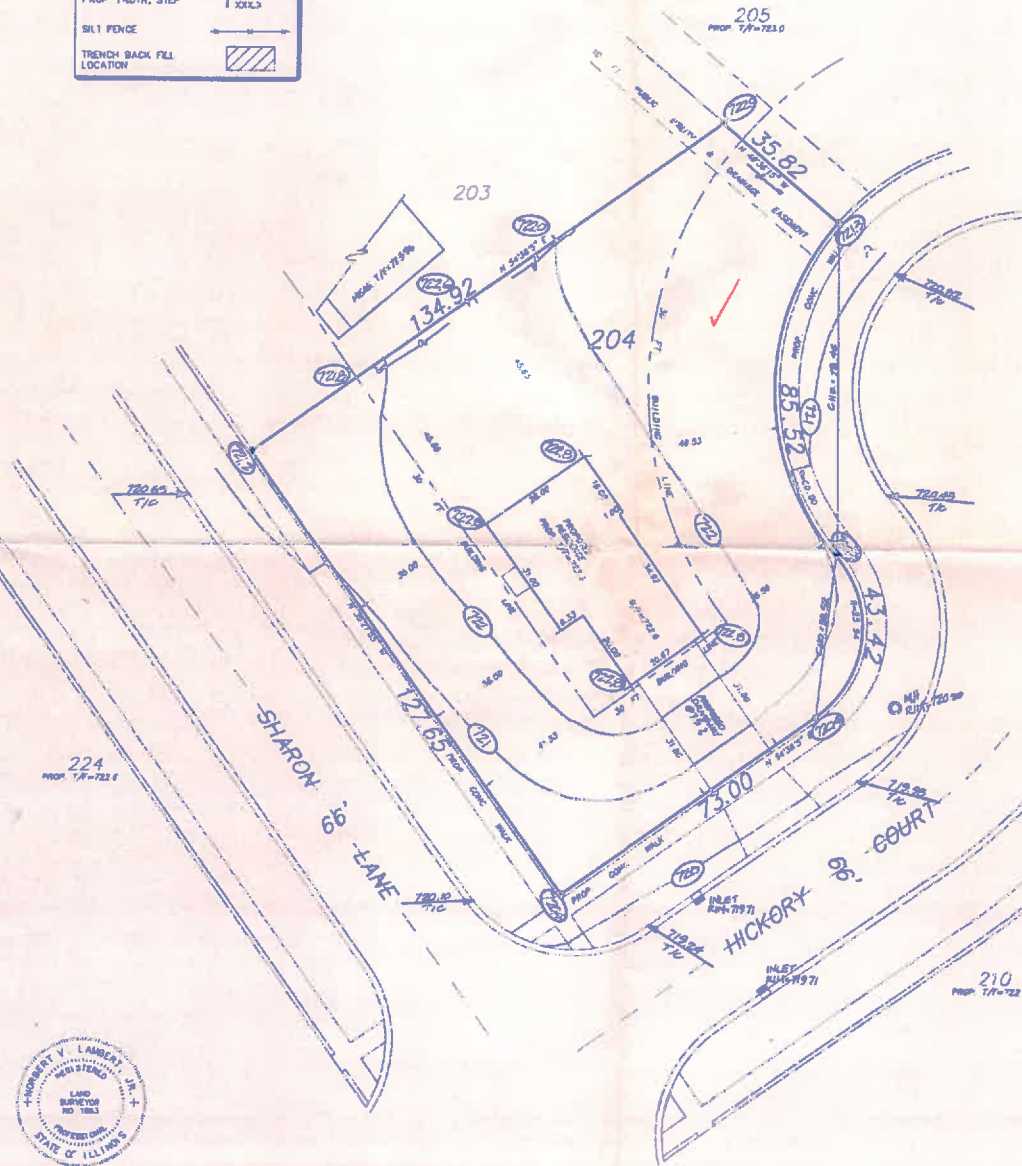


PLAT OF SURVEY

OF LOT 204 IN PINE CREEK UNIT 3, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 34, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN HANE COUNTY, ILLINOIS

PROPOSED SITE GRADING PLAN

LEGEND	
PROP. GRADE	(XXX.X)
PROP. CONTOUR	(XXX.X)
EXIST. GRADE	+ XXX.X
EXIST. CONTOUR	+ (XXX.X)
PLAN GRADE	(XXX.X)
PROP. DRAINAGE	(XXX.X)
OVERFLOW ROUTE	(XXX.X)
PROP. PAVT. STEP	(XXX.X)
SILT FENCE	(XXX.X)
TRENCH BACK FILL LOCATION	(XXX.X)



STATE OF ILLINOIS } ss.
COUNTY OF DU PAGE }

THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY.
GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS, THIS 11TH DAY OF NOVEMBER, A.D. 1985.

ILLINOIS LAND SURVEYOR NO. 1883

REFER TO DEED OR GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN ON SURVEY.
ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT DISCREPANCIES TO THE SURVEYOR.

PROPOSED SITE GRADING PLAN
PREPARED ON 11/1/85

ORDERED BY: MICHIGAN INTERSPORT ORDER NO. 85-031 FILE NO. 85-002-G

LAMBERT & ASSOCIATES
LAND SURVEYORS
320 SOUTH REBER ST. WHEATON, ILL. 60187
PHONE: (630) 653-6331 FAX: (630) 653-6396

RECORDING
O = found from state
X = not from state

STATE OF ILLINOIS } ss.
COUNTY OF DU PAGE }

BUILDINGS LOCATED AS SHOWN ON THIS DAY
OF A.D. 1985

ILLINOIS LAND SURVEYOR NO. 1883

APPLICATION FOR VARIATION

VILLAGE OF NORTH AURORA
25 E. State Street
North Aurora, IL 60542

PETITION NO. 18-04

FILE NAME 511 Sharon Lane Fence Variance

DATE STAMP **RECEIVED**

I. APPLICANT AND OWNER DATA

Name of Applicant* Troy Johnson

Address of Applicant 511 Sharon Lane, North Aurora, 60542

Telephone No. (630) 687-2673

Name of Owner (s) * Troy Johnson

Address of Owner (s) 511 Sharon Lane, North Aurora, 60542

Telephone No. (630) 687-2673

Email Address Tmjohnso88@gmail.com

If applicant is other than owner, attach letter of authorization from Owner

Title of Record to the real estate was acquired by Owner on 11/07/2017

II. ADDRESS, USE AND ZONING OF PROPERTY

Address of Property 511 Sharon Lane, North Aurora, 60542
(indicate location of common address)

Legal Description: See Plat of Survey

Parcel Size .33 Acres

Present Use Residential
(business, manufacturing, residential, etc.)

Present Zoning District R1
(Zoning Ordinance Classification)

III. PROPOSED VARIATION(S)

Variation requested (state specific measurements) Back yard fence to 6ft Height

Code Section that pertains to Variation 17.12.3.C

Reason for request To allow for the enjoyment of an outdoor, private space as well as an exercise space for my dog. The uniqueness of the property shape falls within a grey area for zoning, restricting my ability to construct a 6ft. fence on my property.

Explanation of purpose to which property will be put Residential.

IV. Findings of Fact for Variations. A variation from the provisions of the Zoning Ordinance shall not be granted unless the Plan Commission in its recommendation, and Village Board in its decision, makes specific findings of fact directly based on each and every standard and condition imposed by this section. Please provide a written response to each of the following standards for variations: See attached*

1. **Hardship.** No variation shall be granted unless the applicant shall establish that carrying out the strict letter of the provisions of this Ordinance would create a practical difficulty or particular hardship.

2. **Unique Physical Conditions.** The subject property is exceptional, as compared to other properties subject to the same provisions, by means of a unique physical condition, including:

- a. Irregular or substandard size, shape, or configuration; or
- b. Exceptional topographical features; or
- c. Presence of an existing use, structure, or sign, whether conforming or nonconforming; or
- d. Other extraordinary physical conditions peculiar to, and inherent in, the subject property.

These unique physical conditions shall amount to more than a mere inconvenience to the property owner and shall relate to or arise out of the characteristics of the property rather than the personal situation or preference of the current property owner.

3. **Not Self-Created.** The aforesaid unique physical condition is not the result of any action or inaction of the property owner, or his/her predecessors in title, and it existed at the time of enactment of the provisions from which a variation is sought, was created by natural forces or was the result of governmental action, other than the adoption of this Ordinance.

4. **Denied Substantial Rights.** The carrying out of the strict letter of the provision(s) from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other properties subject to the same provisions.

5. Not Merely Special Privilege. The alleged hardship or difficulty is neither merely the inability of the owner or occupants to enjoy some special privilege or additional right not available to owners or occupants of other lots or properties subject to the same provisions, nor merely the inability of the owner to gain a greater financial return from the use of the subject property.

6. Conformance with Ordinance and Plan Purposes. The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes of this Ordinance, including the provision from which a variation is sought, or the general purpose and intent of the Comprehensive Plan.

7. No Other Remedy. There is no means, other than granting the requested variation, by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a legal and reasonable use of the subject property.

8. Minimum Relief Required. The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of the Ordinance.

9. Public Welfare. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvement in the neighborhood in which the property is located.

10. Public Safety, Light and Air. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety within the neighborhood in any way.

11. Noise and Odor. The proposed variation will not produce excessive noise or odor as to be detrimental to the health and welfare of the public, or which interferes unreasonably with the comfort of the public.

IV. CHECKLIST FOR ATTACHMENTS

The following items are attached hereto and made a part hereof:

_____ 25 copies of an 8 ½ x 11" or 8 ½ x 14" plot plan of the property showing dimensions of all lot lines, existing and proposed structures and distances from lot lines, easements, and adjoining streets or uses. (large sized copies may be requested by Staff)

_____ A list containing the names of registered owners, their addresses and tax parcel number of all properties within 250 feet of the location for which the variation is requested.

_____ Legal description.

_____ Proof of ownership by deed or title or insurance policy.

_____ Filing fee in the amount of \$200.00 - If payment is made by check, it should be made payable to the Village of North Aurora.

_____ Letter of authorization from owner, if applicable.

_____ Disclosure of beneficiaries of Land Trust, if applicable.

The Applicant authorizes the Village of North Aurora representatives to enter on to the property to make inspection during the hearing process.

The Applicant is responsible for publishing a legal notice in the newspaper, sending mail notices to properties within 250 feet, and posting a sign on the property advertising the public hearing. These shall be in accordance with village Ordinances at the times decided by the Village of North Aurora.

I (we) certify that all of the above statements and the statements contained in any documents submitted herewith are true to the best of my (our) knowledge and belief.

Applicant or Authorized Agent

Date

Owner

3/9/18
Date

IV. Findings of Fact for Variations. A variation from the provisions of the Zoning Ordinance shall not be granted unless the Plan Commission in its recommendation, and Village Board in its decision, makes specific findings of fact directly based on each and every standard and condition imposed by this section. Please provide a written response to each of the following standards for variations:

1. Hardship. No variation shall be granted unless the applicant shall establish that carrying out the strict letter of the provisions of this Ordinance would create a practical difficulty or particular hardship.

* The zoning for my property insists that the back yard falls under the same limitations as a front yard due to it's unique position on a corner lot with Hickory Ct. directly behind me. With that, it allows for a 6ft fence on half of the yard, and 4ft on the other half. Building within the 4ft limitation would not allow me the same privileges enjoyed by other residents of the neighborhood.

2. Unique Physical Conditions. The subject property is exceptional, as compared to other properties subject to the same provisions, by means of a unique physical condition, including:

- a. **Irregular or substandard size, shape, or configuration;** or
- b. Exceptional topographical features; or
- c. **Presence of an existing use, structure,** or sign, whether conforming or nonconforming; or
- d. Other extraordinary physical conditions peculiar to, and inherent in, the subject property.

These unique physical conditions shall amount to more than a mere inconvenience to the property owner and shall relate to or arise out of the characteristics of the property rather than the personal situation or preference of the current property owner.

* Refer to question (1) and the proposed plan layout for patio dimensions.

3. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the property owner, or his/her predecessors in title, and it existed at the time of enactment of the provisions from which a variation is sought, was created by natural forces or was the result of governmental action, other than the adoption of this Ordinance.

* The limitations are the result of a unique "peninsula" like property shape that fits within a grey area of zoning. It is currently being zoned as essentially having two front yards.

4. Denied Substantial Rights. The carrying out of the strict letter of the provision(s) from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other properties subject to the same provisions.

* The limitations restrict my ability to enjoy the benefits of a 6ft fence around my back yard and prevents me from providing an exercise space for my dog. Other corner lot properties in Pine Creek enjoy the benefits of a 6ft fence (See below)

Applicatin for Variation Page 2 of 5

5. Not Merely Special Privilege. The alleged hardship or difficulty is neither merely the inability of the owner or occupants to enjoy some special privilege or additional right not available to owners or occupants of other lots or properties subject to the same provisions, nor merely the inability of the owner to gain a greater financial return from the use of the subject property.

* The hardship is the result of a unique property shape and position. Other corner lots enjoy the benefits of a 6ft fence (Ie. 600 Sharon Lane) across the street from my property.

6. Conformance with Ordinance and Plan Purposes. The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes of this

Ordinance, including the provision from which a variation is sought, or the general purpose and intent of the Comprehensive Plan.

* The fence would act only as a standard structure around the perimeter of my property.

7. No Other Remedy. There is no means, other than granting the requested variation, by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a legal and reasonable use of the subject property. All other viable options have been exhausted.

*Under the current zoning the structure would run at a diagonal across the center of my property and require the destruction, and rebuilding of my patio. The space enclosed as a result would not allow enough room to be usable.

The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of the Ordinance.

* My request is only to have the portion of the fence zoned for 4ft height, to be adjusted to 6ft height.

9. Public Welfare. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvement in the neighborhood in which the property is located.

* My intention is to be a constructive member of this town, community, and the Pine Creek neighborhood. This project will not under any circumstance limit, or endanger the well being of any of the aforementioned.

10. Public Safety, Light and Air. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety within the neighborhood in any way.

* There will not be any limitations of resources, or public safety to the surrounding neighbors as a result of this structure.

11. Noise and Odor. The proposed variation will not produce excessive noise or odor as to be detrimental to the health and welfare of the public, or which interferes unreasonably with the comfort of the public.

* To elaborate on the above (10) - This structure will not produce any harmful effect on the environment, whether health related, or aesthetically.

Staff Report to the Village of North Aurora Plan Commission

To: Plan Commission Members

cc: Steve Bosco, Village Administrator

Prepared By: Mike Toth, Community and Economic Development Director

Date: April 3, 2018

Request: Petition #18-05 -- Business District Design Standard Text Amendments

BACKGROUND

In an effort to expand economic development activities, including marketing and promoting of North Aurora, a goal of the Strategic Plan is to review the Zoning and Sign Ordinances when appropriate.

Chapter 8.4 of the Zoning Ordinance establishes design standards for commercial development. Upon review of the previous Zoning Ordinances, staff was unable to locate any business district design standards; therefore, the standards were adopted with the new Zoning Ordinance on January 1, 2013. After reviewing the design standards, staff discovered many inconsistencies with the standards, and is of the opinion that the standards do not take into consideration the built environment of North Aurora. More specifically, many of the existing commercial buildings in the Village would be deemed non-conforming with respect to the adopted design criteria. As such, staff has only used the standards as general guidelines thus far.

Chapter 4.4 of the Zoning Ordinance sets forth provisions for the site plan review process. Site plan review is required for all new commercial buildings. The site plan review process provides staff, Plan Commission and Village Board the authority to review and require certain building design elements, if desired.

Staff requested input from the Plan Commission on the subject matter at a workshop session on February 6, 2018. The Plan Commission did not have an issue with pursuing the text amendments, but wanted to ensure that the Village maintained authority to require certain elements. Staff has drafted amendments to the business district design standards. The amendments would re-establish the standards as guidelines. Staff believes that the authority to require preferred elements still remains through the site plan review and special use processes (as conditions of approval). This would allow each development to continue to be viewed in the context of surrounding developments, including existing planned unit developments.

8.4 - Business district design standards guidelines.

To promote orderly development and ensure compatibility with development on adjacent property, it is recommended that development within all Business Districts shall comply with observe the design standards of this section. These guidelines will be used as a basis during the site plan review process and may become conditions of approval during the site plan review and/or special use process. Franchise establishments must also adhere to these standards. Figure 8-1: Business Design Guidelines illustrates these design guidelines.

A. Facade.

1. Multi-story buildings shall be designed with a definable base, middle and top. Rooflines, cornice treatments and window designs should divide larger buildings.
2. Facades of buildings, including side facades, shall should be visually broken into bays to avoid the appearance of large, blank walls. When visible from the public right-of-way, facades ~~must~~ should include architectural features to avoid the appearance of blank walls facing the street. These include, but are not limited to, changes in the wall plane of ~~at least two feet~~, changes in wall texture or masonry patterns, colonnade, columns or pilasters.
3. The use of multiple materials, textures or colors is ~~required~~ recommended to add visual interest to the facade. Building facades in excess of one hundred (100) feet ~~must~~ should include a repeating pattern with ~~no less than two~~ of the following elements: color change, texture change, material module change, or a wall articulation change of ~~no less than two feet~~ such as an offset, reveal, pilaster or projecting rib. ~~All elements must repeat at intervals of no more than twenty-five (25) feet.~~
4. ~~Predominant facade colors must be subtle, neutral or earth tone colors. Primary colors, high-intensity colors, metallic or fluorescent colors, and black are prohibited as predominant facade colors. Building trim and accent areas may be brighter and include primary colors.~~

B. Fenestration.

1. Windows shall should be set back into or projected out from the facade to provide depth and shadow. Windows shall should include visually prominent sills or other appropriate forms of framing. Awnings or shutters should be used to accentuate window openings and add interest to the design of the building.
2. The ground floor facade shall should maintain a transparency of at least sixty (60) fifty (50) percent. ~~Windows shall be constructed of clear or lightly tinted glass (no tinting above twenty (20) percent or reflective glass).~~

C. Rooflines.

1. Roofs design shall should be designed as an integral part of the facade design.
2. Roof lines ~~must~~ should either be varied with a change in height or with the incorporation of a major focal point feature, such as a dormer, gable or projected wall feature, ~~every one hundred (100) linear feet in building length.~~
3. Mansard roofs are ~~prohibited~~ discouraged.
4. Parapet walls shall should feature three-dimensional cornice treatments or other shadow-creating detail elements along their tops.
5. ~~"Green roof" designs are encouraged.~~

D. Entrances.

1. All buildings ~~shall~~ should have a public entrance from the sidewalk along the primary street frontage. Public entrances should be articulated from the building mass.
2. Facades that abut parking areas and contain a public entrance ~~shall~~ should make provisions for pedestrian walkways and landscape areas.
3. ~~If outlet buildings are part of a large retail development, outlet buildings must define the street frontage by placement near the street with showcase windows and entrances oriented toward the street, as well as to the interior parking lot.~~

E. Exterior Building Finishes Materials.

1. ~~The following materials are permitted for use on exterior elevations:~~
 - a. ~~Clay brick.~~
 - b. ~~Natural or cast stone.~~
 - c. ~~Wood.~~
 - d. ~~Architectural pre-cast concrete panels (flat panels with no detail are prohibited).~~
 - e. ~~Split face concrete block.~~
1. Predominant facade colors should be subtle, neutral or earth-tone colors. Primary colors, high-intensity colors, metallic or fluorescent colors, and black are discouraged as predominant facade colors. Building trim and accent areas may be brighter and include primary colors.
2. The following building materials are ~~prohibited~~ discouraged as predominate building materials. However, such materials may be used as part of decorative or detail elements, ~~or as part of the exterior construction that is not used as a surface finish material.~~
 - a. Plain concrete block.
 - b. ~~Utility brick.~~
 - b. ~~e.~~ Aluminum, steel or other metal sidings.
 - c. ~~d.~~ Metal wall panels.
 - d. ~~e.~~ Exposed aggregate (rough finish) concrete wall panels.
 - f. ~~Exterior insulating finish systems (EIFS).~~
 - g. Plastic.
 - h. ~~Glass curtain walls.~~
 - e. i. Flat pre-cast concrete panels with no detail
 - f. Vinyl siding.

FIGURE 8-1: BUSINESS DESIGN GUIDELINES



Facades should incorporate articulation features such as projections or recesses along the building length.



At least 50% of the facade ~~must~~ should be transparent from the street level.





Different materials, textures and or colors should be utilized to add visual interest to the facade.



Arcades help to articulate building mass and public entrances. In addition, varied roof lines help break up building frontages.

~~Arcades help to articulate building mass and public entrances. In addition, varied roof lines help break up building frontages.~~



Roof lines should be varied with the incorporation of a major focal point feature, such as a gable or projected wall feature, ~~every 100 linear feet of building length.~~



Public entrances should be articulated from the building mass using such means as a raised parapet and distinct tile design work.

~~Public entrances should be articulated from the building mass using such means as a raised parapet and distinct tile work.~~



Public plazas help to minimize the effect of large parking areas and distinguish the path to building entrances.



Public entrances should be clearly delineated for pedestrians.



Buildings near the street should maintain facades and entrances oriented toward the street as well as to the interior parking lot.

(Ord. No. 12-08-20-02, § 2, 8-20-2012)

Staff Report to the Village of North Aurora Plan Commission

FROM: Mike Toth, Community and Economic Development Director

GENERAL INFORMATION

Meeting Date: April 3, 2018

Petition Number: 18-06

Petitioner: Village of North Aurora

Request: A map amendment to rezone the subject property from R-1 Single Family Residence District to the B-2 General Business District

Parcel Number(s): 15-05-300-020

Size: Approximately 1.53 acres

Current Zoning: R-1 Single Family Residence District



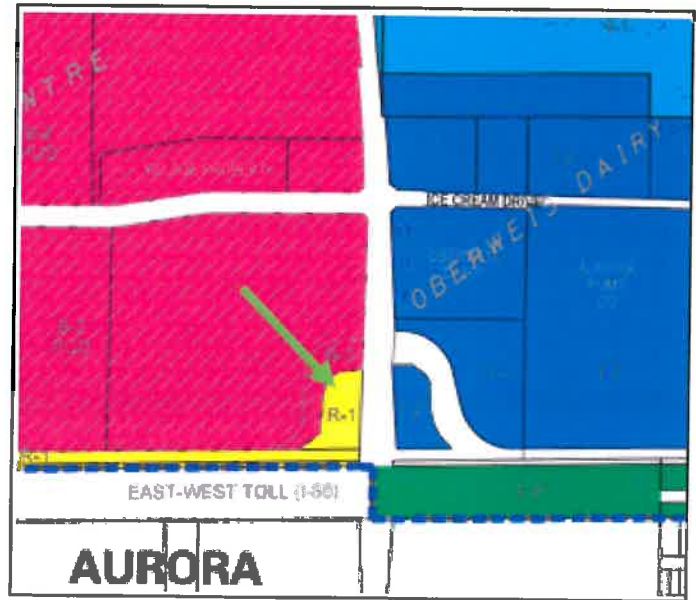
Contiguous Zoning: North – B-2 General Business District PUD, South – R-1 Single Family Residence District, East – I-2 General Industrial District, West - B- 2 General Business District PUD

Contiguous Land Use: North – vacant warehouse facility, South – Interstate 88, East – Randall Road overpass, West – vacant warehouse facility

Comprehensive Plan: Office/Industrial

BACKGROUND

On March 19, 2018 the Opus Group, on behalf of the property owners, received approval to alter the site plan at 1100 Orchard Gateway to accommodate the site needs for a prospective tenant within the existing 450,000 square foot warehouse facility. The amended site plan includes the expansion of passenger vehicle parking into the eastern portion of the property and also use of the 1.53 acre Village-owned parcel (the subject property) located to the southeast of 1100 Orchard Gateway Blvd. The approved site plan includes a total of 1,113 parking spaces.



On March 19, 2018 the Village also approved the sale of the 1.53 acre property to the adjacent property owner for the use of a parking lot. In order to align the use of the property with the underlying Zoning District, the Village is petitioning to rezone the subject property from R-1 Single Family Residence District to the B-2 General Business District. The next step in the process would be to amend the Towne Centre PUD to incorporate the subject property, which is not included as part of this petition, but will be proposed at a later date.

Map Amendment Standards

1. Is the proposed amendment consistent with existing use and zoning of nearby property?

The entire area, west of Randall Road, east of Orchard Road between the ComEd easement and I-88 is located in the B-2 General Business District.

2. Does the proposed amendment diminish the existing zoning of the subject property?

The R-1 Single Family District designation was meant to act as a placeholder until a zoning change was proposed.

3. Does the proposed amendment promote the public health, safety, comfort, convenience and general welfare of the Village?

The proposed map amendment will have no adverse impact the public health, safety, comfort, convenience and general welfare of the Village.

4. Does the proposed amendment provide a relative gain to the public, as compared to the hardship imposed upon the applicant?

The map amendment is being requested to accommodate parking facilities for an end user of the property that will generate appreciable employment.

5. Is the proposed amendment not feasible for development as it is presently zoned?

Private commercial parking facilities are prohibited under the current R-1 classification.

6. Has the property in question been vacant, as presently zoned, for a significant length of time considered in the context of development in the area where the property is located?

The subject property has been vacant as far back as records can indicate.

7. Is there evidence of community need for the use proposed by the applicant?

The map amendment is being requested to accommodate parking facilities for an end user of the property that will generate appreciable employment.

8. Is the proposed amendment consistent with the Comprehensive Plan?

The Comprehensive Plan recommends Office/Industrial use of the property, which is consistent with the proposed use of the property.

9. Does the proposed amendment benefit the residents of the Village as a whole, and not just the applicant, property owner(s), neighbors of any property under consideration, or other special interest groups?

The map amendment is being requested to accommodate parking facilities for an end user of the property that will generate appreciable employment.

10. Does the proposed amendment avoid creating nonconformities?

The property is currently vacant; therefore, the proposed amendment will not create any nonconformities.

11. Does the proposed amendment remain consistent with the trend of development, if any, in the general area of the property in question?

The map amendment is being requested to accommodate expanded parking facilities for an improved site with existing parking facilities.

12. Are adequate public facilities available including, but not limited to, schools, parks, police and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are public facilities reasonably capable of being provided prior to the development of the uses, which would be permitted on the subject property if the amendment were adopted?

The map amendment is being requested to accommodate expanded parking facilities; therefore, public facilities will not be necessary.

Staff Report to the Village of North Aurora Plan Commission

To: Plan Commission Members

cc: Steve Bosco, Village Administrator

Prepared By: Mike Toth, Community and Economic Development Director

Date: April 3, 2018

Re: Sump Pump Discharge Text Amendments

BACKGROUND

Section 16.60.010 of the Subdivision Ordinance states that the Village Board may, after review and recommendation from the Plan Commission, can amend the Subdivision Ordinance.

Section 16.12.100 of the Subdivision Ordinance establishes provisions for storm sewers and sump pump drains and prohibits water from footing tiles or basement sumps to be pumped or discharged onto the ground surface. Staff has received requests from residents who are unable to connect to a storm sewer systems, but wish to add a sump pump to their home. Staff found that a majority of the surrounding communities allow sump pumps to be discharged onto the ground surface.

Staff is proposing the following amendments to the Subdivision Ordinance relative to storm sewers and sump pump drains:

16.12.100 - Storm sewers and sump pump drains.

- A. An adequate system of stormwater drainage shall be constructed and installed, consisting of pipes, stormwater detention facilities, tiles, swales, manholes, inlets and other necessary facilities, that will adequately drain the subdivision and protect roadway pavements and buildings from flooding.
- B. Computations for the storm sewer system for on-site and off-site drainage shall be presented with the preliminary plat for approval.
- C. The drainage system shall include underground piping for sump pump connections. ~~Said piping (four inches minimum) shall extend from either the front or rear of each building lot to the storm sewer system and include manholes and/or cleanouts for maintenance purposes.~~ The sump pump drainage system shall be subject to the approval of the ~~village engineer~~ Public Works Director, or his/her designee.
 - 1. Pipe material for discharge pipe from house and secondary drainage system shall be PVC SDR 26D 303A, or an approved alternate, with a minimum four-inch minimum for sump pump pick-up and ten (10) inch diameter secondary storm sewer if only sump discharge is collected.
 - 2. Piping shall be laid on a uniform grade with minimum grade of one-fourth inch per foot and a minimum depth of cover of three feet.

3. A minimum four-inch diameter pipe shall service the house or building. The four-inch pipe may be installed along a common lot line and service two houses or buildings. Said four-inch line shall be furnished with a clean-out at its terminus. Note that a six-inch diameter line shall be required for two or more house connections.
4. A minimum four-inch diameter pipe shall connect the junction box to the storm sewer system. If two sump pump connections are joined, a six-inch diameter line shall extend from that point. No more than two lines may be joined. A minimum ten (10) inch diameter pipe shall be used as secondary drainage extension. In no case shall a small diameter sump line extend to discharge at a swale or basin. All sump discharge connections shall be to public RCP storm sewer line only.
5. Dead-ends of storm systems shall be provided with a minimum twenty-four (24) inch diameter pre-cast concrete inlet for clean-out purposes. Design approved by the village engineer.
6. Any connection between house sump pump discharge pipe and the secondary drainage system and between the secondary drainage system and storm sewer system shall be made with factory made fittings, wyes and tees. No cut-in of piping will be allowed.

D. If the Public Work Director, or his/her designee, determines that connection to the storm system is infeasible, water from footing tiles or basement sumps can be pumped or discharged onto the ground surface, in a location acceptable by the Public Works Director, or his/her designee.

.....

- ~~H. No water from footing tiles or basement sumps shall be pumped or discharged onto the ground surface. Such water discharge pipes shall be discharged directly into storm sewer system.~~
- ~~1. Construction of discharge piping from footing tiles and sump pumps, of storm sewers, and of appurtenant structures shall be in accordance with BOCA, edition in force by the village.~~
 - ~~2. Pipe material for discharge pipe from house and secondary drainage system shall be PVC with a minimum SDR of 35, ASTM 3034, four-inch minimum for sump pump pick up, and ten (10) inch diameter secondary storm sewer if only sump discharge is collected.~~
 - ~~3. A piping shall be laid on a uniform grade with minimum grade of one-fourth inch per foot and a minimum depth of cover of three feet.~~
 - ~~4. A minimum four inch diameter pipe shall service the house or building. The four inch pipe may be installed along a common lot line and service two houses or buildings. Said four inch line shall be furnished with a clean out at its terminus. Note that a six inch diameter line shall be required for two or more house connections.~~
 - ~~5. A minimum four inch diameter pipe shall connect the junction box to the storm sewer system. If two sump pump connections are joined, a six inch diameter PVC SDR 35 line shall extend from that point. No more than two lines may be joined. A minimum ten (10) inch diameter pipe shall be used as secondary drainage extension. In no case shall a small diameter sump line extend to discharge at a swale or basin. All sump discharge connections shall be to public RCP storm sewer line only.~~
 - ~~6. Dead-ends of storm systems shall be provided with a minimum twenty-four (24) inch diameter pre-cast concrete inlet for clean-out purposes. Design approved by the village engineer.~~
 - ~~7. Any connection between house sump pump discharge pipe and the secondary drainage system and between the secondary drainage system and storm sewer system shall be made with factory made fittings, wyes and tees. No cut-in of piping will be allowed.~~

Sump Pump Discharge

	Language of Regulation	Allowed to Discharge at Grade
North Aurora	<ul style="list-style-type: none"> Piping may only discharge into a underground storm sewer 	<ul style="list-style-type: none"> No
Batavia	<ul style="list-style-type: none"> Could not find anything in code that would prevent the discharge of storm water at grade level 	<ul style="list-style-type: none"> Yes (by omission)
Burr Ridge	<ul style="list-style-type: none"> All water collected and discharged from sump pumps must be connected to a Village-approved storm sewer or structure If no storm sewer is adjacent to the property, then sump pump drainage must be discharged on the owner's property no closer than fifteen feet from the rear, front , or side lot line 	<ul style="list-style-type: none"> Yes
Geneva	<ul style="list-style-type: none"> Sump pump may only be discharged on an owner's property at a minimum of 15' from the property line or into a underground storm sewer or open drainage ditch which underground sewer line or open drainage ditch are part of the storm sewer system of the City 	<ul style="list-style-type: none"> Yes
Montgomery	<ul style="list-style-type: none"> Sump pumps installed to receive and discharge groundwater or other storm water should be connected to a storm sewer When storm water is not available to the property, the discharge may be directed to the ground and should not be directed toward the adjoining property 	<ul style="list-style-type: none"> Yes
St. Charles	<ul style="list-style-type: none"> Residents may connect sump pump lines discharge to the public storm sewer if they so choose 	<ul style="list-style-type: none"> Yes (by omission)
Sugar Grove	<ul style="list-style-type: none"> Sump pump may release storm water discharge at the surface of the ground level 	<ul style="list-style-type: none"> Yes
Warrenville	<ul style="list-style-type: none"> Could not find anything in code that would prevent the discharge of storm water at grade level 	<ul style="list-style-type: none"> Yes (by omission)
West Chicago	<ul style="list-style-type: none"> Sump pumps shall discharge at grade level so it can be absorbed or drained into a storm water drain system 	<ul style="list-style-type: none"> Yes
Winfield	<ul style="list-style-type: none"> No water from the footing tiles or basement sumps shall be pumped or discharged onto the ground surface Such water discharge pipes should be discharged directly into the storm sewer system 	<ul style="list-style-type: none"> No