

MINUTES
VILLAGE OF ELBURN PLANNING COMMISSION/ZONING BOARD OF APPEALS
NOVEMBER 3, 2020

Members Present: Commissioners Dave Anderson, Ryan Anderson, Rob Houtz, Chairwoman Carolyn Jansons, Drew Peters, Brian Techter

Members Absent: Chris Mulvihill

Staff Members Present: Village Administrator John Nevenhoven, Building Commissioner Tom Brennan, Village Attorney Bill Thomas

Others Present: Resident Leroy Herra; Developers Rick Lewellyan & Yusuf Ruyyashi

1. Call to Order – Chairwoman Jansons called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance – Chairwoman Jansons led the assembly in the Pledge of Allegiance.
3. Roll Call – A roll call ensued.
4. Public Comment – None
5. Approve Minutes – A motion to approve the August 4, 2020 Planning Commission and September 1, 2020 Tree Board minutes was made by Commissioner Houtz and seconded by Commissioner Ryan Anderson. Commissioner Dave Anderson abstained due to not being in attendance at either meeting. The motion unanimously carried by voice vote.
6. Discuss the Pre-Application of A & R Community Development for the NWC of Route 47 and Route 38 – Village Admin Nevenhoven explained Atlantic Drive LLC (A&R) is proposing a mixed use development at the northwest corner of Route 38 and Route 47. Article XI of the Village Zoning Code requires an informal pre-application meeting with Village Staff. The developer has met with Village Staff in addition to the police and local fire marshal. The purpose of tonight's discussion is to provide the developer with thoughtful comments and suggestions to enhance the proposal. No formal vote or action will occur this evening. Thus far, Village Staff likes the proposal.

Developer Rick Lewellyan stated A&R's journey is to find a place where they can add to the community with both residential and commercial (commercial is Lewellyan's expertise). The development includes a religious community element. Lewellyan highlighted the Village's comprehensive plan and how this development fits in. Strong commercial/retail with multiple housing options and a religious element are among the mix. A full impact study with details for each proposed use will be conducted including a financial benefit by keeping shoppers in town vs. traveling to Randall Road. The comprehensive plan calls for different types of housing. Residential development will be for all stages of life including high quality housing and a section of senior residency. A nonprofit religious facility with educational facilities is included in the plan. The mixed use concept will include buildings with commercial use downstairs with residential upstairs. The goal is to provide needed services for the area—including a hardware store and other commercial and professional uses. Lewellyan asked what the Planning Commission's opinion is of "smart growth" for this 130 acre parcel. There is a lot of flexibility with this plan and it will strengthen the economy and the community. A&R would love to put a farmers market at the corner of Route 47 and Route 38. This is a gateway to Elburn. Discussion ensued regarding the concept which includes a downtown feel, various uses, and connectivity as far as bikes, walking paths and connection to the community.

Discussion of the location of 55+/-age restricted and apartments ensued. Lewellyan stated construction of all housing within the development will be market driven. Chairwoman Jansons suggested it may be more appropriate to have commercial match the other corners of the intersection

rather than entering directly into senior housing. As far as the business case for all of the uses, Lewellyan stated he will prove it will all be supported prior to finalization and development.

There was discussion of entrances and egresses onto Route 38 and Route 47. Commissioners felt there were too many and asked if A&R has talked to IDOT and whether access will line up with the Lennar development on the east side of Route 47. Lewellyan said yes, access will line up with Lennar. Lewellyan explained the multiple entrances and stated it will create more traffic flow for commercial, does not create accidents and relieves parking from a planning perspective. A&R has not talked to IDOT as of yet. There was discussion that egress points lining up with Lennar and Jewel entrances may be more acceptable to IDOT and perhaps warrant a stop light(s). A larger entrance in Phase 1B near Walker Drive was also discussed as was a grand entrance.

Realigning uses within the development to create more of a buffer between commercial and residential was discussed. Lewellyan stated berms, etc. will be in place as a buffer and added this will be a long term program.

Further discussion of so many egresses between Route 38 and Beith Road and the potential for numerous stop lights ensued. Concern of a frontage road and potential negative impact on commercial was expressed. Lewellyan stated slower speed limits create better business for commercial than high speeds. Lewellyan added right-in/right-out access helps traffic movement. At the end of the day, we will have to wait and see what IDOT has to say.

In a perfect world, Lewellyan said a shovel for this development will be in the ground within six months.

Discussion of drainage and high water at the subject location ensued. Lewellyan stated it is a Kane County issue along with the Virgil Drainage Ditch. Lewellyn stated after completion of the Jewel development, a 2 acre wetland turned into a 7 acre wetland. Historically, drainage from the subject property has gone to the Virgil Drainage Ditch but not certain Kane County will allow drainage to flow off the land—mitigation is an issue and will be very expensive to resolve. There was further discussion of the drainage including drain tiles throughout the neighboring farmland and historical direction of the flow. Commissioners with longevity living in Elburn expressed concern of proper management in this very wet area. Lewellyn repeated any impact caused by the subject development will be held on the property and will work in conjunction with Kane County.

Commissioners stated overall, they like the plan but are concerned about IDOT access. There was discussion of the potential hardware store and Lewellyan stated they will most likely pay below market rent due to high operating costs.

Regarding the community center/school, Lewellyan stated it will be donated to a nonprofit and will cover 10% of the 130 acres. It will be family friendly and a private school and has already been identified—it will be a church/school combination.

Other comments/suggestions included locating senior/assisted living closer together with an emergency route close. It was also recommended recreation fields be located closer to commercial to allow families easier access to shops while attending sporting events. Lewellyan said a gas station, which will accommodate trucks, is planned at the corner.

Overall, Commissioners stated they like the concept and hope to see it come to life. Even with the concerns identified, feel it is very positive and fits well with the Village comp plan.

Lewellyan brought up the potential of a TIF based on an economic impact study. This will bring in millions of dollars during construction and going permanently. The TIF would recapture some of the developer costs rather than a municipality making concessions and will help with ongoing funding. TIFs do not require Planning Commission approval but Lewellyan said he is interested in opinions. While some commissioners thought this is a good development for a TIF, others were not a fan.

Lewellyn concluded he has good relationships with many retailers (grocery, hardware, etc.) and builders. If there is anything in particular the Village would like A&R to seek out, let Lewellyn know.

7. Approve and Recommend to the Village Board Amendments to the Sign Code – Nevenhoven stated the sign ordinance was created in 2009 and revised in 2016. The 2009 ordinance incorporated a section addressing the downtown area to preserve the historic nature and feel. The 2016 revision was to comply with a Supreme Court ruling regarding free speech. The Village Board would like the Planning Commission to consider and recommend changes to section 1.8 "Downtown Elburn Sign District" boundaries. The primary section of concern is east of First Street. Should this area remain in the Downtown Elburn Sign District? Nevenhoven further explained replacement of the sign in front of Village Hall is being considered and would not comply with the current Downtown Sign Code. Economy and markets have shifted and the area east of First Street is primarily local government (Elburn and Countryside Library, Village Hall & Police Station, Veterans Park, Prairie Park, a water well and Public Works office). Since its adoption, four downtown businesses have requested and been granted variances from the Downtown Sign Ordinance.

Nevenhoven highlighted changes recommended by Village Staff. Discussion of the Village's comprehensive plan ensued—what was envisioned in the early 2000's is very different today. Revision of the ordinance will primarily reduce the size of the downtown district to the Route 47 corridor (with some extensions, i.e., Obscurity vicinity) and will decrease the number of sign variances which adds a level of bureaucracy. The majority of uses east of First Street are not going to change.

The Commission felt a better definition of "local" (Section 1.4a) was necessary for clarity.

A motion to recommend approval with the exception of redefining "local" was made by Dave Anderson and seconded by Ryan Anderson. The motion carried by unanimous voice vote.

8. Other Business – None.
9. Adjourn – Commissioner Techter motioned to adjourn the meeting at 8:27 p.m. with Commissioner Houtz seconding the motion. The motion passed by a unanimous voice vote.

Respectfully Submitted,


Diane McQuilkin
Village Clerk