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VILLAGE OF DOWNERS GROVE Report for the Village 10/17/2023

SUBJECT:	SUBMITTED BY:	
1634 63rd Street - Zoning Map Amendment	Stan Popovich, AICP Director of Community Development	

SYNOPSIS

The petitioner is requesting a Zoning Map Amendment from R-1 (Residential Detached House 1) to R-3, Residential Detached House 3.

STRATEGIC PLAN ALIGNMENT

The goals for 2023-2025 include Exceptional Municipal Services.

FISCAL IMPACT

N/A.

RECOMMENDATION

UPDATE & RECOMMENDATION

This item was discussed at the October 3, 2023 Village Council meeting. Staff recommends approval on the October 17, 2023 Active Agenda.

BACKGROUND

Property Information & Zoning Request

The subject property is located at 1634 63rd Street, and consists of one lot located on the northeast corner of 63rd Street and Springside Avenue. Earlier this year, the petitioner started demolition of the existing structure without a permit. The Village stopped work on the project and the petitioner subsequently submitted a permit for the proposed improvements. The Village determined that the proposed improvements would not meet the Village's bulk regulations in the R-1 zoning district. The existing home is currently non-conforming in regards to the existing required street setbacks.

The owners of the subject property are requesting a zoning map amendment to rezone the property from R-1, Residential Detached House 1 to R-3, Residential Detached House 3 in order to move forward with the proposed improvements. The construction of the home will be required to meet all required Village Ordinances, including building, zoning and stormwater regulations.

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Compliance with the Comprehensive Plan

The proposed rezoning from R-1 to R-3 is consistent with the Comprehensive Plan. The Comprehensive Plan identifies the property as Single-Family Detached Residential, and states that it should continue to be the predominant land-use in the Village. By amending the zoning for the subject property, the bulk zoning regulations will better reflect the existing conditions in the neighborhood, for which properties are predominately zoned R-3, and ensures investment in quality housing stock.

Public Comment

Prior to Plan Commission consideration, staff received three phone calls requesting additional information on the request. The inquiries were general in nature and predominantly requested further descriptions of what uses are allowed in R-1 versus R-3 zoned properties. One additional comment was received at the public hearing, requesting more information on the requested map amendment and whether this would allow for a larger structure on the property. It was explained that any additions or new structures must meet all applicable Village Ordinances.

ATTACHMENTS

Ordinance
Aerial Map
Staff Report with attachments dated September 18, 2023
Approved Minutes of the Plan Commission Hearing dated September 18, 2023

VILLAGE OF DOWNERS GROVE COUNCIL ACTION SUMMARY

INITI	ATED:	Village Attorney	DATE: October 17, 2023
		(Name)	
RECO	OMMENDA		Plan Commission FILE REF: 23-PCE-0024 Department)
NATU	JRE OF AC	TION:	STEPS NEEDED TO IMPLEMENT ACTION:
<u>X</u>	Ordinance		Motion to Adopt "AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 1634 63rd
_	Resolution		STREET, as presented.
	Motion		
	Other		
<u>SUM</u>	MARY OF I	TEM:	
_		ached ordinance sha sidential Detached F	Ill rezone 1634 63 rd Street from R-1, Residential Detached House 3.
RECO	ORD OF AC	TION TAKEN:	

1\mw\cas.23\1634-63rd -Rzn-23-PCE-0024

1634 63rd Rezoning 23-PCE-0024

ORDINANCE NO. ____

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 1634 63rd STREET

WHEREAS, the real estate located at 1634 63rd Street, at the northeast corner of 63rd Street and Springside 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 September 18, 2023 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:

<u>SECTION 1</u>. 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" the zoning classification of the following described real estate, to wit:

THE WEST 96 FEET OF THE SOUTH 115 FEET (EXCEPT THEREFROM THE SOUTH 17 FEET) OF LOT 30 OF ARTHUR T. MCINTOSH AND COMPANY'S DUNHAM STREET SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 18, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 7, 1923 AS DOCUMENT 172338 AND CERTIFICATE OF CORRECTION RECORDED FEBRUARY 11, 1924 AS DOCUMENT NUMBER 174154, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as: 1634 63rd Street, Downers Grove, IL 60516 (PIN 09-18-309-013)

<u>SECTION 2</u>. 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.

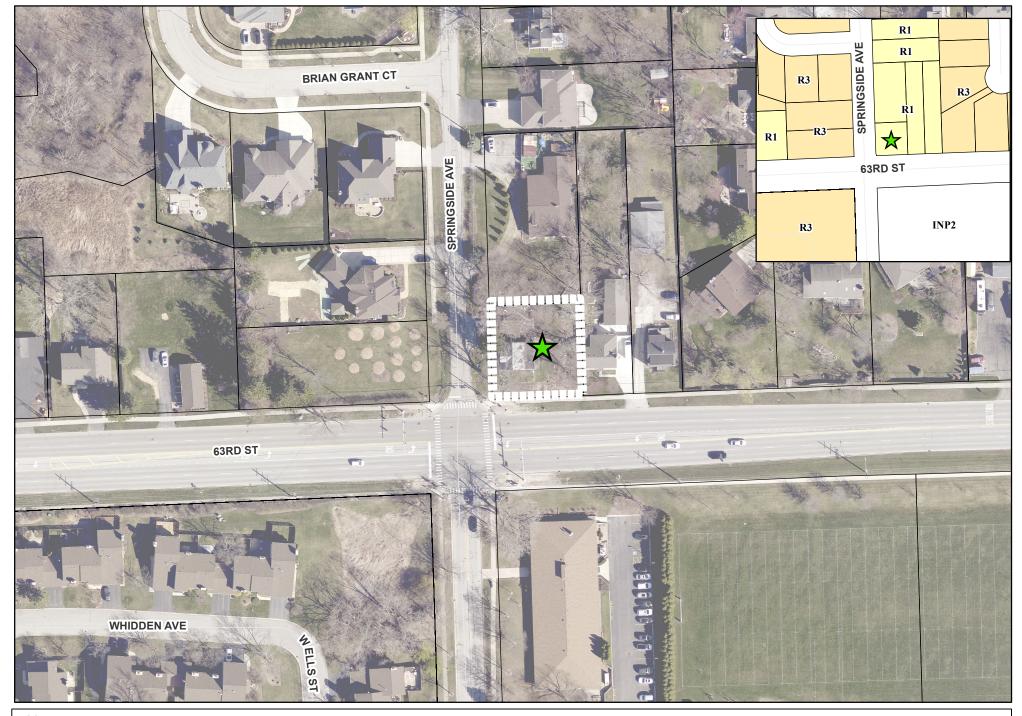
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<u>SECTION 3</u>. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

<u>SECTION 4</u>. 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		

 $1\\ mw\\ ord. 23\\ 1634-63\\ rd-Rezone-23-PCE-0024$





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VILLAGE OF DOWNERS GROVE REPORT FOR THE PLAN COMMISSION SEPTEMBER 18, 2023 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:	
23-PCE-0024 1634 63 rd Street	Zoning Map Amendment	Emily Hepworth, AICP Development Planner	

REQUEST

The petitioner is requesting a Zoning Map Amendment to rezone the subject property from R-1, Residential Detached House 1 to R-3, Residential Detached House 3, under Village of Downers Grove Section 28.12.030.

Notice

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

GENERAL INFORMATION

OWNER/PETITIONER: Alpar Mathe

1634 63rd Street

Downers Grove, IL 60516

PROPERTY INFORMATION

EXISTING ZONING: R-1, Residential Detached House 1

EXISTING LAND USE: Single Family Residential 9,408 sq. ft. (.21 acres)

PINS: 09-18-309-013

SURROUNDING ZONING AND LAND USES

ZONINGNORTH:
R-1, Residential Detached House 1
SOUTH:
INP-2, Campus-scale Institutional Public
EAST:
R-1, Residential Detached House 1
Single Family Detached
Use
Institutional Public
Single Family Detached
Single Family Detached
Single Family Detached

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. Preliminary Site Plan
- 4. Location Map
- 5. Project Narrative

23-PCE-0024; 1634 63rd Street September 18, 2023 Page 2

PROJECT DESCRIPTION

The subject property is at 1634 63rd Street, and consists of one lot located on the northeast corner of 63rd Street and Springside Avenue. The property is currently zoned R-1, Residential Detached House 1 and contains a single family residence. Earlier this year, the petitioner started demolition of the existing structure without a permit. The petitioner subsequently submitted a permit for the proposed demolition, renovation of the existing home and additions to the existing structure. Staff determined that the proposed improvements would not meet the Village's bulk regulations in the R-1 zoning district. The existing home is currently non-conforming in regards to the existing required street setbacks.

The petitioner is requesting a zoning map amendment to rezone the property from R-1, Residential Detached House 1 to R-3, Residential Detached House 3. The rezoning will allow for the proposed additions to be based on the bulk regulations of the R-3 zoning district. The renovation of the existing structure and any the proposed additions will be required to meet all applicable Village Ordinances, including building, zoning and stormwater regulations.

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. 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-1 to R-3 is consistent with the Comprehensive Plan.

The Comprehensive Plan identifies the property as Single-Family Detached Residential, and states that it should continue to be the predominant land-use in the Village. By amending the zoning for the subject property, the bulk zoning regulations will better reflect the existing conditions for the subject property, including the neighborhood, for which properties are predominately zoned R-3, and ensures investment in quality housing stock.

COMPLIANCE WITH ZONING ORDINANCE

The petitioner is proposing a map amendment to rezone the property in order to more closely match the subject property with neighboring properties for the renovations of the existing structure. A comparative analysis of the bulk requirements for both the R-1 and R-3 districts are found in the table below:

	R-1 District Lot Regulations	R-3 District Lot Regulations	1634 63 rd Street R-3 District
Min. Lot Area	20,000 sq. ft.	10,500 sq. ft.	9,408 sq. ft.
Min. Lot Width	100 feet	75 feet	98 feet
Street Setback	40 feet	30 feet	30 feet
Side Setback	10 feet	6 feet (or 10% of lot width, whichever is greater)	9.8 feet
Rear Setback	20 feet	20 feet	20 feet

The subject property is adjacent to properties zoned R-3 and will meet the required minimum zoning lot area required for a zoning map amendment and the current lot size is a pre-existing condition.

The proposed R-3, Residential Detached House 3, zoning classification is appropriate for the subject property as it will meet the bulk and use regulations for the proposed zoning district.

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 three inquiries from the public that were seeking to understand the details of the project.

23-PCE-0024; 1634 63rd Street September 18, 2023 Page 3

STANDARDS OF APPROVAL

The petitioner is requesting a Zoning Map Amendment to rezone the subject property from R-1, Residential Detached House 1 to R-3, Residential Detached House 3. The review and approval criterion for the Zoning Map Amendment 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 of a zoning map amendment have been met.

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.
- 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 September 18, 2023 meeting. Should the Plan Commission find that the request is consistent with the Comprehensive Plan and meets the requirements of the Zoning Ordinance, staff has prepared a draft motion that the Plan Commission may make for the recommendation approval of 23-PCE-0023:

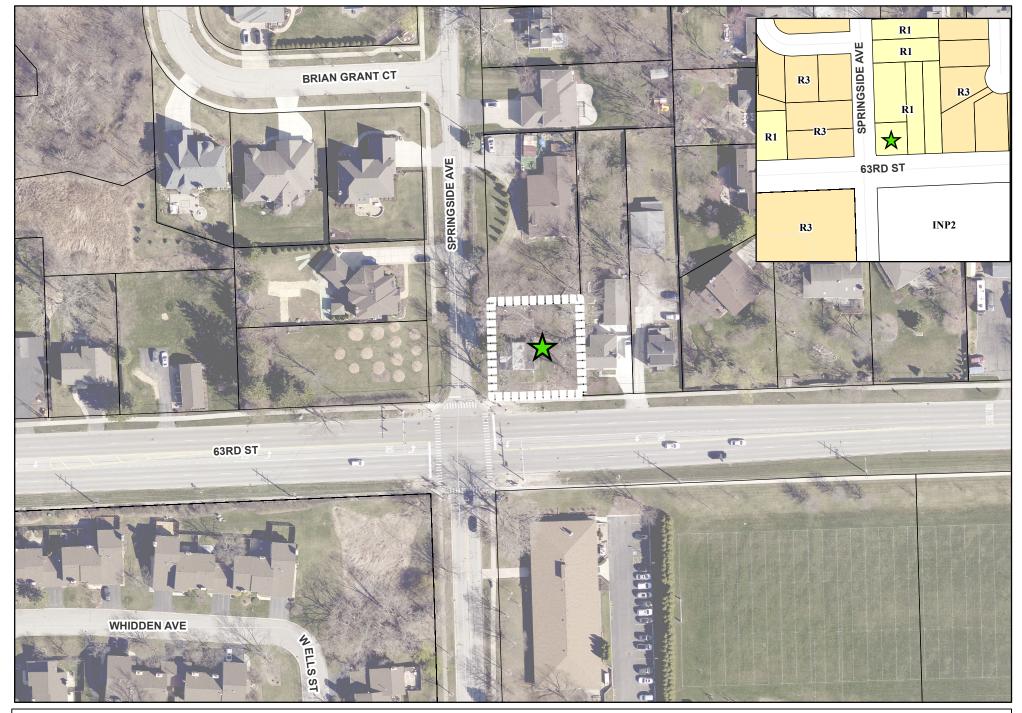
Based on the petitioner's submittal, the staff report, and the testimony presented, I find that the petitioner has met the standards of approval for the Zoning Map Amendment as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, I move that the Plan Commission recommend to the Village Council approval of 23-PCE-0023.

Staff Report Approved By:

Stanley J. Popovich, AICP

Director of Community Development

SP; eh





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August 09,2023

Alpar Mathe

1630 63rd St. Downers Grove,

IL 60516-1703

(773) 895-3859

Downers Grove Community Development

801 Burlington Ave

Downers Grove, IL 60515

Re: Request for Zoning Map Amendment (Re-zoning) of property/lot located at 1634 63rd St Downers Grove II 60516, PIN: 0918309013 from R-1, Residential Detach House 1 to R-3, Residential Detach House 3

Dear Downers Grove, Department of Community Development:

We are writing to request the Zoning Map Amendments (Re-zoning) of our property located at 1634 63rd St Downers Grove IL 60516, PIN: 0918309013, from R-1, Residential Detach House 1 to R-3, Residential Detach House 3. The property is located on a corner lot on 63rd St and Springside Ave in Downers Grove.

The legal description is as follows:

The existing Single House Property is located on a corner lot with PIN: 0918309013, in an R-1, Residential Detach House 1 area, with property address at 1634 63rd Street, Downers Grove, IL 60516. Description of the Property: based on the plate of survey the existing Single-family house on property is a two-story house with a total surface of 1354.29-sf and 1ocated on a 9,408.00-sf lot.

Specifically, we are requesting the re-zoning from R-1, Residential Detach House 1 to R-3, Residential Detach House 3 to allow the construction of an addition to the east side of the existing house. The are several reasons of why the new addition will benefit the community:

- The surrounding properties with similar lot sizes are mostly located on an R3, Residential Detach House 3
- 2. The property is located on a lot with a total surface of \$9,408 sf, which is closer to R3, Residential Detach House 3 requirements for the size of the lot.
- 3. The proposed renovation of the existing house and the new addition will be closely aligned with the newly renovated /newly developed properties in the surrounding area of this subdivision.

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4. The increase in value of the property will subsequently increase the base taxation which will increase the revenue to support all Downers Grove Services. Also, the increase in property value will also contribute to the increase in value of the surrounding properties which will subsequently create a second increase in the base taxation for all the houses in the Neiborhood.

5. The comprehensive plan includes the re-zoning of the R-3 and the subsequent total renovation and the construction of a new attached garage and addition which will end as a single family detached residential house that will blend beautifully in the current Neiborhood.

In summary, the re-zoning of the property from an R1 to an R3 will provide the following Key benefits:

- 1. Enhance the property value of the property and the area
- 2. Provide tax revenue to the Village to support the services being offered by the village
- 3. The new renovated and addition to the newly renovated property will be aligned with the existing and new homes being built in this subdivision of the Village.

Respectfully,

Alpar Mathe

Owner of the subject property

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Zoning Map Amendments Form #PC03

Review and Approval Criteria

Address of Project Site: 1634 63RD ST DOWNERS GROVE IL 60516

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 - Rezonings) 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 existing Single House Property is located on a corner lot with PIN: 0918309013, in an R-1, Residential Detach House 1 area, with property address at 1634 63rd Street, Downers Grove, IL 60516. Description of the Property: based on the plate of survey the existing Single-family house on property is a two-story house with a total surface of 1354.29-sf located on a 9,408.00-sf lot. The properties on the east side are Single House Properties and are in an R-1 or R3. All the properties situated on the west side are Single House Properties and are in an R-3. On the north side all the properties are Single House Properties, and they are located on either on R-1 or on R-3. On the south side is the district 99 Education Foundation located on INP-2 Camus –Scale Institutional and Public District zone.

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

The current Single-Family House is at 1634 63rd Street, Downers Grove, IL 60516. is located in an R-1, Residential Detach House 1 area, which based on Sec.2.030, Table 2: R District Lot and Building Regulations Minimum lot area (square feet) required is 20,000-sf. Based on this required lot size the street setback is at 40 ft. Since the property is located on a corner lot the 40ft setback will be required from both 63rd Street and Springside Ave. We are asking, if possible, a rezoning to an R3, Residential Detach House 3, this being the closest appropriate zoning for the existing size of the lot of 9,408-sf and also, the next R zoning for most of the properties located in the area. This rezoning from and R-1 to and R-3 will allow us to build the new planned addition, since the R-3 requirement for the street setback is at 30-sf.

The new addition will add value to the property and to the entire Neiborhood, which based on our knowledge are waiting for a long time for a change in the aspect and the value of the property. Also, the increase in the value of the property will allow an increase in the base taxation.

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

Until we purchased the property located on 1634 63rd St in Downers Grove, the house and the lot was totally neglected, and it was a high risk for the public health, safety and welfare of the Neiborhood. By allowing us to do the rezoning of the property from R-1 to R-3 and implicit by allowing us the construction of the new addition, the value of the property will substantially increase, value which will

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automatically increase the property taxes, which will be implicit a gain for the Village of Downers Grove welfare. The property will give a new face to the aesthetical look of the entire Neiborhood. All the renovation and addition will be made up to both village's and county's development requirements and zoning ordinance.

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

As with almost all other properties in the surrounding neighborhood, especially the newer built or remodeled homes, we are requesting a re-zoning to R-3 for our proposed home in the village of Downers Grove. As explained above the lot size also is more suitable for an R-3 than the current R-1. This will be appropriate for the intended use of the property once permitted & developed into an owner-occupied, single-family home of approximately 2700 Sq. Ft. that will fit with the surrounding neighborhood.

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

The current property is a single-family home in a subdivision comprising of average homes having been built in or the 1950's or earlier, all zoned as R-1. However, there is evidence of a number of relatively new homes being built or totally renovated after previous homes were bought and re-developed under R-3 zoning.

6) The value to community of the proposed use.

The value to the community of the proposed development and use of the property at 1634 63rd St. in Downers Grove, IL will be as follows: 1. The increase in taxable base for the property will benefit the village to further support services provided to the community of Downers Grove. 2. The property values in the area will be improved once a new owner-occupied single-family home is completed, which will bring one more time an increase in the base taxation. 3. The single-family home design will be closely aligned with the new or recently renovated houses being developed in the area.

7) The Comprehensive Plan.

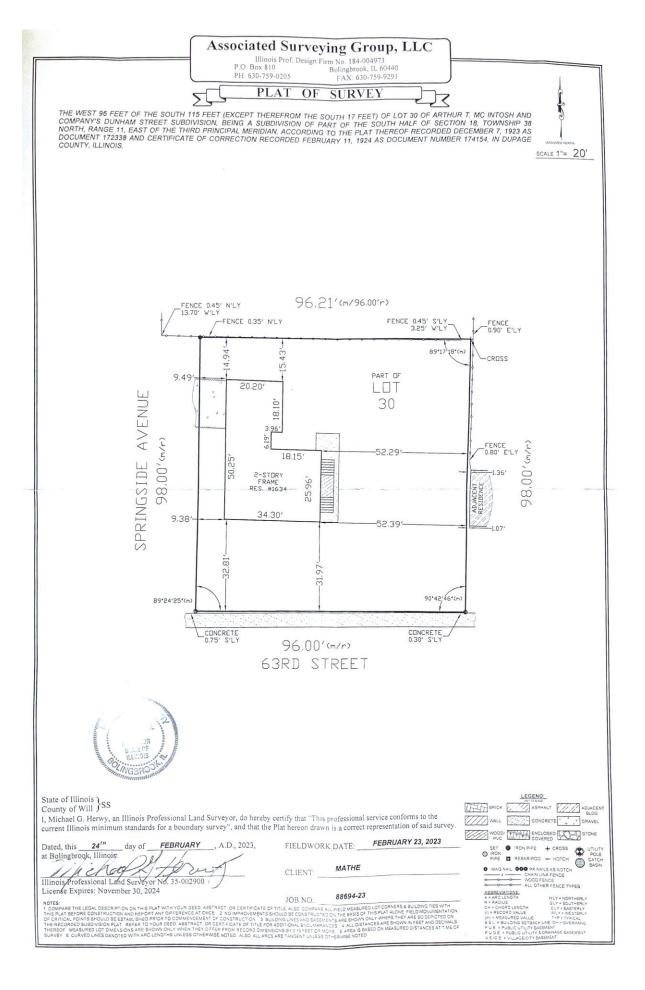
The comprehensive plan includes the re-zoning of the R-3 and the subsequent total renovation and the construction of a new attached garage and addition which will end as a single family detached residential house that will blend beautifully in the current Neiborhood.

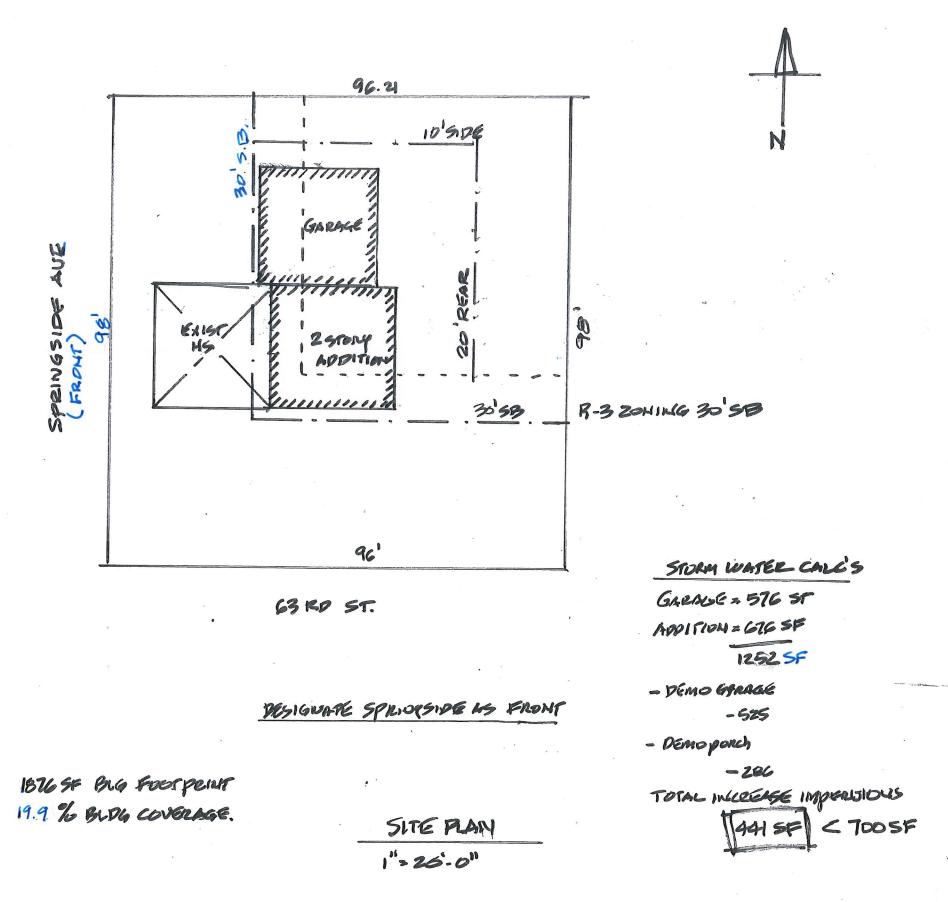
Thank you,

Alpar Mathe

(773)895-3859

alparzxz@yahoo.com





5.6 APCHITECTS, INC #23024 8.1.23 ORD 2023-10052 Page 17 of 18

DRAFT

VILLAGE OF DOWNERS GROVE PLAN COMMISSION MEETING

September 18, 2023, 7:00 P.M.

<u>FILE 23-PCE-0024:</u> A petition seeking a rezoning from R-1, Residential Detached House 1, to R-3, Residential Detached House 3. The property is located at the northeast intersection of 63rd Street and Springside Ave, commonly known as 1634 63rd Street. (09-18-309-013). Alpar Mathe, Petitioner and Owner.

Simona Popa stated they wanted rezoning to the 1634 63rd Street property from R-1 to R-3. She said the lot was more in line to have an R-3 zoning. She said they wanted to add an addition and garage to the property. She said without the rezoning they would not be able to make an addition to the property.

Chairman Rickard asked for public input.

Lisa Pocius, resident, voiced a concern for the larger homes that are being constructed in town. She said she was disappointed that it seemed like Downers Grove was knocking down a lot of small houses and ending up with houses that had very little setback. She stated there were many big houses across the street but they had big lots. She voiced opposition to a big house going into that space.

Chairman Rickard stated this was just to rezone the property. He said they could build whatever was allowed in their zoning district and there were certain regulations about how much lot they could cover and certain setbacks, but it did not dictate the actual home itself. Chairman Rickard said plans and approval of a structure happen during a building permit plan review done by village staff. He added the lots were much smaller than R-1 requirement, so rezoning them would be more in compliance with R-2 and R-3 zoning districts.

Chairman Rickard then asked for the staff report.

Development Planner, Emily Hepworth, discussed the petition for the 1634 63rd Street property. She showed the existing structure on the property. She stated that any improvements or additions to the structure would have to follow all ordinances and regulations. She said the petition met all public hearing requirements and they received three comments from the public asking about the nature of rezoning and what it meant for the property. Ms. Hepworth said the property did match with the fabric of the surrounding R-3 zoned properties in the area. She provided the approval criteria and said staff found that all review approval criteria was met by the petitioner.

Simona Popa returned to the podium and stated they would just being doing an addition to the back and garage, so it would not be a huge house.

Commissioner Boyle applauded the petitioner for having a creative solution that fit within the criteria. He said he supported it.

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DRAFT

Chairman Rickard stated he agreed and seemed to fit in with the zoning classification.

BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, AND THE TESTIMONY PRESENTED, IT IS FOUNDED THE PETITIONER HAS MET THE STANDARDS OF APPROVAL FOR THE ZONING AMENDMENT AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST, AND THEREFORE, COMMISSIONER K. PATEL MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF FILE 23-PCE-0024.

SECOND BY COMMISSIONER FRANKOVIC

ROLL CALL:

AYE: K. PATEL, FRANKOVIC, BOYLE, B. TOTH, V. PATEL, CHAIRMAN RICKARD

NAY: NONE.

MOTION APPROVED. VOTE: 6-0

/s/ Celeste K. Weilandt
Recording Secretary

(As transcribed by Ditto Transcripts)