

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
AUGUST 6, 2013 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Zoning Ordinance Map Amendment 2525 Indianapolis Ave	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

An ordinance has been prepared to permit a zoning ordinance map amendment to rezone the property at 2525 Indianapolis Avenue from R-1, Single Family Residence to R-4, Single Family Residence

STRATEGIC PLAN ALIGNMENT

The goals for 2011-2018 identified *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on the August 13, 2013 Active Agenda

BACKGROUND

The petitioner is requesting approval of a zoning ordinance map amendment to rezone the vacant property at 2525 Indianapolis Avenue from R-1, Single Family Residence to R-4, Single Family Residence. The property is currently vacant. The petitioner is requesting to rezone the property to R-4 Single Family Residence district to better match the zoning classification with the size of the property and to construct the home with the same setback as the existing homes to the west.

The subject property was annexed into the Village on January 1, 2012 as part of the Village-wide annexation program. Upon annexation, the property was automatically zoned R-1, which is Village's most restrictive zoning designation requiring a 40-foot front yard setback. Most surrounding properties were annexed into the Village at the same time and are zoned R-1, Single Family Residence.

If the property is rezoned to R-4, the petitioner would be allowed to construct a new home 25 feet from the front property line along Indianapolis Avenue with a maximum height of 33 feet. All other bulk restrictions would remain the same as in the R-1 district. The bulk requirements of both the R-1 and R-4 zoning classification are compared in the table below:

2525 Indianapolis Ave Bulk Requirements	R-1 District	R-4 District
Lot Area	20,000 square feet	7,500 square feet
Lot Width	100 feet	50 feet
Front Setback	40 feet	25 feet
Side Setback	8.3 feet	8.3 feet
Rear Setback	20 feet	20 feet
Height	35 feet	33 feet
Lot Coverage	32% (3,200 square feet)	32% (3,200 square feet)

Two existing homes immediately to the west were recently constructed in unincorporated DuPage County with a 25-foot front yard setback. The R-4 zoning classification will allow the petitioner to construct the home in-line with the existing homes adjacent to the west and thereby enhance the value of the neighborhood by maintaining a consistent setback.

The majority of the properties in this area are 60 feet wide and 15,000 square feet in area. The subject property is 83 feet wide and 10,000 square feet in area and is identical to the three lots immediately to the west along Indianapolis Avenue. The property's lot dimensions are consistent with the requirements of the R-4 zoning district.

The proposed rezoning is consistent with the Comprehensive Plan. The Comprehensive Plan recommends that new infill development should be sensitive to local context, maintaining the setback, height, bulk, and orientation similar to that of neighboring development. If the property is rezoned, the petitioner will be able to construct a new single family home which is similar in size and setback to adjacent properties to the west.

The Plan Commission considered the petition at its July 1, 2013 meeting. At the meeting, several residents expressed concern about stormwater runoff due to construction of the new home. Staff explained that plans for the new home have not been submitted yet, but will have to comply with the Village's Stormwater Ordinance. The Plan Commission found that the requested zoning ordinance map amendment is compatible with surrounding uses and zoning classifications. The Commission also found that the request met the standards in Section 28.1702 of the Zoning Ordinance for rezoning. Based on its findings, the Plan Commission unanimously recommended approval of the zoning ordinance map amendment. Staff concurs with the Plan Commission recommendation.

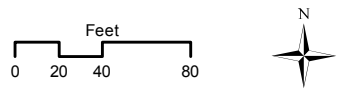
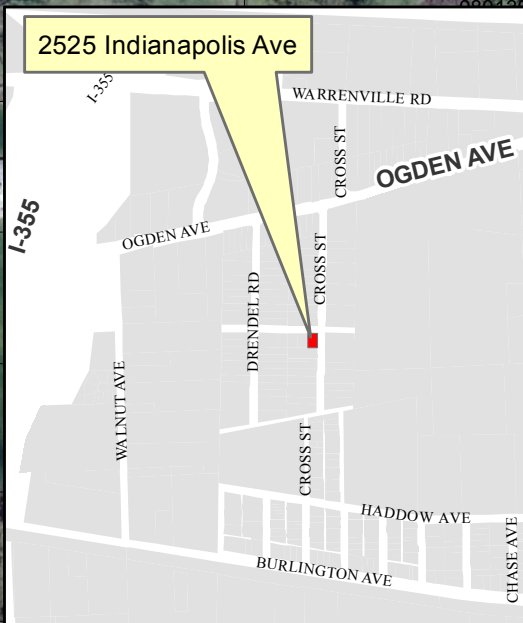
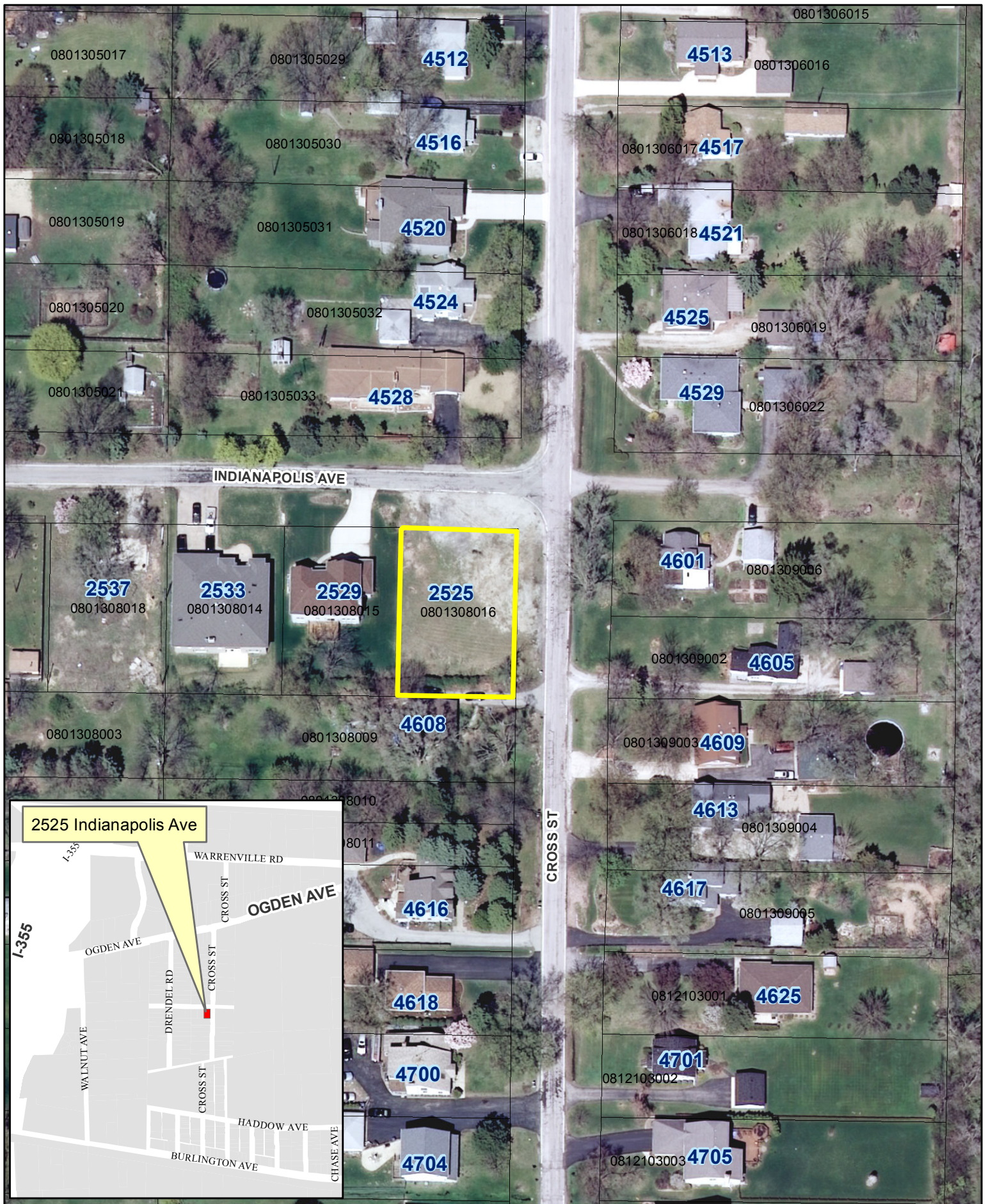
ATTACHMENTS

Aerial Map

Ordinance

Staff Report with attachments dated July 1, 2013

Draft Minutes of the Plan Commission Hearing dated July 1, 2013



2525 INDIANAPOLIS AVE

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 THE PROPERTY LOCATED AT 2525 INDIANAPOLIS AVENUE**

WHEREAS, the real estate located at the southwest corner of Cross Street and Indianapolis Avenue, hereinafter described has been classified as "R-1 Single-Family Residence District" 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, 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 on July 1, 2013 and has made its findings and recommendations respecting said requested rezoning in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, making due allowance for existing conditions, the conservation of property values, the development of the property in conformance to the official Comprehensive Plan of the Village of Downers Grove, and the current uses of the property affected, the Council has determined that the proposed rezoning is for the public good; and,

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-4, Single Family Residence District" the zoning classification of the following described real estate, to wit:

Lots 1 and 2 (except the west 166.66 feet of said lots) in Block 5 in Arthur T. McIntosh and Company's Belmont Golf Addition, in the southwest quarter of Section 1 and the northeast quarter of Section 12, Township 38 North, Range 10, East of the Third Principal Meridian, according to the Plat thereof recorded September 14, 1925 as Document 198614, in DuPage County, Illinois.

Commonly known as 2525 Indianapolis Avenue, Downers Grove, IL PIN: 08-01-308-016

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



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
JULY 1, 2013 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC-20-13 2525 Indianapolis Avenue	Zoning Ordinance Map Amendment	Damir Latinovic, AICP Planner

REQUEST

The petitioner is requesting a Zoning Ordinance Map Amendment to rezone the subject property from R-1, Single Family Residential to R-4, Single Family Residential.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

OWNER: Weber Custom Builders LLC.
1011 Saylor St.
Downers Grove, IL 60516

APPLICANT: Luke Weber
Weber Custom Builders LLC.
1011 Saylor St.
Downers Grove, IL 60516

PROPERTY INFORMATION

EXISTING ZONING: R-1, Single Family Residential
EXISTING LAND USE: vacant
PROPERTY SIZE: 10,000 square feet (0.23 acres)
PIN: 08-01-308-016

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-1, Single Family Residential	Single Family Residential
SOUTH:	R-1, Single Family Residential	Single Family Residential
EAST:	R-1, Single Family Residential	Single Family Residential
WEST:	R-1, Single Family Residential	Single Family Residential

ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Zoning Map and Ordinance
3. Proposal Narrative
4. Plat of Survey

PROJECT DESCRIPTION

The subject property, commonly known as 2525 Indianapolis Avenue, is located at the southwest corner of Indianapolis Avenue and Cross Street. The property is zoned R-1 Single Family Residential and is currently vacant. The lot is 83.34-feet wide by 120-feet deep. The petitioner is requesting to rezone the property to R-4 Single Family Residence district to better match the zoning classification with the size of the property and to take advantage of the less restrictive front yard setback requirement in the R-4 zoning district.

The subject property was annexed into the Village on January 1, 2012 as part of a Village-wide annexation program. Upon annexation, the property was automatically zoned R-1, which is the Village's most restrictive zoning designation. Most surrounding properties were annexed into the Village at the same time and are zoned R-1, Single Family Residence. Small pockets of R-4 zoning exist along Drendel Road near Ogden Avenue and along Cross Street and Burlington Avenue. These R-4 zoned properties were annexed to the Village from 1982 to 1997 and, like the subject property, were automatically zoned R-1 but were rezoned to R-4 pursuant to petitions by the various homeowners. (Exhibit B - Area Zoning Map)

The subject property is comprised of the east 83 feet of two adjacent lots of record. As such, the petitioner has also submitted a petition and plans for a lot consolidation. The lot consolidation petition can be approved administratively. The petitioner will be constructing a new single family home on the property. The petitioner is awaiting the decision of the Plan Commission and Village Council to finalize plans for the new home.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Residential Areas Plan section of the Comprehensive Plan identifies the property as being within the single family detached residential traditional grid area. The traditional grid provides a uniform layout with standard street and lot widths. The proposed rezoning will have no impact on the existing traditional grid development pattern. The property will remain zoned for a single family detached residence.

The Comprehensive Plan recommends that new infill development should be sensitive to local context, maintaining the setback, height, bulk, and orientation similar to that of neighboring development. If the property is rezoned, the petitioner will be able to construct a new single family home which is similar in size and setback to adjacent properties to the west. Staff believes the proposed rezoning of the property from R-1 to R-4 is consistent with the goals of the Comprehensive Plan.

COMPLIANCE WITH THE ZONING ORDINANCE

The existing site conditions and bulk requirements of both the R-1 and R-4 zoning classification are compared in the table below:

2525 Indianapolis Ave Bulk Requirements	R-1 District	R-4 District
Lot Area	20,000 square feet	7,500 square feet
Lot Width	100 feet	50 feet
Front Setback	40 feet	25 feet
Side Setback	8.3 feet	8.3 feet
Rear Setback	20 feet	20 feet
Height	35 feet	33 feet
Lot Coverage	32% (3,200 square feet)	32% (3,200 square feet)

The majority of the properties in this area are 60 feet wide and 15,000 square feet in area. The subject property is 83 feet wide and 10,000 square feet in area and is identical to the three lots immediately to the west along Indianapolis Avenue, which are also 83 feet wide and 10,000-square feet in area. These lot dimensions are consistent with the requirements of the R-4 zoning district.

As a corner lot, the property has front yards along Indianapolis Avenue and along Cross Street. When the original subdivision was created in 1925, a private covenant was placed on all properties in the subdivision requiring a 40-foot building setback along Cross Street (Exhibit A). As such, the front yard setback along Cross Street will remain 40 feet regardless of the zoning classification.

If the property is rezoned, the petitioner would be allowed to construct a new home 25 feet from the front property line along Indianapolis Avenue with a maximum height of 33 feet. All other bulk restrictions would remain the same as in the R-1 district.

Staff concludes that the proposed R-4, Single Family Residential zoning classification is appropriate for this property.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners 250 feet or less from the property in addition to posting the public hearing notice sign and publishing the legal notice in the *Downers Grove Reporter*. Staff spoke with several residents who inquired about the difference between the two zoning classifications. Staff did not receive any objections to the proposed rezoning petition.

FINDINGS OF FACT

Section 28.1702 Standards for Approval of Amendments to the Zoning Ordinance

Village Council and Plan Commission consideration and approval of any amendment, whether text or map, is a matter of legislative discretion that is not controlled by any one standard. However, in making its decisions and recommendations regarding map amendments, the Village Council and Plan Commission shall consider the following factors:

(1) *The existing uses and zoning of nearby property.*

The property is located in a single family detached residential neighborhood. If rezoned, the use of the property would not change. The property would remain zoned for single family detached residential use. The property would have a similar front yard setback and development potential as the three adjacent properties to the west which were built in unincorporated DuPage County. Staff believes this standard has been met.

(2) *The extent to which the particular zoning restrictions affect property values.*

The proposed rezoning will not negatively affect the property values. By rezoning from R-1 to R-4, the property owner will be able to take advantage of the 25-foot front yard setback requirement along

Indianapolis Avenue. The less restrictive setback requirement will allow the petitioner to construct the home in-line with the existing homes adjacent to the west and thereby enhance the value of the neighborhood. This standard has been met.

(3) ***The extent to which any determination in property value is offset by an increase in the public health, safety and welfare.***

The proposed rezoning will not have any negative impact on the surrounding property values. The petitioner would be able to construct a new home in-line with the existing homes to the west which will enhance the value of the neighborhood. This standard has been met.

(4) ***The suitability of the subject property for the zoned purposes.***

The property is currently zoned single family detached residential and as proposed will remain a single family detached residential zoning classification. All surrounding properties in the area between Ogden Avenue to the north and Burlington Avenue to the south are zoned and developed as single family detached residential. The proposed zoning classification is consistent with the existing land use in the neighborhood and is appropriate for this parcel. This standard has been met.

(5) ***The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity.***

The property is currently vacant and has never been improved. If rezoned, the property would have similar development potential as the three homes immediately to the west which were constructed under DuPage County's zoning regulations. The proposed R-4 zoning classification has similar development restrictions to those that were in place prior to the annexation. The proposed R-4 zoning classification is more appropriate for the subject property considering the context of the surrounding neighborhood. This standard has been met.

(6) ***The value to the community of the proposed use.***

The proposed rezoning is consistent with the Comprehensive Plan's recommendation that new development should be sensitive to local context, maintaining the setback, height, bulk, and orientation similar to that of neighboring development. If rezoned, the petitioner will be able to construct a new single family home in-line with the existing homes to the west and enhance the value and character of the neighborhood. Staff believes this standard has been met.

(7) ***The standard of care with which the community has undertaken to plan its land use development.***

The Village has carefully planned its land use development as evidenced by the recent adoption of the Comprehensive Plan, which included a nine-month community outreach process. In the Plan, the subject property was designated for single family detached residential use. The proposed rezoning is consistent with the goals of the Comprehensive Plan. Staff believes this standard has been met.

RECOMMENDATIONS

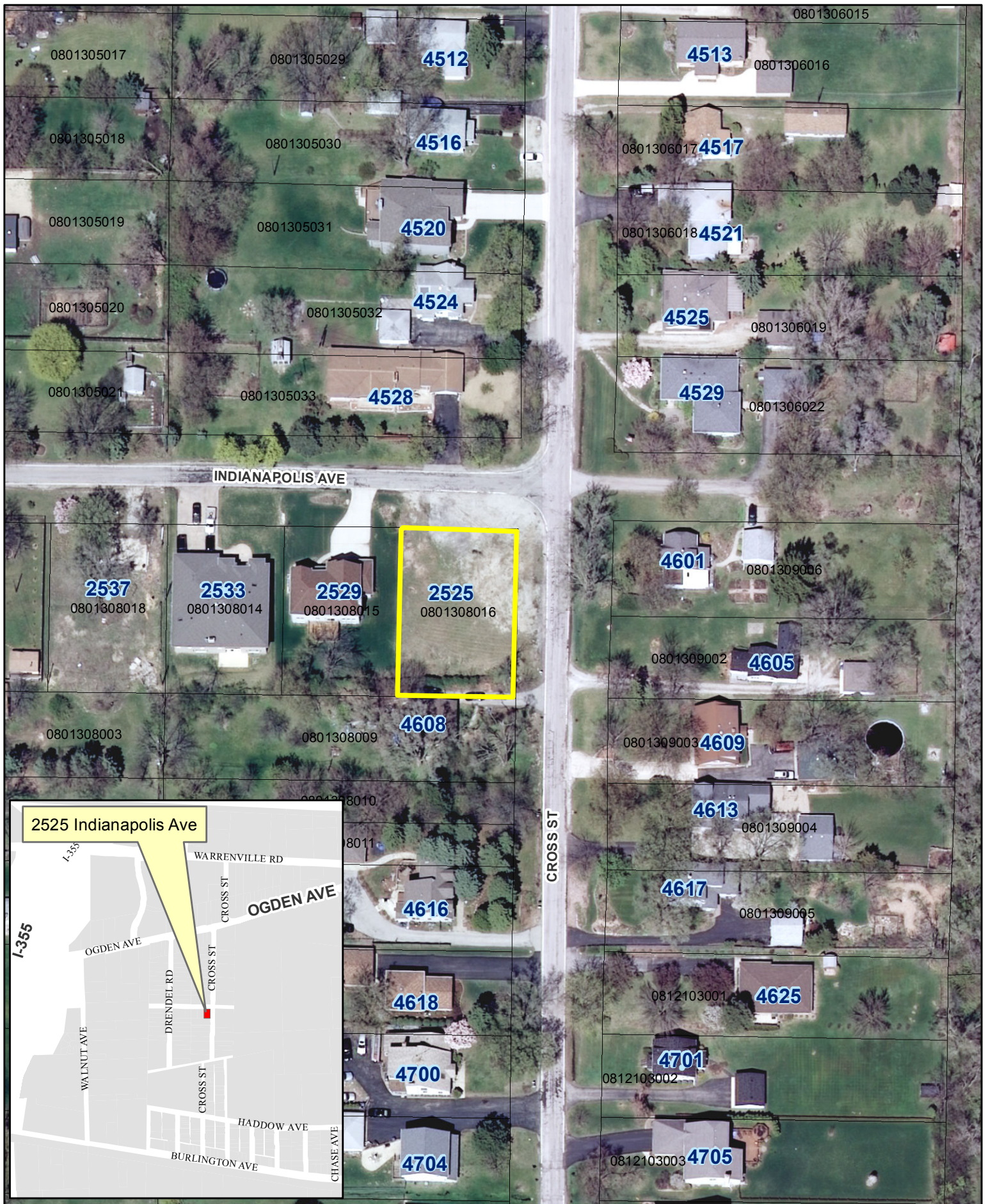
The proposed rezoning of the property from R-1 to R-4 is compatible with surrounding zoning classifications and land uses. Based on the findings listed above, staff recommends the Plan Commission make a positive recommendation to the Village Council regarding PC 20-13 petition.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:dl
-att

P:\P&CD\PROJECTS\PLAN COMMISSION\2013 PC Petition Files\PC-20-13 2525 Indianapolis - Rezoning R-1 to R-4 & Lot Consolidation\Staff Report PC-20-13.doc



2525 INDIANAPOLIS AVE

EXHIBIT A

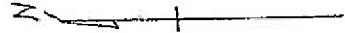
ARTHUR T. MCINTOSH AND COMPANY'S
BELMONT GOLF ADDITION

IN

THE SOUTHWEST QUARTER OF SECTION 1 AND THE NORTHWEST QUARTER OF SECTION 12,
TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS.

Scale 1 inch = 100 feet.

REDUCED 30%



Land Surveyor do hereby certify that part of the Southwest Quarter of Section 1, Range 10 East of the Third Principal Meridian, Township 38 North, Range 10 East of the Third Principal Meridian, DuPage County, Illinois, has been surveyed and subdivided into lots, blocks and streets, such survey and subdivision, that the facts thereof are as corrected to

Arthur T. McIntosh
Registered Land Surveyor No. 4.

Witness my hand and seal, this 10th day of October, 1965, at Chicago, Illinois.

ARTHUR T. MCINTOSH
Surveyor

Witness my hand and seal, this 10th day of October, 1965, at Chicago, Illinois.

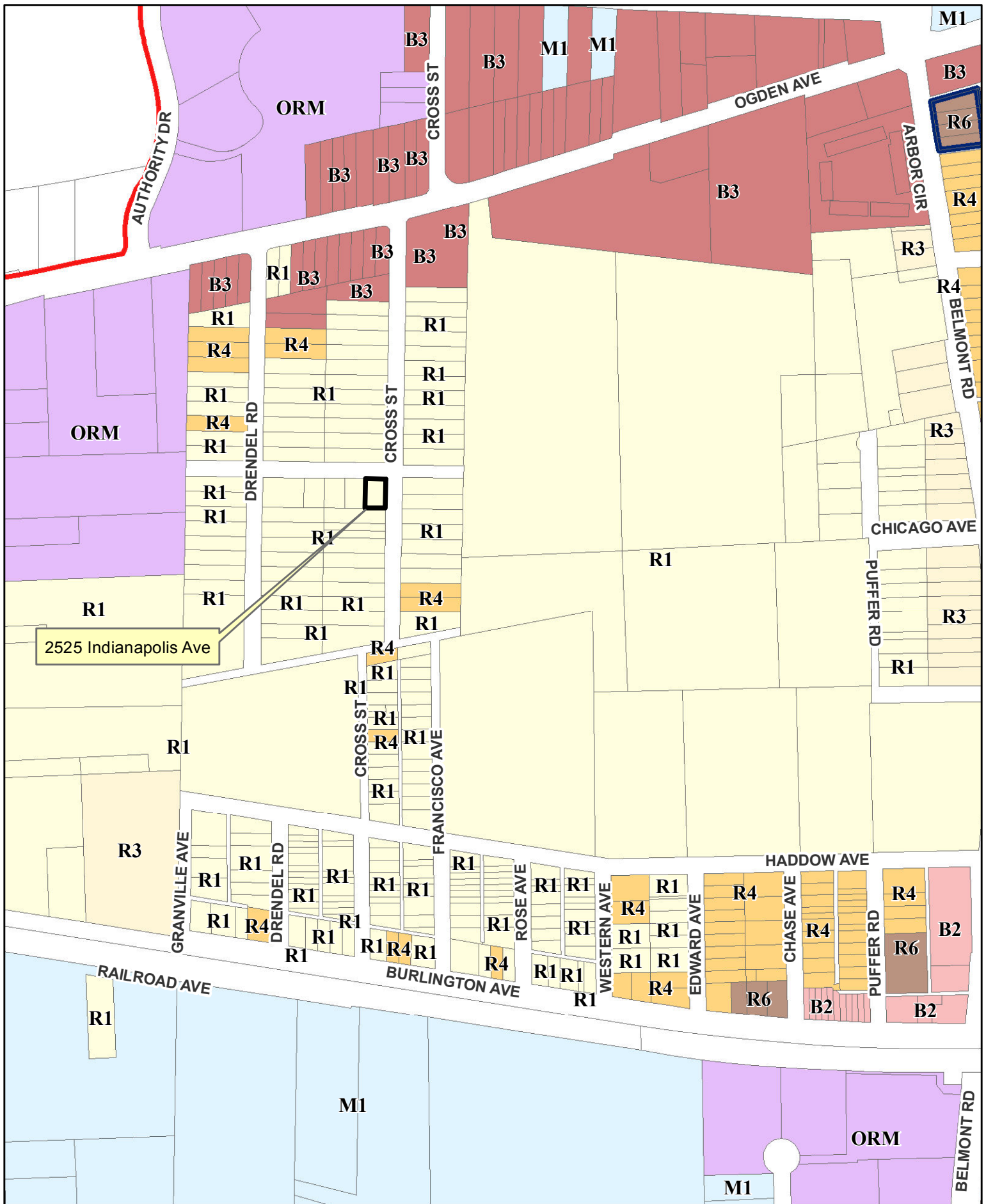
ARTHUR T. MCINTOSH
Surveyor

Witness my hand and seal, this 10th day of October, 1965, at Chicago, Illinois.

ARTHUR T. MCINTOSH
Surveyor

2525 INDIANAPOLIS AVE.

For Vol. 10 (Pg. 10) see R 30-64760 7/22



2525 Indianapolis Ave

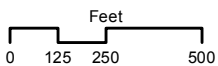


EXHIBIT B - AREA ZONING MAP

2525 Indianapolis Ave

Department of Community Development
Village of Downers Grove
801 Burlington Avenue
Downers Grove, IL 60515

May 14'th, 2013

Subject Property: 4600 Cross St, Downers Grove, IL 60515
Future Address: 2525 Indianapolis, Downers Grove, IL 60515
PIN #: 08-01-308-016

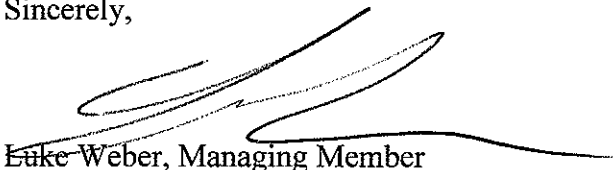
Subject: Rezoning Request From R1 To R4

Dear Plan Commissioner,

I am the owner of the subject property listed above. We respectfully are requesting the rezoning classification of this property from R1 to R4. The future home we will be building will face Indianapolis (corner lot) instead of Cross; the R4 zoning classification will allow our future home to be in line with the other homes on the block.

We look forward to your favorable decision on this matter.

Sincerely,



Luke Weber, Managing Member
Weber Custom Builders, LLC

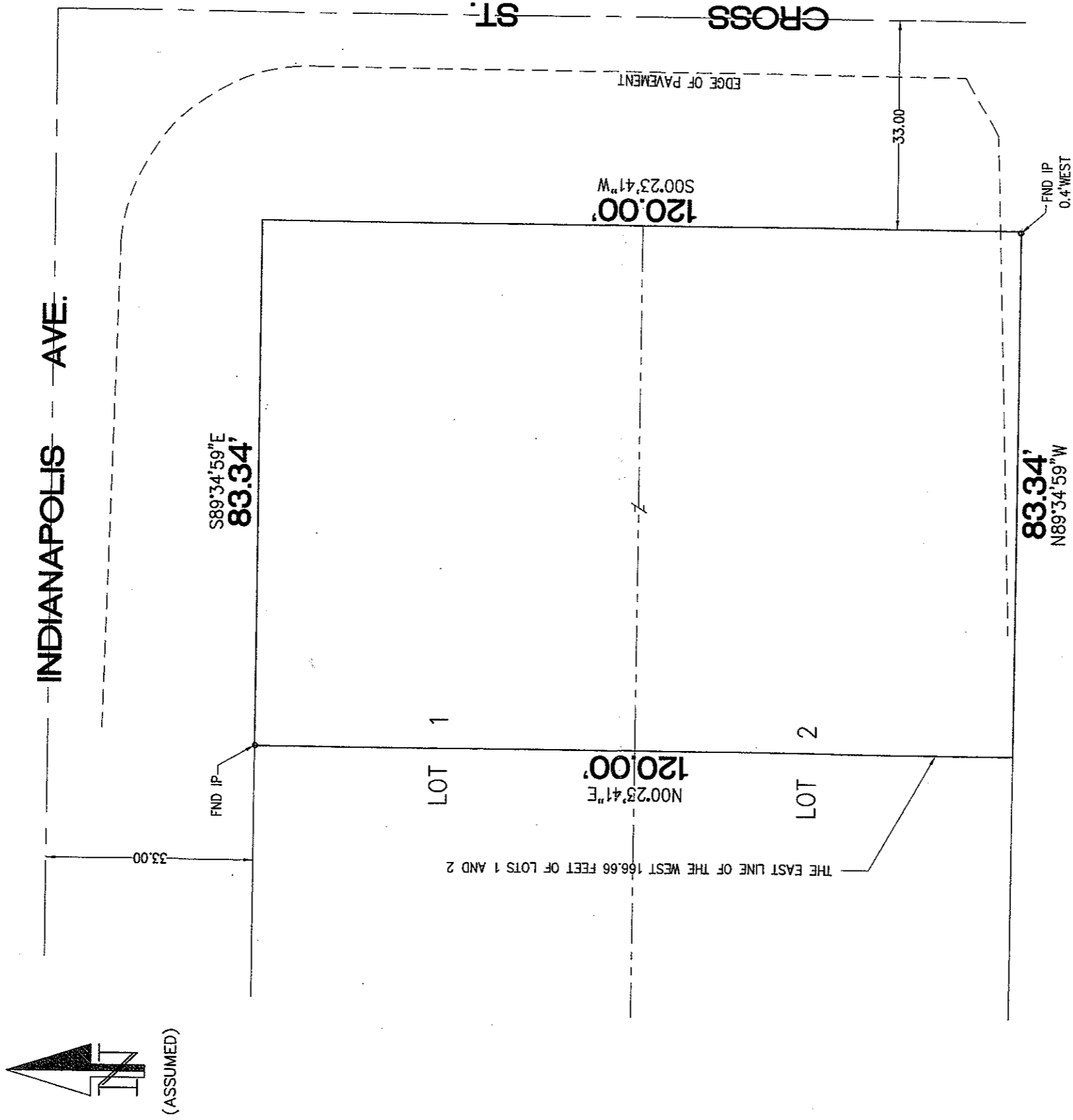


125355 LEMONT RD. LEMONT, ILLINOIS 60439
 PHONE: (630) 739-0707 FAX: (630) 739-6080
 CHICAGO METRO AREA
 PHONE: (773) 581-9477
 EMAIL: GEOPOOL@COMCAST.NET

PLAT OF SURVEY

OF

LOTS 1 AND 2 (EXCEPT THE WEST 166.66 FEET OF SAID LOTS) IN BLOCK 5 IN ARTHUR T. MCINTOSH AND COMPANY'S BELMONT GOLF ADDITION, IN THE SOUTHWEST QUARTER OF SECTION 1 AND THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 14, 1925 AS DOCUMENT 198614, IN DUPAGE COUNTY, ILLINOIS.



(ASSUMED)

- IRON PIPE + CROSS
- IRON PIPE - REBAR/ROD - NOTCH
- CHAIN LINK FENCE
- WOOD FENCE
- IRON FENCE

ABBREVIATIONS:

- L = ARC LENGTH
- R = RADIUS
- CH = CHORD LENGTH
- (r) = RECORD VALUE
- (m) = MEASURED VALUE
- P.U.D. = PUBLIC UTILITY & DRAINAGE EASEMENT
- N'LY = NORTHERLY
- S'LY = SOUTHERLY
- E'LY = EASTERLY
- W'LY = WESTERLY
- TYP = TYPICAL

SCALE 1 INCH EQUALS 20 FEET
 DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF.

GENERAL NOTES:

1. TITLE COMMITMENT REPORT HAS NOT BEEN PROVIDED BY THE CLIENT FOR THIS SURVEY;
2. FOR BUILDINGS LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, TITLE COMMITMENT, ORDINANCE, ETC.
3. BEARINGS ARE FOR ANGULAR REFERENCE ONLY AND ARE NOT RELATED TO TRUE OR MAGNETIC NORTH.
4. SURVEY IS BASED ON FIELD WORK COMPLETED ON APRIL 24, 2013

"THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM TECHNICAL STANDARDS FOR A BOUNDARY SURVEY."

STATE OF ILLINOIS }
 COUNTY OF DUPAGE } SS

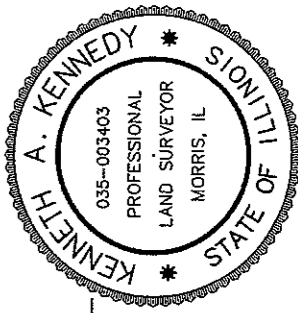
WE, GEOPOOL SURVEYORS, INC. DO HEREBY STATE THAT WE HAVE PREPARED THE BOUNDARY SURVEY DEPICTED HEREON. THIS PLAT REPRESENTS THE CONDITIONS FOUND AT THE TIME OF SAID SURVEY.

ORDERED BY: LUKE WEBER
 DRAWN BY: KB
 SURVEYED BY: ZM/AB
 ORDER NO: 13-076

LEMONT, ILLINOIS APRIL 26, 2013

[Signature]

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003403
 MY LICENSE EXPIRES 11/30/2014



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VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

JULY 1, 2013, 7:00 P.M.

Chairman Webster called the July 1, 2013 meeting of the Plan Commission to order at 7:00 p.m. and led the Plan Commissioners and the public in the recital of the Pledge of Allegiance.

ROLL CALL:

PRESENT: Chairman Webster, Mr. Beggs, Mr. Cozzo, Mr. Matejczyk, Mr. Quirk, Mrs. Rabatah, Ms. Urban, Mr. Waechtler

STAFF PRESENT: Community Development Planning Director Tom Dabareiner; Village Planning Manager Charity Jones; Planner Damir Latinovic; Planner Stan Popovich

VISITORS: Mark Thoman, 1109 61st St.; John and Daphne Frederick, 916 40th Street; Peter and Marykay Jenkner, 912 40th Street; Judy Wohlt, 908 40th Street; Scott Wilson, 4030 Washington St.; Nigel Maughan and Megan Trenter, Washington St.; Luke Weber, 1011 Saylor St.; David Binkley, 2529 Indianapolis Ave.; Karen Samiek, 4613 Drendel Rd.; Mike Samiek, 4615 Drendel Rd.; Marge Earl, 4720 Florence Ave.; Kirk Bishop, Duncan Associates, 212 W. Kinzie St., Chicago; China Deluch, 4608 Cross St.

...

Chairman Webster reviewed the protocol for the meeting. A change in the agenda followed:

PC 20-13 A petition seeking a Zoning Ordinance Map Amendment to rezone the property from R-1, Single Family Residential to R-4, Single Family Residence. The property is located at the southwest corner of Cross Street and Indianapolis Avenue and is commonly known as 2525 Indianapolis Avenue, Downers Grove, IL (PIN 08-01-308-016). Luke Weber, Weber Custom Builders LLC., Petitioner; Weber Custom Builders LLC, Owner.

Chairman Webster swore in those individuals who would be speaking on the above petition.

Village Planner, Damir Latinovic, reviewed the subject property and its southwest corner lot location on the overhead. The land was currently zoned R-1 Single Family Residence and the petitioner was seeking a zoning map amendment to rezone the parcel to R-4 Single Family Residence in order to construct a single-family home in character with the surrounding homes. Mr. Latinovic stated the property consisted of portions of two lots of record and was force-annexed into the Village in 2012 with R-1 zoning (most restrictive zoning).

Referenced in staff's report (page 3) was a table detailing the minimum bulk standards for the R-4 zoning, noting the front setback for this proposal will be 25 feet rather than 40 feet and the height

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requirement will be 33 feet versus 35 feet. All other requirements will remain the same. A 40-ft. setback along Cross Street will remain since it is a private covenant setback created back in 1925.

Reviewing a zoning map on the overhead, Mr. Latinovic confirmed the proposal met the village's Comprehensive Plan. Proper notification and publishing of this proposal was completed and staff received general inquiry phone calls asking about the difference between R-1 and R-4 zoning.

The Standards for the Approval of the rezoning were referenced by Mr. Latinovic. He stated that there would be no negative effects to the surrounding property values and believed the proposal would enhance the value of the neighborhood. Staff recommended approval of the petition.

Commissioner questions/comments followed regarding the north setbacks on 2529 and 2533 Indianapolis Ave (between 20 and 23 feet, per staff); how many homes in the area were annexed into the Village in 2012 (parcels colored purple on the overhead map shown by staff); and the fact that the two existing homes adjacent to the west that were annexed into the village remain as R1 zoning and are classified as legal, non-conforming in the Village. Further clarification followed by Mr. Latinovic regarding the private covenant and how it overrode the Village's zoning requirement.

Petitioner, Mr. Luke Weber, of Weber Custom Builders, 1011 Saylor Street, Downers Grove, stated he purchased the property a few months ago to construct the best possible home he could. Regarding the setback measurement, he stated that after several measurements the front setback of adjacent homes to the west is at 25 feet. He did speak with a number of neighbors which were concerned about drainage. He did clarify that if he does not get the rezoning approval, he would then construct a home pushed "way back on Indianapolis." However, he believed it would be beneficial to be closer to Indianapolis and in line with the neighbors' homes.

Chairman Webster opened up the meeting to public comment.

Mr. Dave Binkley, 2529 Indianapolis Ave., supported the petition and was tired of the lot being used as a parking lot. His only issue was that drainage be addressed.

Ms. Karen Samiek, 4613 Drendel Road, discussed the smaller homes that were on some of the previous lots and she believed the high density homes built on Indianapolis were the cause of significant drainage issues, and the homes towered over the neighborhood. She discussed the drainage issues experienced on Cross Street and on her own block due to poor planning on the part of the village and park district. She believed the lot was too small for the project.

Ms. China Deluch, 4601 Cross St., also agreed that since the new homes have been built on Indianapolis her and her neighbors' homes have been flooded and the septic wells do not work. She did not oppose the home as long as it was built responsibly and the drainage issues were addressed.

Mr. Mark Samiek, 4615 Drendel Road, believed there were old drainage pipes existing in his area which were too small for what was needed and while the Village had previously sent officials to see the area, nothing had been done.

Hearing no further comments, public comment was closed by Chairman Webster.

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Mr. Luke Weber responded that he had another house at 6240 Dunham that was under construction and restated that he is aware that drainage has been the Village's number one concern and it has taken steps to address such issues. He believed going forward with the new single family home would improve the issues, in his opinion.

Per a question regarding drainage, Mr. Latinovic explained that since the construction of the homes west of the property, DuPage County has adopted a new stormwater ordinance and that the ordinance is more stringent. He reminded commissioners that a building permit would not be issued until all plans and engineering requirements meet the requirements of the stormwater ordinance. He pointed out that when the three homes were built, DuPage County did not have a maximum lot coverage restriction -- citing the home at 2533 Indianapolis took up a significant portion of the lot -- which would not be permitted by the Village on the subject lot.

Mr. Beggs inquired as to how he could tell the effect of the run-off from a new building, wherein Mr. Latinovic explained that the petitioner had to provide an existing grading plan to reflect the water flows, along with a proposed grading plan, locating the swales, sump pump and gutter discharges etc. Mr. Cozzo confirmed with staff that a home could still be constructed even if the petition for rezoning was denied but that it would be set back further and a bit taller. Additional questions followed regarding clarification of whether the neighborhood had septic fields or a sanitary sewer system, whether a certain Village engineer was still with the Village, and whether this was the first request for the R-4 zoning in the area. Concern was raised by Mr. Waechtler that the proposed home was going to be constructed on a hill and that staff would have to pay attention to water drainage. Community Development Director Dabareiner interjected, explaining that no plans for the new home or the proposed grading plan were received yet and that swales were just one of many drainage options that were used to address drainage. Adding to that, he stated that some of these plans are reviewed by the Village consultant, specifically paying attention to calculations and ensuring that the plans adhere to the stormwater ordinance requirements.

Commissioner comments followed that the standards for rezoning were being met. Staff was asked whether the Village had known of any previous situations of water drainage involving septic fields and how was it handled, wherein Mr. Latinovic explained it was a common factor in this area where the sanitary sewer was not available to the residents but that the septic fields underground did not impact the management of the stormwater runoff. He emphasized that the runoff would be managed properly to meet the ordinance. Mr. Waechtler asked that in the future staff have a Village stormwater engineer on hand to address the issues being raised by the residents. In response, Mr. Latinovic indicated that the Village development engineer is always available by phone as is all other staff. Once the plans are received by staff, they could be reviewed by the public.

WITH RESPECT TO PC 20-13, MR. BEGGS MADE A MOTION TO APPROVE THE PETITION FOR REZONING FROM R-1 RESIDENTIAL TO R-4 RESIDENTIAL.

SECONDED BY MR. MATEJCZYK. ROLL CALL:

**AYE: MR. BEGGS, MR. MATEJCZYK, MR. COZZO, MR. QUIRK, MS. RABATAH,
MS. URBAN, MR. WAECHTLER, CHAIRMAN WEBSTER**

NAY: NONE

MOTION CARRIED. VOTE: 8-0

DRAFT

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THE MEETING WAS ADJOURNED AT 10:52 P.M. ON MOTION BY CHAIRMAN WEBSTER. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 8-0.

/s/ Celeste K. Weilandt

Celeste K. Weilandt

(As transcribed by MP-3 audio)