

**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE VILLAGE COUNCIL MEETING  
SEPTEMBER 2, 2014 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Acceptance of Public Improvements – Walnut Grove Subdivision	✓ Resolution Ordinance Motion Discussion Only	Nan Newlon, P.E. Director of Public Works

**SYNOPSIS**

A resolution has been prepared for the acceptance of public improvements for the Gronych’s Walnut Grove Subdivision.

**STRATEGIC PLAN ALIGNMENT**

The Goals for 2014-2018 identified *Top Quality Infrastructure*.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval on the September 2, 2014 consent agenda.

**BACKGROUND**

Gronych’s Walnut Grove Subdivision includes Walnut Grove Court and is located south of 66<sup>th</sup> Street, three blocks west of Fairview Avenue. The subdivision consists of 15 lots including one stormwater management basin located on a separate lot, to be maintained by the homeowners association (HOA).

Resolution 2005-43 approved the final plat of subdivision that was submitted by Prairie Design & Build. Public Improvements and a few homes were built before the recession. In late 2011, DRH Cambridge Homes purchased the remaining lots and completed the public improvements.

The public improvements have been inspected and recommended for acceptance by staff. Public improvements include the streets, sidewalks, lighting and other infrastructure within the Right of Way. The stormwater management basin is considered a public improvement, but will be maintained by the HOA.

With the acceptance of the public improvements, the two-year maintenance period will begin, and appropriate letters of credit are in place.

**ATTACHMENTS**

- Resolution
- Resolution 2005-43 including engineering plans



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING ACCEPTANCE OF  
PUBLIC IMPROVEMENTS – WALNUT GROVE SUBDIVISION**

WHEREAS, The Village Council has previously approved final plans for the Walnut Grove Subdivision; and,

WHEREAS, Naniel Newlon, Director of Public Works, has recommended acceptance of these public improvements.

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

1. That the Village hereby accepts those municipal public improvements constructed as part of the Walnut Grove Subdivision generally located south of 66<sup>th</sup> Street, three blocks west of Fairview Avenue, in accordance with the approved plans and specifications, as more accurately depicted on attached Exhibit A.
2. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Agreement.
3. That all resolutions or parts of resolutions in conflict with the provisions of the Resolution are hereby repealed.
4. That this Resolution shall be in full force and effect from and after its passage as provided by law.

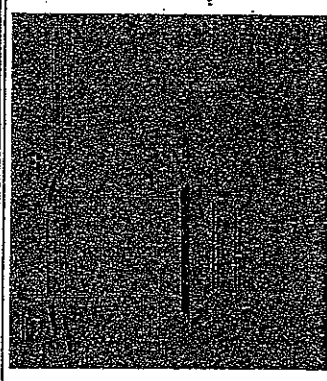
\_\_\_\_\_  
Mayor

Passed:

Published:

Attest: \_\_\_\_\_  
Village Clerk

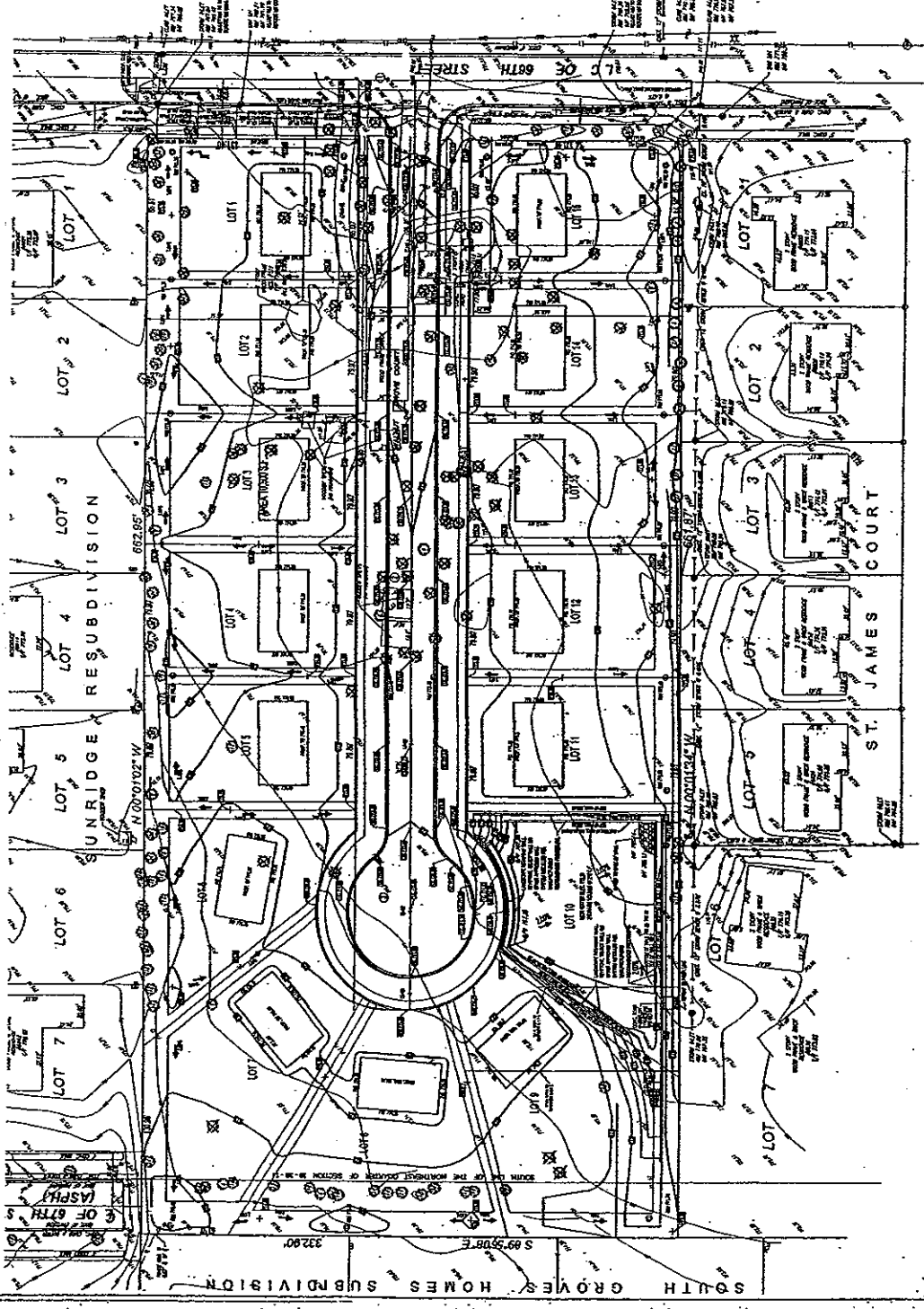
2002-42



GRAPHIC SCALE  
1" = 100' (AS SHOWN)

DOWNERS GROVE  
BENCHMARK F738:  
ELEVATION 142.00'  
BENCHMARK F739:  
ELEVATION 142.00'  
DRIVE TO JACKSON FROM 87TH  
ELEVATION 142.00'

LEGAL DESCRIPTION...



REVISED

PROJ. N.

DATE:

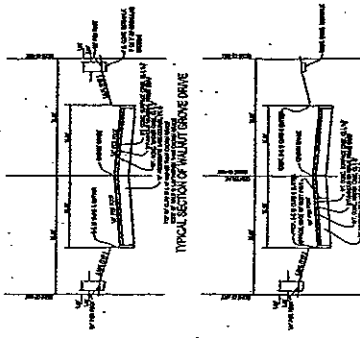
DRAWN BY

PLANS PREPARED FOR

GRADING AND PAVING SHEET

Genesis Survey, PC

2004-11-18  
SHEET 3



ALL UTILITIES SHALL BE PLACED UNDER THE ELEVATION OF ALL ADJACENT CORNERS. THE  
REQUIREMENTS SHALL BE THE SAME AS FOR ALL UTILITIES. ALL UTILITIES SHALL BE  
PLACED IN THE PUBLIC RIGHT OF WAY AND SHALL BE PLACED IN ACCORDANCE WITH THE  
CONTRACTOR TO BEYOND AND UNLESS THEY EXCEED THE PROPERTY OR BEYOND.

REVISED 3-31-05

Group Exhibit 2

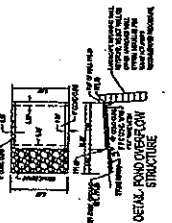
# REVISED 3-31-05

Sheet 1 of 4  
2004-5007

Genesis Survey, PC  
EXISTING & PROPOSED UTILITIES

PLANS PREPARED FOR:

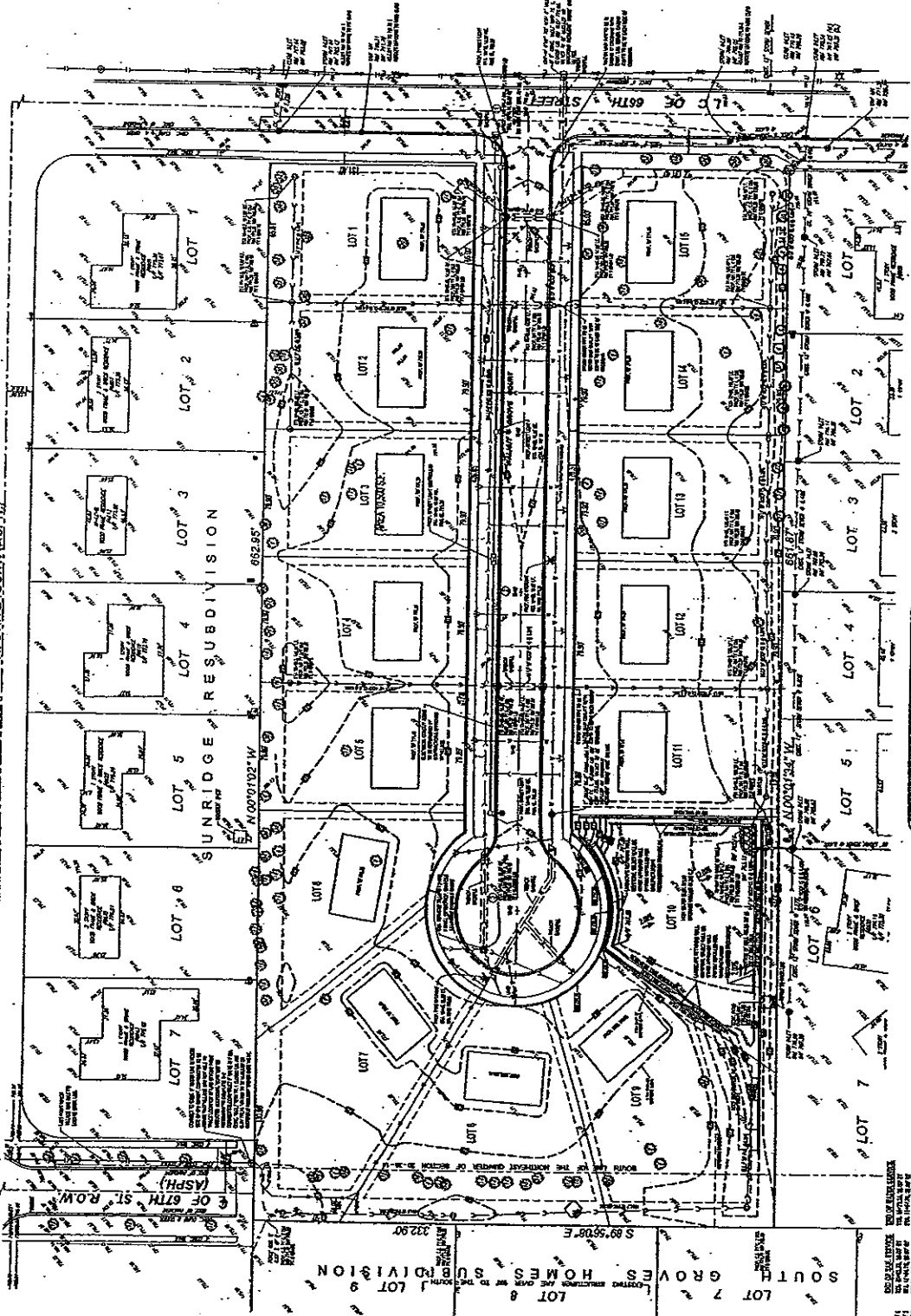
NO.	DATE	DRAWN	PROJ.	REVISIONS
1				



NO.	DATE	DRAWN	PROJ.	REVISIONS
1				

LEGEND

- Property Lines
- Proposed Buildings
- Proposed Driveways
- Proposed Paved Areas
- Proposed Gravel Areas
- Proposed Sand Areas
- Proposed Rip Rap Areas
- Proposed Flood Overflow Structures
- Proposed Retention Walls
- Proposed Stormwater Management Systems
- Proposed Utility Lines
- Proposed Easements
- Proposed Encroachments
- Proposed Survey Points
- Proposed Spot Elevation
- Proposed Contour Lines
- Proposed Tree Symbols
- Proposed Existing Structures
- Proposed Existing Driveways
- Proposed Existing Paved Areas
- Proposed Existing Gravel Areas
- Proposed Existing Sand Areas
- Proposed Existing Rip Rap Areas
- Proposed Existing Flood Overflow Structures
- Proposed Existing Retention Walls
- Proposed Existing Stormwater Management Systems
- Proposed Existing Utility Lines
- Proposed Existing Easements
- Proposed Existing Encroachments
- Proposed Existing Survey Points
- Proposed Existing Spot Elevation
- Proposed Existing Contour Lines
- Proposed Existing Tree Symbols
- Proposed Existing Structures
- Proposed Existing Driveways
- Proposed Existing Paved Areas
- Proposed Existing Gravel Areas
- Proposed Existing Sand Areas
- Proposed Existing Rip Rap Areas
- Proposed Existing Flood Overflow Structures
- Proposed Existing Retention Walls
- Proposed Existing Stormwater Management Systems
- Proposed Existing Utility Lines
- Proposed Existing Easements
- Proposed Existing Encroachments
- Proposed Existing Survey Points
- Proposed Existing Spot Elevation
- Proposed Existing Contour Lines
- Proposed Existing Tree Symbols



DOWNERS CIRCLE  
 BENCHMARK #308:  
 100.000 ±  
 100.000 ±  
 100.000 ±

NOTE: ALL UTILITIES SHOWN SHALL BE AS SHOWN ON THE RECORD PLANS FOR THE PROJECT.  
 UTILITIES NOT SHOWN SHALL BE AS SHOWN ON THE RECORD PLANS FOR THE PROJECT.  
 UTILITIES NOT SHOWN SHALL BE AS SHOWN ON THE RECORD PLANS FOR THE PROJECT.

GENERAL NOTES:  
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 2. ALL DISTANCES ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.  
 3. ALL BEARINGS ARE TO BE TRUE BEARINGS.  
 4. ALL DISTANCES ARE TO BE AS SHOWN.  
 5. ALL UTILITIES SHALL BE INSTALLED AS SHOWN ON THE RECORD PLANS FOR THE PROJECT.  
 6. ALL UTILITIES SHALL BE INSTALLED AS SHOWN ON THE RECORD PLANS FOR THE PROJECT.  
 7. ALL UTILITIES SHALL BE INSTALLED AS SHOWN ON THE RECORD PLANS FOR THE PROJECT.  
 8. ALL UTILITIES SHALL BE INSTALLED AS SHOWN ON THE RECORD PLANS FOR THE PROJECT.  
 9. ALL UTILITIES SHALL BE INSTALLED AS SHOWN ON THE RECORD PLANS FOR THE PROJECT.  
 10. ALL UTILITIES SHALL BE INSTALLED AS SHOWN ON THE RECORD PLANS FOR THE PROJECT.

E. OF BRIARGATE DRIVE R.O.W. (ASPH.)

E. OF 67TH ST. R.O.W. (ASPH.)

SUNRIDGE RESUBDIVISION

SOUTH GROVES HOMES SUBDIVISION

RESOLUTION 2005-43

**A RESOLUTION APPROVING THE FINAL PLAT  
OF SUBDIVISION FOR THE  
WALNUT GROVE SUBDIVISION WITH EXCEPTIONS**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for Final Plat of Subdivision approval for the Walnut Grove Subdivision, located on the south side 66<sup>th</sup> Street, west of St. James Court and east of Briargate Drive, Downers Grove, Illinois, legally described as follows:

The West Half of the Southwest Quarter of the Southeast Quarter of the Northeast Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian (provided however, that the North 33.00 feet of said property herein described shall be used exclusively for road purposes to the general public) in DuPage County, Illinois;

And

That part of the north 33.00 feet of the Northeast Quarter of the Southeast Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian, lying east of the southerly extension of the west line of the Southwest Quarter of the Southeast Quarter of the Northeast Quarter of Section 20 and lying West of the southerly extension of the East line of the West Half of the Southwest Quarter of the Southeast Quarter of the Northeast Quarter of Section 20, all in DuPage County, Illinois.

Commonly known as 515 66<sup>th</sup> Street, Downers Grove, IL (PIN 09-20-211-008, 09-20-408-015)

WHEREAS, Exceptions have been requested pursuant to Section 602 of the Downers Grove Municipal Code to permit the following:

- a) An Exception from Chapter 20, *Subdivision Ordinance*, Section 20-301, *Lot Dimensions* to allow Lot Depth Exceptions for Lots 1, 2, 3, 4, 5, 6, 8, 11, 12, 13, 14 and 15 to allow lot depths of less than the required 140 feet.
- b) An Exception from Chapter 20, *Subdivision Ordinance*, Section 20-303(b), *Street Connections* to not dedicate or provide a connection to the adjacent 67<sup>th</sup> Street right-of-way.
- c) An Exception from Chapter 20, *Subdivision Ordinance*, Section 20-401, *Required Public Improvements* to not provide the Public Works requested easement and sidewalk over portions of Lots 7 and 8 to connect the proposed cul-de-sac to Briargate via 67<sup>th</sup> Street.

WHEREAS, notice has been given and a hearing held on April 4, 2005 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 the Walnut Grove Subdivision with Exceptions 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 Subdivision for the Walnut Grove Subdivision, be and is hereby approved subject to the following conditions:

- 1. The subdivision shall be in substantial compliance with the Final Plat entitled "Final Plat of Walnut Grove Subdivision", dated June 3, 2005 (except as amended by the conditions contained herein), a reduced copy of which is attached hereto and incorporated herein by

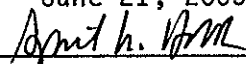
reference as Group Exhibit 1; and

2. The subdivision shall be in substantial compliance with the engineering plans (except as amended by the conditions herein), dated March 31, 2005, reduced copies of which are contained and incorporated herein by reference in Group Exhibit 2; and
3. Except as provided herein, the Walnut Grove Subdivision shall be subject to the conditions and recommendations of the Plan Commission as set forth in the minutes of the April 4, 2005 meeting of the Plan Commission; and as set forth in the Planning & Community Development Staff Report (except as amended by the conditions herein), dated March 31, 2005, copies of which are attached hereto and incorporated herein by reference in Group Exhibit 2; and
4. Compliance with the Public Works memorandum dated May 23, 2005 including submission of revised final plat of subdivision and engineering plans to address all outstanding identified issues prior to issuance of permits, excluding the provisions of sidewalks on private property; and
5. Compliance with all Fire Prevention Division requirements and conditions as outlined in their memorandum dated March 30, 2005, a copy of which is contained and incorporated herein by reference in Group Exhibit 2; and
6. Payment of school and park district donations in the amount of \$59,920.43; and
7. 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
8. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, and Village laws, ordinances, regulations, and policies.

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

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.

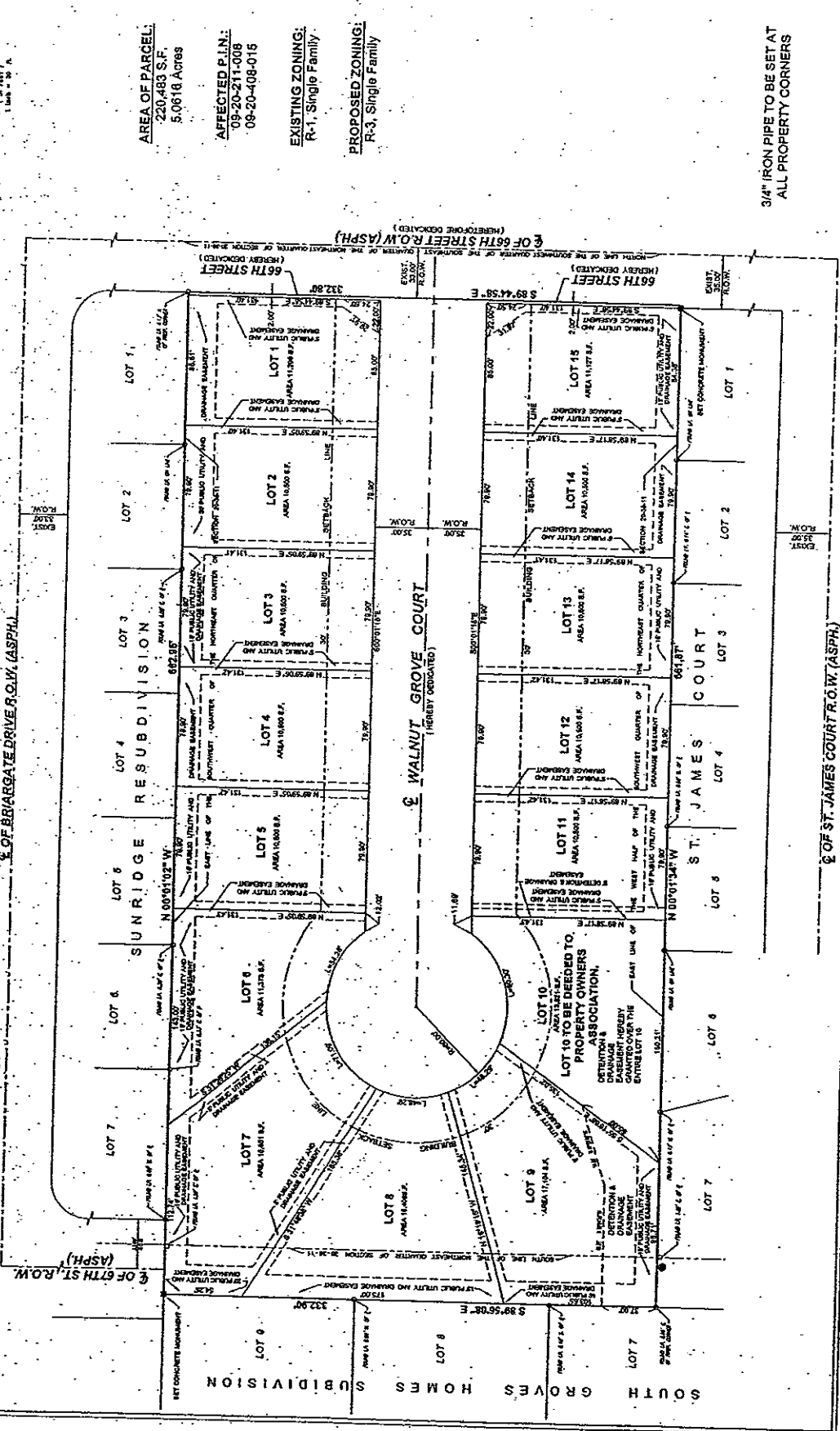
  
 \_\_\_\_\_  
 Mayor

Passed: June 21, 2005  
 Attest:   
 \_\_\_\_\_  
 Village Clerk

# FINAL PLAT OF SUBDIVISION OF GRONYPH'S WALNUT GROVE SUBDIVISION

BEING A SUBDIVISION IN THE EAST HALF OF SECTION 20, TOWNSHIP 38 NORTH,  
RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN POPLAR COUNTY, ILLINOIS.

E. OF BRARSGATE DRIVE R.O.W. (ASPH.)



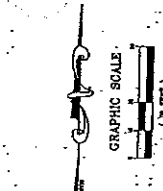
DATE: 04-17-04	PROJ. NO. T.S.	PROJ. NAME	DATE	BY	REVISION
04-17-04	220-483 S.F.	GRONYPH'S WALNUT GROVE SUBDIVISION	04-17-04	PC	1
04-17-04	5.0016 ACRES	GRONYPH'S WALNUT GROVE SUBDIVISION	04-17-04	PC	2
04-17-04		GRONYPH'S WALNUT GROVE SUBDIVISION	04-17-04	PC	3
04-17-04		GRONYPH'S WALNUT GROVE SUBDIVISION	04-17-04	PC	4
04-17-04		GRONYPH'S WALNUT GROVE SUBDIVISION	04-17-04	PC	5

PLANS PREPARED FOR:  
FRANK DESIGN & BUILD  
4115 S. ROSELYN ROAD  
DOWNERS GROVE, ILLINOIS 60155

FINAL PLAT OF SUBDIVISION  
GRONYPH'S WALNUT GROVE SUBDIVISION  
DOWNERS GROVE, ILLINOIS

*Gronyph's Survey*  
PROFESSIONAL DESIGN FIRM No. 184-00222  
2020 WATKINS ROAD, SUITE 100  
DOWNERS GROVE, ILLINOIS 60155  
TEL: 630-583-8800 FAX: 630-583-8810

GENESIS JOB NO.  
04-430  
SHEET 1 OF 2



AREA OF PARCEL:  
220,483 S.F.  
5.0016 ACRES

AFFECTED P.L.N.:  
09-20-211-008  
08-20-408-016

EXISTING ZONING:  
R-1, Single Family

PROPOSED ZONING:  
R-3, Single Family

3/4" IRON PIPE TO BE SET AT  
ALL PROPERTY CORNERS

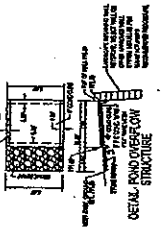
REVISED 6-3-05  
 2005-43  
 04-430  
 SHEET 1 OF 2  
 1  
 191974 MAY 1





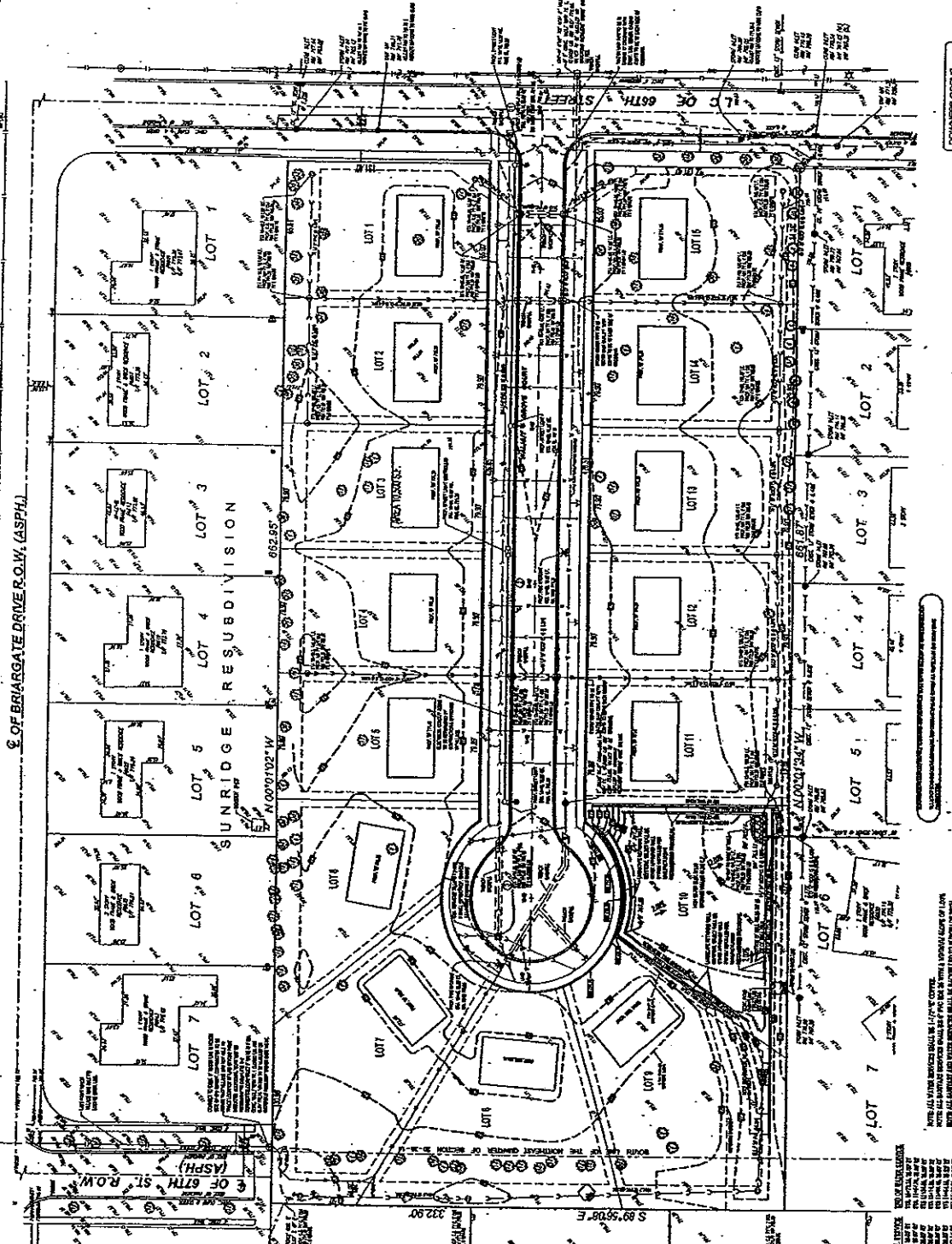
2004-5007

1" = 40' SCALE



NO.	DESCRIPTION	DATE	BY	APP'D.
1	PRELIMINARY			
2	FINAL			

ALL UTILITIES SHOWN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. THE PLANS AND PROFILES ARE TO BE USED TO LOCATE AND MARK ALL UTILITIES TO BE EXPOSED AND RELOCATED IN ACCORDANCE WITH THE CITY OF RICHMOND STANDARD SPECIFICATIONS FOR PUBLIC WORKS.



DOWNERS CIRCLE  
 BENCHMARK #108:  
 682.85'±  
 2004-5007

NOTE: ALL UTILITIES SHOWN SHALL BE LOCATED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF RICHMOND.

SOUTH GROVES HOMES SUBDIVISION  
 LOT 8  
 LOT 7  
 LOT 9

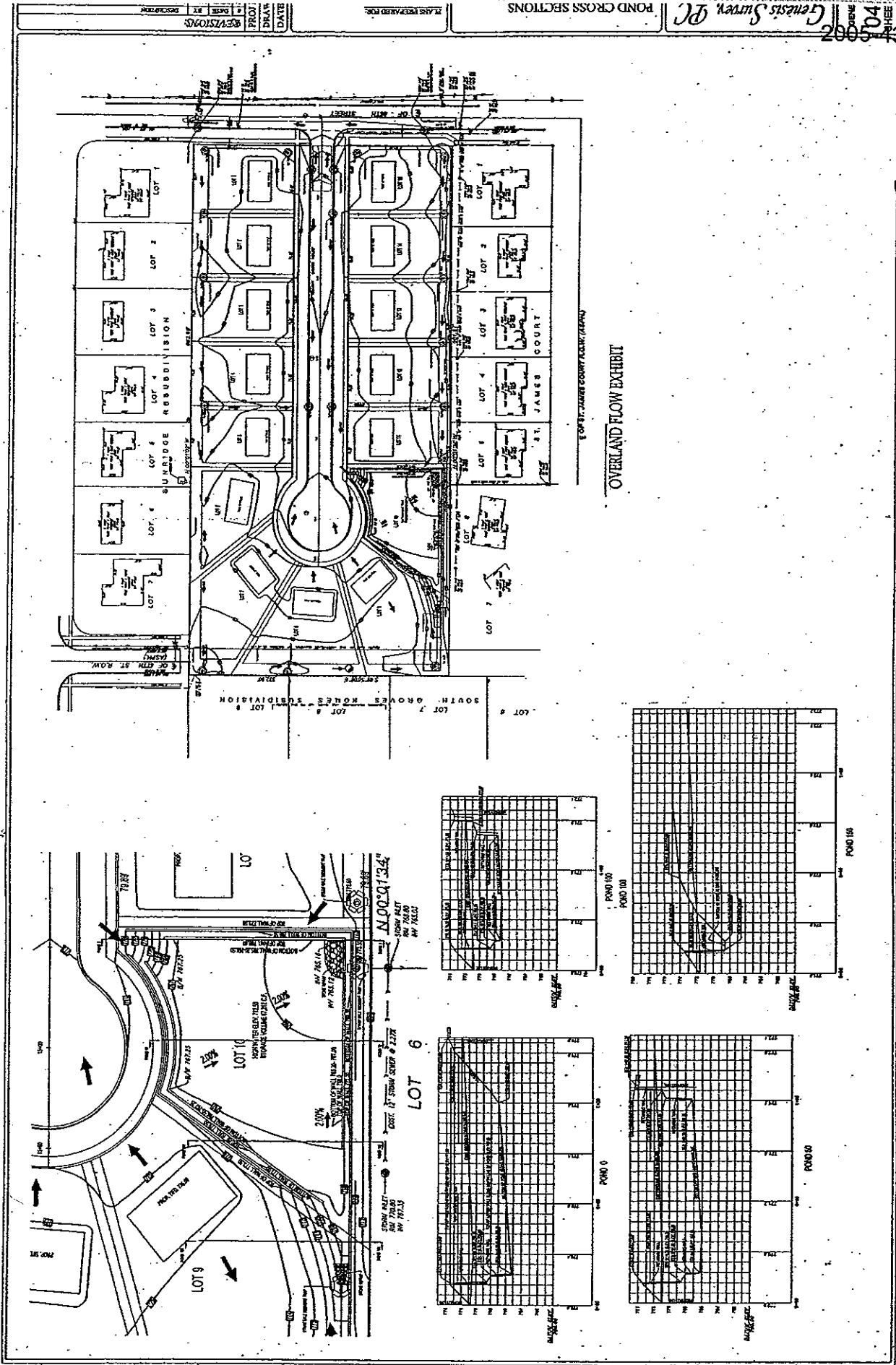
SUNRIDGE RESUBDIVISION

E. OF 67TH ST. R.O.W. (ASPH.)

BRIGADATE DRIVE R.O.W. (ASPH.)

L.P. OF 68TH STREET

1801



OVERLAND FLOW EXHIBIT

REVISED 3:31:05

REVISED 3-31-05

200502

Genesis Survey, PC  
PROFESSIONAL SURVEYOR  
GENERAL  
7/19/05

EROSION CONTROL PLAN

PLANT PREPARED FOR:

DATE:

DRAWN:

PROJECT:

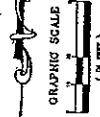
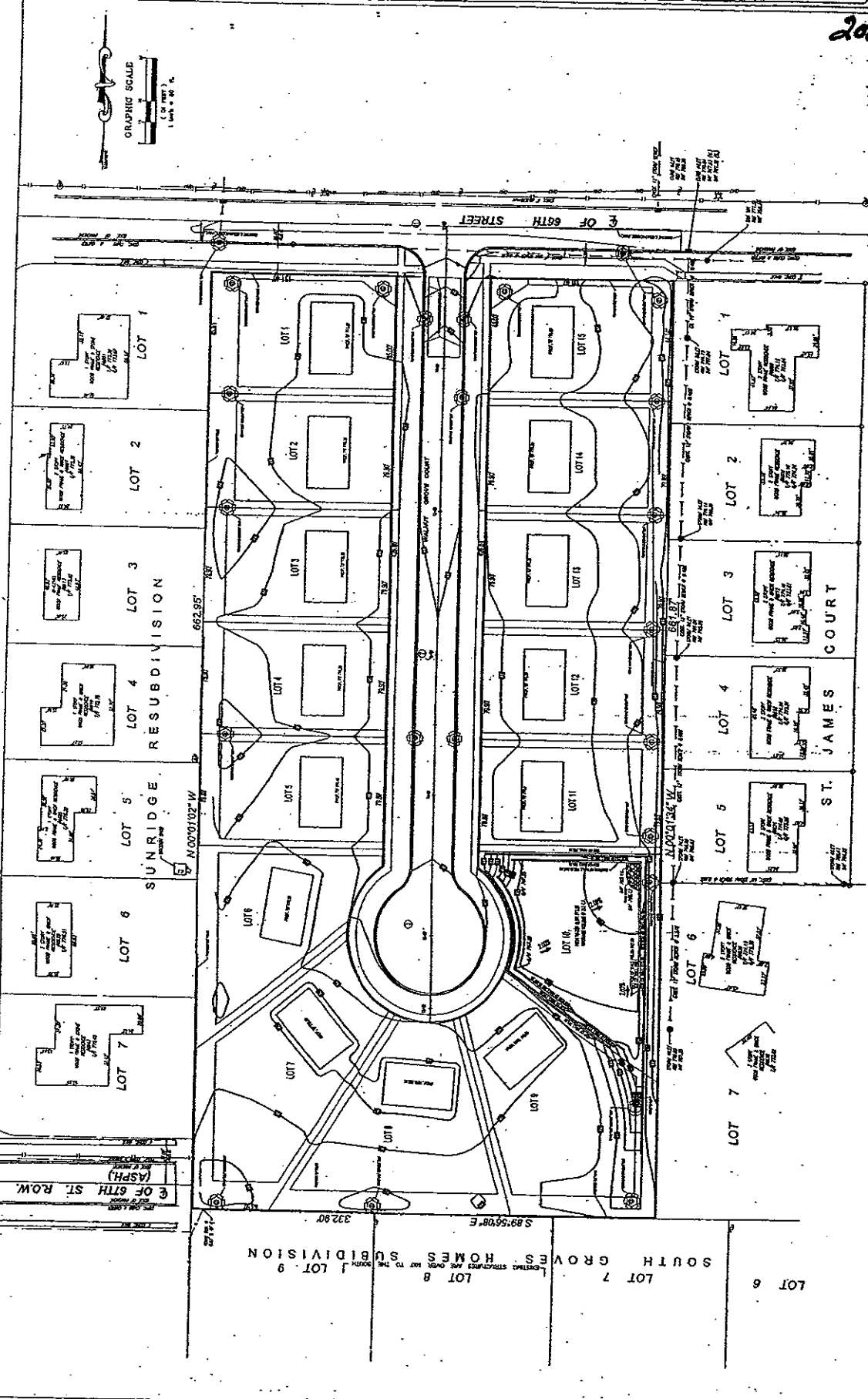
REVISIONS:

RESOLUTION:

DATE:

BY:

FOR:



LOT 7  
LOT 8  
LOT 9  
SOUTH GROVES HOMES LOT 9 SUBDIVISION  
S 89°56'08" E  
332.90'  
ASPH)  
3 OF 68TH ST. ROW.

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SUNRIDGE RESUBDIVISION  
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662.95'

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JAMES COURT  
ST. ALBERTA ST. W.

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EROSION CONTROL PLAN  
PLANT PREPARED FOR:  
DATE:  
DRAWN:  
PROJECT:  
REVISIONS:  
RESOLUTION:  
DATE:  
BY:  
FOR:

2007-12

DA DA DA DA

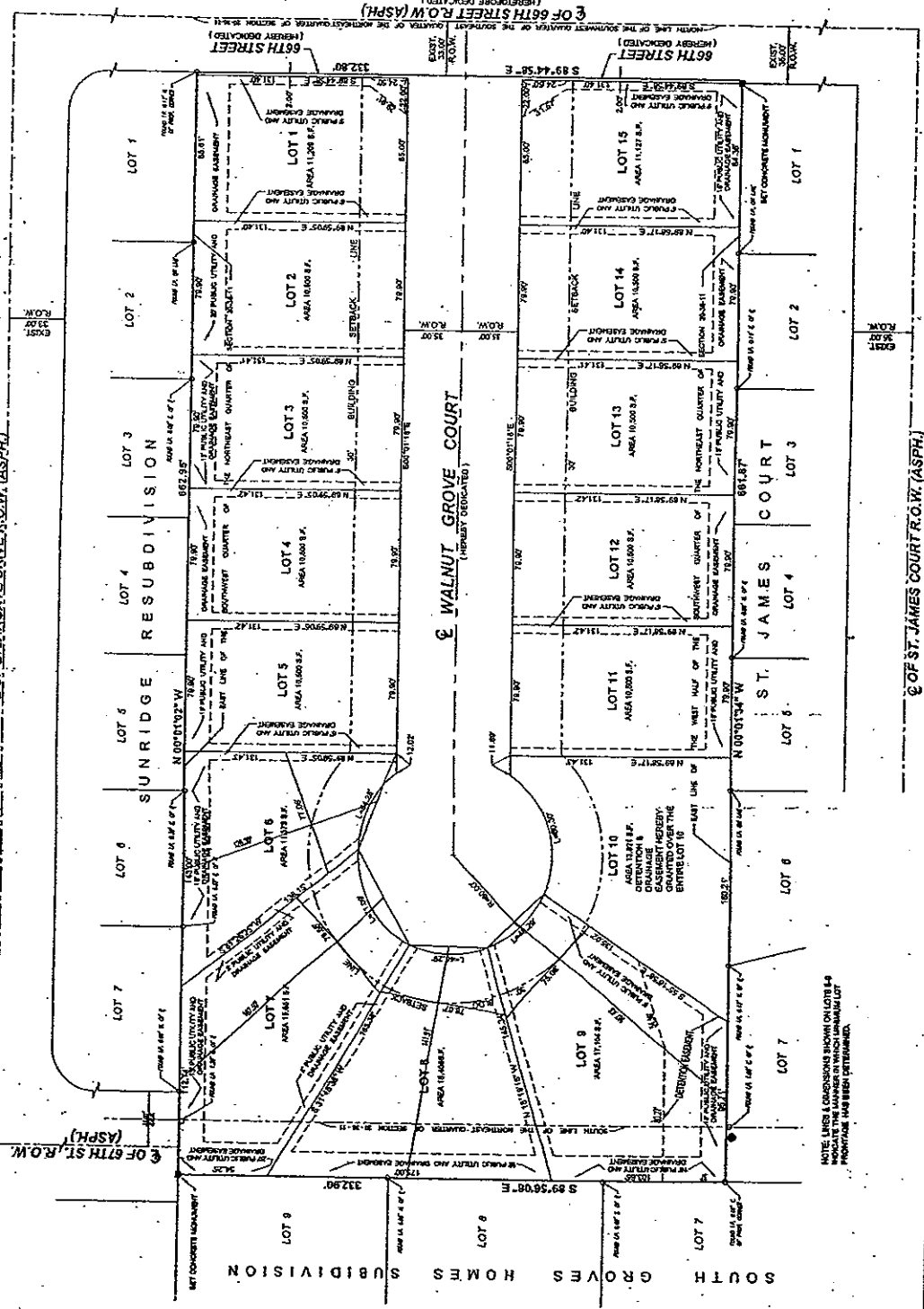
GRAPHIC SCALE  
 1 inch = 20 ft.

AREA OF PARCEL:  
 220,483 S.F.  
 5.0818 Acres

AFFECTED P.I.N.:  
 09-20-211-008  
 09-20-408-015

EXISTING ZONING:  
 R-1, Single Family

PROPOSED ZONING:  
 R-3, Single Family



§ OF BRIARGATE DRIVE R.O.W. (ASPH.)

§ OF 67TH ST. R.O.W. (ASPH.)

§ WALNUT GROVE COURT (HEREBY DEDICATED)

§ OF ST. JAMES COURT R.O.W. (ASPH.)

§ OF 66TH STREET R.O.W. (ASPH.)

NOTE: LINES & DIMENSIONS SHOWN ON LOTS 14 & 15 ARE APPROXIMATE DIMENSIONS WHICH UNLESS NOTED OTHERWISE, HAVE BEEN OBTAINED FROM THE RECORDS OF THE COUNTY CLERK.

2005-43  
Group Exhibit  
#2

**PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT**

To: Plan Commission  
Prepared By: Amanda G. Riordan  
Date Prepared: March 31, 2005  
Meeting Date: April 4, 2005

Project Title: PC 10-05; Gronych's Walnut Grove Subdivision *AGR*

**BACKGROUND INFORMATION:**

**Petitioner:** Prairie Design and Build, Downers Grove, IL for Owners Miroslav Gronych Family Trust  
**Property Address:** 515 66<sup>th</sup> Street; South side of 66<sup>th</sup> Street, west of St. James Court and east of Briargate Drive  
**Existing Zoning:** Village R-1, Single Family Residence  
**Application/Notice:** The application has been filed in conformance with applicable procedural and public notice requirements.

**Requested Action:**

1. Approval of proposed rezoning from R-1, Single Family Residence to R-3, Single Family Residence per Chapter 28, Section 28-1701, *Amendment to Zoning Classification*.
2. Approval of proposed Final Plat of Subdivision per Chapter 20, Section 20-504, *Final Plat - Petition* for a fifteen lot residential subdivision (including one stormwater detention out lot).
3. Required Exceptions:
  - a) An Exception from Chapter 20, *Subdivision Ordinance*, Section 20-301, *Lot Dimensions* to allow Lot Depth Exceptions for Lots 1, 2, 3, 4, 5, 6, 8, 11, 12, 13, 14 and 15 to allow lot depths of less than the required 140 feet.
  - b) An Exception from Chapter 20, *Subdivision Ordinance*, Section 20-303(b), *Street Connections* to not dedicate or provide a connection to the adjacent 67<sup>th</sup> Street right-of-way.
  - c) An Exception from Chapter 20, *Subdivision Ordinance*, Section 20-401, *Required Public Improvements* to not provide the Public Works requested easement and sidewalk over portions of Lots 7 and 8 to connect the proposed cul-de-sac to Briargate via 67<sup>th</sup> Street.

**BACKGROUND**

**General Description**

The 5.06 acre subject property is located on the south side of 66<sup>th</sup> Street approximately 130 feet west of St. James Court. The petitioner is seeking rezoning of the subject property to R-3, Single Family Residence, as well as Final Plat Approval with Exceptions to allow a 15-lot residential subdivision (including one stormwater out lot). The proposed Final Plat of Subdivision depicts the dedication and construction of a new cul-de-sac street, Walnut Grove Court, stemming south from 66<sup>th</sup> Street.

**ANALYSIS**

**Zoning and Future Land Use Plan**

Table 1: Surrounding Land Uses and Zoning

	Existing Zoning	Existing Use	Future Land Use Plan
North	R-3, Single Family Residence	Single Family Residences	Residential @ 0-6 du per acre
South	R-1, Single Family Residence	Single Family Residences	Residential @ 0-6 du per acre
East	R-3, Single Family Residence	Single Family Residences	Residential @ 0-6 du per acre
West	R-3, Single Family Residence	Single Family Residences	Residential @ 0-6 du per acre

The Future Land Use Plan designates the subject property as Residential at 0-6 dwelling units per acre. The petitioner is proposing to rezone the property from R-1, Single Family Residence to R-3, Single Family Residence, remaining consistent with the existing Future Land Use designation. The proposed 14 residences (excluding the stormwater detention out lot) would constitute an effective density of 2.7 dwelling units per acre, also consistent with the Future Land Use designation.

24-2002

**Site**

Site Characteristics

The subject property is located on the south side of 66<sup>th</sup> Street between Briargate Drive on the west and St. James Court on the east. The property is comprised of two parcels of land with approximate overall dimensions of 333 feet as measured east to west along 66<sup>th</sup> Street and 662 feet as measured north to south. The total land area is 5.06 acres. The site is currently occupied by two single family residential structures and numerous accessory buildings.

Proposed Plat of Subdivision / Yards and Setbacks

The proposed Final Plat of Subdivision depicts 15 lots; 14 residential lots and one stormwater detention out lot, Lot 10. The stormwater detention out lot will be covered by a permanent drainage and detention easement, and will be deeded to the property owners association. The proposed new cul-de-sac street, Walnut Grove Court, would extend south from 66<sup>th</sup> Street similar in design to St. James Court immediately to the east (St. James Court Subdivision, approved by DuPage County in 1998 prior to annexation into the Village).

Although the Petitioner is requesting certain lot depth Exceptions as outlined below, setback Variations from the Zoning Ordinance should not be required for any future structures, as they can be designed to address minimum applicable setback requirements.

Bulk Characteristics

All lots are proposed to meet or exceed lot area requirements of the proposed R-3 zoning district, with lot areas ranging from 10,500 square feet to 17,104 square feet. All lots will exceed the minimum lot width lot width requirement of 75 feet in the proposed R-3 zoning district with widths ranging from 75.1 feet to 85 feet. The petitioner is proposing lot depth Exceptions for all lots except Lots 7 and 9. The minimum lot depth requirement for all newly created residential lots is 140 feet, and the proposed depth reductions range from 5 feet to 19 feet, with the majority requiring exceptions of 8.6 feet. The proposed bulk characteristics of each lot are as follows:

**Table 2: Bulk Requirements**

Lot Number	Proposed Lot Width (75' Required)	Proposed Lot Depth (140' Required)	Proposed Lot Depth Exception	Proposed Lot Area (10,500 sq.ft. req'd)
1	85'	131.4'	8.6' or 6.1%	11,209 sq.ft.
2	79.9'	131.4'	8.6' or 6.1%	10,500 sq.ft.
3	79.9'	131.4'	8.6' or 6.1%	10,500 sq.ft.
4	79.9'	131.4'	8.6' or 6.1%	10,500 sq.ft.
5	79.9'	131.4'	8.6' or 6.1%	10,500 sq.ft.
6	77.1'	121.6'	18.4' or 13.1%	11,373 sq.ft.
7	78.6'	157.1'	NA	15,851 sq.ft.
8	78.1'	137.1'	2.9' or 2.1%	15,406 sq.ft.
9	75.1'	162.6'	NA	17,104 sq.ft.
10 (OUTLOT)	NA	NA	NA	NA
11	79.9'	131.4'	8.6' or 6.1%	10,500 sq.ft.
12	79.9'	131.4'	8.6' or 6.1%	10,500 sq.ft.
13	79.9'	131.4'	8.6' or 6.1%	10,500 sq.ft.
14	79.9'	131.4'	8.6' or 6.1%	10,500 sq.ft.
15	85'	131.4'	8.6' or 6.1%	11,127 sq.ft.

2005-43

**Public Works/Engineering**

Public Works has reviewed the proposed plans per the attached memorandum dated March 11, 2005, as summarized below.

ite Engineering and Public ImprovementsRights-of-Way and Streets

The petitioner is proposing to dedicate a full 70-foot wide right-of-way for proposed Walnut Grove Court, as well as a conforming cul-de-sac bulb at its southerly terminus. All public improvements within the proposed Walnut Grove Court cul-de-sac have been found to meet applicable requirements with respect to street pavement, curb and gutter, sidewalks, streetlights and right-of-way tree plantings.

Per the Subdivision Ordinance, the petitioner is also required to provide for the dedication and/or improvement of any substandard street rights-of-way adjacent to the subject property. The width of the southerly half of the 66<sup>th</sup> Street right-of-way adjacent to the northerly boundary of the subject property is currently 33 feet in width as opposed to the requirement of 35 feet. The petitioner is proposing to dedicate the required two feet of right-of-way to satisfy this requirement. Also, the 66<sup>th</sup> Street pavement adjacent to the subject property is currently substandard with respect to its pavement width, no curbs and gutters are present, and no sidewalks are present. The petitioner is proposing to install Code-compliant street pavement, curbs and gutters, as well as sidewalks on the south side of 66<sup>th</sup> Street as required.

At the southwest corner of the subject property, the 67<sup>th</sup> Street right-of-way and street pavement currently dead-end in a stub street. The pattern of development of St. James Court to the east of the subject property has precluded the extension of 67<sup>th</sup> Street east to Fairview Avenue. However, the stub could be extended in an L-shape to connect with the proposed new street. The petitioner has requested an Exception to not provide the through connection of the 67<sup>th</sup> Street stub.

Public Works does not see the need for this extension so long as safe and reasonable pedestrian access is maintained via the 67<sup>th</sup> Street right-of-way. They have, therefore, indicated their support of the requested Exception, but have noted their desire to work with the developer to have the 67<sup>th</sup> Street pavement removed at Briargate Drive, approximately 150 feet west of the subject property, provided that pedestrian access is maintained.

Sidewalks

Public Works has noted the proximity of the subject site to the El Sierra School located to the south of the subject site, and is of the opinion that the provision of a public walkway connecting the new cul-de-sac street to Briargate Drive by way of the adjacent 67<sup>th</sup> Street stub is necessary. The provision of the sidewalk would reduce walking distances to the school from residences within the proposed subdivision as well as neighboring residences. Public Works has, therefore, recommended that a sidewalk be provided within a public easement over portions of Lots 7 and 8, within the same area as the drainage/public utility easements already provided.

Public Works has noted that this is a recommendation and not an explicit Code requirement; however, it is being recommended as an alternative to providing for the extension of 67<sup>th</sup> Street, which is a Code requirement from which the petitioner has requested an Exception. The petitioner has elected to not include provisions for the recommended sidewalk; therefore, this item has been listed as a separate Public Improvements Exception, to be considered by the Plan Commission and the Village Council.

Stormwater Management/Wetlands

The Stormwater Management Division has reviewed the proposed stormwater detention plans, and as indicated in the attached memo dated March 11, 2005, has found that the plans meet the Village's standards for approval subject to certain modifications as noted. The petitioner is proposing to create a stormwater detention out lot, Lot 10, to fully accommodate site stormwater in a detention basin. The basin will be bounded on all sides by tiered retaining walls, with the exception of sloped areas at the northwest and southeast corners of the basin to allow for the inward flow of stormwater. The out lot would be covered by a permanent detention and drainage easement and deeded to the subdivision's property owners association. The site has been found to not contain any regulatory wetlands, floodplain or Localized Poor Drainage Areas (LPDA).



2/17/2005  
Traffic

The Traffic Division has reviewed the proposed plans and the traffic study submitted by the petitioner's traffic consultant. The Traffic Division has found the submitted traffic study to be acceptable and has no outstanding issues.

Forestry/Landscaping

The Forestry Division has reviewed the proposed plans and as indicated in the attached Public Works memorandum has outlined planting requirements for new right-of-way trees and protection requirements for existing right-of-way trees to remain. The Forestry Division has also noted that changes to the Municipal Code pertaining to trees are pending and, if approved by Council, may require additional submittals and requirements pertaining to tree protection and planting.

**Fire Department**

The Fire Prevention Division of the Fire Department has reviewed the proposed plans, and as noted in the attached memorandum dated March 30, 2005, all identified requirements must be met.

**Other**

Required School and Park District Donations

The Subdivision Ordinance establishes the schedule of School and Park District donations to offset the impact of new residential uses. Credit is given for the existing residences which will be demolished prior to development of the proposed subdivision. The petitioner has stated the intent to construct fourteen four-bedroom residences. With credit being given for the two existing residences (1 two-bedroom and 1 four-bedroom), the required total donation obligation is as noted below.

**Table 3: School and Park District Donations**

BR Type	Total to District 58	Total to District 99	Total To Park District	Total Donations per BR Type
14 Proposed 4 BR Units	\$ 23,358.02	\$ 10,987.20	\$ 31,966.62	\$ 66,311.84
Credit for Existing 4 BR Home	1,668.43	784.80	2,283.33	4,736.56
Credit for Existing 2 BR Home	355.13	48.00	1,251.72	1,654.85
<b>Total Donations</b>	<b>\$ 21,334.46</b>	<b>\$ 10,154.40</b>	<b>\$ 28,431.57</b>	<b>\$ 59,920.43</b>

Note: Chapter 20, Subdivision Ordinance, Section 20-300, Park and School Donation, establishes the schedule of school and park district donations.

Payment of these donations must be made to the Village prior to the granting of final plat approval and are subject to confirmation by the Code Services Department upon application for building permits.

**Standards for Approval of Exceptions**

Section 20-602, *Exceptions* of the Subdivision Ordinance establishes the standards for approval of an exception. The petitioner has submitted the attached Project Summary, addressing the Code prescribed criteria pertaining to the Lot Depth Exceptions and the connection to the 67<sup>th</sup> Street stub. It is recommended that at the public hearing before the Plan Commission, the petitioner should further address these criteria as they pertain to the request to not comply with Public Work's recommendation to provide a sidewalk connecting the new street to the 67<sup>th</sup> Street stub. The standards for approval of an Exception are as follows:

2005-43

An Exception shall be recommended by the Plan Commission only if it finds that there are practical difficulties or particular hardships in the way of carrying out the strict letter of the provisions of this Chapter. In its consideration of the standards of practical difficulties or particular hardships, the Commission may consider, but is not limited to, the following:

- (1) The extent to which the proposed Exception impacts on the value or reasonable use of surrounding properties;
- (2) Whether the Exception is consistent with the trend of development in the area and the surrounding uses;
- (3) The characteristics of the property which support or mitigate against the granting of the Exception;
- (4) Whether the Exception is in conformance with the general plan and spirit of this Chapter;
- (5) Whether the Exception will alter, or be consistent with, the essential character of the locality.

### RECOMMENDATION

Staff is of the opinion that the Petitioner's Requested Action (Rezoning and Final Plat of Subdivision with Exceptions) is substantially consistent with the Future Land Use Plan and Planning Documents of the Village. Staff recommends the Plan Commission forward a favorable recommendation and Finding of Fact to the Village Council with respect to the petitioner's Requested Action, subject to the following conditions:

1. Compliance with all issues as outlined in the Public Works memorandum dated March 11, 2005 including:
  - a. Submission of revised Final Plat of Subdivision and Engineering Plans to include a public sidewalk or pathway connecting the proposed cul-de-sac street to Briargate Drive via an easement over Lots 7 and 8 and connecting to the existing 67<sup>th</sup> Street right-of-way stub street, prior to placement on a Council Workshop Agenda;
  - b. Submission of revised Final Plat of Subdivision and Engineering Plans to address all other outstanding identified issues prior to issuance of permits.
2. Compliance with all Fire Prevention Division requirements and conditions as outlined in their memorandum dated March 30, 2005;
3. 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. Changes may require additional review of the Special Use or Variations; and
4. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, County and Village laws, ordinances, regulations, and policies.

Attachments



**INTEROFFICE CORRESPONDENCE  
DEPARTMENT OF PUBLIC WORKS**

**TO:** Amanda Riordan, Planning & Community Development  
**FROM:** David H. Barber, P.E., Director of Public Works  
**BY:** Michael D. Millette, P.E., Asst. Director of Public Works – Engineering  
 Jonathan C. Hall, P.E., Development Engineer  
**DATE:** May 23, 2005  
**RE:** Planning / Zoning Request  
 Proposed subdivision – Gronych's Walnut Grove south of 66<sup>th</sup> Street between  
 Briargate and St. James Court  
 Public Works Department - 4th Review

**Documents Reviewed:**

- General notes and retaining wall details dated March 8, 2005
- Final Engineering Plans revised March 3, 2005

**Attachments:**

- Review memos from CBBEL dated 1/28/05 and 3/9/05

**Public Works Review Summary:**

Division	Representative	Date	Conclusion	Comments included
Engineering	M. Millette	5/23/05	No Comment	
Stormwater	J. Hall	3/11/05	See Comments	X
Water	D. Bird	5/23/05	No Comments	
Traffic	D. Fera	2/24/05	No Additional Comments	X
Forestry	K. von der Heide	3/03/05	See Revised Comments	X
Pavement	R. Ebel	3/02/05	No Comments	

**Findings:**

The Public Works Department concurs with placement of the subject petition on the Plan Commission Agenda at this time. Please refer to the following page for a discussion of public improvement issues to be addressed by the Plan Commission and Village Council.

**Public Improvement Exception Summary**

Item	Public Improvement Description	Exception Requested by Petitioner	PW Department Recommendation
1	Extension of 67 <sup>th</sup> Street into property	Terminate Walnut Grove Court with a cul de sac in lieu of 67 <sup>th</sup> Street extension	<p>Concur.</p> <p>Subsequent to construction of the 67<sup>th</sup> street "stub" southwest of the property, the pattern of development eastward to Fairview Avenue now prevents a direct connection to Fairview. The stub could be extended to connect with Walnut Grove Ct, but Staff does not see a need for this if safe and reasonable pedestrian access is provided.</p>
2	<p>Sidewalk or pathway connecting new cul de sac to Briargate via an easement over Lots 7 &amp; 8 to the existing 67<sup>th</sup> Street right-of-way "stub."</p> <p>Note: This is not a separate and explicit code requirement, but Staff thought this should be considered in lieu of the 67<sup>th</sup> Street extension into the site.</p>	Omit sidewalk / pathway due to potential concerns of owners of two neighboring future homes.	<p>The Plan Commission and Village Council can evaluate the benefit of this pathway versus the drawbacks to adjacent homeowners.</p> <p>Staff suggested a walkway / path as an alternative to street extension and to reduce walking distance to El Sierra school to the south. The pathway could be located in the center of the existing 67<sup>th</sup> Street right-of-way and most of the right-of-way could be vacated with Council approval.</p>

8002-43

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**Public Works Department Review Details:**

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**Engineering Review Comments from 3/03/05:**

1. Evaluate extension of 67<sup>th</sup> Street from Briargate Drive to connect with Walnut Grove Court. If not to be extended, existing pavement removal should be considered.
2. Provide a walkway between Lots 7&8 connecting Walnut Grove Court to Briargate Drive. We acknowledge the petitioner's opposing view expressed in their 2/18/05 letter, but still believe the Plan Commission and Council should discuss this.
3. In order to support the exception to extending 67<sup>th</sup> Street, Public Works would like to work with the developer to close it at Briargate pending Council approval.

**Engineering Review Comments from 12/15/04:**

1. We would suggest investigating placing a sidewalk over the water main which runs between lots 7 & 8 to provide a more convenient walking route to the neighborhood elementary school.  
**Not Accepted**
2. Since the petitioner is proposing not to extend 67<sup>th</sup> Street, consideration should be given to removing the pavement and curbs then replacing with soil and sod. One sidewalk should remain.  
**Not Accepted**
3. The geometric layout of the 67<sup>th</sup> Street right-of-way "stub" east of Briargate Drive suggests that it may have been planned for extension to the east toward Fairview Avenue. However, subsequent development to the east of this proposed Walnut Grove Subdivision now precludes such an extension.  
**Accepted**
4. Increase the longitudinal slope of Walnut Grove Court to a minimum of 0.6%.  
**Not Accepted**
5. Change the street name label from Walnut Grove Drive to Walnut Grove Court on sheets 3 and 4.  
**Accepted**

## Stormwater Review Comments

Following is an updated status of our previous comments from 9/8/04:

1. Provide site engineering plans for review. Include grading, erosion control, utility, specification, detail, and street plan / profile sheets.  
**Received**
2. Provide a stormwater permit submittal for review. Include a wetland determination.  
**Accepted**
3. An on-site stormwater detention basin will be required, incorporating best management practices for stormwater quality.  
**Accepted**
4. Upon receipt of a complete submittal, the Village may elect to forward the plans to our consultant for review of all stormwater-related design.  
**Accepted**
5. Provide a Plat of Subdivision for review, incorporating the following public utility / drainage easement requirements:
  - a. 5 feet easement from each lot's side property lines.
  - b. 10 feet easement from the rear property line on each lot.
  - c. Easement completely covering the proposed detention outlot.
  - d. Plat label must match provision title.
  - e. Language on plat should convey detention outlot to the association.
  - f. Language on plat must specify that surface maintenance is the responsibility of each property owner.  
**Accepted**
6. The maximum recommended detention slope is 25% (4:1).  
**Accepted**
7. Dry-bottom detention basins require a minimum bottom slope of 2%.  
**Accepted**
8. Detention basin design must provide for maintenance access.  
**Accepted**

9. Incorporate water quality "best management practices" to the "maximum extent practicable." In addition to sedimentation basins and filters, storm sewer grates / frames may include statements such as "DUMP NO WASTE. DRAINS TO CREEK."  
**Not Accepted**
10. All storm manholes / inlets not within the right-of-way must have formed bottom channels with no sumps.  
**Accepted - However, catch-basins within the right-of-way will require sumps 36 inches in depth below the lowest pipe invert.**
11. Provide IEPA NPDES NOI.  
**Accepted**
12. Provide other state approvals (IHPA, IDNR threatened / endangered species).  
**Accepted**

*Additional Stormwater Comments per Latest Information:*

13. On the Plat of Subdivision, revise drainage / utility easement on Lots 2 and 3 to include all areas below detention basin HWL (772.50).  
**Accepted**
14. Provide structural engineer's sealed design for the detention basin retaining walls.  
**Accepted**
15. Show cross-section of emergency overflow structure (perpendicular to flow).  
**Accepted**
16. Provide additional elevation information for the retaining walls and sidewalk adjacent to the street. Handrail should be considered in this area.  
**Not Accepted - Need handrail detail or plans for wall height extension.**
17. Provide cross-sections of the detention basin. The berm on the east side does not appear to be adequate to achieve freeboard requirement, especially when accounting for construction tolerance and settlement. A minimum width must be designed for the top-of-berm, and the 3:1 slope will make proper construction more difficult in this area.  
**Accepted**
18. Add a scale bar to each drawing sheet.  
**Accepted**

19. Increase the longitudinal slope of Walnut Grove Court to a minimum of 0.6%.  
**Not Accepted**
20. Clarify extent of retaining walls along the north end of the property.  
**Accepted**
21. Clearly identify trees to be saved and removed on the grading plan.  
**Accepted**
22. Relocate storm sewer street inlets adjacent to Lots 1 and 15 further to the north to capture more of the Walnut Grove Court runoff.  
**Accepted**
23. Provide rock outlet protection for storm sewer end sections within the detention basin to function as permanent erosion protection (per IEPA Urban Manual guidelines).  
**Accepted**
24. Design for erosion protection within the detention basin between the inlets and the outlet (e.g. rock swale, underdgrain, or level spreader).  
**Not Accepted**
25. Specify seed mixture for detention basin.  
**Not Accepted**
26. Revise Type C catch-basins to include bottom that slopes toward the storm sewer pipe at approximately 25%.  
**Accepted**
27. Catch Basin Type A detail refers to PVC storm sewer pipe, which contradicts the RCP notes on the Utility Plan.  
**Accepted**
28. Clearly define and show all overland flow routes, including that from the street to the detention basin. As an alternative, show that inlets and storm sewers can convey the 100-year critical-duration storm with all inlets 50% clogged.  
**Accepted (per CBBEL)**
29. Utilize "self-locking" rubber gasket joints for all storm sewers.  
**Accepted**

Additional Stormwater review comments per latest information received:



84-2005

- 30. All footing drain sump pumps shall discharge to the rear yards and shall be connected to a storm sewer if necessary to prevent drainage nuisance.
- 31. All 4 storm sewer manholes within the Walnut Grove Court right-of-way shall be changed to catch-basins with 36-inch sumps.

**Traffic Review Comments 2/24/05:**

No Comments.

**Traffic Review Comments 12/08/04:**

The traffic impact analysis received from METRO is acceptable. We have no further comments and recommend approval at this time.

**Forestry Review Comments:**

- 1. Currently along 66<sup>th</sup> Street are several silver maples in acceptable condition in the parkway. The plan on sheet 4 shows the public sidewalk going in to the north of these trees. These will all need protection per Municipal Code 24-4. Currently, on the grading and paving sheet, all existing trees are shown. Once changes to Chapter 24 of the Municipal Code are approved in the coming weeks, all plans will need to show which trees will be removed, and tree protection measures (such as fences) will need to be shown for all public and private trees that are to remain in the landscape.
- 2. I have reviewed the revised subdivision plans and have determined that all the trees along both sides of the cul-de-sac will be new trees. Other than the silver maples east of the culdesac on 66<sup>th</sup>, any existing trees shown on the plan which might be in the vicinity of the right-of-way will not survive all the construction activities in the long run and will not be accepted. To complete the subdivision, the number of parkway trees required is 28. For simplicity and to ensure acceptable tree selections, the Forestry Division can install the trees as the lots are completed provided the developer pays for the trees in advance. I have calculated these tree costs based on 2005 Suburban Tree Consortium prices plus an administrative charge, and have listed them below.

Species (size 2" B&B)	Quantity	Unit Cost	Extended Cost
Freeman Maple	6	\$270.60	\$1623.60
Pear	5	\$263.40	\$1317.00
Hackberry	6	\$270.60	\$1623.60
Honeylocust	5	\$265.80	\$1329.00
Swamp White Oak	6	\$293.40	\$1760.40

Total Cost \$7653.60

Subject to availability and planting season, the Forestry Division may choose to substitute other appropriate tree species for approximately the same cost.

If the developer chooses instead to install the parkway trees, the trees must be a mixture of tree species and may include any of the tree species listed above. Because of emerald ash borer insect outbreaks in Michigan and the continued threat of the insect spreading to Illinois, no ash tree species are allowed. Other acceptable tree species include honeylocust, bur oak, hybrid elms, American linden and littleleaf linden. Trees must have straight stems with at least 2-inch diameter at 6 inches above ground. Spacing is generally 40 feet between trees and 10 feet from driveways and B-boxes. Forestry staff shall have final approval of tree species and spacing before the public improvements are accepted.

**Water Division Review Comments from 3/02/05:**

No Additional Comments

**Water Division Review Comments from 12/13/04:**

1. Eliminate the 6" pressure connection on 66<sup>th</sup> Street. Cut in a 6" tee with an 8" valve instead. Will have to coordinate a water main shut down 24 hours in advance with the water division.
2. Install a new 8" valve on the existing water main at the dead end of 67<sup>th</sup> Street which will require a water main shut down as well.
3. Install an additional 8" valve at the end of the cul-de-sac before the fire hydrant.
4. All the 8" valves must be in 5' valve vaults. Valves must be Mueller or Waterous resilient wedge gate valve.
5. All new 8" main should CL 52 Ductile Iron and be poly-wrapped per Village Spec.
6. Use 45 or 22 1/2 degree fittings at the bends instead of 90-degree bends.
7. The new 8" water main will cross the existing 8" sanitary sewer at 66<sup>th</sup> Street and the water main must be in a casing and be noted on the utility plan.
8. All water services should be noted on the plan as 1 1/2" K Copper.
9. The two proposed fire hydrants must be Waterous WB-67 and meet Village Spec.

EH-2008

- c: PW Division Managers
  - D. Rosenthal, Director of Code Services
  - A. Hightower, Stormwater Management Engineer
  - S. Connell, Administrative Technician
- Lara Sup, CBBEL (FAX: 615-662-1968)



# DOWNERS GROVE FIRE DEPARTMENT PREVENTION DIVISION

801 Burlington Ave., Downers Grove, IL 60515  
Phone: 630-434-5983 Fax: 630-434-5593



## PLAN REVIEW COMMENTS

March 30, 2005

AMANDA RIORDAN  
PLANNING & COMMUNITY DEVELOPMENT

**RE: 66<sup>TH</sup> Street between Briargate and St. James Court  
Gronych's Walnut Grove Subdivision Proposed Subdivision**

Pursuant to a recent plan review of the above referenced submission, I have the following comments:

### Fire Hydrants

1. Fire hydrants shall be placed approximately 300 feet on center.
2. No portion of a structure or building shall be over 300 feet from a fire hydrant.
3. Water mains are to be sized to accommodate an automatic fire extinguishing system.

### Fire Lanes

1. Fire lanes providing one-way travel shall be a minimum of 16 feet in width. Fire lanes with two-way travel shall be a minimum of 24 feet in width.
2. Turns in fire lanes shall be constructed with a minimum radius of 25 feet at the inside curb line and a minimum radius of 50 feet at the outside curb line.
3. Fire lanes connecting to roadways shall be provided with curb cuts extending at least two (2) feet beyond each edge of the fire lane.
4. Turns in publicly owned or privately owned major feed roadways shall be constructed with a minimum radius of 100 feet to the centerline.
5. Parking lot lanes adjacent to any building shall provide a travel lane with 16 feet clear width if traffic flow is one-way and 24 feet clear width if traffic is two-way.
6. At least 13 feet 6 inches nominal vertical clearance shall be provided and maintained over the full width of the fire lane.

Municipal Type Water Systems

1. For a required fire flow exceeding 1,500 gpm the water supply system shall be capable of delivering that fire flow for at least two (2) hours at 200 psi. For all other required fire flows, the water supply system shall be capable of delivering the required fire flow for at least one (1) hour at 20 psi.
2. Fire hydrants shall be supplied by not less than six inch (6") diameter main installed on a looped system or by not less than an eight inch (8") diameter main if the system is not looped or the fire hydrant is installed on a dead-end main exceeding 300 feet in length.
3. Dead-end mains shall not exceed 600 feet in length for main sizes less than 10 inches in diameter.
4. The contractor or installer of water supply systems in planned building groups shall demonstrate by actual test that the capacity of the water system will meet fire protection design requirements. Such tests shall be certified by the Fire Department.

Roadways

1. Roadways shall be constructed of a hard, all weather surface designed to support adequately the heaviest piece of fire apparatus likely to be operated on the roadway.
2. Roadways shall have a minimum clearance of 12 feet for each lane of travel, excluding shoulders and parking. Provisions shall be made for factors that could impinge on minimum width for example, drainage, snow removal, parking and utilities.
3. Grades shall be not more than ten percent (10%).
4. Grades shall be not less than 0.5 percent (0.5%) in order to prevent pooling of water in a traveled way.
5. Any secondary road intersecting with another road shall be sloped one percent (1%) to three percent (3%) down and away from the intersection for a distance of 100 feet from the intersection.

If you have any questions or if I can be of any assistance, please do not hesitate to call me at (630) 434-5983.

Sincerely,



William A. Mierzejewski  
Fire Marshal

The chairman called for a recess at 9:38 p.m. The meeting reconvened at 9:50 p.m. (Mr. McCormick left the meeting during the recess.)

**FILE NO. PC-10-05** Petition seeking 1) Rezoning from R-1, Single Family Residence District to R-3, Single Family Residence District; 2) Final Plat of Subdivision with Exceptions; Property located on the south side of 66<sup>th</sup> Street, approximately 133 feet west of St. James Court, Downers Grove, Illinois, commonly known as 515 66<sup>th</sup> Street, Downers Grove, IL (PIN 09-20-211-008, 09-20-408-015; Prairie Design & Build, Petitioner; Miroslav Gronych Family Trust

Chairman Jirik commented that the hearing will follow the procedure explained earlier and read the oath to those individuals who would be speaking on File No. PC-10-05.

Mrs. Riordan summarized the Staff Report, noting that the Petitioner is seeking to rezone the property from R-1 to R-3, as well as Final Plat of Subdivisions with certain Exceptions from Code. The Petitioner is proposing lot depths Exceptions for Lots 1, 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, and 15, to allow depths on all those lots to be less than the minimum requirement of 140 feet per the Subdivision Control Ordinance. The second Exception being requested is to not dedicate or provide for a connection to the adjacent 67<sup>th</sup> Street right-of-way, which is a required public improvement per the Subdivision Ordinance. The third Exception being requested is to not provide the Public Works Department's requested easement and sidewalk to connect the proposed cul-de-sac street to Briargate Drive by way of 67<sup>th</sup> Street.

The subject property is 5.06 acres located on the south side of 66<sup>th</sup> Street approximately 130 feet west of St. James Court. The proposed rezoning and subdivision plat conform with the Future Land Use Plan designation of the property of Residential at 0 to 6 dwelling units per acre, with a proposed density of 2.7 dwelling units per acre. The proposed new cul-de-sac street, Walnut Grove Court, would extend south from 66<sup>th</sup> Street between Briargate and St. James Court. Ms. Riordan reviewed the applicable bulk requirements, noting the proposed lots meet or exceed the lot area and lot width requirements of the proposed R-3 zoning district. Lot depth Exceptions were proposed for all lots except for Lots 7 and 9. Lot 10 is proposed to be a stormwater detention area and would be deeded to the Homeowner's Association, and is therefore not considered for a depth Exception. The proposed depth reductions range from 5 feet to 19 feet, with the majority of the lots requiring Exceptions of approximately 8.6 feet.

Regarding streets, Mrs. Riordan indicated the proposed cul-de-sac would conform to all requirements of the right-of-way dedication, including the physical street improvements. With respect to the adjacent 66<sup>th</sup> Street right-of-way north of the property, the Petitioner will satisfy all requirements with respect to right-of-way dedication, including street pavement, curbs and gutters and sidewalks on the south side of the street, as required by the Subdivision Control Ordinance.

With respect to 67<sup>th</sup> Street southwest of the subject property, the 67<sup>th</sup> Street right-of-way and street pavement dead-end in a stub road at the southwest corner of the property. While the stub could be extended in an L-shape to the proposed new street, the Petitioner has requested an Exception to not provide that connection. The Public Works Department does not see the need for the extension of the 67<sup>th</sup> Street pavement; however, given the proximity of the subject property to the nearby school, Public Works has recommended that the petitioner provide a safe

and reasonable pedestrian access through the proposed subdivision to the stub street and to Briargate Drive.

Ms. Riordan continued, noting that the Public Works Department has recommended that the Petitioner consider a sidewalk easement dedication over portions of Lots 7 and 8 within the same area as the drainage/public utility easement which has already been provided. Although the recommendation is not a specific Code requirement, the Public Works Department was recommending it as an alternative to providing the extension of 67<sup>th</sup> Street, which is a Code requirement. The Petitioner has elected to not include the provisions for the sidewalk as recommended, and Staff has listed this item as a public improvements Exception. The Public Works Department would like the Plan Commission and the Council to make a determination regarding this recommendation.

Ms. Riordan followed with details of the stormwater management portion of the Staff Report. The Traffic Division did review the proposal, and the submitted traffic study was found acceptable with no outstanding issues. The Forestry Division reviewed the proposal and outlined planting and protection requirements pending changes to the Municipal Code. The Fire Department noted certain requirements which must be satisfied should the proposal be approved; however, no outstanding issues were identified.

Ms. Riordan noted that the calculations for the school and park donations were also included in Staff Report which totaled approximately \$59,000.00.

Mrs. Riordan advised the Standards for Approval of Exceptions would be addressed by the Petitioner, noting the Petitioner has chosen to ask to not provide the connection to the 67<sup>th</sup> Street stub road or the sidewalk connection from the new street to 67<sup>th</sup> Street. Staff has requested that the Plan Commission evaluate these requests as separate Exceptions.

Staff recommended the Plan Commission forward a positive recommendation to the Village Council, subject to the conditions outlined in its report dated March 31, 2005, including the specific requirement that the Petitioner provide the sidewalk connection to 67<sup>th</sup> Street as recommended by Public Works.

Chairman Jirik asked Staff for clarification regarding the connection to 67<sup>th</sup> Street and the reasoning behind a sidewalk between two residential yards which he thought was intrusive. Ms. Riordan explained that Public Works saw the sidewalk as a compromise to not provide the through street connection to 67<sup>th</sup> Street and to Briargate Drive. The sidewalk would provide access for the residents of the proposed subdivision and the adjoining subdivision as a way to walk through the subdivision as opposed to around it.

Mr. Waechtler concurred with the Chairman's comments and did not recall a similar situation in Downers Grove.

Mr. James F. Russ, attorney for Petitioner, 4915 Main Street, Downers Grove, introduced Dan Roberts and Ed Bohan, Principals in Prairie Design & Build, the Petitioners in this case. Mr. Russ reviewed the location of the site, noting two-single family homes and some out buildings existed on the lot. The site is currently owned by a family trust and is subject to his clients' purchase contract.

Mr. Russ continued the Petitioner is seeking R-3 Single Family Residence zoning. R-3 zoning exists to the north, east, and to the west. Some R-1 zoning existed to the south and at the corner of 66<sup>th</sup> and Fairview.

Pursuant to Section 20-303b, Mr. Russ stated the Petitioner was seeking elimination of the requirement to connect the 67<sup>th</sup> Street right-of-way. He explained his client would only be required to dedicate its one-half of the right-of-way with regard to 67<sup>th</sup> Street. Dedicating the remaining portion of 67<sup>th</sup> street would not occur since the property to the south was already developed.

Mr. Russ stated that while the proposal was for 15 lots, only 14 homes would be developed with Lot 10 specifically dedicated for detention. The proposal mirrored the image of the St. James Court development to the east, but the difference is that St. James Court has their detention on two residential parcels. For this proposal, all density, stormwater, engineering requirements and lot widths would be met. The lot area requirement of 10,500 sq. feet would be met or exceeded, with areas ranging from 10,500 square feet to slightly over 17,000 square feet.

Mr. Russ continued, noting that the cul-de-sac bulb meets the requirements of the Subdivision Control Ordinance. The Petitioner is providing two additional feet of dedication on 66<sup>th</sup> Street to create a 35-foot wide right-of-way as required, and sidewalk, curbs and gutters would be provided. The Village's Traffic Engineer reviewed the Petitioner's traffic study and found it to be acceptable.

Mr. Russ clarified the lot depth Exception being sought by the Petitioner ranged from 131.4 feet to 137.1 feet as compared to the minimum 140 feet. Lots 7 and 9 did not require an Exception. He pointed out the proposal would not impact the surrounding area and would be in conformance with the development to the east and to the north. He explained with the required 70 foot right-of-way, there was no way to develop the parcels without depth Exceptions. He noted the proposed density was within the guidelines of the Future Land Use Plan.

Regarding the sidewalk issue, Mr. Russ conveyed his conversation with Staff regarding whether the sidewalk was really an Exception or not, since currently there was no requirement under the Ordinance to dedicate sidewalk on private property, but there was a requirement to dedicate sidewalk on public right-of-way. Mr. Russ believed it was not a true Exception, and his position was that he did not see a benefit to the dedication of the sidewalk. Instead, it creates an unsafe condition by bringing individuals into private backyards which would affect existing properties to the south. The properties were not part of this proposal, and those residents bought their homes with the presumption of having private backyards. Additionally, questions remained as to the maintenance of the sidewalks. Mr. Russ believed the sidewalk would diminish the value of the properties and change the character of the neighborhood. He was not aware if the Village had done something similar in the past, noting it becomes a "taking of the land" without compensation.

Furthermore, Mr. Russ explained his clients have been in the neighborhood speaking to neighbors, and to date, there were no issues raised to them or to Village Staff. His clients have taken into consideration the trees and the drainage easements on the east and west of the site. His clients plan to save as many trees as possible. While the minimum drainage utility easement



requirement is 10 feet, his clients are providing between 10 to 20 feet due to the presence of some trees and in order to maintain some privacy.

Mr. Russ closed by reiterating the project was consistent with the development of the area; the connection to the 67<sup>th</sup> Street would not be appropriate and would have a negative impact on the development and surrounding areas. Mr. Russ asked for a positive recommendation.

Chairman Jirik opened up the meeting to the Plan Commissioners.

Mrs. Rabatah asked the Petitioner for further explanation of how the proposed subdivision was a "mirror" image of the St. James Court subdivision except for the detention. Mr. Russ explained Lot 10 was designed as an out lot and would be maintained by the entire subdivision not just two individual property owners.

Mr. Waechtler asked Staff the preferred way to handle the stormwater detention, wherein Ms. Riordan responded in previous subdivisions, Public Works has approved detention on private lots; however, she believes they prefer detention to be located within an out lot with ownership by a homeowners' association. Mr. Russ also cited a couple of similar examples in the Banchory Woods and Bradley Subdivisions where both types of detention were used.

Mr. Griesbaum confirmed with Staff that the lot depths of St. James Court averaged approximately 131 feet from north to south. Ms. Riordan agreed.

Mr. Quandt inquired as to the Petitioner's discussions with Public Works concerning the 67<sup>th</sup> Street right-of-way and street pavement. Mr. Dan Roberts, Prairie Design & Build, 4816 Roslyn Road, Downers Grove, indicated he will work with the Public Works on an acceptable solution as to whether that stub street pavement should be removed, but still provide access to the adjacent residence.

Regarding the depth of the St. James Court lots, Mr. Russ confirmed the depths are approximately 130 feet, and the properties on the north side of 66<sup>th</sup> Street starting at Fairview coming west to Berrywood were also 130 feet deep. All lots in the Davane Court Subdivision were approximately 130 feet deep with a lot area requirement of 10,500 square feet.

Chairman Jirik opened the meeting to the public.

Ms. Pam Kauzlarich, 6643 Briargate Drive, Downers Grove, who lives behind proposed Lot 7, described the area as having high fences, being dark, and already providing a hangout for kids. She did not favor a connecting sidewalk between the lots; pointing out the St. James Court development did not have a sidewalk. She raised concerns about the water problems in her area, despite the prior work done by the Village and expressed concern that the new detention basin would further impact her lot. She suggested building it further away. She asked to continue the underground utilities, preserve as many trees as possible, and consider the height of the proposed homes to the neighboring homes.

Chairman Jirik noted height was not within the Plan Commission's purview but asked Staff to explain how the height was calculated, to which Mrs. Riordan proceeded to explain.

In addressing Ms. Kauzlarich's concerns, Mr. Roberts agreed with her comments about the connecting sidewalk. With regard to the water issue, Mr. Roberts explained the proposed stormwater detention had to be located on the lowest part of the property in order to collect his site's water. He did not foresee any problems with water from his property running onto her property. Regarding the utilities, they would continue to be underground. He further stated that if water from his property did come onto her property, he would correct it. Regarding height of the structures, the roof heights would be kept down low.

Mr. Frank Kauzlarich, 6643 Briargate, Downers Grove, reiterated the water concerns and the concerns about the negative activities of the teenagers. He commented the existing water issue may have to do with a drainage tile or an underground spring. Lastly, Mr. Kauzlarich believed the proposed connecting sidewalk to 67<sup>th</sup> Street was a mistake.

Ms. Rita Carlson, 416 67<sup>th</sup> Court, Downers Grove, expressed concern about the trees and asked for clarification on whether the trees on the entire perimeter and south perimeter would be saved, wherein Mr. Roberts indicated he would try to save as many trees as possible. Ms. Carlson also discussed the privacy benefits the larger trees offered in the St. James Court subdivision. As a safety concern, she asked whether the existing utility pole lines near the right back corner of her property could be placed underground. Mr. Roberts could not confirm the utilities, but responded he would try to work with ComEd and explained that in all probability, the neighbors to the south would have to want their utilities buried and be willing to pay for it. Mrs. Carlson hoped for a win-win solution.

Mr. Rich Holloway, 6630 St. James Court, Downers Grove, asked what the grade elevation would look like on the east side of the subdivision and the transition of the proposed development to the homes in the St. James Court subdivision. He also asked for details of the proposed detention pond, wherein Mr. Roberts responded the grade would continue to the east property lines, pitching away towards the proposed development and not pitching toward St. James. The stormwater detention would be nicely landscaped with stepped retaining walls and would be a nice asset for both subdivisions.

Ms. Carol Richter, 6600 St. James Court, Downers Grove, pointed out a sidewalk exists between two homes at the end of Davane Court out to 63<sup>rd</sup> Street. Whether it was dedicated or an easement, she did not know. Mr. Roberts noted the differences of the sidewalk at that location as compared to this location.

Mr. Gordon Goodman, 5834 Middaugh, Downers Grove, inquired as to why the Plan Commissioners were not reviewing a zoning map of the area and suggested a zoning map (locator map) should be part of the packet of information. He asked whether future zoning in the area would eventually become R-3. He asked what the significance was regarding a white rectangular area along 67<sup>th</sup> Street extended, wherein Staff indicated it was another parcel of the subject property, and both parcels were held in common ownership as part of the subject property. Staff confirmed the request was to rezone both parcels.

Dr. Goodman believed the proposal was the next logical next step in assimilating the area and hoped the Plan Commission would carefully review whether the area should be zoned R-1 or R-3 as a separate issue. He also cited various examples of dedicated sidewalk areas running through private properties in the Village, including alley rights-of-way in the northern part of town where

they were used as walkways. He supports connecting pedestrian networks throughout the community and opined the request was not outlandish. In general, he believes cul-de-sacs do not lend themselves to having pedestrian-connected networks. Chairman Jirik noted the neighbors did not support the connecting sidewalk.

Mr. Waechtler pointed out one of the reasons people purchase homes on a cul-de-sac is due to the street being a dead-end. While he did not know when the walkways Dr. Goodman was referring to were completed, he pointed out today people do not want people cutting through their backyards due to safety concerns. Times are different today.

Chairman Jirik administered the oath to Mr. Phillip Barr, 4605 Puffer Road, Downers Grove. Mr. Barr, from his experience with water and developments, stated existing water problems will continue to exist when a new development is built even when it meets the County's and the Village's Stormwater Ordinance. Mr. Barr favored the current R-1 zoning and suggested the Plan Commission transition the proposal to the R-2 zoning since the area was located in a rural setting. To his knowledge, the trend of rezoning was not favorable among the Village, and he suggested starting with this proposal. He believed the residents moved to the area because it was remote and possibly resented the cul-de-sac because it allowed more homes. He emphasized that the Plan Commission review the proposal carefully and make the best decision for the long-time and future citizens of Downers Grove. As a last comment, Mr. Barr stated the developer for the project that was built next to his home said he would save every tree as best possible and then proceeded to clear cut five acres of mature trees. Mr. Barr believed the Petitioner's statement of saving the trees was an "empty" statement.

Chairman Jirik explained trees on private property were not a part of the Plan Commission's purview, and the Petitioner's intentions were not binding.

Ms. Evelyn Grala, 532 66<sup>th</sup> Street, Downers Grove, stated she lives directly across the street from the proposed subdivision and inquired as to the exact location of the new street in relation to her driveway due to car lights and traffic. Mr. Roberts noted the exact location in relation to her home.

There being no further questions or comments, Chairman Jirik closed the public comment portion of the Public Hearing.

Chairman Jirik recessed the Plan Commission at 11:12 p.m. and reconvened the meeting shortly thereafter. He asked the Plan Commissioners and the Petitioner whether there was additional questions or comments. No comments from the Petitioner, but questions from the Plan Commission members followed.

Mr. Waechtler confirmed with Staff the reason for the lot depth exception was the result of having a 70 foot right-of-way dedication.

Referring to the Engineering Department's review, Mr. Griesbaum inquired whether any road slope issues existed and whether the concerns of the Engineering Department were worked out or not. Mr. Roberts was of the understanding, working with Christopher Burke Engineering that the issues were worked out, but he could not confirm for sure. Mrs. Riordan confirmed she did not receive correspondence after March 11, 2005 from Public Works, which indicated that any

outstanding issues could be resolved prior to Council consideration or prior to construction permitting.

Mr. Griesbaum asked about the intent of Item No. 9 under "Stormwater" in the Engineering Review as it relates to stormwater detention signage, wherein Mrs. Riordan believed it was the intent of having certain language imprinted on the grate at the inlet opening. Mr. Griesbaum went on to state to the attending area residents that the Petitioner was responsible for containing the water which landed on its property within his property. He conveyed to the residents with prior water problems that the proposal before this Plan Commission would probably not correct the water problems on their property but would not exacerbate them either.

Mr. Waechtler recommended residents contact Public Works with their concerns over the current water problem. He also commented generally current ravines and underground springs exist in the village.

Chairman Jirik closed by suggesting the Plan Commission makes two separate motions.

**MOTION: WITH RESPECT TO FILE NO. PC-10-05, MRS. RABATAH MOVED THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL WITH RESPECT TO THE PETITIONER'S REQUEST TO REZONE THE PROPERTY FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO R-3 SINGLE-FAMILY RESIDENCE DISTRICT. SECONDED BY MR. WAECHTLER.**

**ROLL CALL:**

**AYES:** Mrs. Rabatah, Messrs. Waechtler, Griesbaum, Matejczyk, Quandt, Chairman Jirik

**NAYS:** None

**MOTION PASSED. VOTE: 6-0**

**MOTION: WITH RESPECT TO FILE NO. PC 10-05, MR. WAECHTLER MOVED THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL WITH RESPECT TO THE PETITIONER'S REQUEST FOR APPROVAL OF THE PROPOSED FINAL PLAT OF SUBDIVISION PERR CHAPTER 20, SECTION 20-504, FINAL PLAT - PETITION FOR A 15-LOT RESIDENTIAL SUBDIVISION, (INCLUDING ONE STORMWATER DETENTION OUT LOT) AND TO INCLUDE:**

**EXCEPTION A: AN EXCEPTION FROM CHAPTER 20, SUBDIVISION ORDINANCE, SECTION 20-301, LOT DIMENSIONS, TO ALLOW LOT DEPTH EXCEPTIONS FOR LOTS, 1, 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, AND 15 TO ALLOW LOT DEPTHS OF LESS THAN THE REQUIRED 140 FEET;**

**EXCEPTION B:** AN EXCEPTION FROM CHAPTER 20, *SUBDIVISION ORDINANCE*, SECTION 20-303(b), *STREET CONNECTIONS*, TO NOT DEDICATE OR PROVIDE A CONNECTION TO THE ADJACENT 67<sup>TH</sup> STREET RIGHT-OF-WAY;

**EXCEPTION C:** AN EXCEPTION FROM CHAPTER 20, *SUBDIVISION ORDINANCE*, SECTION 20-401, *REQUIRED PUBLIC IMPROVMENTS* TO NOT PROVIDE THE PUBLIC WORKS' REQUESTED EASEMENT AND SIDEWALK OVER PORTIONS OF LOTS 7 AND 8 TO CONNECT THE PROPOSED CUL-DE-SAC TO BRIARGATE VIA 67<sup>TH</sup> STREET;

**ALL SUBJECT TO THE FOLLOWING CONDITIONS:**

1. COMPLIANCE WITH THE PUBLIC WORKS MEMORANDUM DATED MARCH 11, 2005 INCLUDING SUBMISSION OF REVISED FINAL PLAT OF SUBDIVISION AND ENGINEERING PLANS TO ADDRESS ALL OUTSTANDING IDENTIFIED ISSUES PRIOR TO ISSUANCE OF PERMITS, EXCLUDING THE PROVISIONS OF SIDEWALKS ON PRIVATE PROPERTY;
2. COMPLIANCE WITH ALL FIRE PREVENTION DIVISION REQUIREMENTS AND CONDITIONS AS OUTLINED IN THEIR MEMORANDUM DATED MARCH 30, 2005;
3. 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. CHANGES MAY REQUIRE ADDITIONAL REVIEW OF THE SPECIAL USE OR VARIATIONS; AND
4. IT IS THE PETITIONER'S OBLIGATION TO MAINTAIN COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, COUNTY AND VILLAGE LAWS, ORDINANCES, REGULATIONS, AND POLICIES.

**SECONDED BY MR. GRIESBAUM.**

**ROLL CALL:**

**AYES:** MESSRS. WAECHTLER, GRIESBAUM, MATEJCZYK, QUANDT, MRS. RABATAH, CHAIRMAN JIRIK

**NAYS:** None

**MOTION PASSED. VOTE: 6-0**

Chairman Jirik asked the Plan Commission members to give a brief statement outlining the reasons for their vote for inclusion in the Minutes.

Mrs. Rabatah voted in support because the subdivision was a great addition to the neighborhood and mirrored the nearby St. James Court Subdivision.

Mr. Waechtler believed the Petitioner's presentation was adequate and forthright, and the Petitioner provided straightforward answers to questions from the Commission and the residents. He also believed the proposal would be a good addition to the area.

Mr. Griesbaum supported the proposal because the proposal fit in with the overall character of the neighborhood. The dialog was good, and it was a fine presentation. He appreciated the sidewalk discussion as presented by the developer.

Mr. Matejczyk agreed with the above comments and noted he was impressed with the responsiveness of the Petitioner to the neighbors and his sensitivity to the surrounding areas.

Mr. Quandt also agreed with the above comments and emphasized the proposal was within the character of the neighborhood, it fit within the existing cul-de-sacs and developments in the area, and he appreciated the Petitioner's willingness to listen and respond effectively to the neighbors' concerns.

Chairman Jirik supported the proposal because he found the zoning request was reasonable, it fostered development consistent with the trend, nature, and character of the surrounding developments, and the zoning was supported by the facts and evidence. The petition was well thought out and consistent with the neighborhood. He believed the sidewalk issue was addressed in a straightforward manner.

As a last business comment, Chairman Jirik reminded the Plan Commissioners the next meeting would be Wednesday, April 13, 2005 at 7:30 p.m.

**MR. GRIESBAUM MOVED TO ADJOURN THE MEETING; MRS. RABATAH SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

The meeting adjourned at 11:45 p.m.

/s/ Celeste K. Weilandt  
Celeste K. Weilandt  
(As transcribed by tape)

3002-112

