

**PLAN COMMISSION MEETING
NOVEMBER 16, 1994**

1. FINAL PLAT: JSL RE-SUBDIVISION

This 3 lot final plat is located at the northeast corner of Belle Plaine and Grove Avenue. The property is zoned R-3 and comprises 29,864 sq. ft. The Village Board recently approved a variance to the minimum lot width and minimum lot size for one of the lots to be created.

Full Public improvements exist in this area. The final plat is in general conformance with the Subdivision Ordinance and is recommended for approval subject to final engineering approval.

2. FINAL PLAT: VILLAS OF STONEBROOK PHASE IIA

The subject site is located west of Stonebrook Drive and south of Grand Avenue (Bailey property). The site contains approximately 15 acres and is zoned R-5 PUD. The final plat provides for 4 villa/townhome buildings (6 units/building) and 4 coach home buildings (4 units/building) for a total of 40 units.

The Preliminary PUD Plat called for the private road into the coach home area to be located between the units and Spruce Lake and a pedestrian trail to be situated between the lake and the road. However, to provide better orientation of the buildings to the lake, Westfield moved the road to the west side of the units. This provides the coach home units with a back yard view of Spruce Lake. The trail in this area was eliminated because leaving it adjacent to Spruce Lake resulted in it being too close to the buildings. It could not be relocated to the west side of the road due to existing wetlands.

The final plat is in general conformance with the Subdivision Ordinance and the standards established in the PUD agreement. It is recommended for approval subject to final engineering.

3. FINAL PLAT: RAVINIA WOODS UNIT III

The subject site is located north of Washington Street, directly east of Ravinia Woods Unit II. The site contains approximately 48.9 acres and is zoned R-2 PUD. This final plat contains 98 single family lots that average approximately 11,200 sq. ft.

As was approved at Preliminary PUD Plat, conservation easements are provided on portions of the back yards of lots that are heavily wooded. In addition, the heavily wooded area at the northern portion of the site is part of a common open space area that will be improved with an 8-foot wide limestone pedestrian path, exercise stations and a wetland overlook deck. The southern wetland/detention area will be improved with a tot lot and overlook. A path that was to continue along the west side of the detention pond and connect to the sidewalk on Washington Street was eliminated. It was eliminated because final engineering of the detention pond pushed the path farther west and therefore, resulted in it being located within several feet of the west property line which abuts the rear yards of the adjacent subdivision. The path would have had to have to located on top of the detention pond's berm and would have required the removal of the existing hedge row. In exchange for the path system in this area, Sundance has provided an additional \$6,100 worth of landscaping throughout the subdivision (\$6,100 is the estimated cost of installing the trail in this area). You may be asking yourself why Sundance is being required to provide additional landscaping in exchange for the path system while Westfield was not required to do so for the plat above. The reason is that the annexation agreement for Sundance required certain open space improvements (trail system, exercise stations, wetland overlooks and tot lot) to meet their tree replacement obligation. The cost of the these improvements was to offset the cost of replacing trees removed from the site. Therefore, when \$6,100

of the improvements were eliminated Sundance was obligated to provide \$6,100 worth of landscaping.

The final plat is in general conformance with the Subdivision Ordinance and the standards established in the PUD agreement. It is recommended for approval subject to final engineering approval.

4. CONTINUED PUBLIC HEARING: SIX FLAGS

This matter is continued because at the last meeting it became apparent that Six Flags was not looking to amend their existing special use permit to allow dorms, but instead was looking for an interpretation that dorms are “reasonably consistent with the operation of a theme park”. Because the Plan Commission’s only context for reviewing this matter is as an amendment to the special use permit and this is the only context where specific conditions can be placed on the use, the meeting was adjourned to give staff and Barb some time to consider the ramifications of any action on this matter.

Based on conversations with Mr. Forrester, it appears that Time Warner will not allow him to indicate that Six Flags is looking to amend the special use permit because Time Warner feels that the special use permit already provides them the ability to build these dorms. However, Mr. Forester indicated that if amending the special use permit is the only context in which the Plan Commission can deal with this issue, then so be it.

Our concern is whether there are any legal implications for a favorable recommendation (i.e., if Six Flags decides to take this to court can they point to the fact that the Plan Commission forwarded a favorable recommendation on amending the special use permit to allow dorms, with conditions, that they are saying that dorms are “reasonably consistent with the operation of a theme park”.)

Conditions that seem to be agreeable to them include:

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Time Warhis is the only context that the Plan Commission is working in then Mr. Forester asks that the Plan Commission make some form of a recommendation (positive or negative) to thefrom our November 2, 1994, meeting which was adjourned at the