

APPROVED 6/2/14

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

APRIL 7, 2014, 7:00 P.M.

Chairwoman Urban called the April 7, 2014 meeting of the Plan Commission to order at 7:00 p.m. and led the Plan Commissioners and the public in the recital of the Pledge of Allegiance.

ROLL CALL:

PRESENT: Chairwoman Urban, Mr. Beggs, Mr. Cozzo, Mr. Matejczyk, Mrs. Rabatah, Mr. Rickard, Mr. Waechter Mr. Webster; ex-officio Ms. Lupescu

ABSENT: Mr. Quirk, Mr. Menninga, Ms. Souter

STAFF

PRESENT: Senior Planner Stan Popovich, Planner Kelley Chrise, Planner Patrick Ainsworth

VISITORS: Scott M. Hollmeyer, 6235 Springside Avenue; Susan Chavez-Jiminez, 5835 Janes Avenue; Sean Bureau, 2350 59th Street; Chuck and Debra Scouten, 5939 Janes Avenue; Joseph Kasko, 2340 59th Street; Carol and Duane Oesterreich, 5820 Janes Avenue; Gemnady Lukhanin, 5841 Janes Avenue; Keith Neumann, Greenscape Homes LLC, 4355 Weaver Parkway, Warrenville, IL; David Riendeau, Greenscape Homes LLC, 4355 Weaver Parkway, Warrenville, IL; Beata Pacura, Atlantic Homes, Inc., 17061 Kerry Avenue, Orland Park, IL; David and Diane Albano, 5901 Jackson Drive; Dan and Mary McCarroll, 130 Chicago Avenue; Mi Ouska, 5710 Janes Avenue; Kristen & Mark Pierret, 2416 59th Street; Ronald Mayer, 5700 Janes Avenue; Deanne Marek, 5711 Elinor Avenue; Dolores Zimmerman, 5831 Elinor Avenue; Carol Macha, 5855 Janes Avenue

Chairwoman Urban directed the public to the available packet information and reviewed the protocol for the meeting.

MINUTES OF FEBRUARY 24, 2014 - WERE APPROVED ON MOTION BY MR. MATEJCZYK, SECONDED BY MR. RICKARD. MOTION CARRIED BY VOICE OF 6-0-2 WITH MRS RABATAH AND MR WAECHTLER ABSTAINING.

MINUTES OF MARCH 3, 2014 - WERE APPROVED ON MOTION BY MR. COZZO, SECONDED BY MR. BEGGS. MOTION CARRIED BY VOICE OF 6-0-2 WITH MRS RABATAH AND MR WAECHTLER ABSTAINING.

PUBLIC HEARINGS:

Chairwoman Urban swore in those individuals that would be speaking on the following three (3) hearings:

APPROVED 6/2/14

PC-49-13: A petition seeking approval of a Final Plat of Subdivision to re-subdivide three lots into two lots. The property is zoned R-3, Single Family Residence District. The properties are located at the northwest corner of Brian Grant Court and Springside Avenue, commonly known as 1722, 1726 and 1730 Brian Grant Court, Downers Grove, IL (PINs 09-18-308-040, 041 and 057). Atlantic Homes Inc., Petitioner/Owner, Wayne & Lynda Luce, Owner and William & Pamela Hamilton, Owner.

Planner, Patrick Ainsworth reviewed the proposal, explaining that the 44,000 square foot property was located at the northwest corner of Springside Avenue and Brian Grant Court and zoned R-3 Single-Family Residential with two existing single-family homes on the subject site. Reviewing the plat, it was noted the subject property consisted of three parcels. Per Mr. Ainsworth, the petitioner was seeking to re-subdivide the property from three lots into two new lots: Lot 1 being 98 feet by 241 feet and Lot 2 being 97 feet by 228 feet. This proposed re-subdivision would divide the property at 1722 Brian Grant Court in half to extend the rear yards of 1726 & 1730 Brian Grant Court.

Mr. Ainsworth called attention to the fact that the petitioner was requesting two exceptions from the Subdivision Ordinance. The first exception was from the right-of-way width dedication. He explained that rights-of-way next to new subdivisions had to be 70 feet wide and, in this case, both Brian Grant Court and Springside Avenues were established streets with 66-foot wide rights-of-way. Mr. Ainsworth added that the Village has no plans to expand either road at this time.

The second exception was for right-of-way improvements (curb and gutter) along the west side of Springside Avenue. At this time, the entire length of Springside Avenue on both sides does not have curbs and gutters and the Village has no plans for these improvements along Springside Avenue. However, the petitioner, as Mr. Ainsworth stated, will be installing other public improvements as part of the original Brian Court Subdivision.

Per staff, an appropriate public notice was published and a sign was posted on the property. Neighbors within 250 feet of the property were also notified. To date, staff received no public comment prior to the meeting.

Staff found that the proposal was consistent with the Village's Zoning Ordinance, Subdivision Ordinance and the Comprehensive Plan and, all five standards for granting the exceptions were met. Staff recommended that the Plan Commission forward a positive recommendation to the Village Council, subject to the condition listed in staff's report.

Mr. Cozzo asked about the potential of placing permanent accessory structures on dedicated public utility easements. Staff responded that no permanent structures can be constructed on a dedicated public utility easement except for fences and driveways.

Mr. Waechtler discussed the case and supports the petition.

Ms. Beata Pacura, Atlantic Homes, 17061 Kerry Avenue, Orland Park, IL, representing the petitioner, Mr. Richard Grant, Atlantic Homes, stated that staff summarized their intentions and had nothing further to add at this time.

No commissioner questions followed. Chairwoman Urban invited the public to speak.

APPROVED 6/2/14

Mr. Scott Hollmeyer, 6235 Springside Avenue, supports this petition, as it would add more green space to the neighborhood.

The petitioner was invited to respond to the public's comments. The petitioner had no further comments. Hearing no further comments, public comment was closed by the Chairwoman.

Commission discussions ensued regarding the expansion of the two rear yards for the existing homes. Mr. Cozzo noted the standards were met and the fact that the proposal was straight forward. He would support it. Mr. Beggs also added his comments about the case and the intention of the applicant.

WITH RESPECT TO FILE PC 49-13, MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL TO APPROVE THE ABOVE PETITION, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE PLAT OF SUBDIVISION PREPARED BY DESIGNTEK SURVEYING LLC, DATED DECEMBER 18, 2013 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES**

SECONDED BY MR. WAECHTLER. ROLL CALL:

**AYE: MR. BEGGS, MR. WAECHTLER, MR. COZZO, MR. MATEJCZYK, MRS. RABATAH, MR. RICKARD, MR. WEBSTER, CHAIRWOMAN URBAN
NAY: NONE**

MOTION CARRIED. VOTE: 8-0

PC-08-14: A petition seeking approval of a Zoning Ordinance Map Amendment to rezone property from R-1, Single Family Residence District to R-4, Single Family Residence District. The property is zoned R-1, Single Family Residence District. The property is located on the southeast corner of Drendel Road and Haddow Avenue, commonly known as 4837 Drendel Road, Downers Grove, IL (PINs 08-12-108-001, -002). Dan and Mary McCarroll, Petitioner/Owner.

Village Planner, Ms. Kelley Chrise, reviewed the location of the R-1 property, noting the 7,300 square foot property is undeveloped. The petitioner is seeking to rezone to R-4 Single Family Residence District to create a buildable lot by matching the size of the property with the zoning classification. The petitioner is proposing to construct a single-family home on the recently consolidated lot that meets the character of the surrounding properties. The property was annexed into the village in 2012 and automatically classified R-1. With similar property sizes and within the same area annexed in 2012, the property at 2525 Indianapolis was rezoned to R-4 last year and the Council will consider the rezoning request to R-4 for 2540 Burlington Avenue, which received a positive recommendation from the Plan Commission. Per staff, the proposal meets the requirements of the Comprehensive Plan, the Village's bulk requirements, surrounding land use classifications

APPROVED 6/2/14

and staff recommends that the Plan Commission forward a positive recommendation to the Village Council.

Discussion ensued about flooding in the area. Chairwoman Urban inquired about the ability for others to build on their properties within this area that are not being rezoned. Senior Planner Popovich explained that these lots are legal, non-conforming lots. If they want to rebuild, they cannot increase the extent of the non-conformity, which limits any rebuilding to the existing footprint.

Petitioners, Mr. and Mrs. Dan McCarroll, 130 Chicago Avenue, Downers Grove, IL stated they were looking to rezone so they can build a home on the lot.

Chairwoman Urban opened the meeting to public comment. No comments were made. Mr. McCarroll made a final statement noting that he has lived in the community for some time and is looking to build a home for his family. He asked the Plan Commission for a positive recommendation on the rezoning. Chairwoman Urban closed the public hearing.

Mr. Waechtler noted his support for the rezoning while Mr. Webster inquired about the potential to rezone properties when they are annexed into the Village. The Chairwoman also noted that the standards had been met on this proposal.

WITH RESPECT TO PC-08-14, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THIS PETITION.

SECONDED BY MR. BEGGS. ROLL CALL:

**AYE: MR. MATEJCZYK, MR. BEGGS, MR. COZZO, MRS. RABATAH, MR. RICKARD,
MR. WAECHTLER, MR. WEBSTER, CHAIRWOMAN URBAN**

NAY: NONE

MOTION CARRIED. VOTE: 8-0

PC- 48-13: A petition seeking approval of a Final Plat of Subdivision to subdivide a single lot into five lots. The property is zoned R-4, Single Family Residential by DuPage County. The property is located at the northwest corner of Janes Avenue and 59th Street, commonly known as 5850 Janes Avenue, Downers Grove, IL (PIN 08-13-111-015). Greenscape Homes, LLC Petitioner/Owner.

Mr. Popovich noted the request is for approval of a Final Plat of Subdivision at 5850 Janes Avenue. The property is located at the northwest corner of 59th Street and Janes Avenue in unincorporated Downers Grove. The property is zoned R4, single family residential in DuPage County. Mr. Popovich noted state law requires municipal approval for any subdivision within 1.5 miles of the municipal boundary. In this case, the property lies within 1.5 miles of Downers Grove and Woodridge. The subject site lies on the Downers Grove side of the intergovernmental boundary agreement with Woodridge. As such, the Downers Grove has review authority. The Village's review of the plat is limited to the extent the Village Council determines village standards are necessary or appropriate to protect public health, safety and welfare. Mr. Popovich explained in

cases like these, the Village has approval authority but all construction permits are reviewed and issued by DuPage County.

Mr. Popovich reviewed the existing site which consists of a single family home and two accessory structures. Referencing the projection screen, Mr. Popovich identified 59th Street and noted how it dead-ends at the boundary agreement line and does not extend to Janes Avenue.

Mr. Popovich noted the petitioner is proposing to demolish all structures on the lot, divide the property into five lots, build a single-family home on each of the lots and extend 59th Street to Janes Avenue.

Mr. Popovich stated the proposal complies with the Comprehensive Plan. The development will provide quality housing stock, is consistent with the large lots found in the Estate Residential designation of this area, will provide a variety of housing, and the lot sizes are consistent with the surrounding neighborhood.

The proposed development will have to comply with the DuPage County Zoning Ordinance, as the Village's Zoning Ordinance is not applicable in this situation. The proposed subdivision meets the lot area, depth and width requirements within the Village's Subdivision Ordinance. Mr. Popovich noted the petitioner is requesting two exceptions to the Subdivision Ordinance, the first being the maintenance of the existing 66-foot wide Janes Avenue right-of-way where 70-feet is required. The second is to maintain the rural design of Janes Avenue and not install curb and gutter as required by the Subdivision Ordinance.

Mr. Popovich noted the Janes Avenue right-of-way is currently 66 feet wide and there are no improvements to Janes Avenue that could not be accomplished within the existing right-of-way. Mr. Popovich conferred with the Village's Public Works Department who noted they would not need the additional right-of-way for any purposes. As such, staff is supportive of the right-of-way width exception request.

The second exception request is to not install curb and gutter along Janes Avenue. Janes Avenue as it currently exists is rural in nature without curb and gutter. Again, the Public Works Department noted the rural nature of Janes Avenue that is not anticipated to change, as such the addition of curb and gutter along this portion of Janes Avenue is not necessary.

Mr. Popovich reviewed park and school donations and noted they would need to be provided based on the Village's donation tables but that the actual donation would be made through DuPage County's process.

With regard to public improvements, Mr. Popovich discussed the 59th Street extension to connect to Janes Ave with curb and gutter on both sides of 59th Street. The Lisle Township Highway Commissioner will be responsible for the maintenance of the road. Under his jurisdiction, the Commissioner is requiring a barricade be placed within the roadway to prohibit traffic connections to Janes Avenue. Staff requested the full connection for connectivity, good planning and for safety. The barricade is the compromise, as the Highway Commissioner wished to have a cul-de-sac or no connection at all. Staff desires the road to be built so that in the future it can be opened to traffic.

APPROVED 6/2/14

The petitioner will be providing a sidewalk on the north side of 59th Street that will connect to Janes Avenue. A fee-in-lieu will be paid for a sidewalk along the west side of Janes Avenue as no sidewalk currently exists along Janes Avenue to either the north or south of the subject site.

All stormwater management will have to meet the DuPage County Stormwater Ordinance. As currently designed, detention is not required, but Post Construction Best Management Practices are required. Dry wells will be installed to meet this requirement. DuPage County will be responsible for all stormwater permits.

Mr. Popovich noted the Village has received numerous comments from the neighborhood. Generally, residents along Elinor Avenue wish to have 59th Street fully connected while residents on Janes Avenue do not wish to have it connected. An e-mail from a local resident concerning the petition was received today and placed on the dias.

Additionally, staff has spoken with the Village of Woodridge. Woodridge also desires to see 59th Street connected to Janes Avenue. Additionally, Woodridge is negotiating a development agreement with the petitioner for improvements with the 59th Street right-of-way under Woodridge's jurisdiction.

Mr. Popovich reviewed the requested subdivision with exceptions against the standards of approval. He noted staff recommends the Plan Commission forward a positive recommendation to the Village Council with the single condition listed on page 6 of the staff report. Chairwoman Urban asked if the Commission had any questions for Mr. Popovich.

Mr. Webster inquired as to the reasons behind the Highway Commissioner's desire to keep the road closed. Mr. Popovich noted that it was based on the Commissioner's constituents who expressed their concerns to him.

Mr. Keith Neumann, Greenscape Homes, noted he was the owner and petitioner for the project. He described the subdivision petition and the proposed development. He noted five single family homes would be constructed on the site, 59th Street would be extended and dry wells would be installed to account for the stormwater. They are looking to start construction of the subdivision in late summer or early fall of this year. He appreciated the Plan Commission's consideration. Chairwoman Urban opened the meeting to public comment.

Mr. Charles Scouten, 5939 Janes Avenue, noted his desire to leave 59th Street alone. It is a public recreation area for the neighborhood and includes wild raspberry bushes that the neighbors pick. He noted 59th Street should be left alone.

Mr. Gemnady Lukhanin, 5841 Janes Avenue, noted he enjoyed the quietness of the neighborhood and felt that the extension of 59th Street and connection to Janes Avenue would negatively impact his neighborhood.

Ms. Susan Chavez-Jiminez, 5835 Janes Avenue, requested that instead of a street the developer install a cul-de-sac. She is concerned about cut through traffic along Janes Avenue if 59th Street is connected.

Mr. Mark Pierret, 2416 59th Street, lives adjacent to the proposed development and discussed the stormwater issues he currently experiences. Water flows from the subject site directly onto his property and he has installed a French drain but that is sometimes overwhelmed. He recommends a retention pond be installed, as other similar subdivisions in the area have been required to do.

Ms. Dolores Zimmerman, 5831 Elinor Avenue, lives to the west of the subject property. She noted concerns about extreme stormwater issues. She would like to see the developer install a detention basin to keep the water on their site. She is in support of the 59th Street extension, as it would relieve the traffic that currently drives down Elinor.

Ms. Diane Albano, 5901 Jackson Avenue, noted she lives next to the undeveloped 59th Street area. This area is littered with garbage and is a mess. She would like to see it cleaned up and connected.

Ms. Carol Macha, 5855 Janes Avenue, noted there are already two cul-de-sacs in this area. She believes a cul-de-sac would be consistent with the character of the neighborhood. She stated water is constantly flowing through the site and swales. She noted the front of the existing lot is always wet. She is concerned about the connection of 59th Street to Janes Avenue as there are many kids in the neighborhood and they use Janes Avenue to access a bus stop. She is concerned the connection would increase cut-through traffic in the neighborhood and cut through traffic is discouraged in the Comprehensive Plan.

Mr. Ronald Mayer, 5700 Janes Avenue, expressed his displeasure with the connection of 59th Street to Janes Avenue. The developer will be removing green space. He wants to see 59th Street remain a dead-end as he is also concerned about the children in the area.

Mr. Sean Bureau, 2350 59th Street, was concerned about traffic entering the cul-de-sac that he lives on. He was concerned with stormwater associated with the development and recommended a detention basin. He noted his rear yard includes a stormwater basin and it fills during heavy rains.

Mr. Duane Oesterreich, 5820 Janes Avenue, noted that stormwater is a concern and how the swales along Janes Avenue are full and drain into a creek to the south. He noted that Janes Avenue currently dead-ends and that he does not believe Janes Avenue is large enough to handle additional traffic.

Mr. Joseph Kasko, 2340 59th Street, noted he owns the other half of the detention basin that his neighbor spoke of earlier. The basin works and has been close to overflowing at times. The water flows from north to south in this area and he is concerned with how it will be affected with the new subdivision. He noted his children play in the cul-de-sac in front of his home and they aren't used to cars coming through the area. He is concerned that if 59th Street is connected, more cars will enter the cul-de-sac trying to cut through and will cause his children danger. He noted he placed a bench at the end of the cul-de-sac to provide a visual barrier for drivers who tried to access the cul-de-sac from Leonard Avenue. He believes the 59th Street connection would lower his property value.

Ms. Deanne Marek, 5711 Elinor Avenue, noted she refers to the green space as the secret forest path. She regularly cleans up the area and likes walking through the path. She would prefer to maintain this green space. She is also concerned about the stormwater and how it will be impacted by the new development.

Mr. Ronald Mayer, stated he spoke to the Highway Commissioner who assured him the road would not be built.

Chairwoman Urban noted she had a list of topics that were presented by the public and inquired to whether staff or the petitioner could address those. The first item was the connection of 59th Street to Janes Avenue. Mr. Popovich noted the connection of 59th Street to Janes Avenue is consistent with the Comprehensive Plan. The earlier comment regarding cut through traffic does not apply in this case. The traffic that would be using the connection would be local traffic. Cut through traffic is typically seen in residential neighborhoods adjacent to commercial.

Mr. Popovich further explained the 59th Street and Janes Avenue connection meets multiple goals of the Comprehensive Plan. Primarily, recommendation #1 on page 67 of the Comprehensive Plan to improve the function of the street network; goal #1 on page 151 to improve the safety, function and efficiency of vehicular movement in the Village; and goal #1, objective #1 on page 152 to encourage new development to include connections and amenities for pedestrians, bicyclists and commuters.

Mr. Keith Neumann addressed the concerns about stormwater. He noted they have been working with Downers Grove, Woodridge and DuPage County on the design of the property. He noted that a swale will be constructed around each house and where the stormwater would run. He noted they are working with Woodridge to tie into a storm sewer at the southwest corner of the site. Per a question, Mr. Neumann explained how drywells work and provided further clarification on the connection to the Woodridge storm sewer.

Mr. David Riendeau, Engineer with Greenscape Homes, provided further explanation of the stormwater design for the site. He noted the design is not a regional solution but is designed for the individual home sites. He noted the design will meet the DuPage County Stormwater Ordinance.

There being no further questions, Chairwoman Urban closed the public participation portion of the meeting.

Chairwoman Urban noted her support for the proposed 59th Street connection to Janes Avenue. She noted the importance of street connections and thought that it was important to have the developer install the road as part of this petition.

Mr. Webster believed that the proposed change is for the better. He noted the subdivision was a positive and so would the connection of 59th Street and Janes Avenue. He did not agree with the Highway Commissioner in requiring a barricade. He believes the road should be open.

Mr. Cozzo noted he believed all standards for the subdivision and the requested exceptions were met.

Mr. Beggs noted he was in support of the proposed five lot subdivision. However, he did not believe it was noted in the description of the project about the extension of 59th Street. He did not believe it was in his purview to either recommend or not recommend the 59th Street extension. Discussion ensued concerning whether the road extension was something the Plan Commission

APPROVED 6/2/14

could consider. Ultimately, most commissioners viewed the extension as part of the subdivision request.

WITH RESPECT TO FILE PC 48-13, MR. WEBSTER MADE MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL TO APPROVE THE ABOVE PETITION, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION FOR THE JANES AVENUE RESUBDIVISION PREPARED BY PROFESSIONAL LAND SURVEYING, INC. DATED OCTOBER 10, 2013, LAST REVISED ON MARCH 6, 2014 AND THE FINAL ENGINEERING PLANS FOR JANES AVENUE SUBDIVISION PREPARED BY GREENSCAPE HOMES, LLC DATED NOVEMBER 12, 2013 AND LAST REVISED ON MARCH 6, 2014, EXCEPT AS SUCH PLANTS MAY BE MODIFIED TO CONFORM TO DUPAGE COUNTY CODES AND ORDINANCES.**

SECONDED BY MR. RICKARD. ROLL CALL:

AYE: MR. WEBSTER, MR. RICKARD MR. COZZO, MR. MATEJCZYK, MS. RABATAH, MR. WAECHTLER, CHAIRWOMAN URBAN

NAY: MR. BEGGS

MOTION CARRIED. VOTE: 7-1

Mr. Beggs noted in his nay vote was reflected by his earlier discussion.

OTHER BUSINESS:

Mr. Popovich announced the staff did not currently have any items for the May 5th Plan Commission meeting but would confirm its cancellation next week. The April 28th Plan Commission meeting will not be held as there are no petitions for that agenda.

THE MEETING WAS ADJOURNED AT 9:38 P.M. ON MOTION BY MR. WEBSTER, SECONDED BY MR. BEGGS. MOTION CARRIED BY VOICE VOTE OF 8-0.

Prepared by: Planning Staff