

VILLAGE OF DOWNERS GROVE
Report for the Village Council Meeting
7/18/2017

SUBJECT:	SUBMITTED BY:
Rezoning - 4910 Cross Street	Stan Popovich, AICP Director of Community Development

SYNOPSIS

An ordinance has been prepared to amend the zoning ordinance map to rezone the property at 4910 Cross Street from R-1, Residential Detached House 1, to R-4, Residential Detached House 4.

STRATEGIC PLAN ALIGNMENT

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

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the July 11, 2017 Village Council meeting. Staff recommends approval at the July 18, 2017 Village Council meeting.

BACKGROUND

The petitioner is requesting a Zoning Ordinance Map Amendment to rezone the subject property from R-1, Residential Detached House 1, to R-4, Residential Detached House 4. The petitioner is requesting to rezone the property to R-4 to better match the lot width, area, and required setbacks of the subject property with an appropriate zoning classification. The property consists of an existing one-story house on two legally platted lots. The petitioner is proposing to redevelop the property with a new single family home after administratively consolidating the two lots into one legal lot.

Compliance with the Zoning Ordinance

The property is currently zoned R-1, Residential Detached House 1, which permits single family detached dwellings. The property consists of two lots of record. The petitioner is proposing to rezone the property to establish setbacks for a new detached single family home that match the setbacks found throughout this neighborhood.

The bulk requirements of both the R-1 and R-4 zoning classification applied to the subject property are compared in the tables below:

Zoning Ordinance Lot Regulations	R-1 District Lot Regulations	R-4 District Lot Regulations	Existing Measurements (4910 Cross Street)
Minimum Lot Area	20,000 sq. ft.	7,500 sq. ft.	6,250 sq. ft.
Minimum Lot Width	100 ft.	50 ft.	50 ft.

Zoning Ordinance Bulk Regulations	R-1 District Bulk Requirements	R-4 District Bulk Requirements
Street Setback	40 feet	25 feet
Side Setback	7 feet	5 feet
Rear Setback	20 feet	20 feet

The proposed R-4 zoning classification is more appropriate for this property as compared to the R-1 designation. The requested rezoning is consistent with the Zoning Ordinance.

Compliance with the Comprehensive Plan

The Future Land Use Plan calls for the property to remain single family residential which is the intention of the petitioner after the property is consolidated into one legal lot. This will advance the Comprehensive Plan's goal to provide modern housing throughout the community. The proposed rezoning of the property from R-1 to R-4 is consistent with the Comprehensive Plan.

Public Comment

Three residents spoke at the public hearing, one concerned about maintenance of the adjacent unimproved alley, and two about general stormwater concerns to be reviewed at a time of permit.

ATTACHMENTS

Ordinance

Aerial Map

Staff Report with attachments dated June 5, 2017

Draft Minutes of the Plan Commission Hearing dated June 5, 2017

ORDINANCE NO. _____**AN ORDINANCE REZONING CERTAIN PROPERTY
LOCATED AT 4910 CROSS STREET**

WHEREAS, the real estate located at 4910 Cross Street, 150 feet south of the intersection of Cross Street and Hadow Avenue, hereinafter described has been classified as "R-1, Residential Detached House 1" 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 June 5, 2017 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-4, Residential Detached House 4" the zoning classification of the following described real estate, to wit:

LOTS 7 AND 8 IN BLOCK 8 IN CARPENTER'S ADDITION TO LACTON, BEING A SUBDIVISION IN THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 12, 1890 AS DOCUMENT NUMBER 42886, IN DUPAGE COUNTY, ILLINOIS

Commonly known as: 4910 Cross Street, Downers Grove, IL 60515
PIN 08-12-108-018; -019

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

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

SECTION 3. 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.

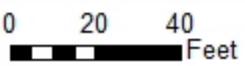
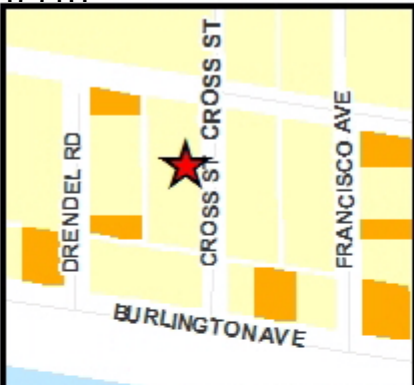
Mayor

Passed:

Published:

Attest: _____

Village Clerk



4910 Cross Street - Location Map





**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
JUNE 5, 2017 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
17-PLC-0018 4910 Cross Street	Zoning Map Amendment	Nora Flynn Planning Intern

REQUEST

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

NOTICE

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

GENERAL INFORMATION

**APPLICANT/
OWNER:** Greenscape Homes, LLC
4355 Weaver Parkway
Warrenville, IL 60555

PROPERTY INFORMATION

EXISTING ZONING: R-1, Residential Detached House 1
EXISTING LAND USE: Single Family Residential
PROPERTY SIZE: 6,250 square feet
PINS: 08-12-108-018, -019

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
EAST:	R-1, Residential Detached House 1	Single Family Residential
WEST:	R-1, Residential Detached House 1	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. Location Map
3. Plat of Survey
4. Project Narrative

PROJECT DESCRIPTION

The subject property, commonly known as 4910 Cross Street, is located on the west side of Cross Street, between Haddow Avenue and Burlington Avenue. Currently the property is zoned R-1, Residential Detached House 1 and is 6,250 square feet in size. The property is improved with a one-story single family house. The property consists of two legally platted lots. The petitioner is requesting to rezone the property to R-4, Residential Detached House 4, in order to bring the current property conditions closer into compliance with the Zoning Ordinance and to develop the property with a new single family dwelling unit.

The subject property was annexed in 2012 as part of a larger annexation program. Under Illinois State Statute, the property was automatically zoned to R-1, Residential Detached House 1 upon annexation. Other surrounding properties were annexed into the Village at the same time and were automatically zoned R-1. Several nearby properties have rezoned to R-4 because this zoning designation more closely matches the width, depth and area of these properties.

The petitioner is proposing to develop a new single family dwelling on the property. Per Section 11.020.B. of the Zoning Ordinance, a single family house can be built on a non-conforming lot; however, the new home must follow the setbacks and bulk regulations of the current zoning designation. If the petitioner were to construct the new single family structure under the current R-1 classification, the house would have to be setback 40 feet from the east (street yard) property line. Under the R-4 classification, the future homes can be constructed with a 25 foot street yard setback from the east property line. The applicant is required to consolidate the lots and demolish the existing structure prior to new building permits being issued.

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 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 and existing homes do not conform to the default R-1 classification. The proposed rezoning from R-1 to R-4 is consistent with the Comprehensive Plan.

The draft of the Comprehensive Plan update also classifies the property as a traditional grid type in the Residential Areas Plan. Both plans identify the property as Single-Family Detached Residential, and state that it should continue to be the predominant land-use in the Village. By changing the bulk zoning regulations to reflect existing conditions in the neighborhood and be more compatible with lot configurations, the rezoning helps ensure investment in quality housing stock.

COMPLIANCE WITH THE ZONING ORDINANCE

The property is currently zoned R-1, Residential Detached House 1 which allows for a single family structure. However, the measurements of the subject property do not meet the zoning regulations associated with the R-1 designation. As such, the petitioner is proposing to rezone the property in order to more closely match the size of the property with an appropriate zoning classification. A comparative analysis of the bulk requirements for both the R-1 and R-4 districts are found in the table below:

Zoning Ordinance Lot Regulations	R-1 District Lot Regulations	R-4 District Lot Regulations	Existing Measurements (4910 Cross Street)
Minimum Lot Area	20,000 sq. ft.	7,500 sq. ft.	6,250 sq. ft.
Minimum Lot Width	100 ft.	50 ft.	50 ft.

Zoning Ordinance Bulk Regulations	R-1 District Bulk Requirements	R-4 District Bulk Requirements
Street Setback	40 feet	25 feet
Side Setback	7 feet	5 feet
Rear Setback	20 feet	20 feet

The proposed R-4, Residential Detached House 4, zoning classification is appropriate for this property. The requested rezoning is consistent with the Zoning Ordinance.

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 spoke with one resident who inquired about the difference between the two zoning classifications, 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 various lot widths and lot area. The majority of properties to the north, south, and east are zoned R-1 with the lot widths of 50 feet and similar lot sizes. Since the annexation, a number of properties have rezoned to R-4, including three in 2016. The existing use is single family and the proposed use will remain 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. By rezoning from R-1 to R-4, the petitioner is bringing the property closer to conformance with the Zoning Ordinance. 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-1 to R-4. However, the two zoning designations contain differences with their associated regulations. Properties located within the R-1 zoning classification require 100 feet in lot width and 20,000 square feet in lot area, where properties zoned R-4 require 50 feet in lot width and 7,500 square feet in lot area. As such, the property with a combined 50 foot lot width and 6,250 square foot lot area is closer to the regulations associated with lots zoned R-4 and is consistent with the conditions of surrounding properties. This standard has been met.

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

The property is improved with a home and has been zoned as R-1 since it was annexed in 2012. The petitioner is proposing to demolish the existing improvements in order to facilitate redevelopment. This standard has been met.

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

The Comprehensive Plan identifies quality housing stock as being one of the most important factors that contribute to the Village's character and identity. The owner notes that the current dwelling is in disrepair and non-compliant. The proposed zoning map amendment affords the opportunity for a modernized single family residence while remaining compatible with surrounding bulk zoning and lot conditions, increasing the Village's quality housing stock. This standard has been met.

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

The subject property is designated for detached single family residential use as identified in the existing and new draft of the Comprehensive Plan. The petitioner is proposing to develop this property with a new single family detached 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



PETITION FOR PLAN COMMISSION

Department of Community Development
801 Burlington Avenue – Downers Grove, IL 60515
Phone: 630.434.5515 Fax: 630.434.6873

Office Use Only:

File No. _____

Date Filed _____

Petition includes request(s) for the following (please check all that apply):

- Annexation (\$435)
- Zoning Map Amendment/Re-Zoning (\$521)
- Special Use (\$521 Residential, \$1,015 Non-residential)
- Special Use – minor amendment (\$218)
- Planned Unit Development/Planned Unit Development Amendment (\$1,739)
- Planned Unit Development Site Plan Approval (\$218)
- Variation in Conjunction with Special Use (\$435 Residential, \$521 Non-residential)
- Plat of Subdivision (\$820, \$218 if Preliminary Plat approved and valid)
 - With Exception(s) (\$109 per exception, not to exceed \$545)
- Lot Consolidation/Reconfiguration (\$218 – Administrative)
- Lot Consolidation (\$465 – Plan Commission/Village Council Review)
 - With Exception(s) (\$109 per exception, not to exceed \$545)
- Right-of-Way Vacation of Street or Alley (\$300)
- Appeal from Administrative Decision (\$521)

1. Applicant Michael Ricklefs Greenscape Homes, LLC Daytime Phone 630-281-2035

Mailing Address 4355 Weaver Pkwy Suite 120 Warrenville, IL 60555

E-Mail Address Mike.Ricklefs@greenscapehomes.com

2. Owner(s) of Record Greenscape Homes, LLC Daytime Phone 630-281-2035

Mailing Address 4355 Weaver Pkwy Suite 120 Warrenville, IL 60555

Owner(s) of Record _____ Daytime Phone _____

Mailing Address _____

3. Applicant is: Owner Attorney Other Agent (please specify) Director of Engineering
 (Note: A letter of authorization from the owner(s) of record must be attached)

4. Address/Location of Subject Property 4910 S. Cross St.

5. Property Index Number(s) of Subject Property 08-12-108-018 + 08-12-108-019

6. Present Zoning Classification R1

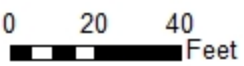
7. Describe the relief requested Greenscape Homes, LLC Request to rezone 4910 Cross from R1 to R-1

I hereby certify that the above statements and all accompanying statements and drawings are true and correct to the best of my knowledge. I hereby consent to the entry in or upon the premises described in this application by any authorized official of the Village of Downers Grove for the purpose of securing information, posting, maintaining and removing such notices as may be required by law.

[Signature]
 Applicant Signature

5-3-17
 Date

Please note that advertisement of proposed projects prior to Village approval in no way creates an obligation for Village approval. Any advance promotion of a project is done at the risk of the petitioner.



4910 Cross Street - Location Map



BOUNDARY AND TOPOGRAPHIC SURVEY

PROFESSIONAL LAND SURVEYING, INC.

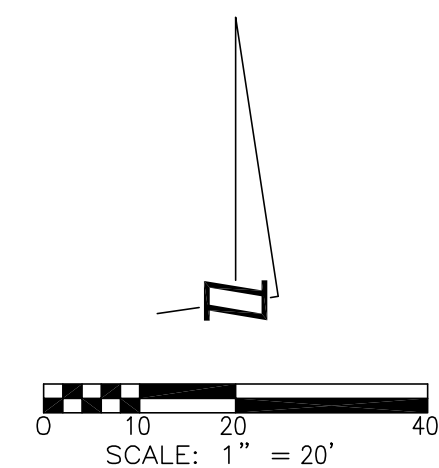
3080 OGDEN AVENUE SUITE 307

LISLE, ILLINOIS 60532

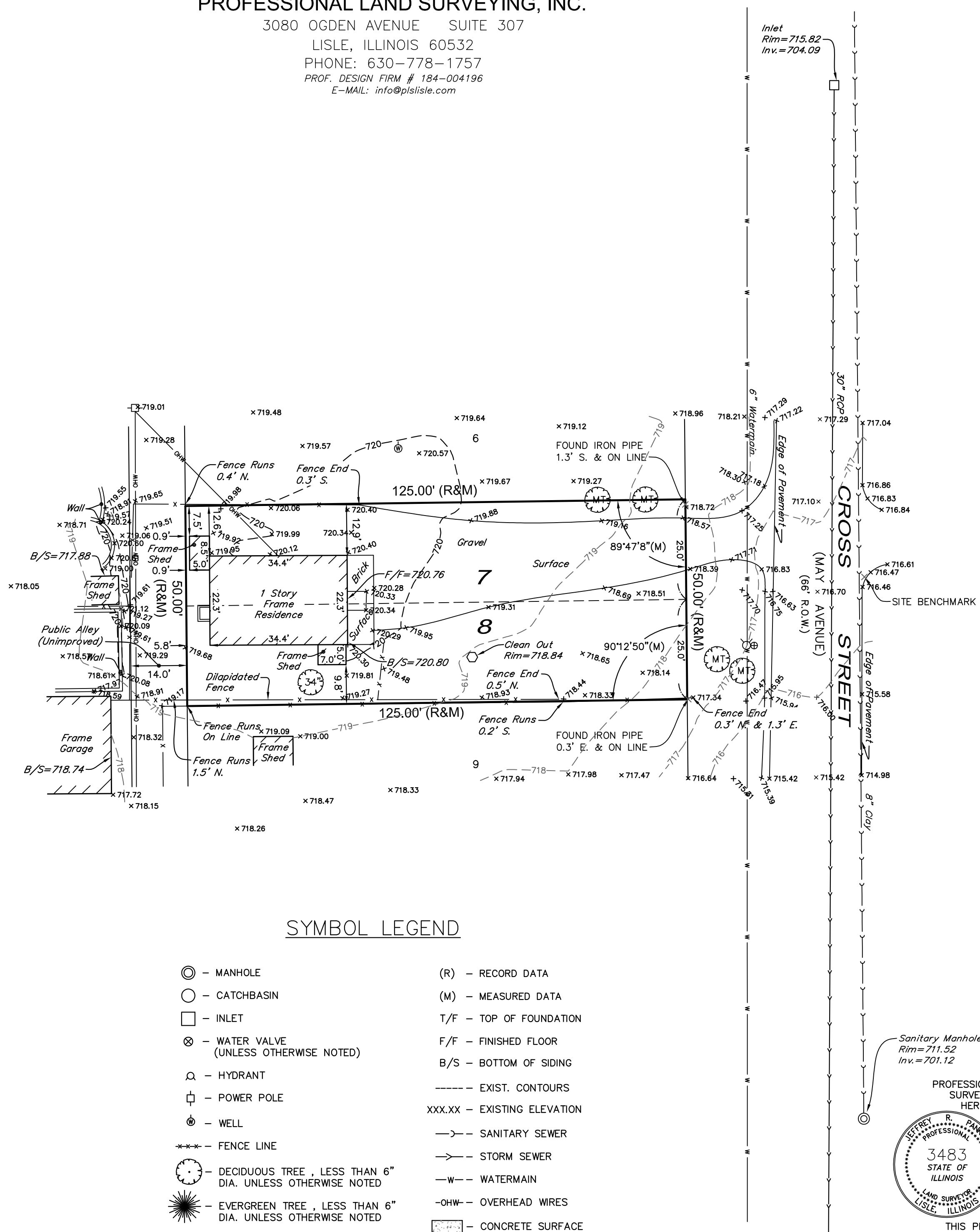
PHONE: 630-778-1757

PROF. DESIGN FIRM # 184-004196

E-MAIL: info@plslisle.com



PARCEL INDEX NUMBER
08-12-108-018
08-12-108-019



BENCHMARK:
 DUPAGE COUNTY BENCHMARK DGN05002
 ELEVATION = 747.82 NAVD88
 DUPAGE COUNTY BENCHMARK DGN06002
 ELEVATION = 740.67 NAVD88

SITE BENCHMARK:
 PK NAIL SET IN PAVEMENT ALONG EAST
 SIDE OF CROSS STREET, AS SHOWN
 HEREON.
 ELEVATION = 716.49

NOTE:
 POSSIBLE EASEMENT OF ANY PUBLIC SERVICE
 CORPORATION AS DISCLOSED BY SERVICE POLES
 AND/OR WIRES ON REAR OF LAND.

LEGAL DESCRIPTION

LOTS 7 AND 8 IN BLOCK 8 IN CARPENTER'S ADDITION TO
 LACTON, BEING A SUBDIVISION IN THE NORTHWEST 1/4 OF
 SECTION 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE
 THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT
 THEREOF RECORDED JUNE 12, 1890 AS DOCUMENT NUMBER
 42886, IN DUPAGE COUNTY, ILLINOIS

NOTES
 THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY
 INFORMATION AND DRAWINGS IN SURVEYOR'S POSSESSION. THE SURVEYOR MAKES NO
 GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH
 UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER
 DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT
 LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS
 ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT
 PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

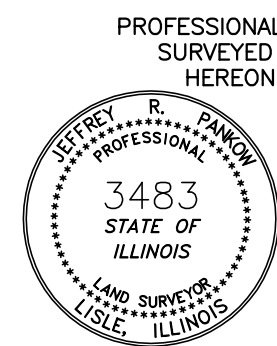
PREPARED FOR: GREENSCAPE HOMES, LLC.
 ADDRESS: 4910 CROSS STREET, DOWNERS GROVE, ILLINOIS
 BOOK & PG: 178/08 DATE: 3/21/2017 JOB NO: 1713910
 DRAWN BY: JHH CHECK BY: SAR
 REVISED:

SYMBOL LEGEND

- ⊙ - MANHOLE
- - CATCHBASIN
- - INLET
- ⊗ - WATER VALVE (UNLESS OTHERWISE NOTED)
- ⊕ - HYDRANT
- ⊞ - POWER POLE
- ⊙ - WELL
- - FENCE LINE
- ⊙ - DECIDUOUS TREE, LESS THAN 6" DIA. UNLESS OTHERWISE NOTED
- ⊙ - EVERGREEN TREE, LESS THAN 6" DIA. UNLESS OTHERWISE NOTED
- (R) - RECORD DATA
- (M) - MEASURED DATA
- T/F - TOP OF FOUNDATION
- F/F - FINISHED FLOOR
- B/S - BOTTOM OF SIDING
- - EXIST. CONTOURS
- xxx.xx - EXISTING ELEVATION
- - SANITARY SEWER
- - STORM SEWER
- - WATERMAIN
- OHW- - OVERHEAD WIRES
- ▒ - CONCRETE SURFACE

SURVEYED AREA: 6,250± SQ. FT.
 REFER TO YOUR DEED, ABSTRACT, TITLE POLICY
 AND LOCAL BUILDING AND ZONING ORDINANCE
 FOR ITEMS NOT SHOWN HEREON.
 NO MEASUREMENTS ARE TO BE ASSUMED BY SCALING

Sanitary Manhole
 Rim=711.52
 Inv.=701.12



PROFESSIONAL LAND SURVEYING, INC. HEREBY CERTIFIES THAT IT HAS
 SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THE
 HEREON DRAWN PLAT IS A CORRECT REPRESENTATION THEREOF.

FIELD WORK COMPLETED AND DATED
 THIS 17TH DAY OF MARCH, 2017.

IPLS No. 3483
 MY LICENSE EXPIRES 11/30/2018

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS
 MINIMUM STANDARDS FOR A BOUNDARY AND TOPOGRAPHIC SURVEY.



May 4, 2017

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

Re: 4910 S. Cross Street Rezoning Project Summary and Review and Approval Criteria

Project Summary:

The subject property, commonly known as 4910 S. Cross Street, is located on the west side of Cross Street and north of Burlington Avenue. The property is currently lots 7 & 8 of block 8 in Carpenter's Addition to Lacton Subdivision. It is currently zoned R-1 and is fifty feet wide by one hundred and twenty five feet deep, for a total area of 6,250 square feet. The R-1 district requires lot width of 100 feet and a lot area of 20,000 square feet. The property currently has a non-compliant structure that sits within the rear setback R-1 requirement of twenty feet. The existing home is in poor condition and would need extensive restoration to make it a proper home. Greenscape Homes, LLC would like to request the re-zoning of the existing parcel from R-1 to R-4 to bring it closer to compliance with the Zoning Ordinance. The R-4 zoning district requires a lot width of 50 feet and lot area of only 7,500 square feet.

Greenscape Homes, LLC proposes to consolidate the two lots and construct a new single-family detached residence. If the structure were to be constructed under current zoning, the requirement would require a 40-foot front setback. If it were to be constructed within the R-4 zoning requirements the structure would have a 25-foot front setback and would match the surrounding properties, therefore fitting into the surrounding neighborhood.

Findings of Fact – Review and Approval Criteria:

1. The existing use and zoning of nearby property

The existing and surrounding properties are single-family detached residences, which closely follow the requirements of an R-4 zone, while being defaulted into the R-1 district at the time of annexation. If re-zoned to R-4 the subject property would remain a single-family detached residence.

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

The re-zoning of the subject property will not negatively affect property values. By re-zoning this property, it will more closely imitate the surrounding properties, while removing the current non-complying structure and creating a property that will improve the neighborhood feel and value.



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

The re-zoning of the subject property will not affect property values or public health, safety and welfare. The current use is single family and will remain single family after re-zoning.

4. The suitability of the subject property for the zoned purposes

As most parcels in the area are closer to meeting the requirements of the R-4 district than they are the R-1 district the subject property is suitable to be zoned R-4. R-1 requires a 100 feet wide lot and a lot area of 20,000 square feet. Most parcels in the area are approximately 50 feet wide consisting of two 25-foot lots. The subject property will be one lot 50 feet wide by 125 feet deep, after consolidation, and have a lot area of 6,250 square feet. This is suitable 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

The subject property was annexed in 2012 and at that time, the default-zoning district was R-1.

6. The value to the community of the proposed use

The new home will remove a house in disrepair and non-compliance. While adding a current code complying structure that adds curb appeal and interest to the neighborhood.

7. The comprehensive plan

This rezoning appears to fit well within the comprehensive plan as most of the surrounding residences do not meet the default R-1 zoning and are more appropriate for the R-4 zoning district. The current use for the subject property is single family detached and after re-zoning, the property will remain a single-family detached residence.

If you have any questions contact me at 630-281-2035.

Michael W. Ricklefs, P.E.
Director of Engineering
Greenscape Homes, LLC
mike.ricklefs@greenscaphomes.com

Enclosed: Petition for Plan Commission Application, Application Fee, Proof of Ownership, Six (6) copies of the Plat of Survey, neighboring addresses with labels

FILE 17-PLC-0018: A petition seeking approval of a Zoning Map Amendment to rezone the property to R-4 Residential Detached House 4. The property is currently zoned R-1, Residential Detached House 1. The property is located on the west side of Cross Street, 150 feet south of the intersection of Cross Street and Haddow Avenue, commonly known as 4910 Cross Street (PINs 08-12-108-018 and 08-12-108-019). Greenscape Homes LLC, Petitioner and Owner.

Sr. Planner Rebecca Leitschuh introduced Planning Intern Nora Flynn who will be working with Village Staff for the summer, and who interned with the Village last year as well.

Ms. Flynn explained the petitioner's request to rezone the subject property located at 4910 Cross Street from R-1, Residential Detached House 1 to R-4, Residential Detached House 4. The property is between Haddow Avenue and Burlington Avenue, and was automatically zoned R-1 in 2012 as part of a large annexation into the Village. R-1 is the Village's most restrictive zoning designation. Other surrounding properties that were part of the 2012 annexation have been rezoned to R-4. The petitioner plans to build a new single-family home on the property and demolish the existing home.

Ms. Flynn noted that the property consists of two lots that would have to be consolidated prior to the issuance of building permits. Any construction on the site would have to meet the requirements of the R-4 classification. The Village's Comprehensive Plan (including the draft of the Comprehensive Plan update) classifies the property as Single-Family Detached Residential, and states that it should continue to be the predominant land-use in the Village. The proposed rezoning helps ensure investment in quality housing stock in the Village.

Ms. Flynn referred to the Standards of Approval for rezoning, stating that the Standards have all been met by the Petitioner. The rezoning of the property and removal of the existing dilapidated building will bring the property up to the standards of the surrounding area, and is consistent with the Village's Zoning Ordinance.

Staff's recommendation, based on the findings listed in Staff's Report dated May 26, 2017, is that the Plan Commission make a positive recommendation to the Village Council regarding this petition.

Mr. Maurer asked if he understood that this property was recently rezoned. Ms. Flynn replied that other properties in the area that were part of the larger annexation have been rezoned to the R-4 zoning designation. She explained that upon annexation, properties are automatically zoned to the Village R-1 designation.

There being no further questions, Chairman Rickard asked the Petitioner for his presentation.

Mr. Michael Ricklefs, Director of Engineering for Greenscape Homes commented that Ms. Flynn covered the information in his presentation very well. He added that

Greenscape has had similar projects over the past 18 months, and stated that the R-4 zoning regulations more closely meet the setbacks and lot configurations of the surrounding area.

There were no questions from the Plan Commission. Chairman Rickard opened inquiries to the public.

1. Mr. Doug Miller, 4905 Drendel, resides behind the subject property. He indicated he had no problem with the new owner or their plans for the site; however, he was concerned about the maintenance of the existing easement between his property and the subject property. Mr. Miller noted that the previous owner neglected to care for it. Ms. Leitschuh replied that the area was a Village-owned unimproved alley. Mr. Miller said he has trees on his property and he is concerned that the area is taken care of.

Mr. Maurer asked that the survey be shown on the screen in order to show the unimproved alleyway. Mr. Miller explained that his concern is to see the property maintained. Ms. Leitschuh said if there is a problem with that alleyway area he could always contact the Village.

Chairman Rickard asked what is not being taken care of in the 14' area, and Mr. Miller said he has been taking care of it, and wants to be sure the new owners take care of that area adjacent to the petitioner's property.

Mr. Ricklefs said that when the house is demolished they will clean up the back area. He said there is an open lot to the north that is not part of their property.

2. Orlando Diaz of 4909 Drendel Road is a 30-year resident in the Village. He lives behind the proposed lot and would like to know if they are building the house higher than the existing foundations of other homes, and how the water will be pitched to his house. He knows that neighbors have been having problems with the water runoff. Chairman Rickard explained that this meeting is only to address the zoning change. The petitioner will have to go through engineering to demonstrate how they will comply with the stormwater ordinances, etc. This meeting is strictly for rezoning. He said information would be made available when they actually apply for a building permit.

Mr. Maurer thanked the residents for their comments. He thought whatever they do will be an improvement to the site, and will be a win situation for the neighbors.

3. Greg Kubelsky of 4914 Cross, south of the subject property asked when water runoff information would be addressed, and Chairman Rickard responded that would take place later in the process. Mr. Kubelsky asked for an explanation of what the rezoning actually means, because moving the house further from the houses behind it puts it closer to his house. This is their third residence in Downers Grove and he has had very large houses built next door to him in the past that created drainage problems.

In reply to his question, Chairman Rickard said that a copy of the Staff report is available for Mr. Kubelsky to review the differences in zoning regulations. R-4 lots are smaller lots with different setbacks than R-1 lots that are larger. Mr. Kubelsky then asked where residents could bring those issues up once the builder gets approved to build the home, and would there be other meetings.

Chairman Rickard replied that the Village Council will have a public hearing on this matter, but it will only deal with the rezoning. When the petitioner submits their plans, Staff and Engineering will review them, unless there are variances being requested. He said that if Mr. Kubelsky has questions he can call the Building Department and ask questions of other Staff.

Ms. Leitschuh explained to Mr. Kubelsky that the Village has Stormwater Engineers and Development Engineers on Staff who address all building in the Village. Mr. Kubelsky replied that this is his third residence in the Village and he has had very large homes built next to him that caused problems, and he doesn't want the same issues to occur again.

There being no further comments from the public, Chairman Rickard asked the Petitioner if he has any further comments.

Mr. Ricklefs said that they will follow all Downers Grove and DuPage County stormwater ordinances, focus on trying to improve stormwater issues and cause no future problems for neighboring properties. They will have a manager on site almost daily. With this site they are decreasing the amount of hard surfaces on the lot with a deep setback and they will minimize the amount of runoff on the site.

Mr. Maurer commented that the size of the lot fits better in an R-4 designation, and he thinks the neighbors should be comfortable with this.

Ms. Leitschuh said when properties are annexed they are designated as R-1 because it is the most restrictive designation, and relates to the State designations.

Mr. Kulovany asked whether the vacated alleyway is supposed to be maintained by the Village or the residents. Ms. Leitschuh said there are no maintenance regulations for vacated alleyways, and if there are problems residents should contact the Village to address them. Typically, residents end up using the area and maintaining it, though they cannot put structures on it and do not pay taxes on it.

Chairman Rickard noted that according to all of the regulations for approval, it appears as though all standards have been met.

Mr. Boyle moved that with respect to file 17-PLC-0018 the Plan Commission forward a positive recommendation to the Village Council. Ms. Hogstrom seconded the Motion.

All in favor. The Motion passed unanimously.

DRAFT