

VILLAGE OF DOWNERS GROVE
Report for the Village Council Meeting
12/13/2016

SUBJECT:	SUBMITTED BY:
Zoning Map Amendment - 3604 Douglas Road	Stan Popovich, AICP Director of Community Development

SYNOPSIS

An ordinance has been prepared to amend the zoning ordinance map to rezone the property at 3604 Douglas Road from R-2, Residential Detached House 2, to R-1, Residential Detached House 1.

STRATEGIC PLAN ALIGNMENT

The goals for 2015-2017 include *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the December 6, 2016 Village Council meeting. Staff recommends approval on the December 13, 2016 Active Agenda.

BACKGROUND

The petitioner owns properties at 3604 and 3612 Douglas Road and is planning for an addition onto the existing house at 3612 Douglas Road that would span over the common property line. To facilitate future development, the petitioner is requesting the rezoning of 3604 Douglas Road to R-1, which is the existing zoning of 3612 Douglas Road. The property at 3604 Douglas Road is improved with a single family home and two accessory structures; a detached garage and shed. In order to consolidate the properties to construct an addition to 3612 Douglas Road, the structures on 3604 Douglas Road will be required to be demolished.

Compliance with the Zoning Ordinance

The property is currently zoned R-2, Residential Detached House 2, which permits single family detached dwellings. The petitioner is proposing to rezone the property to a more restrictive R-1 zoning designation. The proposed R-1, Residential Detached House 1, zoning classification is appropriate for this property given the intended outcome and driving reason behind this request: to expand the footprint of an existing single family home across existing lot lines. Once the two parcels are consolidated, the new consolidated lot as an R-1 property will be in full compliance with the bulk requirements for the R-1 zoning district. The proposed use of the property will remain unchanged.

Compliance with the Comprehensive Plan

The Comprehensive Plan's Residential Areas Plan identifies the property as part of the traditional grid type of residential development. This area contains grid style street layouts. The subject property is similar in lot size and width to the neighboring R-1 zoned residential lots. The proposed rezoning will have no impact on the existing development patterns of this area as the land use will remain single family residential. The proposed rezoning from R-2 to R-1 is consistent with the Comprehensive Plan.

Public Comment

There was one public comment made in support of the application at the Plan Commission meeting.

ATTACHMENTS

Ordinance

Aerial Map

Staff Report with attachments dated November 7, 2016

Draft Minutes of the Plan Commission Hearing dated November 7, 2016

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Petitioner DATE: December 13, 2016
(Name)

RECOMMENDATION FROM: _____ FILE REF: 16-PLC-0047
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 3604 DOUGLAS ROAD", as presented.



SUMMARY OF ITEM:

Adoption of the attached ordinance shall rezone 3604 Douglas Road from R-2, Residential Detached House to R-1, Residential Detached House.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____**AN ORDINANCE REZONING CERTAIN PROPERTY
LOCATED AT 3604 DOUGLAS ROAD**

WHEREAS, the real estate located at 3604 Douglas Road, on the southwest corner of 36th Street and Douglas Road, hereinafter described has been classified as "R-2, Residential Detached House 2" under the 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 November 7, 2016 and has made its findings and recommendations all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and

WHEREAS, 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.

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

SECTION 1. The Zoning Map of the Village, pursuant to Section 28.12.030 of the Downers Grove Municipal Code, is hereby further amended by rezoning to "R-1, Residential Detached House 1" the zoning classification of the following described real estate, to wit:

LOT 1(EXCEPT THE WEST 137.0 FEET, AS MEASURED ON THE NORTH AND SOUTH LINES THEREOF) IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S FAIRVIEW AVENUE SUBDIVISION, BEING A SUBDIVISION IN THE EAST HALF OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 7, 1923 AS DOCUMENT 169326, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as: 3604 Douglas Road, Downers Grove, IL 60515
PIN 06-32-406-021

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. That the rezoning meets the requirements of the Zoning Ordinance as follows:

1. The existing use and zoning of nearby property;
2. The extent to which the particular zoning restrictions affect property values;
3. The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare;
4. The suitability of the subject property for the zoned purposes;
5. The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity;
6. The value to the community of the proposed use; and
7. The comprehensive plan.

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

SECTION 5. 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



3604 Douglas Road Location Map

0 10 20
Feet





**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
NOVEMBER 7, 2016 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
16-PLC-0047 3604 Douglas Road	Zoning Map Amendment	Swati Pandey Planner

REQUEST

The petitioner is requesting a Zoning Ordinance Map Amendment to rezone the subject property from R-2, Residential Detached House 2, to R-1, Residential Detached House 1.

NOTICE

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

GENERAL INFORMATION

OWNER & APPLICANT: Elizabeth Beckmann
3612 Douglas Road
Downers Grove, IL 60515

PROPERTY INFORMATION

EXISTING ZONING: R-2, Residential Detached House 2
EXISTING LAND USE: Single Family Residential
PROPERTY SIZE: 15,923 square feet (0.37 acres)
PIN: 06-32-406-021

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-1, Residential Detached House 1	Single Family Residential
SOUTH:	R-1, Residential Detached House 1	Single Family Residential
WEST:	R-2, Residential Detached House 2	Single Family Residential
EAST:	Unincorporated DuPage County	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. Plat of Survey
3. Proposal Narrative

PROJECT DESCRIPTION

The subject property, commonly known as 3604 Douglas Road, is located at the southwest corner of 36th Street and Douglas Road. Currently the property is zoned R-2, Residential Detached House 2 and is 15,923 square feet in size. The property is improved with a single family home and two accessory structures, a detached garage and shed. The petitioner owns contiguous properties at 3604 and 3612 Douglas Road and is requesting to rezone the property at 3604 Douglas Road to R-1, Residential Detached House 1, for consistent zoning across properties under common ownership. The zoning district north of 36th Street is R-1, to the west is zoned R-2 with properties to the east located in unincorporated DuPage County with a zoning classification of R-4, Single Family Detached. The Village's Future Land Use Plan identifies this whole area as single family residential.

The petitioner is proposing to rezone and consolidate the two lots for future development and potential expansion of the existing house on 3612 Douglas Road. Rezoning has been sought prior to consolidation and construction on the properties to have one consistent set of zoning requirements. The petitioner will be required to administratively consolidate both lots and demolish existing structures on 3604 Douglas Road prior to the issuance of a building permit for any improvements to the property. Any development or improvements to the property will be required to follow the setbacks and bulk regulations of the R-1 zoning designation, if approved. The petitioner intends to move forward with the project in the near future.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan's Residential Areas Plan identifies the property as part of the traditional grid type of residential development. This area contains grid style street layouts. The subject property is similar in lot size and width to the neighboring R-1 zoned residential lots. The proposed rezoning will have no impact on the existing development patterns of this area as the land use will remain single family residential. The proposed rezoning from R-2 to R-1 is consistent with the Comprehensive Plan.

COMPLIANCE WITH THE ZONING ORDINANCE

The property is currently zoned R-2, Residential Detached House 2 which allows for a single family structure. A comparative analysis of the bulk requirements for both the R-1 and R-2 districts are found in the table below:

Zoning Ordinance Lot Regulations	R-1 District Lot Regulations	R-2 District Lot Regulations	Existing Measurements (3604 Douglas Road)
Minimum Lot Area	20,000 sq. ft.	15,000 sq. ft.	15,923 sq. ft.
Minimum Lot Width	100 ft.	85 ft.	117.27 ft.

Zoning Ordinance Bulk Regulations	R-1 District Bulk Requirements	R-2 District Bulk Requirements
Street Setback	40 feet	35 feet
Side Setback	10 feet	11.73 feet
Rear Setback	20 feet	20 feet

The proposed R-1, Residential Detached House 1, zoning classification is appropriate for this property given the intended outcome and driving reason behind this request: to expand the footprint of an existing single family home across existing lot lines. Once the two parcels are consolidated, the new lot as an R-1 property will be in full compliance with the bulk requirements for the R-1 zoning district.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners within 250 feet from the property in addition to posting the public hearing notice sign and publishing the legal notice in *Downers Grove Suburban Life*. Staff received five inquiries regarding the application, but there were no concerns.

FINDINGS OF FACT

Section 28.12.030.I. Review and Approval Criteria for Zoning Map Amendments

The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any single standard. In making recommendations and decisions about zoning map amendments, review and decision making bodies must consider at least the following factors:

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

The property is surrounded by single family residential lots with similar lot widths and lot area under the R-1 zoning designation. If rezoned to R-1, the property will remain detached single family residential. The proposed use and zoning are consistent with the uses and sizes of the nearby properties. This standard has been met.

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

The proposed rezoning will not negatively affect property values. The use will remain residential. 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 impact property values or the public health, safety and welfare of the community. The existing use is single family and the proposed use will remain single family residential. This standard has been met.

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

The property is currently zoned single family residential and will remain a single family residence district if rezoned from R-2 to R-1. 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 house at 3604 Douglas Road has been vacant since June 2016, when the petitioner purchased the property. Prior to this date the property was a single family residential use. This standard has been met.

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

The rezoning and future consolidation of the property will maintain the integrity of the corner lot and blend with the similarly sized R-1 zoned properties in terms of lot and bulk requirements for the property. The property owner is investing in the property to improve the existing house which adds value to the community by investing and improving the Village's quality housing stock. This standard has been met.

(7) ***The Comprehensive Plan.***

The Village has carefully planned its land use development as evidenced by the adoption of the Comprehensive Plan in 2011. The Plan identifies that expansion and redevelopment of the existing housing stock is important along with replacement of some aging homes within the context and character of the existing neighborhoods. The petitioner is proposing to redevelop this property with improvements to the existing house which follows the Comprehensive Plan. This standard has been met.

RECOMMENDATIONS

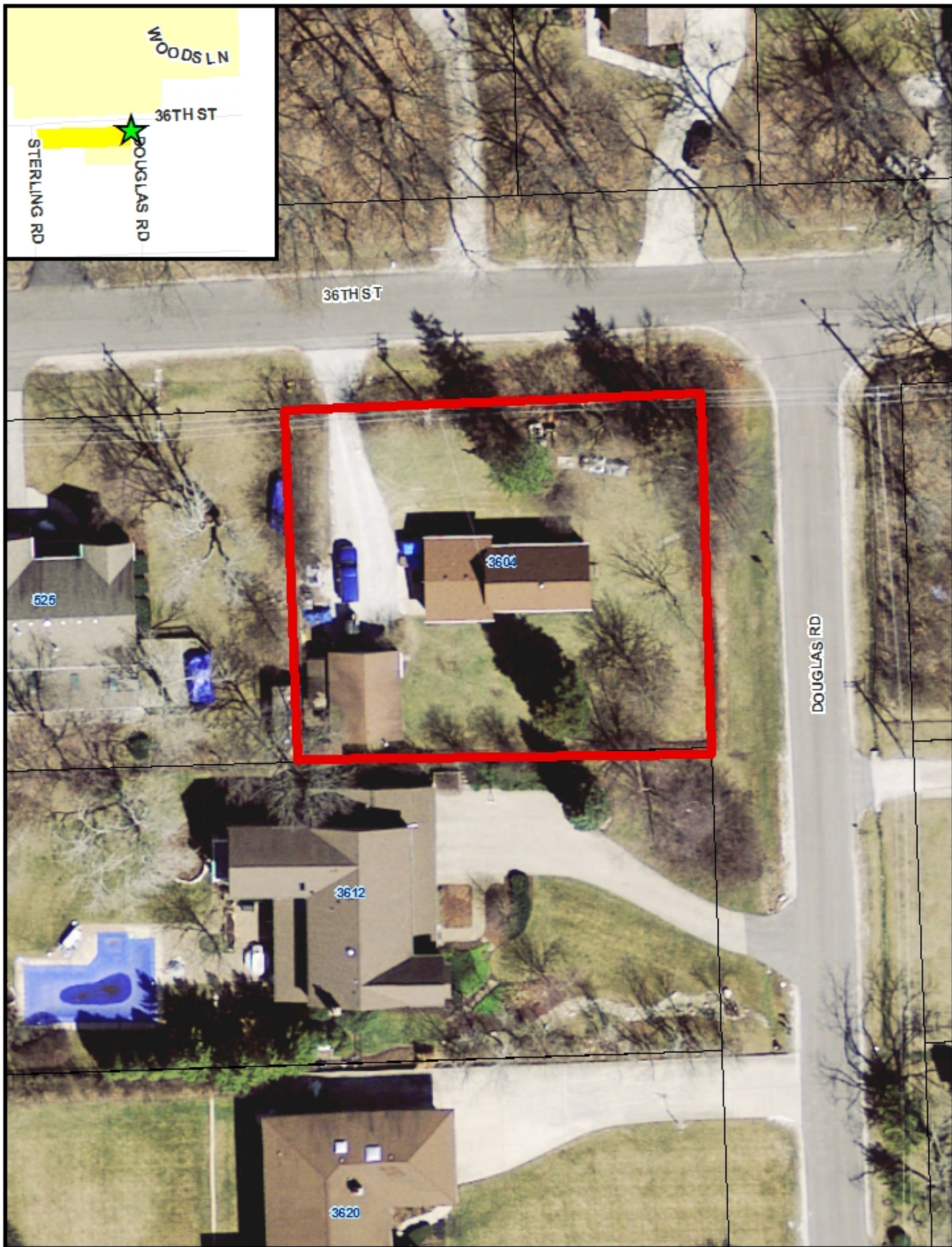
The proposed zoning map amendment of the property is compatible with the Comprehensive Plan and surrounding zoning and land use classifications. Based on the findings listed above, staff recommends the Plan Commission make a positive recommendation to the Village Council regarding this petition.

Staff Report Approved By:



Stanley J. Popovich, AICP
Director of Community Development

SP:sp
-att



3604 Douglas Road Location Map

0 10 20
Feet



September 30,2016

**Plan Commission - Department of Community Development
801 Burlington Avenue - Downers Grove, Il 60515**

To whom it may concern:

I currently reside at 3612 Douglas Rd. Downers Grove and have recently purchased the adjacent property at 3604 Douglas Rd. Downers Grove.

I respectfully request consideration and approval of this re-zoning request from R2 to an R1 for the property at 3604 Douglas Rd, Downers Grove, Il.

- 1. The existing use and zoning of nearby property:
- *The adjacent properties are single-family homes.***
- 2. The extent to which particular zoning restrictions affect property values:
- *There is no effect on property values.***
- 3. The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare:
- *This does not diminish property values.***
- 4. The suitability of the subject property for the zoned purposes:
- *Currently single family zoning; petition to change (3604 Douglas DG -R2) to zoning of current home (3612 Douglas DG - R1)***
- 5. The length of time that subject property has been vacant as zoned, considering the context of the land development in the vicinity:
- *Previous owner passed away June 2016.***
- 6. The value to the community of the proposed use:
- *No storm water concerns. Plan to demolish structure, reducing number of curb cuts.***
- 7. The comprehensive plan:
- *The Comp.Plan shows this parcel is single-family. Two combined properties have characteristics of R1 zoning.***

-Future plans for the listed properties are to adjoin both, demolish structure on 3604 Douglas DG, making way for future plans of the adjoined properties.

Thank you,

Elizabeth Beckmann

Elizabeth Beckmann, Owner

630.461.3410 M




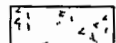
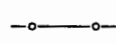

630.963.3863 H

AS-BUILT FOUNDATION SURVEY

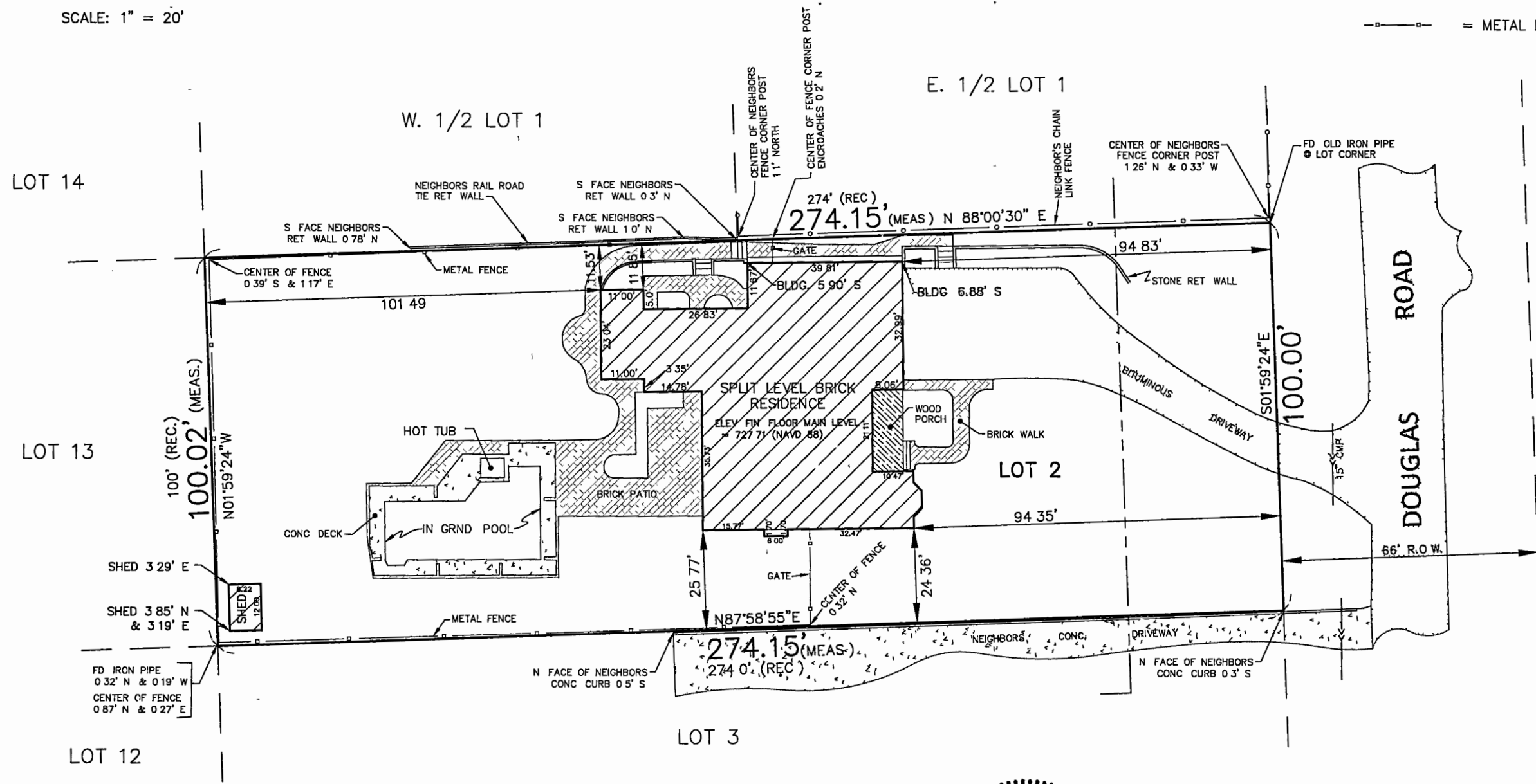
LOT 2, IN BLOCK 2, IN A T McINTOSH AND COMPANY'S FAIRVIEW AVENUE SUBDIVISON, BEING A SUBDIVISION IN THE EAST 1/2 OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN DUPAGE COUNTY, IL

COMMONLY KNOWN AS 3612 DOUGLES RD, DOWNERS GROVE, IL
PERMANENT INDEX NO 06-32-406-009

LEGEND

-  = BRICK PAV'T
-  = WOOD PORCH
-  = BITUMINOUS PAV'T
-  = CONC. PAV'T.
-  = WOOD FENCE
-  = METAL FENCE

SCALE: 1" = 20'



STATE OF ILLINOIS) SS
COUNTY OF LAKE)

I, WILLIAM C. DOLAND II, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY DATED AT BARRINGTON, ILLINOIS THIS 24th DAY OF AUGUST, 2015.

William C. Doland II
ILL. L.S. # 35-2732

* AS-BUILT FOUNDATION SURVEY DECEMBER 2, 2015
* RE-SURVEYED ON AUGUST 9, 2016

PROJECT NO 16-273
ACCURATE SURVEY SERVICE, INC.
28 W 123 INDUSTRIAL AVE
BARRINGTON, IL 60010
PHONE. (847) 381-8735



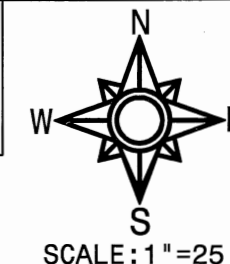
REAL ESTATE SURVEYORS

1229 LAKEVIEW COURT
 ROMEVILLE, ILLINOIS 60446
 PH: (630) 226-9200 FAX: (630) 226-9234
 EMAIL: SURVEY@ARSSURVEY.COM

PLAT OF SURVEY

BASIS OF BEARING:

SOUTH LINE OF 36TH. STREET AS MONUMENTED AND OCCUPIED PER RECORDED SUBDIVISION PLAT N 87°49'22"E(A).



LOT 1 (EXCEPT THE WEST 137.0 FEET, AS MEASURED ON THE NORTH AND SOUTH LINES THEREOF) IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S FAIRVIEW AVENUE SUBDIVISION, BEING A SUBDIVISION IN THE EAST HALF OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 7, 1923 AS DOCUMENT 169326, IN DUPAGE COUNTY, ILLINOIS.

AREA OF SURVEY:

"CONTAINING 15,995 SQ. FT. 0.37 ACRES MORE OR LESS"



STATE OF ILLINOIS }SS
 COUNTY OF WILL

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 24TH DAY OF AUGUST, A.D., 2016, AT ROMEVILLE, ILLINOIS.

Mark A. Lindstrom
 Signature of Mark A. Lindstrom

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035- 3482

ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-2961

CLIENT WILLIAMS ESTATE

JOB NO. 25914-16

FIELDWORK DATE. 08-23-16

LEGEND		
(R) = RECORD	(NW) = NORTHWESTERLY	— x — x — x — x — x = CHAIN LINK FENCE
(M) = MEASURED	(NE) = NORTHEASTERLY	— x — x — x — x — x = WIRE FENCE
(D) = DEED	(SW) = SOUTHWESTERLY	— o — o — o — o — o = SPLIT RAIL FENCE
(C) = CALCULATED	(SE) = SOUTHEASTERLY	— o — o — o — o — o = WOOD FENCE
(L) = ARC LENGTH	(RAD) = RADIUS	— o — o — o — o — o = METAL FENCE
(CH) = CHORD	(A) = ASSUMED	— o — o — o — o — o = PUBLIC UTILITY & DRAINAGE EASEMENT
(R.O.W.) = RIGHT OF WAY	(F.I.P.) = FOUND IRON PIPE	— o — o — o — o — o = BUILDING SETBACK LINE
	(F.I.R.) = FOUND IRON ROD	



LICENSE EXPIRES ON NOVEMBER 30, 2016

DRAFT

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

NOVEMBER 7, 2016, 7:00 P.M.

FILE 16-PLC-0047: A petition seeking approval of a Zoning Map Amendment, rezoning from R-2 (Residential Detached House 2) to R-1 (Residential Detached House 1). The property is located at the southwest corner of 36th Street and Douglas Road, commonly known as 3604 Douglas Road, Downers Grove, IL (PIN 06-32-406-021). Elizabeth Beckmann, Owner.

Ms. Pandey reviewed the proposal and stated that the properties at 3604 & 3612 Douglas Road are under common ownership. The property to the north at 3604, was purchased by the owner with the intent of consolidating both properties and adding an addition to the north side of the home. In order to consolidate the lots, the home must be under the same zoning designation. The property to the north was R-2; the property to the south was R-1 and the owner wanted to designate the 3604 Douglas Road property as R-1.

Ms. Pandey explained that prior to any building permits being issued or final approval of the Plat of Consolidation, the village will require the owner to demolish the structures on the property. Per Ms. Pandey, the proposal met the goals of the village's comprehensive plan, the rezoning would have no impact on the layout of the street, and the standards for approval for the zoning map amendment had been met. Staff recommended a positive recommendation.

Staff and commissioners held a discussion on how the two lots could be consolidated administratively but some commissioners pointed out the benefits of simultaneously approving both the consolidation and the rezoning so as not to create any future hardships on the owner.

Petitioner, Elizabeth Beckmann, 3612 Douglas, Downers Grove, reviewed the three step process she was given: rezone, consolidate, and then develop/improve the property. She was seeking rezoning of the property with the intention to consolidate and then develop. She understood that she could be diminishing the value of 3604 if it she did not consolidate it. Ms. Beckmann confirmed she did understand that.

Chairman Rickard opened up the meeting to public comment.

Mr. Richard Moran, 500 36th Street, Downers Grove, resides across the street from the property and supported the applicant.

No further comments were received from Ms. Beckmann.

Hearing no further public comment, public comment was closed.

Ms. Leitschuh explained what could happen to the lot should the parcel not be rezoned at this time. Again, more discussion followed. Mr. Thoman raised concern about setting a precedent creating non-conformities, citing 5100 Forest as an example and the same request for Main and Maple (garbage pick-up). While he wanted to see the owner benefit from her property, Mr. Thoman did

DRAFT

not want the village to do something with unintended consequences. Ms. Leitschuh explained the additional expenses the applicant would incur should she have to return. She also explained the cost savings to the applicant by having the applicant go through the rezoning now and then administratively going through the lot consolidation later.

The chairman did not see any negatives to the approval of the application and the applicant appeared to understand the process.

Ms. Beckmann returned and believed Mr. Thoman needed to have an internal discussion about precedent-setting with the commissioners. She understood the negatives. She did not intend to subdivide the property. The property was purchased to add value to her existing property with the R-1 restriction.

Chairman Rickard proceeded to walk through each of the approval criteria for the zoning map amendment and agreed the criteria was met.

WITH RESPECT TO FILE 16-PLC-0047, MR. MAURER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL PER STAFF'S RECOMMENDATION IN ITS REPORT.

SECONDED BY MS. HOGSTROM. ROLL CALL:

**AYE: MR MAURER, MS. HOGSTROM, MR. BOYLE, MS. GASSEN, MR. THOMAN,
CHAIRPERSON RICKARD**

NAY: NONE

MOTION PASSED. VOTE: 6-0