

**SIGWALT 16 – PC#: 19-005**

**PETITIONER RESPONSES TO ROUND 2 COMMENTS**

**JUNE 6, 2019**

**RESPONSE TO PUBLIC WORKS DEPARTMENT COMMENTS**

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1. Water meters and backflow devices will be sized once plumbing plans have been submitted.

*Response: Agreed.*

2. Strike Traverse City reference on hydrant detail.

*Response: Done.*

3. PW is still evaluating the proposed concrete sidewalk on Sigwalt and whether that sidewalk should follow the downtown streetscape.

*Response: See response in “Roadway Clarifications” below*

4. PW is still evaluating the proposed walk on Highland to determine the appropriate width.

*Response: See response in “Roadway Clarifications” below*

5. Further comments will be submitted once the construction plans have been submitted for review.

*Response: Understood.*

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**RESPONSE TO ENGINEERING DEPARTMENT COMMENTS**

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30. The petitioner's response to Comment No. 5 is noted. The Onsite Utility Maintenance Agreement (OUMA) shall be submitted for approval, and shall be executed prior to final engineering approval.

*Response: Submitted herewith.*

35. The petitioner's response to Comment No. 9 is noted. If lights are proposed on the buildings, provide a photometric lighting diagram and associated catalog cut sheets. This can be addressed at permit. Please refer to the Traffic Comments No. 44 pertaining to roadway lighting.

*Response: Photometrics and cut sheets of lights that are proposed on the buildings will be provided at permit.*

38. The petitioner's response to Comment No. 17 is not acceptable. Please refer to Final Plat Comments pertaining to the Blanket Public Utility Easement shown for Lot 18.

*Response: Blanket Public Utility Easement has been revised.*

41. Regarding the proposed concrete apron off of Highland Ave, wire mesh is not allowed in the public right-of-way. Revise the plans accordingly. This can be addressed at permit.

*Response: A note was added to the Final Engineering Plans to not allow welded wire mesh in the proposed concrete apron in the public right-of-way.*

42. The temporary construction access off of Chestnut Ave is on the adjacent property to the north. Approval must be obtained from the adjacent property, and use of this entrance shall be coordinated with the pending future improvements proposed on this property. The Soil and Erosion Control Plan also shows the construction entrance being located off of Highland Ave. Clarify the construction plan. This can be addressed at permit.

*Response: Understood and agreed.*

**TRAFFIC:**

44. The petitioner's response to Comment No. 20 is noted.

b) Provide a turning template for a westbound vehicle turning right exiting the site. The template shall allow the rear wheel path to clear the 6 ft radius on the south curb return and to complete the turn without vehicles traveling over the centerline of Highland Ave into oncoming northbound traffic.

Response: An auto-turn exhibit was created and included in this resubmittal package showing a passenger vehicle turning right, exiting the site from an eastbound position. It utilizes the new 8' radius and completes the turn without traveling over the centerline of Highland Ave.

- c) It is recommended that the 6 ft radius on the north and south side of the Highland Ave entrance/exit be widened to improve turning vehicles into and out of the site.

Response: The 6' radii on the north and south side were both widened to 8'. This is the maximum radius allowed on the north side to not conflict with the existing utility box locations.

45. The petitioner's response to Comment No. 21 is not acceptable. The proposal to have all vehicles SU-30 and larger backing out of the site is unreasonable. This design conflicts with Sections 2.05 & 8.06 of the Condominium Declaration. Is there going to be an onsite garbage corral or is each property owner placing their garbage out at the curb, via garbage and recycling bins? All deliveries, Large Panel, Moving, and Service vehicles, etc. should be made from the street. The entrance to the parking lot should be posted with signage stating, "Passenger and Emergency Vehicles Only".

Response: Petitioner agrees that vehicles SU-30 and larger should not be backing in or out of the site. Each townhome will have its own garbage receptacles that will be put out in the common area on trash pickup day(s). An auto-turn exhibit was created and included in this resubmittal package showing the largest Mack Garbage Truck (28.7' in length) being able to turn around in the back parking area without having to use any proposed parking stalls. SU-30 trucks or larger should be required to make deliveries or provide move-in move-out services from the street. A sign was added to the plans at the entrance to the parking lot stating "Passenger and Emergency Vehicles Only"

46. The petitioner's response to Comment No. 22 is noted. The Engineering Division reiterates for the Plan Commission their position that the garage access for units 1; 5 & 6; 12 & 13; and 16 are problematic regardless of the number of vehicles owned by the future purchasers.

Response: Petitioner believes that this is an internal developer issue to deal with potential purchasers.

47. The petitioner's response to Comment No. 23 is not acceptable. Please relate what segment of Village Ordinance 88-095 the Traffic Consultant is referring to for the 150 ft. sight distance, and how the sight triangle to the north is only 70 ft. Also an explanation for the position of the motorist vehicle projecting over the curb and across the public sidewalk must be provided.

Response: The 150-foot sight distance requirement was based on Chapter 29 Subdivision Control Regulations, Section 29-304 Street Layout and Design. The attached exhibit shows the vehicle position being at the edge of pavement. This

requires the motorist to stop before the sidewalk at the stop bar prior to proceeding. At this position the available sight line to the north is 70 feet. In order to alleviate any concerns about the available sight distance, consideration should be given to the placement of a sign facing north warning drivers on Highland Avenue of exiting traffic from the driveway.

FINAL PLAT OF SUBDIVISION:

49. The plat was reviewed against the Final Plat of Subdivision Checklist provided in Round 1 comments. The following items must be addressed:

- a) The water main proposed to be installed along the north side of Sigwalt St shall be in a dedicated public easement separate from the blanket easement proposed for the private sanitary sewer and the storm sewer. The water main easement description on page 2 shall be titled PUBLIC WATER MAIN EASEMENT PROVISIONS. The blanket easements for the private sanitary sewer, storm sewer and other utilities may overlap the public water main easement.

Response: A 10' Public Watermain Easement has been added along the south line of the subdivision.

- b) Per item m., provide a summary of all restrictions applicable to any part of such subdivision concerning building restrictions, use restrictions, building setback lines and similar matters.

Response: Any such restrictions are contained in the Declaration

- c) Revise the Owner's Certificate with all applicable language provided in item n., deed of dedication.

Response: Owner's Certification has been revised

- d) On the Village Certificate on page 2, revise "DIRECTOR OF ENGINEERING" to "VILLAGE ENGINEER".

Response: "Director of Engineering" has been change to "Village Engineer".

- e) Provide all utility signature blocks.

Response: Signature blocks have been added.

- f) Provide Nicor Gas Company plat stamp.

Response: Nicor plat stamp has been added.

- g) Provide ComEd Easement Provisions.

Response: ComEd Easement Provisions have been added.

**SIGWALT 16 – PC#: 19-005**

**PETITIONER RESPONSES TO ROUND 2 COMMENTS**

**JUNE 6, 2019**

**RESPONSE TO PLANNING & COMMUNITY DEVELOPMENT COMMENTS**

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**General:**

**ADDITIONAL COMMENTS:**

7. The Plan Commission must review and approve the following actions:
  - a. A rezoning from R-3, One-Family Dwelling District into the R-7, Multiple-Family Dwelling District.
  - b. A Planned Unit Development (PUD) to allow the construction of a 16-unit single-family attached rowhome development.
  - c. Preliminary and Final Plat of Resubdivision to subdivide the subject property into individual lots for each townhome unit.
  - d. Variation to Chapter 28, Section 5.1-7.2, Minimum Area for Zoning District, to allow the R-7 District to be approx. 1.39 acres where code requires a minimum of 2 acres for the R-7 District.
  - e. Variation to Chapter 28, Section 5.1-7.6, Required Minimum Yards, to allow a front yard setback along Highland Avenue to be 12' where code requires a 25' setback.
  - f. Variation to Chapter 28, Section 5.1-7.6, Required Minimum Yards, to allow a front yard setback along Chestnut Avenue to be 17' where code requires a 25' setback.
  - g. Variation to Chapter 28, Section 5.1-7.6, Required Minimum Yards, to allow a side yard setback (north) to be 8' where code requires a 15' setback.
  - h. Variation to Chapter 28, Section 5.1-7.10, Spacing Between Multi-Family Buildings, to allow 5' spacing between principal buildings where code requires 25' spacing.
  - i. Variation to Chapter 28, Section 10.2-8, to allow a two-way driveway width of 22' where code requires a minimum of 25' for a two-way drive aisle.
  - j. Variation to Chapter 28, Section 10.2-9, to allow tandem parking spaces.
  - k. It should be noted that the property is proposed to be subdivided into individual units for each townhome, which will require variations for each lot based on the R-7 setback and bulk standards, although the overall development will comply with bulk standards and with most setback standards.

*Response:* Based on minor wording changes to some of the above referenced Variances as well as the additional Variances required as a result of platting each of the individual rowhome Lots, the Petitioner requests that the Plan Commission review and approve the following Variances:

- d. Variation to Chapter 28, Section 5.1-7.2, Minimum Area for Zoning District, to allow the R-7 District to be approximately 1.39 acres where code requires a minimum of 2 acres for the R-7 District.
- e. Variation to Chapter 28, Section 5.1-7.6, Required Minimum Yards, to allow a front yard setback for the rowhome building along Highland Avenue to be 12' where code requires a 25' setback.
- f. Variation to Chapter 28, Section 5.1-7.6, Required Minimum Yards, to allow a front yard setback for the rowhome building along Chestnut Avenue to be 17' where code requires a 25' setback.
- g. Variation to Chapter 28, Section 5.1-7.6, Required Minimum Yards, to allow a side yard setback (north) to be 8' for the rowhome building along Chestnut Avenue where code requires a 15' setback.
- h. Variation to Chapter 28, Section 5.1-7.10, Spacing Between Multi-Family Buildings, to allow 5' spacing between principal buildings where code requires 25' spacing.
- i. Variation to Chapter 28, Section 10.2-8, to allow a two-way driveway width of 21' where code requires a minimum of 24' for a two-way drive aisle.
- j. Variation to Chapter 28, Section 10.2-9, to allow tandem parking spaces.
- k. A variation from Chapter 28, Section 5.1-7.6, Required Minimum Yards, to allow a front yard setback of 4.6 feet for lots 1 through 11 and 4.3 feet for lots 12 through 16 where code requires a 25-foot front yard setback for all lots.
- l. A variation to Chapter 28, Section 5.1-7.6, Required Minimum Yards, to allow a side yard setback of 0 feet for interior walls on lots 1, 6, and 12 where code requires a 2.6 foot side yard setback, and 0 feet for interior walls on lots 2, 3, 4, 5, 8, 9, 10, 13, 14, and 15 where code requires a 2 foot side yard setback, and 0 feet for interior walls on lots 7, 11, and 16 where code requires a 2.1 foot side yard setback.
- m. A variation to Chapter 28, Section 5.1-7.6, Required Minimum Yards, to allow a side yard setback of 0 feet for outer walls on lots 7, 11, and 15 where code requires a 2.1 foot side yard setback, and 4.3 feet for outer walls on lots 1 and 6 where code requires a 2.6 foot side yard setback, and 4.6 feet for outer walls on lot 12 where code requires a 2.6 foot side yard setback.
- n. A variation from Chapter 28, Section 5.1-7.6, Required Minimum Yards, to allow a rear yard setback of 0 feet for lots 1 through 16 where code requires a 30-foot rear yard setback.
- o. A variation to Chapter 28, Section 5.1-7.7, Maximum Building Lot Coverage, to allow approximately 291% building lot coverage for lots 2 and 15, approximately 290% building coverage for lots 3 and 8, approximately 287% building lot coverage for lot 16, approximately 284% building lot coverage for lots 7,11, 13, and 14, and approximately 283% building lot coverage for lots 4, 5, 9, and 10 where code allows a maximum building lot coverage of 200% on all lots.
- p. A variation to Chapter 28, Section 5.1-7.11, Maximum Floor Area Ratio, to allow approximately 73% F.A.R. on lot 1, approximately 74% F.A.R. on lot 12, approximately 75% F.A.R. on lot 6, approximately 84% F.A.R. on lots 4, 5, 9, 10, and 14, approximately 85% F.A.R. on lot 13, approximately 87%

F.A.R. on lots 7 and 11, approximately 88% F.A.R. on lots 2, 3, 8, and 16, and approximately 89% F.A.R. on lot 15 where code allows a maximum F.A.R. of 55% on all lots.

28. The response to comment #7 is noted. Based on the Final Plat submitted as part of Round 2, additional variations will be required for each individual townhome lot. The final list of these variations will be provided once a response to my 5/28/19 email to Marc McLaughlin is received.

*Response:* The requested Zoning Analysis Table related to the Individual Lots has been completed and is being simultaneously submitted to staff.

29. The response to comment #11 is noted. If streetlights are required along Chestnut Avenue, they shall be the decorative style of streetlights as will be provided along the norther ¾'s of the block.

*Response:* Agreed. Location of decorative streetlights will be provided on all streets at locations to be worked out with Village staff during permitting process.

30. The response to comment #12 is noted. Staff will recommend a condition of approval that the overhead utilities along Sigwalt Street west of Highland Avenue and east of Chestnut Avenue be buried unless Commonwealth Edison and the Village deems that it is not feasible, in which case the overhead utilities will need to be relocated to the south side of Sigwalt Street.

*Response:* Petitioner does not agree with this recommendation. The overhead utilities serve many more properties than just this one. Petitioner does not believe that it should bear the responsibility or cost of burying or relocating public utility poles that serve many other properties. The cost of such endeavor will be prohibitive and cannot fall on the shoulders of a 16 unit rowhome development simply because the utility lines border the subject property.

31. The response to comment #13 is noted. Staff is still evaluating whether parking along Sigwalt shall be required.

*Response:* See response in "Roadway Clarifications" below.

32. The response to comment #15 is noted, however, no mention was made to above ground cable and telephone equipment/pedestals. Please note that any above ground utility equipment, including cable and telephone equipment, shall be located at the rear of the site and screened with landscaping to the satisfaction of the Village.

*Response:* Understood and agreed

33. The response to comment #20 is noted. The final plat as printed on mylar, with all non-Village signatures, must be provided no later than June 19th to proceed at the June 26th Plan Commission hearing.

*Response: Understood.*

34. The response to comment #22 is noted. Please complete the attached table, as was emailed to Marc McLaughlin on 5/28/19, to allow a full analysis of the necessary variations for each individual townhome lot.

*Response: The requested Zoning Analysis Table related to the Individual Lots has been completed and has been previously submitted to staff.*

35. The response to comment #24 is unacceptable. No building setbacks are shown on the Final Plat.

*Response: The building setbacks are now shown.*

36. The landscape plan show grass in the northeast corner curb bump-out, however, the engineering plan calls for this area to be concrete. Please revise the landscape plan to be consistent with the engineering plans. The concrete in this area should be replaced with brick pavers with the concrete ribbon, similar to what is required of the development to the north.

*Response: The northeast corner of the Landscape Plan has been revised to show pavers in that area.*

37. The architectural plans show dashed lines indicating parking spaces within the ROW along Sigwalt. Please clarify if these parking spaces are being proposed (see comment #31).

*Response: The dashed lines for parking spaces on Sigwalt should not have been included and have been removed in the revised plan. The neighbors have indicated they do not want parking added there and we feel having a parkway with greenspace is more appropriate for the townhomes as well.*

38. Page 34 of the CCR's reference "Colfax Crossing". Please make sure all reference to Colfax Crossing are revised to read "Sigwalt 16 Townhomes".

*Response: Done.*

### **Final Plat of Subdivision:**

39. Signature blocks for Ameritech/SBC and ComEd are missing from the Final Plat.

*Response: Added.*



40. Iron pipes should be set in the 4 new corners of the subject property as based on the new property boundaries due to the ROW dedication. Please show this on the plat.

Response: Corners to be set are shown on the plat

41. The Owners Certificate must be revised to remove reference to the dedication of ROW, which will be contained in a newly added Deed of Dedication certificate (see comment #42). Please follow the example below relative to the language on the Owners Certificate:

OWNER'S CERTIFICATE

STATE OF ILLINOIS)  
COUNTY OF ) S.S.

\_\_\_\_\_, DO HEREBY

CERTIFY THAT I AM THE LEGAL OWNER OF THE PROPERTY DESCRIBED HEREON AND THAT I HAVE CAUSED THE SAID PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN HEREON. ADDITIONALLY, I HEREBY CERTIFY THAT THE PROPERTY HEREO DESCRIBED IS LOCATED WITHIN THE BOUNDARIES OF:

ELEMENTARY SCHOOL DISTRICT: CONSOLIDATED COMMUNITY SCHOOL DISTRICT #25

TOWNSHIP HIGH SCHOOL DISTRICT #214

HIGH SCHOOL DISTRICT: HARPER COMMUNITY COLLEGE DISTRICT #512

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_\_.

\_\_\_\_\_  
OWNER SIGNATURE

Response: Owner's Certificate has been revised

42. A Deed of Dedication certificate must be added to the Plat, as per Section 29-217(a) of the Subdivision Control Regulations. The 2nd and 3rd paragraphs as shown in Section 29-217(a) can be omitted, and the language from the "Declaration of Covenants, Conditions, Restrictions and Easements" as shown on the plat, can be substituted in their place.

Response: A Deed of Dedication certificate has been added to the plat.

43. In the "Certificated As To Special Assessments", please remove the line referencing the statutory fee's regarding the annexed plat. The submitted document is a Plat of Subdivision and not a Plat of Annexation.

Response: The "Certification As To Special Assessment" has been revised

ADDITIONAL COMMENTS – Landscaping

1. Provide additional landscaping on the south end adjacent to unit #6 and #12 in order to soften the elevation. Provide foundation plantings adjacent to the building where there is no landscaping.

*Response:* Additional landscaping south of units #6 and 12 has been provided in the revised plan.

2. Please remove the benches and concrete near each corner along Sigwalt to allow for additional green space.

*Response:* The benches and concrete near the corners has been removed in the revised plan.

3. Along Highland, incorporate pavers in the northeast corner where there is currently concrete.

*Response:* The northeast corner of the Landscape Plan has been revised to show pavers in that area.

4. The width of the sidewalk along Highland Avenue will need to be increased and we are still evaluating how wide the sidewalk will need to be.

*Response:* See response in “Roadway Clarifications” below.

5. We are still evaluating the proposed concrete sidewalk on Sigwalt and whether that sidewalk should be more of the downtown style with pavers and a concrete ribbon.

*Response:* See response in “Roadway Clarifications” below

6. It is recommended that additional understory trees be provided along Sigwalt, Chestnut and Highland in order to soften the mass of the proposed building.

*Response:* We feel the front yards on Chestnut and Highland are not large enough to warrant additional understory trees. An additional tree has been provided on Sigwalt.

7. It is recommended that tinted concrete that is patterned be included for the front walkways.

*Response:* Petitioner does not agree with this recommendation. This is matter of taste and perceived aesthetics that has not been required of similar projects within the Village and not required by any portion of the Village Code.

**SIGWALT 16 – PC#: 19-005**

**PETITIONER RESPONSES TO ROUND 2 COMMENTS**

**JUNE 6, 2019**

**ROADWAY CLARIFICATIONS**

**RESPONSE TO EMAIL FROM SAM HUBBARD OF JUNE 5, 2019**

- Chestnut: Standard 5' wide concrete sidewalk, decorative streetlights (where required – to be consistent with what Arlington 425 will be constructing along Chestnut to the north), expanded pavement with parking bump-outs on east side of street (also consistent with what Arlington 425 will be providing to the north). All of these improvements appear to be shown on your Round 2 plans and no changes are needed (except no streetlights are shown – this can be addressed at permit).

Response: Understood. No response required

- Sigwalt: The existing 5' wide concrete sidewalk should be replaced with the downtown style pavers/brick ribbon sidewalk at 7' in width. Upon scaling the plans, it appears that there is 7' between the property line and the closest existing utility box, which should provide just enough space to accommodate the 7' wide downtown style sidewalk (1.5' concrete ribbons on each side, 4' of pavers) within the ROW. Please revise all plans to reflect this improvement. The Planning Dept. will not recommend the expansion of Sigwalt to include street parking/bump-outs on the northern side of the street given the low number of proposed units along this street. However, please be aware that the Plan Commission and/or Village Board may opt to require them as part of zoning approval. Where streetlights are required, they must be the decorative downtown style fixtures.

Response: Petitioner does not agree with this recommendation. This property has residential on the south side of Sigwalt and west side of Chestnut. This property will be zoned as an R-7 residential district, and not a part of the downtown business district. This is supposed to be a transitional block and should look and feel residential, not commercial. Widening the sidewalk to by 2' to the north as recommended by staff will take away green space that serves as a part of the front yard of the residential units facing Sigwalt. This will detract from the residential look and feel Petitioner is attempting to create for these units. Location of decorative streetlights will be provided on all streets at locations to be worked out with Village staff during permitting process.

- Highland: The proposed 5' wide “downtown” style sidewalk should be increased to 7' in width. Where streetlights are required, they should be the decorative downtown style. No other typical downtown street furnishings should be included. As previously indicated, the existing concrete area to the north of the drive aisle (where abutting the subject property) should be revised to be the downtown style streetscape for the full width from the curb to approx. 1' from the property line. Please ensure that your next submittal includes revised plans that reflect these changes. The bump-out on the southern side of the entry drive, currently shown as landscaping

within the Round 2 plans, will be the maintenance responsibility of the HOA. Please clarify this within the CCR's.

*Response:* Agreed. Location of decorative streetlights will be provided on all streets at locations to be worked out with Village staff during permitting process.