

## Zoning Board of Appeals

December 10, 1998

Members in attendance: John Kedzior, Chairman; Jay Cameron, Bill Gauthier and Ron Knapik .

The Meeting was called to order by Chairman John Kedzior at 7:40 PM..

Subject of the meeting was Rubloff Group Holdings L.L.P. request for variances from the Sleepy Hollow Building Code. The variances requests were presented by Allen M. Anderson, Attorney at Law of the Elgin group of Aniano, Anderson, Hardy & Castillo, P.C., representing Rubloff, and Rubloff employees.

Rubloff has been engaged by Sears to locate sites for Sears' Home Life store. The local site selected is the southwest corner of Route 72 and Locust in Sleepy Hollow Village. Sears, for marketing reasons, maintains consistent designs for all of its Home life buildings. The variances requested deal with the differences between Sears' uniform design and the Sleepy Hollow Building Code. The Zoning Board of Appeals considered each of six variance request individually.

Citations refer to Sleepy Hollow Village regulations.

1. Section 8-5-3 B,1: Maximum Floor Area Ratio Commercial .23.

Sears proposes FAR of .27, approximately 6,000 square feet in excess.

Jay Cameron moved to allow the variance, given the extensive landscaping in the proposal that should effectively shield the view of the building from the residents on Sycamore Lane. Ron Knapik seconded. Motion carried unanimously.

2. Section 8-8-5-3 B,1: Maximum building height 20 feet for a single story.

Sears proposal shows maximum height of 49 feet 1 inch subsequently reduced to 30 feet.

Jay Cameron moved to allow the variance, given the height reduction and the considerations reported in item 1. Ron Knapik seconded. Motion carried unanimously.

3. Section 8-5-5 A,1: Parking spaces should be provided for 213 automobiles, of which four qualify as handicapped parking..

Sears proposes 175 spaces (of which 4 will be handicapped parking) because the nature of the business, sale of high end furniture, requires fewer parking spaces.

Jay Cameron moved to allow the variance. Bill Gauthier seconded. The motion carried unanimously.

4.a Section 8-5-10 B,3: Building sign height to be twenty feet maximum or three feet higher than ceiling elevation.

Sears proposes 41 feet on the front sign and 32 feet on side wall sign.

4.b Section 8-5-10 B,3: No permanent sign greater than 200 square feet.

Sears proposes 331 square feet.

4.c Section 8-5-10D, 1,B,c: No more than one side wall sign per building.

Sears originally proposed two building signs subsequently reduced to one to be on the side facing Target.

4.d Section 8-5-10D, 3,B: Free standing sign shall not exceed 60 square feet.

Sears free standing sign will be 98 square feet as specified in the Sears Home Life specification. Tasteful design should enhance appearance from Route 72. Bill Gauthier moved for acceptance of the variance given Sears' modifications to their original proposal. Seconded by Jay Cameron. Motion passed unanimously.

5. Buffer yard requirements along Route 72 type C required i.e., 5 trees and eleven understory trees.

Sears proposes 2 trees and 5 understory trees in order to assure visibility and accessibility to the site and building from Route 72.

Bill Gauthier moved for acceptance of the variance given the recognized needs of the merchandiser. Seconded by Jay Cameron. Motion passed unanimously.

6. Section 8-5-5 B,4: Loading spaces facing residential area shall be enclosed.

Sears loading spaces are on the south side of the building and face west. And are partially screened by a wall behind which trucks will be unloaded. While in the bay area trucks will be nearly hidden from the view of people on Sycamore Lane. In consideration of these building arrangements, the additional plantings and berm at the south end of the building and the fact that truck visits will be minimum because the store acts as a show room, Bill Gauthier moved and Jay Cameron seconded the acceptance of this variance. Motion passed unanimously.

These approvals are subject to the findings of the Board meeting December 22, 1998.

The meeting adjourned at 8:37 P.M.

## Zoning Board Report

12/22/98

I. The Zoning Board held its public hearing concerning the rezoning of the property along Locust Drive and Rt. 72. The following is a summary of this public hearing:

A. The following items were discussed by the Arthur Rubloff representatives:

1. Drainage Considerations - A bermed detention pond with a 4 inch restricter pipe will control the flowing water from the detention pond to the culvert. The water will be held in the detention pond for a day or two until the water is totally removed. The detention pond will be a grassed dry-water detention pond.
2. Culvert - The culvert will be deepened to a "V" shape to keep water moving toward the nearby creek.
3. Traffic Signal - A delayed signal is planned for Locust and Rt. 72 to allow the left turning traffic onto Rt. 72 faster access to the highway.
4. Lighting - Rubloff will be in compliance of our zoning ordinances. Cut-off luminaries are recommended.
5. Soil Studies - Soil studies were done by the Rubloff Corporation many months ago. The Kane-Dupage Soil and Water Conservation District report is included in this packet.

B. The following items were brought up by the public at the public hearing:

1. Building Height - The property slopes to the southeast. Rubloff will notch into the property and build on the 755 ft. contour line. This means that the 30 ft. rear portion of the building will be brought down to a height that is less than 30 ft.
2. Traffic - A delayed traffic signal is planned at the Locust and Rt. 72 intersection. Brent Coulter, the traffic engineer who did the traffic study for the proposed site, discussed at length the traffic impact study for the site. The study concluded, "The proposed retail development is a moderate traffic generator that is not projected to adversely impact the adjacent street and highway systems." Ingress and egress traffic movements onto Locust from the site were also discussed. However, this discussion seemed to be a non-issue with the public. Rubloff is proposing a left turn from Locust *into* the Homelife site, but a no right turn *out* of the site onto Locust. This concept was introduced to the Village in July, and judging by the response from the public and other village officials, it also seems to be a non-issue.

C. Enclosed is a letter written by a resident or residents listing their concerns and questions about the project. The letter was not signed.

D. The proposed rezoning of the site from R-1 to B-2 was passed by the Zoning Board 5 to 0.

E. Included in this report are the following items:

1. Open Hearing Register.
2. Publication of the Open Hearing in the newspaper
3. Registered letter receipts from the property owners living within 250 feet of the proposed development.
4. Kane-DuPage Soil and Water Conservation District application.
5. Kane-DuPage Soil and Water Conservation District Land Use Opinion.
6. Locust Drive/Higgins Road Traffic Impact Study.
7. Letter from concerned residents.