

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
NOVEMBER 4, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Fairview Village - Rezoning and Preliminary Planned Development Amendment (west side of Fairview Avenue)	Resolution ✓ Ordinances Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A Preliminary Planned Development Amendment to Planned Development #32 has been prepared for the seven parcels of Green Acres Subdivision. An ordinance has been prepared to change the zoning of seven residential parcels within the Green Acres Subdivision from R-3 (Single Family Residential) to R-5A (Townhouse Residential).

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.

RECOMMENDATION

This item was discussed at the October 28, 2008 Workshop. During that discussion the Village Council requested further information about the items specified below.

What are the plans for the future of Fairview Avenue?

Fairview, in that area, is a Village street. There are no plans to further improve Fairview.

What was the purpose of the MIT study and who paid for it?

The purpose of the MIT study was to determine the impacts of a mixed-income, large-scale multi-family development on surrounding single family home property values. The study was funded by the MIT Center for Real Estate and the Joseph R. Mullins Company (developed).

Could the proposed development be built on the east side of Fairview Avenue instead of the west?

Fairview Village could explore the development of these units on the east side; however, it would mean a loss of some of the cottages and a portion of its east side expansion. During the course of staff's conversations, Fairview Village indicated that it is trying to offer a slightly different product in the Auxiliary campus. It would be marketed to younger seniors, who have the ability to live on their own but do not want the responsibilities that come with homeownership.

Historically, how often has the Village approved developments that followed and/or did not follow the Future Land Use Map (FLUM)?

On some occasions, the Village has amended the FLUM in conjunction with rezonings where the rezoned land use was inconsistent with the original recommendation of the FLUM. For example, when the Village approved the Villas of Maple Woods development (Maple and Elinor), the Council amended the FLUM from zero to six dwelling units per acre to six to 11 dwelling units per acre. There are some occasions when

the Village did not amend the FLUM when a rezoning conflicted with its recommendation. For example, when the Village approved the townhomes on Fairview Avenue, south of 63rd Street, the FLUM was not amended for consistency. Staff is compiling further information for presentation on Tuesday.

Staff recommends approval on the November 4, 2008 active agenda.

BACKGROUND

Fairview Village proposes to expand its campus to a 2.9 acre parcel surrounding Lynn Gremer Court along Fairview Avenue. The parcel contains seven lots within the eastern portion of the Green Acres Subdivision. The petitioner requests a Preliminary Planned Development Amendment to be included within the existing Planned Development #32 and a rezoning to change the zoning from R-3, Single Family Residential to R-5A, Townhouse Residential to be consistent with the existing Planned Development #32 zoning. The petitioner requests only preliminary approval of the land use and site plan at this time. Final building, engineering and site plans, a Plat of Vacation for Lynn Gremer Court, and a Plat of Subdivision will be required to come back to the Plan Commission and Village Council for approval of a final planned development amendment.

Zoning Table

Zoning Requirements	Required	Proposed (Oct 2007)	Proposed (Aug 2008)
Front Yard Setback (East)	25'	30'	30'
Side Yard Setback (North)	47'	30'	47'
Side Yard Setback (South)	47'	30'	47'
Rear Yard Setback (West)	20'	20'	40'
Building Height	35'	37'-6"	24'-6"
Lot Coverage	32%	29.0%	29%
Lot Area			
3-bedroom unit	3,000 sf / unit	3,959 sf / unit	3,959 sf / unit
Floor Area Ratio	0.8	0.59	0.59
Parking	40	98	96
Open Space	40%	56%	63%

Traffic Table

	Morning Peak Trips	Evening Peak Trips	Trips Per Day	% increase to average daily traffic on Fairview Avenue
Approved Single Family	5	7	67	0.05
Proposed Senior Independent Living	3	4	111	0.08

Site Plan

The petitioner proposes to construct four two-story apartment buildings which would each contain eight independent living units. The existing single family house would be converted into primarily a clubhouse with a small office. The petitioner revised their original August 2007 site plan to increase building setbacks from the adjacent single family residences. The setback from the north and south property lines is 47 feet, while the closest point along the western property line is 40 feet. The proposal meets all the bulk requirements of the Zoning Ordinance for the proposed R-5A district, including building height and setbacks, parking and open green space.

Attached is a process and timeline summary for the development. During that process the Village Council charged the Plan Commission with thoroughly reviewing the project with respect to all aspects of the project, including:

- home values
- appropriate use of the land
- stormwater management
- traffic

These four topics are summarized below:

Property Values

Surrounding neighbors expressed concern about the impact the proposed development would have on surrounding property values. To address this concern, Fairview Village contracted with Tracy Cross & Associates, Inc. (TCA) to prepare a study on how property values would be affected. TCA completed an analysis of the market potential for residential development in February 2008 which provided an assessment of the potential impact of the proposed Auxiliary Campus upon local property values. Staff requested additional information from the petitioner to further clarify the report's findings. TCA provided a second study in August 2008 which more closely examined property values adjacent to senior living facilities and multi-family developments adjacent to single family developments over time. The additional information, submitted in August 2008, confirmed TCA's initial assessment that the rezoning "will not impair or negatively impact single family property values in the immediate vicinity." Both the February and August reports are provided in the attached Staff Report.

To verify the TCA results, staff researched the issue of property values through the American Planning Association (APA). The APA had no report or data relating specifically to the impact of senior living facilities. The APA did have five studies which examined the issue of property values in cases where multi-family residential was constructed in a single-family neighborhood. Only one study from the MIT Center for Real Estate provided background information and data within the available report. The MIT study examined the impact of introducing a large-scale, mixed-income, multi-family rental development with an affordable housing component into a neighborhood of single-family houses over a period of time from 1983 through 2003.¹ The authors found that large, dense, multi-family rental developments with affordable housing components do not negatively impact the sales price of nearby single family homes.² Additional information pertaining to the MIT study can be found in the Staff Report.

Appropriate Use of the Land

The surrounding residents expressed concerns about the proposed multiple-family development encroaching into their single-family neighborhood and whether the proposed encroachment was compatible with the Future Land Use Plan. The Auxiliary Campus property is currently designated as Residential 0-6 dwelling units per acre in the Future Land Use Plan. The proposed development would create a density of 11 dwelling units per acre. The proposal is not consistent with the Future Land Use Plan. However, the proposal is consistent with the multi-family developments currently in-place along Fairview Avenue between 63rd Street and 75th Street. There exists already a townhouse development located at 6308-6316 Fairview Avenue approximately 800 feet north of the proposed project along the same side of the street. The Main Campus across Fairview Avenue is multi-family and apartment buildings and townhouse developments are located on the east side of Fairview Avenue immediately north of the Main Campus. Additionally, a multi-family complex is located at the northwest corner of Fairview Avenue and 75th Street. The pattern suggests a market-based rationale for multiple-family in the vicinity.

Stormwater Management

Stormwater management and how it will be addressed is a topic of concern for the neighbors. Stormwater management will be provided through the existing storm sewers and the installation of new storm sewer structures and lines throughout the site. The stormwater will be conveyed off-site to the two previously approved detention ponds located on the Main Campus. These ponds were designed to provide capacity for both the Auxiliary and Main Campuses. The pond reconfiguration is currently on-going. A preliminary engineering plan is provided in the Staff Report.

¹ Pollakowski, Henry O. et al., *Effects of Mixed-Income Multi-Family Rental Housing Developments on Single-Family Housing Values*. MIT Center for Real Estate, April 2005.

² Ibid.

Traffic Study

The amount of traffic entering and exiting the site and the impact of this additional traffic on the neighborhood and Fairview Avenue is a concern to the neighborhood. To address these concerns, Fairview Village contracted with Gewalt Hamilton Associates, Inc. to complete a traffic study of the Auxiliary Campus. The study found that the traffic generated by the proposed Auxiliary Campus would not create significantly different impacts on the existing roadway system than the approved single family residential development. Levels of Service during both morning and evening peak were acceptable and the slight increase in traffic will not result in service level decreases along Fairview Avenue. Although the number of vehicles entering and exiting the site is more than anticipated for seven single-family properties, the difference results from slightly higher off-peak (mid-day) traffic associated with senior independent living use. The traffic study is provided in the Staff Report.

Findings and Recommendations

Staff believes the standards for approval of an amendment to the Zoning Ordinance and Planned Developments have been met. The adjacent uses contain both single-family and multiple-family uses and the subject property is on the edge of the single-family neighborhood. The impact of the development will not be detrimental to the health, safety, morals or general welfare of persons residing in the vicinity and will not be injurious to property values or improvements in the vicinity as demonstrated by the petitioner's additional home value, market analysis and traffic studies. The proposal makes adequate provisions for stormwater management and utilities, provides adequate control over vehicular traffic and provides open space in the form of landscaping and an interior courtyard. The proposed use would be beneficial to the community as it provides an opportunity for elderly residents to remain in the Village when they decide to downsize their living arrangements.

Plan Commission Recommendation

The Plan Commission conducted a public hearing regarding the Auxiliary Campus on September 8, 2008. During the meeting, many neighborhood residents expressed concerns regarding the proposal. These concerns included neighborhood character, the possible deterioration of surrounding property values, and their desire to delay any decision until the TCD 3 and Comprehensive Plan process concludes.

The Plan Commission recommended approval of the Auxiliary Campus Preliminary Planned Development and rezoning by a vote of 4:3. The majority of Plan Commissioners found that the petition had provided sufficient evidence that the development would not harm neighboring property values, was an appropriate use of the land and would not cause significant stormwater or traffic impacts. The majority found the petition met the standards for approval of an amendment to the Zoning Ordinance and Planned Developments. The three dissenting Plan Commission members did not believe the proposal was consistent with existing uses and zoning of nearby properties and did not conform to the planning objectives of the Village. One commissioner also believed the development would negatively affect neighboring property values, was not suitable for the requested rezoning, departs from the zoning regulations applicable to the property, and did not make adequate provisions for public services.

ATTACHMENTS

Ordinances

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: _____ Petitioner _____ **DATE:** _____ November 4, 2008 _____
(Name)

RECOMMENDATION FROM: _____ Plan Commission _____ **FILE REF:** _____ PC-35-07 _____
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE, AS AMENDED TO REZONE PROPERTY LOCATED AT 401-406 LYNN GREMER COURT AND 6568 FAIRVIEW AVENUE", as presented.

SUMMARY OF ITEM:

Adoption of the attached ordinance shall rezone the property located at 401-406 Lynn Gremer Court and 6568 Fairview Avenue from Village R-3 Single Family Residential to Village R-5A, Townhouse Residence District.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE
OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS
CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE,
AS AMENDED TO REZONE PROPERTY LOCATED AT
401-406 LYNN GREMER COURT AND 6568 FAIRVIEW AVENUE**

WHEREAS, the real estate located on the west side of Fairview Avenue, at the intersection of Lynn Gremer Court and Fairview Avenue and hereinafter described has been classified as "R-3 Single Family Residential" under the Comprehensive Zoning Ordinance of the Village of Downers Grove; and,

WHEREAS, the owner or owners of said real estate have requested that such property be rezoned as hereinafter provided; and

WHEREAS, the Plan Commission of the Village of Downers Grove has given the required public notice, and has conducted a public hearing on October 1, 2007 and September 8, 2008 respecting said requested rezoning in accordance with applicable law; and

WHEREAS, making due allowance for existing conditions, the conservation of property values, the development of the property in harmony with the trend of development in the area, and the current uses of the property affected, the Council has determined that the proposed rezoning is for the public good.

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

SECTION 1. The Comprehensive Zoning Ordinance of the Village of Downers Grove, Illinois, codified as Chapter 28 of the Downers Grove Municipal Code (which ordinance as heretofore amended, is hereinafter referred to as the "Zoning Ordinance"), is hereby further amended by changing to "R-5A, Townhouse Residence District" the zoning classification of the following described real estate, to wit:

Lots 8, 9, 10, 11, 12, 13 and 14 of Green Acres Subdivision in the Northeast Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded June 1, 2004 as Document Number R2004-144920.

Commonly known as 402, 404, 406, 405, 403 and 401 Lynn Gremer Court and 6568 Fairview Avenue, Downers Grove, Illinois (PINs 09-20-213-013,-014,-015,-016,-017,-018,-019).

SECTION 2. The official zoning map shall be amended to reflect the change in zoning classification effected by Section 1 of this ordinance, subject to the following conditions:

1. Any changes to the conditions represented by the Petitioner as the basis for this petition, whether those changes occur prior to or after Village approval, shall be promptly reported to the Village. The Village reserves the right to re-open its review process upon receipt of such information; and
2. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, County and Village laws, ordinances, regulations, and policies.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk