

MINUTES OF THE REGULAR MEETING OF THE PLAN COMMISSION HELD ON WEDNESDAY, JANUARY 4, 2005, AT THE VILLAGE HALL, 7760 QUINCY STREET, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

1. CALL TO ORDER

Chairman Kopp called the meeting to order at the hour of 7:30 p.m.

2. ROLL CALL

Those present at roll call were Commissioners Joseph Heery, James Baker, John Wagner, William Remkus, Ron Hilt and Chairman Kopp. Also present was Director of Municipal Services, Alan Zordan. ABSENT: Commissioner James Soukup.

3. OMNIBUS VOTE AGENDA

The items on the Omnibus Vote Agenda were as follows:

- a. Waive Reading of Minutes (APPROVE)
- b. Minutes – Regular Meeting November 2, 2005 (APPROVE)
- c. Minutes – Village Board Meetings – October 24, November 14, November 28 and December 5, 2005 (RECEIVE)

MOTION: Made by Commissioner Remkus, seconded by Commissioner Heery, to approve the Omnibus Vote Agenda.

UNANIMOUS VOICE VOTE

MOTION DECLARED CARRIED

4. DISCUSSION – 6415 BENTLEY AVENUE, REZONE TO THE R-1A ZONING DISTRICT, VARIATIONS FROM THE SUBDIVISION REGULATIONS AND PLAT OF SUBDIVISION, APPLICANT WILLIAM REMKUS

Chairman Kopp stated that the fourth item on the agenda is the discussion of 6415 Bentley Avenue, rezone to the R-1A zoning district, variations from the subdivision regulations and plat of subdivision. The applicant, William Remkus recused himself from his position as a Planning Commissioner for this matter.

Director of Municipal Services, Alan Zordan stated that the petitioner Bill Remkus owns the property at 6415 Bentley Avenue. He has petitioned to rezone the property from the R-1 to the R-1A Single Family zoning district and subdivide the property into two lots. The property is 1.13 acres in size and currently has on it a vacant single family home and two accessory storage structures all which are scheduled for demolition within the next few days. Surrounding land uses include R-1 single-family home to the north, R-1A new home under construction to the south, R-1 single-family home to the east and R-1 special use for a pet cemetery to the west. The proposed subdivision of property includes a waiver of the typical subdivision requirements for street width, curb and gutter and the requirement for sidewalks. Both new lots will have direct

access to Bentley Avenue. The Village of Willowbrook water distribution system and the Flag Creek Water Reclamation District Sanitary Sewers currently serve the property. Because this neighborhood has a very sensitive drainage system, the Village tries to make some level of regional stormwater improvement with each land development that we process. In this case, placing a detention or conservation easement on this property does not make sense because it is at the top of the hill and those types of facilities are typically used at the bottom of a hill or in areas where the stormwater normally runs now. The option of making cash contribution towards future stormwater studies or other improvement that the Village might need in this area of town has been accepted in the past. Based on a ratio of \$6,000 per acre, the contribution from Mr. Remkus in this case would be \$6,780, which he has agreed to pay. Director Zordan added the proposed zoning and subdivision is in keeping with the Village's Comprehensive Land Use Plan for this area. We have seen several of these rezoning and subdivisions in the neighborhood and they should have no negative impacts on the development of the neighborhood.

Chairman Kopp agreed that this rezoning will be a benefit to the neighborhood and it is consistent with the changes on Bentley.

Resident Phyllis Zimmer expressed her concern to the Commissioners regarding the stormwater retention and rezoning of the Bentley property.

Commissioner Hilt asked Director Zordan what plan does the Village have to handle water flow?

Director Zordan confirmed that this property, being less than two acres in area, is below the threshold for being required to provide storm water detention. However, with the other developments in this watershed we have required either retention facilities to help control the water run off or conservation easements. In this case, because it is on top of the hill, water will sheet flow off the property in all directions as it does today.

Commissioner Hilt asked if the 63<sup>rd</sup> and Bentley area has retention.

Chairman Kopp confirmed that at the east intersection there is a combination of detention and two buildable lots.

Director Zordan stated that the Mayada Brook subdivision will be placing two separate detention facilities along Bentley Avenue just south of 65<sup>th</sup>, which will catch and control regional stormwater.

MOTION: Made by Commissioner Wagner, seconded by Commissioner Hilt, to recommend that the Village Board rezone the property located at 6415 Bentley Avenue to the R-1A zoning district and to approve a plat of subdivision, dated November 4, 2005, with the following variations from the subdivision regulations:

1. That Section 10-7-2 (B) of the subdivision regulations related to street width is waived.
2. That Section 10-7-2 (C) of the subdivision regulations related to curb and gutter drainage improvements be waived.
3. That Section 10-7-4 (A) of the subdivision regulations related to sidewalks is waived.

AND TO ACCEPT THE FINDINGS OF FACT WITH THE FOLLOWING CONDITION:

1. That a contribution of \$6,780.00 be made toward future storm water studies or improvements within this area of town.

ROLL CALL: AYES: Commissioners Heery, Baker, Wagner, Hilt and Chairman Kopp; NAYS: None. ABSENT: Commissioners Remkus and Soukup.

MOTION DECLARED CARRIED

5. DISCUSSION – AMENDMENTS TO ZONING ORDINANCE REGARDING STANDARDS FOR PLANNED UNIT DEVELOPMENTS

Chairman Kopp stated that the fifth item on the agenda is the discussion of amendments to zoning ordinance regarding standards for planned unit developments.

Director Zordan explained that this item was discussed at the public hearing earlier this evening and asked if anyone had questions.

Commissioner Baker stated that your standards are not tied to something in the code or somewhere else.

Director Zordan acknowledged that the current standards in many ways have exact measurements or measurable standards that do not fit the type of development that we have today. We will always start with the measurable standards of the underlying zoning district. All the underlying zoning districts have measurable bulk standards. The new standards give us the flexibility based on the circumstances of any particular development and the way the surrounding properties are developed. We can also go beyond the code and ask for things that are exceeded in the codebook.

MOTION: Made by Commissioner Baker, seconded by Commissioner Wagner to recommend that the Village Board adopt the new section 9-13-6 standards for planned unit developments as presented.

ROLL CALL: AYES: Commissioners Heery, Baker, Wagner, Remkus, Hilt and Chairman Kopp; NAYS: None. ABSENT: Commissioner Soukup

MOTION DECLARED CARRIED

6. DISCUSSION – AMENDMENTS TO ZONING ORDINANCE REGARDING BUILDING SETBACKS IN OLDER NEIGHBORHOODS

Director Zordan stated at the October 5, 2005 meeting we were looking at the 68<sup>th</sup> and Adams Street subdivision. After the discussion was concluded on that particular subdivision, there was much discussion by the Commission about setbacks in older neighborhoods. Today's zoning

standards require greater setbacks, front yard and exterior side yards for corner lots than what was originally planned in some of the older neighborhoods.

Director Zordan stated that if you think we should take each one on a case-by-case basis, it would be impossible to write a regulation. That is what the variation process is for. There are two issues; are we comfortable letting people honor an existing established setback and how do you regulate people from going back further on a lot. Today you are only limited by a required rear yard, which is only 40 feet in some cases and if you have a 300 foot deep lot you could go all the way to the back with it. Director Zordan questioned if this is really a big problem. Do you want to try to regulate this or do you want to let individual taste and the market dictate?

Chairman Kopp stated that I do not want anything to be mandatory.

Commissioner Hilt suggested that it not be a number of feet but rather a percentage of the difference or a percentage of the average.

Commissioner Wagner suggested we change the R-1A setback from 50 feet to 40 feet or something between 30 feet and the 50 feet. Or create an average 50% of the transition zone. Commissioner Wagner stated I don't know how to solve it, except that it is not working in my neighborhood. The problem is that the zoning ordinance says this is the minimum but it does not say that you cannot go further.

Director Zordan asked how about a possible requirement that you couldn't place your house any further back than the rear line of a neighboring house that is within 100 feet of you. If it is more than 100 feet away you can place the house anywhere within the building envelope, but if there is a house within 100 feet of you, you cannot go further back than the back line of their house.

Chairman Kopp stated he is not in favor of that.

Commissioner Remkus stated that simply asking for the variations from the setbacks that we have now is a better answer.

Director Zordan suggested we leave it the way it is and have property owners come and get variations.

Director Zordan cautioned the commission that some property owners have legally decided to tear down only a portion of their existing home so that the newly constructed home can honor the existing setbacks of the original house.

Commissioner Wagner stated that we should look at R-1A and determine if the 50-foot front setback is appropriate for the R-1A. The other suggestion is when looking at and fitting a new construction within an existing neighborhood that the house adjacent has to be 50% of the existing setback and the current standard of the underlying district.

Chairman Kopp stated that I am not in favor of forcing someone to put a house where it is not natural for the type of house. Houses now are 50% bigger; it looks odd to have these large houses close to the road.

Commissioner Wagner thought that perhaps we should create a separate zoning district of older neighborhoods.

Director Zordan stated we will discuss this again in the future. He will take a look at some existing neighborhoods to better understand their setbacks and we will revisit this topic.

7. VISITOR'S BUSINESS

None.

8. COMMUNICATIONS

Director Zordan stated that Commissioner Wagner has been assigned as Vice-Chairman to the Plan Commission. We have hired a new Building Inspector, Roy Giuntoli. Roy will attend the future Plan Commission meetings.

The Town Center public hearing will be changed to Wednesday, February 1 and the regular Plan Commission meeting will be on Tuesday, January 31, 2006.

MOTION: Made by Commissioner Hilt, seconded by Commissioner Remkus, to adjourn the regular meeting of the Plan Commission at the hour of 8:45 p.m.

UNANIMOUS VOICE VOTE  
PRESENTED, READ AND APPROVED,

\_\_\_\_\_, 2006

MOTION DECLARED CARRIED

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Chairman

Minutes transcribed by Joanne Prible.