

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

FEBRUARY 1, 2016, 7:00 P.M.

Chairman Rickard called the February 1, 2016 meeting of the Downers Grove Plan Commission to order at 7:00 p.m. and led the Plan Commissioners and public in the recital of the Pledge of Allegiance.

ROLL CALL:

PRESENT: Chairman Rickard, Mr. Cozzo, Mr. Cronin, Ms. Gassen, Ms. Hogstrom, Mr. Quirk, Mrs. Rabatah, Mr. Thoman (ex-officios Ms. Lupesco and Mr. Livorsi)

ABSENT: ex-officio Mr. Menninga

STAFF: Community Development Senior Planner Rebecca Leitschuh and new planners, Mr. Scott Williams and Ms. Swati Paney

VISITORS: Shirley Wahn, 4854 Francisco; Jean and Phil Albert, 4835 Cross St.; Michael Hendron, 4823 Cross St.; Keith Neumann, Greenscape Homes, 435 Weaver Parkway, Warrenville; Scott Mond, 4605 Cross St.; Margaret Warte, Cameo 5300 Board, 5300 Walnut Ave.; Paul Bartosek, Cameo 5300, 5300 Walnut Ave.; Pete Nania, 4931 Francisco; William Kuttduert, 4617 Cross St.; Nancy Kaserowski, 4939 Francisco; Mr. Dave VanVorn, 4918 Cross St.; Nancy Johnson, 4852 Francisco

New Plan Commissioner Amy Gassen was introduced and welcomed by the commissioners.

APPROVAL OF DECEMBER 7, 2015 MINUTES

MINUTES OF THE DECEMBER 7, 2015 MEETING WERE APPROVED ON MOTION BY MR. THOMAN. SECONDED BY MS. HOGSTROM. MOTION CARRIED BY VOICE VOTE OF 6-0-2. (MS. GASSEN AND MRS. RABATAH ABSTAIN)

Planner Leitschuch introduced new commissioners Scott Williams and Swati Paney who both shared their professional and educational backgrounds.

PUBLIC HEARINGS:

Chairman Rickard explained the protocol for the public hearings and swore in those individuals that would be speaking on the petitions listed below.

A change in the agenda followed:

FILE 16-PLC-0002 - A petition seeking approval for a Zoning Ordinance Map Amendment to rezone the property from R-1, Residential Detached House 1, to R-4, Residential Detached House 4.

The property is currently zoned R-1, Residential Detached House 1. The property is located on a vacant parcel on the east side of Francisco Avenue between Haddow and Burlington Avenue, Downers Grove, IL. The property is located approximately 240 feet south of Haddow and 265 feet north of Burlington, commonly known as **4935 Francisco Avenue**, Downers Grove, IL (08-12-110-008). Greenscapes Homes LLC, Petitioner and Paul Gerald, Owner.

Planner Pandey drew commissioners' attention to the overhead and reviewed the request to rezone the subject property from R-1 Residential Detached House-1 to R-4 Residential Detached House-4. Size and location of the two-lot (25 ft. width each), vacant parcel on Francisco was noted. The petitioner was seeking to consolidate the two parcels and bring the parcel into compliance. This property was part of an earlier annexation. Setbacks were also noted. Ms. Pandey reported that staff believed the proposal was in compliance with the village's Comprehensive Plan, complied with the existing development patterns of the area and would remain as a single-family residential use. Based on the above findings, staff recommended the commission forward a positive recommendation to the village council.

Planner Leitschuh added that staff was in support of the amended rezoning because the lots were already platted years ago, they were not part of a subdivision, and the zoning district that was being proposed was compatible with the existing setbacks of the existing area. Details followed.

Comments/questions from the commissioners followed, specifically with staff confirming that when land is annexed into the village it typically comes in as R-1 zoning, following state statute, unless an alternative/specific zoning classification is provided at the time of annexation. Mrs. Rabatah inquired about the lot widths of those parcels that had already been rezoned R-4, wherein Planner Leitschuh responded that many of the lots in the area were 50-feet wide and many of the homes that were constructed years ago were built across the lot line of two 25-ft. lots.

Petitioner, Mr. Keith Neumann, Greenscape Homes, LLC, 4355 Parkway, Warrenville, IL, stated that he has rezoned some of the lots in the area under discussion, noting many of the lots were already 50 feet or a combination of 25-ft. lots that needed to be consolidated. The parcels were also part of a 2012 village annexation.

No further questions followed. The chairman opened up the meeting to public comment.

Marsha Nania (phonetic), 4931 Francisco, Downers Grove, was sworn in. She asked for clarification of the lot's address.

Nancy Kaserowski, 4939 Francisco, was sworn in and voiced concern that the storm sewer underneath the street would not be compromised. (The chairman reminded her that the commission was only reviewing the rezoning at this time.)

Ms. Leitschuh indicated that engineers within the Community Development department would be charged with reviewing permits to comply with the stormwater ordinance and would provide comment to the applicant/petitioner.

Hearing no further comment, public comment was closed. Mr. Neumann had no closing statement.

Mr. Thoman confirmed with staff whether a survey was done as to the location the neighbor's garage at 4939 Francisco and whether it was straddling the property line, wherein Ms. Leitschuh cautioned the commissioners and explained that the aerial views on the overhead were just "approximates" and legal plats of survey were required before any permits are issued. However, the garage was not on the neighbor's property. Regarding the physical look of the utility easement running down the middle of block and whether it was designed to catch water, Ms. Leitschuh said she was not sure, and that the request was for the rezoning only at this time and topography/stormwater would be reviewed later.

Mr. Cozzo then asked staff to provide an explanation about the village's stormwater best practices for commissioners and the public, wherein Ms. Leitschuh explained the village's practice in more detail pointing out the village's requirements were higher than that of the state and Du Page County.

Ms. Hogstrom asked staff to explain why the commission was allowing 6,250 square feet to be approved, wherein Ms. Leitschuh explained the difference between already legally platted lot versus subdividing a lot into smaller lots and the minimum square footage needed to do so.

For the record, Mr. Cozzo stated he believed the standards for approval of the rezoning were met; other commissioners concurred.

WITH RESPECT TO FILE 16-PLC-0002 MRS. RABATAH MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, AS PRESENTED.

SECONDED BY MR. THOMAN. ROLL CALL:

AYE: MRS. RABATAH, MR. THOMAN, MR. COZZO, MR. CRONIN, MS. GASSEN, MS. HOGSTROM, MR. QUIRK, CHAIRMAN RICKARD.

NAY: NONE

MOTION CARRIED. VOTE: 8-0

FILE 16-PLC-0003 - A petition seeking approval for a Zoning Ordinance Map Amendment to rezone the property from R-1, Residential Detached House 1, to R-4, Residential Detached House 4. The property is currently zoned R-1, Residential Detached House 1. The property is located on the east side of Cross Street between Prairie and Haddow Avenue, commonly known as **4825 Cross Street**, Downers Grove, IL (08-12-105-043 & -035). Greenscapes Homes LLC, Petitioner and Owner.

Planner Williams walked through the proposal, explaining it was similar in nature as the one above but different in that a one-story detached home and detached garage existed on two legally platted lots. The petitioner was seeking to rezone the two legally platted properties to R-4 Residential Detached House-4, bringing them closer into compliance in order to construct new single-family homes. Current photographs and plat of survey were referenced, as were the setbacks to be followed. Mr. Williams pointed out other R-4 lots in the neighborhood. He confirmed public and legal notice was provided and he spoke to one resident, explaining the difference in the two zoning classifications.

Per Mr. Quirk's question as to why the petitioner was seeking the rezoning when he could just construct a home on the R-1 parcel just as he could on the R-4 parcel, commissioners and staff pointed out it was due to the different setback requirements, even though the petitioner could, technically, construct on the R-1 lot. Ms. Leitschuh reminded him that the rezoning allowed the lots to become more compatible with the developed properties in the immediate area. The chairman reminded the commissioners it allowed the property owner more buildable area and made the frontage look more uniform. Lot widths for the surrounding properties were pointed out on the overhead.

Ms. Gassen confirmed with staff that the petitioner was seeking to construct one home on each lot.

Petitioner, Mr. Keith Neumann, Greenscape Homes, LLC, 4355 Parkway, Warrenville, IL, confirmed he pursued the lots with the intention of constructing a single-family homes on each lot since they were similar in size as the rest of the area and which was why he did not seek to consolidate the two lots. Additionally, he pointed out that a dedicated, unimproved 14-ft. alley existed behind the property and would could eventually be vacated and added to either one of the properties.

No commissioner questions followed. Chairman Rickard opened the meeting to public comment.

Mr. Dave VanVorn, 4918 Cross Street, Downers Grove, was sworn in and described the difference between R-1 and R-4 zoning and inquired what the petitioner's hardship was for the change in zoning.

In response, Mr. Neumann explained in general it was not a matter of hardship but, rather, it was the intention of the rezoning to bring the lots closer to conformance. Mr. Neumann explained how decreasing the side yards and allowing the 40 ft. buildable width helped "the livability of the lots."

The chairman also clarified/confirmed with staff that no hardship needed to be proven with a rezoning map amendment; rather, it was something an owner could request.

Mr. Cronin inquired of the petitioner whether the proposed lot would, if divided into two lots, double the taxable value of each of them versus just having the single lot, wherein Mr. Neumann confirmed that the value would come close to doubling with homes built on the lots.

No further comments followed; public comment was closed. No further discussion. A motion was entertained.

WITH RESPECT TO FILE 16-PLC-0003, MR. CRONIN MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, AS PRESENTED.

SECONDED BY MS. GASSEN. ROLL CALL:

**AYE: MR. CRONIN, MS. GASSEN, MR. COZZO, MS. HOGSTROM, MR. QUIRK,
MRS. RABATAH, MR. THOMAN, CHAIRMAN RICKARD**

NAY: NONE

MOTION CARRIED. VOTE: 8-0

16-PLC-0004 - A petition seeking approval for a Zoning Ordinance Map Amendment to rezone the property from R-1, Residential Detached House 1, to R-4, Residential Detached House 4. The property is currently zoned R-1, Residential Detached House 1. The property is located on two vacant parcels on the east side of Drendel Road north of Burlington Avenue by approximately 186 feet, commonly known as **4915 Drendel Road**, Downers Grove, IL (08-12-108-013 & -014). Greenscapes Homes LLC, Petitioner and Paul Gerald, Owner.

Senior Planner Leitschuh walked through the petitioner's proposal, noting the property was in the general area as the previously discussed agenda except it was located on Drendel Road. The difference with this proposal was that the lot was irregularly shaped. An explanation followed on how the lot was measured. The parcel contained two lots under one ownership and would be consolidated into one lot. An unimproved alley existed to the south of the lot as well as to the rear. Photographs were depicted on the overhead and setbacks were pointed out. Ms. Leitschuh described how the parcel fit into the village's comprehensive plan, i.e., by encouraging housing variety. Staff recommended approval of this petition.

Mr. Thoman queried staff whether other unusually-shaped lots existed within the area's five blocks and whether those lots were 5,000 square feet to which Ms. Leitschuh stated there were and it was common. She pointed out some of those lots. Mr. Quirk stated that the property to the east appeared to be used by nearby property owners as a driveway and asked whether there was interest from them to improve the alley for their own use. Ms. Leitschuh indicated such a proposal would have to be reviewed by Public Works and other departments, but instances, such as that described, existed. Contrarily, she said other cases existed where owners would request to vacate an alley to keep it as part of their own property. Mr. Quirk asked why the Plan Commission was not vacating the alley between Drendel and Cross Streets, wherein Ms. Leitschuh indicated that the future owners or neighbors could come to the city and request the vacation. Further discussion on this topic followed.

Mr. Neumann returned and stated he was considering the vacation of the alley but had not started the process. He figured he would most likely return seeking that request.

Hearing no further questions, Chairman Rickard opened up the meeting to public comment.

Mr. Dave VanVorn, 4918 Cross Street, Downers Grove, stated he resides to the east of the property and owns two lots – 4918 Cross Street and his garage on a separate lot. The only access he had to the garage was by way of the public alley that he maintained/improved. Mr. VanVorn indicated that if the petitioner wished to vacate the unimproved alley, he could vacate the unimproved portion of the alley that was adjacent to Lot 20 and not have to deal with any vacation of the alley that provided access to his separate lot in the rear of his property. Mr. Quirk indicated that all owners touching the alley would have to agree and come before the village to vacate the alley.

Ms. Nancy Johnson, 4852 Francisco, Downers Grove, was sworn in and stated she had an alley on the back of her property but that utility poles existed on it. She voiced concern about the land being vacated and asked if the property owners would be notified, wherein the chairman explained that

various scenarios existed and nothing would be done until all the neighbors were heard. Mr. Quirk also provided additional information to ease Ms. Johnson's mind.

No further comments from the commissioners. Mr. Neumann explained that the alley he would possibly consider for vacating was immediately south of the parcels. As to vacating an alley with utility poles, Mr. Neumann briefly explained the process to Ms. Johnson.

Public comment was closed.

Mr. Quirk briefly shared what he knew of the village's vacating process. Mr. Cozzo stated he believed the standards for the proposal were met. A motion was entertained by the chairman.

WITH RESPECT TO FILE 16-PLC-0004, MR. QUIRK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, AS PRESENTED.

SECONDED BY MS. HOGSTROM. ROLL CALL:

**AYE: MR. QUIRK, MS. HOGSTROM, MR. COZZO, MR. CRONIN, MS. GASSEN,
MRS. RABATAH, MR. THOMAN, CHAIRMAN RICKARD**

NAY: NONE

MOTION CARRIED. VOTE: 8-0

FILE 16-PLC-0001 - A petition seeking approval of a Special Use to permit sports and personal training. The property is currently zoned M-1, Light Manufacturing. The subject property is located on Thatcher Road, south of Hitchcock Avenue and west of Walnut Avenue, commonly known as 5221 Thatcher Road, Downers Grove, IL (08-11-408-019). Jim Wnek and Jeff Jourdan, Core 1 Inc., Petitioners, and Michael Androwich of Midwest Industrial Funds, Agent of the Owner.

Planner Scott Williams summarized that Core 1 Inc. was seeking a special use for a sports and physical training business at the above-referenced address which was classified as a personal improvement service. The site was located on the overhead map noting the area is mainly zoned M-1 Light Manufacturing with some R-6 zoning to the south. Mr. Williams reminded the commissioners that Core 1 Inc. did go through this same process in the village two years ago but was now expanding its business to this location. A site plan and floor plan were reviewed. He noted many improvements were already made to the property and shared the variety of businesses found at the site. On-site parking, with improvements noted, was also reviewed.

Mr. Williams reported the proposal was consistent with the village's comprehensive plan as well as the village's zoning code.

Comments/questions from the commissioners followed. Mr. Cronin inquired as to how much of the building was leased currently, wherein Mr. Williams stated the owner said there were two more vacant spaces left.

Mr. Jeff Jourdan, 291 S. Illinois, Glen Ellyn, IL, was sworn in and stated his growing business was moving from the north side of the village to the south side of the village and he was happy to be in the village. Most of his clientele came from the two high schools, Benet, Glenbard West and students from Lockport.

The chairman opened up the meeting to public comment.

Mr. Paul Bartosek, 5300 Walnut Ave., Downers Grove said he lives across the street from the property. He voiced concern about noise generated by the business, the traffic that will be generated, and parking overflow.

Mr. Jourdan responded that noise would be minimal with possible music, and any noise would not be any more than what existed currently. As for traffic, Mr. Jourdan stated that vehicles would most likely be dropping off/picking up students at the site. He did not regularly bring in teams for training and, if he did, it would be later in the evening. He hoped to continue to stay in the village.

Public comment was closed and discussion was entertained.

Mr. Thoman pointed out the subject's address was toward the middle of the entire building and not near Cameo Towers. He stated he was pleased to see the business stay in the village. Mr. Cozzo also added that these types of businesses were appearing more often and being located within the light industrial parks because of the adequate space and available parking. Ms. Hogstrom agreed, stating the vacant space was being re-used. Mrs. Rabatah also concurred, and believed the nearby residents should find some comfort knowing that the business owner was currently in the village and did not want to jeopardize the safety of his young athletic clients.

WITH RESPECT TO FILE 16-PLC-0001, MRS. RABATAH MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE FOLLOWING CONDITION:

- 1. THE SPECIAL USE SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT, PLANS AND DOCUMENTS ATTACHED TO THIS REPORT EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

SECONDED BY MR. COZZO. ROLL CALL:

**AYE: MRS. RABATAH, MR. COZZO, MR. CRONIN, MS. GASSEN, MS. HOGSTROM,
MR. QUIRK, MR. THOMAN, CHAIRMAN RICKARD
NAY: NONE**

MOTION CARRIED. VOTE: 8-0

New member, Amy Gassen, shared her professional background with the commissioners.

THE MEETING WAS ADJOURNED AT 8:45 P.M. ON MOTION BY MR. COZZO, SECONDED BY MR. QUIRK. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 8-0.

/s/ Celeste K. Weilandt
Celeste K. Weilandt
(As transcribed by MP-3 audio)