

Chairman Jirik called the June 4, 2002 meeting of the Plan Commission to order at 7:33 p.m.

ROLL CALL

PRESENT: Mr. Griesbaum, Mr. Kahlke, Mr. Matejczyk, Mr. Nicholaou, Mrs. Reynolds, Mr. Stark, Mr. Waechtler, Chairman Jirik

ABSENT: Mr. McCormick

STAFF

PRESENT Kenneth J. Rathje, Director Planning Services
Amanda Browne, Planner
Alice Dornan, Recording Secretary

Chairman Jirik stated the draft minutes of the Plan Commission's May 7, 2002 meeting needed to be reviewed. He asked if there were any additions, deletions or corrections to those minutes. There were none. **Mr. Matejczyk moved, and Mr. Griesbaum seconded that the minutes be approved as prepared. The motion passed unanimously.** Mr. Rathje recalled the problems Staff had with the audio system last month and noted that the minutes were very well done despite that problem. Chairman Jirik complimented Alice Dornan, Recording Secretary, for a job well done given the very difficult circumstances under which these minutes were prepared. Mr. Rathje added that the Village Council had very few questions on the Station Crossing petition at its Workshop meeting. Mr. Rathje noted that the Village Council to scheduled to act on the Station Crossing petition this evening.

Chairman Jirik outlined the protocol for this evening's two agenda items; the first item is a hearing on a petition and the second item is a discussion regarding a land use issue. The first item will be a hearing for a lot reconfiguration. Chairman Jirik pointed out to the Plan Commission members that the Plan Commission is the final authority for this type of petition. Chairman Jirik explained first he will call the public hearing to order. The petitioner, who is the individual proposing to do something with a particular piece of land, will explain what he is seeking to do and how the proposal conforms to what the Village allows or does not allow.

Chairman Jirik advised next the Village Staff would present a detailed technical assessment of the nature of the application.

Chairman Jirik noted the next step, the public participation portion of the hearing, is the time for those present who desire to speak to be heard. Chairman Jirik explained the proceedings are being recorded and will be transcribed into minutes. Chairman Jirik stated that those wishing to testify should state their name and address first and speak clearly and slowly so accurate minutes could be transcribed. Chairman Jirik advised those wishing to speak that the Commission does have the right to limit the speakers' time, and every attempt will be made to reasonably omit redundant testimony.

Chairman Jirik explained the final step is the Plan Commission's deliberation of the petition. The Commission members can and may ask questions of anyone who participates this evening; Staff, the petitioner or anyone in the audience. When deliberation is complete, the Chairman stated he would entertain a motion to either approve, approve with changes or deny.

Chairman Jirik stated the second item is not a hearing but more of a workshop. The Plan Commission will be discussing flag lots and anyone who wishes to stay for that discussion is welcome to do so.

FILE NO. 1079 **LOT RECONFIGURATION** – The westerly property is commonly known as 920 Prairie Avenue, Downers Grove, IL (PIN 09-08-104-021,-038,-037,-018,-034); Scott and Shannon Young, Owners and Petitioners. The easterly property is commonly known as 4714 Washington Street, Downers Grove, IL (PIN 09-08-104-027); John Pasakarnis, Owner

Chairman Jirik asked if there was a representative of the petitioner present.

William White, 5100 Main Street, Downers Grove, stated he represents Scott and Shannon Young. Mr. Young was unable to be present his evening as he is out of town on business, and Mrs. Young was also not able to attend the meeting. Mr. Pasakarnis is also present here this evening.

Mr. White noted that Staff's report very accurately describes the physical property and the area they wish to convey. As background, Mr. White stated the three parcels, 09-08-104-037,-018,-034, were purchased by a third party at a tax sale in the early 1990's or late 1980's. The tax purchaser attempted to compel an easement across the Young's land to have access to the property. In a settlement of that case, Mr. and Mrs. Young acquired these three parcels. Mr. White explained the Young's are now moving to Ohio and desire that the east-west portion of what is Parcel No. 09-08-104-034 be conveyed to Mr. and Mrs. John Pasakarnis to add onto their existing property at 4714 Washington Street. The remaining portion of the 920 Prairie Avenue lot will be sold as a single parcel.

Mr. White advised there is a pre-existing lot width non-conformity. The reconfiguration in no way exacerbates that. In fact, it greatly increases the lot area of the 4714 Washington Street property. Mr. White pointed out that there is a discrepancy with survey of the 4714 Washington Street parcel. The survey submitted to the Village shows a one foot jog along the south lot line. Mr. White indicated they believe the one foot jog is properly on the north lot line. They have researched this issue and are thoroughly comfortable that the legal descriptions are completely accurate; the legal description of the 57 foot by 132 foot parcel being conveyed from the Young's to the Pasakarnises is correct and proper.

Mr. White concluded by stating he would be available for any questions from the Plan Commission members.

Chairman Jirik asked Staff for its analysis and review.

Mr. Rathje advised the principal desire of the petitioners is to convey land from the 920 Prairie Avenue property to the property located at 4714 Washington Street. Essentially the proposal is to convey the northerly 57 foot by 132 foot portion of the 920 Prairie Avenue parcel to the 4714 Washington Street parcel. This petition is being sought under the provisions of Section 20-601 "Lot Reconfigurations" of the Subdivision Control Ordinance. Mr. Rathje explained in some cases the Staff is authorized to grant lot reconfigurations if there are no exceptions or if there are no existing net non-conformities. In a situation such as this petition where, although the underlying lot widths of both of the lots meet or exceed the underlying R-4, single family zoning district, they do not, however, meet the standards for the creation of a new lot if this were a lot split or a subdivision. Mr. Rathje noted the Ordinance was specifically crafted to allow conveyances under lot reconfigurations without approval of an exception or a variation under Section 20-601(c); however, it still does require the Plan Commission to review and consider where there is a net non-conformity or the inability to meet the standards for the creation of a new lot.

Mr. Rathje described the characteristics of the parcels. The 920 Prairie Avenue parcel has a width of 82 feet for the southerly 198 feet, 66 feet for the next 232 feet and then becomes a "L" shaped parcel and the property heads off to the right where there is a 57 foot by a 132 foot appendage to the main body of the property. This property has an overall depth of 430 feet and an overall area of 39,072 square feet. The 4714 Washington Street property which abuts the 920 Prairie Avenue property at their common east and west lot lines measures 56 feet in width, 99 feet in depth and has an area of only 5,544 square feet. Mr. Rathje noted the property is almost 2,000 square feet less than the minimum area required for the underlying R-4, single family zoning district requirements and just a little over half the minimum area requirement for a newly created lot in the R-3 or R-4 zoning districts..

Mr. Rathje stated the proposal would be to convey the 57 by 132 foot easterly section of the 920 Prairie Avenue parcel to the 4714 Washington Street property which would result in parcels with the following dimensions: 920 Prairie would maintain its width of 82 feet for the southerly 198 feet and 66 feet for the remaining 232 feet with an overall depth of 430 feet, and its area would be reduced to 31,548 square feet. The 4714 Washington Street property would have a width of 56 feet for its easterly 99 feet and 57 feet for its westerly 132 feet, with an overall depth of 231 feet and an area of 13,068 square feet.

Mr. Rathje noted Mr. White had indicated the only difference that exists from the drawings supplied with the petition is that the survey which was prepared by Nekola shows a one foot jog that actually belongs at the north side of the easterly 99 feet rather than at the south side. Mr. Rathje emphasized that it is immaterial to the legal description.

Mr. Rathje advised the property is located within a R-4, single family zoning district, and the standards in the R-4 zoning district are different for existing lots than for resubdivided

lots. For existing lots, the minimum width is 50 feet and the minimum area is 7,500 square feet. Under Section 20-301 "Lot Dimensions," the Subdivision Control Ordinance requires that newly created parcels are to have a minimum lot width of 75 feet, a minimum lot area of 10,500 square feet and a 140 feet lot depth. Based on these parcels being pre-existing, there is no net non-conformity which is going to be increased. The existing lot area non-conformity for the R-4 zoning district as well as meeting the standards for the Subdivision Control Ordinance for newly created lots will be satisfied in lot area for the 4714 Washington Street property. Even if the northerly 232 feet of the 920 Prairie Avenue property were eliminated, that lot would meet any R-3 or R-4 lot standard.

Mr. Rathje advised the Planning Staff would recommend that the Plan Commission grant the proposed lot reconfiguration as requested.

Chairman Jirik asked if there was anyone in the audience who wished to speak for or against this petition. There was no response, and Chairman Jirik closed the public participation portion of the hearing.

Chairman Jirik next asked if there were any questions or comments from the Plan Commission members. There were no questions or comments from the Commission members. Chairman Jirik asked if Staff was confident that the legal description is correct. He also asked Mr. White if he was confident that the legal description was correct, and Mr. White answered affirmatively. Chairman Jirik asked Mr. White if the Plan Commission passes a motion granting this lot reconfiguration would he want an updated survey. Mr. Rathje agreed that he would and noted that such a request did not have to be included in the motion. It would be something Staff would pursue as a matter of course. He commented he would rather not have the motion encumbered in any way regarding the plat as there is going to be a conveyance of land. He does not want any unnecessary questions raised at the closing of the sale of the property. Mrs. Reynolds asked what type of questions could be raised. Mr. Rathje responded the document indicating the Plan Commission's approval is what would normally be submitted as part of the closing. If the language requiring an updated survey was included in the motion, Staff could get a last minute inquiry from the buyer's attorney as to whether or not an updated survey was received. Mr. Rathje explained he has gone back to a 1954 survey of the parent parcel, and he is confident that the legal description was correct which had been provided is indeed correct, and only the drawing needs to be revised..

Hearing no further comments or questions, Chairman Jirik called for a motion. He emphasized to the Plan Commission members that the Commission is not making a recommendation but rather is considering either approval or denial of the proposed lot reconfiguration petition.

MOTION: MRS. REYNOLDS MOVED WITH RESPECT TO FILE NO. 1079 - LOT RECONFIGURATION, THAT THE PLAN COMMISSION GRANT THE REQUESTED LOT RECONFIGURATION PETITION PERMITTING THE CONVEYANCE OF

APPROXIMATELY 7,524 SQUARE FEET OF LAND FROM THE 920 PRAIRIE AVENUE PROPERTY TO THE 4714 WASHINGTON STREET PROPERTY. THIS APPROVAL IS BEING MADE AS THE ABOVE CONVEYANCE WILL RESULT IN THE 4714 WASHINGTON STREET PROPERTY GOING FROM BEING SIGNIFICANTLY NON-CONFORMING IN AREA BOTH TO THE UNDERLYING R-4 ZONING DISTRICT REQUIREMENTS AND TO THE SUBDIVISION CONTROL ORDINANCE REQUIREMENTS, TO BEING INCREASED IN AREA IN AN AMOUNT SUFFICIENT TO BECOME IN EXCESS TO BOTH OF THE MINIMUM APPLICABLE AREA REQUIREMENTS. THIS CONVEYANCE OF LAND MAY TAKE PLACE AS A LOT RECONFIGURATION WITHOUT NEED FOR THE APPROVAL OF ANY BULK EXCEPTION, AS THE PROPOSED CONVEYANCE WILL HAVE NO IMPACT UPON THE EXISTING LOT WIDTH NET NON-CONFORMITY FOR EITHER PROPERTY. MR. GRIESBAUM SECONDED THE MOTION.

Chairman Jirik asked if there were any questions or comments regarding the motion. There were none.

ROLL CALL:

AYE: Mrs. Reynolds, Mr. Griesbaum, Mr. Kahlke, Mr. Matejczyk, Mr. Nicholaou, Mr. Stark, Mr. Waechtler, Chairman Jirik

NAY: None

The motion passed unanimously.

Chairman Jirik emphasized that this is a final action for this petition.

----- Discussion of Section 20-302 of the Subdivision Control Ordinance Regarding Flag Lots

Mr. Rathje explained the Village Council expressed concerns regarding flag lots as a development tool and asked the Plan Commission to consider the issue. Mr. Rathje suggested he would like this discussion to be more like a committee meeting and therefore the minutes would be a bit more general in reporting the nature of matters discussed and any directions or conclusions that may be made on individual issues during the review process. Mr. Rathje asked the Chairman and the Plan Commission members if this would be acceptable. Everyone was in agreement.

Chairman Jirik asked what the Council's expectations were regarding this issue. Do they want the Plan Commission to take input, deliberate and formulate some series of recommendations, or do they just want the Commission to gather and assimilate input? Chairman Jirik noted the information and background Staff provided was good.

Chairman Jirik stated an answer to his question might also help the Recording Secretary prepare a report for the Council. Chairman Jirik indicated it is always good to know the expectations so that what is being developed has at least some chance to meet those expectations.

Mr. Rathje suggested that the issue of flag lots is something that he believes should be discussed during at least two Plan Commission meetings unless the majority of the Plan Commission members think the existing Ordinance is fine and no further discussion is needed, or a majority of the Plan Commission members think the existing Ordinance is terrible and are in agreement with what some believe that flag lots should be banned.

Mr. Rathje explained he tried to give the Plan Commission members as much written history of flag lots as possible. There have been flag lots or flag-like lots in town for a long time. He noted that there is one flag lot located immediately next to the subject property of this evening's lot reconfiguration petition that has existed for a very long time. He also noted that there are a few other long-standing flag lots in town. The lot split petition on Cornell which the Plan Commission heard last month also had a long-standing flag lot next to that property.

Mr. Rathje recalled from the time he came to work at the Village in 1974 until 1989, anyone who wanted to create a flag lot just could not do it. The Flag Lot Ordinance came into effect following a request from a property owner who brought a petition to amend the Zoning Ordinance to permit flag lots. It was later determined that the Subdivision Control Ordinance was the correct ordinance for provisions to consider the division of land into flag lots.

Mr. Rathje advised that the concept of a flag lot is to create an opportunity to open up some development potential and some value for very odd pieces of property that have exceptional depth compared to width but which are not large enough to support a subdivision nor would it be likely to assemble enough other properties to support a street. Mr. Rathje explained the standards Staff came up with for the Flag Lot Ordinance were well thought-out; an access corridor of 20 feet, minimum width to meet the Zoning District's standards, minimum depth of the front lot and the flag lot regulations were specifically engineered to exclude many nominally deep but not exceptionally deep lots from being proposed to be divided into flag lots. There are many lots in the Village in the 270 to 300 foot range. He explained that a 297 foot deep lot is a function of a fractional mile. If you take the 297 feet plus 33 feet half street that is 330 feet which is 1/6 of a mile. Mr. Rathje noted a lot of those divisions were based upon the division of sections, quarter sections, etc.

Mr. Rathje noted there were a number of very deep lots in town some of which are the residuals from farms. Mr. Rathje recalled a very old realtor told him such lots were divided into "Suburban Acres". He commented that he had not completely understood what a "Suburban Acre" was, but if you take a 100 foot wide lot by 406 to 408 foot depth and add in the 33 foot half street right of way, you have a land area just around the acre

range. Prior to 1951, streets were common law dedications and were essentially glorified public street easements. Today streets are conveyed under statutory dedications. Mr. Rathje pointed out many of the larger lots were larger because of the absence of sewer and/or water service. There are large parts of town that only got sewer and water in the 50's and 60's. Mr. Rathje noted Burlington Highlands north of Ogden Avenue generally west of Lee still does not have sanitary sewers. Consequently, the lots are larger in the case of the Burlington Highlands area but not deep enough to be appropriate for flag lots.

Mr. Rathje noted the Flag Lot Report prepared for the Village Manager on August 9, 2001 noted that 11 flag lots had been created since the passage of the Flag Lot Ordinance. The Village Council approved two additional flag lots earlier this year which brings the total to 13 flag lots which have been approved by the Village since 1989.

Mr. Rathje recalled during the Spring of 2001 the Plan Commission dealt with a flag lot petition on Cumnor Road. The Council indicated they had some concern whether or not flag lots were a development type they wanted to foster in the future. Two more flag lot petitions came forward during the past year, and the Village Council treated them fairly as they were legitimately requested under the Ordinance as it was written; however, they recognized that if they were going to do something they had to give consideration as to whether or not they were going to proceed with the Flag Lot Ordinance as it is presently written or if they were going to limit them. After the last of the two 2002 flag lot petitions were approved, the Village Council adopted a 180 day moratorium on April 2, 2002.

Mr. Rathje further advised that one of the Plan Commission members had contacted a Village Council member and suggested this might be something that should come back to the Plan Commission before any final determination was made on what to do with flag lots.

Mr. Rathje noted there are three broad choices with regard to what the Village can do with flag lots: leave the Ordinance as is, ban flag lots entirely or change the standards of the Ordinance in some way.

Leaving the Ordinance as is, is very clear and straightforward as is banning flag lots. Changing the standards of how the Flag Lot Ordinance might read could run somewhat of a gamut. He described the following:

1. Change the standards as far as how big a parcel would be needed in order to first consider approval of a flag lot. Right now the basic standard is that you meet all of the zoning district standards for the front lot without variation or exception. All the zoning district standards for the flag lot have to be met with the exception of the flag pole being narrower and with the exception of the extraordinary obligation of the 165 foot lot depth. An increase of the minimum lot depth beyond 165 feet would cut down on the number of lots that could meet a modified flag lot standard.

2. The potential impact from a flag lot on the surrounding area could be modified by requiring extraordinary side, rear or front yard setback requirements, and the separation between the house on the front lot and on the flag lot could be increased.
3. Screening between the house on the flag lots and the adjoining lots could be something else that could be required.

Mr. Rathje stated he did an Internet review of flag lots in various municipalities. He noted he did not always learn everything he wanted to know about flag lots, but there are a lot of places that allow flag lots some of which are very small in size. Some municipalities use them as an alternate to having pie-shaped lots around a cul-de-sac. Rather than having a wedge or pie shaped cul-de-sac lot, they put a small pole between two more or less regularly shaped parcels, and replace the big wedged shape section at the back end of the cul-de-sac with a flag lot. They are more or less rectangular lots, squared off with a little driveway. Mr. Rathje emphasized that flag lots are something that exist in many jurisdictions. A number of municipalities in the states of Oregon and Washington allow flag lots. Oregon has strict land use laws, and they have some laws now that state the maximum square footage of new lots in the Portland metropolitan area is something like 5-6,000 square feet. They are trying to use planned conservation techniques to create more building lots. They want to use less land per housing unit.

Mr. Rathje commented from time to time when the Plan Commission and the Village Council discussed a flag lot, one neighbor or another had an objection. Mr. Rathje stated he has never figured out specifically why a neighbor did not want a flag lot next to their property. The objectors often state that “a realtor told them a flag lot will lower their property value”. Mr. Rathje noted he talked to a realtor recently and heard something very different. Mr. Rathje commented many of the parcels we work with concerning a flag lot start off with a width of 100 feet. You need to have a width of at least 95 feet to even ask for a flag lot assuming either R-3 or R-4 zoning. The front lot has to meet its full lot width requirement of 75 feet. The pole portion of the flag lot has to be at least 20 feet wide. The front lot must meet its minimum lot depth standard of 140 feet. With either R-3 or R-4 zoning, a minimum lot area of 10,500 square feet is required for new lots. Once you get past the pole for the flag lot, the buildable width of the flag lot is typically 100 feet wide. The setback of the flag lot as measured from the common lot line between the front and the rear has to meet the zoning district standards of either 25 feet in R-4 or 30 feet in R-3. The rear yard setback for the flag lot is 20 feet. A 100 foot wide original lot divided into a flag lot and a regular front lot creates two very nice, very buildable lots.

Mr. Rathje pointed out in this community probably the most critical lot characteristic to supporting homes is lot width. A 100 foot lot divided down the middle into two 50 foot lots or a front lot of 75 feet and a rear lot of 100 feet results in lots which will support significantly different kinds of homes being built.

Mr. Rathje recalled that some people have voiced that a flag lot would result in an encroachment into the privacy of the people’s homes that sit in front of a flag lot. Most

often such comments come from the neighbors on either side of the flag lot. Mr. Rathje stated he has tried to play amateur psychologist by asking the question do people anthropomorphize a house by viewing its front windows being like the eyes of the house looking into the back yard or private area of the neighbors' properties? Mr. Rathje advised that to him there is no difference between a flag lot looking at the rear of his house or looking out of the rear of his house where he can see everybody else's rear yard in the neighborhood. Mr. Rathje stated if privacy is the principal issue with flag lots, should we require a greater separation between the houses and require the house on a flag lot to have a greater setback.

Mr. Rathje advised the Plan Commission that Staff brought along aerial photographs of the northern parts of the Village for the Plan Commission members to review. He recommended that during the next month the Plan Commission members may wish to drive around and see what is out there.

Mr. Rathje advised the Plan Commission members that he does not know which way the Village Council will go on this matter. He noted that their packets contain copies of the Council Workshop minutes where the issue of flag lots was discussed in general as well as copies of the Council Final Action Minutes establishing the six-month moratorium on flag lots. Mr. Rathje advised that he was present at the Council Workshop meetings when the last two flag lot petitions were discussed. He noted several Council members currently seem to have strong feelings against flag lots. They have shared their opinion that flag lots are not good for the community. Mr. Griesbaum expressed the opinion that those Council members who have commented against flag lots seem to be coming from an aesthetic (look and feel) point of view.

Mr. Matejczyk asked if there have been complaints about flag lots after the fact. Mr. Rathje responded complaints have not been made to the Planning Staff. It is possible that people may be silent about their objections, but if you look at the lots which have been developed into flag lots over the years, they have very nice homes that are an upgrade to their neighborhood.

Mr. Rathje noted there have been some issues related to flag lots in the Roslyn Road-Cumnor Road area. This area is within the Westmont Surface Water Protection District No. 1. This District was established 30 to 40 years ago. It includes unincorporated areas including Liberty Park which is north of Ogden Avenue and east of Cumnor Road. Much of the District has either been annexed into Downers Grove or into Westmont. The District has its own appointed officials and its own engineer. Mr. Rathje commented the District does not seem to be practicing the same degree of stormwater engineering plan approval and construction supervision as the County expects the municipalities to do and what the municipalities expect of themselves. The last complaints he is aware of have involved drainage issues associated with the development of new flag lots. Mr. Matejczyk noted such complaints are drainage issues not flag lot issues. If the same lot had been split vertically, he assumed the same drainage issues would occur.

Mr. Rathje commented as a point of comparison a community like Hinsdale probably does not have a flag lot ordinance because everything was divided up into regular sized lots. The lots probably are in the 125 to 132 foot deep range. Mr. Nicholaou noted most of the town was divided into 50, 60 and 75 foot wide lots. Mr. Rathje noted lot depths in Hinsdale are relatively shallow. He pointed out Hinsdale was the first railroad stop in DuPage County. By comparison as recently as 30 years ago, Downers Grove still had a number of farms, and there were more than a few areas absent sanitary sewers.

Mrs. Reynolds asked how many potential flag lots are in the Village. Mr. Rathje recalled when he was asked at a Council Workshop meeting in May of 2001, how many potential flag lots there are in the Village, he did a cursory survey of the plat book utilizing six assumptions. First, that a petition to divide a property into a flag lot would be based upon current zoning. Second, only residentially zoned lots were considered. Third, the presence of buildings on the properties were assumed not to be a limitation. Fourth, that parcels of land would not be assembled in a manner differently than they current exist for purposes of creating a flag lot. Fifth, that parcels which appear to be able to be divided into conventional lots via a lot split or a subdivision were not included. Sixth, only lots currently within the Village limits were surveyed.

Mr. Rathje noted the results of that cursory survey may have some errors and explained that his quick count revealed the following:

Florence between Ogden & Traube	6 lots
Cumnor between Ogden & Chicago	6 lots (including subject of File #1056)
Roslyn between Ogden & Maple	14 lots (minus File # 1074)
Fairview between 55 th & 59 th	3 lots
Fairmount between 63 rd & 65 th	6 lots
Main between Summit & 55 th	2 lots
Highland between 39 th & 40 th Ext.	4 lots (minus File #1072)
Lee between Gilbert & Maple	11 lots
East side of Lee south of Grant	1 lot
North side of Grant between Lee & Cornell	3 lots
Elmore west of Lee	8 lots
TOTAL	64 lots

Mr. Waechtler asked if this information was included in the Plan Commission packet. Mr. Rathje advised that it had not been included because he was not completely satisfied with the accuracy.

Mr. Rathje noted some of the properties identified have substantial homes on them and the likelihood of being divided is remote.

Mr. Stark referred to his comments at the last Plan Commission meeting. Mr. Stark stated the topic of flag lots needs to be tied to the current way lot splits are handled. If

we come up with a moratorium for flag lots, people with 100 or 110 foot wide lots will ask for a conventional lot split rather than a flag lot. Mr. Stark questioned if that is the trend where we want to go. If people do not like the looks of flag lots, will they be happier with a bunch of sub 75 foot wide lots or sub 60 foot wide lots or “sliver lots”. Mr. Stark suggested that Council may have to paint this issue with a broader brush.

Mr. Stark asked if the zoning on Lee south of Ogden requires a 100 foot width minimum? Mr. Rathje indicated he used that area because it is zoned R-1, single family residential. Mr. Rathje stated if someone had a lot that was 120 feet wide in an area where almost all of the lots were 100 or more feet wide, in theory, you could support a full width front lot and a full width flag lot tucked in the back if the lot were deep enough. The trend in the area, however, would not support two, 60 foot wide lots. If all the other lots had been divided up into 60 foot wide lots, Mr. Rathje commented that the area probably would, therefore, not have R-1 zoning any longer.

Mr. Rathje displayed the 1998 aerial photos for Downers Grove Township and pointed out a number of possible flag lots on Lee Avenue. He noted most of the lots on Lee Avenue are 100 feet wide, and there is no trend in the area to permit narrower lots. He next pointed out a flag-like lot north of 55th Street on the west side of Lee. The original lot was 80 feet wide at the front and 240 feet wide at the rear. There are now two very substantial homes sitting behind two front homes. He pointed out other flag lots in the area on the west side of Lee, one of which goes back to the 1940's or 1950's. He also noted the four lots located south of Elmore west of Lee all gain access off of an easement functioning as one single driveway for four or five houses. He also pointed out a lot that is 220 feet wide and indicated there would be no reason to create a flag lot from it because it could be split into two, 110 foot wide lots which would be completely consistent with other lots in the area.

Mr. Matejczyk asked about the possibility of consolidating 50 foot wide lots for the purpose of a resubdivision resulting in a front lot 75 feet wide and a flag lot 100 feet wide. Mr. Rathje responded he ruled that possibility out in his estimate of potential flag lots. Mr. Rathje pointed out the importance of any decision regarding the Flag Lot Ordinance provisions. Everyone will have to take a good look as to whether or not flag lots are good, not because there may only be a few possibilities, but rather whether they are a good land use practice period.

Mr. Rathje indicated perhaps contrary to Mr. Stark's statement of not dividing any land into less than 75 foot wide lots, if there is an area with 80 to 90% of the lots already divided that way, is it fair and equitable to hold the last property owners out from having the same size lots as everybody else in the neighborhood? Mr. Rathje indicated this might be getting into the area of unique circumstances and hardship.

Mr. Waechter indicated it was his understanding that a flag lot had to have a paved driveway of at least ten feet in width. When he drove around the Roslyn Road area, he saw what appeared to be a flag lot which had a gravel driveway. Mr. Rathje pointed out there are some gravel driveways in that area that are not flag lots. He commented he was

not sure which lot Mr. Waechtler referenced. Mr. Waechtler suggested that perhaps the gravel was there because construction was incomplete. Mr. Rathje clarified that if the flag lot was created pre-1989, today's flag lot rules are not retroactive.

Mr. Rathje pointed out on the aerial photo the flag lot located on the west side of Fairview south of 55th Street which has two very nice homes on it.

The Commissioners next looked at the quarter section north of Ogden Avenue east of Main Street. Mr. Rathje commented most everything has been divided into fairly regular sized, normal suburban lots, but there are a few anomalous lots. He pointed out the flag lot property on Highland. Mr. Rathje recalled that Mr. Ohnsman tried to get the owners to the north to buy his property for a possible future resubdivision with a cul-de-sac down the middle, but he was unsuccessful so he petitioned for a flag lot on his property. Mr. Rathje stated the Village at one time anticipated Lindley as well as 40th Street to go through. A lot of the old streets which were platted pre current Subdivision Control Ordinance regulations had been platted, but there was no obligation to build them. Now we require the developer to engineer, post bond money and build the streets. A lot of those streets in some parts of town never got built.

Mr. Rathje went through several other quarter section aerial photographs. He referred to the Lee and Grant area. While there are some big lots in that area which are zoned R-1 that have substantial depth, they do not have the area to support two R-1 sized lots. The lots at the northeast corner of Lee and Chicago were excluded from his list of potential flag lots because they are big enough to be developed in a conventional way.

He questioned whether the Plan Commission and the Village could comfortably face having to deal with petitions involving a number of 50 foot wide lots being put together and resubdivided into a large front lot and a large rear flag lot and would those types of lots then be more valuable than two 50 foot wide lots?

Mr. Rathje emphasized that flag lots are a relatively limited prospect, but when he compiled the potential flag lots he specifically excluded the notion of recombining narrower lots in order to create wider front lots and flag lots. Mr. Rathje commented that some people may consider a big flag lot and a big front lot to be more desirable than two narrow lots.

Mr. Matejczyk commented a flag lot creates two more rectangular lots versus two long narrow lots. With a wider front lot and a flag lot, the architect does not have the same restrictions of building a house that he would within the envelope of a narrower lot. Mr. Matejczyk stated as far as the developer is concerned, he would rather have a flag lot than two skinny lots, because the flag lot will be worth more.

He pointed out with two narrow lots you probably will get two houses with front-loaded garages.

Mr. Rathje stressed the majority of lots in Downers Grove are somewhat narrow; 75 feet wide and below. He commented that seventy-five foot wide lots or narrower was largely the basis of housing in DuPage County.

Mr. Matejczyk stated as a Planning Commission, we should be trying to best utilize the vacant land because as the value of that land increases, there will be more and more pressure to develop that land whether it is splitting it front to back or splitting it into a flag lot.

Mr. Rathje noted some people have expressed their belief that flag lots may be where a line should be drawn when it comes to development or redevelopment. As an alternate to Mr. Stark's earlier comment, Mr. Matejczyk asked if he has a lot that is going to come under more and more pressure to divide because land values continue to rise, planning-wise, is it better to have it split down the middle with two narrow lots or instead create a flag lot?

Chairman Jirik suggested that everyone should probably take a step back because we want to look holistically and into the future and not at any specific neighborhood situation. Chairman Jirik acknowledged that it is a hard thing to do. Mr. Matejczyk noted that is a responsibility of the Plan Commission.

Mr. Rathje stated if we are dealing with variations when we are doing new subdivisions on larger pieces of property, the variations which are considered typically are adjustments. It might be a couple feet in depth because the parent parcel is not deep enough to support the land necessary for public improvements and a full lot depth of 140 feet, but the resulting lots are wide enough and they have enough area. There is a distinct difference of how we typically deal with dimension exceptions when we are dealing with new subdivisions as opposed to the measurement of what is fair and equitable in neighborhoods where there is a very well defined land use characteristic, and we are asked to consider approval of a lot split.

Mr. Stark pointed out when the first flag lot in an area is created, you cannot say that the trend of development to support a flag lot is there. He asked if the Commission should perhaps tell the Council that it thinks flag lots are a good idea in the Roslyn Road area only?

Mr. Rathje stated unless we can distinguish between zoning districts, there are some real interesting legal protection issues. Mr. Stark agreed that some type of objective standard has to be developed. The barn door is already open, and developers have been creating more flag lots. Mr. Rathje questioned the use of the phrase "barn door is already open". Mr. Stark admitted that he does not like flag lots, but he understands the purpose behind them, and it is an effective use of land for unique lots. Mr. Rathje pointed out that the land does not belong to the municipality. The municipality is here to protect life safety and welfare and to put some reasonable constraints on development so that people can protect their property values. If a flag lot or any other development trend really goes

against the life safety and welfare issues, it probably should not be fostered on the basis of what government is there for.

Mr. Nicholaou stated if the Commission takes a historic look at the 13 years since the Flag Lot Ordinance was adopted, we are talking about 13 properties and if we doubled that amount over the next decade, we are looking at a total of 26 houses. Mr. Nicholaou continued, from his business standpoint, the flag lots he has seen are not improved with \$200,000 homes but with \$500,000 plus housing. The current Ordinance which seems to have worked well, restricts the size of lots that can be made into flag lots. Mr. Nicholaou commented from his curbside point of view he wonders what all the hullabaloo is about. Some Council members talk about aesthetics, and Mr. Nicholaou indicated he has a problem with that comment. Mr. Nicholaou stated there is a Commission in the Village which approves additions which to his mind are sometimes ugly and monstrous. In his opinion, the Council's concern regarding aesthetics should be directed to that Commission.

Mr. Rathje explained to Mr. Nicholaou that there is no Commission that approves homes or additions if they meet the normal standards of the various codes and ordinances.

Mr. Nicholaou stated he read the material that was provided by the Staff several times, and he could not figure out what the objection is to flag lots. Even the use of the aerial photographs has not cleared up the issue for him.

Mr. Rathje questioned if every lot on Cumnor and Roslyn that could be recombined so as to create a flag lot and a front lot, would the presence of that land use pattern with every other lot being a flag lot be objectionable? Mr. Nicholaou asked and to whom would it be objectionable?

Mr. Rathje pointed out as an example that attached garages at the front of a house offends Mr. Matejczyk's aesthetics, and Mr. Matejczyk agreed and added those type of garages also offended other people in his neighborhood. Mr. Rathje pointed out that some people have an aesthetic objection to having a house exist behind their house. Mr. Matejczyk strongly stated that he is not arguing this on aesthetics. Mr. Matejczyk commented as the value of the property increases, developers come in and their objective is to put as much lumber on that property as possible. Mr. Matejczyk pointed out that trend is going to continue. As these large lots become more and more valuable per square foot, there is going to be more and more pressure to divide them. Mr. Matejczyk stressed the issue is how are these lots going to be divided. Are we going to divide these lots straight through, or are we going to be able to divide these large lots front to back? If the lots are divided narrowly, then the Village gives the builder a narrower envelope which they have to work within with regard to setback, building height, etc. Because the houses have to fit in that same sized somewhat narrow envelope, they start looking very similar. Mr. Matejczyk pointed out if there is a front lot and a back lot which are more squared off and have greater lot width, then the developer and the architect have much more flexibility as to what they can design and build on that space. Mr. Rathje commented that wider lots do generally give more flexibility. Mr. Matejczyk corrected him that it is the

configuration of the lot; it is squared off. With flexibility comes more diversity. Mr. Rathje stated the width factor is really the dominant factor. Mr. Matejczyk stated width is no longer as much of a defining factor if you have a flag lot. Mr. Matejczyk explained he lives in the northwest area of town and one of the things that makes that area very valuable is the diversity in the neighborhood. In his opinion, large houses being built within that narrow envelope is cutting into that diversity. Mr. Matejczyk suggested if there is an opportunity to create some flag lots, that helps the diversity of a neighborhood. Mr. Matejczyk expressed the opinion that flag lots rather than two narrow lots would be a positive factor in the redevelopment of a neighborhood.

Mr. Rathje pointed out when Mr. Matejczyk's neighborhood was first developed, land was relatively cheap, and there was no mass building by a single developer.

Chairman Jirik proposed polling the Plan Commission members for their thoughts regarding flag lots. He suggested there would be value to do this before getting into more specific concepts. Then after hearing each other, if there are several common themes, the Commission's focus between now and the next meeting needs to be on the different alternatives. Chairman Jirik stated after reading the Council minutes regarding flag lots, it was his understanding that the Council wants the Commission to conduct a meaningful discussion of this issue.

Chairman Jirik noted at this stage in the discussion he is totally undecided on this issue, so he will be looking forward to hearing the other Commission members' thoughts.

Mr. Matejczyk stressed taking the long view because the few large lots left are going to be around for the next several generations. He noted the trend in the future will be to develop all usable land as the value of land increases.

Mr. Waechtler asked if snow removal from the driveway leading to the house on the flag lot was a legitimate problem. Mr. Rathje advised that it does not appear to have hampered anyone yet. Comments were made that long driveways which access flag lots are no different than snow removal from the streets or cul-du-sacs after a big storm.

Mr. Waechtler suggested that as the Commission is polled, Staff should note any themes or issues which can then be further explored in a group discussion. Mr. Rathje suggested at the end of this session, the Chairman may wish to repeat the themes or issues he believes were identified in the discussion..

Mr. Waechtler asked if adjoining communities such as Woodridge, Lisle, etc. address the issue of flag lots. Mr. Rathje expressed the doubt as to whether Woodridge even has a flag lot ordinance because it is a newer community. He did, however, note that they have had farms up until recently, so that may be worth looking into. Mr. Rathje advised that Wheaton bans flag lots, DuPage County permits them if each resulting lot is at least one acre in size. Mr. Rathje advised older towns such as Elmhurst, Hinsdale, Villa Park, etc. probably do not have flag lots because they did not have the same land use dynamics or subdivision history as Downers Grove.

Mr. Griesbaum stated his goal as a Plan Commission member has been to look at this objectively. He revealed that when he walked into tonight's meeting he was not a proponent of flag lots from an aesthetic perspective as well as from a resale standpoint, whether one is talking about the back lot or the front lot. Mr. Griesbaum stressed that he definitely was not in favor of splitting the lots into sliver lots because it creates a relationship where the homes are too close together. People are building bigger homes, and narrow lots do not allow the builder the flexibility to build architecturally different types of homes. Mr. Griesbaum noted that he really wants to look at this issue objectively. Mr. Griesbaum expressed his appreciation for the aerial views of the various sized lots because it has helped him understand where the possibilities are and what the effect might be. Mr. Griesbaum admitted that he is much more open to the issue than before but wants the opportunity for further discussion.

Mr. Rathje asked if Staff were to copy sections of some of the aerial photos, highlight some of the flag lots or flag-like lots on Cumnor and Roslyn, Grant Street west of Lee and the Elmore-Lee area and provide addresses to these properties, would that be something of value to the Commission members? Mr. Matejczyk asked if it would also be possible to provide photographs that show what these situations look like from a street perspective. Mr. Rathje asked Mr. Matejczyk if he would be willing to take those photographs with a Village digital camera. Mr. Matejczyk agreed because he thought it was important to see these lots from a street view rather than just from an aerial view.

Mr. Griesbaum expressed the opinion that this information would have huge value. He noted that he drives by Lee Avenue north of Maple all the time, and he never noticed the presence of flag lots. After seeing the aerial photographs, he concluded that he had never noticed them because of the depth of the rear lots and because of the placement of the homes on those lots. He admitted that he never thought of them as being flag lots. When the issue of flag lots comes up, he always thinks of the flag lot on Fairview south of 55th Street. Mr. Griesbaum commented as those homes were being built he could not imagine himself buying one of them.

Mr. Rathje pointed out that Mr. Griesbaum has the same feeling about flag lots that he has about living on a cul-de-sac. Mr. Rathje admitted that he would never choose to live on a cul-de-sac. He also recognizes that many people will pay a premium for a home located on a cu-de-sac.

Mr. Stark stated he is like some of the Council members in that he knows he does not like flag lots, but he is still trying to define why. He agreed that the aerial photographs are helpful. Mr. Rathje suggested that he visit some of the flag lot sites as it may help him to articulate what he does not like about them. Mr. Stark stated if a decision is made to ban flag lots, then the economic pressure will be to create more typical lot splits which does not, in his opinion, solve the crisis about development in the community. Mr. Stark indicated he would like to pass through this whole trend of splitting lots and go to the next development trend which in his opinion is going to be even better and more quality homes on these large lots that remain in the Village. Mr. Stark expressed the opinion that the quality builders are looking for good buildable lots on wide spaces. Mr. Stark stated a

Hinsdale type house will not be built on a flag lot. Mr. Stark indicated the homes that are being built on flag lots now look nice but they are just large boxes. The builder is selling a large appearance looking house instead of focusing on the quality inside. Mr. Stark stated he wants the Village to preserve the remaining big lots for a better type development, even better than what we are allowing to be built now. Mr. Matejczyk asked Mr. Stark if he was against splitting the larger lots, and Mr. Stark responded that he was against that. Mr. Rathje asked if that is an equitable position if the large lot is the last one left in a neighborhood which has been divided into somewhat narrower lots? Mr. Stark agreed that was a problem and indicated he recognized that he has to have some flexibility.

Mr. Kahlke stated his first exposure to a flag lot was the flag lot on Prairie, west of Washington, next to the lot we discussed earlier this evening. The older house on the neighboring lot had been for sale several years ago, and he considered buying it. He never knew there was a house back there. Mr. Kahlke indicated while he liked the house and the property, he was not comfortable with the idea of having a house directly behind his house. He noted he still does not like it, but he also agrees with Mr. Matejczyk's concerns about shoehorning enormous houses on narrower lots. A flag lot might be better use of the space even though he feels a flag lot is not part of a neighborhood. Mr. Rathje asked him for clarification regarding Mr. Kahlke's observation that a flag lot "is not part of the neighborhood". Mr. Kahlke commented that unless you are walking down the street and happen to see the rear house, you are never even aware that it is there. Mr. Rathje pointed out a location on the aerial photo where a house along Cumnor has been built way to the rear of a very deep lot. He noted that whenever he goes by he always wonders why the original owner or original builder chose to build the home way back there. Mr. Rathje advised that any home can be built as far back on the lot as the owner so chooses as long as it meet the rear yard setback requirements.

Mrs. Reynolds stated she lives in a 125 year old house that sits way back on her lot. She noted they never had any kids on Halloween because the children did not want to walk all the way back there. Mrs. Reynolds indicated she loves the privacy and did not think if there was a house in front of her it would bother her. She stated she has always been in favor of flag lots and one of the reasons is because you can not pick them out as you drive down the street. She questioned the name "flag lots" and wondered if they could be called something else. Ms. Browne advised in DuPage County's ordinance the front lot is referred to as a key lot and the rear lot is called a reserve lot.

Chairman Jirik commented that there are not any flag lots in his neighborhood but there are cul-de-sacs. He noted one of the things the Commission has struggled with is the "trend of development". He challenged the Commission to have two views. He commented that the Commission can look back and see what the trend was, but all good trends start somewhere. What will come out of good deliberation and discussion by the Plan Commission could be accepted by the Council as what Downers Grove wants to do in the future.

Chairman Jirik recalled he voted in favor of all the flag lot petitions that have been presented since he began serving on the Commission because they made sense even though he had to battle the same emotional demons articulated by some of the Commission members this evening. He commented he does not like flag lots, but there are very big pieces of land and questioned what do we do with them. Part of him says availability of a wide variety of different sized lots is something that is very good. The other part says with big parcels we are only going to have rich houses. Chairman Jirik pointed out for any argument, for or against flag lots, he can think of a counter argument.

Chairman Jirik agreed with those members who expressed a concern about the future pressure for greater density. Federal and state governments are looking at not paving the farm land to accommodate new housing and have suggested that in-fill development focus on density, as in-fill requires less new infrastructure and results in less congestion. Whatever we decide is going to have to stand the test of time. In-fill pressure will become even greater as there are more and more policies against sprawl.

Chairman Jirik suggested the possibility of developing a histogram, but he was not yet sure what all the parameters would be. Is square footage alone enough, is width enough, is depth enough? Such a histogram might reveal some interesting breaks in the data. If we wanted to keep the concept of flag lots but change the requirements, he questioned where do we literally draw the line? How much further do you take it in a particular direction and if you do, are you carving out 90% of the lots that now might meet the flag lot requirements that cannot under new criteria be developed, or can you move the line a great distance to get to that much bigger of a concept? Chairman Jirik pointed out currently we do not know where the population falls. If we start to make future flag lots bigger, how many possible flag lots are then removed from future development?

Mr. Rathje commented if the depth requirement was changed say to 410 feet, a vast majority of the potential flag lots would be taken off the table because most of the lots that now could be proposed for a flag lot are in the 305 to 400 or 405 foot range. The lots on Grant Street behind the former Pollack junkyard property are 557 feet deep. The number of that size lot or deeper gets very small.

Chairman Jirik stated as the discussion continues it becomes easier and easier for him to say that as these lots become bigger and bigger we have to do something with it. He stated a depth of 500 feet for a single lot becomes too large for being only one lot. Chairman Jirik concluded by encouraging all the Plan Commission members to think outside of the box.

Mr. Rathje asked if anyone was willing to knock on several doors to ask the owners of flag lots their opinion as well as the neighbors of flag lots. He admitted that we might not be at a point where we want to do that. Several Commission members felt it would probably be more relevant to ask for opinions from the neighbors. Mr. Kahlke pointed out that most residents are not going to come to the Village and complain about someone who built a flag lot or say that they don't like it. Mr. Rathje pointed out oftentimes the neighbor was there before the flag lot was created, and they might not like the change,

but if they bought their home after the flag lot was created, they are apt to take into account that they had made the choice to live next door to a flag lot.

Chairman Jirik asked whether a questionnaire mailed to flag lot owners and the surrounding property owners might be better. Mr. Rathje suggested perhaps deferring either of these possibilities until after our next discussion. He indicated in retrospect unless you question almost everyone who is on or near a flag lot, the sample is so small that the results may not be relevant.

Chairman Jirik stated if we make the assumption that people who live near a flag lot don't like them, we may be making a very erroneous assumption. Such data might be of great interest to the Village Council. Mr. Rathje pointed out that the return rate on any type of questionnaire is usually very small no matter what the issue might be. Chairman Jirik stressed that the Plan Commission is trying to make a decision in an area where we have precious little experience.

Someone suggested asking realtors for their opinion, and Mr. Rathje advised the Plan Commission members that Mr. Nicholaou, our newest member, is a realtor who may be able to give us that perspective..

Mr. Nicholaou stated he hesitated saying a lot because he wanted to absorb as much information as possible, but the nature of the conversation and the time constraints of the moratorium forces him not to sit back and say nothing. Mr. Nicholaou stated the Village Council, by its very nature, has been involved in changing the economic dynamics of this community. The Council is involved with Station Crossing, Georgian Courts, Morningside, a downtown parking deck, etc. Mr. Nicholaou stated the Council members say they want all of these developments, yet they also look for the support of the community. The people who purchase condos in Station Crossing or Morningside or build large homes cause the economic dynamics to occur.

Mr. Nicholaou asked if flag lots are in the best interest of the overall economic plan of the community in the Ordinance's current form or some varied form? Mr. Nicholaou admitted he did not know the answer to that question. He indicated he is going to think about that even though he personally is in favor of flag lots.

With reference to Mr. Matejczyk's concern regarding the ugly house with the garage in the front yard on a 60 foot wide lot, Mr. Nicholaou advised the only way they will no longer be built is if people no longer buy them. Mr. Nicholaou stated Hinsdale and Clarendon Hills builders have wised up because the FAR's have forced them to get creative, and they are selling homes with detached garages like they were going out of style at \$800,000 to \$1,000,000. He also noted there are some builders in town who build very nice houses in the northwest section of town on 60 foot wide lots, but you can also see two or three others who have no creative imagination. Mr. Nicholaou noted one of the builders he is aware of lives on a flag lot here in town and is now putting his third addition onto the house because he cannot find anything else to buy that will enable his family to walk to church and to school. Some of the new homes he has seen built on flag

lots, although some Plan Commission members may not like their construction, are still expensive houses. If you buy a lot for something like \$200,000, the house is going to be \$600,000. If you buy a lot for something like \$300,000, it is going to be a \$750-\$850,000 house. Mr. Nicholaou commented that in the next five years we will be seeing more and more homes torn down and better builders coming in with their creative ideas. He believes the reason we don't have them yet, is because builders can still make a profit on a \$150,00-300,000 house. When the builders decide they cannot play the high priced game anyone more in Hinsdale, Downers Grove is where they will come.

Mr. Nicholaou stated if the Plan Commission is going to step out of the box, we have to step into the box of what the Village Council is saying with the Lakota Plan and all the other things they are doing. They are raising the bar. He asked if we take away the potential from 30 of those 65 lots that could be developed with a front lot and a flag lot, are we going to be lowering the bar for single family development that the Council is raising for other types of development and redevelopment? He urged the members to strongly consider that it is not whether as an individual you like or dislike flag lot, but rather to accept that there is a buyer for everything out there.

Mr. Nicholaou concluded by stating there have not been many flag lots come on the market for resale, but when they do they are quickly sold.

Mr. Rathje asked Mr. James F. Russ, who was in the audience, if he had any comments. Mr. Russ stated personally he would never live on a flag lot; however, he truly believes that the property owners in Downers Grove should be able to maximize the value of their property regardless of his personal preference. Mr. Russ commented that a flag lot was a great solution for a big piece of property. Mr. Russ noted people are looking for smaller parcels of land because they do not have the time to maintain a very large yard. Mr. Russ stated the Village should want to keep and maintain some of the history and some of the homes that originally were in Downers Grove. He expressed his opinion that we should not want to create the Hinsdale situation where every old house is being torn down, and a bigger, better house is being built. If the objective is to keep those large parcels, then you will be creating the tear-down situation on every one of those parcels. Mr. Russ indicated tear-downs in and of themselves are not all bad, but we could lose some of our good houses. Mr. Russ pointed out the existing criteria for flag lots limits the number of lots that could be eligible to become a flag lot.

Mr. Rathje introduced Mr. William White as not only the attorney for this evening's petitioner, but also as the Chairman of the Zoning Board of Appeals.

Mr. White indicated he agreed with many of Mr. Matejczyk's comments. He stated having an 80 foot wide lot with a flag lot behind it will give more architectural creativity and more design options than two 50 foot wide lots. He noted the turned sideways, front loaded garages are inevitable with 50 to 60 foot wide lots. Mr. White indicated his house is on a 60 foot wide lot, and he and his wife wrote off the idea of an attached garage years ago as part of their redevelopment plans. They did not want a garage turned sideways stuck on the front of their house. Mr. White expressed the opinion that most people

won't abandon an attached garage in order to have a porch. Mr. White pointed out 50 foot wide lots in Downers Grove are going to go for \$200,000, and a \$600,000 house will be built on them.

Mr. White noted there is a danger in theory that every 50 foot wide lot on Roslyn Road or Cumnor could be combined with another 50 foot wide lot and then be turned into flag lots. Mr. White stated he personally would not like that, but he also did not think that scenario was too probable.

Mr. White pointed out that someone could buy two 50 foot wide lots, put them together, tear down the two bungalows and then build two nice houses as a front lot and a flag lot. If a buyer is going to spend at least \$600,000 for the house on the rear lot, they are going to want some type of screening so that they are not looking in the rear windows of the house on the front lot. A flag lot will create a much better streetscape than a number of 50 foot wide lots with big homes jammed in a row. He concluded by stating flag lots should be allowed but not necessarily be encouraged.

Alan Chandler, 924 Prairie Avenue, Downers Grove, stated he lives next door to the flag lot on Prairie Avenue. He noted both houses are lovely, and the neighbors are great. Mr. Chandler indicated he lived in his home long before the front house was developed back in 1992. Mr. Chandler explained his house is on the down side of the hill, and he now gets more drainage coming towards his property. Mr. Chandler recalled that back in either 1990 or 1991 they had a sump pump installed in the basement, and he is very thankful that they did. Mr. Chandler indicated he did not think the flag lot was great, but they have learned to live with the situation.

Chairman Jirik asked how quickly the Council wants the Plan Commission's report. Mr. Rathje indicated the moratorium was passed April 2, 2002 and expires in October, and he was confident that the Council would like to have the Plan Commission's report in a timely fashion prior to the expiration of the current moratorium.

Chairman Jirik encouraged all the Plan Commission members to concentrate on developing three alternatives that can be discussed at the next meeting in July. He stressed the importance of deliberation because this is a long-term issue. Chairman Jirik expressed his appreciation for the diversity of opinions expressed this evening. Chairman Jirik suggested the alternatives might be to keep the Ordinance as is, revoke the Ordinance or any variations between these two alternatives. The goal will be to thoroughly discuss each alternative, narrow down the number of alternatives and reach consensus. With this type of effort, the Plan Commission will be providing the Village Council with a thorough review of the issue.

Mr. Rathje pointed out that the Village Council may study the Plan Commission's recommendation and remand all or parts of it back for further consideration. Mr. Rathje advised even if the Council goes in a different direction from the Plan Commission's recommendation, the Commission will have created a really well thought-out record as different perspectives were given consideration.

Mr. Rathje advised the Commission members that Staff will very quickly be providing them with photographs of some flag lots from the aerial photos including addresses. He asked the Plan Commission members to take the time before the next meeting to drive around the Village looking at the examples of existing flag lots.

Mr. Nicholaou asked if the Plan Commission could propose that landscape screening between the front lot and the flag lot be a part of any Flag Lot Ordinance. With regard to landscape screening, Mr. Rathje pointed out we have to take into consideration the natural limitations of this environment and if height of screening is included in any ordinance it should not be a prohibitive height but rather a substantial height and perhaps list some species that will flourish in our Midwestern environment.

Mr. Rathje also suggested that another alternative might be greater separation between the front lot and the flag lot house. Distance is a major screening factor.

Mr. Griesbaum suggested moving the July meeting from Tuesday, July 2 to Tuesday, July 9 because of the 4th of July holiday. It was agreed to move the meeting to July 9th. As there was no further business, Chairman Jirik called for a motion to adjourn. **Mr. Griesbaum moved to adjourn the meeting, and Mr. Kahlke seconded the motion. The motion passed unanimously.**

The meeting adjourned at 10:00 p.m.