

**VILLAGE OF DOWNERS GROVE
PLAN COMMISSION**

VILLAGE HALL COUNCIL CHAMBERS
801 BURLINGTON AVENUE

September 10, 2018
7:00 p.m.

AGENDA

1. Call to Order

a. Pledge of Allegiance

2. Roll Call

3. Approval of Minutes – July 23, 2018

4. Public Hearings

- a. **18-PLC-0027:** A petition seeking a rezoning of 11 parcels from DB, Downtown Business to DT, Downtown Transition and a rezoning of 66 parcels from DB, Downtown Business to DC, Downtown Core. The subject properties are located in various locations throughout the downtown. A map of the proposed rezonings is available on-line at this location: <http://www.downers.us/downtown-rezoning> Village of Downers Grove, Petitioner; Various Owners.

5. Adjournment

THIS TENTATIVE REGULAR AGENDA MAY BE SUBJECT TO CHANGE

**VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING**

MINUTES FOR July 23, 2018

Chairman Rickard called the July 23, 2018 meeting of the Plan Commission to order at 7:01 p.m. and led in reciting the Pledge of Allegiance.

ROLL CALL:

PRESENT: Ch. Rickard, Mr. Boyle, Ms. Johnson, Mr. Kulovany, Ms. Majauskas, Ms. Rollins

ABSENT: Ms. Gassen, Mr. Maurer, Mr. Quirk, Ex. Officio members Miller, Livorsi & Menninga

STAFF: Planning Manager Planner Rebecca Leitschuh
Planner Flora Ramirez

Ch. Rickard reminded everyone present to silence any electronic devices during the meeting, and noted that copies of the Agenda are available on the shelves at either side of the Chamber.

APPROVAL OF MINUTES: May 7, 2018 meeting

Mr. Kulovany moved, seconded by Ms. Rollins to approve the minutes for the May 7, 2018 meeting.

The Motion to approve the minutes as presented passed by voice vote with Ms. Johnson abstaining.

Ch. Rickard reviewed the procedures to be followed for the meeting, pointing out the process has been revised, this being the first meeting to follow the new format. He explained that the Plan Commission is a recommending body for the petitions on the Agenda. The petitioner will first make its presentation. The Commission will raise questions or comment on the petition, and then the public will be given an opportunity to comment. Staff will then present. Once the Public Hearing portion of the meeting is closed, the Plan Commission members will deliberate to recommend approval, recommend approval with conditions, or recommend denial of the individual petition. That recommendation will be forwarded to the Village Council with the minutes, exhibits and all documentation from the public hearing on the specific petition. The Village Council will make final decisions at a future date. He reviewed the subject matter of the one petition on the Agenda, and then asked all individuals intending to speak during either of the public hearings to rise and be sworn in.

18-PLC-0017: A petition seeking approval for the Right-of-Way Vacation of an Alley. The adjacent properties are zoned R-4, Residential Detached House 4. The Plan Commission Meeting July 23, 2018

DRAFT MINUTES

subject property is located on the south side of Gierz Street and runs north-south between the properties at 523 and 509 Gierz Street, and 4732 Douglas Road, approximately 120 feet west of Douglas Road, Downers Grove, IL (PINs 09-08-213-016, -017, -034, -035). Timothy O-Neill, Petitioner, Village of Downers Grove, Owner.

Timothy O-Neill, 4732 Douglas Road, described the request he and the owners of two other adjacent properties (509 Gierz and 523 Gierz) submitted before the Commission: to vacate the unimproved public alley shared between their three properties. He referenced a map showing the proposed division of the alley, splitting it down the middle and contiguous with their respective lot lines. He said they wished to enlarge their lots.

No questions followed from the Commission. There being no members of the public wishing to make a statement, Ch. Rickard then called upon staff to make its presentation.

Rebecca Leitschuh, Planning Manager, introduced Flora Ramirez as the newest planning staff member. The Commission welcomed her to the Village.

Flora Ramirez, Planner, identified the location of the alley and provided pictures of its current status. She called attention to the apron in the right-of-way that will be returned to green space with a curb along Gierz by the applicants; also a condition of approval in the staff report. She then went on to explain the requested split of the alley, with half provided to 523 Gierz, running along its eastern edge, one quarter to 508 Gierz, running along its western rear edge, and one quarter to 4732 Douglas, running along its western rear edge. She explained that the encumbered value of the entire section of alley is valued at \$7,215.30, and would be split between the three adjacent property owners based on the amount of land they abut. She elaborated that all criteria were met: consent of adjacent property owners was provided as all three were requesting the vacation, the required public entities were informed and no further public use was identified for the property, a public utility easement would be secured, and payment in the amount calculated per the Subdivision Ordinance and Vacation Policy would be paid by the petitioners.

Ms. Majauskas asked how parcel numbers (PINs) are generated for the small slivers of land created through the alley vacation. Ms. Leitschuh stated that DuPage County determines how to assign the PINs when the notice of title transfer occurs.

There being no further questions or discussion, Ch. Rickard closed the public hearing.

Ch. Rickard called attention to the draft motion in the staff report and read the recommended four conditions of approval.

Mr. Kulovany made a motion that based on the petitioner's submittal, the staff report, and the testimony presented, the proposed alley vacation complies with the alley vacation policy of the Village and is in the public interest. Therefore, I move that the Plan Commission recommend that Village Council approve 18-PLC-0017. Subject to the following conditions:

DRAFT MINUTES

1. The vacation shall substantially conform to the staff report dated July 23, 2018.
2. Prior to final Village Council consideration, a Mylar copy of the Final Plat of Vacation shall be provided indicating a 14-foot public drainage, utility and utility access easement along the entire length and width of the alley to be vacated.
3. The existing driveway approach, directly north of the alley, shall be removed and restored to match the existing right of way.
4. Prior to execution of the plat, the petitioners shall pay the Village a total of \$7,215.30.

Ms. Johnson seconded the Motion.

AYES: Mr. Boyle, Ms. Johnson, Mr. Kulovany, Ms. Majauskas, Ms. Rollins, Ch. Rickard

NAYS: None

The Motion passed unanimously.

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Ms. Leitschuh stated that multiple petitions are anticipated in the upcoming months, with a possible need to schedule a second meeting in September or October. However, no meeting is scheduled for August. She said staff would inform the Commission as soon as they had more insight into the upcoming schedule, as formal petitions were submitted.

Ms. Leitschuh informed the Commission that her husband accepted an opportunity to pursue a PhD at the University of Illinois, and she regretted that this would be her last Plan Commission meeting, but that it had been a great pleasure working with the various boards and for the Village of Downers Grove. The Commission expressed their best wishes.

**Ms. Majauskas moved to adjourn the meeting, seconded by Ms. Rollins.
The Motion carried unanimously by voice vote.**

Ch. Rickard adjourned the meeting at 7:21 PM.



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
SEPTEMBER 10, 2018 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
18-PLC-0027	Zoning Ordinance Map Amendments	Stan Popovich, AICP Director of Community Development

REQUEST

The Village is requesting approval of the following rezonings (zoning map amendments):

- Rezone 66 properties in the downtown from the Downtown Business (DB) zoning district to the Downtown Core (DC) zoning district
- Rezone 11 properties in the downtown from the Downtown Business (DB) zoning district to the Downtown Transition (DT) zoning district

NOTICE

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

GENERAL INFORMATION

APPLICANT: Village of Downers Grove
801 Burlington Avenue
Downers Grove, IL 60515

ANALYSIS

SUBMITTALS

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

1. Existing Zoning Map
2. Proposed Zoning Map
3. Comprehensive Plan
4. Downtown Regulatory Framework

PROJECT DESCRIPTION

The Village is requesting approval of 77 rezonings in the downtown to implement the recommendations of the Comprehensive Plan. The proposal would:

- Rezone 66 properties from the Downtown Business (DB) zoning district to the Downtown Core (DC) zoning district; and
- Rezone 11 properties from the Downtown Business (DB) zoning district to the Downtown Transition (DT) zoning district.

The Village approved an update to the Comprehensive Plan in June 2017. Based on the Comprehensive Plan's goals for downtown, the Village undertook the development of a Downtown Regulatory Framework that was approved in January 2018. The Plan and Framework contemplated the creation of the following Downtown Zoning Districts: Downtown Core, Downtown Edge and Downtown Transition. Text amendments to the Zoning Ordinance were adopted in July 2018 that created the Downtown Core zoning district and updated various sections of the Zoning Ordinance to meet the recommendations of the Comprehensive Plan and Regulatory Framework. The proposed rezoning of 77 properties will implement the Comprehensive Plan's vision for the downtown.

PUBLIC COMMENT

The legal notice was published in the *Downers Grove Bugle*. The Village has received ten inquiries from the public based on their observations of the public hearing signs posted around the downtown. These inquiries have been requests for general information about the proposal.

In accordance with Section 12.010.F.3 of the Zoning Ordinance, the Village held two informational meetings for affected property owners and property owners within 250 feet of the proposed rezonings. The meetings were held on August 8 and August 9, 2018. A summary report is attached.

FINDINGS OF FACT

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.*

Downtown Business to Downtown Core

The zoning surrounding the 66 subject properties is Downtown Business (DB) and Downtown Transition (DT). The uses include religious assembly, parks and recreation, office, retail, restaurant, and multi-family and townhouse residential. The proposed rezoning from DB to DC has taken into account the nearby uses and zoning and is compatible with the surrounding classifications and uses. This criteria is met.

Downtown Business to Downtown Transition

The zoning surrounding the 11 subject properties is Downtown Business (DB), Downtown Transition (DT), Residential Detached House 4 (R-4) and Residential Apartment/Condo 6 (R-6). The uses of the nearby properties include religious assembly, office, parking, multi-family residential and single family residential uses. The proposed rezoning has taken into account the nearby properties and is compatible with the surrounding classifications and uses. This criteria is met.

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

Downtown Business to Downtown Core and Downtown Business to Downtown Transition

The proposed rezonings allow an opportunity for continued reinvestment in the subject properties. The zoning district regulations permit a variety of uses to occupy the subject properties. This criteria is met.

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

Downtown Business to Downtown Core

The Comprehensive Plan identified the Downtown Core as the place that serves as the social and civic core of the community. The Plan's recommendation to rezone the subject properties is intended to increase the welfare of the community. This criteria is met.

Downtown Business to Downtown Transition

The Comprehensive Plan identified these 11 properties as part of the Downtown Transition functional subarea. The Downtown Transition area plays an important role in helping transition between more intensive uses in the downtown core and business districts into the neighborhoods that surround the downtown. The Plan's recommendation to rezone these subject properties is intended to increase the welfare of the community. This criteria is met.

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

Downtown Business to Downtown Core

The 66 subject properties are suitable for the proposed zoning classifications. The permitted uses in the DC zoning district are similar to the permitted uses in the DB zoning classification. The subject properties exhibit traits that comport to the bulk regulations of the Downtown Core zoning district. This criteria is met.

Downtown Business to Downtown Transition

The 11 subject properties are suitable for the proposed zoning classification. The existing uses in the subject properties are suitable in the DT zoning classification. The subject properties exhibit characteristics that comport to the bulk regulations of the Downtown Transition zoning district. This criteria is met.

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

Downtown Business to Downtown Core

The subject properties are not vacant. New development that is bulkier and denser has taken place around the subject properties. The subject properties have seen improvements principally through interior and exterior renovations. This criteria is met.

Downtown Business to Downtown Transition

The subject properties are not vacant. Development in the area has included bulkier and denser development nearer the center of the downtown, while single-family residential redevelopment has taken place near the subject properties on the opposite side. Development of these properties has principally been the conversion of single family homes to office use. This criteria has been met.

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

Downtown Business to Downtown Core and Downtown Business to Downtown Transition

The Comprehensive Plan notes the downtown is the symbolic heart of the community and remains a key focal point for social and civic life in the Village. The uses in the subject properties will remain the same and will continue to provide value to the community. This criteria is met.

(7) *The Comprehensive Plan.*

Downtown Business to Downtown Core

The proposed rezonings are based on the recommendations in the Comprehensive Plan's Downtown Focus Area Plan. The Comprehensive Plan envisioned a Downtown Core area that maintains and enhances the downtown's existing vibrancy through desired land uses and built forms that will attract people to gather downtown. The proposed rezoning of 66 properties follows the recommendations of the Comprehensive Plan and will implement the community's vision for the downtown as described in the Comprehensive Plan. This criteria is met.

Downtown Business to Downtown Transition

The proposed rezonings are based on the recommendations in the Comprehensive Plan's Downtown Focus Area Plan. The Comprehensive Plan notes the transition area plays an important role in helping transition between more intensive uses in the core and business into the neighborhoods that surround the downtown. The Focus Area Plan identifies these 11 properties as part of the downtown transition functional subarea. The proposed rezoning of these 11 properties will implement the community's vision for the downtown transition area as described in the Comprehensive Plan. This criteria is met.

RECOMMENDATION

As detailed above, staff finds the proposed rezonings (zoning map amendments) meet the review and approval criteria identified in Section 12.030.I of the Zoning Ordinance and are in conformity with the Comprehensive Plan.

Should the Plan Commission find that the request complies with Section 12.030.I of the Zoning Ordinance, staff has prepared a draft motion that the Plan Commission may make for approval of 18-PLC-0027:

Based on the staff report and the testimony presented, I find that the proposed rezonings meet the standards of Section 12.030.I of the Zoning Ordinance. Therefore, I move that the Plan Commission recommend that Village Council approve 18-PLC-0027.

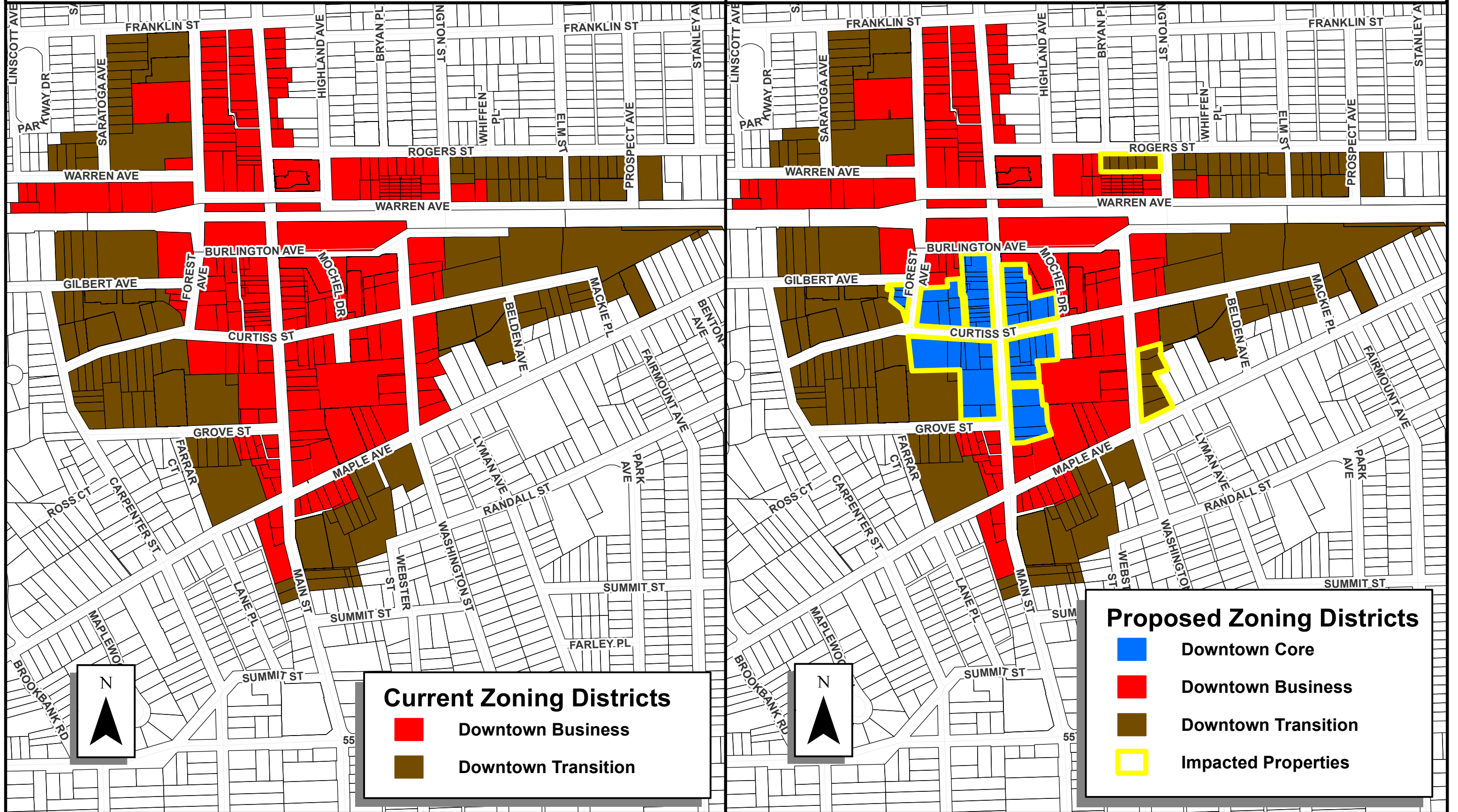
Staff Report Approved By:



Stanley J. Popovich, AICP
Director of Community Development

Current Downtown Zoning Map

Proposed Downtown Zoning Map



18-PLC-0027: Neighborhood Communications Requirement

Summary Report per VODG.28.12.010.F.3.c:

The Village held two neighborhood meetings in accordance with Section 28.12.010.F.3.c of the Municipal Code. The meetings were held at Village Hall on:

- August 8th 5:00-7:00 P.M.
- August 9th 1:30-3:30 P.M.

The Village undertook the following efforts to notify neighbors about the proposed rezonings and the neighborhood meetings:

- Notices were mailed to all affected property owners and those property owners within 250 feet of an affected property on July 30, 2018
- Notices were emailed to Downtown Management on July 31, 2018
- A Village website was created to explain and illustrate the proposed rezoning: <http://www.downers.us/downtown-rezoning>
- The website was provided in the above notices and was further highlighted on the Village of Downers Grove Website Home Page under “Trending Topics”

Village staff completed a brief presentation of the proposed rezonings and answered questions. The following staff were present during both meetings:

- Stan Popovich (Director of Community Development)
- Rebecca Leitschuh (Planning Manager)
- Scott Williams (Senior Planner)
- Flora Ramirez (Village Planner)
- Devin Kamperschroer (Planning Intern)

A total of twenty-seven (27) Village residents, business owners and property owners attended the two neighborhood meetings. The following table summarizes the comments that were provided to staff:

Questions	Answers
What is the driving force behind the zoning district changes?	The community’s vision through the Comprehensive Plan’s Downtown Focus Area plan identified three functional subareas of the downtown. The affected properties were identified in the Comprehensive Plan as Downtown Core or Downtown Transition properties. The Downtown Core subarea was envisioned with lower building heights that were respectful of the existing structures.
Doesn’t this zoning change limit the potential for development and vibrancy?	The proposed changes allow development to occur. As desired in the Comprehensive Plan, potentially taller and denser buildings would be located around the Downtown Core. The Village will continue to promote vibrancy in the downtown.
What are the effects on property values and property taxes?	The Assessor’s office determines property values.

<p>Was there discussion on reducing the allowable height before the project on Main and Maple? When will this construction be completed and have you all looked at the traffic flow impacts? Do you all anticipate additional development in the downtown before these zoning changes take effect?</p>	<p>The zoning ordinance in effect at the time of the Main & Maple project permitted the development's height. The Main & Maple project started prior to the beginning of the Comprehensive Plan update. The Main & Maple site is not under consideration for rezoning. Construction is anticipated to be completed this fall.</p> <p>The Village is aware that traffic patterns may change in this area and is planning to conduct a traffic study after this and other downtown projects are completed.</p> <p>The Village is not aware of additional developments in the upcoming months.</p>
<p>Are there guides comparing the changes for each zoning district?</p>	<p>Yes. The guides for each zoning district change are available at the meetings. The Village has also created a website where you can search for your address and see if there is a zoning change. The guides allow you to view the proposed changes.</p>
<p>How are you proposing to reduce density in the downtown core district and what is the maximum allowable height? In the newly proposed Downtown Core, is there only (1) existing apartment building?</p>	<p>The existing Downtown Business zoning district allowed for 54 units per acre, the new Downtown Core will only allow for 48 units per acre. The maximum allowable height in the Downtown Core is 40' or 3 stories whichever is less. Yes, there is only one apartment building in the proposed Downtown Core and it is within a mixed use building.</p>
<p>Can you talk about the Downtown Transition areas and why the Village proposed to change the zoning district at Rogers and Washington from DB to DT?</p>	<p>The Comprehensive Plan identified these areas as being better suited for Downtown Transition based on their proximity, bulk regulations and uses to the adjacent single family zoning.</p>