

VILLAGE OF DOWNERS GROVE  
COUNCIL ACTION SUMMARY

INITIATED: Applicant DATE: September 21, 2004

RECOMMENDATION FROM: Plan Commission FILE REF: PC-15-04

**NATURE OF ACTION:**

RESOLUTION

**STEPS NEEDED TO IMPLEMENT ACTION:**

Motion to adopt "A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR THE GOLFVIEW ESTATES SUBDIVISION WITH EXCEPTIONS", as presented.



**SUMMARY OF ITEM:**

At their meeting of August 2, 2004 the Plan Commission recommended approval of the Final Plat of subdivision for the Golfview Estates Subdivision with exceptions.

**RECORD OF ACTION TAKEN:**

9/14: on 9/21

9/21: tabled indefinitely

**RESOLUTION \_\_\_\_\_**

**A RESOLUTION APPROVING THE FINAL PLAT  
OF SUBDIVISION FOR THE GOLFVIEW ESTATES SUBDIVISION WITH EXCEPTIONS**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for final plat approval for the Golfview Estates Subdivision, located on the west side of Puffer Road at the terminus of Chicago Avenue, Downers Grove, Illinois, legally described as follows:

Tract 1 in J. Slepicka Plat of Survey of the east 200.3 feet, measured along the south line and parallel to the east line of Block 2, in Puffer's Subdivision, being a subdivision situated in the Southeast Quarter of Section 1 and the Northeast Quarter of Section 12, Township 38 North, Range 10 East of the Third Principal Meridian, according to the plat thereof recorded on June 9, 1955 as Document 760277 in DuPage County, Illinois, (PIN 08-01-408-006). Commonly known as 4606 Puffer Road, Downers Grove, IL.

WHEREAS, exceptions from Chapter 20, *Subdivision Ordinance* per Section 20-602, *Exceptions* have been requested as follows:

1. To not provide public street improvements to existing adjacent streets per Section 20-401, *Required Public Improvements* as follows:
  - a. Combination curbs and gutters on Puffer Road;
  - b. Minimum pavement width of 30 feet (back of curb to back of curb) on Puffer Road;
2. To reduce the width of the parkway surrounding a cul-de-sac with an outside turning radius of not less than 30 feet on Puffer Road per Section 20-303, *Streets*, subsection (e), *Dead-end Streets*.

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

WHEREAS, the Plan Commission has recommended approval of the final plat of subdivision for the Golfview Estates Subdivision with 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 for the Golfview Estates Subdivision, be and is hereby approved subject to the following conditions:

1. Approval and compliance with all conditions included in "An ordinance amending the Comprehensive Zoning Ordinance of the Village of Downers Grove, Illinois, codified as Chapter 28 of the Downers Grove Municipal Code, as amended to rezone property located at 4606 Puffer Road".
2. The subdivision shall be in accordance with the Plat entitled "Final Plat of Golfview Estates Subdivision", dated March 30, 2005, a reduced copy of which is attached hereto and incorporated herein by reference as Exhibit 1; and

3. Except as provided herein, the Golfview Estates Subdivision shall be subject to the conditions as set forth in the Planning & Community Development Staff Report, dated July 29, 2004, copies of which are attached hereto and incorporated herein by reference in Group Exhibit 2; and
4. The subdivision shall be in substantial compliance with the engineering plans, dated March 31, 2005, reduced copies of which are contained and incorporated herein by reference in Group Exhibit 2; and
5. Compliance with all Public Works/Engineering requirements and conditions prior to the issuance of permits as outlined in their memorandum dated July 23, 2004, a copy of which is contained and incorporated herein by reference in Group Exhibit 2; and
6. That the cul-de-sac be relocated to the west side of Puffer Road; and
7. Compliance with all Fire Prevention Division requirements and conditions as outlined in their memorandum dated July 12, 2004, a copy of which is contained and incorporated herein by reference in Group Exhibit 2; and
8. Properly permitted demolition/removal of the existing residence prior to any development on proposed Lot 1 or Lot 2; and
9. Acceptance of a sanitary sewer extension route by the Downers Grove Sanitary District; and
10. Payment of school and park district donations in the amount of \$13,556.12; and
11. Any changes to the conditions represented by the Petitioner as the basis for this petition, whether those changes occur prior to or after Village approval, shall be promptly reported to the Village. The Village reserves the right to re-open its review process upon receipt of such information; and
12. It is the Petitioner's obligation to maintain 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



0 25 50 100 Feet

Golf View Estates Subdivision, PC-15-04  
 Planning & Community Development

Legend  
 Selected Property  
 1998 Aerials





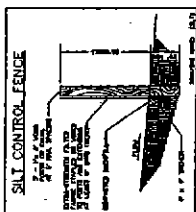




**SOIL PROJECTION CHART**

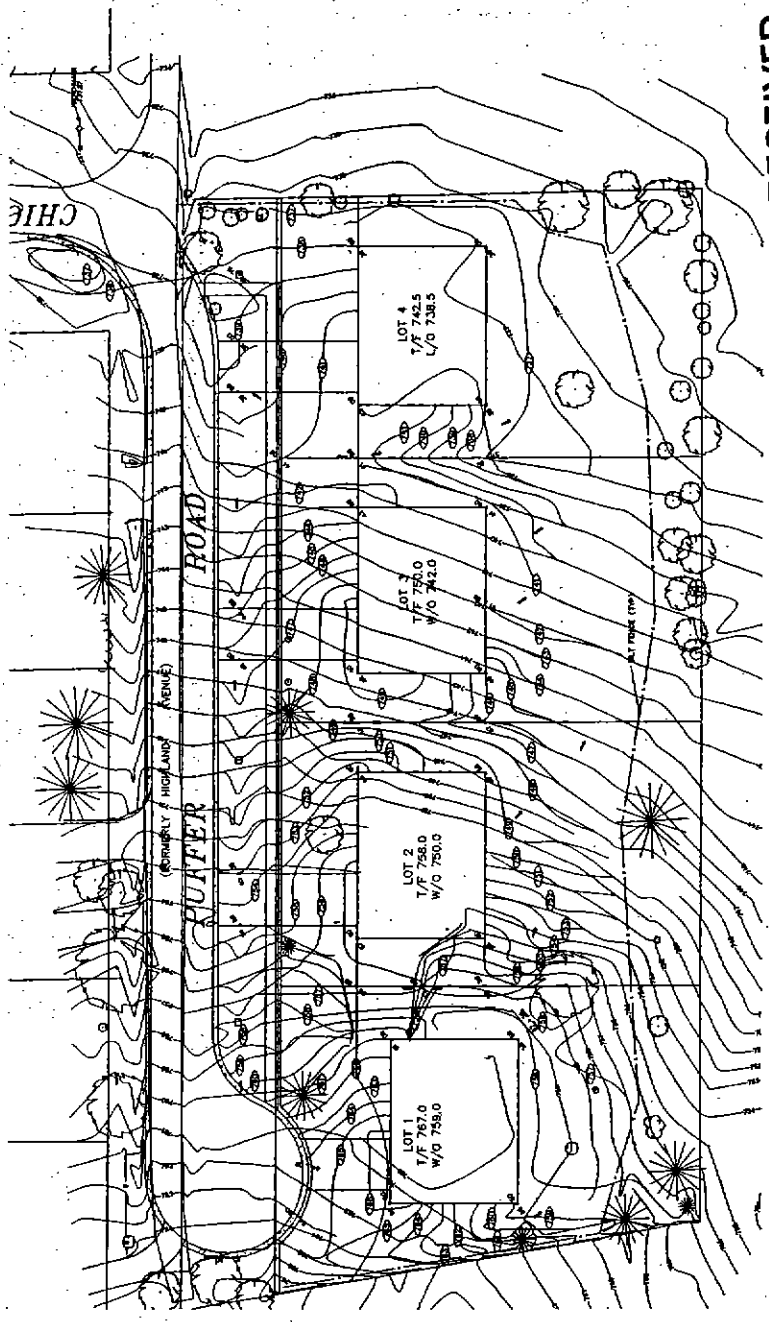
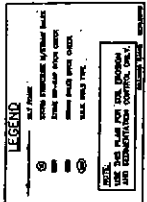
NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENT
1	CLAY	1,200	10.0
2	SAND	10,800	90.0
TOTAL		12,000	100.0

1. SOIL PROJECTION CHART FOR THE ENTIRE SITE.  
 2. SOIL PROJECTION CHART FOR EACH LOT.  
 3. SOIL PROJECTION CHART FOR EACH ZONE.  
 4. SOIL PROJECTION CHART FOR EACH PHASE.  
 5. SOIL PROJECTION CHART FOR EACH SUBPHASE.  
 6. SOIL PROJECTION CHART FOR EACH LOT AND ZONE.  
 7. SOIL PROJECTION CHART FOR EACH LOT AND PHASE.  
 8. SOIL PROJECTION CHART FOR EACH LOT AND SUBPHASE.  
 9. SOIL PROJECTION CHART FOR EACH LOT AND ZONE AND PHASE.  
 10. SOIL PROJECTION CHART FOR EACH LOT AND ZONE AND SUBPHASE.



1. The silt control fence shall be constructed in accordance with the following specifications:

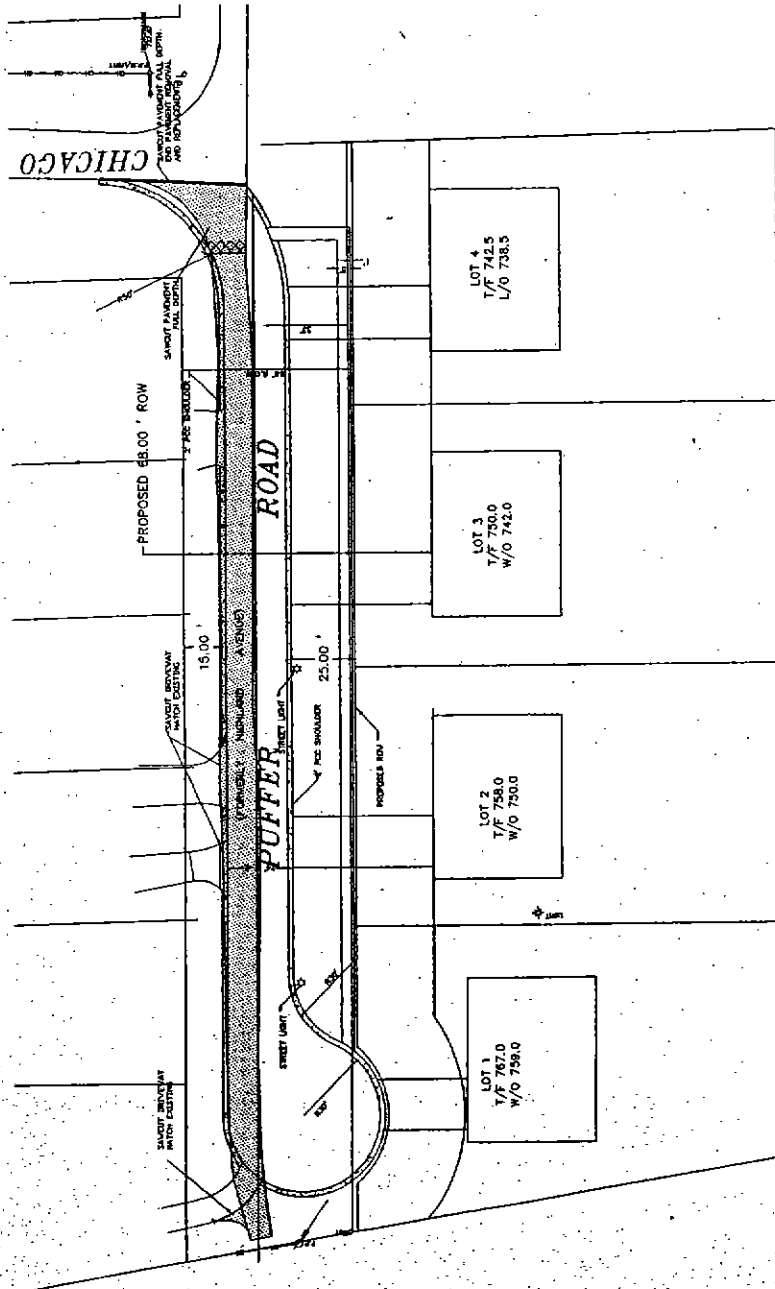
- The silt control fence shall be constructed with a 4:1 slope and a 24 inch high wall.
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- The silt control fence shall be constructed with a 4:1 slope and a 24 inch high wall.



**RECEIVED**  
 APR - 1 7005  
 Planning and Community  
 Development

<b>INTECH CONSULTANTS, INC.</b> 645 WALNUT AVE DOWNERS GROVE, ILL.	<b>ENGINEERS</b> <b>SURVEYORS</b>	CBC DEV, LLC 1146 N. Main Street Lombard, IL 60148	<b>GOLF VIEW ESTATES</b>	<b>GRADING AND SOIL EROSION PLAN</b>	SHEET NO. 1	TOTAL SHEETS 7
					DATE 9/5/04	PROJECT NO. 2004-10

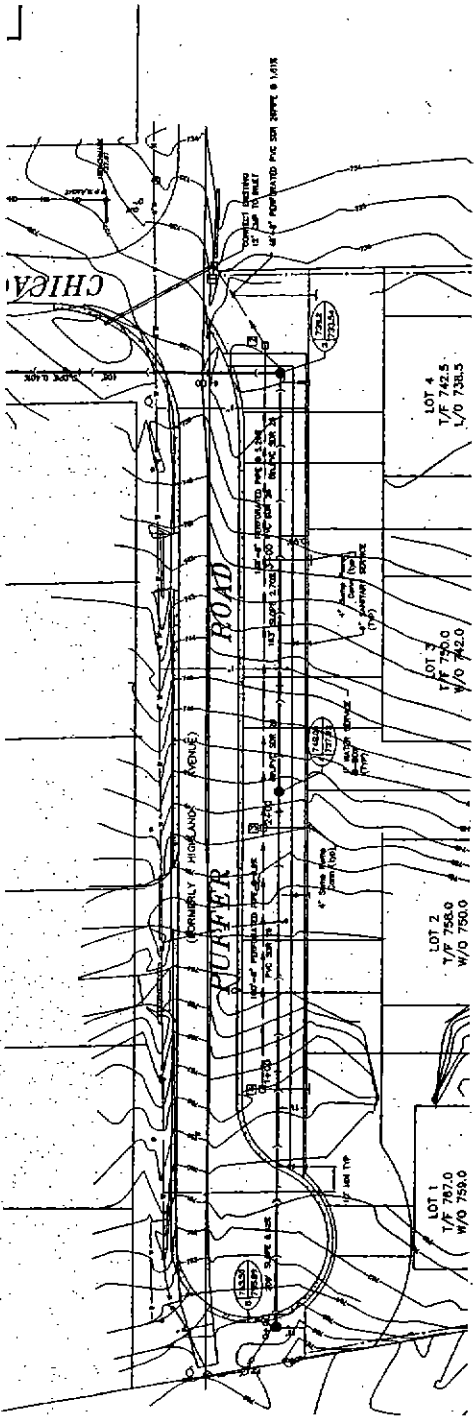
REVISED 3/31/05



**RECEIVED**  
 APR - 1 2005  
 Planning and Community  
 Development

<b>INTECH CONSULTANTS, INC.</b> 5415 WALNUT AVE DOWNERS GROVE, IL	<b>ENGINEERS                  SURVEYORS</b>	CBC DEV. LLC 1146 N. Main Street Lombard, IL 60148	<b>COLE VIEW ESTATES</b> DOWNERS GROVE	<b>PAVEMENT</b>	PREPARED BY: [ ] CHECKED BY: [ ] DATE: [ ]	DATE: 5/5/04	SHEET NO: 7
					PROJECT NO: [ ] PROJECT NAME: [ ]	DATE: 5/5/04	SHEET NO: 7

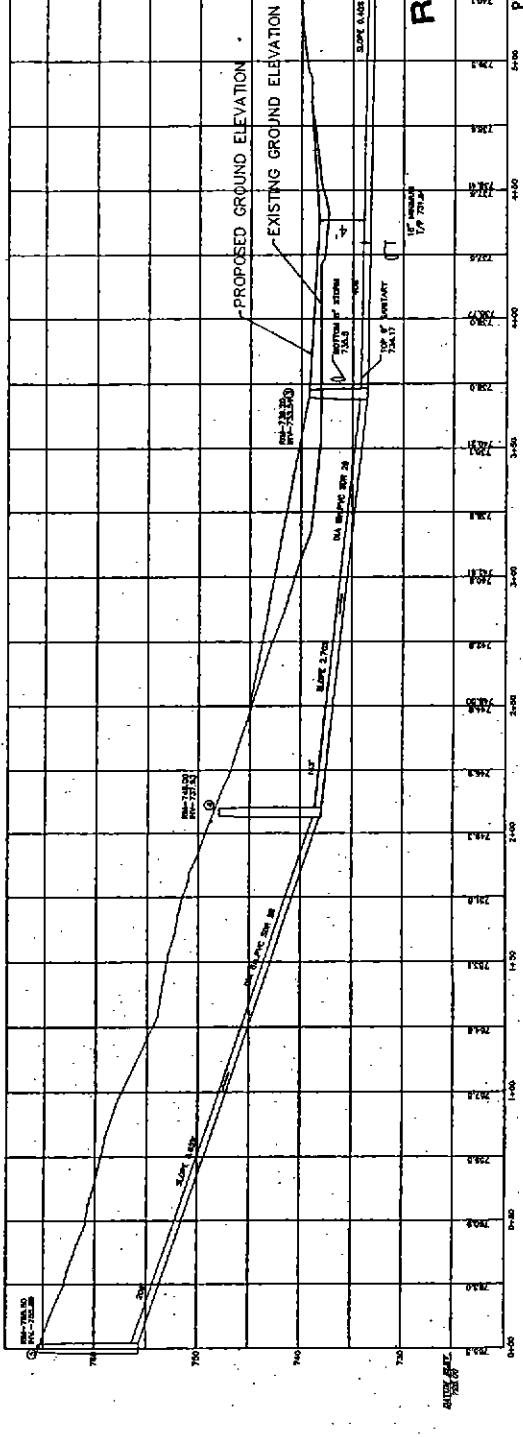
REVISED 3/31/05



- STORM SEWER**
- 12" PIPE
  - 18" PIPE
  - 24" PIPE
  - 30" PIPE
  - 36" PIPE
  - 42" PIPE
  - 48" PIPE
  - 54" PIPE
  - 60" PIPE
  - 66" PIPE
  - 72" PIPE
  - 78" PIPE
  - 84" PIPE
  - 90" PIPE
  - 96" PIPE
  - 102" PIPE
  - 108" PIPE
  - 114" PIPE
  - 120" PIPE

ALL SANITARY SEWER SHALL BE 12" DIA. PRESSURE PIPE WITH PUSH-ON BELL AND GASKET WITH RUBBER RING SEAL. GASKET ASTM D598.

ALL PIPES MUST BE IN PLACE AND COMPACTED PRIOR TO START OF SANITARY SEWER CONSTRUCTION.



**RECEIVED**

APR - 1 2005

Planning and Community Development

<b>INTECH CONSULTANTS, INC.</b> 6415 WALNUT AVE. DOWNERS GROVE, IL	<b>ENGINEERS</b> <b>SURVEYORS</b>	CBC DEV. LLC 1146 N. MAIN STREET LOWBARD, IL 60148	<b>GOLF VIEW ESTATES</b> DOWNERS GROVE, IL	<b>SANITARY SEWER PROFILE</b>		SHEET NO. 5	TOTAL SHEETS 7
				PROJECT NO. 05-001	DATE 5/5/04	PROJECT NO. 2004-10	

REVISED 3/31/05





INTEROFFICE CORRESPONDENCE  
DEPARTMENT OF PUBLIC WORKS

**TO:** Amanda G. Riordan, Planner - Planning & Community Development  
**FROM:** David H. Barber, P.E., Director of Public Works *DHB*  
**BY:** Michael D. Millette, P.E., Asst. Director of Public Works – Engineering *MDM*  
Jonathan C. Hall, P.E., Development Engineering Manager *JCH*  
**DATE:** April 14, 2005  
**RE:** Proposed Revisions to Golf View Estates Subdivision  
Revised Documents – **4<sup>th</sup> Review (Final Submittal)**

**Documents Reviewed:**

- Final subdivision plat dated March 30, 2005
- Project review set dated March 31, 2005

**Attachments:**

- Village Forester memo dated April 5, 2005
- Christopher B. Burke Preliminary Wetland Review dated July 23, 2004

**Public Works Review Summary:**

Division	Representative	Date	Conclusion	Comments included
Engineering	M. Millette	04/05/05	See Comments	X
Stormwater	J. Hall	4/06/05	See Comments	X
Water	D. Bird	04/05/05	See Comments	X
Traffic	D. Fera	04/05/05	No Comments	
Forestry	K. von der Heide	04/05/05	See Comments	X
Pavement	R. Ebel	04/05/05	No Comments	

**Findings:**

The Public Works Department concurs with placement of the subject petition on the Plan Commission agenda, and we further recommend that the sidewalks be required. This recommendation is contingent on modification of the plat to include 5-foot public utility and drainage easements on each side of each parcel. All other review comments must be addressed prior to issuance of stormwater / right-of-way permits.

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## Public Works Department Review Details:

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### Engineering Review Comments from August 19, 2004:

1. The new cul-de-sac alignment is acceptable.
2. The new sidewalk is to be minimum of 5 inches thick.
3. Staff does not concur with granting an exception to the code requirement to construct sidewalks. This opinion is based on the following facts:
  - a. The Council has set written policy which directs that sidewalks should be constructed on at least one side of all Village streets.
  - b. This particular sidewalk is ranked relatively high on the sidewalk matrix due to proximity to golf course, a school, Belmont Road, and a train station.
  - c. The present fee amounts collected may not be adequate to construct future sidewalks.
  - d. Constructing the sidewalk with the street will eliminate the need to inconvenience residents at a future date and will minimize safety and other construction concerns.

### *Additional Engineering Comments (4/5/05):*

4. Revise the Plat of Subdivision to include 5-foot public utility and drainage easements on north and south side of each parcel.

### Stormwater Review Comments from August 19, 2004:

1. Provide two additional copies of the wetland submittal and revised plans for review by our consultant.

***Accepted***

2. Within 5 feet of all structures, the slope must be clearly defined away from the structure (2% to 5% recommended). This can be adjusted with the individual lot grading plans.

***Accepted – To be addressed with individual house permit grading plans***

3. Driveway slopes should not exceed 10% within the right-of-way. This limit is also recommended for the remainder of the driveway.  
**Accepted – The grading plan complies to the extent possible under existing constraints**
4. Sidewalk longitudinal slopes should not exceed 15% and cross-slopes, should be limited to 2%.  
**Accepted – The grading plan complies to the extent possible under existing constraints**
5. Provide sealed retaining wall design for any walls with heights greater than 3 feet.  
**Accepted – No walls are proposed at this time**
6. The Village's wetland consultant will review the provided wetland report.  
**Accepted – No wetlands are present at this time**
7. Provided flared end sections for all culvert ends.  
**Accepted**
8. Provide permanent erosion protection within ditches as needed.  
**Accepted**
9. Provide an explanation how permanent water quality best management practices (BMPs) are incorporated into the design.  
**Accepted**
10. Maintain hydrology to the off-site wetlands  
**Accepted – Perforated pipe drains to ditch which drains to off-site wetland**
11. The Village recommends that the petitioner consider creation of an underdrain system in the location of the proposed ditch that will accommodate small rainfall events only. 100-year flow may be conveyed through a more gentle swale above the underdrain. Driveway slopes would require modification if 100-year flow passes over driveway. Such a system could be designed as a BMP.  
**Accepted**
12. Sump pumps should discharge to the rear yards to avoid potential icing concerns.  
**Not Accepted**

**Additional Stormwater Comments (4/5/05):**

13. Relocate / add inlets to minimize flow across driveways. The current locations are not as critical because the sump discharges will now be routed to the rear yards.
  - a. Relocate Inlet 4 closer to the Lot 2 driveway (~ 5 feet from drive).

- b. Relocate Inlet 3 closer to the Lot 3 driveway (~ 5 feet from drive).
- c. Add an inlet approximately 5 feet north of the Lot 4 driveway.

Inlet rim elevations must be at least 3 inches lower than nearest edge of driveway.

- 14. Replace Inlet 2 with a catchbasin (48-inch diameter, 36-inch sump).
- 15. Change the title of Sheet 5 to reflect storm sewer and water systems in addition to the sanitary sewer. Label the 8-inch PVC pipe as "storm sewer."
- 16. Route sump pump discharges to the rear yards. An effort should be made to maintain the pipe alignments within approximately 5 to 10 feet of the side property lines so as not to interfere with use of the rear yards. The discharge point must be at least 5 feet from any property line. To prevent impact on neighbors, we recommend that the sump pumps discharge within 30 feet of the rear property line.

**Water Division Review Comments from July 15, 2004:**

- 1. Show water main size (8") on Puffer and proposed water service size for each lot.  
**Accepted**
- 2. Maintain 10' separation of water service and sewer lateral.  
**Accepted**
- 3. Show and mark all proposed B-Boxes.  
**Accepted**
- 4. Show detail on all water and sewer crossovers.  
**Accepted**

**Traffic Review Comments from August 18, 2004:**

No comments.

**Forestry Review Comments from April 5, 2005:**

See attached memo dated April 5, 2005

**Forestry Review Comments from August 27, 2004:**

No comments.

**Pavement Review Comments from August 27, 2004:**

No comments.

c: PW Division Managers  
Director of Code Services  
Stormwater Management Engineer  
S. Connell, Administrative Technician



# DOWNERS GROVE FIRE DEPARTMENT PREVENTION DIVISION

801 Burlington Ave., Downers Grove, IL 60515  
Phone: 630-434-5983 Fax: 630-434-5593



## SITE PLAN REVIEW

**TO:** Amanda Riordan, Planning & Community Development  
**FROM:** Bill Mierzejewski, Fire Marshal  
**DATE:** April 14, 2005  
**RE:** Golf View Estates Subdivision Revision

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The Fire Prevention Bureau approves the plans submitted for the above referenced project. There do not appear to be any issues at this time.

This is a review for fire protection and prevention concerns **only**. Other Village departments may have issues that need to be addressed.

Please feel free to call me at 434-5983 with any questions or concerns.

**Board of Trustees**  
Donald E. Eckmann  
*President*  
Wallace D. Van Buren  
*Vice President*  
David J. Morrill  
*Clerk*

# Downers Grove Sanitary District

2710 Curtiss Street  
P.O. Box 1412  
Downers Grove, IL 60515-0703  
Phone: 630-969-0664  
Fax: 630-969-0827

**Staff**  
Lawrence C. Cox  
*General Manager*  
Ralph E. Smith, Jr.  
*Operations Director*  
Sheila K. Henschel  
*Administrative Services Director*  
**Legal Counsel**  
Michael C. Wiedel

*Providing a Better Environment for South Central DuPage County*

August 18, 2004

**RECEIVED**

AUG 19 2004

Planning and Community  
Development

Ms. Amanda G. Riordan, Planner  
Department of Planning and Community Development  
Village of Downers Grove  
801 Burlington Avenue  
Downers Grove, IL 60515

RE: Golf View Estates  
4606 Puffer Road

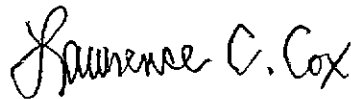
Dear Ms. Riordan:

At their August 17, 2004 meeting, the Board of Trustees of the Downers Grove Sanitary District approved an agreement with CBC Development L.L.C. for the provision of sanitary sewer service to the proposed Golf View Estates located at 4606 Puffer Road, Downers Grove. This subdivision consists of 5 single family lots. Sanitary sewer service will be provided by the construction of sanitary sewers in Chicago Avenue from Belmont Road to Puffer Road and in Puffer Road from Chicago Avenue north to the end of the right-of-way as generally depicted in the engineering improvement plans for this subdivision dated August 13, 2004. The District has requested certain revisions to these plans as indicated in the attached review letter.

Please call me if you need any further information.

Very truly yours,

DOWNERS GROVE SANITARY DISTRICT



Lawrence C. Cox  
General Manager

LCC/el  
Enclosure

cc: Steven McSweeney, CBC Development  
Dave Barber, Village of Downers Grove

**Board of Trustees**  
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**Legal Counsel**  
Michael C. Wiedel

*Providing a Better Environment for South Central DuPage County*

August 18, 2004

**RECEIVED**

AUG 19 2004

Planning and Community  
Development

Mr. Derek Stancik  
Intech Consultants, Inc.  
5413 Walnut Avenue  
Downers Grove, IL 60515

RE: Proposed Golf View Estates Subdivision

Dear Mr. Stancik:

The District has reviewed the improvement plans submitted for the subject project and the following comments were noted:

1. Note on the plans that Downers Grove Sanitary District standards and ordinances shall govern all sanitary sewer construction. Sanitary sewer notes shall reference the Downers Grove Sanitary District, not the Village.
2. Note on the plans that the sewer contractor shall schedule with the District a pre-construction meeting prior to the start of construction.
3. Note on the plans that the sewer contractor shall schedule with the District inspections of the sanitary sewer construction 48 hours in advance of the start of construction.
4. Underground Improvements note 3.d.1 should specify CA-7 backfill for the sanitary sewer.
5. Show all existing and proposed lot numbers on the plans.
6. Elevations should be added to the scale in the profile view (Sheet 6), and the horizontal scale should be corrected (Sheet 5).
7. Show the distance between the sanitary sewer and the right-of-way lines.
8. Decrease the sewer slopes between manholes 1 through 4 to 0.4% to increase cover over the sewer. These sewers sections can have no less than a minimum of 4-feet of cover over the top of pipe.
9. Decrease the sewer slope between manholes 4 and 5 to deepen the sewer to provide a minimum of 8.2 feet of cover over the sewer. This will minimize conflicts with water mains and services.
10. Correct slopes so that they match in the plan and profile views.
11. Note on the plans that the connection into the existing manhole shall be made by core drilling the manhole and installing a rubber boot to insure a watertight seal. The manhole bench shall also be reformed to provide a smooth flowing invert.
12. Identify the invert elevation of the existing manhole at Belmont Road.

Page Two – Golf View Estates Subdivision Plan Review Letter

13. Show stations in the plan view along Chicago Avenue.
14. Show all utility crossings in the profile view.
15. Note in specifications that the constructed sewers shall pass all District requirements for air, alignment, deflection and manhole vacuum tests (see enclosures).
16. Note that the constructed sewers must be televised under simulated flow conditions. District personnel must be present during televising. No sags greater than 25% of the pipe diameter will be accepted. All unacceptable sags must be replaced in a manner acceptable to the District.
17. Utilize on the plans the enclosed District bedding & backfill detail.
18. Note on the plan sheet that all fill must be in place and compacted prior to start of sanitary sewer construction.
19. Note on the plan and profile views that the following pipe specification shall be used: PVC pipe with a SDR of 26, complying with ASTM D2241, 160 psi pressure pipe push-on bell and spigot type with rubber ring seal gasket ASTM D3139.
20. Revise note 7 of specification indicating that "Flex Seal" non-shear couplings (with stainless steel shear ring) shall be used to connect pipes of dissimilar material or size.
21. Submit the necessary Illinois EPA permit applications (3 original sets) and fees for District review and approval.
22. The owner must complete the annexation into the District and pay all fees before any submittals are made to IEPA.
23. Provide to the District, prior to the start of sewer construction, a copy of the permit to work within the Public right-of-way issued by the village and or the township.
24. Submit an engineer's cost estimate for the proposed sanitary sewer improvements. This will be used in the calculation of the District's Plan Review Fee.
25. Developer must execute the agreement with the District, as approved by the District's Board of Trustees on August 17, 2004.

Submit four sets of plans revised as noted above for District review and approval. If you have any questions, please call.

If you have any questions, please call (630-969-6753 x109).

Sincerely,  
DOWNS GROVE SANITARY DISTRICT



Ted Cherwak  
Code Compliance Coordinator

TTC  
CC: Steven J. Sweeney CBC Development  
Enclosures

**To:** Plan Commission  
**Prepared By:** Amanda G. Riordan  
**Date Prepared:** July 29, 2004  
**Meeting Date:** August 2, 2004

**Project Title:** PC-15-04; Golf View Estates Final Plat of Subdivision

**BACKGROUND INFORMATION:**

**Petitioner:** Steven McSweeney for CBC Development, Owners  
**Property Address:** 4606 Puffer Road, west side of Puffer Road, north of the terminus of Chicago Avenue  
**Existing Zoning:** R-1, Single Family Residence District  
**Application/Notice:** The application has been filed in conformance with applicable procedural and public notice requirements.

**Requested Action:**

1. Approval of proposed rezoning from R-1, Single Family Residence to R-3, Single Family Residence per Chapter 28, *Zoning Ordinance*, Section 28-1701, *Amendment to Zoning Classification*.
2. Approval of proposed Final Plat of Subdivision per Chapter 20, *Subdivision Ordinance*, Section 20-505, *Final Plat – Petition* for a 5-lot single family residential subdivision.
3. Exceptions from Chapter 20, *Subdivision Ordinance* per Section 20-602, *Exceptions*:
  - a. To not provide public street improvements to existing adjacent streets per Section 20-401, *Required Public Improvements* as follows:
    - i. Combination curbs and gutters on Puffer Road;
    - ii. Minimum pavement width of 30 feet (back of curb to back of curb) on Puffer Road;
  - b. To reduce the width of the parkway surrounding a cul-de-sac with an outside turning radius of not less than 30 feet on Puffer Road per Section 20-303, *Streets*, subsection (e), *Dead-end Streets*.

**BACKGROUND**

**General Description**

The subject property is located on the west side of Puffer Road just north of the terminus of Chicago Avenue, and is zoned R-1, Single Family Residence. The petitioner is seeking rezoning and Final Plat of Subdivision approval for a five-lot single family residential subdivision on the approximately 1.6 acre subject property. No new streets are proposed to be dedicated. All five lots are proposed to front on the previously dedicated Puffer Road. The proposed Final Plat of Subdivision depicts certain additional proposed improvements to the Puffer Road street pavement per Code. Although no Exceptions or Variations are being requested from zoning/lot requirements, Exceptions from Code are requested pertaining to public improvements as delineated in the Requested Action.

**Zoning and Future Land Use Plan**

*Surrounding Land Use and Zoning*

	<b>Existing Zoning</b>	<b>Existing Use</b>	<b>Future Land Use Plan</b>
<b>North</b>	R-1, Single Family Residence	Park District Recreation Center	Residential at 0-6 d.u./acre (Yellow)
<b>South</b>	R-1, Single Family Residence	Single Family Residences	Residential at 0-6 d.u./acre (Yellow)
<b>East</b>	R-3, Single Family Residence	Single Family Residences	Residential at 0-6 d.u./acre (Yellow)
<b>West</b>	R-1, Single Family Residence	Park District Golf Course	Open Space (Green)

R-1 (corrected at meeting 8-2-04)

The Future Land Use Plan designates the subject property as Residential at 0-6 dwelling units per acre (Yellow). The proposed subdivision constitutes an effective/resulting density of 3.1 dwelling units per acre, consistent with this designation. The petitioner’s proposed rezoning from R-1 to R-3, as well as the proposed subdivision, are consistent with this designation. For comparison purposes, should the existing R-1 zoning remain, approximately 3 lots could be proposed (that could also be considered to be consistent with and complementary to the surrounding area) versus the 5 lot proposed by the petitioner.

*R-1 (corrected at meeting 8-2-04)*

The property is bordered by the Downers Grove Golf Course to the north, south and west; all currently zoned R-1. Across Puffer Road to the east, the residential lots are zoned R-3 and have lot widths varying from 60 to 75 feet and lot depths of approximately 200 feet. These lots front on Puffer road and can view out towards the golf course. The balance of the areas to the east fronting on Belmont Road are zoned either R-3 or R-4 Single Family. It should be noted, however, that to the southeast of the subject property, there is a bank of 6 residences located on the east side of Puffer Road between Chicago Avenue and the unimproved Prairie Avenue right-of-way that are zoned R-1 and that front/look onto the golf course. The adjacent lots to the east of these lots on Puffer Road front on Belmont Road and are zoned R-3 (see locator map exhibit).

**Site**

Bulk Characteristics

The subject property is comprised of one parcel of land with overall approximate dimensions of 424 feet as measured north to south along Puffer Road and 167 feet as measured east to west. The total land area of the subject property is approximately 69,700 square feet in area (1.6 acres). The existing single family residential structure is intended to be demolished.

No exceptions are being requested with respect to lot or bulk requirements. The Final Plat of Subdivision depicts five lots, all of which are proposed to notably meet or exceed lot configuration requirements of the proposed R-3 Zoning District as identified below.

	<b>Proposed Lot Area Sq. Ft.</b>	<b>% Diff. From lot area req't of 10,500 sq.ft.</b>	<b>Proposed Lot Width Ft.</b>	<b>% Diff. From lot width req't of 75 feet</b>	<b>Proposed Lot Depth</b>	<b>% Diff. From lot depth req't of 140 feet</b>
Lot 1	13,890	+ 32.3 %	92	+ 22.7 %	165	+ 17.8 %
Lot 2	13,551	+ 29 %	82	+ 9.4 %	165	+ 17.8 %
Lot 3	13,551	+ 29 %	82	+ 9.4 %	165	+ 17.8 %
Lot 4	13,551	+ 29 %	82	+ 9.4 %	165	+ 17.8 %
Lot 5	13,409	+ 27.7 %	80	+ 6.7 %	165	+ 17.8 %

The petitioner has indicated building footprints on the proposed final engineering plans that would address minimum yard and stormwater management requirements. It should be noted that approval of the final plat of subdivision would in no way constitute any approval of the indicated building footprints, resulting buildings, and corresponding yards. Each structure will be required to be evaluated on an individual basis, and zoning criteria must be verified based on an individual structure's particular characteristics as delineated in future building permit plans. Requests for variations from the Zoning Ordinance should not be required for the future structures, as they can be designed to address code criteria well in advance. In addition, the future homes should be designed in an architecturally compatible manner with the area and in relation to each other.

**Public Works/Engineering**

Per Code, the petitioner is required to dedicate and construct any public improvements that are not present on the existing adjacent street, in this case on the westerly half of Puffer Road. The existing Puffer Road right-of-way currently measures 66 feet in total width, with 33 feet located on either side of its centerline. As this roadway is designated as a Local Street on the Future Land Use Plan with a required right-of-way width of 70 feet, the petitioner is required per Code to dedicate two feet of land to the westerly half of the right-of-way as part of this subdivision. The petitioner is proposing to satisfy this requirement by dedicating an additional 2 feet of width to the right-of-way along the entire Puffer Road frontage of the property.

However, the existing street pavement of Puffer Road adjacent to the subject property is currently only approximately 16 to 20 feet in width. No curbs, gutters or sidewalks are present. The Puffer Road right-of-way and street pavement currently terminate adjacent to the northerly property line of the subject property, directly south of the Downers Grove Park District Recreational Facility, which was constructed in 2001-02. No cul-de-sac is present at the northerly terminus of Puffer Road, although a small paved area provides very limited capability for a passenger vehicle to execute a three-point-turn.

The petitioner's obligations for public improvements to the westerly half of Puffer Road include constructing an additional 10 feet of street pavement, as well as installing curbs and gutters, streetlights, stormwater utilities and sidewalks per Code. The Public Works Department is also requiring that the Petitioner construct a cul-de-sac bulb at the northerly terminus of Puffer Road adjacent to the subject property, as well as improvements to the intersection of Puffer Road and Chicago Avenue to accommodate snow plowing operations and emergency vehicle turning movements.

The petitioner is proposing to satisfy certain public improvements requirements as part of the proposed subdivision. Beyond the requirement of providing improvements within the westerly half of the right-of-way adjacent to the subject property, the petitioner is proposing to improve the entire street as follows:

1. The pavement width is proposed to be increased to a consistent 24 feet of asphalt pavement;
2. Although curbs and gutters are not proposed, an additional two feet of concrete shoulder on each side of the improved street pavement is proposed based upon recommendations from Public Works;
3. A cul-de-sac turn-around with an outside of curb turning radius of 30 feet is proposed, but with an overall reduced parkway width.
4. Improvements to the intersection of Puffer Road at Chicago Avenue as required by the Public Works Department and the Fire Prevention Division of the Fire Department are also proposed.
5. Streetlights and sidewalks will be installed on only the westerly side of the right-of-way adjacent to the subject property per Code.

It should be noted that sanitary sewer service is under the jurisdiction of the Downers Grove Sanitary District. The petitioner is proposing to extend sanitary sewer service westerly from sewer lines currently located within the Belmont Road right-of-way one block east of the subject property; however, the final route of the sanitary sewer extension has not been determined to date. Staff recommends that the petitioner demonstrate acceptance of the proposed extension route by the Downers Grove Sanitary District preferably prior to Plan Commission consideration but prior to Village Council consideration of the Final Plat of Subdivision.

In addition, the petitioner is requesting Exceptions from required public improvements to: 1) Not provide curbs and gutters per Code on the westerly side of the street pavement adjacent to the subject property; 2) To not provide 30 feet of street pavement as measured back-of-curb to back-of-curb; and 3) Although the requirement of dedicating an additional two feet to the Puffer Road right-of-way as required by Code is proposed, the petitioner is requesting an Exception from dedicating additional right-of-way surrounding the cul-de-sac pavement.

With respect to the proposed cul-de-sac, per Code, the right-of-way surrounding the cul-de-sac pavement is required to be of sufficient radius so as to not decrease the width of the parkway or sidewalks (ie: dedicating a bulb-shaped right-of-way surrounding the actual cul-de-sac pavement). Although sidewalks are being provided on the westerly side of the cul-de-sac per Code, the petitioner is proposing to construct the cul-de-sac bulb portion within the 68 foot wide right-of-way. The typical radius of a cul-de-sac (including right-of-way) would be a total of no less than 47.5 feet of right-of-way (30 feet of pavement, 5 feet of sidewalk and 12.5 feet of parkway). The narrowest portion of the proposed surrounding parkway as proposed in this case is approximately four feet.

Staff has reviewed the Code-required criteria and discussed the requested Exceptions with the petitioner. The petitioner has elected to proceed with the request, and must demonstrate that the criteria for granting the requested public improvements Exceptions are met in order for the Plan Commission to consider forwarding a positive recommendation to the Village Council. The petitioner will address these criteria at the Plan Commission public hearing for the Commission's consideration. The Public Works Department has reviewed the proposed plans per the attached memo dated July 23, 2004 and as summarized below.

#### Site Engineering and Public Improvements

The Engineering Division has no outstanding issues, and has not raised objections to the petitioner's requested Exceptions pertaining to public improvements and right-of-way dedication surrounding the cul-de-sac turnaround. The requested Exception to utilize a 24 foot wide asphalt street pavement with two feet of concrete shoulder on each side in

lieu of 30 feet of pavement and conventional curbs and gutters has been reviewed and accepted by the Public Works Department.

#### Stormwater Management

The petitioner has provided adequate side and rear lot stormwater drainage easements, and collective stormwater detention is not required for the proposed subdivision, but will be handled on each lot. The Stormwater Management Division notes, as in all cases, there are certain stormwater management, grading, and engineering requirements that must be satisfactorily addressed prior to issuance of construction permits on any resulting lots.

#### Wetlands

Wetlands analyses were reviewed, and the no areas designated as wetlands are located on the subject property or within 50 feet of the subject property.

#### Traffic

The Traffic Division indicates that there are no additional comments beyond those addressed by the Engineering Division.

#### Forestry/Landscaping

The Forestry Division indicates that the trees along the west side of the cul-de-sac adjacent to the proposed subdivision will be new trees, and that nine will be required. If desired by the petitioner, payment for installation of the required trees by the Forestry Department will be accepted. Should the petitioner pursue independent installation of the required trees, certain planting, spacing and species selection will be required as outlined in the Forestry Division comments.

#### **Other**

##### Fire Department

The Fire Prevention Division of the Fire Department has reviewed the proposed plans and indicated in the attached report dated July 12, 2004, that the proposed plans are acceptable.

##### School and Park District Donations

The Subdivision Control Ordinance establishes the schedule of school and park district donations based upon the number of bedrooms anticipated to be constructed within each residence within the subdivision, with credit being given for any existing residences currently located on the property. The petitioner has stated the intent to construct five-bedroom residences on all five lots, and with credit being given for the existing three-bedroom residence currently on site, the resulting total donation obligation is \$17,686.32 as summarized below. 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.


<b>BR Type</b>	<b>Total to District 58</b>	<b>Total to District 99</b>	<b>Total To Park District</b>	<b>Total Donations per BR Type</b>
<b>5 Bedrooms</b>	\$1,159.86	\$698.40	\$2,271.94	\$4,130.20
<b>5 Proposed 5 BR Homes</b>	\$ 5,799.30	\$ 3,492.00	\$ 11,359.70	\$ 20,651.00
<b>Credit for Existing 3 BR Home</b>	(927.76)	(333.60)	(1,703.32)	(2,964.68)
<b>Total Donations</b>	\$ 4,871.54	\$ 3,158.40	\$ 9,656.38	\$ 17,686.32

Note: Chapter 20, Subdivision Ordinance, Section 20-300, Park and School Donation, establishes the schedule of school and park district donations.

**RECOMMENDATION AND CONDITIONS REPRESENTED**

The Staff Development Team has reviewed the petitioner's request and concurs to recommend that the Plan Commission consider the petitioner's Requested Action subject to the following conditions:

1. Properly permitted demolition/removal of the existing residence prior to any development on proposed Lots 1 and 2;
2. Compliance with all Public Works requirements and conditions prior to the issuance of permits as outlined in their memorandum dated July 23, 2004
3. Acceptance of a sanitary sewer extension route by the Downers Grove Sanitary District prior to Village Council consideration of the proposed Final Plat of Subdivision;
4. Compliance with all Fire Prevention Division requirements and conditions as outlined in their memorandum dated July 12, 2004;
5. Payment of required school and park district donations in the amount of \$17,686.32 prior to Village Council consideration of the proposed Final Plat of Subdivision;
6. Any changes to the conditions represented by the Petitioner as the basis for this petition, whether those changes occur prior to or after Village approval, shall be promptly reported to the Village. The Village reserves the right to re-open its review process upon receipt of such information;
7. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, and Village laws, ordinances, regulations, and policies.

 : Joseph Skach, AIA, AICP, NCARB  
Director, Planning and Community Development

Attachments

- c: Riccardo Ginex, Village Manager
- David Barber, Director, Public Works
- Don Rosenthal, Director, Code Services
- Howard Hoffman, Chief, Fire Prevention Division
- File

JUL 27 2004

Planning and Community  
Development



INTEROFFICE CORRESPONDENCE  
DEPARTMENT OF PUBLIC WORKS

TO: Joseph P. Skach, AIA, AICP, Director of Planning & Community Development  
 FROM: David H. Barber, P.E., Director of Public Works *DHB*  
 BY: Michael D. Millette, P.E., Asst. Director of Public Works – Engineering  
 Jonathan C. Hall, P.E., Development Engineering Manager *JCH*  
 DATE: July 23, 2004  
 RE: Planning / Zoning Petition  
 Proposed Golf View Estates Subdivision  
 Public Works Department 2<sup>nd</sup> Review (final)

Documents Reviewed:

- Wetland Determination Report by JF New dated 5/3/04
- Golf View Estates Final Subdivision Plat dated 5/3/04
- Site development plans by Intech revised 7/22/04

Attachments:

- Memo from Village Forester dated 7/15/04

Public Works Review Summary:

Division	Representative	Date	Conclusion	Comments included
Public Works	D. Barber	5/12/04	Place on PC Agenda	
Engineering	M. Millette	7/12/04	Place on PC Agenda	X
Stormwater	J. Hall	7/13/04	Place on PC Agenda	X
Water	D. Bird	7/15/04	Place on PC Agenda	X
Traffic	D. Fera	7/12/04	Place on PC Agenda	X
Forestry	K. von der Heide	7/15/04	Place on PC Agenda	X
Pavement	R. Ebel	-		

Findings:

The Public Works Department concurs with placement of the subject petition on the Plan Commission Agenda at this time.

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## Public Works Department Review Details:

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### Engineering Review Comments:

1. Shift both street lights north by one lot. Submit street light spec sheets for review. Utilize light fixtures which minimize horizontal illumination.  
**Accepted**
2. A cul-de-sac, with a pavement diameter of 60 feet, is required at the north end of Puffer. This can be accomplished within the proposed 68-foot right-of-way if parkway widths are reduced (exception required).  
**Accepted - Granting of exception by Council required**
3. Provide a minimum pavement width of 30 feet (back-to-back of curb / gutter). As an alternative, we would support a 24-foot wide asphalt pavement with 2-foot portland cement concrete shoulders on each side. Less than 30-foot width will require Council approval of an exception.  
**Accepted - Granting of exception by Council required**
4. Improve the intersection of Chicago and Puffer to accommodate snow plowing operations and emergency vehicle turning movements. Provide intersection plans, including necessary drainage alterations.  
**Accepted**
5. Extend sidewalk to cul-de-sac and provide a ramp. Also, provide a ramp near the Puffer / Chicago intersection.  
**Accepted**

### Stormwater / Grading Review Comments:

1. Provide two additional copies of the wetland submittal and revised plans for review by our consultant.  
**Accepted**
2. Within 5 feet of all structures, the slope must be clearly defined away from the structure (2% to 5% recommended). This can be adjusted with the individual lot grading plans.  
**Accepted - To be addressed with individual house permit grading plans**
3. Driveway slopes should not exceed 10% within the right-of-way. This limit is also recommended for the remainder of the driveway.  
**Accepted - The grading plan complies to the extent possible under existing constraints**

4. Sidewalk longitudinal slopes should not exceed 15% and cross-slopes, should be limited to 2%.  
**Accepted - The grading plan complies to the extent possible under existing constraints**
5. Provide sealed retaining wall design for any walls with heights greater than 3 feet.  
**Accepted - No walls are proposed at this time**
6. The Village's wetland consultant will review the provided wetland report.  
**Accepted - No wetlands are present on the site**
7. Provided flared end sections for all culvert ends.  
**Accepted**
8. Provide permanent erosion protection within ditches as needed.  
**Accepted**
9. Provide an explanation how permanent water quality best management practices (BMPs) are incorporated into the design.  
**Accepted**
10. Maintain hydrology to the off-site wetlands.  
**Accepted - Perforated pipe drains to ditch which drains to off-site wetland**
11. The Village recommends that the petitioner considers creation of an underdrain system in the location of the proposed ditch that will accommodate small rainfall events only. 100-year flow may be conveyed through a more gentle swale above the underdrain. Driveway slopes would require modification if 100-year flow passes over driveway. Such a system could be designed as a BMP.  
**Accepted**
12. Sump pumps should discharge to the rear yards to avoid potential icing concerns.  
**Accepted - Sump pump discharge lines will connect directly to storm sewer / underdrain.**

**Traffic Review Comments:**

No additional comments (contained within Engineering comments).

**Forestry Review Comments:**

See attached memo.

**Water Review Comments:**

1. Show water main size (8") on Puffer and proposed water service size for each lot.  
**Accepted**
2. Maintain 10' separation of water service and sewer lateral.  
**Accepted**
3. Show and mark all proposed B-Boxes.  
**Accepted**
4. Show detail on all water & sewer crossovers.  
**Accepted**

c: PW Managers  
Director of Code Services  
Stormwater Management Engineer  
S. Connell, Administrative Technician  
File

**VILLAGE OF DOWNERS GROVE  
INTEROFFICE MEMORANDUM**

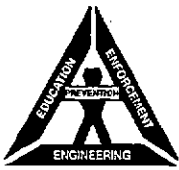
**DATE:** July 15, 2004  
**TO:** Plan Review Team  
**FROM:** Kerstin G. von der Heide, Village Forester  
**SUBJECT:** Golf View Estates Subdivision

I have reviewed the revised subdivision plans and have determined that all the trees along the west side of the cul-de-sac will be new trees. The number of trees required is 9. For simplicity and to ensure acceptable tree selections, the Forestry Division can install the trees as the lots are completed provided the developer pays for the trees in advance. I have calculated these tree costs based on 2004 Suburban Tree Consortium prices plus an administrative charge, and have listed them below.

<u>Species (size 2" B&amp;B)</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Extended Cost</u>
Freeman Maple	3	\$262.20	\$786.60
Pear	3	\$262.20	\$786.60
Swamp White Oak	3	\$292.20	\$876.60
Total Cost			\$2449.80

Subject to availability and planting season, the Forestry Division may choose to substitute other appropriate tree species for approximately the same cost.

If the developer chooses instead to install the parkway trees, the trees must be a mixture of tree species and may include any of the tree species listed above. Because of emerald ash borer insect outbreaks in Michigan and the continued threat of the insect spreading to Illinois, no ash tree species are allowed. Other acceptable tree species include honeylocust, hackberry, bur oak, hybrid elms, American linden and littleleaf linden. Trees must have straight stems with at least 2-inch diameter at 6 inches above ground. Spacing is generally 40 feet between trees and 10 feet from driveways and B-boxes. Forestry staff shall have final approval of tree species and spacing before the public improvements are accepted.



**DOWNERS GROVE FIRE DEPARTMENT  
PREVENTION DIVISION**

801 Burlington Ave., Downers Grove, IL 60515  
Phone: 630-434-5983 Fax: 630-434-5593



**SITE PLAN REVIEW**

07/12/04

To: Amanda Riordan, Planner

From: Howard Division Chief

Re: Golf View Estates (2<sup>nd</sup> submission)

.....  
Amanda,

The Fire Department has reviewed the proposed changes to the roadway for the proposed subdivision with the following comments:

- Fire Protection and Fire Prevention issues appear to be resolved.
- Preliminary site plan is approved.

This is a review for fire protection and prevention concerns **only**. Other village departments may have issues that need to be addressed. Please feel free to call me at 434-5983 with any questions or concerns.

Sincerely,

Howard Hoffman  
Division Chief  
Downers Grove Fire Department  
Prevention Division

CBC DEVELOPMENT, LLC  
1146 North Main Street  
Lombard, Illinois 60148

July 27, 2004

Mr. Alan Jirik, Chairman  
Plan Commission  
Village of Downers Grove  
801 Burlington Avenue  
Downers Grove, Il. 60515

Re: Proposed Golf View Estates

Dear Chairman Jirik and Commission Members:

CBC Development is the owner of record of the 1.56 acre parcel of land which is located on the west side of Puffer Road north of Chicago Avenue. My property abuts to the Downers Grove Park District's golf course on its south and west sides and abuts the Park District's recreational center's property on the north. I am appearing before you with petitions requesting that my property be rezoned from R-1 single family residential zoning to R-3 single family residential zoning and I am also requesting that the property be subdivided into 5 single family residential lots.

The property is currently zoned R-1 single family residential. It is my understanding that this zoning was assigned to the property when it was annexed as a default zoning designation. In order to permit a reasonable development of the property, I am seeking the Commission's support for a rezoning to R-3 single family residential. The R-3 zoning district requires a minimum lot width of 75 feet and a minimum lot area of 10,500 square feet. Although my property has its original R-1 zoning other land in the Belmont Road area near my property has been given R-3 zoning by the Village of Downers Grove. I would respectfully request approval of the requested rezoning as it will permit a reasonable development of my property in a manner similar to other single family residential lots in this neighborhood.

My proposed subdivision is to divide the property into a total of 5 lots. The lots will range in width from 98.09 feet to 79.49 with three of the lots being 82.00 feet wide. With respect to lot area each of the lots will exceed the R-3 minimum area requirement by approximately 2,000 square feet. The largest lot will have an area of 13,890 square feet and the smallest lot will have an area of 13,409 square feet with three of the lots having areas of 13,551 square feet each. All of the lots will have lot depths of slightly over 165

feet which exceeds the minimum lot depth specified by the Downers Grove Subdivision which is 140 feet. I am pleased to tell you that all of the lots will be wider, larger in land area and deeper than the requirements of the Downers Grove development codes.

With respect to storm water management, I having been working with the Village's Engineers and my consultant Intech Consultants, Inc, to design this subdivision to satisfy the Village's requirements. Due to the relatively small size of this parcel, it is exempt from having to provide any on-site detention. The drainage plan has been designed to drain the property essentially to the south and southwest in the same direction as it currently drains. Intech and the Village engineers have agreed on a plan which will provide drainage via a very shallow swale located in the parkway on the west side of Puffer Road which also has an 8" perforated drainage pipe buried below the shallow swale. Drainage from the swale and pipe will discharge into the golf course. The drainage from the westerly side of the property will drain essentially overland also onto the golf course. The Village engineers have emphasized the importance of maintaining the historical flow onto the golf course as there are some existing small wetlands which is located some distance from my property but which I understand depends upon the storm water from my property in order to maintain their viability. In the design of the subdivision's drainage plan I commissioned and submitted a wetlands inventory report prepared by JF New of Crete, Illinois which was found to be appropriate by the Village's wetlands consultants.

Puffer Road adjacent to my parcel of land was constructed as a "country-style" road while the surrounding area was still under the jurisdiction of DuPage County. Although there is water and sanitary sewers available and there is a street light located at the southeast corner of Chicago Avenue and Puffer Road, the street itself has a narrow pavement width of only about 16 feet and does not have curbs gutter or sidewalks. Puffer Road is a dead-end street that terminates at the south side of the Park District's Recreation center property. Based upon the design and construction of the recreation center's site, there is no longer any possibility for Puffer to be extended in the future.

Other than my proposed subdivision there does not appear to be any likelihood for Puffer Road to be reconstructed as part of any other subdivision as the lots located on the east side of Puffer north of Chicago are subdivided and are occupied by single family houses. Given consideration to the established nature of the neighborhood, yet understanding my responsibilities for making roadway improvements I have had some meaningful conversations with the Village's Public Works engineers to determine the best approach to improve Puffer Road without compromising the existing character of this neighborhood. I am seeking approval of exceptions from having to meet the specific roadway improvements as specified by the Subdivision Ordinance and in lieu of the regular standards. I am proposing the following improvements which I feel and which I believe the Public Works engineers believe to be needed yet are of such design and nature as to compliment the existing neighborhood.

I propose to reconstruct the pavement of Puffer Road, north of Chicago Avenue to a width of 24 feet rather than 30 feet. Instead of constructing curbs and gutters I am

proposing to construct 2 foot wide concrete ribbons on both sides of the street which will protect the edge of the pavement. I am proposing to construct sidewalks along the west frontage of the five new lots which has been designed in association with Public Works Department to work within the specific character of the neighborhood with an additional section of east to west sidewalk to connect the new sidewalk to the Puffer Road pavement at the intersection with Chicago Avenue. I am proposing to install two additional street lights. One of the new street lights will be located on the west side of Puffer near the common lot line between lots 1 and 2 and the other light will be located on the west side of Puffer near the common lot line of lots 3 and 4. The two new lights in conjunction with the existing light at the southeast corner of Chicago Avenue and Puffer Road will provide a well lighted street.

In order to provide for easy traffic movement and so that delivery vehicle and emergency vehicles have a safe and easy means to turn around, I have been requested to construct a cul-de-sac at the north end of the Puffer Road. Although I am dedicating two feet of additional right of way along the west side of Puffer Road, based upon my understanding with the Public Works engineers, I am not being required to dedicate any additional right of way for the cul de sac, which I have been told will still require approval of an exception.

CBC Development is requesting approval of the exceptions listed above in accordance with the conditions, standards and provisions of Section 20-602. More specifically, subsection c). I have reviewed the rules governing the recommendation of exceptions and believe that my proposed alternative approach to improving Puffer Road meets the criteria of a development that has practical difficulties in carrying out the strict letter of the Downers Grove Subdivision Control Ordinance. I have carefully read the standards of Section 20-602 (c) 1-5 and would offer the Village the following observations.

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

The proposed roadway improvements even though slightly different than those required by the letter of the Downers Grove Subdivision code will significantly improve both the appearance and the function of Puffer Road and will meet my obligations to provide reasonable roadway improvement for my subdivision and will make the street safer and easier to use for my neighbors on the east side of the street.

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

The proposed roadway improvements are a significant improvement over the trend of development in the area as there will be street lights, sidewalks, a wider street pavement while maintaining the country-style roadway design which characterizes the neighborhood. Further the provision of a cul de sac instead of a dead-end will improve both safety and convenience for the current neighbors and the future residents as well as service and delivery vehicles and emergency services.

**3) The characteristic of the property which support or mitigate against the granting of the exception;**

The main characteristic of the property which supports the exceptions that are being requested is the current nature and style of the roadway improvements which exist. This property is the only possible property that will be developed as a subdivision and unless my subdivision is approved and built there is no likelihood for any roadway improvements to be made in the area. The provision of a cul de sac, even without providing additional right of way around it will make this a safer situation. The dead ending of Puffer was the result of how the Park District chose to build the recreational facility and which has resulted in the need for me to construct a cul de sac.

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

I believe the type and extent of improvements that I am proposing to make are very much in keeping with my understanding of what the Subdivision Code aims to accomplish. There will be a new street built that is wide enough for the amount of traffic that a small number of houses will create. There will be a sidewalk made available where there is currently no sidewalk and there will be a cul de sac that will meet the needs of the neighbors and others who need to drive on this section of Puffer Road.

**5) Whether the exception will alter, or be consistent with, the essential character of the locality;**

I believe that what I am proposing to do to Puffer Road will change the nature of Puffer Road but only to the better. I will build a new street and sidewalks that will be safer and easier to use and will provide a cul de sac that will make it safer and easier to drive in and out of this section of Puffer Road. It will benefit the new residents who will live in homes in my subdivision but also will improve the lives of the people on the east side of Puffer Road.

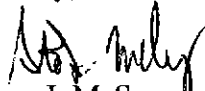
I am going to satisfy my obligations to provide parkway trees by utilizing the Village Forester's program of making a payment for the trees to the Village and then have the Village plant the parkway trees. According to my understanding, the Forester is recommending that 9 parkway trees be provided at a total cost of \$2,449.80. I will be compensating the Village for the trees when I pay my Public Works fees and bonds.

With regard to sanitary sewer service my engineer and I have been working with the Downers Grove Sanitary District on a specific design for a sanitary sewer to serve my property. The Sanitary District staff has told me that this property can definitely be served by the District and I will continue to work with them on a specific design that will meet their specifications and design standards.

Finally, with respect to my obligations to make school and Park District donations, I have reviewed the requirements of the Subdivision code. It is anticipated that all of the houses that are to be built in this subdivision are to be 5-bedroom houses. It is also my understanding that I am entitled to a credit for the existing 3-bedroom house which is to be razed during the development of the subdivision. On the basis of the donation requirements for five 5-bedroom houses and credit for one 3-bedroom house, my total school and park donation obligation to the Village is \$17,847.57. I understand that I am obligated to make this payment prior to the Village Council's final approval of my subdivision.

In conclusion, I want to thank the Village Staff and the Plan Commission for all of the help provided to me in pursuing this subdivision. I sincerely believe that this subdivision will be an asset both to the neighborhood in which it is located and to the Village of Downers Grove.

Sincerely,



Steven J. McSweeney

Owner

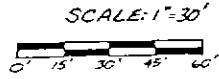
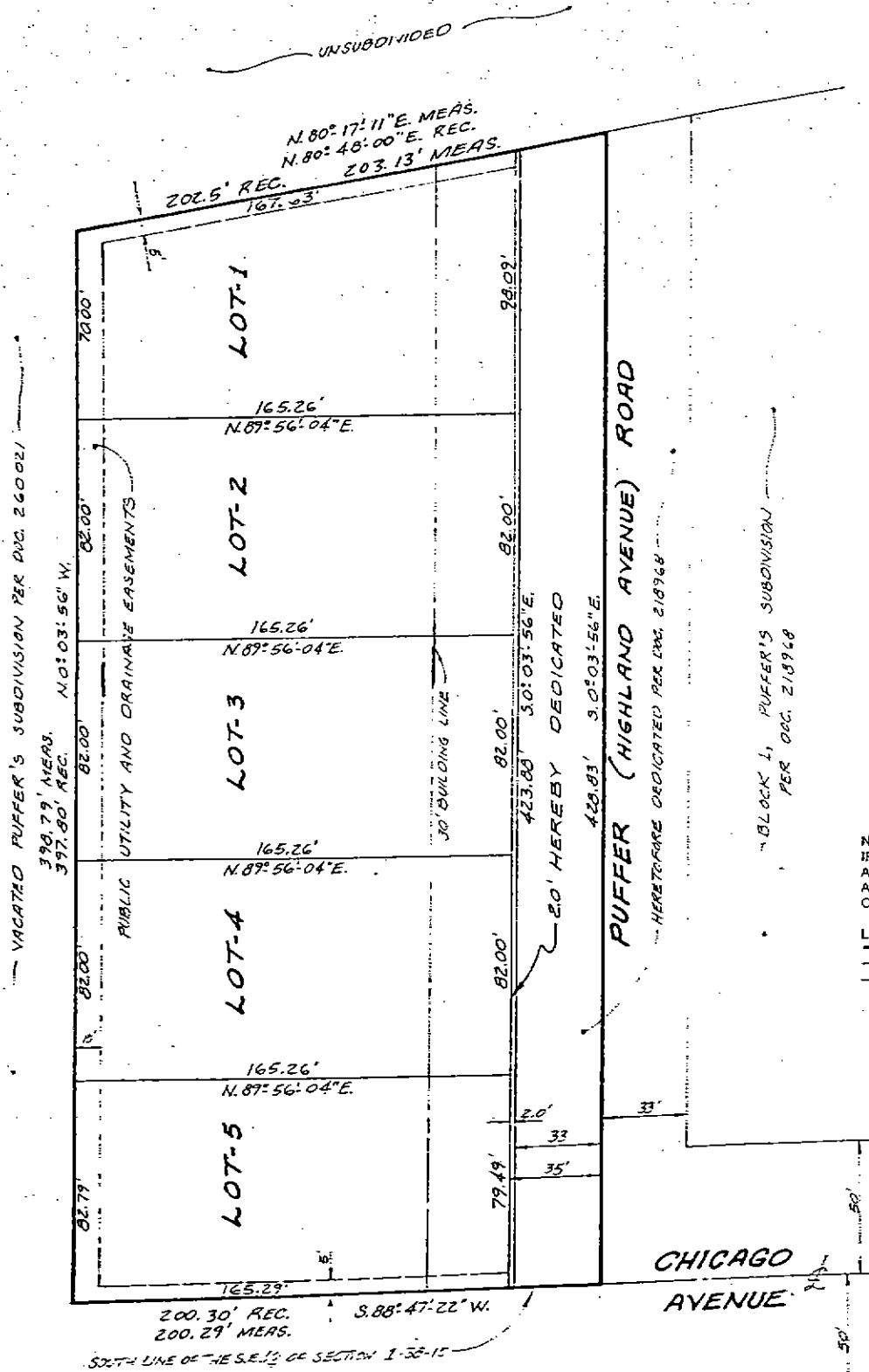
CBC Development, LLC



# FINAL SUBDIVISION PLAT GOLF VIEW ESTATES DOWNERS GROVE, ILLINOIS.

PC-15-04  
ORIGINAL  
PLANS

BEING A SUBDIVISION IN PART OF THE SOUTHEAST QUARTER OF SECTION 1,  
TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN,  
ALL IN DUPAGE COUNTY, ILLINOIS.



**AREA SUMMARY**

GROSS	1.5794 ACRES
LOTS	1.5600 ACRES
R.O.W.	0.0194 ACRES

**LOT AREAS**

LOT 1	13,890 SQ. FT.
LOT 2	13,551 SQ. FT.
LOT 3	13,551 SQ. FT.
LOT 4	13,551 SQ. FT.
LOT 5	13,409 SQ. FT.

**NOTES:**  
IRON PIPES ARE AT ALL LOT CORNERS.  
ALL EASEMENTS, SHOWN AS DASHED LINES (---),  
ARE FOR PUBLIC UTILITIES AND DRAINAGE, UNLESS  
OTHERWISE INDICATED.

**LEGEND**

	SUBDIVISION BOUNDARY
	PROPERTY LINES
	EASEMENT LINES

IN ACCORDANCE WITH ILL. REV. STAT. 1991 CH. 109, PAR. 2, THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY:

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

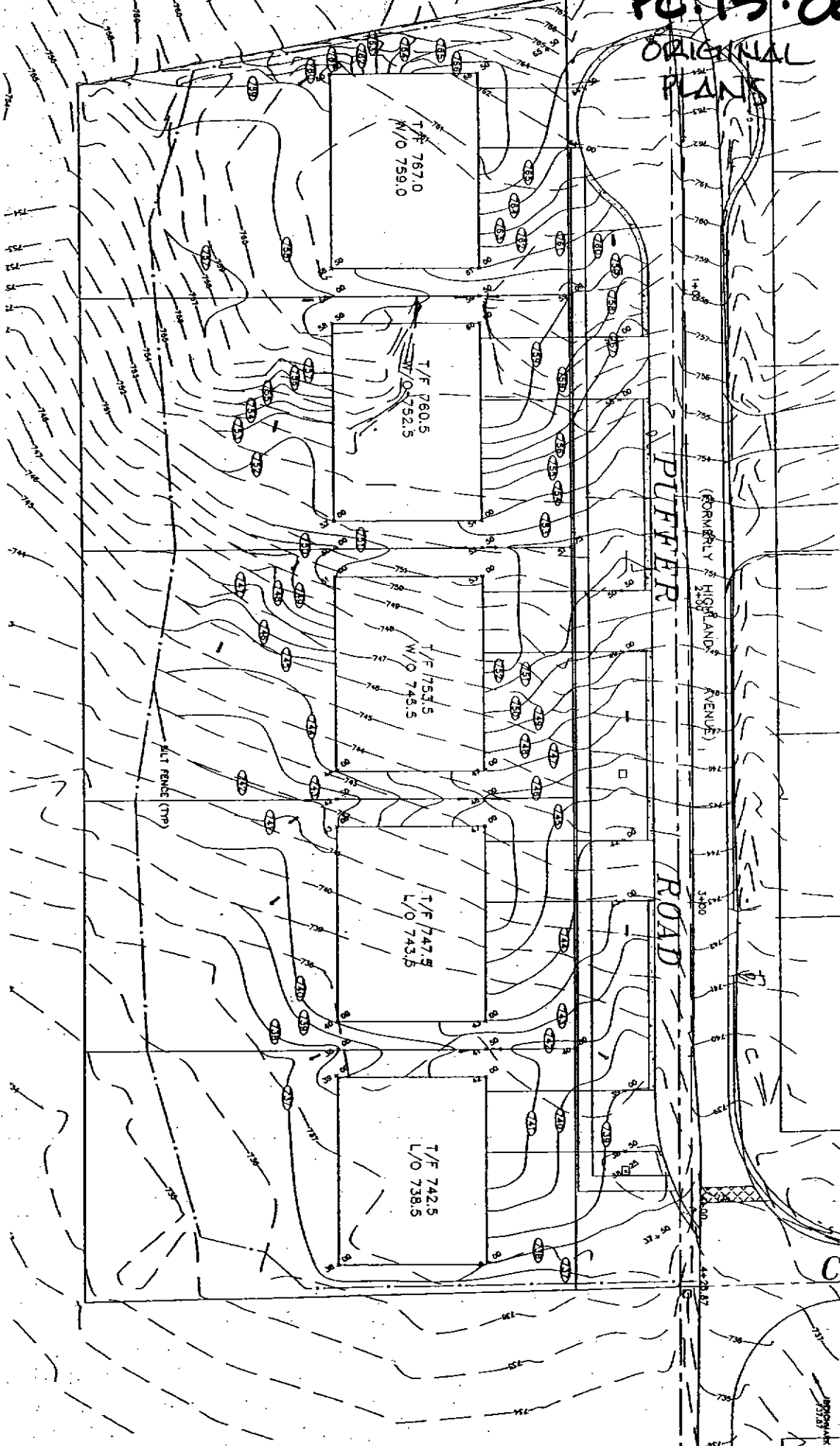
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**INTECH CONSULTANTS, INC.**  
CONSULTING ENGINEERS / SURVEYORS  
5473 WALNUT AVENUE DOWNERS GROVE ILLINOIS 60515 (630) 964-5656

10.15.04

ORIGINAL PLANS



GRADING AND SOIL EROSION  
↑ NORTH

ENGINEERS  
SURVEYORS

CBC DEV, LLC  
1146 N. Main Street  
Lombard, IL 60148

GOLF VIEW ESTATES

GRADING AND  
SOIL EROSION  
PLAN

7/8/04	1.	PER CITY REVIEW	DPS	DRAWN	SCALE	SHEET
DATE	NO.	REVISION	BY	DPS	1" = 20'	7
				DPS	DATE	PROJECT NO.
				DPS	5/5/04	2004-10





DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT  
MEMO

**To:** Members of the Plan Commission  
**From:** Amanda G. Riordan, Planner *AR*  
**Subject:** Case PC-15-04; Public Works Addendum  
**Date:** August 2, 2004

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The attached memorandum from the Public Works Department dated July 30, 2004 was received by Planning and Community Development today and is being transmitted for your review.

The memorandum serves as an addendum to the Public Works Review Memorandum dated July 23, 2003, and clarifies the opinions of the Public Works Department with respect to the proposed public improvements and the requested Exceptions from the required public improvements per Code.

C: Joseph Skach, Director, Planning and Community Development  
File



**INTEROFFICE CORRESPONDENCE  
DEPARTMENT OF PUBLIC WORKS**

**TO:** Joseph P. Skach, AIA, AICP, Director of Planning & Community Development  
**FROM:** David H. Barber, P.E., Director of Public Works *DHB*  
**BY:** Michael D. Millette, P.E., Asst. Director of Public Works – Engineering *MDM*  
Jonathan C. Hall, P.E., Development Engineer *JH*  
**DATE:** July 30, 2004  
**RE:** Golf View Estates  
Puffer Right-of-Way Improvements

This memo serves to explain why the Public Works Department is supportive of the right-of-way improvements relative to the subject subdivision.

The Village Code (Ch. 20.303 and 20.401) calls for improvements, which would consist of sidewalk, 30-foot wide pavement, curb & gutter (therefore storm sewers), trees and lighting. The developer has proposed all of the above except (1) the curb & gutter and (2) the 30 foot wide pavement.

During the DPW review of this proposed development we considered several factors in supporting the project as it is currently presented. This subdivision does not include development on both sides of the existing roadway as the east side of this street is already developed with existing homes. Given the character of the existing area we looked for a solution that would match the existing area. This project does not include rebuilding of the existing segment of Chicago Avenue between Belmont and Puffer or the segment of Puffer south of Chicago. The 24-foot wide pavement should be adequate to serve the needs of the few homes located on this dead-end segment of Puffer Road. The new roadway provides two 12-foot driving lanes for traffic. With respect to the need for curbs DPW considered an alternate that includes a 2-foot wide concrete ribbon, which will help support the edge of the pavement to reduce deterioration of the pavement edge over time. The design of this segment of road provides a swale with an underdrain on the west side of the roadway and the flat concrete ribbon allows runoff to filter through the grassed swale helping to improve water quality and meet the requirements for including Best Management Practices into our Stormwater designs.

The Public Works Department supports the curb & gutter and pavement width variances. We believe these exceptions do not adversely impact the public health, safety and welfare of this neighborhood and the final project, in our opinion, will be consistent with the character of the surrounding area. Also, given that the total paved width of 28-feet (pavement plus concrete ribbons) as opposed to the required 29-feet, we do not believe that any fee-in-lieu of payments are necessary.

c: S. Connell, Administrative Technician  
file



DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT  
**MEMO**

**To:** Members of the Plan Commission  
**From:** Amanda G. Riordan, Planner *AGR*  
**Subject:** Case PC-15-04; Error in Staff Report  
**Date:** August 2, 2004

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An error has been discovered in the Staff Report pertaining to the zoning of the properties surrounding the subject property, specifically those to the east of the subject property fronting on Puffer Road. The zoning of these adjacent properties is R-1, Single Family Residence, not R-3, Single Family Residence as noted in the Staff Report.

As these adjacent properties range in width from 60 to 90 feet, and range in area from approximately 12,000 to 18,000 square feet, they are nonconforming with respect to the requirements of the R-1 District of 100 feet and 20,000 square feet respectively, and are comparable in width and area to, and in some cases more narrow than, as required in the R-3 Zoning District as proposed for the subject property.

C: Joseph Skach, Director, Planning and Community Development  
File

Chairman Jirik pointed out the proceedings are recorded to assist in the preparation of the minutes. He encouraged those wishing to speak to come to the podium where there is a microphone, to speak clearly and slowly and state their name and address before beginning their testimony so that detailed minutes can be provided. Chairman Jirik asked anyone who testifies to remain in the Council Chambers in the event the Plan Commission members want to address specific questions to them in order to fully understand an issue or a concern.

Chairman Jirik stated the final step is the Plan Commission's deliberation of the petition. When deliberation is over, a motion is presented. Chairman Jirik explained the motion can be to either recommend approval based on the information provided, it can be to recommend approval with changes or revisions or it can be to recommend denial.

The recommendation, along with the minutes, exhibits, etc., is forwarded to the Mayor and the members of the Village Council for further processing.

Chairman Jirik explained there is one item on this evening's agenda. He noted the Commission would be acting in an advisory mode with regard to this petition.

**PUBLIC HEARING: FILE NO. PC-15-04** – Petition seeking the following: 1) Rezoning from Village R-1, Single Family Residence District to Village R-3, Single Family Residence District; 2) Final Plat of Subdivision approval with certain requested Public Improvement Exceptions from Code for Golf View Estates Subdivision – Property located on the west side of Puffer Road at the terminus of Chicago Avenue, commonly known as 4606 Puffer Road, Downers Grove, IL (PIN No. 08-01-408-006); Steve McSweeney, Petitioner; CBC Development, LLC, Owner

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

Steve McSweeney, owner of CBC Development LLC, thanked the Plan Commission for scheduling the meeting this evening to hear this petition. Mr. McSweeney stated they are asking to have the property rezoned from R-1, Single Family Residential to R-3, Single Family Residential, and to approve the Final Plat of Subdivision, which includes requests for public improvement Exceptions. Mr. McSweeney indicated that he has worked with the Public Works Department regarding the public improvements Exceptions.

Mr. McSweeney explained after the acquisition of the property, they asked to meet with the neighbors to determine if the neighbors would support their proposal. With the help of the previous property owners, an invitation was sent to the neighboring property owners, and an informational meeting was conducted for them several months ago, prior to their plan submittals to the Village. Mr. McSweeney stated at that meeting, they shared their proposed plans with the neighbors, and he felt there was good support from the residents.

Mr. McSweeney stated they worked diligently with the Public Works Staff on the requested Exceptions. Mr. McSweeney expressed the belief that working together, they

were able to come up with a satisfactory plan that met everybody's needs. Mr. McSweeney indicated his company hired Intech Consultants as their engineering consultant, and Derek Stanzik from Intech is present this evening to answer any technical questions.

Chairman Jirik asked Staff's for its review and analysis.

Mrs. Riordan, Planner, advised that the petitioner is seeking rezoning and Final Plat of Subdivision approval for a five-lot, single family residential subdivision on a parcel of land that is approximately 1.6 acres located on the west side of Puffer Road north of Chicago Avenue. All of the five proposed lots are intended to front the existing Puffer Road right-of-way, and although no new streets are proposed to be dedicated or improved, the petitioner is proposing to make certain improvements to the Puffer Road right-of-way as required by Code. Mrs. Riordan noted that an additional dedication of right-of-way is also proposed as part of this petition.

Mrs. Riordan stated that no Exceptions or Variations are being requested from the lot or bulk requirements pertaining to the configuration of the proposed lots, but there are certain Exceptions from Code being requested with respect to the public improvements.

Mrs. Riordan reviewed the Staff Report, and explained that an error had been made in the analysis of the surrounding area that was provided. Mrs. Riordan explained that the lots which front on Puffer Road to the north of Chicago Avenue and directly across from the subject property, are zoned R-1, Single Family Residential, and the lots that front onto Belmont Road are zoned R-3, Single Family Residential.

Mrs. Riordan commented the fact that the properties on the east side of Puffer Road are zoned R-1 as opposed to R-3 as stated in the Staff report and on the aerial photograph, which is significant distinction. The R-1 District requires a minimum lot area of 20,000 square feet and a minimum lot width of 100 feet. Mrs. Riordan used the overhead projection to illustrate the existing lot configurations on the east side of Puffer Road.

Mrs. Riordan pointed out that the property furthest to the south adjacent to Chicago Avenue is comprised of two lawful non-conforming lots of record, one, which is 60 feet wide, and another, which is 70 feet wide. Absent the structure on this parcel, the two parcels could be developed independently of one another. The next parcel to the north is comprised of two parcels, one of 60 feet in width and the other of 30 feet in width, for a total of 90 feet. The next parcel to the north is also comprised of a 60-foot wide parcel and a 30-foot wide parcel for a total width of 90 feet. The next parcel to the north is just shy of 75 feet. Mrs. Riordan pointed out individually some of the lots are more comparable in size to the R-3 District requirements, but they are, in fact, zoned R-1, Single Family Residential. Mrs. Riordan apologized for the error.

With respect to the Future Land Use Plan, Mrs. Riordan stated the subject property is designated as Residential at 0-6 dwelling units per acre. At a proposed density of 3.1 dwelling units per acre, the petitioner's proposal to rezone and divide the property would

be consistent with that designation. The Downers Grove Park District borders the subject property to the north, west and south. Because the available aerial photograph was taken in 1998, it was noted that the Recreation Center and the parking lot are not present on the aerial, but are located immediately north of the subject property.

Mrs. Riordan stated an analysis of the proposed lot areas and lot widths of the subdivision was also included in the Staff Report, which illustrated that all of the proposed lots would meet and/or exceed the minimum lot width, lot depth and lot area requirements of the proposed R-3 zoning district.

Mrs. Riordan noted that the submitted engineering plans indicate proposed building locations which are intended to address minimum yard and stormwater management requirements and are not indicative of any proposed construction. That type of final determination would be made at the construction-permitting phase.

With respect to Public Improvements, Mrs. Riordan noted that the petitioner is required by Code to dedicate and construct any public improvements that are not present within the Puffer Road right-of-way adjacent to the subject property. In this case, the public improvement requirements would be applicable to the westerly half of the right of way only, as the petitioner is not obligated to make improvements to the easterly half of the right-of-way.

Mrs. Riordan continued that the existing Puffer Road right-of-way measures 66 feet in width, with 33 feet on either side of its platted centerline. The petitioner's obligation with respect to right-of-way is to dedicate half of the remainder of the requirement of 70 feet as compared to the present 66 feet. The petitioner is therefore required per Code to dedicate an additional two feet of land along the entire Puffer Road frontage. The petitioner is proposing to satisfy that particular obligation.

With respect to the physical improvements within the Puffer Road right-of-way, Mrs. Riordan stated that it is currently substandard with respect to street improvements per Code. The existing pavement currently ranges anywhere from 16 to 20 feet in width, and does not have curbs, gutters or sidewalks. Additionally, both the right-of-way and the street improvements currently terminate at the southerly boundary of the Park District property immediately north of the subject property. No cul-de-sac turn-around is present at the northerly terminus of Puffer Road, although there is a small paved area where a passenger vehicle could make a three-point turn, but there is no cul-de-sac as would be required by Code.

Mrs. Riordan explained the petitioner's obligations for public improvements to the westerly half of Puffer Road include constructing an additional approximately ten feet of street pavement, as well as installing curbs and gutters, streetlights, stormwater utilities and sidewalks per Code. Mrs. Riordan noted the Public Works Department has also required the construction of a Code compliant cul-de-sac with a radius of no less than 30 feet, as well as improvements to the intersection of Puffer Road at Chicago Avenue to accommodate turning movements for emergency vehicles and snowplowing equipment.

Mrs. Riordan noted the petitioner is proposing to increase the pavement to 24 feet of asphalt with two feet of concrete shoulder on each side, for a total pavement width of 28 feet. This requires an Exception from the Code requirement of 30 feet of pavement as measured back of curb to back of curb, as well as an Exception from providing curb and gutter along the westerly side of the street pavement.

Mrs. Riordan explained that an additional Exception is also being requested pertaining to the right-of-way surrounding the cul-de-sac. Although the petitioner is proposing to satisfy the requirements for the cul-de-sac turn around pavement with an outside turning radius of no less than 30 feet, a reduction of the parkway width is being proposed. Mrs. Riordan explained that in essence, the petitioner is proposing to fit the bulb shaped cul-de-sac within the rectangular right of way as opposed to a bulb shaped right-of-way.

Mrs. Riordan explained that the petitioner is also proposing to satisfy the requirement of improving the street where Puffer Road intersects with Chicago Avenue as required by the Public Works Department. Also, streetlights and sidewalks are proposed to be provided per Code on the westerly side of the right of way.

As stated in the Staff report, Mrs. Riordan indicated the petitioner is proposing to extend the sanitary sewer to the subject property from the existing sanitary sewer line that is currently located within the Belmont Road right of way. The final route of the sanitary sewer line has not yet been determined, therefore, Staff is recommending that the Sanitary District submit a written acceptance of the accepted route prior to the Village Council consideration of the final plat of subdivision. Mrs. Riordan further explained that the minimum lot area and lot width requirements for lots that are not served by sanitary sewer are significantly larger than what would be required for lots served by a sanitary sewer, hence the recommended condition.

Mrs. Riordan stated Public Works reviewed the proposed subdivision, and as outlined in the Staff report, had no outstanding issues and did not object to any of the petitioner's requested Exceptions. The Public Works Department sent an addendum memorandum to their Staff report, which was received today and distributed to the Commission this evening. Mrs. Riordan noted that in the memorandum, Public Works essentially reinforced their opinion that the petitioner's proposal is acceptable given the nature of the area coupled with the improvements being proposed.

Mrs. Riordan stated that the Stormwater Division of Public Works has indicated there were no outstanding items other than those to be addressed during the construction permitting process. The Traffic Division had no further comments, and the Forestry Division noted that nine new parkway trees are required as part of the final plat of subdivision. Mrs. Riordan noted that the petitioner would be given the option of installing the trees themselves, with the appropriate species and spacing being approved by the Forestry Division as part of the development; alternately, the Forestry Division would install the trees with the cost being reimbursed to the Village by the petitioner.

Mrs. Riordan noted the Fire Prevention Division of the Fire Department also reviewed the proposed plans and had no outstanding issues.

With respect to the school and park district donations, Mrs. Riordan explained the calculations were provided within the Staff report, and payment in the amount of \$17,686.32 is required prior to the granting of final plat approval by the Village Council.

Mrs. Riordan advised that Staff recommends that the seven recommended conditions as outlined in the Staff report be considered if the Plan Commission concurs to recommend in favor of the proposed subdivision.

Chairman Jirik moved on to public participation and asked if there was anyone in the audience who wished to speak in regard to this petition.

Mrs. Janet Barr, 4605 Puffer Road, Downers Grove, stated that she was the one who found the error in the Staff Report regarding the zoning of the properties on Puffer Road. Mrs. Barr expressed her opinion that this error has not been given enough weight, as it was only presented to the Plan Commission today. Mrs. Barr stated this proposed subdivision would be an island of R-3 zoning totally surrounded by R-1 zoning.

Mrs. Barr pointed out her home on the locator map displayed on the overhead screen, and noted their lot is bigger in front and smaller at the rear. She and her husband do not believe this property should be rezoned R-3. Her husband's family has lived in this neighborhood for over 50 years. She commented the quaint neighborhood is on a one-lane road with lots of mature trees. The neighborhood looks out over the golf course. She and her husband can see the golf course from their porches and their balconies. The tall houses that would be built in the proposed subdivision would totally destroy their view. She wondered what had they done to suddenly have their view destroyed.

Mrs. Barr stated if the cul-de-sac bulb were granted, it would take out half of their front yard. She pointed out how close their house would be to the cul-de-sac pavement. She again stressed there is no good reason to change the R-1 zoning to R-3 zoning. She expressed the opinion that the builder could make an appropriate profit putting up three homes instead of five homes. She stated her opinion that the only reason the builder wants to do five homes instead of three is because the Village wants these right-of-way improvements. Mrs. Barr stated everyone in the neighborhood enjoys having a one-lane, dead-end road. There are signs posted on both sides of the road that say "No Parking". There is a huge sign stating "No Outlet" at the intersection of Chicago Avenue and Belmont Road. Mrs. Barr commented it is very clear this is not a neighborhood where you can drive through to get to another neighborhood.

Mrs. Barr advised she and her husband are currently adding on to their home. The concrete mixer and other pieces of equipment and vehicles had no problem getting up Puffer Road to their home, and were able to turn around with no problems. Mrs. Barr stated there is no reason for a cul-de-sac, and she did not think it was necessary to take half of her front yard to create the cul-de-sac.

Mrs. Barr stated she wanted to point out the errors on the Staff report. She referred to the table on Page One. Where it states "East: R-3 Single Family Residence" it should state "East: R-1 Single Family Residence". On Page Two the second sentence states, "Across Puffer Road to the east, the residential lots are zoned R-3 and have lot widths varying from 60 to 75 feet..." Mrs. Barr stated that was incorrect; the lots are zoned R-1. Mrs. Barr said that Mrs. Riordan pointed out many of the lots on the east side of the street are combined lots. Mrs. Barr stated in reality there are no lots that are 60 to 75 feet in width. Mrs. Barr noted the double lot on the corner of Puffer Road and Chicago Avenue owned by Hilda Schultz is 165 feet by 200 feet with an area of 33,000 square feet, which more than meets the R-1 designation. The next lot is 90 feet by 200 feet with an area of 18,000 square feet. While that does not meet the minimum lot area requirement for R-1, Mrs. Barr noted it is a lot more than what is required for a R-2 lot and way more than what is required for a R-3 lot.

Mrs. Barr expressed the opinion that when the zoning decisions were made, because the lots were between the R-2 and R-1 requirements, that R-1 would be the appropriate zoning designation. Mrs. Barr stated it is mischaracterized to say that the east side of Puffer Road is mislabeled R-1. Mrs. Barr stated if the Plan Commission members came to her neighborhood they would see that the houses are farther apart. The character of the neighborhood will be changed if the property on the west side of Puffer Road is zoned R-3. Mrs. Barr questioned why R-2 zoning was not considered.

Mrs. Barr next addressed the table on page two of the Staff Report, which characterizes proposed Lot 1 as having a lot width of 90 feet. She disagreed and stated it is a pie-shaped lot with a width ranging from 70 feet to 92 feet. Mrs. Barr pointed out the column in the same table showing the percentage difference from the lot width requirement of 75 feet. Mrs. Barr stated at some point, proposed Lot 1 is less than 75 feet. Mrs. Barr emphasized it certainly does not exactly meet the standards for R-3.

Mrs. Barr questioned how the math was calculated on proposed Lot 5. If the lot width is 80 feet and the lot depth is 165 feet, her calculations show the lot area is 13,200 square feet, but the table shows 13,400 square feet. She asked if there is something else that factors into that square footage such as part of the parkway.

Mrs. Barr referred to the last sentence of paragraph four on page two that states, "In addition, the future homes should be designed in an architecturally compatible manner with the area and in relation to each other". Mrs. Barr agreed with that statement but commented that having really huge, tall houses all in a row is not at all compatible with the area. Mrs. Barr stated she and her husband would be looking out at a 30-foot tall brick wall across the street from their home. She pointed out two of the existing houses are stucco, and the other two are sided. The houses are older and rural in character. Mrs. Barr acknowledged houses could be built to fit the character of the neighborhood, but she expressed her opinion that such a house would look better on a bigger lot with more trees.

Mrs. Barr next referred to the third paragraph from the bottom of page three which states "The narrowest portion of the proposed surrounding parkway as proposed in this case is approximately four feet". She asked whether the four feet is on her property.

Mrs. Barr stated there is an agreement about putting a two-foot wide shoulder of concrete on each side of the road rather than building curbs and gutters. She asked what was the purpose of that. In her opinion, a curb is only about one foot wide, but the Village is requiring two feet. She commented that was a lot of concrete to go two feet on each side of Puffer Road. She asked if it would be cheaper and easier to just do the curbs. Mrs. Barr noted concrete is very expensive and questioned why the developer would want to do that.

With regard to stormwater management, Mrs. Barr asked for more information on the adequate side and rear stormwater drainage easements, which the petitioner has provided. She wants to know what is required and what the developer did to show that.

With regard to the nine trees required along the west side of the cul-de-sac, Mrs. Barr stated the recommended pear trees did not seem to be a very fast growing species. The neighbors would like those trees to be replaced with faster growing trees. With respect to the wetlands, Mrs. Barr asked how that was addressed and where the wetlands are located on the golf course.

Chairman Jirik explained that typically during a public hearing such as this, questions are addressed at the end of the public participation portion of the hearing. He noted for clarification that Mrs. Barr had questions regarding R-1 versus R-3 zoning, four feet of parkway, the shoulder of concrete, stormwater management, the Village Forester's tree list and the wetland location. Chairman Jirik stated as long as wetlands are not present on the developer's property or within so many yards of the property, the developer is not obligated to find the nearest wetland. Mrs. Barr asked if the water from the proposed subdivision would drain into that wetland. Mr. Waechtler recalled that Mrs. Barr had also asked why R-2 zoning was not considered.

Bruce and Sharon Siegert, 4654 Puffer Road, Downers Grove stated they were also representing their neighbor at 4657 Puffer Road. Mrs. Siegert indicated they would rather not have five homes across the street but would accept four homes if they have to. With respect to the two feet of concrete that would be placed on the east side of the street to extend Puffer Road, Mrs. Siegert noted they have ditches there now and commented it is fine the way it is. She asked why not put the extra two feet on the west side of Puffer Road rather than on both sides. Mr. Siegert asked what is going to happen to the ditch if they add two feet of concrete. Chairman Jirik noted the question would revolve around where the lot line ends, where the public right-of-way begins.

Mrs. Riordan expressed her understanding that the apron or the shoulder is effectively acting as the ditch. Mrs. Riordan indicated she would let the petitioner's engineer address that question.

Mr. Siegert also commented if you put a two-foot extension on the roadway the ditch drops down and there would be a big hole. If a car slid off the road, the car would wind up hanging on a hunk of concrete. Mrs. Siegert pointed out all of the current driveways would have to be re-cut and, in addition, there will be new driveways on the west side of Puffer Road. Mrs. Siegert stated the trees on Puffer Road along the ditch are over 50 years old. Putting in two feet of concrete will affect the tree roots and the trees could die.

Mr. Philip Barr, 4605 Puffer Road, Downers Grove stated he was at the meeting the developer held for the neighbors. The proposal shown to them was nice, but there have been some changes made to the plans since then. He expressed concern regarding the cul-de-sac, which was never mentioned at the neighborhood meeting. Mr. Barr stated he did not believe they should have to absorb the burden of this cul-de-sac just because there are new houses being proposed for the west side of Puffer Road. Mr. Barr commented if there were only four houses he did not see any need for the proposed cul-de-sac. The lots would be wider, and the new driveways would be more accessible. Mr. Barr referred to the drawing showing the location of the proposed cul-de-sac and suggested the cul-de-sac could be moved farther south, and then the burden of the turn could be shared by the Trowbridge property rather than just their property.

Mr. Barr next referenced the discussion regarding sanitary sewers. He explained the properties on the east side of Puffer Road do not have sewers; they have septic fields. He noted there is an existing water line on the east side of Puffer Road. Mr. Barr explained there has to be a ten-foot separation between the sewer line and the water line. Mr. Barr indicated his belief that the sewer line should be on the west side of Puffer Road. Mr. Barr noted there are rumors circulating in the neighborhood regarding the location of the proposed sanitary sewer, and he asked for further clarification.

Chairman Jirik advised Mr. Barr that the Plan Commission has not been asked to grant any exceptions from any requirements for a sanitary sewer. Chairman Jirik further noted whatever is required for civil engineering will determine the location of the proposed sanitary sewer. Mr. Barr emphasized they are against having a sewer line on their property. Mr. Barr pointed out locating the sewer line on the east side of Puffer Road would tear out all of the trees along the road. Mr. Barr re-emphasized that he and his wife objected to the cul-de-sac and the sanitary sewer line. He recommended that there should only be four homes with septic fields.

Gordon Goodman, 5834 Middaugh Avenue, Downers Grove stated he had several questions and in order to make his comments he either has to know the answer to the correct zoning at present or he would have to make an assumption about the zoning. He asked if it was possible to get an answer and a clarification of what the accurate zoning is in the block just east of this proposed development.

Mrs. Riordan stated earlier she clarified that the lots fronting Puffer Road are zoned R-1, Single Family Residential, and the lots fronting onto Belmont Road are zoned R-3, Single Family Residential.

Dr. Goodman explained he was not present earlier when Mrs. Riordan clarified the zoning. He asked if the map looks very much like the indication on the block just south of Chicago Avenue, where the west half of the block is R-1 and the east half of the block is R-3. Mrs. Riordan concurred.

Dr. Goodman stated he has several comments particularly about the appropriateness of this rezoning. Dr. Goodman stated he thought it was highly inappropriate for two main reasons. One is the reason that has already been discussed, the consistency of development in this area and fitting into the neighborhood. The second reason is that this is a very logical planning area for expansion of Park District property. Dr. Goodman commented he had never been in one of the Park District's executive sessions where things like this have been discussed but he has discussed the logical extension with the Park District Administrator.

Chairman Jirik interrupted Dr. Goodman and instructed him not to continue with that line of discussion, as it was speculative and hearsay. Chairman Jirik stated if those members of the public wished to attend this meeting and state their case they were welcome to do. Chairman Jirik further clarified the Plan Commission cannot have any individual represent the comments of another individual. Dr. Goodman then withdrew those comments.

Dr. Goodman stated that as a Village planning concept this land should have its highest and best use associated with extension of the Park District facilities. He noted R-1 is an appropriate zoning to support that concept. Dr. Goodman reiterated his two main arguments in opposition to the requested zoning change are 1) it is inconsistent with the trend of development and the surrounding zoning and 2) it is inconsistent with the logical plan for the development of this area for public facilities.

Dr. Goodman next addressed the requested Exception related to the cul-de-sac and the orientation of the cul-de-sac. He indicated his comments addressed some of the concerns the Commission heard from the Barrs who live in the house that would be just east of the proposed cul-de-sac. The normal cul-de-sac as explained on page three, paragraph five of the Staff report has a radius of no less than 47.5 feet with 30 feet of pavement, 5 feet of sidewalk and 12.5 feet of parkway.

Dr. Goodman stated if the 5 foot sidewalk and 12.5 foot parkway were actually planned for the cul-de-sac in front of the Barr's residence it would not intrude on their current front yard as this proposed cul-de-sac would. Dr. Goodman indicated that normally people are able to incorporate the parkway into their landscaping plans and their front yard. In this case, the 5-foot sidewalk width is only planned on the west side of the road, and the Barrs would essentially have 17.5 feet between the pavement and their property line as this cul-de-sac would normally be designed. Dr. Goodman expressed his belief that they have a very good point, and he supported their objection to the granting of this Exception, which intrudes upon their normal expectations of approximately 17 feet separating their property line from the proposed cul-de-sac.

Dr. Goodman stated the last point he wanted to make was that he understood the Staff was supporting the request not to install curbs and gutters. Dr. Goodman indicated it was unclear to him, and he asked Staff to clarify if they are requiring the installation of storm sewers in this improvement of the street.

Dr. Goodman concluded by stating this proposed subdivision is incompatible with the overall character of the neighborhood. Dr. Goodman indicated if a zoning change to R-2 or R-3, which would permit more density on this site, would be much more consistent with the character of the neighborhood, and should be recommended by the Plan Commission rather than this one.

Mr. Tom Sleeter, 5416 Maplewood Place, Downers Grove, stated their interest in the neighborhood is that his wife had grown up there, and they were the ones who sold the property to the developer. Mr. Sleeter advised that they did talk to the neighbors, and they share their concern about the cul-de-sac. Mr. Sleeter indicated he and his wife were not aware of this before, and he feels it is unnecessary. Mr. Sleeter noted the building of the Recreation Center has adversely impacted the neighborhood, and one more area getting paved over when it is unnecessary is just not appropriate.

Mr. Sleeter added if it was found appropriate to have a cul-de-sac why has there not been one for the 20 some years since the property was annexed. He also asked why there is not a cul-de-sac at the other end of Puffer Road. Mr. Sleeter commented access seems to be such a low priority to the Village that they permit parking on both sides of Puffer Road, and he has been told at times even garbage trucks cannot make it through much less a fire truck. Mr. Sleeter stated a long-standing land use suggests skipping a cul-de-sac and perhaps just having a "T" on one side for turn-around might be more appropriate and would meet the concerns of the neighbors, yet would provide the access and turn-around for a fire truck or an ambulance.

Mrs. Janis Sleeter, 5416 Maplewood Place, Downers Grove, stated with regard to the cul-de-sac issue, the turn-around does seem to make a great deal of sense in that situation. She commented that the Puffer Road right-of-way south of Chicago Avenue is only 33 feet wide. It does not have the same 66-foot right of way that the north part of Puffer Road does. One of the issues regarding curbs and gutter is that it would not necessarily be appropriate to put in a curb and a gutter that does not hook up to anything else.

Mrs. Sleeter also questioned the value of the sidewalk. The right-of-way on the south part of Puffer Road is only 33 feet wide, so the sidewalk would only go along the west side of Puffer Road north of Chicago Avenue, a one block span. It would never be able to be extended to the south, there is a berm at the south property line of the Recreation Center property and thus the sidewalk would never be able to go through into that area to the north either. Mrs. Sleeter stated at one point Mr. Barr had asked for a vacation of the north end of Puffer Road, and the Park District Board at a public meeting agreed that they had no objection. Mrs. Sleeter asked if there really is a need for a sidewalk for one block. If there were no sidewalk, there would also be more room for a turn-around for a smaller cul-de-sac that would not intrude into neighbors' properties as much.

Chairman Jirik emphasized that the opinions of others cannot be a topic for discussion as those individuals are not here to represent them, unless it was a matter of public record.

Mrs. Sleeter again stated as far as not having a sidewalk or the street through, the Park District had no objection to the vacation of the north end of Puffer Road. Mrs. Sleeter further explained that discussion occurred at a public meeting, and she is a member of the Park District Board.

Chairman Jirik asked if there was anyone else who wished to speak. There was no further response, and Chairman Jirik closed the public participation portion of the public hearing.

Chairman Jirik next asked Mrs. Riordan to address the questions posed earlier during public participation.

Mrs. Riordan stated Mrs. Barr had inferred that Staff is of the opinion that the R-1 zoning of the bank of properties fronting on Puffer Road was not appropriate. Mrs. Riordan clarified that Staff was indicating that the map within the Staff Report was mislabeled R-1, not that the properties were inappropriately zoned R-1.

Mrs. Riordan stated she would defer the question as to why they proposed to rezone the property to R-3 versus R-2.

With respect to Mrs. Barr's questions regarding the calculation of lot width, Mrs. Riordan stated per Code lot width is not calculated at the front property line. Lot width is calculated perpendicular to the lot depth at the minimum required setback of the proposed zoning district. In this case in the R-3 zoning district, the setback is 30 feet. Therefore, the lot depth line would be established from the midpoint of the front lot line to the midpoint of the rear lot line, and the width would be measured perpendicular to that line 30 feet back from the front property line. Mrs. Riordan stated there would be differences between what is actually fronting on the public right of way as opposed to the calculated lot width, and also, the lot may be wider or narrower at some other location, but the depth is measured at only that one location at the setback line.

Mrs. Riordan indicated she would go through the individual calculations for each lot if the Commission deemed that necessary. Chairman Jirik asked if that is the standard way of calculating lot width, and is it done consistently in all cases, and Mrs. Riordan agreed. The Commission members did not indicate it necessary to review each lot.

With respect to Mrs. Barr's question as to the calculation of lot area, Mrs. Riordan indicated that the lot area was calculated by the petitioner and appears on the face of the plat. A lot that is not perfectly square is best calculated by the engineer, and typically, the computer program, which produces the drawings, performs these calculations. Mrs. Riordan further commented she would defer to the petitioner if they wish to address this issue.

Mrs. Riordan stated there was also a question with respect to the shape of the cul-de-sac and the location of the point at which there would be approximately four feet of parkway between the edge of the curb and the property line. She displayed the proposed engineering plan on the overhead screen and pointed out that adjacent to the Barr's residence, the cul-de-sac would be located within the right-of-way and would not be encroaching into their property.

Mr. Waechtler asked if one of the main reasons for the cul-de-sac was the turn-around of emergency vehicles. Mrs. Riordan responded the direct request for the provision of the cul-de-sac came from the Fire Prevention Division with specific reference to emergency vehicles. Additionally, the Public Works Department's cited snow plowing and vehicle movement.

Mr. Nicholaou recalled Mrs. Barr stated the cul-de-sac would infringe on her property line. Mr. Nicholaou indicated he did not see that based on the displayed drawing.

Mrs. Riordan explained that when Mrs. Barr indicated that she would lose half of her front yard, she is referring to that part of the grass area located between the edge of the pavement within the public right-of-way and the front wall of her residence. The portion of that grassed area is within the public right-of-way and is not private property; it is public property, although it is commonly perceived that one's front yard extends all the way to the street pavement.

Mr. Nicholaou asked if what is shown on the illustration is correct, and Mrs. Riordan agreed. Mrs. Riordan acknowledged Mrs. Barr's point that what is perceived as being her front yard is in fact being reduced with the petitioner's requested Exception for a reduction in the parkway width. Mrs. Riordan further acknowledged that Dr. Goodman's point regarding this issue is also true; however, Mrs. Barr's private property is not being taken as part of this cul-de-sac bulb under the strict legal term of a "taking".

Chairman Jirik asked if the review by the Fire Department and the Public Works Department was specifically addressing the cul-de-sac to allow turning movements or the overall improvement of Puffer Road or both.

Mrs. Riordan stated her opinion that it was both. A barrier curb and a gutter is a strict requirement per Code, and 30 feet of pavement back of curb to back of curb is also a requirement per Code. When the Public Works Department reviewed this proposal, they made determinations as to what would be agreeable Exceptions as opposed to what Public Works saw as a necessary improvement.

Chairman Jirik stated it was not just a blind adherence to the Code, but rather Public Works felt it justifiable to bring it up to Code in the course of development. Mrs. Riordan added that the first plan submitted by the petitioner did not include a cul-de-sac. It was the review by the Public Works Department and the Fire Prevention Division that prompted the petitioner to conform to the request that the dead end street be improved with a cul-de-sac turn around.

Chairman Jirik stated as this developed, the extent or number of Exceptions decreased from earlier conceptual aspects in light of both Public Works' and Fire Prevention's concerns about life safety. Chairman Jirik asked if it was reasonable to presume that the same life safety issues would persist no matter what zoning was requested.

Mrs. Riordan indicated that the request for a subdivision adjacent to this substandard width of right-of-way and substandard street pavement was what triggered the requirements per Code. Mrs. Riordan stated the petitioner and the Public Works Department have worked together to reach an agreement as to what those public improvements should consist of for this proposed subdivision. Mrs. Riordan expressed her opinion that those public improvements would be recommended whether this subdivision consisted of five lots or three lots.

Chairman Jirik suggested this might be a good time to hear from the petitioner with regard to the questions regarding the roadway, etc.

Tim McSweeney stated when they first looked at acquiring the property; they met with Public Works to determine what improvements would have to be made in keeping with the wishes of the neighborhood, which were articulated to them by the previous owners. At that meeting, they were told they would not have to put in a cul-de-sac. He was informed of that requirement after the initial indication that it would not be required.

Mr. McSweeney stated his concern was that he needed to be able to get five lots because of the cost of the land, and what they needed to get back for it to be worth their while to meet all the public improvements requirements. Mr. McSweeney noted that during a second meeting, Public Works thought in a worse case scenario they would have to put in a T-shaped turn around. Mr. McSweeney indicated it was his belief at that time Public Works had not consulted with Fire Prevention. Mr. McSweeney again reiterated his concern that if he had to put in a cul-de-sac, he would lose a lot in doing so.

Mr. McSweeney advised he wanted to be able to be sensitive to the neighbors' issues, and that he was caught between appeasing Public Works requirements as opposed to the neighbors' issues as to what their current neighborhood looks like. Mr. McSweeney stated because Public Works was endorsing the cul-de-sac, he agreed to do it. Mr. McSweeney told the neighbors he did not want them to think this was a bait and switch scheme on his part. The cul-de-sac is what the Public Works staff wanted.

Chairman Jirik recalled someone raised the question whether the cu-de-sac could bend farther south to provide a little more parkway. Mr. McSweeney referred to Mrs. Riordan's earlier comments that what is perceived, as someone's front yard is actually parkway.

Derek Stanzik, Intech Consultants, 5413 Walnut Avenue, Downers Grove, stated he prepared the cul-de-sac design. He explained that normally a cul-de-sac right-of-way is

larger than this. Mr. Stanzik indicated there was a possibility to look at turning the bulb of the cul-de-sac to the west, away from the Barr's property.

Mr. Waechtler stated Lot 1, which is pie shaped, might afford the necessary space to do that. Mr. Stanzik advised he would have to further study the relocation of the cul-de-sac to determine how much area and more importantly, width, would be lost from Lot 1.

To address earlier questions from the audience, Mr. Stanzik stated a curb and gutter is typically 18 inches; a six-inch curb and a one-foot gutter. There is also usually is a stone shoulder. Instead of a two-foot wide stone shoulder, which causes problems for snow plowing, Public Works requested the installation of a two-foot wide concrete shoulder. The two-foot wide concrete shoulder will meet the existing east edge of pavement. The road will go to the west, and they will not be bothering the ditch or the trees on the easterly side of the right-of-way adjacent to the existing residences. If they were required to put in a full 30-foot roadway with curb and gutter, every single tree in the parkway would be taken out. He noted that they are trying to make as few changes as possible, while still meeting the requirements.

Chairman Jirik affirmed the two feet of concrete is in lieu of the more invasive curb and gutter and would align with the current edge of pavement. Mr. Stanzik confirmed they would start close to the existing edge of pavement and move the entire pavement expansion to the west.

Mr. Waechtler asked how that would affect the ditch on the east side of Puffer Road. Mr. Stanzik responded there would be no affect as they are going to meet existing grade. Mr. Stanzik emphasized they want to leave the existing trees on that side.

Mr. McCormick asked if Mr. Stanzik was saying the two-foot concrete shoulder being added would be to the west. Mr. Stanzik responded they would be going from a 16-20 foot wide pavement to a 28-foot wide pavement. All of the widening will be to the west side of the existing pavement. There will be no widening to the east side, except for the cul-de-sac bulb.

Mr. Nicholaou asked the petitioner if in his discussions with the neighbors had he always talked about five properties. Mr. McSweeney responded affirmatively and noted the project is not economically feasible with less than five lots.

Mr. Stark asked if there would be a ditch on the west side of Puffer Road. Mr. Stanzik said that they originally did have a ditch on the west side, but now they are doing more of a "low flow" system. The ditch is approximately six inches deep with a French drain or perforated pipe with about two feet of stone around it, and what water does not run down the ditch will filter through the ground, through the stone and into the pipe and then come down where the ditch ends on the south end of the property. Mr. Stanzik noted this is considered a "BMP", or a Best Management Practice. It will help keep the water cleaner. Mr. Stanzik pointed out that was also a Public Works Department request. Mr. Stanzik noted it will look nicer than a two-foot ditch and will also be safer.

Mr. Nicholaou asked Mrs. Riordan if the cul-de-sac were moved to its maximum to the west, would it require a variation for Lot One. Mrs. Riordan responded that mathematically, Staff would have to see how far west the cul-de-sac would be proposed to be located in order to determine what impact it would have on the calculated lot depth and lot width of Lot 1.

Mr. Nicholaou asked if the cul-de-sac was moved four feet to the west what would that do to Lot 1. Mr. McSweeney pointed out that they have already dedicated two feet of land on that side of Puffer Road. Mrs. Riordan indicated that if more land were to be dedicated to accommodate a cul-de-sac bulb facing only to the west, the resulting reduction in lot area and lot width may not be so great as to require Exceptions; however, that concept would require additional review.

As guidance to the Plan Commission Members, Chairman Jirik advised if the Commission is getting into detailed mathematics they need to be careful if there is an Exception or a Variation that is created by a recommendation they are making, because the Commission does not want to create the impression that "yes it can fit, there is no necessary Exception, and this case can go forward" before such a determination has been made.

Mr. Waechtler asked for clarification of square footage for a R-3 lot. Mrs. Riordan responded the minimum requirement in R-3 is 75 feet in width, as measured at the front setback line perpendicular to the lot depth. The minimum lot area requirement is 10,500 square feet.

Mr. Griesbaum referred to the topographical map of the property and asked if the highest point on Lot 1 is 767 feet above sea level and at its lowest point on Lot 5 is 737 feet. He pointed out there appears to be a 30-foot pitch to the entire parcel. Mr. Stanzik agreed.

Mr. Griesbaum next asked how the contour from the house at a level 30 feet higher than the home at the lowest level is taken into account. He asked if there was some grading work that will be done to make the look and feel of the property appear to have the same look and feel as to what is on the east side of Puffer Road. Mr. Griesbaum asked if there had been any discussion about how the entire development will look. He indicated he was trying to imagine looking at five homes with a 30-foot pitch between the house at the highest point and the house at the lowest point.

Mr. Stanzik pointed out the other side of the street is similar, and has a similar grade differential from north to south. It starts out at 765 feet and goes down to 739 feet. Mr. Griesbaum stated from what he has seen on the east side of Puffer Road, the location of the different homes does not emphasize the change in grade.

Mr. Waechtler asked if fill would be utilized. Mr. Stanzik indicated they would be staying close to the existing grade; however, dirt will be moved around to make the yards work well together. They will meet the existing grade at the roadway.

Mr. McSweeney said that they did give consideration to the type of homes that would be placed on this property, and they did not want to do a massive change in grade. They are trying to stay with what nature provided on this site and not interrupt it. Some of the lots will be natural for walkouts, and they might engineer one to be a walkout or a lookout. The buyers will dictate what type of homes will be built. Mr. McSweeney commented they have consulted with their engineers and with architects. Their plan is to have one of the premier places in Downers Grove, if not the premier place to live.

Mr. Stark recalled one of the questions raised by the public was what was the need to change the zoning from R-1, Single Family Residential to R-3, Single Family Residential. Mr. Stark asked Mr. McSweeney as the current owner of the property did he know what the zoning was when he purchased it. He asked Mr. McSweeney if his purchase was in anticipation that the Plan Commission would recommend approval of the zoning change. Based on that, Mr. Stark further asked Mr. McSweeney if that was what prompted the current subdivision plat.

Mr. McSweeney agreed. Mr. Stark asked for confirmation that Mr. McSweeney did not have any fall-back plan to place four houses on this site under the current R-1 zoning and thus his hardship was an economic one.

Mr. McSweeney responded in pursuing the purchase of this property, he had preliminary discussions with Staff as to the difficulty of getting the zoning changed to R-3. Mr. McSweeney pointed out in his initial meeting with the neighbors to discuss his plan five homes did not seem to be a problem for them. Mr. McSweeney stated he thought they did their due diligence in pursuing this property. Mr. McSweeney acknowledged there was some risk, but they felt if they meet all the conditions placed upon them, there would not be an issue with the rezoning.

Chairman Jirik pointed out Mr. McSweeney's characterizations of the neighborhood meeting could not be an issue here tonight as the Commission did not hear the neighbors voice their characterization of that meeting. Mr. McSweeney noted most of the neighbors objections voiced here this evening were because of what Public Works staff requested of him.

Mr. Stark stated he is trying to balance the petitioner's hardship, and the reason why the zoning should be changed against the testimony he is hearing from the neighbors. Mr. Stark asked if there was anything else Mr. McSweeney could add other than he would like five lots rather than four lots. Mr. McSweeney responded if the rezoning were not granted, he would have to abandon the project because four lots would not be economically feasible. The numbers would not work with the requested improvements he has agreed to make.

Mr. Stark noted the Park District is a neighbor to this project, and he asked Staff if they had received any official correspondence from the Park District regarding this proposed subdivision. Mrs. Riordan responded as a surrounding property owner, the Park District received mail notification of the pending public hearing, and a member of the Park

District Board serves as an Ex-officio member of the Plan Commission and as such, that member received a copy of the Staff Report regarding this case.

Mr. Waechtler asked Mrs. Barr if the addition of these new homes would be an asset or an improvement to the neighborhood. Mrs. Barr responded negatively. Mr. Waechtler commented sooner or later somebody is going to build on that property, and the residents on the east side of Puffer Road will no longer be able to look out at the golf course. Mrs. Barr commented they would be satisfied with the zoning remaining as R-1, single family with three or four houses there.

Chairman Jirik pointed out to Mrs. Barr if there was no request for a change in zoning but the petitioner asked for fairly significant Exceptions such that the lot widths mirrored the lot widths on the east side of the street, that proposed subdivision would look almost the same as this one.

Chairman Jirik asked Mrs. Riordan if Mrs. Barr's property, which is zoned R-1, is way below the minimum lot width and lot area. Mrs. Riordan responded that she would not classify it as "way below". Mrs. Barr interjected that it is closer to R-1 than R-2. Mrs. Riordan continued that the Barr's property does not meet the R-1 minimum requirements.

Chairman Jirik asked if the east side of Puffer Road was undeveloped and was proposed for R-1 zoning, would it need Exceptions to be divided into parcels similar to what exists there today. Mrs. Riordan agreed and noted the parcels as they currently exist on the east side of Puffer Road are currently non-conforming to R-1 requirements; however, she again noted that in some cases, two parcels are being used as one property. As these parcels were either created in their configurations prior to April of 1965 or prior to their annexation, they would retain lawful nonconforming status and would be permitted to be utilized independently if the structures were no longer present.

With regard to the sidewalk issue, Mr. McCormick asked Staff if the developer has the opportunity to pay into a fund rather than build the sidewalk that goes nowhere. Mrs. Riordan acknowledged there would be a required fee in lieu of for the sidewalk construction; however, in this particular case Public Works did in fact request the installation of the sidewalk.

Mr. Nicholaou asked if Public Works gave a reason for that request. He commented after looking over the area he got the sense of more of a rural area. Mr. Nicholaou expressed his opinion that a narrow ribbon of 600 feet of concrete seems crazy. Mr. McCormick agreed.

Mrs. Riordan expressed her understanding that Public Works made their recommendations based upon current Code requirements, applicable Village policies, and to protect the public health, safety and welfare, including emergency service and public service vehicular access.

Mr. Waechtler noted there has been discussion about R-2 zoning, and he asked Staff what the requirements were for that zoning classification. Mrs. Riordan stated the minimum lot width requirement in the R-2 zoning district is 85 feet, and the minimum lot area requirement is 15,000 square feet.

Mrs. Riordan pointed out there are still some questions that asked by previous speakers that the petitioner has not had an opportunity to address, such as stormwater easements and neighboring wetlands, as well as trees.

Chairman Jirik recapped the tree issue. The Village Forester has an approved list of parkway trees based on knowledge and expertise regarding trees that thrive in particular environments. Chairman Jirik stated his understanding is that the developer is able to choose from that list. Mrs. Riordan noted that in the alternative, the developer could have Public Works plant the trees and reimburse the Village for the trees and the installation cost. Chairman Jirik explained the Village owns the parkway, and the Village Forester has a limited variety of species that have been determined to be viable in that environment.

With regard to the wetlands, Chairman Jirik recalled it was determined that the nearest one was on the golf course, and that the subject property is not located within the buffer zone surrounding the wetland.

With regard to the stormwater question, Chairman Jirik asked Staff if the grading, which is part of the subdivision, affects the necessary stormwater lot by lot. There would not be any public dedication of a detention or retention facility. Mrs. Riordan agreed.

Chairman Jirik advised there is a binding aspect with regards to the grading plan. It has been reviewed by Engineering and has been found to meet the requirements of the stormwater retention and detention. Mrs. Riordan again agreed.

Mrs. Riordan recalled Mr. Barr had mentioned the ten-foot separation between the water and the sewer lines and asked if the petitioner would like to address that question. Mr. Stanzik explained the sanitary sewer is proposed on the west side of the right-of-way, so they will not be touching the water main or the trees on the east side of the right-of-way.

Chairman Jirik asked the petitioner and his engineer if limiting the utilities to the west side of Puffer Road would be a hardship or would there be any engineering difficulties. Mr. Stanzik responded they would still have to tie into the water main and meet the edge of pavement so that would be the extent of any disturbances on the east side of Puffer Road.

With regard to parking issues raised by the public, Chairman Jirik asked the petitioner and his engineer if they were envisioning parking on both sides of Puffer Road. He also asked Staff if anyone from Parking and Traffic raised any issues regarding parking. Mrs. Riordan advised there were no comments from Traffic Division of Public Works.

Chairman Jirik noted parking on both sides might be more feasible with the proposed improvements to Puffer Road. Mrs. Riordan acknowledged it would be more feasible than the current 16-foot wide pavement.

Mrs. Schroeder, representing School Districts 58 and 99, asked if the current residents on the east side of Puffer Road wanted to build houses similar to what is being proposed this evening, would they have to ask for an Exception or a change in zoning.

Chairman Jirik noted if the east side of Puffer Road were proposed today as a new development, there would be some Exceptions necessary because the lots do not conform to R-1 requirements. To represent that each lot as fully conforming to the R-1 minimum requirements would not be true.

Mrs. Schroeder pointed out the current homes sit on the middle of combined lots and as such would not be in compliant with the R-1 zoning. Chairman Jirik acknowledged that it would be a complex question. Chairman Jirik stated the issue he was trying to draw some attention to earlier that the east side of Puffer Road is zoned R-1, but the lots are not fully at the R-1 minimum requirements. Chairman Jirik indicated he did not know to what extent they would be fully compliant with R-2 or R-3 zoning requirements.

Mrs. Riordan commented that perhaps Chairman Jirik and Mrs. Schroeder are talking about two different scenarios. She said that Chairman Jirik is commenting that if the lots were proposed to be created today, Exceptions would be necessary. Whereas Mrs. Schroeder is commenting that the lots in their current configuration, although used today in combination with one another for one house, could be developed with two houses if the existing houses were torn down.

Chairman Jirik asked Mrs. Schroeder to give her name for the record. Mr. McCormick indicated he had asked the Chairman to ask that so that the members of the audience would be informed she represented both School Districts on the Plan Commission.

Mrs. Schroeder indicated she would appreciate being notified of all of the Plan Commission meetings. Having a resolution from both School Districts appointing her to represent them on this Commission, she has all the privileges of the Commission except voting rights. Mrs. Schroeder indicated she wanted to go on record that she has not been receiving notification of all of the meetings because she has said it privately to different people and has still not received all the necessary materials. Mrs. Schroeder emphasized to Mr. Skach that she would like notification of all of the meetings.

Mr. Waechter recalled Mrs. Schroeder had publicly raised this issue once before this Commission. Mrs. Schroeder responded she is receiving minutes of meetings she has never been told about. The Recording Secretary apologized for the mix-up.

Chairman Jirik asked if there was any dialogue regarding this petition.

Mr. Nicholaou stated his opinion that the sidewalk requirement is ludicrous. He recalled the Plan Commission's review of the Ponstein Subdivision on Fairview Avenue that had many more Exceptions than this proposed subdivision, which has no requests for Exceptions regarding the lot sizes. He asked if such a sidewalk would be contiguous to the neighborhood. Mr. Nicholaou acknowledged Mr. Stark's question as to whether or not the developer could do four lots instead of five lots. Mr. Nicholaou indicated he was still wrestling with these issues.

Mr. Stark stated in trying to plan a community and come up with a cogent idea of why one area is zoned one way, and when you get to a heavier zoning requirement what is the difference between concentration of homes we have in downtown Downers Grove and as we go out to the nether lands why the zoning becomes less dense. In this case, Mr. Stark noted he would have liked to hear the Park District weigh in or talk about the feel for what these people are going to have built right next to them. Mr. Stark thought the Park District would have had an opinion, but they did not send an official representative to this meeting.

Mr. Stark continued that there is a big open piece of land, the golf course, and he asked how do we transition to R-3 zoning. Perhaps the logical step would be for it to remain R-1 zoning. He asked how the Plan Commission wants to tier down from this large piece of open land to something denser. Even though the lots on the east side of Puffer Road are looking like one type of zoning but are really zoned the other way, Mr. Stark asked if the Plan Commission should take that into consideration. He noted Puffer Road itself is about as rural as you get within Downers Grove. The Belmont Road area is a separate micro neighborhood.

Mr. Stark also asked if the Commission wants island zoning in this particular area. Mr. Stark asked how should this piece of land be effectively developed. Mr. Stark commented no matter what size of subdivision is built there, a cul-de-sac would happen. Mr. Stark stated he understands the neighbor's concerns about the proposed cul-de-sac eating up what they consider their front lawn. Mr. Stark commented asking the developer to change the shape of the cul-de-sac is outside his purview. The Plan Commission cannot shepherd development the way the public would like them to do. That is up to the Village Council. Mr. Stark stated as a Plan Commission, they could control the zoning. He pointed out if the proposed subdivision has larger lots, that gives the cul-de-sac more of a chance of going onto the developer's side of Puffer Road rather than onto the east side of Puffer Road. Mr. Stark concluded he would be open to hearing what the rest of the Commission members are considering.

Mrs. Reynolds asked if what the Plan Commission is discussing is the difference between five lots or four lots. Mr. Stark agreed. Mrs. Reynolds asked if it was such a big deal. Mr. Stark responded he weighed whether or not it was a big deal against the neighbor's expectations regarding the zoning. Mr. Stark noted every developer wants the highest possible density. Mrs. Reynolds reminded the Plan Commission member that there are several other parcels on Belmont Road, which have been changed to R-3 so this request is not unprecedented.

Mr. Waechtler responded this is not Belmont Road. The map displayed earlier shows once you get off Belmont Road and come into this area you are looking at all R-1 zoning. He asked Staff to review the lot sizes for the east side of Puffer Road. He also wanted to know the sizes for the R-1 lots further south of Chicago Avenue. Mrs. Riordan responded that she did not have the lot sizes for the lots south of Chicago Avenue available to her.

Chairman Jirik stated if you go south, the R-1 and the R-3 lots are basically identical lots. While the zoning designation may be different, the lots really are not different. Chairman Jirik acknowledged that makes it harder for him to get stuck on the R-1 issue because the existing lots are not materially different between the R-3 and the R-1 zoning designations. Chairman Jirik noted if the lots on the east side of Puffer Road were larger R-1 lots, he would feel stronger on the issue. The fact that they are not is a significant distinction in his mind.

Mr. Stark commented that also troubled him, and he noted the difference in what road the lots are facing. The properties further east are facing Belmont Road and the properties on Puffer Road are facing the golf course. Mr. Stark indicated he was trying to use that subjective component in the Plan Commission's mandate.

Mr. Waechtler asked do we want this to look better than it is now. Do we downzone or do we try to improve to terms of lot sizes in order to make this area look better. He again asked Mrs. Riordan to review the lot sizes on the east side of Puffer Road.

Chairman Jirik indicated such a review could be significant since those lots are in excess of R-3, are they materially different than the pre-existing conditions. Mr. Waechtler emphasized that the Plan Commission has always looked at the characteristic of the existing neighborhood.

Using the overhead projection of the surrounding area, Mrs. Riordan reviewed the lots on the east side of Puffer, moving south to north from Chicago Avenue. She said that the residential structure at the corner straddles a common property line between Lot 8 and Lot 9. According to the tax parcel data, which she has available to her, the southerly Lot 8 is 70 feet in width as measured at its front property line, and Lot 9 is 60 feet in width as measured at its front property line. Absent the residential structure, in the R-1 zoning district, because these lots were they created prior to April of 1965 or prior to their incorporation into the Village, each of the lots would be able to be independently utilized separate and apart from the another, each being developed with a new residential structure.

Moving to the north, Mrs. Riordan stated that residential structure sits upon Lot 10 and the southerly half of Lot 11; Lot 10 being 60 feet in width at its front property line and the southerly half of Lot 11 being 30 feet in width at its front property line. The total lot width of this zoning lot is 90 feet. The southerly half of Lot 11 would not be able to be used independently of Lot 10; therefore, these two parcels are required to remain combined.

Mrs. Riordan explained that the next lot to the north is comprised of the northerly half of Lot 11 being 30 feet in width at its front property line and all of Lot 12 being 60 feet in width at its front property line. Lot 11 would not be able to be used independently of Lot 12.

Mrs. Riordan then noted the northerly-most property measures 74.22 feet across its front property line and is a pie-shaped lot.

Mr. Stark commented this area currently has septic fields and the smaller the lots, the bigger the question of the viability of the septic fields. Chairman Jirik pointed out the new lots would be connected to the Downers Grove Sanitary District sewer, and he asked if the property owners on the east side of Puffer Road would have the ability to tie into that sanitary sewer extension. Mr. Stanzik responded affirmatively. Chairman Jirik noted the normal fee process would achieve such hook-ups.

Mr. Stark acknowledged he is still torn by this.

Mr. Nicholaou commented that if the number of lots were reduced from five to four, the builder could then build an even bigger home on each lot. Mr. Nicholaou stated the more he listens to his fellow members state their concerns, the more he comes to the conclusion that the rezoning is not a big deal. Other issues are more important in his mind. He noted the developer seems to be willing to relocate the cul-de-sac into the shape of a "9", where it would face to the west as opposed to the east. Mr. Nicholaou expressed his opinion that the sidewalk does more in changing the character of the neighborhood and the street. Several Commissioners agreed.

Mr. Griesbaum stated hearing that all of the public improvements would stay to the west had a positive impact on his decision-making process.

Mr. Nicholaou stated the public's concerns regarding the sewer have been answered and relocation of the cul-de-sac has been addressed.

Mr. Stark pointed out this is not the first time that the Plan Commission looked at Puffer Road; there was a petition seeking to vacate the right-of-way at the north end of Puffer Road. The petitioner at that time was looking to stop access into the Park District's property. Both Mr. Stark and Chairman Jirik wondered if the Park District would ever want access and would the cul-de-sac prevent that. Mr. Waechter pointed out that area was bermed, and a stone wall is there now. Mr. Stark acknowledged that is true today but we do not know what the Park District might want in the future.

Chairman Jirik stated Mr. Nicholaou's comments regarding the sidewalk was excellent, to the extent it is practical, keeping all the disturbance on the west side of Puffer Road is key, to the extent the cul-de-sac bulb can be relocated and not impair or impact the development but at the same time preserve more parkway on the east side of Puffer Road. He commented that this discussion is within the Plan Commission's purview for

consideration to the extent it does not create a hardship or an Exception. With regard to the cul-de-sac, Chairman Jirik noted it is not conceptually different. It is just physically an offset. Mr. Griesbaum expressed his opinion that relocating the cul-de-sac so that its bulb is offset to the west was a great idea.

Chairman Jirik explained he focused on the zoning designation versus the physical size of lots. Mrs. Riordan's lot-by-lot breakdown was very illustrative of that. South of Chicago Avenue, the aerial photograph shows that the lot lines cut straight across from Puffer through to Belmont. There is a distinction in zoning designation, but the physical lots are not really distinct or different. Chairman Jirik indicated if they were extremely large R-1 lots, then he would say there was a distinction.

Chairman Jirik stated in his opinion R-1 golf course is not something you buffer. He indicated he would be more concerned about buffering residences from Belmont Road or from an industrial park. Smaller sized lots next to a golf course do not raise concerns as a buffer.

Chairman Jirik stated the developer was seeking a lesser intensity regarding roads and improvements, and the agencies within the Village said we want the greater improvement. If it was a simple two-lane "T" turn-around, he might think four houses were appropriate. The best engineering judgment and life safety warrants bringing Puffer Road up to Code, but the residents are saying that is not what they want. Chairman Jirik noted these requested changes on the part of the Village are driving the developer's costs upward, and consequently, he is looking more favorably at five lots as opposed to four lots.

Mrs. Reynolds pointed out the Plan Commission does not have any choice with regard to these improvements imposed by Public Works and Fire Prevention.

Chairman Jirik noted the developer is not asking for any lot width or area Exceptions. He noted that the developer could have asked for an Exception of more than five feet and asked for six lots instead of five. That would have been somewhat below the R-3 minimum lot width requirements. Instead, he is proposing lots that are somewhat higher than the R-3 minimum lot width.

Mr. Waechtler suggested per previous remarks any motion should include the elimination of the sidewalks and a recommendation that the petitioner pay the fee-in-lieu-of to the Village.

Chairman Jirik responded Staff has prepared seven points in its recommendation. The Commission can consider those seven points as part of its motion. The Commission can agree or not agree to them. In addition, if there are additional conditions that the Commission has developed as part of this meeting, those are additional possible conditions to have in the motion. Both Mr. Waechtler and Mr. Nicholaou pointed out the relocation of an offset cul-de-sac should also be a part of the Commission's motion.

**MOTION: WITH RESPECT TO FILE NO. PC-15-04, FINAL PLAT OF SUBDIVISION FOR PROPERTY KNOWN AS GOLF VIEW ESTATES, MRS. REYNOLD MOVED THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THE PETITIONER'S REQUESTED ACTION SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. PROPERLY PERMITTED DEMOLITION/REMOVAL OF THE EXISTING RESIDENCE PRIOR TO ANY DEVELOPMENT ON PROPOSED LOTS 1 AND 2;**
- 2. COMPLIANCE WITH ALL PUBLIC WORKS REQUIREMENTS AND CONDITIONS PRIOR TO THE ISSUANCE OF PERMITS AS OUTLINED IN THEIR MEMORANDUM DATED JULY 23, 2004. IT IS ALSO THE PLAN COMMISSION'S RECOMMENDATION THAT THE SIDEWALK BE ELIMINATED AND PAYMENT IN LIEU OF INSTALLATION OF SUCH SIDEWALK BE MADE TO THE VILLAGE OF DOWNERS GROVE, AND THAT THE CUL-DE-SAC BE RELOCATED TO THE WEST SIDE OF PUFFER ROAD;**
- 3. ACCEPTANCE OF A SANITARY SEWER EXTENSION ROUTE BY THE DOWNERS GROVE SANITARY DISTRICT PRIOR TO VILLAGE COUNCIL CONSIDERATION OF THE PROPOSED FINAL PLAT OF SUBDIVISION;**
- 4. COMPLIANCE WITH ALL FIRE PREVENTION DIVISION REQUIREMENTS AND CONDITIONS AS OUTLINED IN THEIR MEMORANDUM DATED JULY 12, 2004;**
- 5. PAYMENT OF SCHOOL AND PARK DISTRICT DONATIONS IN THE AMOUNT OF \$17,686.32 PRIOR TO VILLAGE COUNCIL CONSIDERATION OF THE PROPOSED FINAL PLAT OF SUBDIVISION;**
- 6. ANY CHANGES TO THE CONDITIONS REPRESENTED BY THE PETITIONER AS THE BASIS FOR THIS PETITION, WHETHER THOSE CHANGES OCCUR PRIOR TO OR AFTER VILLAGE APPROVAL, SHALL BE PROMPTLY REPORTED TO THE VILLAGE. THE VILLAGE RESERVES THE RIGHT TO RE-OPEN ITS REVIEW PROCESS UPON RECEIPT OF SUCH INFORMATION;**
- 7. IT IS THE PETITIONER'S OBLIGATION TO MAINTAIN COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND VILLAGE LAWS, ORDINANCES, REGULATIONS, AND POLICIES.**

**MR. KAHLKE SECONDED THE MOTION.**

Chairman Jirik asked if there were any discussion or questions regarding the motion. Mr. Waechtler asked if a reference to the Public Works memorandum dated August 2, 2004 should be added as an addendum to the Public Works memorandum dated July 23, 2004. Chairman Jirik suggested that the Plan Commission direct that the August 2, 2004 memorandum be included in the packet forwarded to the Village Council.

Mr. Waechtler thanked the members of the public for their involvement and their participation. He expressed the hope that the residents understood the Commission tried to listen to their concerns. He also thanked the developer for working with the Village in trying to make this a better development.

**ROLL CALL:**

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

**NAY:** None

**The motion passed unanimously.**

Chairman Jirik advised the minutes, the Staff Report and the exhibits would all be forwarded to the Mayor and the Village Council to be scheduled at a future time. Those wishing to follow this petition through its review can find pertinent information on Downers Grove T.V., the Village Corner section of the newspaper or can contact Staff to determine exact dates.

Under as appropriate, Chairman Jirik stated the next Plan Commission meeting is August 16, 2004. Mr. Nicholaou advised he would not be able to attend.

Chairman Jirik recognized Chris Kahlke's service on the Plan Commission and on behalf of the Village of Downers Grove thanked him for his time and commitment. Mr. Kahlke thanked the Staff and the Plan Commission members and wished everyone health and happiness.

Mrs. Reynolds stated she volunteered to serve on the Plan Commission because she was noisy about what was going on in Downers Grove. After 17 or 18 years, she indicated she it was time for someone else to step up to the plate.

On behalf not only of the Plan Commission but the entire Village, Chairman Jirik thanked Mrs. Reynolds for her service. Chairman Jirik stated to engage in volunteer public service of an intense nature for parts of three decades is amazing and wonderful. Chairman Jirik commented that Mrs. Reynolds always did her homework was always prepared and her comments were solid and thoughtful. In addition, the Chairman and all of the members recognized the work Mrs. Reynolds put in on all the motions she made over the years.

As junior member of the Plan Commission, Mr. Nicholaou thanked Mrs. Reynolds for her help and presented her with a bouquet of flowers. He also had a gift for Mr. Kahlke. As there was no further business, Chairman Jirik called for a motion to adjourn.

# MINUTES OF WORKSHOP MEETING

DOWNERS GROVE, ILLINOIS

SEPTEMBER 14, 2004

Mayor Krajewski called the Workshop meeting of the Village Council of the Village of Downers Grove to order at 6:30 p.m. in the Council Chambers of the Village Hall.

Present: Mayor Brian Krajewski; Commissioners Marilyn Schnell, Sue McConnell, Martin Tully, Mark Zabloudil, Ron Sandack, Stan Urban; Village Manager Riccardo Ginex; Village Attorney Enza Petrarca; Village Clerk April Holden

Absent: None

Visitors: Press: Kevin Stahr, Downers Grove Reporter

Residents & Others: Bill Kramer, Marshall, Gerstein & Borun, 4705 Montgomery Ave.; Derek Stuncik, Intech Consultants, 5415 Walnut; Cathy Mahoney, 4832 Montgomery; Karen Shannon, Downers Grove Park District, 2455 Warrenville Road; Steve McSweeney, CBC Development, 154 Springdale Lane; Jeff Agner, 5714 Chase; Jim Russ, attorney, 4915 Main; G.L. Goodman, PDHA, 5834 Middaugh; Laurel Bowen, WATCH, PDHA, FISH, 829 Clyde; William Waldack, 1409 Willard; Peter Hultman, 5300 Walnut; Edveta Wolf, 5123 Carpenter; Hilda Schultz, 4657 Puffer; Bruce Siegert, 4654 Puffer; Marc Patno, 4517 Belmont; Philip M. Barr, 4605 Puffer; Janet M. Barr, 4605 Puffer; Janis S. Sleeter, 5416 Maplewood; Christine Fregeau, 1918 Elmore

Staff: Fire Chief Phil Ruscetti; Senior Planner Amanda Riordan; Assistant Director Public Works Stan Balicki; Director Planning & Community Development, Joe Skach; Assistant Village Manager Mike Baker

Mayor Krajewski explained that Council Workshop meetings are held the second and fourth Tuesdays at 6:30 p.m. The meetings are video taped live and for later cable-cast over cable channel 6.

The Workshop meeting is intended to provide Council and the public with an appropriate forum for informal discussion of any items intended for future Council consideration or just for general information. No formal action is taken at Workshop meetings.

The public is invited to attend and encouraged to comment or ask questions in an informal manner on any of the items being discussed or on any other subject. The agenda is created to provide a guideline for discussion.

## MANAGER

1. **Plan Commission Recommendations:** Manager Ginex asked Amanda Riordan, Senior Planner, to address these items.

a. **Golfview Estates Subdivision.**

Amanda Riordan, Senior Planner, stated that the request is to rezone the property from R-1 to R-3 single family zoning district. The intent of the developer is to subdivide the property into five lots. The Plan Commission reviewed this request and recommended approval with certain conditions regarding directional placement of the cul de sac and providing of a fee in lieu of installation of sidewalks. It was noted, however, that the Public Works department recommended installation of the sidewalks and the revised plan includes sidewalks.

The Mayor noted that the property is completely surrounded by R-1 zoning, and asked what the policy is in regard to designating a different classification.

**Joe Skach**, Director of Planning and Community Development, reviewed the Future Land Use Plan, noting that the R-1 through R-4 zoning designations have been in effect for some time. Properties adjacent to the Village were annexed in the 60s and rezoned. Later properties were annexed into the Village but not rezoned.

The Mayor asked what public interest is served by going to R-3 zoning.

**Commissioner Schnell** said that this development is south of Puffer, and the road is extremely narrow. By adding five houses to that area it will create a situation which is already difficult, and additional vehicles will exacerbate the situation, particularly for the passage of emergency vehicles. She said she does not consider this spot zoning, but poor planning which will change the characteristic of the neighborhood forever and redefine it. She said the area could remain R-1 and still have houses added but just not as many.

**Commissioner Sandack** said in looking at the map of this area, there is an abundance of R-3 and R-4 zoning designations on the other side of Belmont. The properties which are R-1 are, in many cases, that designation by default. All of the R-designated districts are single family. He said that many properties in and around the recreation center have the look of R-3 zoning. He has not made up his mind on this, but will listen to additional testimony. As for spot zoning, he does not think this is spot zoning, but rather changing designations of residential use. He said that the Plan Commission looked at this diligently and made a unanimous recommendation in favor of this request. They felt it was a proper rezoning and designation of the subdivision.

Ms. Riordan then read the lot sizes of the nearby properties, explaining the Village's zoning designations as R-1 at 20,000 square feet, R-2 15,000 square feet, and R-3 at 10,500 square feet.

**Commissioner Zabloudil** said that specific zoning is in place, and the properties can be developed with less density. If the rationale is from a financial perspective, he said that any development is speculative in nature.

**Commissioner McConnell** said that the information which was provided as to the lot sizes is helpful to her. She would like the petitioner to address the rezoning request rationale. She noted that the road size is an issue as it is very narrow. One request by the petitioner is to place 2' apron on either side of the road and asked what the benefit would be of doing that.

Ms. Riordan said that Public Works saw this as a reasonable compromise versus installation of curb and gutter. She said this would protect chipping of the road edge.

Commissioner McConnell then asked about the cul de sac and whether it is on the public right-of-way. Ms. Riordan responded that as this was originally proposed the cul de sac was in the center, but has been revised and is completely within the right-of-way.

**Commissioner Urban** said he has neither seen nor heard of what benefit this will be to the community. He agrees that this is not spot zoning. After driving and walking the area, he does not think it is a good fit for the area. His mind is not made up, but he wants to hear what benefit this development will be for the community.

**Commissioner Tully** noted there was a question as to whether rezoning this would constitute spot zoning, and in his opinion, it is not. Having looked into this he said it is a lot split. Under the current zoning there could be a lot split under the ordinance, but not as much as requested. He reviewed his understanding of the zoning designation requirements, with R-1 as 100' in width, R-2 as 85' in width, and R-3 as 75' in width.

Commissioner Tully said instead of looking at the micro-map, it is instructive to look at the 2004 Village Zoning Map. In doing so, it seems odd to rezone this from R-1 to R-3. The subject parcel is surrounded by the golf course open space. He is still thinking about this request but has seen no compelling reason to change the zoning designation. In addition, with respect to the road, part of the petition includes doubling the road in size which would alleviate the current problems. He said that the cul de sac would deal with the turnaround issues. Ms. Riordan noted that the size of the road is 24' without the apron, and with the apron would be 28' feet.

Commissioner Tully then addressed the sidewalks, saying the Village has a sidewalk matrix that should be adhered to, and he sees no reason to deviate from the matrix. He then asked whether any official input was received from the Park District. Ms. Riordan responded that they were notified, but the Planning and Community Development staff has not received any information from the Park District.

**Karen Shannon**, Director of Facilities for the Park District, said that they met with Jon Hall and reviewed the plan. The main concern is stormwater as the plan backs up to the Park District property, and they have been told that the plan complies with stormwater regulations. They do not believe there will be any negative effects to the driving range drainage.

Mayor Krajewski said a resident had brought up during the Plan Commission meeting that it seemed logical from a planning standpoint for the Park District to expand with the subject property. The Mayor asked whether the Park District has any interest in that land. Ms. Shannon said to her knowledge, it has not been discussed at the Park District level.

**Janis Sleeter**, 5416 Maplewood Place, with the Park District said that the District was aware that the property was for sale. She said no actions were taken for discussion of the sale at the Board level.

The Mayor said that he is disappointed that he hasn't heard any strong public purposes being served by granting this rezoning.

**Philip Barr**, 4605 Puffer, said there are four residences on the east side of Puffer. Three are non-conforming with R-1, and one is conforming. He said it seems that the Plan Commission characterized them as close to R-3 because they were divided lots. He said in his opinion they are closer to R-2 zoning. As for the reason for rezoning, he understood from the developer that he cannot make the numbers work and make enough money unless he builds five homes. Mr. Barr's rough calculations show the developer as profiting about \$850,000. With regard to the character of the proposed homes, Mr. Barr said that he did not feel they match the character of the existing homes which were built in the 40's or 50's, are smaller and on large lots. The proposed homes are large homes described as mini-mansions which would not fit into the character of the street. Mr. Barr said that not all of the Plan Commission members showed concern for the residents which was a concern to the homeowners. The Commission members are not elected but are appointed, so they cannot be voted out of office; yet, they guide the direction of the Village. He then read the minutes from the Plan Commission discussion as to whether or not one additional house is a "big deal." In his mind, Mr. Barr said that the Plan Commission is not protecting the rights of the resident and the zoning codes when it fails to treat all homes as a big deal. The comments of the surrounding residents should be given as much weight as the comments of the developer. This issue is not a case of sacrificing for the good of the community, but is a case of the developer wanting to make money on the property. Many neighborhood residents are against this and should also have some rights on the issue. He said he had a petition signed by the local residents.

The Mayor said that the Plan Commission listens more to the residents and sometimes can get off on tangents to address the residents' concerns which are unrelated to the subject of the ordinance requirements that must be met.

Commissioner Tully said he appreciated Mr. Barr's comments. The property owner has the right to seek a change. The Plan Commission works hard and perhaps some of the procedures could be changed, but the

Council has to make the final decision. With regard to the types of homes, this is a Village-wide matter. The final issue is whether or not it makes sense to rezoning this from R-1 to R-3 zoning.

Mr. Barr said that the Plan Commission didn't have the slides and information made available to the Council tonight.

**Janet Barr**, 4605 Puffer, said she is a neighbor to the subject property and is asking the Council to vote no on this issue. A "yes" vote would send the message to the Plan Commissioners that it is okay to rezone in that area and a message that the needs of the developer are more important than those of the residents. Ms. Barr said that rezoning would set precedence for future requests to rezone. The Plan Commission voted unanimously to approve it, but that was because of three issues discussed. She said that she thought the Plan Commission was misled by the developer that the neighbors approved of the lot split. She said that the developer met with the neighbors but did not specify the number of houses to be built. She noted that the neighbors were there to listen only. In addition, Ms. Barr said that the Plan Commission was further misled by the developer when he said he had to have the five lots due to the cost of the land which was \$130,000 per lot. Thirdly she said the Plan Commission didn't get a chance to analyze the spot zoning as there was an error made as to the surrounding existing zoning. Ms. Barr explained that her garage sits on another property adjoining hers which makes her property more than 20,000 square feet. She again asked the Council to vote no on this request.

**Mark Patno**, 4517 Belmont Road, said he was speaking on behalf of friends and neighbors on Puffer Road. He doesn't live on Puffer Road but he had at one time hoped to be able to look at a wooded area; however, that was dashed when the Council approved the construction of the recreation center. He apologized for once calling the Council spineless. He then asked the Council to answer a question in their own minds and the question was whether they believe Downers Grove to be an immature fledgling community or a mature developed community. He said he felt that the Council would agree that it is a mature community that values both tradition and progress. Mr. Patno said that officials are not elected because the public is afraid to make decisions for the community, but to make decisions that balance both tradition and progress. Mr. Patno said that the residents of Puffer Road have earned the right for a certain degree of self-determination. The Council has a vision for the CBD and Ogden Avenue, but when it comes to the neighborhoods, the vision and well being of the residents must be balanced against the desires of outside private influence. Mr. Patno said he knows that this Council does not want to ever act in a capricious or irresponsible manner. The developer of the property will make a very good sum of money since he is selling a property with a view of one of the oldest nine-hole golf course in the country. He asked if money is the primary motivation of the request, and if it is then they need to balance the request against the needs of the residents.

Commissioner Tully said that Mr. Patno's points are well taken. He said that the Council is obligated to represent the needs of the community and balancing the competing interests of the community. They need to be mindful of personal property rights as well. He reminded everyone that what is before the Council is whether to rezone or not. He said that the Council is listening.

**Hilda Schultz**, 4657 Puffer, said she has lived here for 50 years and has a view of the golf course and the sunsets. She would appreciate the Council considering not changing the zoning to allow five houses to be built.

**Laurel Bowen**, 829 Clyde, said that the subject area is a rural area, and the proposed plan is inappropriate for the neighborhood. She referenced the community dialogue development seminar to be held on Saturday, noting that Hinsdale does not permit lot splits, and Lombard does not allow more than 50% of a lot to be developed. She was disappointed in the staff at the Plan Commission meeting and its inability to properly represent the correct information on this residential area. She said that the staff seems to advocate for the petitioner. She urged the Council to not approve this lot split and rezoning.

**Dr. Gordon Goodman**, 5834 Middaugh, said he provided the Council with e-mails over the last week, and then presented them with hard copies of those e-mails. He said that he is pleased that the Council is

considering the issue of the zoning for the property, as the zoning is the fundamental determination of what can be constructed in a given area. He said he thought that the new Plan Commission procedures established are not working as well as had been originally hoped. Some of the procedures followed by the Zoning Board of Appeals when it reviewed zoning changes were superior to what is now being done by the Plan Commission. This puts more of a burden on the Council in that they have to make the fundamental decision in this case within the next few weeks.

Dr. Goodman said the request is for a different zoning category providing for higher density, which will ultimately change the neighborhood and potentially have a domino effect. He said the function of this zoning change is to increase the density and provide for a different type of development than what exists there now. In his judgment the higher use would be to add the property to the Park District property as it is appropriate R-1 zoning. Failing the decision of the Park Board to act on the property sale, or the Village to designate this area as future public land, then the next best is an R-1 use which matches and stabilizes the large lot development across the street. He said that the Village's objective should be to stabilize the large lot use. He agreed with the comments made by Mrs. Bowen regarding assessment of neighborhoods and determining what will stabilize neighborhoods rather than tear them apart. He said that R-1 zoning will stabilize the area. Introducing R-3 zoning will undercut any goodwill and efforts of the landowners to stabilize the large lot traditional uses in this neighborhood, which would be highly inappropriate. He said he hoped the Council would vote against this requested rezoning.

Edveta Wolf, 5123 Carpenter, said she has been a resident of 60 years. She said she cannot sit still and watch what is happening to Downers Grove. There are flooding problems, plundering of trees and issues which make it difficult for her to sleep at night. Ms. Wolf said she read an article about Evanston called "Nowhere to Go but Up." The article came out about the same time as the Curtiss Avenue presentation, and she asked if this is what the Village is doing, running out of space so it is going up? Ms. Wolf said that the Village has no plan, and asked why there is no plan depicting the future for the Village. The town is now concrete and brick and what people can make money on.

The Mayor said that there was a plan in 1968 which included an 8-story Village Hall. All municipal offices would have been consolidated into one complex.

Steve McSweeney of CBC Development said he is the petitioner for the development. He is taken aback by the characterizations of himself as a profiteering developer with no concern for residents. The woman from whom he purchased the property was concerned about whether the purchaser would be sensitive to the needs of the neighborhood. He said she chose CBC because of its integrity. He said that when he met with the residents he told them it would be five lots, and his contract states it would be five lots. He asked why the neighbors didn't buy this property if it was such a good deal. Mr. McSweeney then said that he could have asked for variances to squeeze six lots on the site, however he did not do so. As to the benefits, Mr. McSweeney said they include improvements to the street, which Public Works sees as a necessity. He said he appears to be bearing the brunt of a lot of bitterness from when the recreation center was being built. He feels he is in a tug of war with all competing demands between Village departments, and the residents. Mr. McSweeney said he feels the surrounding area will be improved. They will make a \$17,000 school and park donation, and significant tax revenue will be generated by this development.

The Mayor said that he appreciated the efforts of the developer, saying that the Council has to look at the rezoning request. He has a problem in giving an R-3 zoning designation in this area since it is surrounded by R-1 zoning.

Mr. McSweeney said he felt that his development would be doable for R-3, even before they bought the property. He is very surprised by the resistance.

Commissioner Tully commented that he appreciated Mr. McSweeney's views. This is not a question of how much money is to be made. The Council is trying to take all matters into account and determine whether it makes sense to rezone the property. He said that in order to get more lots than the developer otherwise could, the property must be rezoned. Commissioner Tully said that it comes down to having a

reason to do this, and whether it makes sense to rezone the site. These decisions are made on a case-by-case basis. Under the current zoning, five or six lots would not be possible.

Mr. McSweeney said he could have asked for six lots with R-3 zoning and not the current zoning. Regarding the sidewalks, it was not his decision. He said he would have gone with whatever Public Works decided. The Mayor said that the comment was made because this street is fairly high on the matrix priority list. Mr. McSweeney then added that working with the staff has been top notch, professional and thorough.

Ms. Sleeter, 5416 Maplewood Place, said she wanted to clarify some points, and noted that all of the maps provided by the Village staff initially showed the surrounding properties were R-3 and not R-1 on the east side of Puffer Road. The Barrs brought up the fact that their property was R-1 and not R-3. She said that up until the Plan Commission meeting it was her understanding that everyone considered the existing improved properties to be zoned R-3. In regard to the sidewalks, she understands the matrix issue in a normal situation. Puffer is an unusual situation. Puffer is only a two-block long street which dead-ends on the north side at the recreation center. The south portion of the block has a 33' right-of-way. She indicated that a sidewalk could not be completed without property from the Park District. Ms. Sleeter said that the neighbors do not want a sidewalk as they want a rural feeling to their neighborhood. The developer said he would go either way with the sidewalk. She added that the sidewalk will not connect to any other set of sidewalks. Ms. Sleeter said there is a streetlight and ambient light from the recreation center, and there is a question of whether or not there is a need for additional streetlights.

Commissioner Sandack asked her if she supported the R-3 zoning. Ms. Sleeter responded that she has no opinion, but was just pointing out the other issues.

The Mayor asked whether the developer saw maps prior to buying the property that showed the property as R-3 zoning across the street. Mr. McSweeney said that was correct. He was guided by the Planning and Community Development staff. He never had any discussion with the neighbors in which they said that their properties were actually zoned as R-1.

Ms. Sleeter said she was the seller. What she had seen showed the neighboring properties as R-3.

Mr. McSweeney said he was never told it would be a problem. The Mayor asked if any one on the Planning staff told him he might not get a zoning change. Mr. McSweeney said he was told he would have to make a request. He said he knew it was at the discretion of the Council.

Commissioner Tully said the Village has a long-standing plan and policy to put sidewalks along one side of the street throughout the Village. The matrix is a method for doing that, and it is not a question of "if," but "when."

Dr. Goodman of 5834 Middaugh stated that the Zoning Map clearly states areas adjacent to this property are zoned as R-1. The map is a public document.

Bruce Siegert, 4654 Puffer, said there is a bottleneck at the end of the street, and he doesn't know how they could put in two lanes.

b. **4905 Woodward Lot Split.** Ms. Riordan said this request is for a lot split with lot width exceptions. The Plan Commission recommended approval subject to certain conditions. The grant of easement has been submitted and found to be acceptable by Public Works.

The Mayor asked for the frontage on the lots. Ms. Riordan said that the preponderance of the lots are 60' in width.

Commissioner Tully noted that the Plan Commission minutes indicated that there were four prior lot splits in the area, and none was less than 60' in width. Ms. Riordan said that was correct. She said three were

*There being no additions or corrections to the minutes, Mayor Krajewski said they would be filed as submitted.*

#### *Boards and Commissions Recognition*

*In honor of her many years of service to the Village as a member of the Plan Commission, the Mayor presented Catherine Reynolds with a plaque of appreciation. Mark Griesbaum of the Plan Commission presented and read a letter written by Plan Commission Chairman Alan Jirik on behalf of the Commission. The letter noted that Ms. Reynolds served on the Commission in parts of three decades and thanked her for her dedication to the Village and to the Commission.*

*Commissioner Schnell served with Ms. Reynolds for a short period of time. She said that Ms. Reynolds represents what is great about Boards and Commission members. She had excellent attendance and was always prepared and put time into the Commission. It's been a pleasure to serve with her and have her on the Commission.*

## **4. Public Comments and Questions**

### **A. Comments and Questions on Active Agenda**

*Janet Barr, 4605 Puffer Road, said she submitted a petition in accordance with State law on behalf of 20% of adjacent properties in opposition to the rezoning. She asked if the rezoning has to pass by a 2/3 majority rather than a normal majority.*

*Village Attorney Petrarca said that the petition will require 5 of 7 Commissioners to approve it.*

### **B. Comments and Questions on General Matters**

*Jim Cavallo, 6943 Valley View Drive, presented the final group of petitions for the neighborhood character petition. He presented these on behalf of Dr. Goodman who was unable to attend. There were 1885 signatures presented.*

*Ms. Barr said she attended the Community Dialogue and thought it was a great experience. She thanked the Manager, Mayor and Council for sponsoring this.*

## **5. Public Hearings**

### *Community Development Block Grant Application*

*Mayor Krajewski called the public hearing to order at 6:43 p.m. to consider submittal of an application to the DuPage Community Development Commission for block grant funding for the Downers Grove Community Oriented Policing/Autumn Grove Resource Center. Notice of this hearing was published in the Downers Grove Reporter. The Mayor then reviewed the procedure for the hearing.*

*Andy Matejcek, Director, Social & Health Services, said support was being sought for the Resource Center at Autumn Grove to develop and implement the programs which include English as a Second Language, homework classes, Summer Camp, computer classes, arts and crafts, cultural events, recreational activities, mentoring, physical and health education and diversity training. The Resource Coordinator will provide social service resource networking. Funding for five hours per week salary support is being requested which comes to \$5,748, and 100% of the Coordinator's IMRF costs at \$2,144. Additionally, they are requesting funding to cover overtime expenses for 3 COP officers who maintain high visibility in the Autumn Grove community. Mr. Matejcek said they are seeking \$17,126 in total from the Grant. The total program costs are \$135,144.*

*Commissioner McConnell asked for an explanation as to why they are only going for one location at this time. Mr. Matejcek said that they currently have only one Resource Center at Autumn Grove. The Arbor Park program closed at the end of August, 2004.*

Commissioner McConnell said she believed that the Arbor Park is changing its focus to condominiums. She said that she thinks the program has done an awesome job in incorporating the concept of community oriented policing, as well as its focus on the community as a whole. She said it is far reaching beyond the money spent, and is a tremendous benefit to the Village.

Mr. Matejcek said that 80% of the funding is supported by other than grant funds.

The Mayor asked if the Village was given notice of the Arbor Park closing before it happened. Mr. Matejcek said that it only came up in early spring. He said there was a part-time NRC Coordinator as well as COP officers. As to officers working overtime, Mr. Matejcek said it includes chaperoning and mentoring projects they work on. The Mayor then thanked the officers for their efforts and for taking the kids to the circus.

There being no further discussion, the Mayor closed the public hearing at 6:50 p.m.

**6. Consent Agenda**

**COR 00-01720** Claim Ordinance: No. 5547, Payroll, September 3, 2004

**Sponsors:** Accounting

A motion was made to Approve this file on the Consent Agenda.

**Indexes:** N/A

**BIL 00-01721** List of Bills Payable: No. 5542, September 21, 2004

**Sponsors:** Accounting

A motion was made to Approve this file on the Consent Agenda.

**Indexes:** N/A

**Passed The Consent Agenda**

A motion was made by Commissioner Tully, seconded by Commissioner Urban, that the consent agenda be passed. The motion carried by the following vote:

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**7. Active Agenda**

**ORD 00-01722** Ordinance: Rezone Property at 4606 Puffer Road from R-1 to R-3, Single Family Residence District

**Sponsors:** Plan Commission

**Summary of Item:** At their meeting of August 2, 2004, the Plan Commission recommended that the property commonly known as 4606 Puffer Road be rezoned from Village R-1 Single Family Residential to Village R-3 Single Family Residential.

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, PASSED AND APPROVED APRIL 19, 1965, AS AMENDED, TO REZONE PROPERTY LOCATED AT 4606 PUFFER ROAD

Commissioner Tully said last week this matter was discussed with a great deal of emotion. He wanted to reiterate that the Plan Commission does a tremendous job. They make

*recommendations to the Council, and the Council has asked the Plan Commission in the past few years to take on a greater burden and additional responsibilities. He stressed that the Commission members donate their own time to work on the issues before the Village.*

*The Mayor said that many issues were raised at the Plan Commission meeting regarding this property that generated even more investigation. He also thanked the Plan Commission for the extra meetings, subcommittees, and their work with EDC.*

**A motion was made by Commissioner Tully, seconded by Commissioner Urban, to Table Indefinitely this file. Mayor Krajewski declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Subdivision - Golfview Estates, Rezone 4606 Puffer - R-1 to R-3

**RES 00-01723** Resolution: Final Plat of Subdivision for Golfview Estates Subdivision with Exceptions

**Sponsors:** Plan Commission

**Summary of Item:** At their meeting of August 2, 2004, the Plan Commission recommended approval of the Final Plat of subdivision for the Golfview Estates Subdivision with exceptions.

A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION FOR THE GOLFVIEW ESTATES SUBDIVISION WITH EXCEPTIONS

**A motion was made by Commissioner Tully, seconded by Commissioner Urban, to Table Indefinitely this file. Mayor Krajewski declared the motion carried by the following vote:**

**Votes:** Yea: Commissioner McConnell, Commissioner Sandack, Commissioner Urban, Commissioner Schnell, Commissioner Tully, Commissioner Zabloudil and Mayor Krajewski

**Indexes:** Subdivision - Golfview Estates

**ORD 00-01724** Ordinance: Approve a Lot Split with an Exception with regard to Lot Width for the Property at 4905 Woodward Avenue

**Sponsors:** Plan Commission

**Summary of Item:** At their meeting of July 19, 2004, the Plan Commission unanimously recommended approval of a lot split with an exception with regard to lot width for the property located at 4905 Woodward Avenue.

AN ORDINANCE APPROVING A LOT SPLIT WITH AN EXCEPTION WITH REGARD TO LOT WIDTH FOR THE PROPERTY COMMONLY KNOWN AS 4905 WOODWARD AVENUE

ORDINANCE NO. 4613

*Commissioner Tully said he has long been a proponent of lots being no less than 75' wide. There was an ordinance enacted some years ago stating that lots should be no less than 75' wide. There are avenues for requesting exceptions. Last week, it was confirmed for Commissioner Tully that the two lots in question were platted at 60' wide, however when measured they are slightly less. He cannot vote in favor of voting for lots of less than 60' wide in this community. It has nothing to do with the petitioner.*

*Commissioner Schnell said to be consistent with a vote of her a couple of years ago, she will also be voting against this tonight. She believes they are only proliferating the 60' lots. She said that the last time this subject came up there were residents who were not in favor of the lot split.*

*The Mayor said he doesn't want to grant lots splits when they are creating lots smaller than*

# MEMO

# FILE COPY

**To:** Rick Ginex, Village Manger  
**From:** Joseph Skach, Director, Planning and Community Development  
Amanda Riordan, Senior Planner  
Enza Petrarca, Village Attorney  
**Subject:** Questions Regarding the Proposed Golf View Estates Petition  
**Date:** September 13, 2004

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## Zoning

The question of spot zoning was raised as a consideration. Typically spot zoning involves singling out a small parcel or property for a use classification completely different from that of the surrounding area (e.g., commercial or industrial versus residential) for the benefit of the parcel owner and to the detriment of the surrounding owners. Basically, spot zoning is zoning that is not in conformity with the Village's Comprehensive Plan.

In Lancaster Development Ltd., v. Village of River Forest, 84 Ill. App. 2d 395, (1<sup>st</sup> Dist. 1967), the court defined spot zoning as follows:

For an ordinance to constitute spot zoning, two requisites must coexist: First, a change of zone applicable only to a small area, and second, a change where it is out of harmony with comprehensive planning for the good of the community.

In this case:

1. The Village's Future Land Use Map identifies the property to be used for single-family residential land uses. The petition is consistent with the Future Land Use Map as the petition is for single-family residential uses.
2. The Village's Future Land Use Map designation for this property is *Residential (0-6 DU/Ac. [Yellow])*. The petition does not request nor requires a change to this land use designation.
3. The *Residential (0-6 DU/Ac. [Yellow])* land use designation facilitates the R1, R2, R3, and R4, single-family residence districts. The property would remain *Residential (0-6 DU/Ac. [Yellow])* even if the property were zoned to R3.
4. The property currently has a single-family zoning designation (R1). The property would retain a single-family zoning designation if approved at R3. An R3 zoning designation would allow a higher dwelling unit per acre ratio than if the property retained its R1 zoning but it would remain consistent with the Future Land Use Map density designation. There is also R3 and also R4 zoning in the area.
5. The petition if approved with R3 zoning as presented would result in a density of 3.1 DU/Ac. that is within the 0-6 DU/Ac. Future Land Use Map designation.

There should be a relationship between the proposed zoning, local land uses, and land use policies and/or objectives as identified in the Comprehensive Plan Future Land Use Map or other relevant land use plan, master plan, policy or objective, that could make the proposed change reasonable to consider. With the property, per the Village's Future Land Use Map, identified for single-family residential land uses and the petition proposing single-family residential uses, the issue regarding spot zoning as an additional consideration does not appear to be a valid one as the requested land use and zoning is consistent with the Village's Comprehensive Plan.

### R-1 versus R-3

The question has also been asked as to whether the petitioner could request exceptions under the current R-1 zoning if the R-3 zoning request is denied. If the question is whether the petitioner could keep the R-1 zoning and still request the five lots as currently proposed, the answer is no, because each of the lots would require Exceptions to both lot area and lot width, which is prohibited by Section 20-301(e)(3) of the Subdivision Control Ordinance. If the existing R-1 zoning is to remain, the following number of lots would require Exceptions as follows:

Zoning	Number of Lots	Exceptions Required
Existing R-1	5	Both area and width exceptions would be required for each lot, therefore, the subdivision could not be authorized per Code.
Existing R-1	4	Each resulting lot would require lot area exceptions to allow 4 lots of approximately 16,500 square feet in area (assuming all four lots would be of relative equal width of approximately 100 feet)
Existing R-1	3	No exceptions pertaining to area or width required, as each lot would be greater than 133 feet in width and approximately 22,000 square feet in area (assuming all three lots would be of relative equal width).

As proposed with 5 lots and R-3 zoning, all proposed lots exceed the minimum lot area, lot width and lot depth requirements (see Staff Report page 2). Additionally, Section 28-405(a) establishes a minimum area that may constitute a separate or detached part of any zoning district, which in the case of the proposed R-3 District, is equal to the minimum lot size of 10,500 square feet. The subject property is more than 6 times larger than this minimum requirement per Code.

### Neighboring Lot Sizes

Regarding the zoning history of the neighboring properties, the properties fronting on the west side of Belmont Road north of Chicago were annexed in 1965 (Ord 1073, 5/24/65) and were subsequently rezoned to R-3 by the Village as part of a comprehensive rezoning in 1967 (Ord. 1215, 5/1/67), contemplating higher density single family residential uses. The properties fronting the east side of Puffer Road, along with the subject property, the golf course property, and other nearby properties, were part of a large annexation in 1978 (Ord. 2267, 11/06/78), and received the default zoning classification of R-1 upon annexation. As no rezoning was sought at the time of or subsequent to the annexation, the default R-1 zoning classification of these properties has remained in effect since the annexation in 1978. Also, the large area of single-family residential properties east of Belmont Road are zoned R-3 and R-4.

Specifically regarding the lot areas of the properties on the east side of Puffer Road opposite the subject property, the lot areas that have been presented by the neighbors refer to the lot sizes as the combination of parcel(s) owned by each neighbor (defined as "Zoning Lot" per Code). Whereas from a zoning standpoint, Staff reviewed the lot sizes of the individual parcels, absent common ownership and absent any structures. This was done because as these lots were originally platted prior to their annexation, the individual parcels would be considered lawfully nonconforming, and could therefore be utilized independently of one another if the existing structures were to ever be demolished. The attached exhibit demonstrates the lot sizes both as presented by the neighbors ("Common Ownership") and as analyzed by Staff ("As Platted").

When looking at the lot sizes on the east side of Puffer from the neighbor's standpoint of common ownership, according to the available County Tax Assessor's Map data, the neighbor's lots measure:

Owner	Lot Numbers	Lot Width	Lot Area
Barr	Lot 13	74.2 at front p.l.	18,340 square feet
Trowbridge	Lot 12 and North 30' of Lot 11	90 feet	18,000 square feet
Siegert	Lot 10 and South 30' of Lot 11	90 feet	18,000 square feet
Schultz	Lot 8 and Lot 9	130 feet	26,000 square feet

Please note that the lot area information provided via email by the Barrs indicating lot areas larger than as noted above may have been taken from older plats of survey which provided dimensions to the centerline of the rights-of-way. Nonetheless, the information available from the County Tax Assessor's Map data is the best available information.

When looking at the lot sizes on the east side of Puffer from a zoning standpoint of lots as they were originally platted prior to their annexation (ie: as nonconforming lots of record), and assuming the existing residences were no longer present, the lots from north to south would have the availability to be utilized in the following configurations:

Lot Number	Lot Width	Lot Area
Lot 13	74.2 feet at front property line	18,340 square feet
Lot 12	60 feet	12,000 square feet
Lot 11	60 feet	12,000 square feet
Lot 10	60 feet	12,000 square feet
Lot 9	60 feet	12,000 square feet
Lot 8	70 feet	14,000 square feet

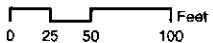
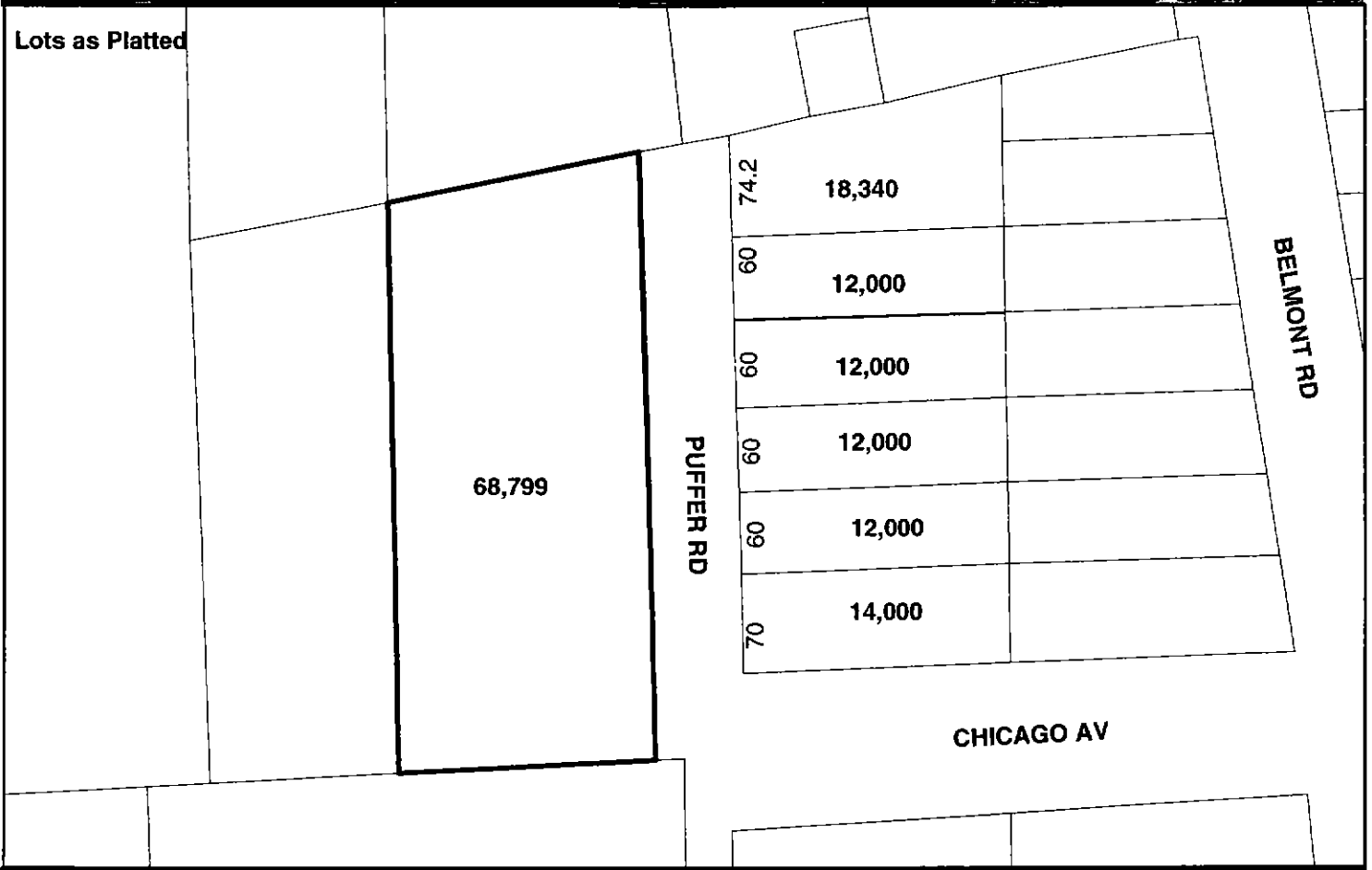
### Cul-de-sac Configuration

The question also arose concerning the original configuration of the cul-de-sac and whether it would have "taken" property from the Barr property. Commissioner McConnell is correct that as the cul-de-sac, both as it was originally proposed and as it has been revised, is completely located within the public right-of-way. The revised configuration, however, results in less of a reduction of "parkway" adjacent to the Barr property (ie: greenspace within the public right-of-way) than as it was originally proposed. This was accomplished by the petitioner by reducing the lot area of proposed Lot 1 and dedicating additional right-of-way to accommodate the bulb of the cul-de-sac facing the subject property (see revised Plat of Subdivision).

Common Ownership



Lots as Platted



Golf View Estates Subdivision, 08-01-408-006  
 Planning & Community Development

Legend  
 Selected Property  
 1998 Aerials



JANET M BARR

4605 Puffer Road  
Downers Grove, IL 60515  
630-968-7597 H  
312-902-7612 W  
phillipmbarr@comcast.net  
janet.barr@mercer.com

September 16, 2004

Office of Village Clerk  
801 Burlington Avenue  
Downers Grove, IL 60515

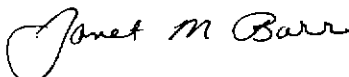
Re: Petition for Plan Commission; Date Filed: June 30, 2004; File No: PC-15-04;  
4606 Puffer Road Downers Grove; Proposed Rezoning from R1 to R3

Dear Sir or Madam,

Attached is a copy of the petition that I am submitting on behalf of the neighbors  
on Puffer Road in accordance with state statutes as described in the petition.

Please call me if you have any questions.

Sincerely,

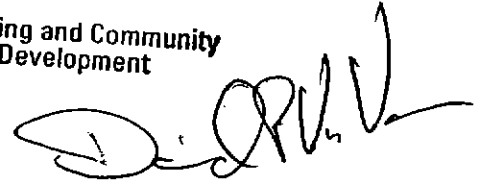


Janet M. Barr

**RECEIVED**

SEP 16 2004

Planning and Community  
Development



**WRITTEN PROTEST AGAINST PROPOSED AMENDMENT OF ZONING REGULATIONS AND/OR DISTRICTS**

Pursuant to 65 ILCS 5/11-13-14, the undersigned, residents of the Village of Downers Grove, County of DuPage, State of Illinois, owners of 20% of the frontage directly opposite the frontage proposed to be altered, submit a written protest against the proposed amendment of the regulations and/or districts of the Village of Downers Grove pertaining to applicant Steve McSweeney's "Petition for Plan Commission" dated June 30, 2004 requesting a rezoning from Zoning Classification Village R1 to Zoning Classification Village R3 for the subject property owned by CBC Development, commonly identified as 4606 Puffer Road, Downers Grove, Illinois, and legally identified in Exhibit A attached hereto. As a result of this written protest, the proposed rezoning shall not be passed except by a favorable vote of TWO-THIRDS of the aldermen or trustees of the municipality then holding office.

Name	Street Address
1. Janet M Barr	4605 Puffer Rd Downers Grove
2. Jason A. Siegent	4654 Puffer Rd Downers Grove
3. <del>Walter McSweeney</del>	<del>4605 Puffer Rd Downers Grove</del>
4. Bruce Siegent	4654 Puffer Road DOWNERS GROVE
5. Philip M Barr	4605 Puffer Rd DOWNERS GROVE
6.	
7.	
8.	

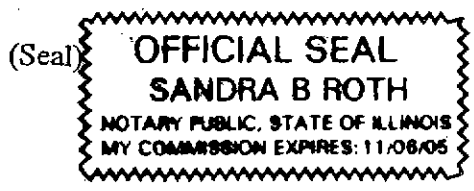
COOK

STATE OF ILLINOIS, County of DuPage SS  
 I, Janet M Barr, being first duly sworn, do hereby certify and acknowledge that I reside at 4605 Puffer Road, in the city/town/village/unincorporated area (circle one) of Downers Grove, zip code 60515 in the Township of Liste, County of DuPage, in the State of Illinois, that I am a citizen of the United States of America, that I am 18 years of age or older, and that the signatures on this sheet were signed in my presence and are genuine, that the signers were all twenty-one years of age or over and are personally known to me, that the signers all owned property directly opposite the frontage proposed to be altered and that all the signers signed voluntarily and freely.

Janet M Barr  
 (Signature of person making this affidavit)

Signed and sworn to (or affirmed) by Janet M Barr before me, this 16<sup>th</sup> day of September, 2004. (Print Name)

Sandra B. Roth  
 (Notary Public)  
 My commission expires: 11-6-05



**EXHIBIT A**

Tract 1 in J. Slepicka Plat of Survey of the east 200.3 feet, measured along the south line and parallel to the east line of Block 2, in Puffer's Subdivision, being a subdivision situated in the Southeast Quarter of Section 1 and the Northeast Quarter of Section 12, Township 38 North, Range 10 East of the Third Principal Meridian, according to the plat thereof recorded on June 9, 1955 as Document 760277 in DuPage County, Illinois, (PIN 08-01-408-006).

**VILLAGE OF DOWNERS GROVE, ILLINOIS**

FOR COUNCIL MEETING ON SEPT 14, 2004 TUESDAY 7:00 PM

WE, THE UNDERSIGNED, CURRENTLY RESIDING NEAR 4600 PUFFER ROAD, IN DOWNERS GROVE, ILLINOIS, REQUEST THAT THE DOWNERS GROVE VILLAGE COUNCIL NOT CHANGE THE ZONING DESIGNATION OF THE LOTS LOCATED IN THE 4600 BLOCK OF PUFFER ROAD FROM R-1 TO R-3. WE BELIEVE THAT THE CURRENT ZONING OF R-1 IS CORRECT, PROPER AND APPROPRIATE, AND SHOULD REMAIN AT THIS TIME.

<u>DATE</u>	<u>NAME</u>	<u>ADDRESS</u>
9-12-2004	Philip M Barr	4605 PUFFER ROAD
9-12-2004	Bruce Siegent	4654 PUFFER ROAD
9-12-2004	Janet M Barr	4605 Puffer Road
9-12-2004	Marsha Onorato	2345 Chicago Ave
9-12-2004	Douglas Onorato	2345 Chicago Ave
9-12-2004	Sharon A. Siegent	4654 Puffer Road
9-12-2004	William P. Schultz	4609 Puffer Road
9-12-2004	Barbara K Weber	4507 BELMONT RD
9-13-2004	David P. Weber	4658 BELMONT RD
9-13-2004	Jerry Webb	4733 Puffer Rd
9-13-2004	Patricia A. Kelut	4733 Puffer Rd
9-13-2004	Robert K. Kleb	4600 Belmont Rd.
9-13-2004	Barbara J. Kleb	4600 Belmont Road
9-13-2004	Rausha Wood	4729 PUFFER RD