

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
AUGUST 10, 2010 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Final Plat of Subdivision	<ul style="list-style-type: none"> ✓ Resolution Ordinance Motion Discussion Only 	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A resolution for the Final Plat of Subdivision has been prepared to consolidate three existing lots into two lots for the property located at 4500 Middaugh Avenue.

STRATEGIC PLAN ALIGNMENT

The Goals 2013 identified *Preservation of our Residential and Neighborhood Character*. Supporting this goal is the objective *Tolerance of Neighborhood Private Development*.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval on the August 17, 2010 active agenda per the Plan Commission’s recommendation.

BACKGROUND

The 16,500 square foot property is zoned R-4 Single Family Residential and consists of two 50-foot wide lots and one 10-foot wide lot, all of which are owned by a single owner. The 10-foot wide lot is the southernmost 10 feet of the property. An existing single-family home is located across the common lot line of the two 50-foot wide lots. The petitioner is proposing to consolidate the three lots into two lots with a 60-foot wide by 150-foot deep northern lot and a 50-foot wide by 150-foot deep southern lot.

Currently by-right, the petitioner is allowed to construct two homes at this location using the two existing 50-foot wide lots. The existing 10-foot wide lot is not buildable. In essence, the request merely transfers the southernmost 10-foot wide unbuildable lot to the proposed northern lot, creating a 60-foot wide corner lot instead of the existing 50-foot wide corner lot.

The petitioner has not requested any exceptions from the Subdivision Ordinance. All required infrastructure, including sidewalks, currently exists and no new public improvements are required. The proposed lots will include five-foot wide utility easements along the side property lines and a ten-foot wide utility easement along the rear property line which meet the requirements for public utility easements. The proposed consolidation will increase the front yard setback requirement along Grant Street from 15 feet to 24 feet. The proposed lots will exceed all minimum lot dimension requirements for the R-4 Single Family Residence district as specified in the table below:

4500 Middaugh Subdivision	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
North Lot	50 feet	60 feet	140 feet	150 feet	7,500 sq. ft.	9,000 sq. ft.
South Lot	50 feet	50 feet	140 feet	150 feet	7,500 sq. ft.	7,500 sq. ft.

The Plan Commission considered the petition at their July 12, 2010 meeting. Public comments at the meeting included questions regarding setbacks, building heights, and stormwater management. Although no new construction is proposed at this time, all future construction will be required to meet current R-4 district setbacks and building height requirements. Additionally, all new construction requires site engineering to ensure stormwater is handled in a positive manner. The review for compliance with bulk regulations and stormwater management are handled administratively by staff during the building permit review process. Based on their findings, the Plan Commission recommended unanimous approval of the Final Plat of Subdivision. Staff concurs with the Plan Commission recommendation.

ATTACHMENTS

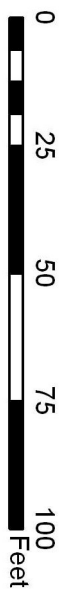
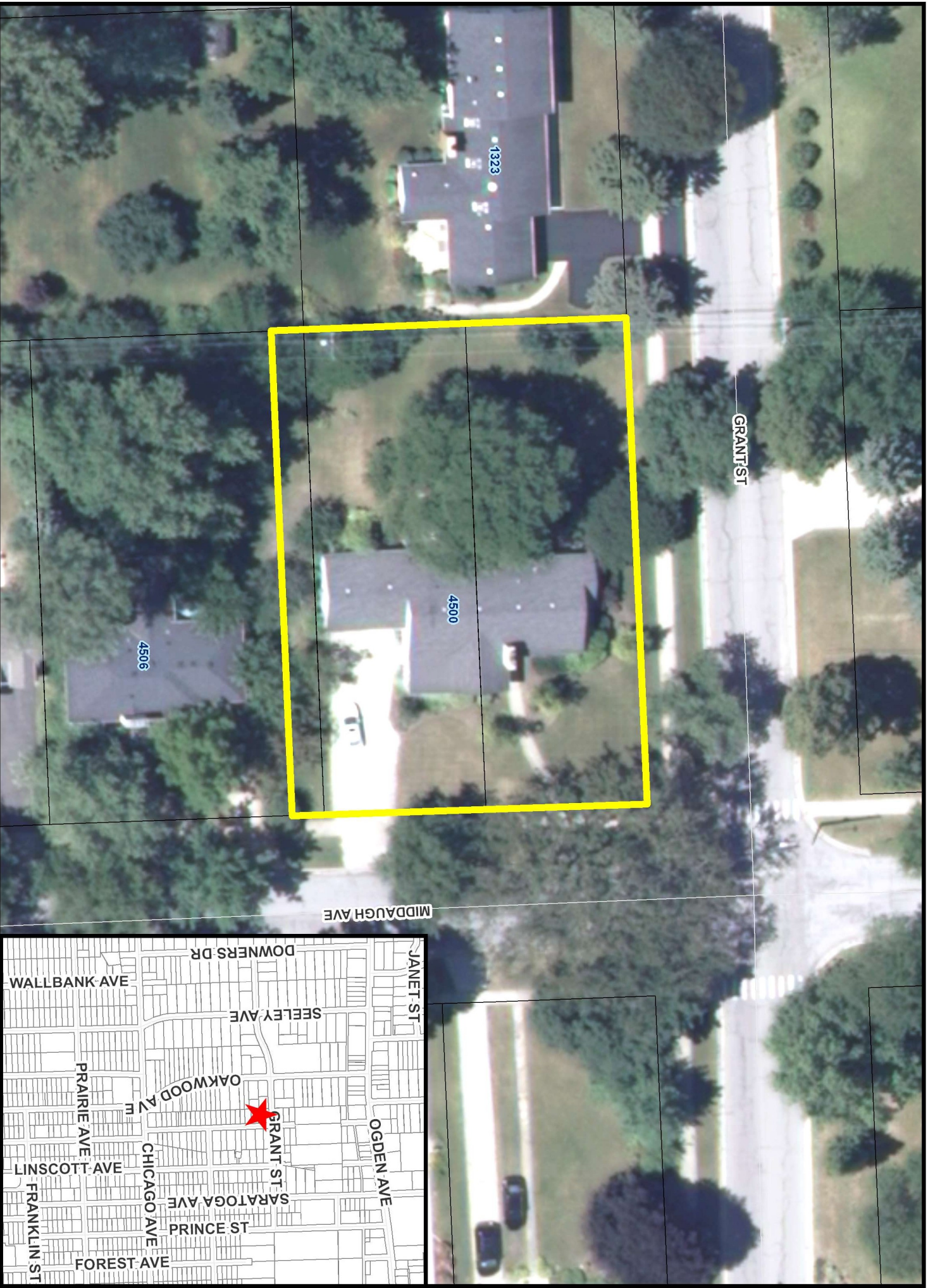
Aerial Map

Resolution

Staff Report with attachments dated July 12, 2010

Minutes of the Plan Commission Hearing dated July 12, 2010

Staff dais materials provided to Plan Commission on July 12, 2010



4500 Middaugh Avenue Location Map



RESOLUTION _____

**A RESOLUTION APPROVING THE FINAL
PLAT OF SUBDIVISION FOR 4500 MIDDAUGH AVENUE**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for the approval of the final Plat of Subdivision for 4500 Middaugh Avenue, located at the southwest corner of Middaugh Avenue and Grant Street, Downers Grove, Illinois, legally described as follows:

Lots 27, 28, and the North 10 feet of Lot 29 in Repp's Subdivision, being a subdivision of part of Lot 1 in the Downer Estate, in the South East Quarter of Section 6, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat of said Repp's subdivision aforesaid, recorded on April 14, 1923 as Document 164494, in DuPage County, IL

Commonly known as 4500 Middaugh Avenue, Downers Grove, IL (PINs 09-06-413-021, -022, -023)

WHEREAS, notice has been given and hearing held on July 12, 2010 regarding this plat application pursuant to the requirements of the Downers Grove Municipal Code; and,

WHEREAS, the Plan Commission has recommended approval of the final Plat of Subdivision for 4500 Middaugh Avenue as requested, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the final Plat of Resubdivision for 4500 Middaugh Avenue, be and is hereby approved subject to the following condition:

1. The final plat of subdivision shall substantially conform to the Final Plat of Subdivision prepared by InTech Consultants, Inc. dated May 24, 2010 except as such plans may be modified to conform to the Village Codes and Ordinances.

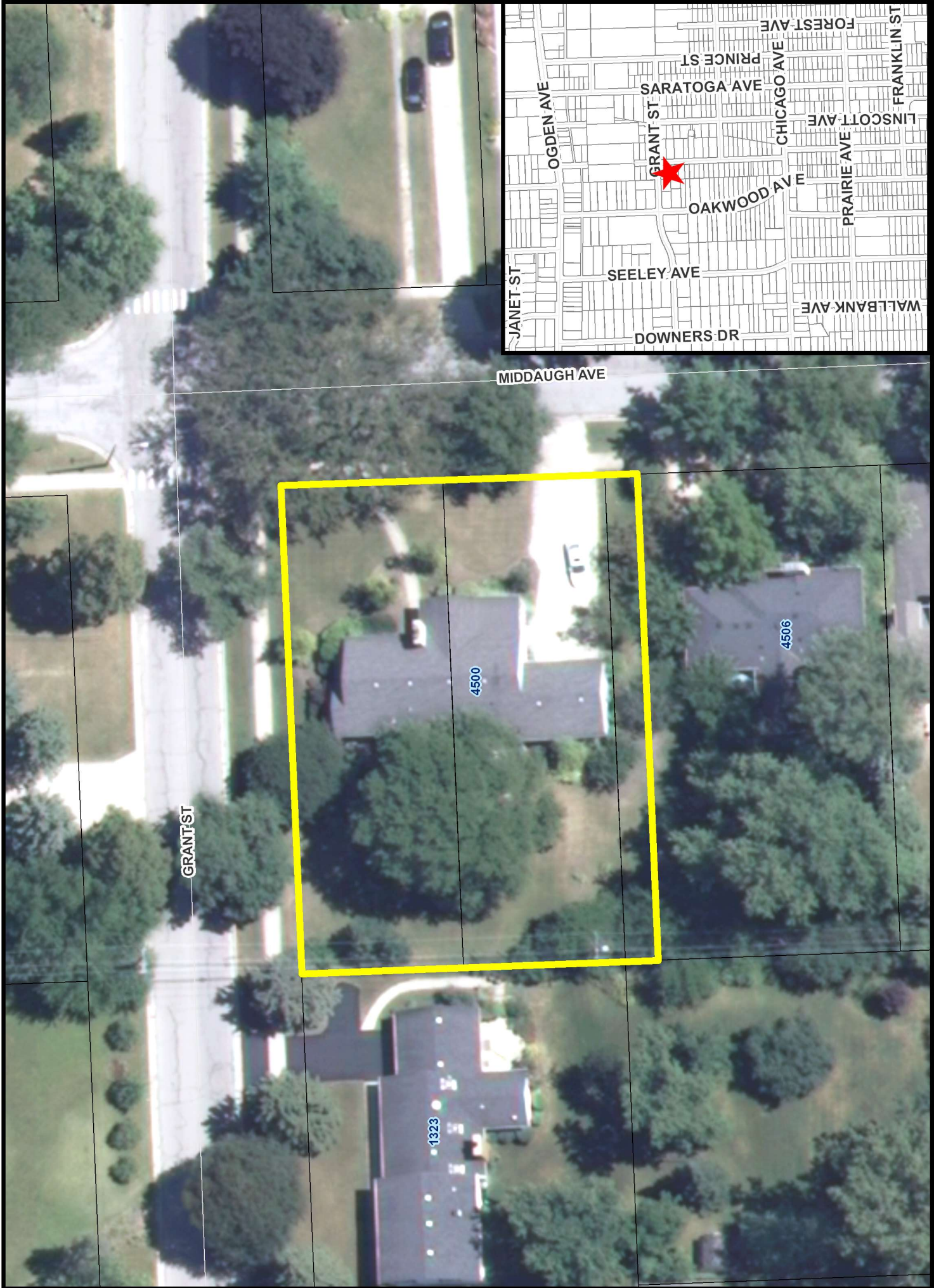
BE IT FURTHER RESOLVED, that the Mayor and Village Clerk are authorized to sign the final plat of subdivision.

BE IT FURTHER RESOLVED, that this resolution shall be in full force and effect from and after its adoption in the manner provided by law.

Mayor

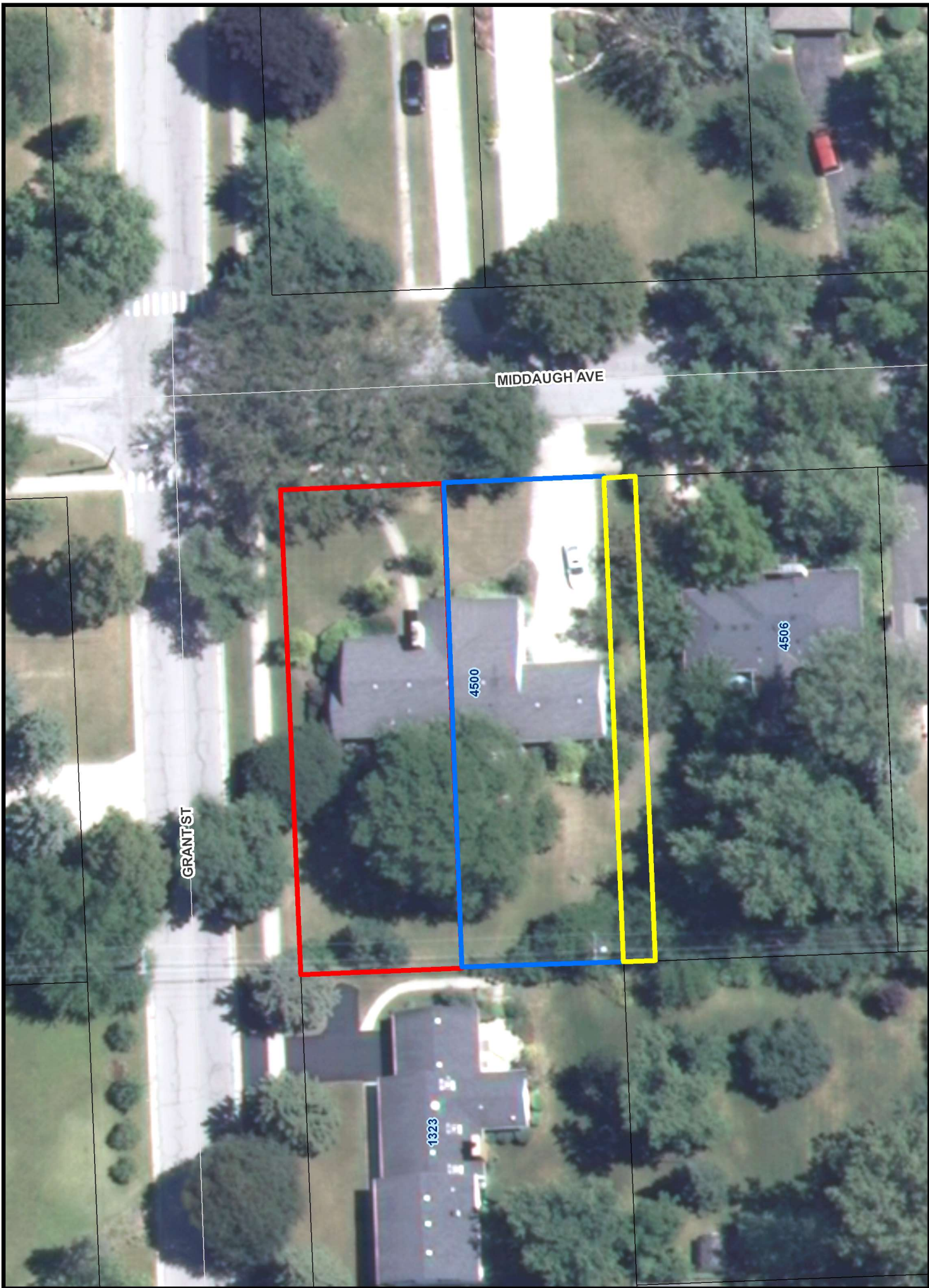
Passed:

Attest: _____
Village Clerk



4500 Middaugh Avenue Location Map





GRANT ST

MIDDAUGH AVE

4500

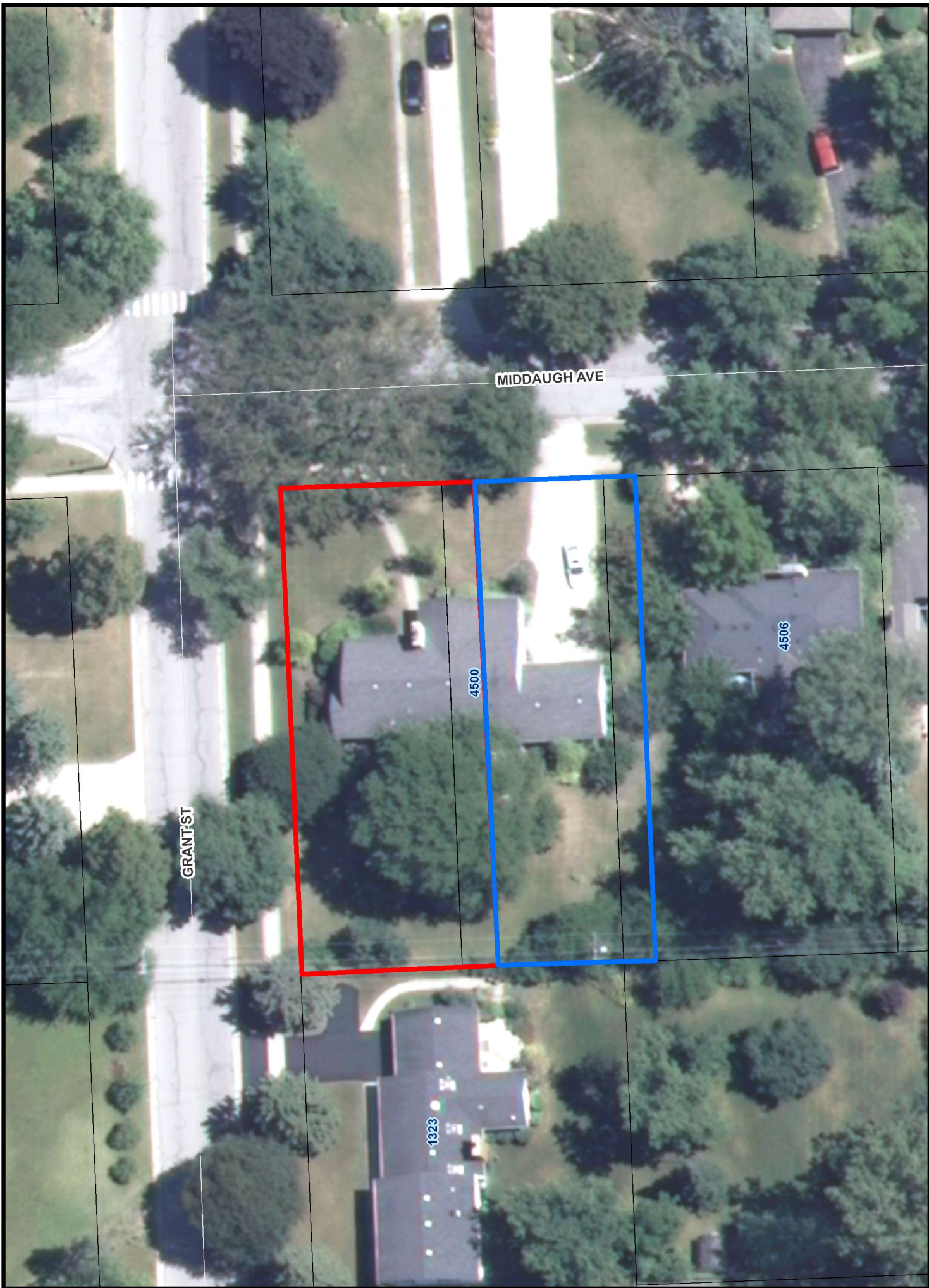
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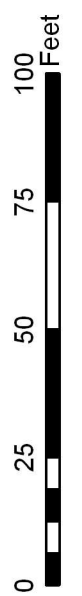


4500 Middaugh Avenue Existing Conditions





4500 Middaugh Avenue Proposed Conditions



Project Summary/Narrative

The subject property for this submittal, 4500 Middaugh currently consists of three (3) parcels; a 10' X 50' interior, a 50' X 150' interior and a 50' X 150' corner. Currently, the two 50' X 150' parcels are buildable while the 10' X 150' parcel obviously is not. It is the petitioner's wish to reconfigure these three lots into two so the dimensions of the two new lots are 50' X 150' for the interior and 60' X 150' for the corner. Although this will result in, as before, two buildable lots, it will lend greater conformity to the neighborhood and allow for a 24 foot corner setback on Grant instead of a 15 foot setback as is currently the case.

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VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

JULY 12, 2010, 7:00 P.M.

Chairman Jirik called the July 12, 2010 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

PRESENT: Chairman Jirik, Mr. Beggs, Mr. Cozzo, Mrs. Hamernik, Mr. Matejczyk, Mr. Quirk, Mrs. Rabatah, Mr. Waechtler, Mr. Webster

STAFF

PRESENT: Village Planning Manager Jeff O'Brien; Village Planners Stan Popovich and Damir Latinovic

VISITORS: Jim Pesavento, Concorde Builders, 222 W. Roosevelt Rd., Wheaton, IL; Ed and Nancy Segreti, 4508 Bryan Place, Downers Grove; Pat Rooney, Kimco Realty, 10600 W. Higgins Rd., Rosemont, IL; Greg Bedalov, EDC, 2001 Butterfield, Rd.; Downers Grove; Dan Loftus, Downers Grove Downtown Management Corp., 4704 Main Street; Downers Grove; Kurt Wiesner, 4516 Middaugh, Downers Grove; David Force, 4506 Middaugh; Downers Grove

Chairman Jirik led the Plan Commissioners in the recital of the Pledge of Allegiance.

JUNE 7, 2010 MEETING MINUTES - MR. MATEJCZYK MADE A MOTION TO APPROVE THE MINUTES AS PREPARED, SECONDED BY MRS. RABATAH. MOTION CARRIED BY VOICE VOTE OF 9-0.

A review of the meeting's protocol followed.

PC-06-10 4500 Middaugh Avenue:

PETITION SEEKING FINAL PLAT OF SUBDIVISION APPROVAL TO CONSOLIDATE THREE LOTS INTO TWO LOTS FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF MIDDAUGH AVENUE AND GRANT STREET, COMMONLY KNOWN AS 4450 MIDDAUGH, DOWNERS GROVE, ILLINOIS; JAMES PESAVENTO, CONCORDE BUILDERS, PETITIONER; ED AND NANCY SEGRETI, OWNERS.

Chairman Jirik swore in those individuals who would be speaking on behalf of File PC-06-10.

Mr. Popovich, Village Planner, discussed the petition is a final plat of subdivision to consolidate three lots zoned R-4 into two lots at the southwest corner of Middaugh Avenue and Grant Street. The total land area is 110 feet by 150 feet and the lots are currently platted as two 50-foot wide lots with a 10-foot wide lot (part of Lot 29). One single-family structure sits on the two 50-foot wide lots. The petitioner is seeking to create a plat of subdivision with a 60 ft. x 150 ft. lot on the northern lot and a 50 ft. x 150 ft. lot to the south to provide for two homes.

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The petitioners have provided for the required five-foot public utility easements on the side property lines and for the 10-foot public utility easements on the rear property lines. The Future Land Use Map calls for the site to be Residential (0-6 units per zoning acre). All bulk requirements for the proposed lots are met.

Referring to a report on the dais that discussed Mr. Waechtler's concerns about lot sizes in the area, Mr. Popovich reviewed on the overhead the area in discussion, noting two zoning districts existed: the R-4 District and the R-1 District. A review of the various lots sizes followed. From staff's point of view, the proposed two lots were consistent with the surrounding neighborhood.

No neighborhood comments were received by staff prior to the meeting. Staff believed the proposal was consistent with the Village's Zoning Ordinance, Subdivision Ordinance, and the planning objectives of the Village. Staff recommended that the commission forward a positive recommendation to the Village Council with the single condition listed on page 3 of staff's report.

Per a question, Mr. Popovich recalled the owners purchased the ten-foot wide lot some time ago. Per a question on determining corner setbacks, Mr. Popovich explained that for all corner lots, the lots are afforded a 30-foot wide buildable width for a home. For a 60-foot wide lot, adding together the 30-foot buildable width and a six-foot side yard setback, the setback off of the Grant Street property line is 24 feet. If a 50-foot wide lot existed, a 15-foot setback from the Grant Street property line would be required, due to the five-foot south setback and 30-foot buildable width. By placing the lots in their proposed locations, Mr. Popovich stated the house would be setback further from Grant Street but no additional width is gained for the house itself.

If the petition is not granted, and the owner constructed a home on the northern lot, it would require a 15-foot setback off of Grant Street on a 50-foot lot. Mr. Beggs asked for clarification of staff's condition in its report, which basically explained that the petitioner cannot make any changes to the plat of subdivision after the Commission reviews the petition.

Petitioner, Mr. Jim Pesavento, with Concorde Builders, 222 W. Roosevelt Road, Wheaton, Illinois, on behalf of owners Ed and Nancy Segreti, introduced himself. Mr. Pesavento explained he and the owners were trying to reconfigure the two lots to make them more appealing, fit better within the neighborhood, and to add some space to the corner lot. Mr. Pesavento stated that the sidewalks are already in place.

Chairman Jirik opened up the meeting to public participation.

Mr. Kurt Wiesner, 4516 Middaugh, stated he has resided at his home for 37 years and he had concerns about the setbacks and their relationship to the other homes. He asked for clarification of the setbacks for the lots located on the west side of Middaugh, wherein Mr. Popovich stated that the R-4 District requires a 25-foot front yard setbacks from Middaugh Avenue for both proposed lots. Mr. Popovich could not specifically confirm what the setback was for the majority of the houses on the west side of Middaugh but in reviewing quickly, he believed the five or six homes to the south appeared to be located slightly east of the existing corner house.

Mr. Wiesner voiced concern about the compatibility of the two new parcels and believed the setbacks for a majority of the homes on the west side were greater than 25 feet. He asked that the setbacks be consistent with the neighborhood. Staff, in reviewing the aerials, did not feel

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Mr. Wiesner's setbacks were significantly greater than the proposed 25 feet setback. Mr. Wiesner discussed two other homes on the east side of Middaugh Avenue that were recently built which were not consistent with the area and he asked that the same consistency be assigned to the two lots.

Mr. David Force, 4506 Middaugh, located his home on the overhead. His concern was about stormwater. Mr. Force asked if the 10-foot lot was providing any easement stormwater drainage currently, because the street did fill with water. He asked that a review be done to ensure the 10-foot lot was not providing any stormwater benefit. He also expressed concern that there was a lot of congestion in the area but he was not opposed to a new home.

Mr. Wiesner asked staff to review the height of the proposed homes as compared to the surrounding homes, wherein Mr. Popovich stated the maximum height is measured on the front elevation. In the R-4 District the maximum height is 33 feet from the average grade to the peak of the roof and 23 feet to the highest eave.

Mr. Popovich, using Parcel Navigator, pointed out that it did not appear that the proposed setbacks were much different from the existing setbacks -- calculated roughly from 29 to 31 feet. On the east side of Middaugh, he agreed the homes were set back further due to the homes sitting on deeper lots. Regarding the stormwater concerns, he reported that engineering approval would be required during the building permit phase so as not to create drainage issues.

With no further public comment, Chairman Jirik closed Public Participation.

It was pointed out by staff that if the petitioner did not include the 10-foot lot in the consolidation, the petitioner would not have to come before the Commission to construct the homes on the two 50-foot lots with the same 25-foot setback from Middaugh Avenue.

Petitioner, Mr. Pesavento stated there were no immediate plans for a specific home on either lot currently and the concerns raised would be addressed when applying for a building permit.

Mr. Matejczyk brought to the attention of the commissioners that he lives in the neighborhood and while he has seen others seek the consolidation of lots to create one larger lot, he noted that this petitioner already has two lots and wishes to enhance them. He felt the petition was appropriate. Mrs. Rabatah also concurred, mentioning that the lots were a nice reconfiguration. Chairman Jirik believed that staff addressed the stormwater issue appropriately and used the appropriate technology to quickly obtain setback information, which he believed was consistent. Regarding height, it was not under the Commission's purview currently.

MOTION:

WITH RESPECT TO PC-06-10, MRS. HAMERNIK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THE APPROVAL OF THE FINAL PLAT OF SUBDIVISION TO CONSOLIDATE THREE LOTS INTO TWO LOTS FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF MIDDAUGH AVENUE AND GRANT STREET, INCLUDING THE FOLLOWING CONDITION:

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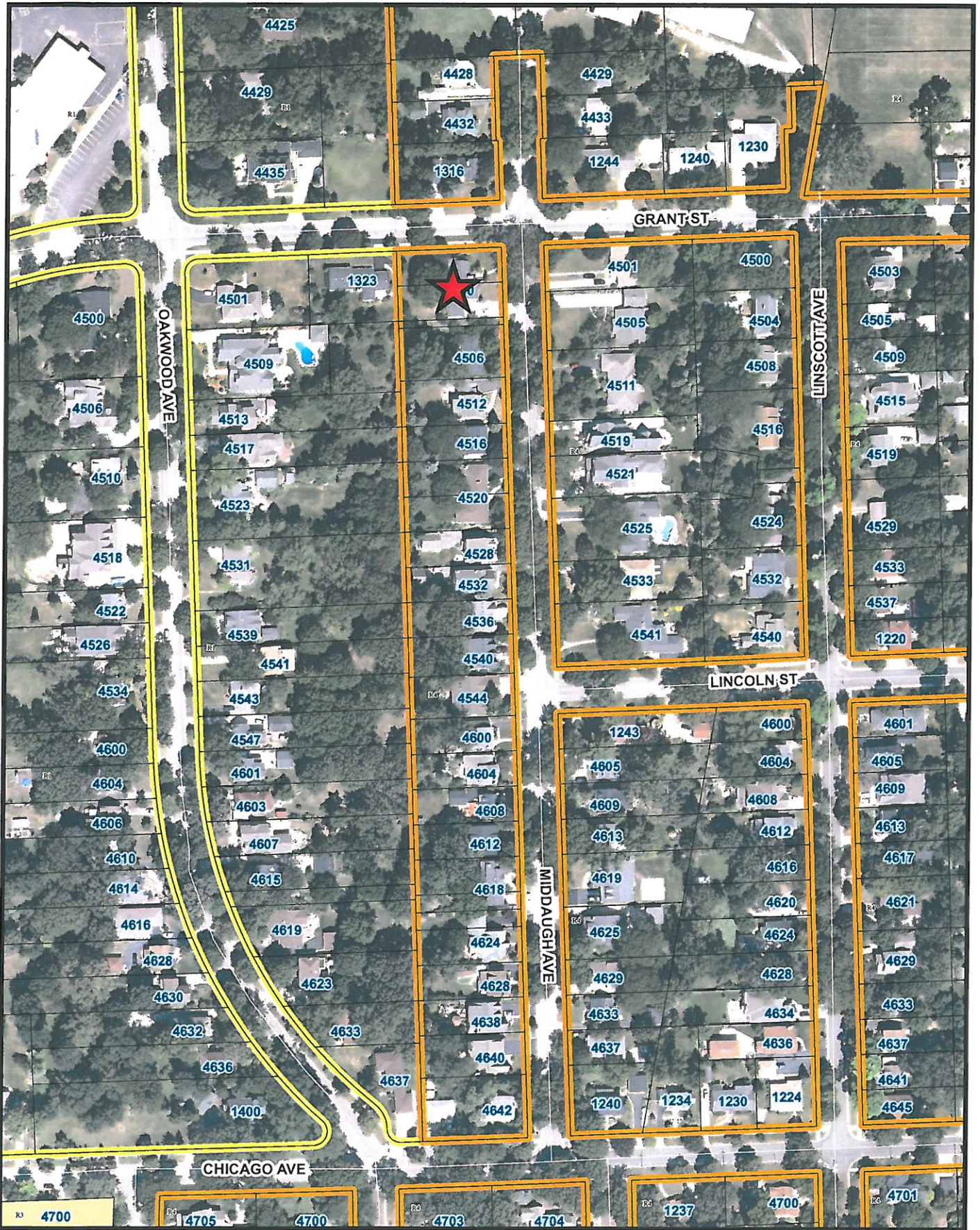
- 1. THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION PREPARED BY INTECH CONSULTANTS, INC. DATED MAY 24, 2010 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

SECONDED BY MR. MATEJCZYK. ROLL CALL:

**AYE: MRS. HAMERNIK, MR. MATEJCZYK, MR. BEGGS, MR. COZZO, MR. QUIRK,
MRS. RABATAH, MR. WAECHTLER, MR. WEBSTER, CHAIRMAN JIRIK**

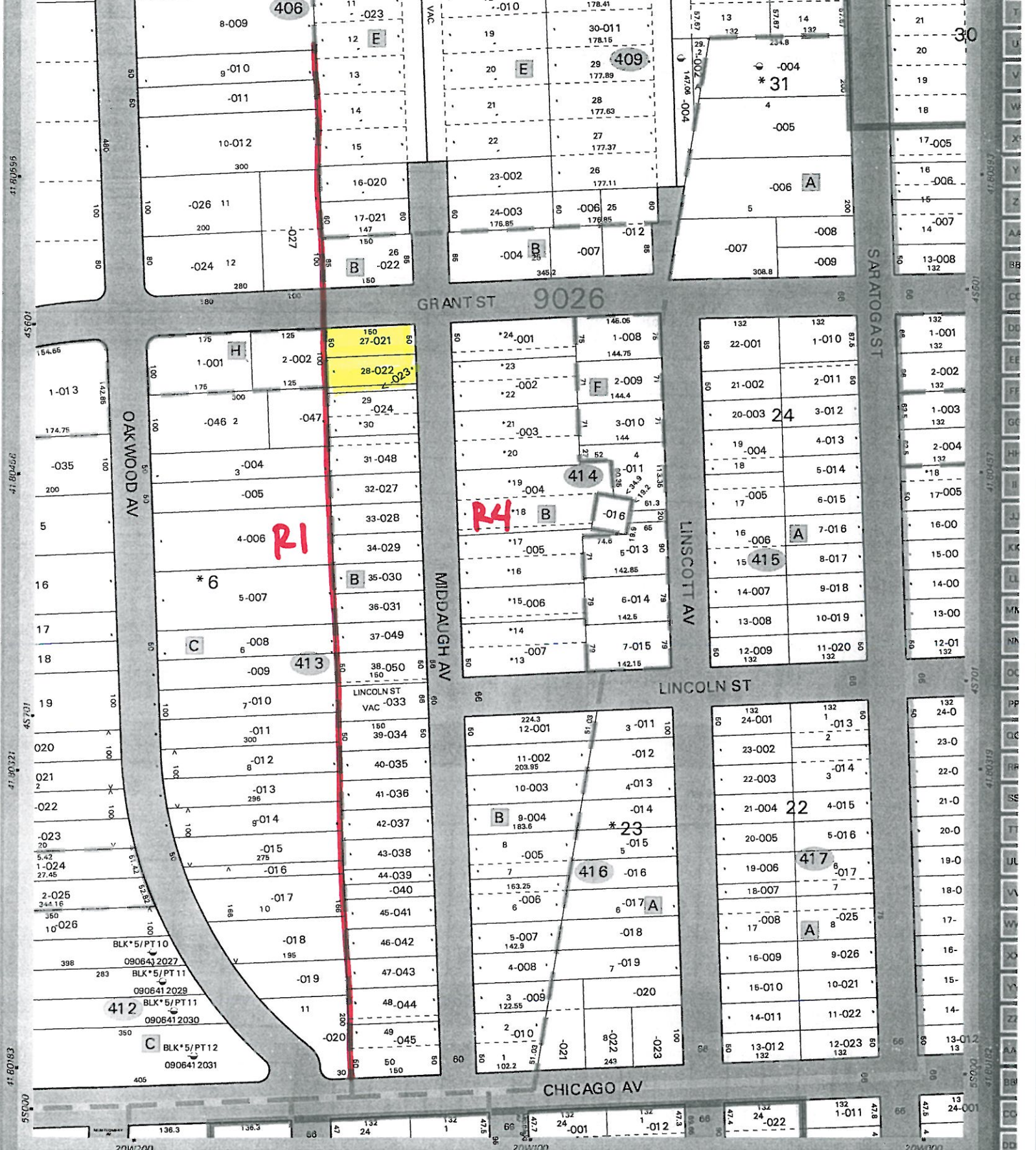
NAY: NONE

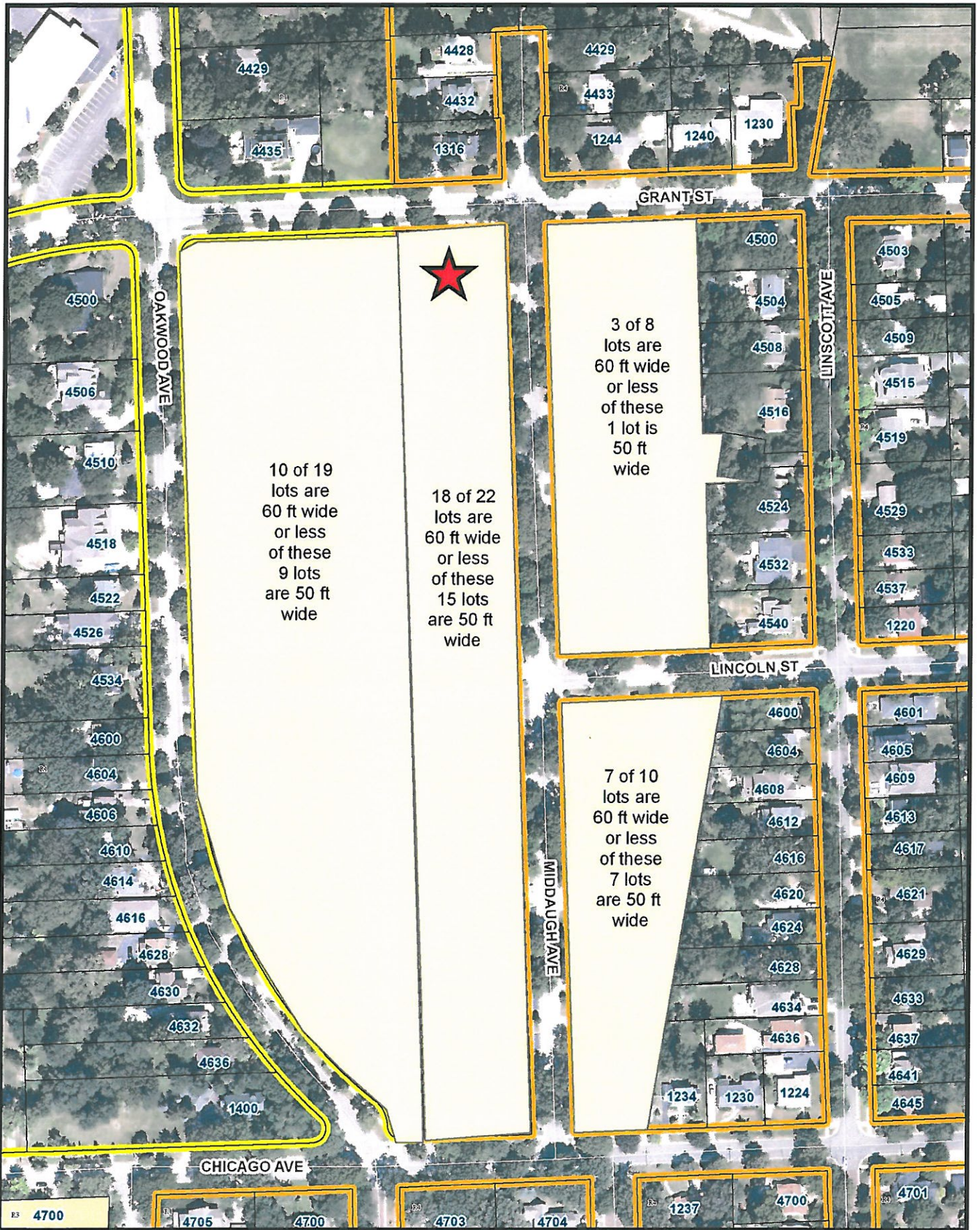
MOTION CARRIED. VOTE: 9-0



4500 Middaugh







4500 Middaugh

