

A G E N D A

REGULAR MEETING OF THE PLAN COMMISSION OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON WEDNESDAY, JULY 3, 2013 AT 7:00 P.M. AT THE VILLAGE HALL, 7760 QUINCY STREET, IN THE VILLAGE OF WILLOWBROOK, DUPAGE COUNTY, ILLINOIS

1. CALL TO ORDER
2. ROLL CALL
3. OMNIBUS VOTE AGENDA
 - A. Waive Reading of Minutes (APPROVE)
 - B. Minutes - Regular Meeting May 1, 2013 (APPROVE)
 - C. Minutes - Village Board Meeting May 13, May 28 and June 10, 2013
4. PLAN COMMISSION CONSIDERATION: Zoning Hearing Case 13-04: Petition for a text amendment to add Madison Street to the list of streets where six foot (6') tall solid fences are allowed in corner side and rear yards for residentially zoned lots.
 - A. PUBLIC HEARING
 - B. DISCUSSION
5. VISITOR'S BUSINESS: (Comments are Limited to Three Minutes Per Person)
6. COMMUNICATIONS
7. ADJOURNMENT

VILLAGE OF WILLOWBROOK

STAFF REPORT TO THE PLAN COMMISSION

Plan Commission Meeting Date: July 3, 2013

Prepared By: Jo Ellen Charlton, AICP, Planning Consultant

Case Number: 13-04

Case Title: Text Amendment to add the following to Section 9-12-4(D)2(f):

(5) Madison Street

Petitioner: Village of Willowbrook

Action Requested by Applicant: Consideration and recommendation of a text amendment that would add Madison Street to the list of streets which already include Route 83, Plainfield Road, 63rd, and 75th, where six foot (6') tall solid fences are allowed in corner side and rear yards for residentially zoned lots. Other residential lots in town that are not located on these streets are limited to fences that are 4 or 5 feet tall, and they must be 50 percent open.

Location: Residentially zoned properties along Madison, located between 63rd and Plainfield Road.

Existing Zoning: Mix of R-1, R-2, and R-3

Existing Land Use: Single family homes

Necessary Action By Plan Commission: Make a recommendation to the Mayor and Village Board regarding approval of the proposed text amendment

A sample recommendation can be found on pages 5 and 6.

Text Amendment Description: The current ordinance includes the following language:

(f) Notwithstanding the provisions contained in subsections (D)2(a) through (D)2(d) of this Section, an open or solid fence not greater than six feet (6') in height may be located in an exterior side yard or rear yard of a residentially zoned lot where such yard(s) abuts the right-of-way lines of the following streets:

(1) Illinois Route 83 (Robert Kingery Highway).

(2) Plainfield Road.

(3) 63rd Street.

(4) 75th Street.

The proposed text amendment would add a number five (5) to include Madison Street, so that 6' tall open or solid fences could be constructed along corner side and rear yard lines along Madison. Staff currently interprets this section of the ordinance and only allows the fences to be installed on the common lot/right-of-way line, not on all lines in the exterior side or rear yard as indicated in the language. Therefore, the following additional modification (shown with editing marks) to the language is recommended to clarify the intent:

(f) Notwithstanding the provisions contained in subsections (D)2(a) through (D)2(d) of this Section, an open or solid fence not greater than six feet (6') in height may be located ~~in~~ an exterior side ~~yard or rear yard~~lot line of a residentially zoned lot where such ~~lot line~~yard(s) abuts or coterminous with the right-of-way lines of the following streets:

For comparison, solid fences are only permitted in Willowbrook along the streets listed in this section of the ordinance. Most other residential lots are limited to four and five foot tall fences that must be fifty percent (50%) open in corner side and rear yards. The section of the Zoning Ordinance regulating other fences reads as follows:

Fences And Walls Are Permitted Subject To The Following Conditions:

(a) Fences not greater than three feet (3') in height and at least eighty percent (80%) open may be located anywhere on a lot.

(b) Fences with not greater than five feet (5') in height and at least fifty percent (50%) open may be located anywhere on a lot, except in a required front or exterior side yard.

(c) Fences not greater than six feet (6') in height may be located anywhere on a lot except within a required front, exterior side, interior side or rear yard.

(d) Fences not greater than four feet (4') in height and at least fifty percent (50%) open may be located anywhere on a lot except in a required front yard, or a required exterior side yard where such exterior side yard abuts the front yard of an adjoining lot. Notwithstanding any provision hereinafter to the contrary, no such fence shall be located within fifty feet (50') of the lot corner formed by the intersection of any two (2) street right-of-way lines.

History of the Request

At the June 10, 2013 Village Board meeting, resident Cassie Swieton of 6636 Sheffield commented that she had recently inquired to Village Hall about getting a permit to construct a 6' tall privacy (solid) fence along her rear property line due to the increased amount of traffic along Madison since Town Center opened. She commented that traffic backs up all the way to the rear of her property, and that stopped cars have a clear line of site into her property. This concerns her

because she has young children who spend time in the rear yard, and her lot does not contain the thick landscaping that is common along most of the rest of the properties along Madison. Staff had advised her that her lot did not qualify for a 6' solid fence pursuant to the Zoning Ordinance and that the only way to change that requirement would be to request a text amendment, which includes a \$1,700 application fee. Ms. Swieton was concerned about the fee and the fact that its approval could not be guaranteed, so she was asking the Board for their help. The Board was advised that the Village could act as the applicant to a text amendment with Board direction, which they provided.

Ms. Swieton's home is located on the east side of Madison, three homes south of Ridgemoor Drive. It is roughly 1,110 feet from the intersection. The view to Ms. Swieton's property from Madison is shown in the picture below.



Please note that the property line for this lot is approximately 14' from the east edge of the sidewalk. This means most of the heavy landscaping along Madison will be on the streetside of any new fence, unless DuPage County performs any kind of improvements to the right-of-way that require the removal of the existing mature landscaping.



The picture above shows the view looking north on Madison at 67th Place, which shows the heavier landscaping that is more common along the entire east side of Madison between Plainfield and 63rd.

Properties Affected by Text Amendment: The map below shows the 29 Willowbrook properties (shown in orange) that would be affected by this text amendment since the lots are oriented with corner side and/or rear yards along Madison Street. The yellow properties would not be affected by this ordinance since their front lot lines face Madison. Properties not shaded in yellow are currently unincorporated.



All of the residential lots on the east side of Madison between Plainfield and 63rd will be eligible to construct 6' solid fences along their rear and corner side lots lines adjoining Madison. There are only eight (8) lots on the west side of Madison that have corner side or rear lot lines adjoining Madison that would qualify for such a fence.

Analysis of Proposed Text Amendment:

Route 83 is classified by the state as a "freeway", while DuPage County classifies 75th, Plainfield, 63rd and Madison as either major or minor arterials. Maximum and average ADT for the DuPage County Roadways is provided from the table below as taken from one of their 2010 reports:

Road	Classification	Maximum ADT	Avg. ADT	Cross Section
75th	Major Arterial	50,800	35,600	4 Lane, Center Median (Limited Access)
63 rd	Minor Arterial	33,900	26,700	4 Lanes, Turn Lanes at Intersections
Plainfield	Minor Arterial	23,100	20,200	4 Lanes, Turn Lanes at Intersections
Madison	Minor Arterial	15,100	12,500	2 Lanes, Turn Lanes at Intersections

The intent of the original ordinance provision is to provide for increased protection of residential properties from the noise and lights of busy streets. Unlike other streets on the current list, Madison traffic counts are lower, and Madison only accommodates two lanes of traffic, while the other accommodate 4 lanes of traffic. Residents in the neighborhood report that the increased traffic from the completion of the Town Center in 2008 creates back up queues at the Madison/Plainfield traffic light for south bound traffic, that extend 1,500 feet to the north, near the east extension of Ridgemoor Drive. A back up this far never cycles through one signal, so there is often times a continuous backup during the rush hour time period. This condition is worse when emergency vehicles preempt the signal at Plainfield and Madison and causes even longer wait times at the signal. While there are other similar two-lane cross section roadways that could potentially see this text amendment as an opportunity to make a similar request, it's likely that few are accommodating the amount of traffic or experiencing the backups that Madison does because of Town Center.

Recommendation:

Madison Street accommodates much more traffic since the opening of Willowbrook Town Center. Many residents from areas to the north use Madison as an alternative to Route 83. Furthermore, the redevelopment of the K-Mart site is likely to increase the impact on the intersection unless or until DuPage County initiates improvements to that intersection to help traffic flow through it more effectively. Traffic backs provide opportunities for waiting motorists to observe people and children in back yards, which leads to a sense of insecurity for residents; especially those residents whose rear yards are not screened with the heavy landscaping that occurs along Madison. This heavy landscaping along the east side of Madison is primarily set back from the sidewalk by up to fourteen feet, which means that many of the potential fences that would be installed if this text amendment is approved will not be seen when travelling on Madison.

Staff supports the proposed text amendment. If the Plan Commission concurs, the following sample recommendation is offered for consideration:

Based on the submitted petition and testimony presented, I move that the Plan Commission recommend approval of a text amendment to revise Section 9-12-4(D)2(f) in its entirety to read as follows:

"Notwithstanding the provisions contained in subsection (D)2(a) through (D)2(d) of this Section, an open or solid fence not greater than six feet (6') in height may be located on an exterior side or rear lot line of a residentially zoned lot where such lot line(s) are coterminous

with the right-of-way lines of the following streets:”; and that “Madison Street” be added to the list of streets as number 5.