

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
MAY 6, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Zoning Map Amendment, Final Planned Development with a Variance, Final Plat of Subdivision, and Special Use	<ul style="list-style-type: none"> ✓ Resolution ✓ Ordinances Motion Discussion Only 	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

An ordinance has been prepared to change the zoning of two manufacturing parcels at 715-719 Rogers Street from M-1 (Light Manufacturing) to DT (Downtown Transition). An ordinance has been prepared for a Final Planned Development with a Variance to construct 16 townhouses. A Plat of Subdivision resolution has been prepared that will subdivide the two separate parcels into 17 individual parcels. A Special Use Ordinance has been prepared for dwellings exceeding one unit per 4,000 square feet of land area.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2007-2012 identified *Preservation of the Residential and Neighborhood Character*. Supporting these goals are the objectives *Tolerance of Neighborhood Private Redevelopment* and *Continuing Reinvestment in the Neighborhoods*.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the April 22, 2008 Workshop. During that Workshop, Council inquired whether the development conformed to current Village downtown design guidelines and requested additional information about landscaping, stormwater management, parking and the requested zoning designation.

At present, design guidelines have not been formally adopted by the Village Council for either the DB or DT zoning districts and thus, are not applicable to this particular project. However, downtown design guidelines will be considered as part of the upcoming downtown “pattern book” discussions.

Regarding landscaping, the proposed street trees will not be installed as drawn. Per condition 12 of the Planned Development Ordinance, a fee in lieu of plantings is required. The trees must be spaced 40 feet apart and ten feet from drives and b-boxes. The Village Forester will determine the appropriate trees to be planted and the Village will install the trees. The only proposed shade tree within the site is a Redmond Linden. Ornamental trees include Austrian Pine, Flowering Serviceberry, Star Magnolia and Weeping Redbud.

The Village code requires two parking spaces per dwelling unit. Thirty-two parking spaces are required for this proposal. The proposal calls for each unit to have a two-car garage for a total of 32 parking spaces. Four guest parking spaces are provided in the southeast corner of the site. There are 36 total on-site parking spaces.

Additionally, the drive aisle between the buildings on Prospect Avenue and the interior courtyard units is approximately 30 feet. There is an opportunity for four unmarked parallel parking spaces on the east side of this drive aisle. These spaces would be seven feet wide and would still allow a 23 foot drive aisle.

On-street parking is available surrounding the development. Staff estimates the following available spaces:

Street	Side	Limitation	Spaces Available
Warren Ave	North Side	3-hour (6A - 6P)	6
Warren Ave	South Side	12-hour Meter (9A - 6P)	14
Prospect Ave*	East Side	Potential on-street	5
Prospect Ave	West Side	Evenings	5
Rogers St	North Side	No parking	0
Rogers St	South Side	No parking (6A -8A)	4
		TOTAL	34

* There is currently no parking allowed on the east side of Prospect Avenue because there is no curb and there is an existing parking lot immediately adjacent to Prospect Avenue on private property. If the proposed project is approved, a curb will be installed along Prospect Avenue and on-street parking could be provided with restrictions similar to those on the surrounding streets.

Regarding stormwater detention, the Village Engineer has reviewed the stormwater management plan and has determined that detention will be provided, even though Village Code does not require that detention be provided as the property is less than one acre in area, and that the proposed underground detention system will be maintained as the required clean-outs will be provided and the Village will ensure that the property owner maintains the system per NPDES requirements. The petitioner is currently involved in discussions with the BNSF for the use of the railroad’s right-of-way immediately south the development for stormwater detention purposes. Should the use of the right-of-way be approved by the railroad, the petitioner will utilize the railroad’s land for off-site aboveground stormwater detention. However, if the request to use the railroad’s land for stormwater detention purposes is denied, the petitioner will utilize on-site underground stormwater detention. The Plan Commission reviewed both alternatives and expressed approval for either solution. Please review the attached report from the Village Engineer for additional information regarding stormwater detention for the site.

The proposed zoning classification for the planned development is DT Downtown Transition District. The DT district was proposed to permit the development as requested and to provide future opportunities to connect the downtown district with the Fairview Avenue business district through high-intensity residential uses or low intensity commercial developments along the railroad tracks. The property east of the subject site is zoned DT.

Staff recommends approval on the May 6, 2008 active agenda.

BACKGROUND

The petitioner is proposing to construct 16 two-bedroom townhouses at 715-719 Rogers Street. The two subject parcels are zoned for manufacturing uses. Manufacturing uses continue to the east while the Burlington Northern Santa Fe railroad line is located immediately south of 715-719 Rogers Street. Single family and multiple family residential uses are located to the north and west of the subject property.

The petitioner is proposing to rezone 715-719 Rogers Street from M-1 (Light Manufacturing) to DT (Downtown Transition) to complete a Final Planned Development. A minor variance is required to allow steps greater than four feet in height to extend into the required front yard. Nine of the townhouses front doors are located on the second floor, five of which have steps more than four feet in height, which encroach into the required front yard. A Final Plat of Subdivision is provided to divide the two existing parcels into 17 individual parcels. A Special Use is required to develop townhouses exceeding one unit per 4,000 square feet of land area.

The site will consist of four buildings, one each fronting Rogers Street and Prospect Avenue and two buildings facing each other within the interior of the site. The exterior of the three-story townhouses will be clad with brick, limestone accent bands, split face concrete block, and cedar siding. The site will be accessed by two drive aisles located along Prospect Avenue. The interior road network provides access to the rear-load garages. The project provides approximately 6,400 square feet of green space where 4,835 square feet is required. The petitioner is requesting a variation from the Zoning Ordinance to allow the front steps to encroach into the required front yard. The petition meets all other bulk requirements of the DT zoning district as noted below:

Zoning Requirements	Required	Provided
North Setback (Front)	10'	10' bldg / 4' steps
East Setback (Side)	5'	5'
South Setback (Rear)	20'	20'
West Setback (Front)	10'	10' bldg / 4' steps
Building Height	35'	34'-6"
Parking	32	36
Open Space (Total / Front Yard)	15% (4,835 sq. ft.)	19% (6,400 sq. ft.)

The petitioner is proposing to install new utilities to service the development including new water mains and stormwater systems. A new curb and gutter and sidewalk will be installed along Prospect Avenue. Parkways will be restored along both Prospect Avenue and Rogers Street. The petitioner is proposing to install either underground stormwater detention at the southeast corner of the site or above ground detention within the railroad right-of-way immediately south of the site. The petitioner is currently in discussions with the railroad. The Plan Commission had no concerns with either detention option as long as the chosen option met Village Code.

The proposed project's density is consistent with the Future Land Use Plan's identification of residential uses to the north and west of the subject site. The proposed development creates a density of 21.6 dwelling units per acre, which is consistent with the Future Land Use Plan's identification of 16-25 dwelling units per acre in transition areas surrounding downtown. The petitioner is required to provide School and Park District donations as determined by the Subdivision Ordinance.

Staff believes the standards for a Zoning Map Amendment, Final Planned Development with a Variation, Final Plat of Subdivision, and Special Use have been met. Staff believes townhouse development is suitable to the subject property and will provide a positive transition from single family residential to commercial uses and the railroad tracks. The townhouse development is a desirable use and will contribute to the general welfare and orderly development of both the neighborhood and community.

The Plan Commission considered the petition at its February 11, 2008, meeting. During the meeting, a community member inquired why the rezoning requested was DT (Downtown Transition) instead of R-6

(Multiple Family Residential). The staff and Plan Commission believe a rezoning to DT will provide future opportunities to connect the downtown district with the Fairview Avenue business district through high-intensity residential uses or low intensity commercial developments along the railroad tracks. The Plan Commission recommended unanimous approval of the Zoning Map Amendment, Final Planned Development with a Variation, Plat of Subdivision, and Special Use. Staff concurs with the Plan Commission recommendations.



Department of Public Works Interoffice Memorandum

To: David B. Fieldman, Deputy Village Manager
From: Michael D. Millette, P.E., Asst. Dir. of Public Works - Eng. & Trans.
Date: April 28, 2008
Subject: Prospect & Rogers Townhomes

Per your request I have investigated the circumstances surrounding this project and offer the following comments.

Firstly, detention is not required for this project per our Municipal Code as the site is less than one acre in size. However, storage is proposed in order slow the projected runoff rate to meet the existing release rate. There are two ways to provide the needed storage: above or below ground.

Secondly, the developer is communicating with adjacent property owners to potentially coordinate the installation of an at-grade storage facility on an adjacent parcel. If an at-grade facility is not attainable, a network of 3 foot diameter corrugated metal pipes has been proposed under the parking area. This would be similar to the method employed by the Jewel redevelopment on Ogden.

The development support staff performed a conceptual review of the proposed development (both options) prior to the petition's placement on the Plan Commission agenda. As such, the specifics of the proposed improvements (sizes of components, be they pipes, surface detention ponds, bio-swales, etc.) are not final and are subject to revision during the permit process.

Long term maintenance of either an above or below ground facility would be the responsibility of the property owner. The Village is responsible pursuant to our NPDES, Phase II permit to ensure that this is done on a five-year cycle. Underground facilities are unique in that they require periodic cleaning, as do storm sewers; but on the other hand, they do not require mowing and do not suffer erosion. We also now require silt traps on all underground facilities which meet best management practices.

c: R. Weaver
T. Dabareiner
A. Humphries

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Applicant **DATE:** May 6, 2008
(Name)

RECOMMENDATION FROM: Plan Commission **FILE REF:** 01-08
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PLANNED DEVELOPMENT #50 TO PERMIT CONSTRUCTION OF ATTACHED SINGLE FAMILY DWELLINGS TO EXCEED ONE (1) UNIT PER 4,000 SQUARE FEET OF LAND AREA IN THE DOWNTOWN TRANSITION DISTRICT", as presented.

SUMMARY OF ITEM:

At their meeting of February 11, 2008, the Plan Commission recommended that a Special Use be granted for Planned Development #50 to permit construction of attached single family dwellings to exceed one (1) unit per 4,000 square feet of land area in the downtown transition district.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIAL USE FOR PLANNED DEVELOPMENT #50 TO PERMIT CONSTRUCTION OF ATTACHED SINGLE FAMILY DWELLINGS TO EXCEED ONE (1) UNIT PER 4,000 SQUARE FEET OF LAND AREA IN THE DOWNTOWN TRANSITION DISTRICT

WHEREAS, the following described property, to wit:

Parcel One:

The West 80 feet of Block 8 in Stanley’s Addition to the Town of Downers Grove, a subdivision of part of the West Half of the Northeast Quarter of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded April 19, 1883, as Document 31767, in DuPage County, Illinois

Parcel Two:

That part of Block 8 in Stanley’s Addition to Downers Grove in the West half of the Northeast Quarter of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded April 19, 1883 as Document 31767, commencing at the Northwest corner of said Block and running thence East 80 feet for a place of beginning; thence East 50 feet; thence South 248 feet more or less to Warren Avenue; thence West, along North line of Warren Avenue 50 feet; thence North 248 feet more or less to the place of beginning, in DuPage County, Illinois.

Commonly known as 715-719 Rogers Street, Downers Grove, IL (PIN 09-08-206-002,-001)

(hereinafter referred to as the "Property") has been rezoned “DT, Downtown Transition District” under the Comprehensive Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the owner of the Property has filed with the Plan Commission, a written petition conforming to the requirements of the Zoning Ordinance, requesting that a Special Use per Section 28-611(d)(1) of the Zoning Ordinance be granted to allow attached single-family dwellings to exceed one unit per 4,000 square feet of land area.

WHEREAS, such petition was referred to the Plan Commission of the Village of Downers Grove, and said Plan Commission has given the required public notice, has conducted a public hearing respecting said petition and has made its findings and recommendations, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, the Plan Commission has recommended approval of the requested Special Use, subject to certain conditions; and,

WHEREAS, the Village Council finds that the evidence presented in support of said petition, as stated in the aforesaid findings and recommendations of the Plan Commission, is such as to establish the following:

1. The proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

2. The proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.
3. The proposed use will comply with the regulations specified in this Zoning Ordinance for the district in which the proposed use is to be located.
4. The proposed use is one of the special uses specifically listed for the district in which it is to be located and, if approved with restrictions as set forth in this ordinance, will comply with the provisions of the Downers Grove Zoning Ordinance regulating this Special Use.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows:

SECTION 1. That Special Use of the Property is hereby granted to permit construction of attached single family dwellings to exceed one (1) unit per 4,000 square feet of land area in the Downtown Transition District.

SECTION 2. This approval is subject to the following conditions:

1. The Zoning Map Amendment, Final Planned Development with a Variation, Final Plat of Subdivision, and Special Use shall substantially conform to the preliminary architecture plans prepared by Scott Krafthefer and submitted on January 3, 2008 ; the preliminary engineering plans prepared by Robert P. Schlaf, P.E., dated January 2008; the preliminary landscape plans prepared by J.G.S. Landscape Architects dated December 7, 2007; and the Final Subdivision Plat prepared by Professional Land Surveying, Inc. dated December 10, 2007; all of which are attached hereto as Group Exhibit A and are incorporated herein by reference, except as such plans may be modified to conform to Village Codes and Ordinances.
2. Prior to Village Council consideration, the petitioner shall provide one (1) paper copy and one (1) mylar copy of a Plat of Subdivision.
3. Prior to the recording of the plat, the petitioner shall pay to the Village a total of \$32,734.56 as school and park donations (\$23,971.20 to the Park District, \$6,409.28 to Elementary School District 58, and \$2,354.08 to High School District 99) subject to verification by the Department of Community Development.
4. Prior to issuance of any development permits, the Plat of Subdivision shall be recorded with the DuPage County Recorder and three (3) copies of the recorded plat shall be submitted to the Village.
5. A description of best management practices that are incorporated into the site design and how they will function shall be prepared and submitted during building permit review. The applicable design criteria such as soil type, vegetation, and land cover conditions draining to the best management practice along with appropriate calculations shall be included.
6. The proposed buildings shall have a manual and automatic detection system installed throughout in a manner acceptable to the Fire Marshal. All areas of each building shall be protected.
7. A minimum 20 foot wide fire lane as approved by the Village shall be provided throughout the entire development. The proposed decks shall not encroach into the required fire lane.

8. The Village shall assume ownership of the water mains as part of the acceptance of the subdivision's public improvements. An easement on the Plat of Subdivision shall be provided which gives the Village the rights to maintain & repair water mains and fire hydrants.
9. Fire hydrants shall be installed no more than 300 feet apart on all proposed water mains, including the main along Prospect Avenue and the looped main and shall be at least four feet from any connections.
10. The limestone band between the lower and first levels shall continue across the buildings on lots 2, 5, and 10.
11. Prior to the issuance of any building permits, the petitioner shall submit material samples of the proposed brick, synthetic limestone, split face concrete block, stucco, cedar siding, fiberglass columns and shingles for review by the Department of Community Development.
12. Prior to the issuance of any development permits, the petitioner shall pay to the Village a \$500 fee-in-lieu per Village approved parkway tree subject to verification by the Department of Community Development.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use to permit construction of attached single family dwellings to exceed one (1) unit per 4,000 square feet of land area in the Downtown Transition District is hereby granted. Violation of any or all of such conditions shall be deemed a violation of the Village of Downers Grove Zoning Ordinance, the penalty for which may include, but is not limited to, a fine and or revocation of the Special Use granted herein.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Mayor

Passed:

Published:

Attest: _____
Village Clerk