

COUNCIL WORKSHOP ITEM

ITEM: Downers Grove Estates/Meadowlawn Subdivision Phase II Annexation
DATE: June 20, 2001
PREPARED BY: Kenneth J. Rathje, Director
Department of Planning Services
PURPOSE: Public Hearing to discuss the annexation of the remainder of unincorporated properties in the Downers Grove Estates/Meadowlawn Subdivisions

DISCUSSION:

The Downers Grove Estates and Meadowlawn Subdivisions are located south of the intersection of 63rd Street and Main Street, and extend as far west as Saratoga Avenue, as far east as Washington Street, and as far south as 67th Street.

In June of 1985, the Village authorized a pre-annexation agreement within this area, which allowed property owners to hook up to Village water but to delay annexation until after January 1, 2001. Since that time, not all landowners within the area opted to hook up to the Village's water facilities, therefore, the annexation has been processed in two phases.

The first phase of the annexation represented approximately 1/3 of the properties within the Downers Grove Estates and Meadowlawn subdivisions, and was executed by the Village Council on May 15, 2001. Only those petitions for annexation which were signed as agreements by the current owners of properties and that are either individually or collectively contiguous to the current Village boundary were executed in the first phase of the annexation.

The first phase of the annexation reduced the remainder of the unincorporated areas to less than 60 acres (approximately 57 acres inclusive of public rights-of-way), thereby enabling the Village to complete the second phase of the annexation pursuant to State statute. It is worthy to note that approximately 119 of the 194 properties within Phase II that have signed pre-annexation agreements in place, but due to the fact that they were not contiguous or were not owned by the original person who signed the agreement, they are being annexed as part of Phase II.

Staff has notified the property owners within Phase II that the Village Council will be conducting the required public hearing to consider the annexation of the remainder of the unincorporated properties. Staff has also distributed an informational packet of Village services and departments, as well as a list of answers to frequently asked questions regarding annexation to the affected property owners. The affected property owners were directed to forward any additional questions to the Village's Community Response Center, which will then route the inquiries to the appropriate department.

Section 28-402 of the Zoning Ordinance stipulates that unless otherwise requested, all properties are zoned R-1, Single Family Residence upon annexation. Therefore, immediately upon the completion of the Phase II annexation by the Village Council, the Planning Department will

undertake an initiative to rezone the annexed properties to appropriate zoning classifications based upon their use and size.

Properties zoned commercial in unincorporated DuPage County and used for commercial purposes will be proposed to be zoned B-2, General Retail Business. The properties on the west side of Main Street in Downers Grove Estates, due to their typically smaller lot sizes, will be proposed to be zoned R-4, Single Family Residence. The properties on the east side of Main Street in the Meadowlawn Subdivision, due to their typically larger lot sizes, will be proposed to be zoned R-3, Single Family Residence.

The R-1 zoning district carries some setback requirements for the residential properties that are more strict than what would be applicable in the R-3 or R-4 districts. Additionally, the R-1 district will be inconsistent with the commercial properties that are being annexed. In order to minimize any inconvenience to property owners which may result from the R-1 classification upon annexation, Staff is requesting that the Village Council act on the annexation as soon as possible after the Workshop hearing on June 26, 2001 so that the rezoning petition can be presented to the Zoning Board of Appeals in July.

If the Council is willing to waive the typical three week waiting period and acts upon the annexation the following week at its July 3, 2001 Active Agenda, the Planning Staff can present the rezoning petitions to the Zoning Board of Appeals at their regularly scheduled meeting on July 25, 2001. The next Zoning Board of Appeals meeting after that date would be August 22, 2001. All annexed properties within the area, including those that were annexed in Phase I on May 15, 2001 will be included in the rezoning petition.

ATTACHMENT:

Map of Phase II Annexation area.

RECOMMENDATION:

To place the Ordinance executing the second phase of the Downers Grove Estates / Meadowlawn area annexation on an Active Agenda.

Quarter Section Tax Parcel Map
DOWNERS GROVE TOWNSHIP
NW 1/4 SECTION 20

Revised for the 1999 Assessment

Gary A. King, DuPage County Clerk

THIS MAP WAS PREPARED FOR THE PURPOSES OF THE 1999 ASSESSMENT. IT IS NOT A LEGAL INSTRUMENT. THE COUNTY OF DUPAGE HAS NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE COUNTY OF DUPAGE HAS NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE COUNTY OF DUPAGE HAS NO LIABILITY FOR ANY ERRORS OR OMISSIONS.



DuPage County Data Processing Department

Scale in Feet 400

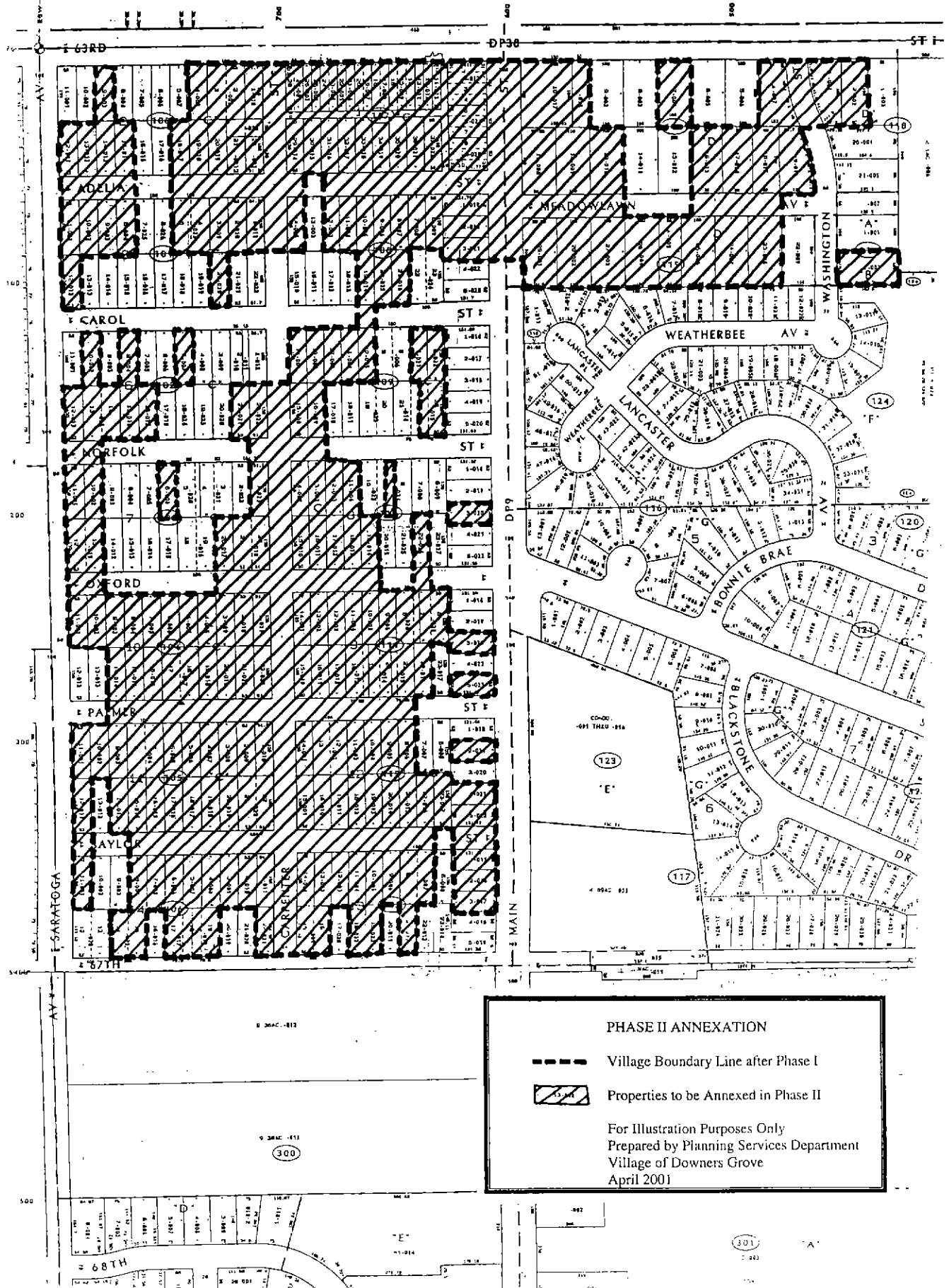


North

T39N-R11E of the 3rd Principal Meridian

1	2	3
4	5	6
7	8	9

Townships Sections



PHASE II ANNEXATION

- Village Boundary Line after Phase I
- Properties to be Annexed in Phase II

For Illustration Purposes Only
 Prepared by Planning Services Department
 Village of Downers Grove
 April 2001

ORDINANCE NO. _____

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS
(DOWNERS GROVE ESTATES/MEADOWLAWN SUBDIVISION PHASE II ANNEXATION)**

WHEREAS, certain unincorporated territory (hereinafter referred to as the "Territory") contains 60 acres or less, is not now within the corporate limits of any municipality, is adjacent and contiguous to the Village of Downers Grove, and is wholly bounded as provided in Section 7-1-13 of the Illinois Municipal Code; and,

WHEREAS, the corporate authorities of said Village have caused notice, stating that annexation of the Territory is contemplated under Section 7-1-13 of the Illinois Municipal Code, to be published in a newspaper of general circulation within said Village and the Territory, not less than ten (10) days before the date hereof, and have otherwise caused all notices required by law to be properly given; and

WHEREAS, it appears to be in the best interests of the Village of Downers Grove to annex said Territory,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

SECTION 1. The following described real estate, together with any public streets or highways adjacent to or within the Territory described that have not been previously annexed to any municipality, is hereby annexed to the Village of Downers Grove, to wit:

Lots 1 through 37 in Block 1 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-107-001, -002, -003, -004, -005, -006, -007, -008, -011, -012, -013, -014, -015, -016, -017, -018, -019, -020, -021, -022, -023, -024, -028, and -029); and

Lots 1, 2, 3, 4, 9, 12, 13, 14, 15, 18, 19, 20, the north 50 feet of Lots 21 and 22, the south 106 feet of Lot 21, and the south 106 feet of Lot 22 in Block 2 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-100-003, -008, -009, -010, -011, -012, -013, -014, -017, -018, -019, -020, -021, and -022); and

Lots 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, and 20 in Block 3 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-101-001, -002, -003, -004, -009, -010, -011, -012, -020, and -023); and

Lots 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 14, 19, 20, and 21 in Block 4 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-108-001, -003, -004, -005, -006, -007, -008, -009, -014, -015, -016, -019, -020, and -021); and

Lots 6, 7, 10, 11, 12, 13, 14, 15, 16, and Lot 23 and the east half of Lot 22 in Block 5 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38

North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-109-001, -002, -003, -004, -005, -008, -009, -015, -021, and -022); and

Lots 5, 8, 10, 12, 13, 14, 15, 16, 21, and 22 in Block 6 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-102-002, -004, -007, -013, -016, -017, -021, -022, and -023); and

Lots 1, 6, 10, 11, 12, 13, 20, 21, and 22 in Block 7 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-103-001, -002, -006, -017, -018, -019, and -023); and

Lot 3, the east half of Lot 9, Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, and 22 in Block 8 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-110-001, -002, -003, -004, -010, -011, -012, -013, -014, -020, -024, and -026); and

Lots 3, 5, 6 and the east 32 feet of 7, 8 and the west 18 feet of 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and the west 16.67 feet of 19, the east 33.33 feet of 19 and the west 33.33 feet of 20, 21 and the east 16.67 feet of 20, and 22 in Block 9 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-111-001, -002, -003, -004, -005, -006, -010, -011, -012, -013, -014, -015, -016, -020, -023, -025 and -026); and

Lots 1 through 11, and Lots 14 through 22 in Block 10 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-104-001, -002, -003, -004, -005, -006, -007, -008, -009, -010, -011, -014, -015, -016, -017, -018, -019, -020, and -021); and

Lots 1 through 12, and Lots 14 through 22 in Block 11 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-105-001, -002, -003, -004, -005, -006, -007, -008, -009, -010, -011, -013, -014, -015, -016, -017, -018, -019, and -022); and

Lots 2, 4, and 5, and Lots 8 through 23 in Block 12 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-112-001, -002, -003, -004, -005, -006, -009, -010, -011, -012, -013, -014, -015, -016, -017, -019, -021, and -022); and

Lots 1, 2, 3, and Lots 7 through 16, and Lots 18, 19, and 21 in Block 13 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-113-001, -002, -003, -004, -005, -006, -007, -009, -012, -015, -016, -017, -022, and -023); and

Lots 1 through 8, Lots 11, 14, 15, 17 and the west 26.5 feet of 18, 19 and the east 26.5 feet of 18, and Lot 22 in Block 14 in Downers Grove Estates being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Numbers 09-20-106-001, -004, -005, -006, -007, -008, -009, -010, -011, -017, -018, -021, and -023); and

Lot A, and Lots 2, 3, 4, 7, the west 150 feet of Lot 10, the east 50 feet of Lot 10, Lots 11, 12, 13, 16, 17, 18, 19, 23, 24, 25, 26, 27, 28, and 29 in Downers Grove Meadow Lawn being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois; (Permanent Index Numbers 09-20-118-001 and -002; 09-20-114-004, -007, -008, -009, -010, -013, -014, -015, -016, -017, and -018; 09-20-115-001, -002, 003, -004, -005, -006, -007, and -008); and

Lot 1 in Busek's Second Survey being a subdivision of the West Half of the Northwest Quarter of Section 20, Township 38 North, Range 11, East of the Third Principal Meridian in DuPage County, Illinois; (Permanent Index Number 09-20-119-002); and

Pursuant to Illinois Revised Statutes Chapter 24 entitled "Cities and Villages", the new boundary of the territory to be annexed shall extend to the far side of any adjacent highway and shall include all of every highway within the area to be annexed.

SECTION 2. A certified copy of this ordinance, together with an accurate map of the Territory hereby annexed shall be recorded in the office of the Recorder of DuPage County and shall be filed with the County Clerk of DuPage County by the Clerk of the Village.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance be and are hereby repealed.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk