

VILLAGE OF DOWNERS GROVE
Report for the Village
5/17/2022

SUBJECT:	SUBMITTED BY:
Plat of Subdivision - 6600 Fairview Avenue and 403 66th Street	Stan Popovich, AICP Director of Community Development

SYNOPSIS

The petitioner is requesting approval of:

- 1) a Final Plat of Subdivision to subdivide a single property into two lots with a lot depth exception; and
- 2) a Zoning Map Amendment to rezone Lot 2 from R-1, Residential Detached House 1 to R-3, Residential Detached House 3.

STRATEGIC PLAN ALIGNMENT

The goals for 2021-2023 include *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on the June 7, 2022 active agenda per the Plan Commission's 8:0 positive recommendation. The Plan Commission discussed this petition at its May 2, 2022 meeting and found that the proposal met the standards of approval for a Plat of Subdivision, associated lot depth exception and Zoning Map Amendment, found respectively in Section 20.301, Section 20.305, Section 20.602(c), and Section 28.12.030.

BACKGROUNDProperty Information & Zoning Request

The petitioner is requesting approval of a Final Plat of Subdivision to subdivide the existing property into two lots of record and a map amendment request for Lot 2 to be rezoned from R-1, Residential Detached House 1; to R-3, Residential Detached House 3. The Downers Grove Community Church property was annexed into the Village of Downers Grove in 1994. As such the parcels were brought into the Village with the default zoning classification of R-1, Residential Detached House 1.

Lot 1 will consist of the religious assembly building, associated parking lot and open green space. Lot 2 will consist of the existing single family residential structure. The petitioner is requesting approval of the Plat of Subdivision to be able to sell the existing single family residential structure. The subdivision includes a lot depth exception as the resulting Lot 2 will have a lot depth less than the minimum required lot depth of 140 feet.

Compliance with the Zoning Ordinance

To ensure the new Lot 1 meets the bulk regulations of the zoning ordinance, the westernmost parking row will be eliminated. The proposed reduction in parking will not result in a parking deficiency. With the proposed map amendment for Lot 2, the proposed R-3, Residential Detached House 3 allows for the existing single family structure to be maintained and meet the bulk regulations of the Zoning Ordinance.

Compliance with the Subdivision Ordinance

The two new lots will substantially comply with Section 20.301 of the Subdivision Ordinance, except for the Lot 2 exception to have the lot depth reduced by 10.31 feet. The petitioner is providing the required five-foot wide public utility and drainage easements along the side interior lot lines and a ten-foot public utility easement in the rear for both lots per Section 20.305 of the Subdivision Ordinance. The existing drainage and detention easement will be maintained at the north westernmost corner of Lot 1. There are no school and park donations required with this application.

Along 66th Street and Fairview Avenue, a total of thirty-five feet and fifty feet respectively of rights-of-way are proposed to be dedicated. The dedication will match the right-of-way immediately adjacent to the subject properties. Property records indicate that the right-of-way was not properly dedicated to the Village and the proposed subdivision plat will clear up this inconsistency. The dedicated right-of-way will provide sufficient space for the existing roadways. There are no additional public improvements required with the subdivision application at this time.

Compliance with the Comprehensive Plan

The Comprehensive Plan's Residential Areas Plan identifies the subject property as part of the Suburban/Curvilinear type of residential development. Defining characteristics of this area include cul-de-sacs, varying lot sizes and sidewalks on both sides of the street. The proposed subdivision will maintain the exiting neighborhood character while preserving the existing religious use, playground and accessory parking as institutional uses.

Public Comment

Prior to the Plan Commission meeting, staff received two public comments. Both inquiries were general in nature and residents were satisfied once staff confirm the religious use would be maintained on proposed Lot 1.

ATTACHMENTS

Subdivision Resolution

Map Amendment Ordinance

Aerial Map

Staff Report with attachments dated May 2, 2022

Draft Minutes of the Plan Commission Hearing dated May 2, 2022

ORDINANCE NO. _____**AN ORDINANCE REZONING CERTAIN PROPERTY
LOCATED AT 403 66TH STREET**

WHEREAS, the real estate located at 403 66th Street, located at the southwest corner of 66th and Fairview 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 May 2, 2022 and has made its findings and recommendations respecting said requested rezoning in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and

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

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-3, Residential Detached House 3” zoning classification of the following described real estate, to wit:

THE WEST 92 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, LYING NORTH OF JANDA’S SUBDIVISION, (EXCEPT THAT PART TAKEN OR USED FOR 66TH STREET), IN SECTION 20, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

Commonly known as 403 66th Street, Downers Grove, IL
PIN: 09-20-211-034

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

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

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

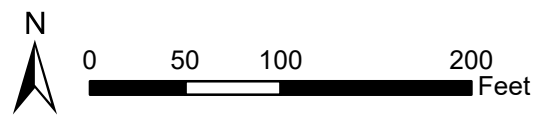
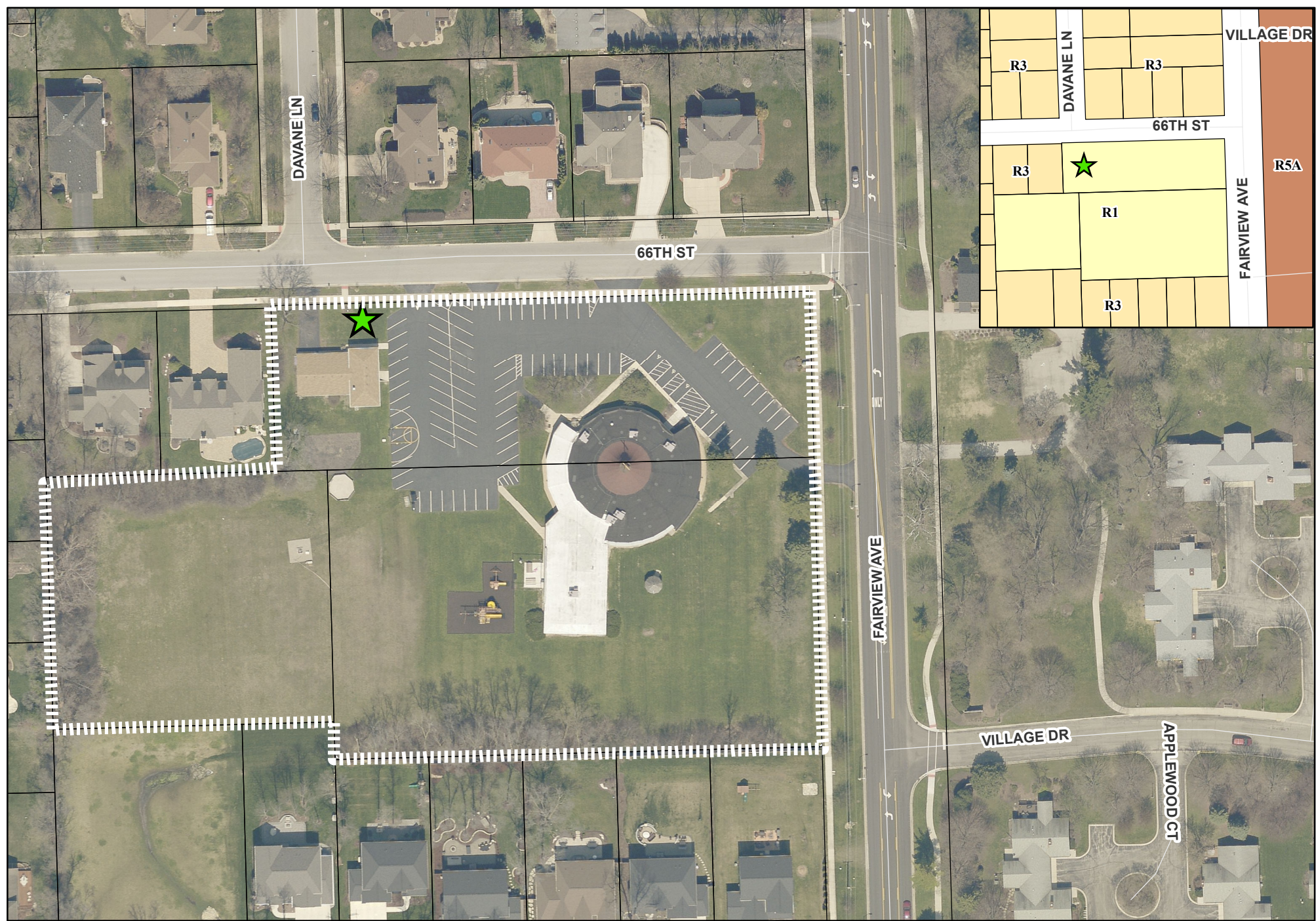
SECTION 4. This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

Mayor



Passed:

Published:

Attest: _____
Village Clerk



6600 Fairview Avenue - Location Map

-  Subject Property
-  Project Location



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
MAY 2, 2022 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
22-PLC-0009 6600 Fairview	Final Plat of Subdivision with an Exception and a Rezoning	Flora Ramirez, AICP Senior Planner

REQUEST

The petitioner is requesting approval for a (1) Final Plat of Subdivision to subdivide the existing property into two lots of record with an exception for one lot to have a depth of 129.69 feet when 140 feet is required and a (2) map amendment to rezone this same lot from R-1, Residential Detached House 1 to R-3, Residential Detached House 3.

NOTICE

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

GENERAL INFORMATION

**OWNERS/
PETITIONER:** Downers Grove Community Church
6600 Fairview
Downers Grove, IL 60516

PROPERTY INFORMATION

EXISTING ZONING: R-1, Residential Detached House 1
EXISTING LAND USE: Religious Assembly
PROPERTY SIZE: 192,423 sq. ft. (4.42 acres)
PINS: 09-20-211-034, -019, and -052

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-3, Residential Detached House 3	Single Family Detached
SOUTH:	R-3, Residential Detached House 3	Single Family Detached
EAST:	R-5A, Residential Detached House 5A	Multi-Family
WEST:	R-3, Residential Detached House 3	Single-Family Detached

ANALYSIS

SUBMITTALS

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

1. Location Map
2. Project Narrative
3. Standards of Approval
4. Plat of Survey
5. Final Plat of Subdivision
6. Parking Lot Relocation Plan

PROJECT DESCRIPTION

The existing property is located at the southwest corner of 66th Street and Fairview Avenue and is zoned R-1, Residential Detached House 1. Currently the 4.42 acre property is improved with a religious assembly use, associated parking lot and a residential building structure.

The petitioner is requesting approval of a Final Plat of Subdivision to subdivide the existing property into two lots of record and a map amendment request for Lot 2 to be rezoned from R-1, Residential Detached House 1; to R-3, Residential Detached House 3. Lot 1 will consist of the religious assembly building, associated parking lot and open green space. Lot 2 will consist of the existing single family residential structure. The petitioner is requesting approval of the Plat of Subdivision to be able to sell the existing single family residential structure. The subdivision includes a lot depth exception as the resulting Lot 2 will have a lot depth less than the minimum required lot depth of 140 feet.

The Downers Grove Community Church property was annexed into the Village of Downers Grove in 1994. As such the parcels were brought into the Village with the default zoning classification of R-1, Residential Detached House 1.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan's Residential Areas Plan identifies the subject property as part of the Suburban/Curvilinear type of residential development. Defining characteristics of this area include cul-de-sacs, varying lot sizes and sidewalks on both sides of the street. The proposed subdivision will maintain the exiting neighborhood character while preserving the existing religious use, playground and accessory parking as institutional uses.

COMPLIANCE WITH ZONING ORDINANCE

To ensure the new Lot 1 meets the bulk regulations of the zoning ordinance, the westernmost parking row will be eliminated. The proposed reduction in parking will not result in a parking deficiency. With the proposed map amendment for Lot 2, the proposed R-3, Residential Detached House 3 allows for the existing single family structure, which meets the bulk regulations of the Zoning Ordinance.

COMPLIANCE WITH SUBDIVISION ORDINANCE

The Final Plat of Subdivision is in substantial compliance with Section 20.301 of the Subdivision Ordinance, except for the Lot 2 exception to have the lot depth reduced by 10.31 feet as noted in Table 1.

Table 1: Subdivision Regulations

6600 Fairview Subdivision	Lot Width (Req. 75 ft.)	Lot Depth (Req. 140 ft.)	Lot Area (Req. 10,500 sq. ft.)
Lot 1	335.51 ft.	365.11 ft.	180,487 sq. ft.
Lot 2	92 ft.	129.69 ft.*	11,936 sq. ft.

* *Exception requested*

The petitioner is providing the required five-foot wide public utility and drainage easements along the side interior lot lines and a ten-foot public utility easement in the rear for both lots per Section 20.305 of the Subdivision Ordinance. The existing drainage and detention easement will be maintained at the north westernmost corner of Lot 1. There are no school and park donations required with this application

The single family residential subdivision directly to the west is currently zoned R-3, Residential Detached House 3 with an average lot depth of 130 feet. It should be noted that the single family subdivision (St. James Court) directly west of the subject site, includes lots that for the most part, with an average a lot depth of 130 feet. Moreover, the single family subdivision (West Lawn Commons) directly north of 66th Street also includes lots that are on average 130 feet in depth. As such the proposed dimensions of Lot 2

are consistent with the exiting patterns of lot sizes in the surrounding area.

ENGINEERING/PUBLIC IMPROVEMENTS

Post Construction Best Management Practices are not required because there will be a net decrease in the total impervious area with a small section of the existing church parking lot to be removed and replaced with landscaping to ensure the parking lot meets the Zoning Ordinance regulations. Along 66th Street and Fairview Avenue, the rights-of-way are proposed to be dedicated a total of thirty-five feet and fifty feet respectively. The dedication will match the right-of-way immediately adjacent to the subject properties. Property records indicate that the right-of-way was not properly dedicated to the Village and the proposed subdivision plat will clear up this inconsistency. The dedicated right-of-way will provide sufficient space for the existing roadways. There are no additional public improvements required with the subdivision application at this time.

PUBLIC SAFETY REQUIREMENTS

The Fire Prevention Division has reviewed the proposed plans and has no concerns.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners 250 feet or less from the property in addition to posting public hearing notice signs and publishing the legal notice in the *Daily Herald*. Staff has received comments from multiple residents inquiring about future development. There are no development plans for either lot at this time.

STANDARDS OF APPROVAL

The petitioner is requesting a Final Plat of Subdivision approval to subdivide the existing property into two lots with exceptions for one lot to have a depth of 129.69 feet where 140 feet is required and a map amendment for Lot 2, to rezone the lot from R-1, Residential Detached House 1; to R-3, Residential Detached House 3. The review and approval criteria for this request is listed below. The petitioner has submitted a narrative that attempts to address all the standards of approval. The Plan Commission should consider the petitioner's documentation, the staff report and the discussion at the Plan Commission meeting in determining whether the standards for approval have been met.

Section 20.602(c) Exceptions

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 subdivision ordinance. 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.

Section 28.12.030.I. Zoning Map Amendment Review and Approval Criteria

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 use and zoning of nearby property.*

22-PLC-0009; 6600 Fairview Avenue
May 2, 2022

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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.*
7. *The comprehensive plan.*

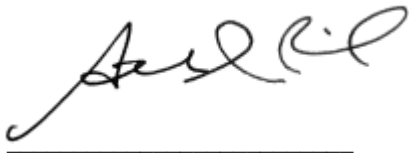
DRAFT MOTION

Staff will provide a recommendation at the May 2, 2022 meeting. Should the Plan Commission find that the request is consistent with the Comprehensive Plan and meets the requirements of the Zoning and Subdivision Ordinances, staff has prepared a draft motion that the Plan Commission may make for the recommended approval of 22-PLC-0009:

Based on the petitioner's submittal, the staff report, and the testimony presented, I find that the petitioner has met the standards of approval for a Map Amendment and Final Plat of Subdivision as required by the Village of Downers Grove Zoning and Subdivision Ordinances and is in the public interest and therefore, I move that the Plan Commission recommend to the Village Council approval of 22-PLC-0009, subject to the following conditions:

1. The final plat of subdivision shall substantially conform to the Final Plat of 6600 Fairview Subdivision prepared by Nekola Survey, Inc., dated October 18th 2021, last revised on April 21, 2022 except as such plans may be modified to conform to Village Codes and Ordinances.

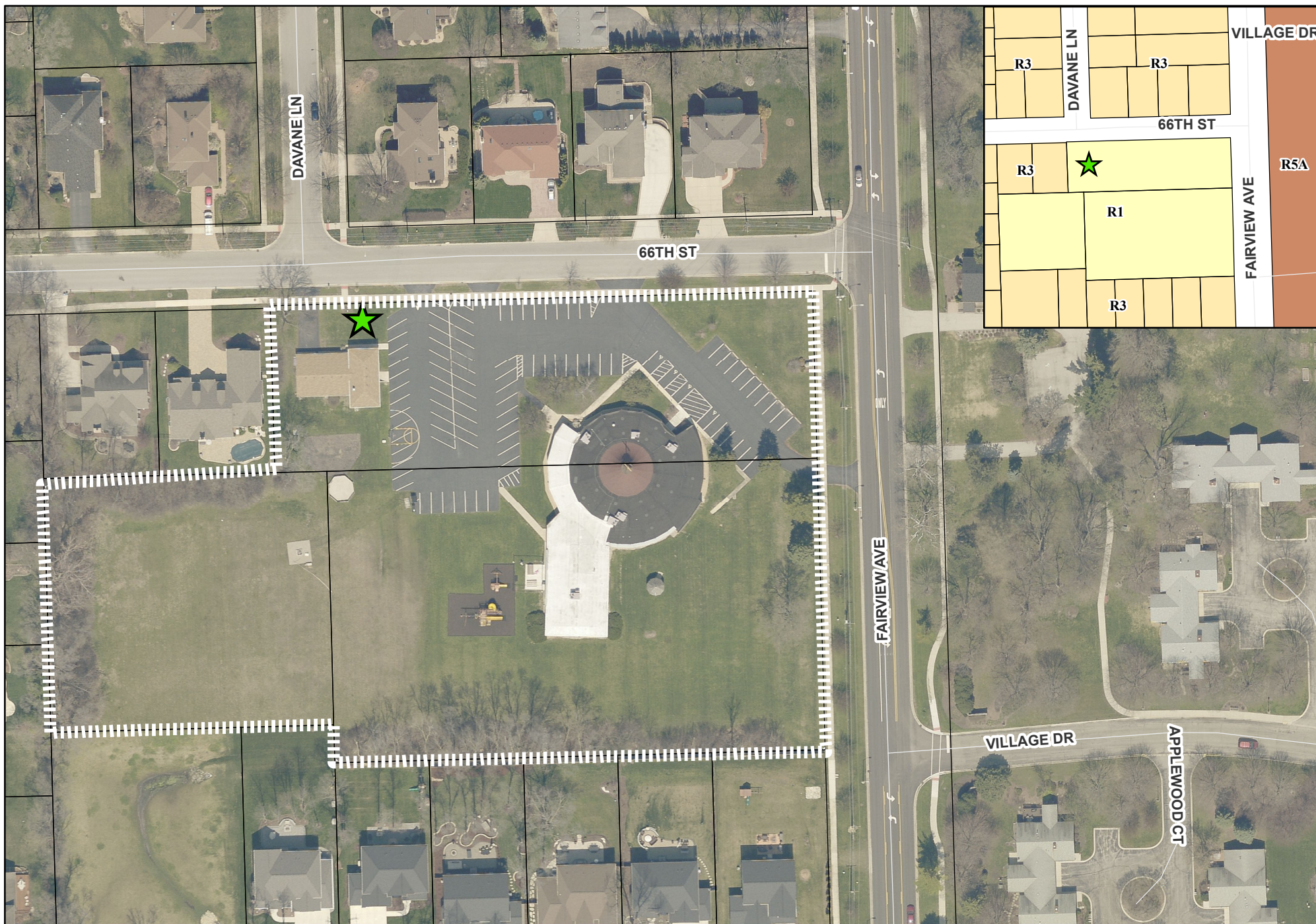
Staff Report Approved By:



Stanley J. Popovich, AICP
Director of Community Development



SP:fr
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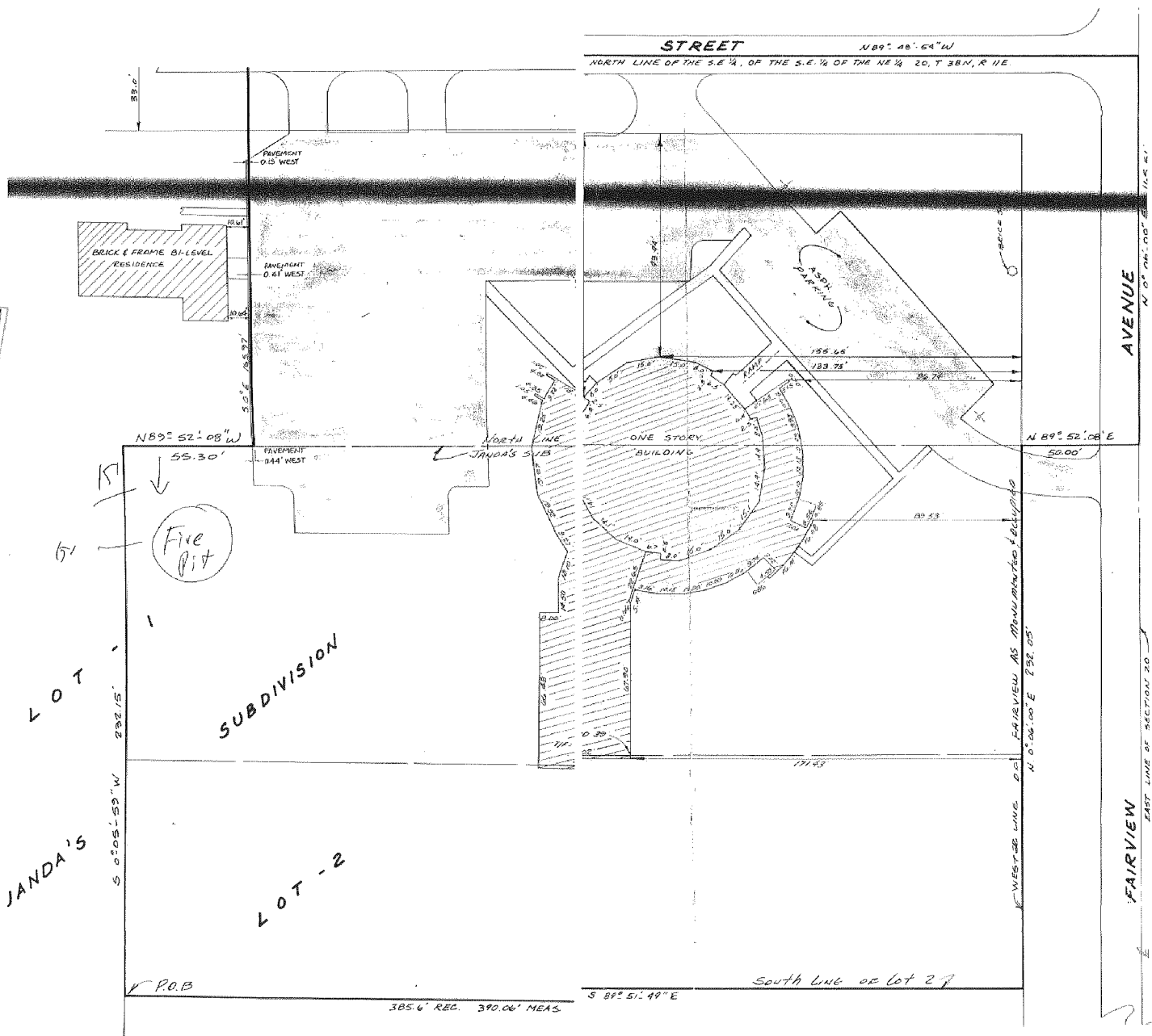


0 50 100 200 Feet

6600 Fairview Avenue - Location Map

-  Subject Property
-  Project Location

APPROVED
 FOR PERMIT NO. 14-PAT-0040
 VILLAGES OF
 DOWNERS GROVE
 DATE 05/16/14 INITIAL MMB/ML



Downers Grove Community Church
6600 Fairview Ave.
Downers Grove, IL 60516
630.969.3320
www.dgcc.org

March 24, 2022

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

Ladies and Gentlemen,

Downers Grove Community Church (DGCC) would like to formally submit for approval our request for a Plat of Subdivision with Exception as well as a request for Rezoning from R1 to R3.

The subject property is commonly referred to as our "Parish House" and our intent is to sell this property in order to reduce our operating costs and continue to fund our ministries and serve the community. These two requests would bring this property into zoning and lot size conformance as required by the Village as well as with those residential properties in the surrounding neighborhood.

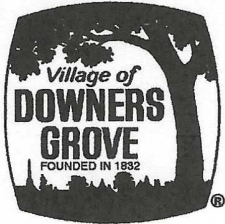
In seeking the requested exception and rezoning, we note the following:

- The proposed exception has no adverse impact on the use or value of the surrounding properties.
- The proposed exception is consistent with the area and the surrounding uses;
- The characteristics of the property support the granting of the exception;
- The exception is in conformance with the general plan and spirit of the subdivision ordinance; and
- The exception will be consistent with the general character of the locality.

We respectfully ask for your consideration and approval of these request, and we thank you in advance.

IHS,


Pastor Lou Bury



Review and Approval Criteria
ZONING MAP AMENDMENTS

Plan Commission Number & Title: _____

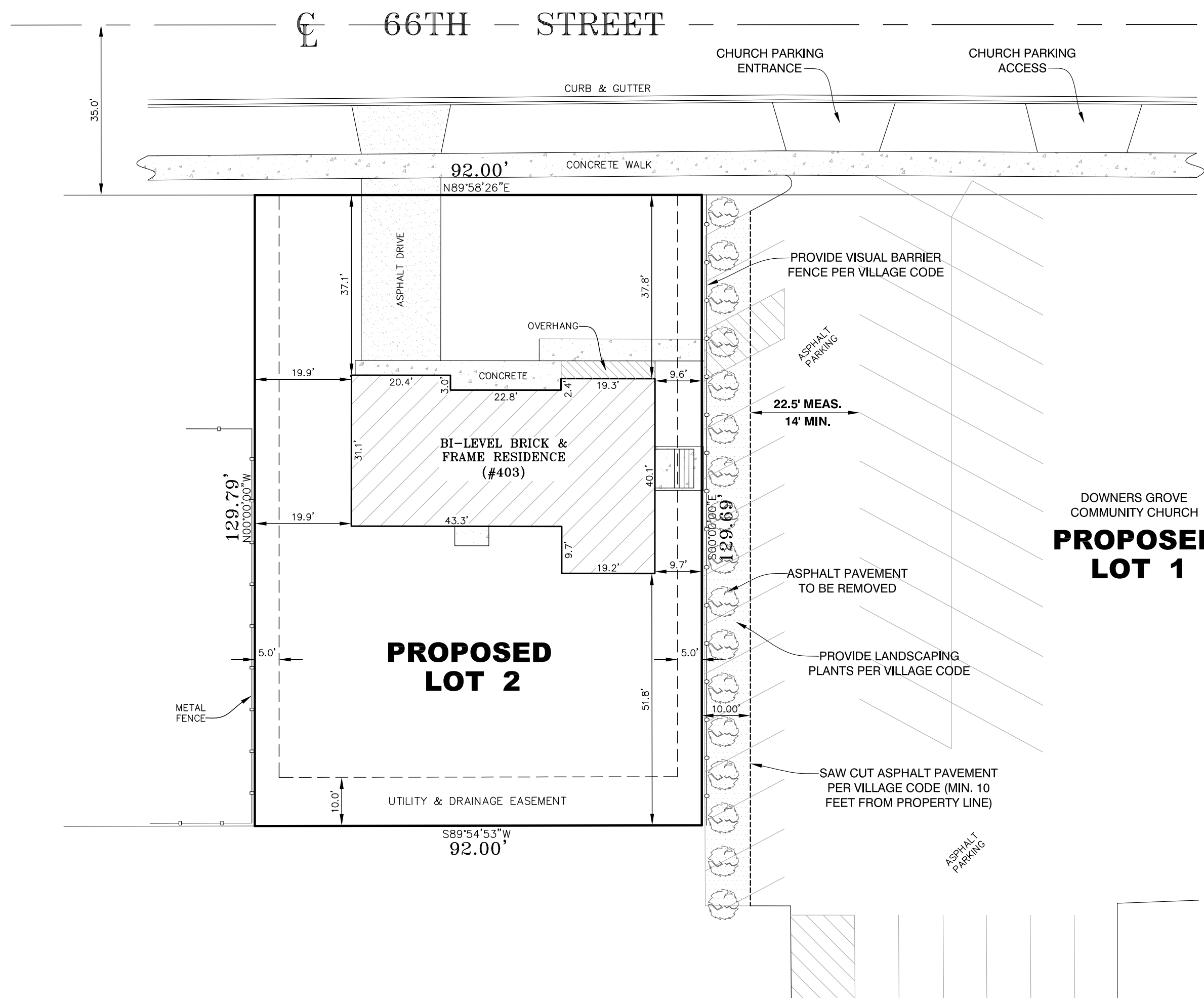
A DETAILED RESPONSE TO ALL OF THE STANDARDS SHALL BE PROVIDED, SPECIFYING HOW EACH STANDARD IS OR IS NOT MET.

Section 28.12.030.I. Review and Approval Criteria (Zoning Map Amendments - Rezoning)

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.***
Downers Grove Community Church is located in a residential area to the north, south, and west with Oak Trace Retirement Community to the east.
- (2) ***The extent to which the particular zoning restrictions affect property values.***
Re-zoning of this property will not change the property values within the area.
- (3) ***The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare.***
No changes will occur in property value.
- (4) ***The suitability of the subject property for the zoned purposes.***
Our request to re-zone this property from R-1 to R-3 is to keep the zoning in conformity with the surrounding residential area.
- (5) ***The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity.***
N/A.
- (6) ***The value to the community of the proposed use.***
The proposed re-zoning will allow for the sale of this property and thus return it to its intended residential use. It will also cause the property to no longer have tax exempt status, thus contributing tax revenue to the Village and the County.
- (7) ***The Comprehensive Plan.***
The sale of this property will allow the church to reduce operating expenses and provide funds in order that the church can continue with its mission and service to the community.

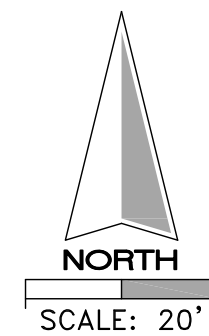
SITE PLAN
PARKING LOT RELOCATION
 6600 FAIRVIEW AVENUE
 DOWNERS GROVE, ILLINOIS



JOB NO.: 21-12-0904-C R1

NEKOLA SURVEY, INC.

PROFESSIONAL LAND SURVEYING SERVICES
 WWW.NEKOLASURVEY.COM
 400 N. SCHMIDT RD., STE. 203
 BOLINGBROOK, ILLINOIS 60440
 (630) 226-1530 PHONE (630) 226-1430 FAX
 DESIGN FIRM NO. 184.005564



DRAFT

**VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING**

May 2, 2022, 7:00 P.M.

FILE 22-PLC-0009: A PETITION SEEKING APPROVAL FOR A FINAL PLAT OF SUBDIVISION WITH ONE EXCEPTION TO SUBDIVIDE THE EXISTING PROPERTY INTO TWO LOTS AND A REZONING FROM R-1, RESIDENTIAL DETACHED HOUSE 1 TO R-3, RESIDENTIAL DETACHED HOUSE 3. THE PROPERTY IS LOCATED AT THE SOUTHWEST INTERSECTION OF 66TH STREET AND FAIRVIEW AVENUE, COMMONLY KNOWN AS 403 66TH STREET, 6600 FAIRVIEW AVENUE, AND 6618 FAIRVIEW AVENUE, DOWNERS GROVE, IL (PIN: 09-20-211-034,09-20-211-019, AND 09-20-211-052). DOWNERS GROVE COMMUNITY CHURCH, OWNER AND PETITIONER.

Petitioner, Pastor Lou Bury, stated he is the Pastor of Downers Grove Community Church, and he is here this evening to request the proposed subdivision with and exception to the lot depth and rezoning from R-1 to R-3. The proposed subdivision and exception request, in addition to the rezoning is in conformance and compatible with surrounding properties. The request was being made in order to sell the lot with the detached single family home, which he referenced on the screen. He provided an overview of how they met the required standards. He then provided an overview of the mission of the Church, and how selling the home would help aid their operating expenses, in addition to providing funds for their mission and ministries.

Commissioner Dmytryszyn inquired how the potential purchaser would access the newly created Lot 2. Pastor Bury responded that the new lot would continue to be served by the existing driveway that leads to the home and that the church's existing separate access would remain.

Chairman Rickard invited for any additional public comment. No additional public comment was received. Staff was invited to present.

Mr. Jason Zawila, Planning Manager, summarized the request stating that the petitioner is requesting approval for a Final Plat of Subdivision to subdivide the existing property into two lots of record with an exception for one lot to have a depth of 129.69 feet when 140 feet is required. A map amendment to rezone this same lot from R-1 to R-3 was also being requested. He then referenced the map identifying the location of the subject property and described the two-lot subdivision and associated map amendment.

Mr. Zawila noted as a matter of additional history, in 2003 the Downers Grove Community Church made a similar request for a subdivision with exceptions to allow Lots 1 and 2 of the FEW Subdivision as noted on the screen. With the proposed map amendment for Lot 2, the proposed R-3 zoning allows for the existing single-family structure, which meets the bulk regulations of the Zoning Ordinance. To ensure the new Lot 1 meets the bulk regulations of the zoning ordinance, the westernmost parking row will be eliminated. The proposed reduction in parking will not result in a parking deficiency. He then stated that the Final Plat of Subdivision is in substantial compliance

DRAFT

with Section 20.301 of the Subdivision Ordinance, except for the Lot 2 exception and that staff recommended approval of the subdivision and map amendment request.

Commission Roche inquired what the lot depth requirements in 2003 were for the previously subdivided lots. Mr. Zawila stated that the depth requirements were the same as they are today and that the petitioner needed to request an exception for that subdivision.

Chairman Rickard invited the petitioner to provide any closing statements. The petitioner stated they had nothing else to add.

Chairman Rickard moved to Plan Commission deliberation. The Plan Commission members generally felt that the standards had been met and supported recommending approval of the petition.

Chairman Rickard entertained a motion

WITH RESPECT TO FILE 22-PLC-0009 AND BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, AND THE TESTIMONY PRESENTED, COMMISSIONER DMYSTRYSZYN MADE A MOTION THAT THE PETITIONER HAS MET THE STANDARDS OF APPROVAL FOR A MAP AMENDMENT AND FINAL PLAT OF SUBDIVISION AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST, THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 22-PLC-0009, SUBJECT TO THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF 6600 FAIRVIEW SUBDIVISION PREPARED BY NEKOLA SURVEY, INC., DATED OCTOBER 18TH 2021, LAST REVISED ON APRIL 21, 2022 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.

SECOND BY COMMISSIONER PATEL. ROLL CALL:

AYE: COMMISSIONERS RECTOR, DMYSTRYSZYN, BOYLE, TOTH, ROCHE, JOHNSON, PATEL, AND CHAIRMAN RICKARD

NAY: NONE

MOTION PASSED. VOTE: 8-0

/s/ Village Staff
Recording Secretary
(As transcribed by MP-3 audio)