

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Applicant (WXR & Associates, Contract Purchaser) **DATE:** October 21, 2003

RECOMMENDATION FROM: Plan Commission **FILE REF:** 2001

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

RESOLUTION

Motion to adopt "A **RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR THE F.E.W. SUBDIVISION INCLUDING LOT DEPTH EXCEPTIONS**", as presented.



SUMMARY OF ITEM:

At their meeting of September 2, 2003 the Plan Commission unanimously recommended approval of the final plat of subdivision for F.E.W. Subdivision including the lot depth exceptions as requested, subject to certain conditions.

RECORD OF ACTION TAKEN:

RESOLUTION _____

**A RESOLUTION APPROVING THE FINAL PLAT OF
SUBDIVISION FOR THE F.E.W. SUBDIVISION INCLUDING LOT DEPTH EXCEPTIONS**

WHEREAS, application has been made pursuant to the provisions of Chapter 20-504 of the Downers Grove Municipal Code for final plat approval for the F.E.W. Subdivision at the property located at the south side of 66th Street, west of Fairview Avenue, Downers Grove, Illinois, legally described as follows:

THE WEST 184 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, LYING NORTH OF JANDA'S SUBDIVISION, (EXCEPT THAT PART TAKEN OR USED FOR 66TH STREET), IN SECTION 20, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS; and,

WHEREAS, exceptions have been requested pursuant to Section 20-602 of the Downers Grove Municipal Code to permit reductions in the lot depth requirements of Section 20-301(e) as regards to Lots 1 and 2; and,

WHEREAS, notice has been given and a hearing held regarding this plat application and exceptions pursuant to the requirement of the Downers Grove Municipal Code; and,

WHEREAS, on September 2, 2003, the Plan Commission has recommended approval final plat of subdivision of the F.E.W. Subdivision with the lot depth exceptions as requested, subject to certain restrictions.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the final plat of subdivision of FEW Subdivision, be and is hereby approved subject to the following conditions:

1. The subdivision shall be in accordance with the Plat entitled "FEW Subdivision", a reduced copy of which is attached hereto and incorporated herein by reference as Exhibit 1.
2. The subdivision shall be in substantial compliance the engineering plans, dated July 12, 2003, a reduced copy of which is attached hereto and incorporated herein by reference as Exhibit 2.
3. An exception is granted from the requirements of Section 20-301(e) of the Downers Grove Municipal Code to reduce the required lot depth for Lots 1 and 2 as shown on the Final Plat.
4. Except as provided herein, the FEW Subdivision shall be subject to the conditions and recommendations of the Plan Commission as set forth in the minutes of the meeting of the Plan Commission on September 2, 2003; and as set forth in the Planning & Community Development/Staff Development Team Report, dated August 29, 2003, copy attached as Exhibit 3.

5. Payment of School and Park District Donations in the amount of \$9,473.12. (\$3,336.86 to Grade School District 58; \$1,569.60 to High School District 99; and \$4,566.66 to the Park District) prior to the granting of final plat approval.

6. Compliance with all applicable Federal, State, and Village laws, ordinances, regulations and policies.

BE IT FURTHER RESOLVED, that the Mayor and Village Clerk are authorized to sign the final plat.

BE IT FURTHER RESOLVED, that this resolution shall be in full force and effect from and after its adoption in the manner provided by law.

Mayor

Passed:

Attest: _____
Village Clerk

PH M. DE CRAENE
 CIVIL LAND SURVEYOR
 10 SKYLINE DRIVE
 INSDALE, IL 60527
 (630) 788-0898
 AX (630) 788-0697

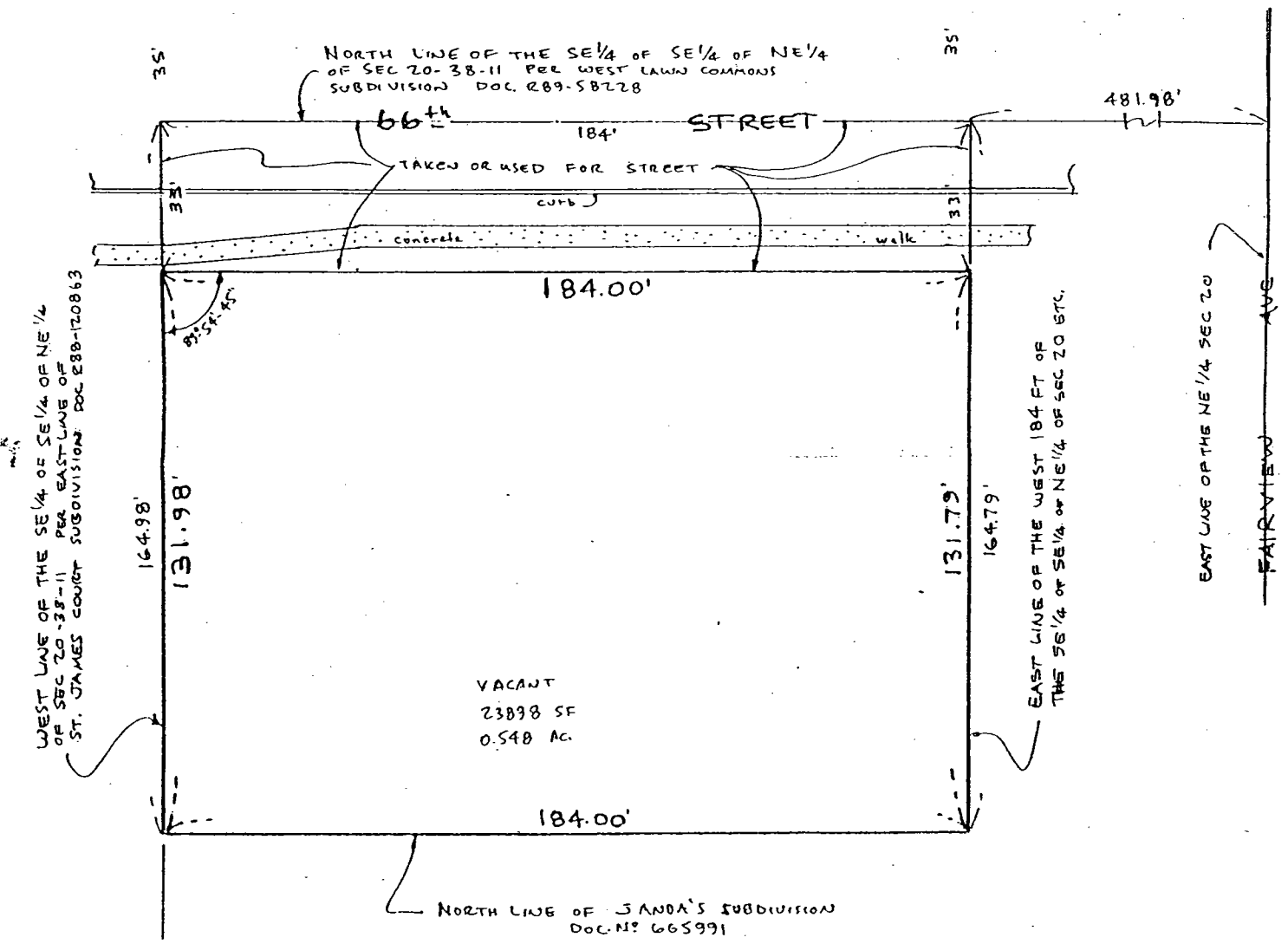
Plat of Survey

MC-1-03
 (2001)
 N
 1"=30'

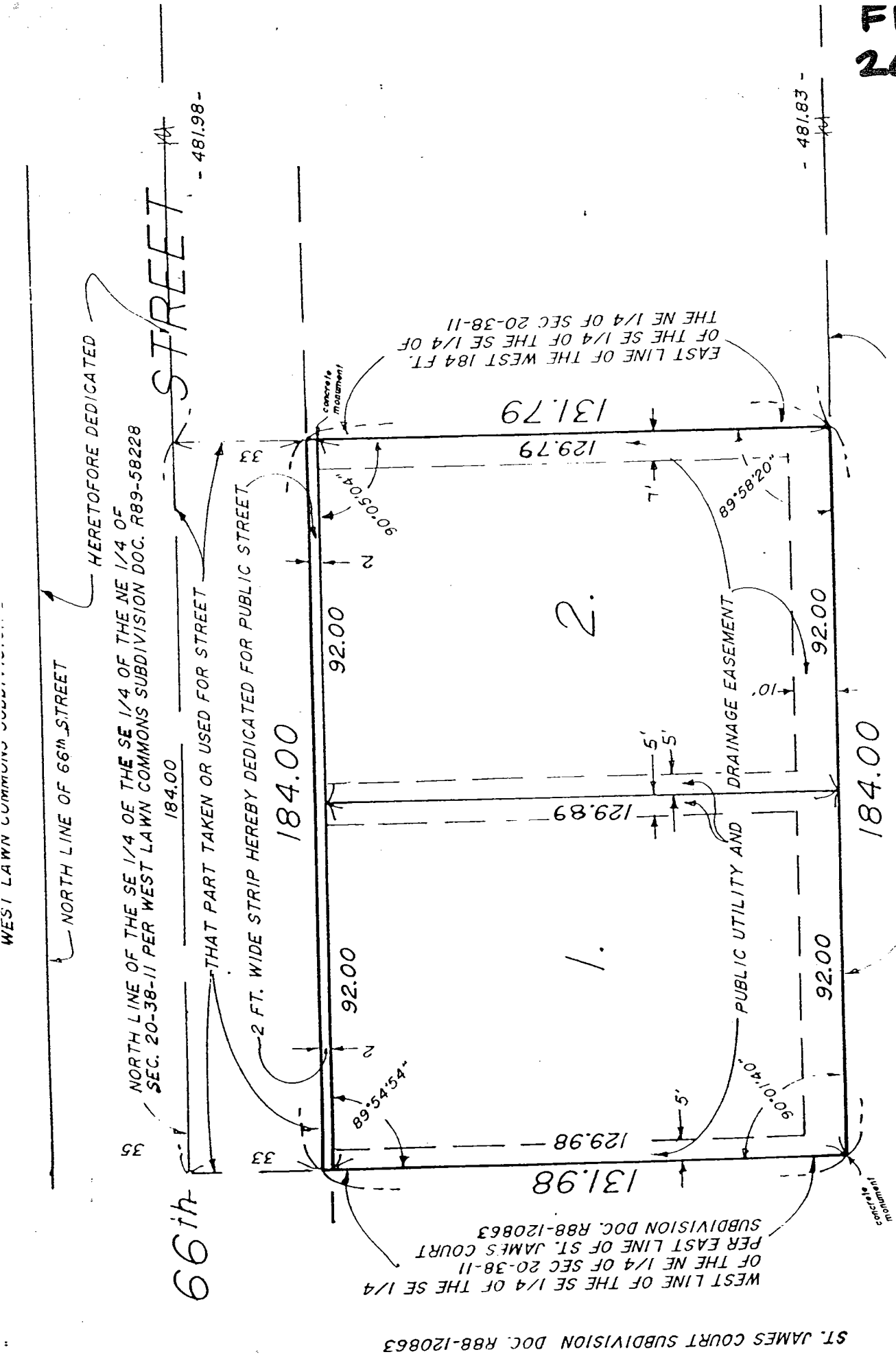
THE WEST 184 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, LYING NORTH OF JANDA'S SUBDIVISION, (EXCEPT THAT PART TAKEN OR USED FOR 66TH STREET), IN SECTION 20, TOWNSHIP 38 NORTH, RANGE 11. EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

FEW SUBDIVISION
 EXISTING LEGAL
 DESCRIPTION &
 Plat of Survey.

NORTH LINE OF 66th ST



FILE
2001



**F. E. W.
SUBDIVISION**

BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

ST. JAMES COURT SUBDIVISION DOC. R88-120863

WEST LINE OF THE SE 1/4 OF THE SE 1/4 OF THE NE 1/4 OF SEC 20-38-11 PER EAST LINE OF ST. JAMES COURT SUBDIVISION DOC. R88-120863

NORTH LINE OF THE SE 1/4 OF THE SE 1/4 OF THE NE 1/4 OF SEC. 20-38-11 PER WEST LAWN COMMONS SUBDIVISION DOC. R89-58228

66th STREET

- 481.98 -

- 481.83 -

HERETOFORE DEDICATED

THAT PART TAKEN OR USED FOR STREET

2 FT. WIDE STRIP HEREBY DEDICATED FOR PUBLIC STREET

EAST LINE OF THE WEST 184 FT. OF THE SE 1/4 OF THE SE 1/4 OF THE NE 1/4 OF SEC 20-38-11

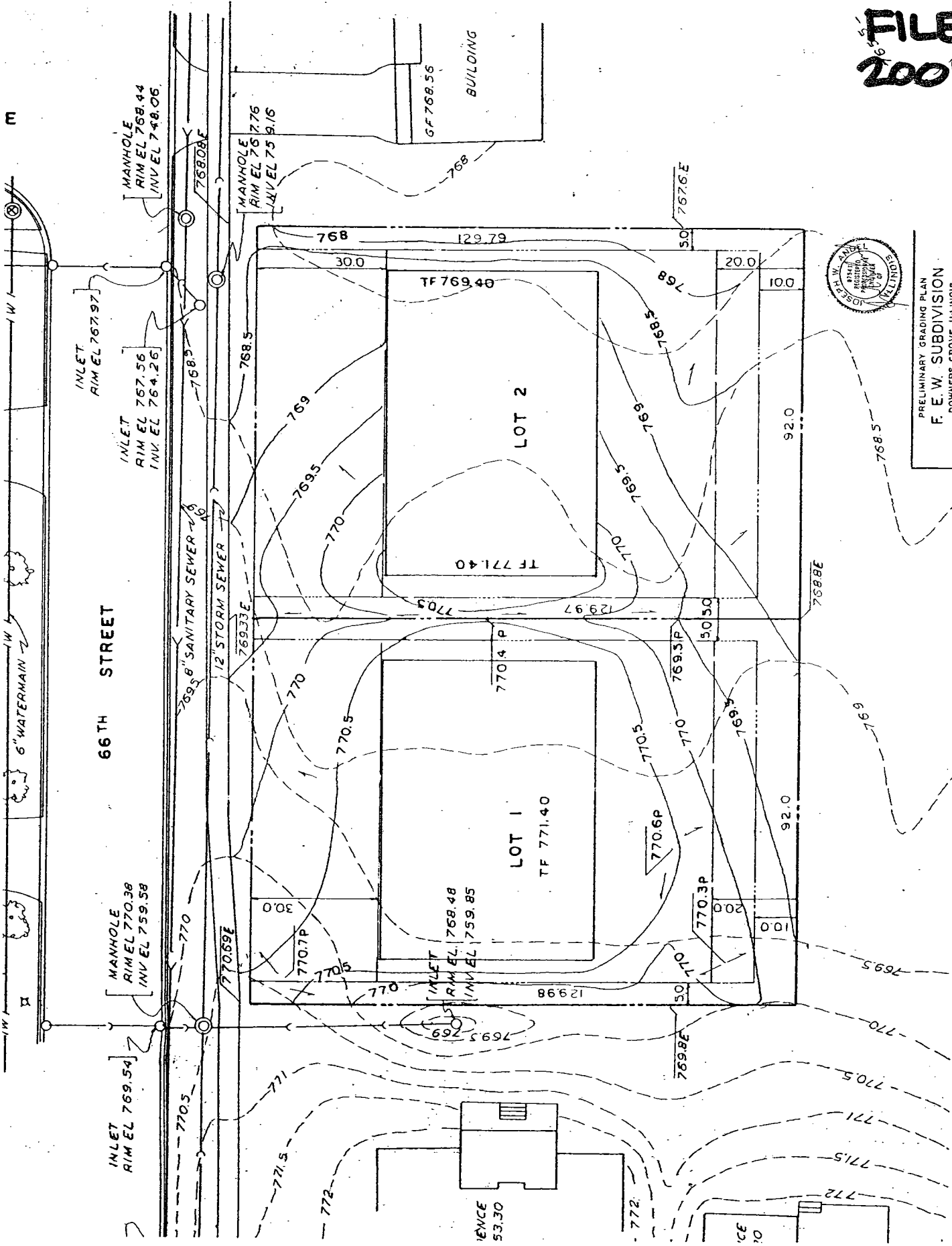
concrete monument

DRAINAGE EASEMENT

PUBLIC UTILITY AND

concrete monument

FILE
2001



PRELIMINARY GRADING PLAN
F. E. W. SUBDIVISION
DOWNERS GROVE, ILLINOIS

JWA
CONSULTING ENGINEERING CONSULTANT
8728 MAINWRIGHT DRIVE, WOODRIDGE, ILLINOIS 60097
PHONE: (630) 560-1820
DRAWN BY JWA 7/2/03 JOB NO. 57-02-138-78-2
REVISED BY

PLANNING & COMMUNITY DEVELOPMENT/STAFF DEVELOPMENT TEAM REPORT

To: Plan Commission
Prepared By: Amanda G. Browne, Planner, Department of Planning and Community Development
Meeting Date: September 2, 2003
Date Prepared: August 28, 2003
Project Title: FEW Subdivision Final Plat
Location: South side of 66th Street, west of Fairview Avenue

BACKGROUND INFORMATION:

Petitioner: WXR and Associates, Contract Purchaser
Address: 125 Lake Street, Bloomingdale, IL
Existing Zoning: R-3, Single Family Residence

Requested Action:

1. Approval of proposed Final Plat of Subdivision per Chapter 20, Section 20-504, *Final Plat – Petition* for a two-lot single-family residential subdivision.
2. Exception from Chapter 20, Section 301, *Lot Dimensions*, to allow a lot depth less than the minimum requirement of 140 feet on Lots 1 and 2.

ANALYSIS**Future Land Use Plan and Zoning**

The petitioner's proposal is consistent with the Future Land Use Plan designating the property as single family residential. The existing zoning designation of R-3, Single Family Residence, previously approved by the Village, is consistent with the Future Land Use Plan and surrounding properties.

Issues Discussion

1. Prior to this request, the Village granted approval of the petitioner's request to rezone the property from an R-1, Single Family Residence district to an R-3, Single Family Residence district (MC-1-03; 3/24/03; Ord. 4483). The Village has also granted lot split approval for the subject property including a lot depth exception (Plan Commission File 1082; 11/19/02; Ord. 4459).
2. The petitioner is seeking final subdivision plat approval of a two lot, single family residential subdivision for property located on the south side of 66th Street, west of Fairview Avenue. The area of the subject property is approximately 23,899 square feet (.55 acres). The subject property is currently unimproved.
3. The R-3 zoning district requires a minimum lot area of 10,500 square feet and a minimum lot width of 75 feet. These zoning district requirements are equal to the minimum lot area and width requirements for newly created lots per Section 20-301(b) of the Subdivision Ordinance. In addition, Section 20-301(e) of the Subdivision Ordinance requires newly created lots to have a minimum depth of 140 feet.
4. Proposed Lot 1, the westerly lot, is to have a width of 92 feet, a depth as measured along its easterly property line of 129.89 feet, and an area of approximately 11,954 square feet. Proposed Lot 2, the easterly lot, is to have a width of 92 feet, an depth as measured along its easterly property line of 129.79 feet, and an area of approximately 11,945 square feet.
5. No public improvements are required or proposed as part of this subdivision, as the right-of-way adjacent to the subject property is currently improved with street pavement, curbs, gutters and sidewalks. The 66th Street right-of-way is currently 68 feet in width, with 35 feet located on the northerly side of its centerline and 33 feet located on the southerly side adjacent to the subject property. As this roadway is designated as a local street roadway with a required right-of-way width of 70 feet, the petitioner is dedicating an additional 2 feet of land for right-of-way purposes along the northerly frontage of the subject property.

6. With respect to engineering and stormwater management related issues, Public Works has reviewed the petitioner's final subdivision plat and engineering plans. They are satisfied that the plans are acceptable for approval of a Final Plat of Subdivision on the basis of both engineering and stormwater management per the attached memo dated August 26, 2003.
7. The Subdivision Control Ordinance establishes the schedule of school and park district donations based upon the number of bedrooms in each residence. The petitioner has stated the intent to construct one four-bedroom residence on each proposed lot, resulting in a donation obligation of \$9,473.12. (\$3,336.86 to Grade School District 58; \$1,569.60 to High School District 99; and \$4,566.66 to the Park District). Payment of these donations must be made to the Village prior to the granting of final plat approval, and are subject to confirmation upon application for building permits.
8. The petitioner is requesting exceptions from the minimum 140-foot lot depth requirement as follows: Lot 1 (westerly), is proposed to have a depth of 129.89 feet, a reduction of 10.11 feet or 7.2%. Lot 2 (easterly), is proposed to have a depth of 129.79 feet, a reduction of 10.21 feet or 7.3%.
9. Exceptions require evaluation per Section 20-602, the Subdivision Control Ordinance. The Staff Development Team has reviewed these conditions and offers the following observations:

(1) The extent to which the proposed exception impacts on the value or reasonable use of surrounding properties;

The lot depth of the parent parcel currently ranges between 131.79 feet and 131.98 feet, which was previously approved as part of the petitioner's previous lot split request under Plan Commission File 1082. In order to satisfy the right-of-way width requirement for 66th Street, the petitioner is proposing to dedicate the northerly two feet of the subject property for right-of-way purposes, thereby further reducing the depth of the subject property.

As compared to the minimum lot depth requirement of 140 feet, the lot depth exceptions being requested represent deviations of slightly more than 10 feet, or 7.3%. The granting of the requested exceptions would not relax the property owners' responsibilities to provide code-compliant homes/structures.

(2) Whether the exception is consistent with the trend of development in the area and the surrounding uses;

The trend of development in the area of the subject property is characterized by rectilinear lots with a diversity of lot depths, some of which do not satisfy the current minimum lot depth requirement but were subdivided prior to the establishment of this requirement.

St. James Court to the west of the subject property is comprised of 14 lots, 11 of which have typical lot depths of approximately 132 feet. The single family residential subdivision immediately to the north of the subject property and fronting on 66th Street and Davane Lane is comprised of 12 lots, and eight have lot depths of less than 140 feet (six at approximately 131 feet; two at approximately 135 feet). However, the single family residential subdivision to the immediate north and west of the subject property and fronting on Berrywood Street is comprised of 14 lots that meet the minimum Ordinance requirement.

(3) The characteristics of the property, which support or mitigate against the granting of the exception;

The depth of the subject property will be reduced to accommodate the right-of-way dedication on 66th Street. The petitioner's desire to satisfy the dedication requirement as opposed to requesting an exception from it has added slightly to the size of the requested lot depth exceptions. It should also be noted that the proposed lot areas of each lot exceed the minimum requirement of 10,500 square feet by more than 1,400 square feet each. Additionally, the 92 foot wide lot widths of each of the proposed lots also exceed the 75 foot width requirement by 17 feet.

(4) Whether the exception is in conformance with the general plan and spirit of this chapter;

As previously indicated, the proposed lots will exceed the minimum area and width requirements of the Subdivision Control Ordinance. The area, shape and width characteristics of the proposed lots could adequately support single-family homes.

(5) Whether the exception will alter or be consistent with the essential character of the locality.

The proposed subdivision is considered to be consistent with the overall essential character of the surrounding area.

The petitioner is proposing a subdivision that is consistent with local patterns of development, that addresses the Village's Zoning and Subdivision Control Ordinances but that requires exceptions addressing the constraints dictated by the existing property. The petitioner's proposed final plat of subdivision provides for the dedication of 2 feet of right-of-way to 66th Street.

RECOMMENDATION:

The Staff Development Team has reviewed the petitioner's request and concurs to recommend that the Plan Commission consider forwarding a positive recommendation to the Village Council for the approval of the proposed FEW Final Plat of Subdivision, including the lot depth exceptions as requested for Lots 1 and 2, subject to the following:

1. Compliance with all applicable Federal, State, and Village laws, ordinances, regulations and policies.

_____: Director, Planning and Community Development

c: Rick Ginex, Village Manager
Joseph Skach, Director, Planning and Community Development
John Bajor, Director, Public Works
Michael Millette, Assistant Director, Public Works, Engineering
Jonathan Hall, Development Engineering Manager
Don Rosenthal, Director, Code Services
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