

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING
ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS
TO DESIGNATE PARKER'S PLACE AS PLANNED DEVELOPMENT NUMBER 35**

WHEREAS, the Owners of the property at 1137, 1131, 1127, 1123, 1119, 1115 and 1111 Gilbert Avenue and 1128 and 1122 Curtiss Street, Downers Grove, IL (PINS 09-08-301-001, 002, 003, 004, 005, 006, 007 and 09-08-301-012, 013; hereinafter referred to as the "Property" and legally described below) have requested that such real estate be designated as a Planned Development to be known as Parker's Place Planned Development Number 35 pursuant to the provisions of the Comprehensive Zoning Ordinance of the Village of Downers Grove, as set forth in Chapter 28 of the Downers Grove Municipal Code (hereinafter referred to as the "Zoning Ordinance"); and

WHEREAS, the Owners have also filed a written petition with the Village conforming to the requirements of the Comprehensive Zoning Ordinance and requesting approval of the Parker's Place planned development site plan for construction of a twenty-five (25) unit townhouse development in four (4) buildings to be used as Landbank Development as provided under the Comprehensive Zoning Ordinance; and,

WHEREAS, the Property is zoned R-6 under the Downers Grove Zoning Ordinance; and,

WHEREAS, the Plan Commission of the Village of Downers Grove has given the required public notice and has conducted a public hearing respecting a final plan for the Parker's Place Planned Development Number 35 on the Property in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove and has reported its findings and recommendations to the Village Council of the Village of Downers Grove pursuant to the provisions of the Zoning Ordinance; and,

WHEREAS, the Plan Commission recommended that the Property be designated as a Planned Development, with approval of the Parker's Place planned development plans as the documents submitted are consistent with the requirements of the Comprehensive Zoning Ordinance and the character of the planned development; and

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

SECTION 1. That the provisions of the preamble are incorporated into this ordinance.

SECTION 2. The following documents are incorporated into and made a part of this ordinance and are hereafter collectively referred to as the "Parker's Place Final Development Plans", all of which are incorporated by reference:

- (1) Document entitled "Site Plan", dated 12/17/01, consisting of one sheet, prepared by William

F. Lorek, P.E. of Glen Ellyn, Illinois. (reduced copy attached)

(2) Document entitled "Front Elevation", dated 02/04/02, consisting of one sheet, prepared by Otis Koglin Wilson, Architects. (reduced copy attached)

(3) Document entitled "Landscape Plan", dated 02/04/02, consisting of one sheet, prepared by Otis Koglin Wilson, Architects. (reduced copy attached)

(4) Document entitled "Rear Elevation", dated 02/04/02, consisting of one sheet, prepared by Otis Koglin Wilson, Architects. (reduced copy attached)

(5) Document entitled "Side Elevation", dated 02/04/02, consisting of one sheet, prepared by Otis Koglin Wilson, Architects. (reduced copy attached)

(6) Engineering plans prepared by William F. Lorek, P.E. of Glen Ellyn, Illinois, consisting of 7 sheets, last revision 01/02/02.

(7) Village staff findings in File No. 1070, dated January 4, 2002, consisting of 9 pages.

(8) Minutes of the January 8, 2002 meetings of the Downers Grove Plan Commission regarding File No. 1070.

(9) Findings and recommendations of the Downers Grove Plan Commission regarding File No. 1070, dated January 25, 2002, consisting of two pages.

SECTION 3. That the Village Council hereby finds as follows:

(1) That Planned Development Number 35 meets the requirements of the Comprehensive Zoning Ordinance as follows:

a. That the planned development at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

b. That the planned development will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.

c. That the planned development is specifically listed as a special use in the district in which it is to be located.

d. That the location and size of the planned development, the nature and intensity of the operation involved in or conducted in connection with said planned development, the size of the subject property in relation to the intensity of uses proposed, and the location of the site with respect to streets giving access to it, shall be such that it will be in harmony with the appropriate, orderly development of the district in which it is located.

e. That the planned development will not be injurious to the use and enjoyment of other property in the immediate vicinity of the subject property for the purposes already permitted in such zoning district, nor substantially diminish and impair other property valuations within the neighborhood.

f. That the nature, location, and size of the structures involved with the establishment of the planned development will not impede, substantially hinder, or discourage the development and use of adjacent land and structures in accord with the zoning district in which it is located.

g. That adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided for the planned development.

h. That parking areas shall be of adequate size for that particular planned development, which areas shall be properly located and suitably screened from adjoining residential uses.

i. That the planned development shall in all other respects conform to the applicable regulations of the zoning district in which it is located.

(2) That the proposed Landbank Development conforms with the requirements of the Comprehensive Zoning Ordinance.

SECTION 4. The Zoning Ordinance is hereby amended by adding to the Zoning Map the boundaries of the following described real estate and by designating said real estate as a Planned Development under the title and style "Parker's Place Planned Development Number 35" to be stated on the face of said map within the boundaries of the real estate hereinafter described., to wit:

1137 GILBERT AVENUE (PIN #09-08-301-001)

That part of Lot 57 and 83 in Assessor's Subdivision of Sections 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, described as follows: Commencing at the intersection of the southerly line of Gilbert Avenue and the easterly line of Carpenter Street as now platted and recorded; thence easterly along the southerly line of Gilbert Avenue, 171.55 feet to an angle iron stake at the Northwest corner of Lot 3 of Blodgett's Resubdivision for a place of beginning; thence continuing along the southerly line of Gilbert Avenue, 138.00 feet to an iron pipe stake; thence southerly along a line making an angle of 90 degrees 01 minutes to the right of the last described course 128.00 feet to an iron rod in the North line of the Curtis condominium property; thence southwesterly along said North line a distance of 142.36 feet, to an iron pipe stake in the West line of Lot 3 of Blodgett's Resubdivision extended southerly, said stake being 158.77 feet southerly of the place of beginning; thence northerly along the West line (extended) of Lot 3 of Blodgett's Resubdivision, 158.77 feet to the place of beginning. Also described as Lot 1 of Chipman Assessment Plat of part of Lots 57 and 83 in Assessors Subdivision of Sections 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded August 13, 1971 as Document R71-46433, in DuPage County, Illinois.

1131 GILBERT AVENUE (PIN 09-08-301-002)

A strip of land 50 feet in width off the entire West side of that part of Lot 57 of Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, described as follows: Commencing at a point on the South line of Gilbert Avenue, 100.00 feet East of the section line for a place of beginning; thence East along Gilbert Avenue 154.10 feet; thence South 12 degrees, 0 minutes East 92.40 feet to the Northeast corner of a lot conveyed to George Binder by warranty deed recorded as Document

38855; thence South 78 degrees 0 minutes West to the Southeast corner of a lot conveyed to Edward Wootten by warranty deed recorded as Document 48505; thence North parallel to the section line and along the East line of said Wootten lot to the place of beginning, in DuPage County, Illinois.

1127 GILBERT AVENUE (PIN 09-08-301-003)

All of that part of Lot 57 of the Assessor's Subdivision of Section 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, described as follows: Beginning on the section line 30 feet South of the quarter section corner in the West line of said Section 8 and running thence East along the South line of Gilbert Avenue 254.10 feet; thence South 12 degrees East 92.40 feet to the Northeast corner of lot heretofore conveyed to George Binder; thence South 78 degrees West 249.48 feet to the Northwest corner of Julia Lehman's lot; thence North 40.90 feet to post; thence South 80 ¼ degrees West 30.30 feet to section line in creek; thence North 110.00 feet to the point of beginning, (except the West 150 feet and the East 54.10 feet as measured on the North line of the land thereof) according to the Plat of Assessor's Subdivision recorded October 2, 1871 as Document 14481, in DuPage County, Illinois.

1123 GILBERT AVENUE (PIN 09-08-301-004)

All of that part of Lot 57 of the Assessor's Subdivision of Section 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, described as follows: Beginning on the section line 30 feet South of the quarter section corner in the West line of said Section 8 and running thence East along the South line of Gilbert Avenue, 254.10 feet; thence South 12 degrees East 92.40 feet to the Northeast corner of lot heretofore conveyed to George Binder; thence South 78 degrees West 249.48 feet to the Northwest corner of Julia Lehman's lot; thence North 40.90 feet to post; thence South 80 ¼ degrees West 30.30 feet to section line in creek; thence North 110.00 feet to the point of beginning, (except the West 200.00 feet as measured on the North line of the land thereof) according to the Plat of said Assessor's Subdivision recorded October 2, 1871 as Document 14481, in DuPage County, Illinois.

1119 GILBERT AVENUE (PIN 09-08-301-005)

That part of Lot 57 of the Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, described as follows, to-wit; Commencing for the purposes of a boundary at the quarter section stake between Sections 7 and 8, in the township and range aforesaid, and running South 9 ¼ degrees East, 176.88 feet to a post; thence North 78 degrees East 249.48 feet to the Northeast corner of the Binder lot for a point of beginning; thence North 12 degrees West, 92.40 feet to the South line of Gilbert Avenue; thence East along the South line of Gilbert Avenue 71.62 feet; thence southerly 77 feet to a point 66.66 feet North, 78 degrees East, from the Northeast corner of the said Binder lot; thence South 78 degrees West 66.66 feet to the Northeast corner of said Binder lot, being the point of beginning, in DuPage County, Illinois.

1115 GILBERT AVENUE (PIN 09-08-301-006)

That part of Lot 57 of the Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, described by commencing at the intersection of the South line of Gilbert Avenue with the West line of Forest Avenue (formerly Foote Street); thence West along said South line, 185.00 feet to an iron stake at the Northeast corner of the property deeded by Shears to Wells (recorded in Deed Book 68, Page 216 as Document 47285) for a point of beginning; thence continuing West along the South line of Gilbert Avenue to the North line of said property 45.10 feet to an iron stake at the Northwest corner of said property deeded by Shears to Wells aforesaid, thence South along the West line of said property 77.00 feet to an angle iron at the point of old place of beginning, in description of said property recorded

in Book 68 Page 216; thence easterly along the South line of said property 21.90 feet; thence North along the East line of said property, 71.60 feet to the point of beginning, in DuPage County, Illinois.

1111 GILBERT AVENUE (PIN 09-08-301-007)

That part of Lot 57 of the Assessor's Subdivision in Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, described as follows: commencing at the quarter section corner between Section 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, and running thence South on the section line 30.00 feet; thence East and parallel with the quarter section line, and in the South line of Gilbert Avenue, a distance of 370.72 feet for a place of beginning; thence East along the South line of Gilbert Avenue 55 feet measured, thence South 8 degrees 15 minutes West a distance of 24.40 feet measured; thence South 83 degrees 49 minutes East a distance of 28.85 feet measured; thence South 8 degrees 35 minutes West a distance of 60.25 feet; thence North 60 degrees 40 minutes West a distance 26.40 feet; thence South 77 degrees 30 minutes West a distance of 21.40 feet; thence North 8 degrees 15 minutes East a distance of 71.60 feet measured to the place of beginning, in DuPage County, Illinois.

1128 CURTISS STREET (PIN 09-08-301-012)

That part of Lot 57 of the Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, being also a part of the Southwest Quarter of said Section 8, described by commencing at the quarter section corner between Sections 7 and 8 in township and range aforesaid and running thence South 9 ¼ degrees East 2.68 chains to a post; thence North 78 degrees East 1.58 chains to a stake for a point of beginning; thence North 78 degrees East 1.00 chain to a stake; thence South 12 degrees East 2.50 chains to the North line of Church Street; thence South 78 degrees West along the North line of Church Street 1.00 chain; thence North 12 degrees West 2.50 chains to the point of beginning, in DuPage County, Illinois.

1122 CURTISS STREET (PIN 09-08-301-013)

A part of the Southwest Quarter of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, and being also a part of Lot 57 of the Assessment Division of said Section 8, described by commencing at the quarter section corner between Sections 7 and 8 and running thence South 9 ¼ degrees East 2.68 chains; thence North 78 degrees 2.58 chains to a stake for a place of beginning; thence North 78 degrees 1.20 chains; thence South 12 degrees East 2.50 chains to the North line of Church Street; thence South 78 degrees West along the North line of Church Street, 1.20 chains; thence North 12 degrees West 2.50 chains to the place of beginning, in DuPage County, Illinois.

SECTION 5. The Parker's Place Final Development Plans be and are hereby approved to permit a Landbank Development, subject to the conditions and restrictions contained therein, and subject to the following:

a. The planned development shall be constructed, maintained and operated in conformance with the Parker's Place Development Plans as well as such covenants, conditions and restrictions as may be approved by the Village Council.

b. The owner shall submit homeowners association documents which are in a form that is acceptable to the Village Attorney. The documents should be presented in a timely manner following approval of the planned development to insure that they are recorded prior to the issuance of any occupancy permits for the proposed dwelling units.

c. The owner shall provide the Village with plat(s) of easement dedicating stormwater and utility easements as such are determined to be necessary by the Village. Specifically, it is anticipated that plat(s) of easement are to be provided to the Village for stormwater detention facilities based upon the surveyed location of the completed facilities, and that utility easements are to be provided based upon the location of the completed utilities or, in the alternate, a "blanket" type of utility easement may be provided.

d. The Village and the owner undertake the necessary procedures to abrogate the existing drainage easement which has been identified as being in conflict with the location of proposed Dwelling Unit No. 8. The abrogation is to take place once the Village's Public Works Department is satisfied that the replacement section of storm sewer is constructed and accepted and is appropriately protected by an easement that has been provided in a form acceptable to the Village Attorney.

e. The owner shall satisfy the requirements for the school and Park District donations at a time prior to the Village Council granting final planned development approval.

f. The Village shall accept payment for parkway trees rather than requiring the petitioner to plant and guarantee the new parkway trees that are to be planed as part of this development.

SECTION 6. An exception is approved for a waiver from having to provide additional right-of-way or additional pavement width either to Gilbert Avenue or Curtiss Street. This approval is being made based upon the fact that the Village does not expect to acquire additional right-of-way for either of these roadways by means of future new development or re-development, nor is it likely that the Village will be afforded an opportunity to have the street pavement for either of these streets widened as a result of future new development or redevelopment.

SECTION 7. Pursuant to Sections 28-1110(g)(2); 28-1111(g)(2); 28-1112(g)(2); 28-1611(a) and 28-1612(a)(2), front, rear and side yard setbacks, as well as height and permanent common open space are approved and shall be as set forth in the Parker's Place Final Development Plans.

SECTION 8. The Parker's Place Development Plans as well as all covenants, conditions and restrictions heretofore or hereafter filed in connection with the Parker's Place Planned Development Number 35 shall be deemed to be contractual undertakings by and shall be binding upon the applicants therefore, the owners of the land covered by the Parker's Place Planned Development Number 35, and their successors and assigns, and shall limit and control the construction, location, use and operation of all land in the Parker's Place Planned Development Number 35, and improvements and structures to be located thereon; and that no building permit or improvement location permit shall be issued with respect to any land included in such Planned Development unless countersigned by the Village Manager of the Village of Downers Grove.

SECTION 8. That all ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance be and are hereby repealed.

SECTION 9. That 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

1\wp8\ord.02\PD#35-ParkersPl

FILE
1070

ownships

(126)

*67-002

BURLINGTON

AV GILBERT

FOREST AV

MAIN ST

CARPENTER

CURTISS AV

CURTISS

SUBJECT
SITE (326)

(305)

CURTISS ST

CONDO.
NN
001 THRU 050

ST

GROVE

CARPENTER CT

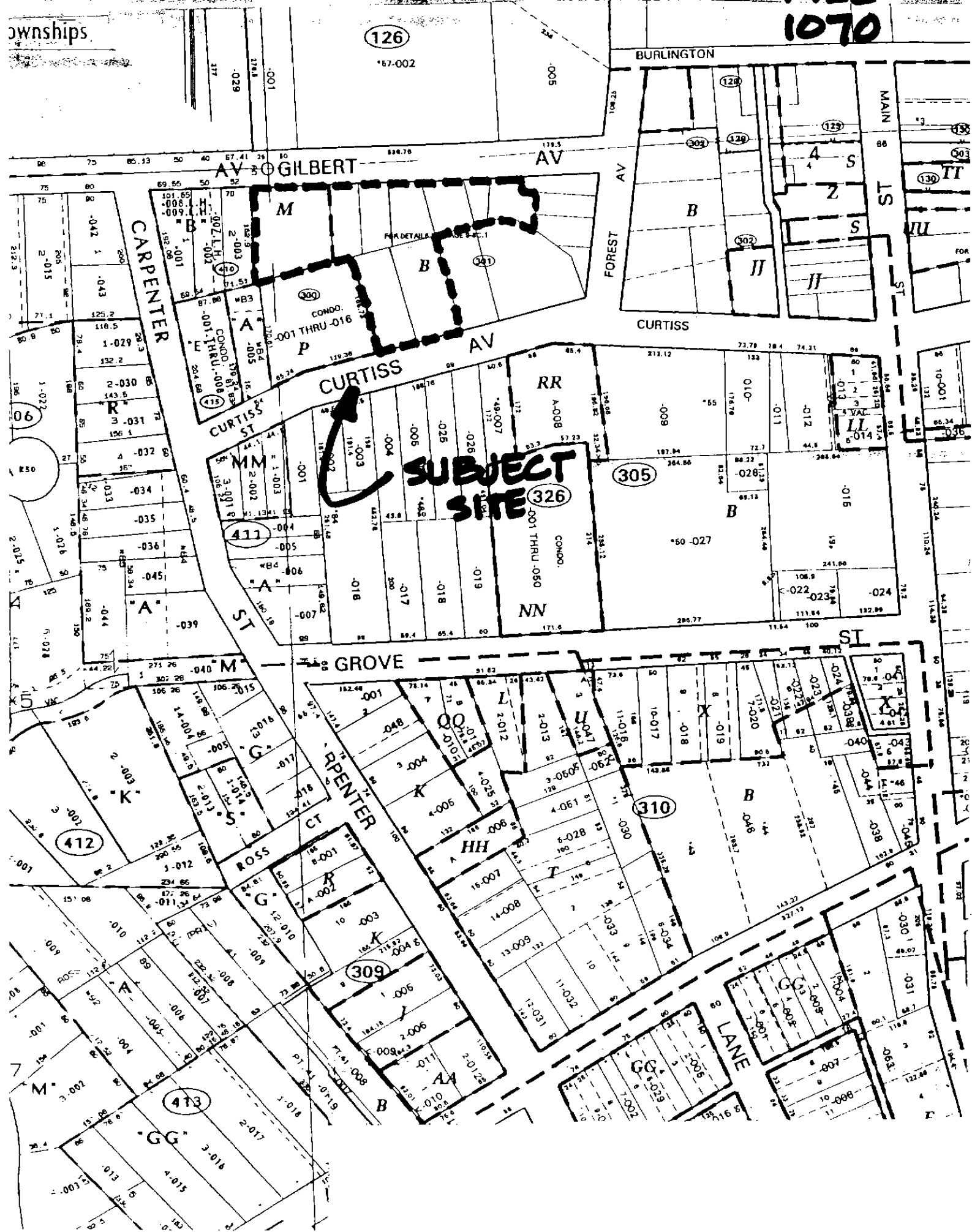
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ROSS

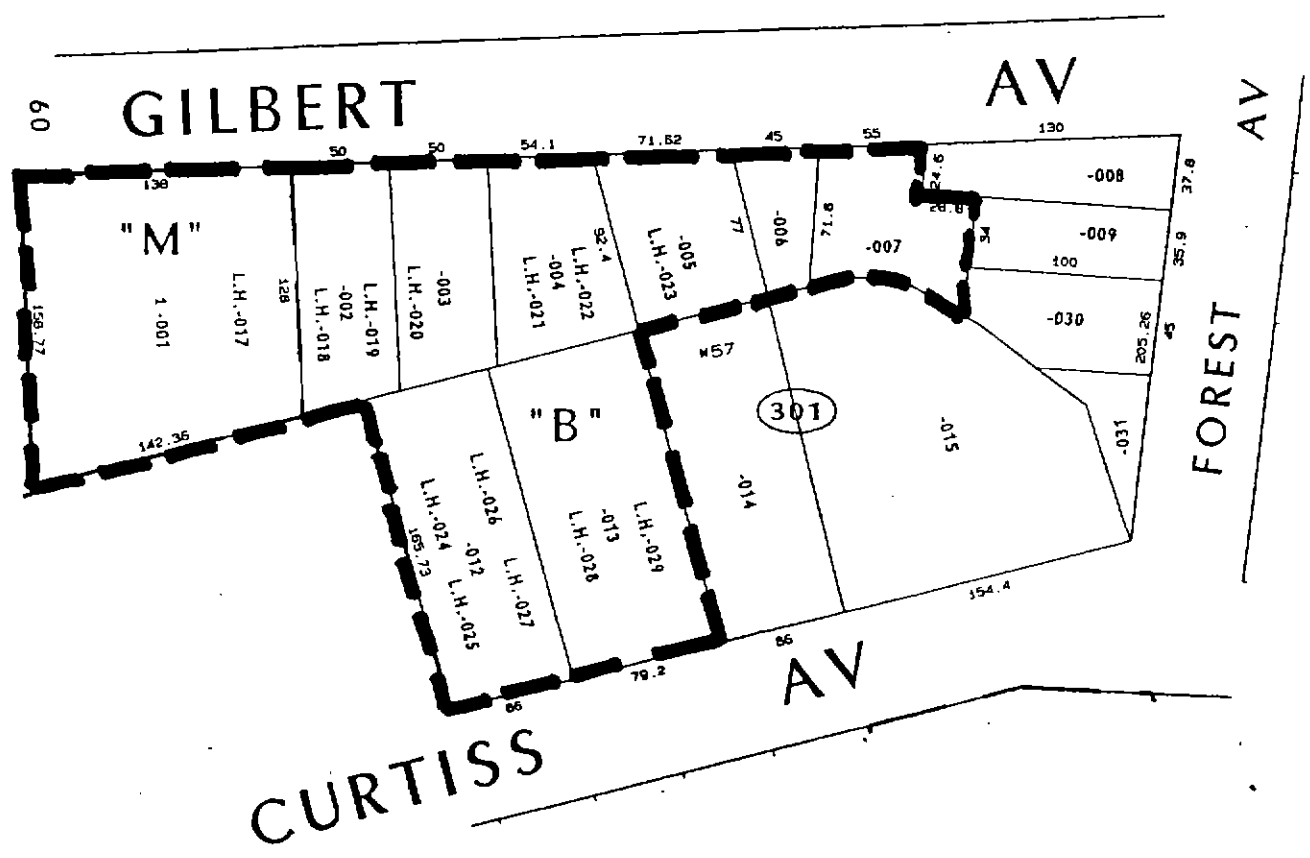
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LANE

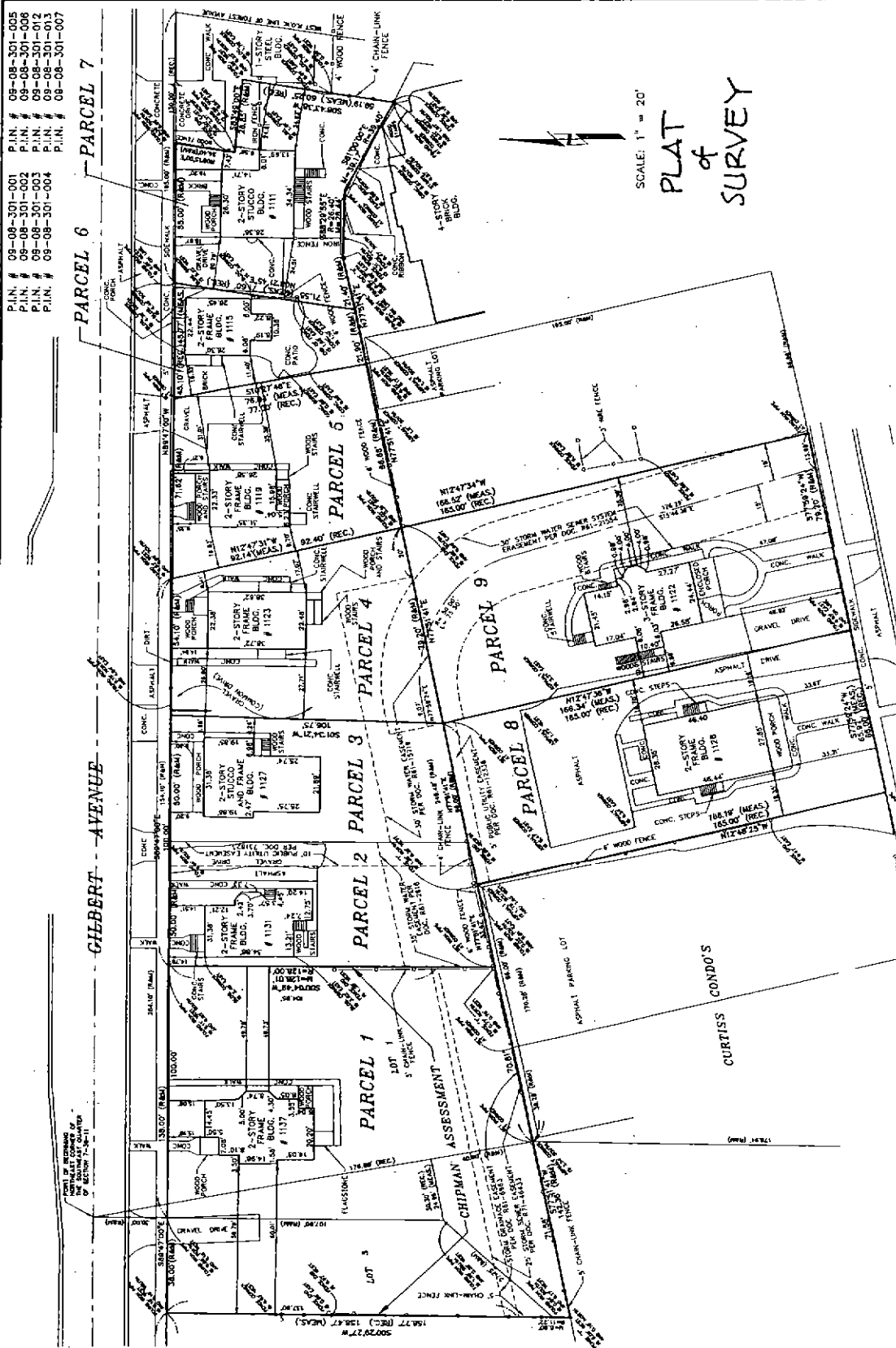
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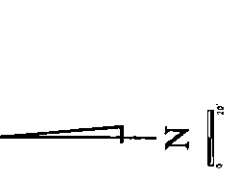


FILE
1070



FILE
1070





LEGEND

- PROPOSED RETAINING WALL
- PROPOSED SIDEWALK
- PROPOSED HARD SURFACE
- PROPOSED POND

NOTE:
COURTYARDS ARE AREAS BETWEEN FRONT OF BUILDINGS AND PROPOSED FENCE AND WILL HAVE A COMBINATION OF HARD SURFACE AND PLANTINGS.

SITE PLAN
PARKER'S PLACE

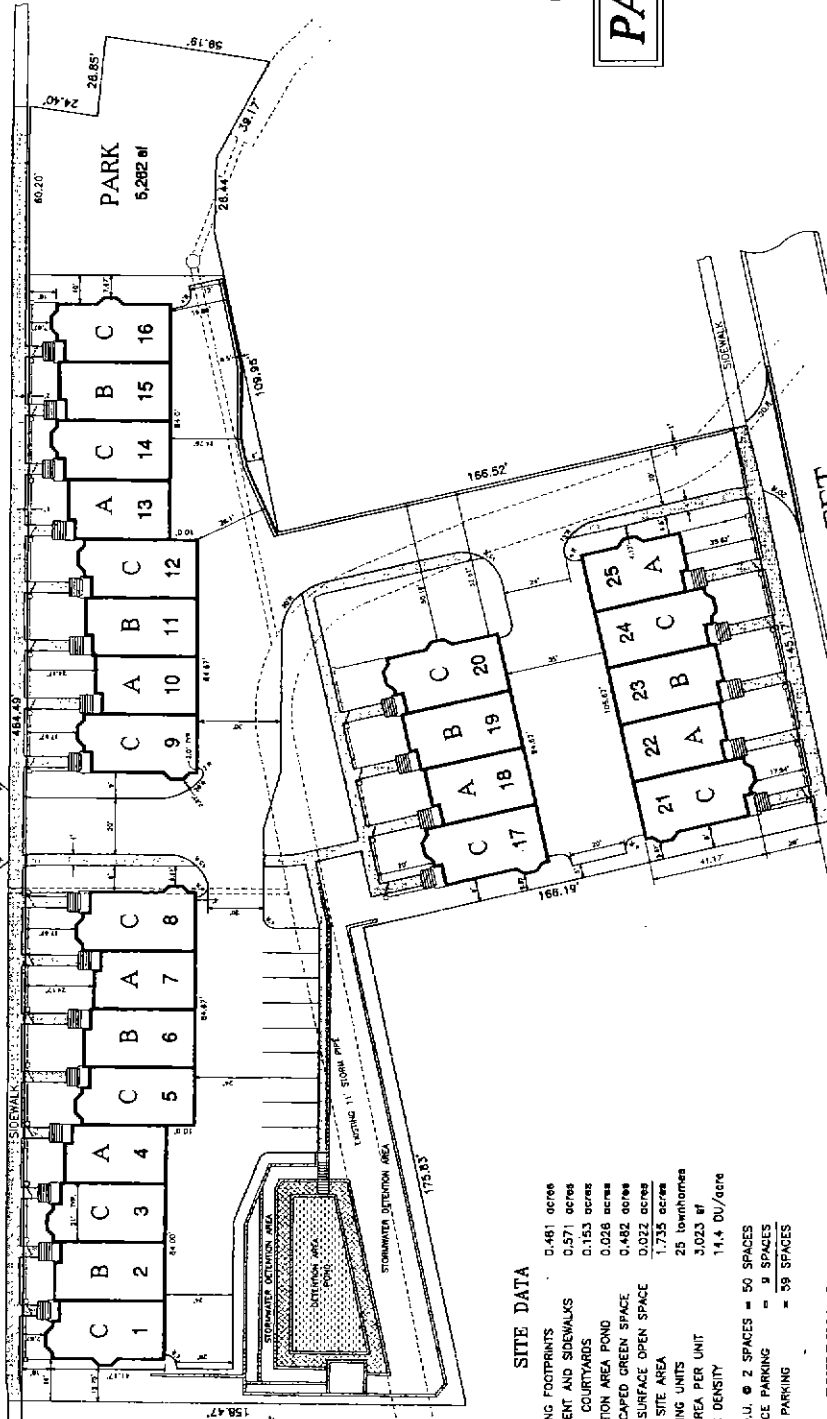
DECEMBER 17, 2001

DEVELOPER:
ROSOL CONSTRUCTION INC.
6556 BERRYWOOD DRIVE
DOWNS GROVE, IL 60516

Prepared by:
William F. Lorek, P.E., Civil Engineer
8 South 138 Blackcherry Lane
Glen Ellyn, IL 60137
630-858-0289

GILBERT AVENUE

CURTISS STREET



SITE DATA

BUILDING FOOTPRINTS	0.481 acres
PAVEMENT AND SIDEWALKS	0.571 acres
FRONT COURTYARDS	0.153 acres
DETENTION AREA POND	0.028 acres
LANDSCAPED GREEN SPACE	0.482 acres
HARD SURFACE OPEN SPACE	0.022 acres
TOTAL SITE AREA	1.735 acres
DWELLING UNITS	25 townhomes
SITE AREA PER UNIT	3,023 sf
GROSS DENSITY	11.4 DU/acre
25 D.U. @ 2 SPACES	= 50 SPACES
SURFACE PARKING	= 3 SPACES
TOTAL PARKING	= 53 SPACES

BUILDING DATA

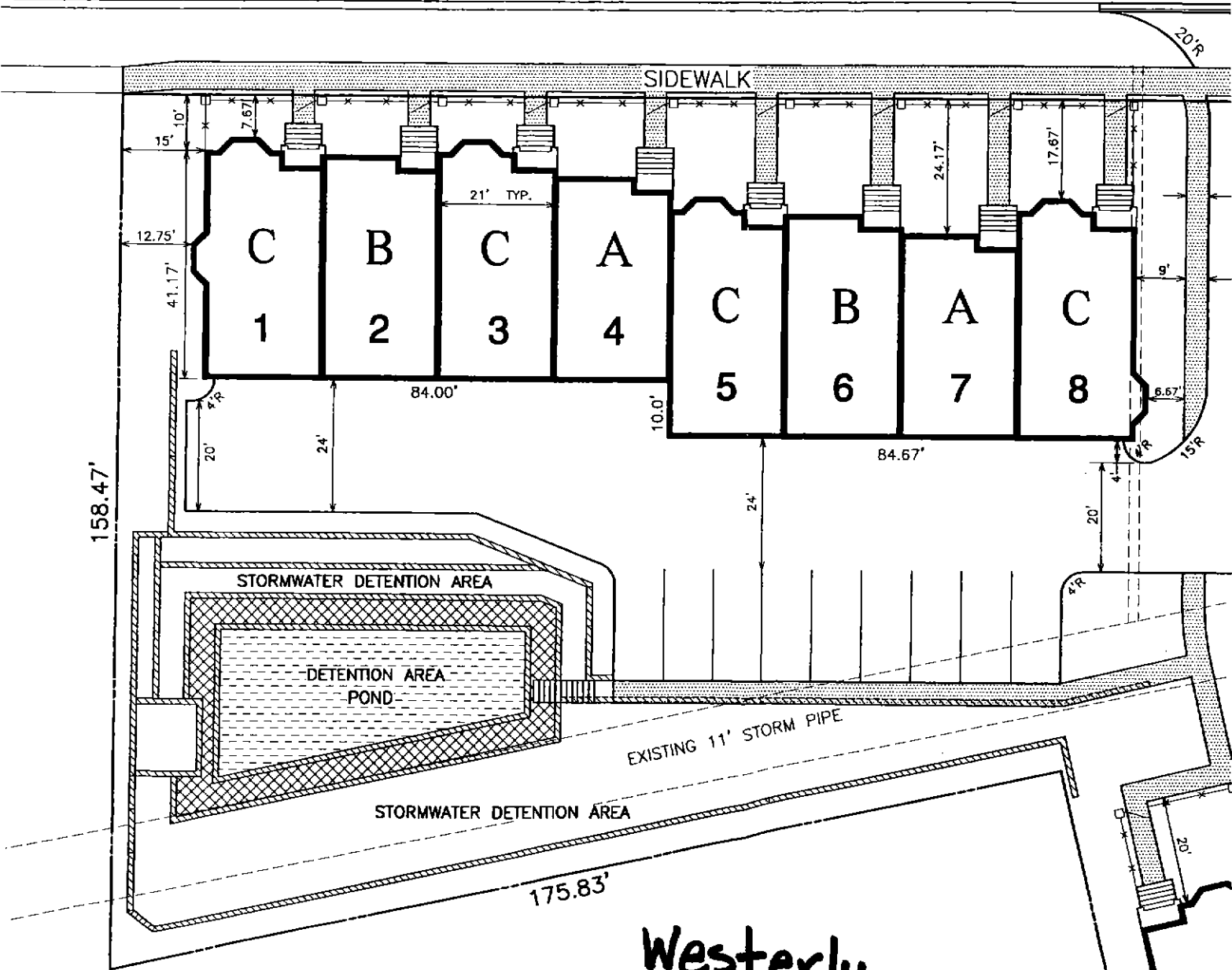
A UNIT	7 D.U. @ 2 BDRMS	= 14 BDRMS
B UNIT	6 D.U. @ 2 BDRMS	= 12 BDRMS
C UNIT	12 D.U. @ 3 BDRMS	= 36 BDRMS
25 D.U.		82 BDRMS

REQUIRED SITE AREA

2 BDRM	13 D.U. @ 2,178 sf	= 28,314 sf
3 BDRM	12 D.U. @ 3,000 sf	= 36,000 sf
25 D.U.		64,314 sf
ACTUAL SITE AREA		= 75,570 sf
ACTUAL TOTAL FLOOR AREA		89,384 sf

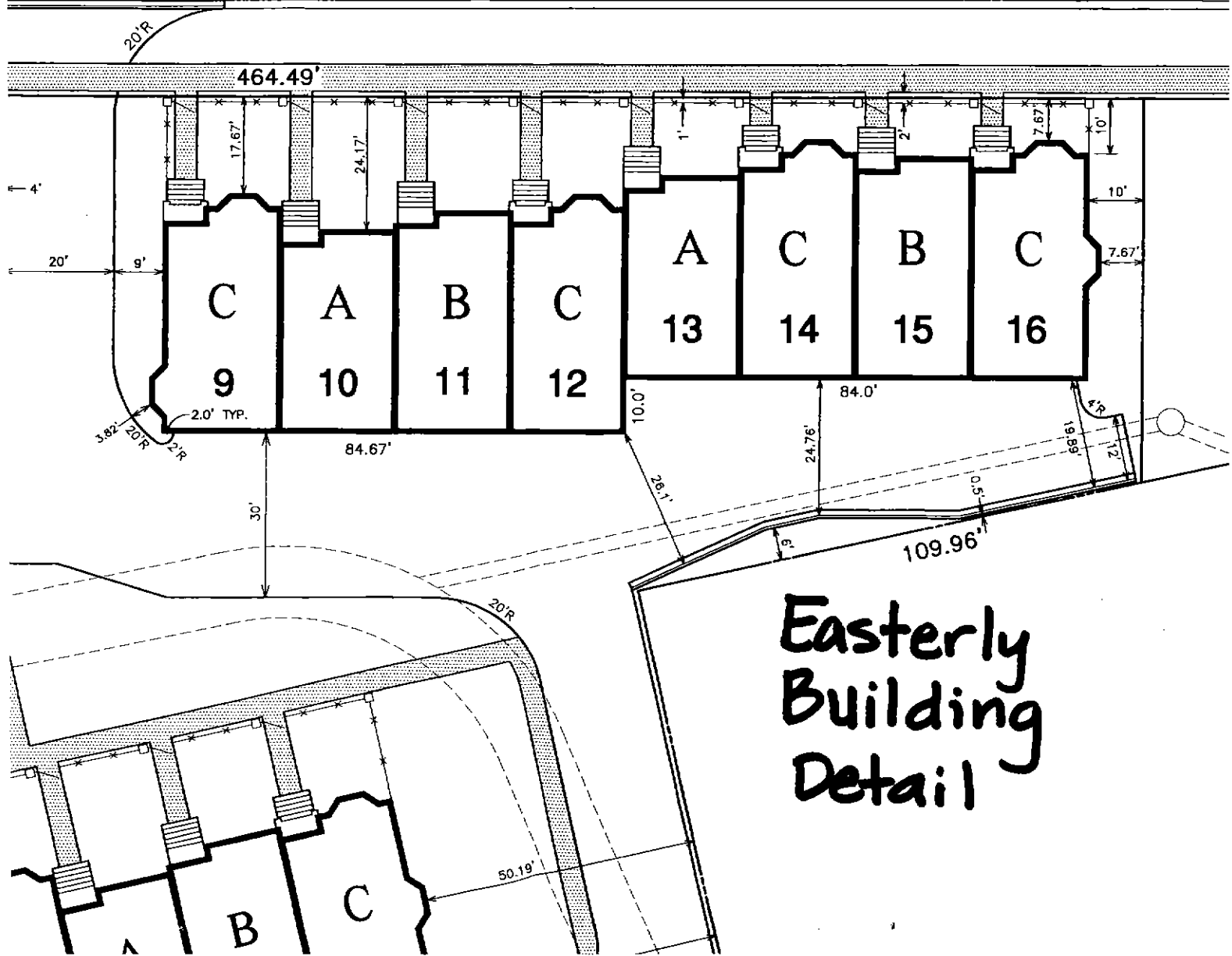
FILE
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GILBERT



Westerly
Building
and
Detention Pond
Detail

GILBERT ST AVENUE

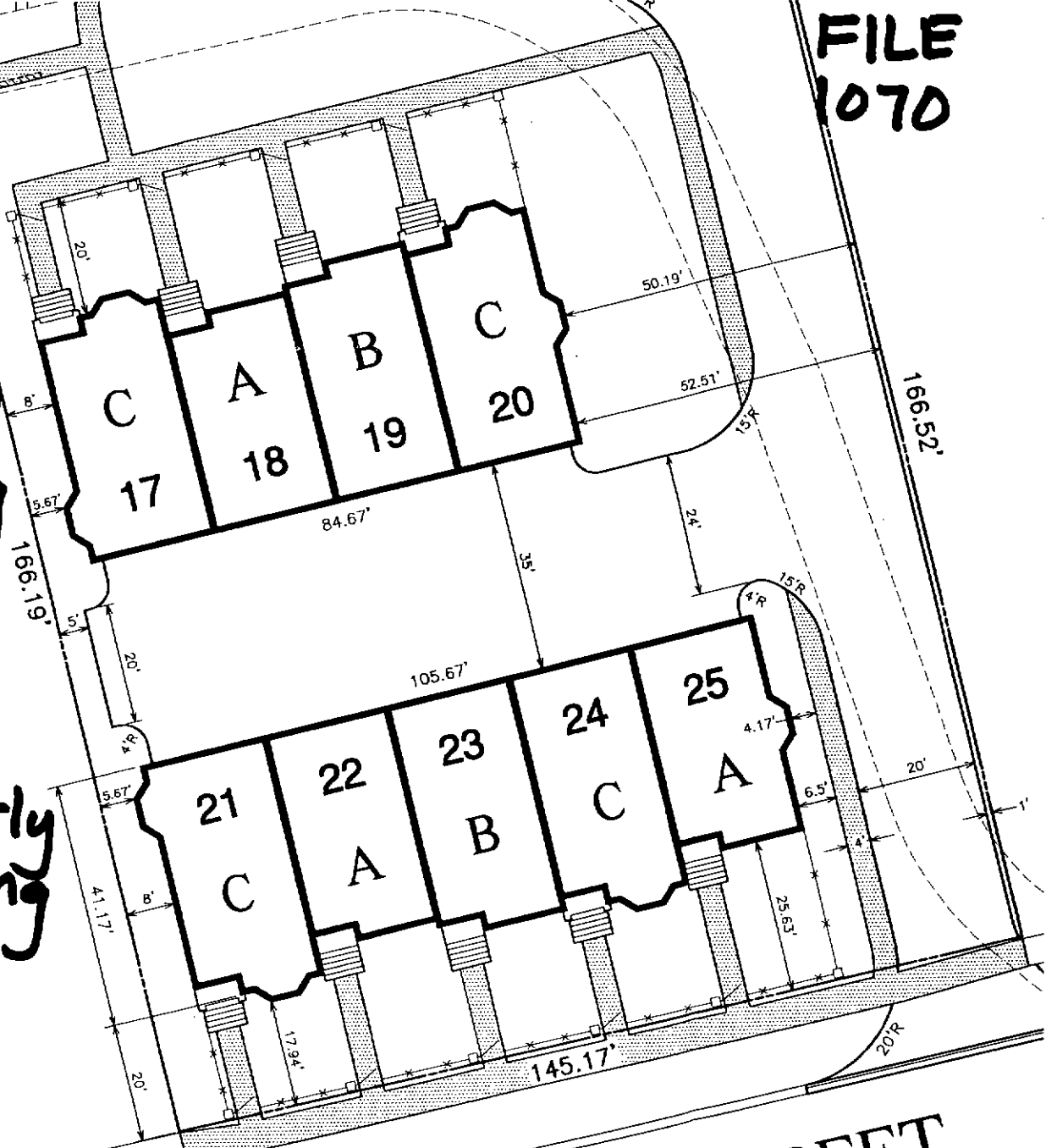


Easterly
Building
Detail

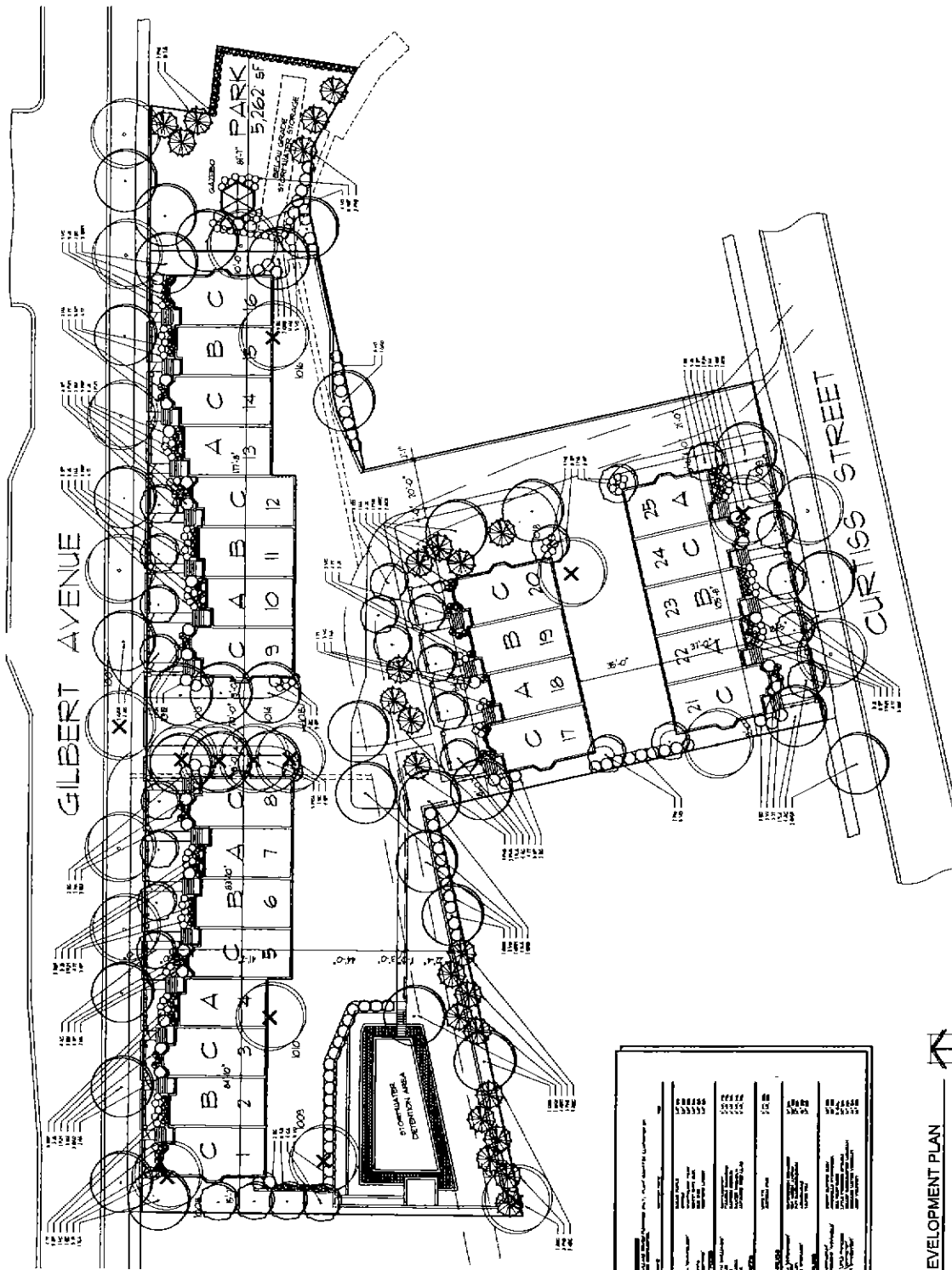
FILE
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Internal
Building
Detail

Southerly
Building
Detail



CURTISS STREET



PLANT LIST

NO.	SYMBOL	PLANT NAME	QUANTITY	REMARKS
1	(Symbol)	...	...	...
2	(Symbol)	...	...	...
3	(Symbol)	...	...	...
4	(Symbol)
5	(Symbol)
6	(Symbol)
7	(Symbol)
8	(Symbol)
9	(Symbol)
10	(Symbol)
11	(Symbol)
12	(Symbol)
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14	(Symbol)
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17	(Symbol)
18	(Symbol)
19	(Symbol)
20	(Symbol)
21	(Symbol)
22	(Symbol)
23	(Symbol)
24	(Symbol)
25	(Symbol)	...	...	...

LANDSCAPE DEVELOPMENT PLAN
SCALE 1" = 20'-0"



ROWHOME DEVELOPMENT
DOWNERS GROVE, ILLINOIS



Otis Koglin Wilson
Architects

DATE: 11/10/02
PROJECT NUMBER: 1070

ROSOL CONSTRUCTION

LANDSCAPE PLAN

FILE
1070

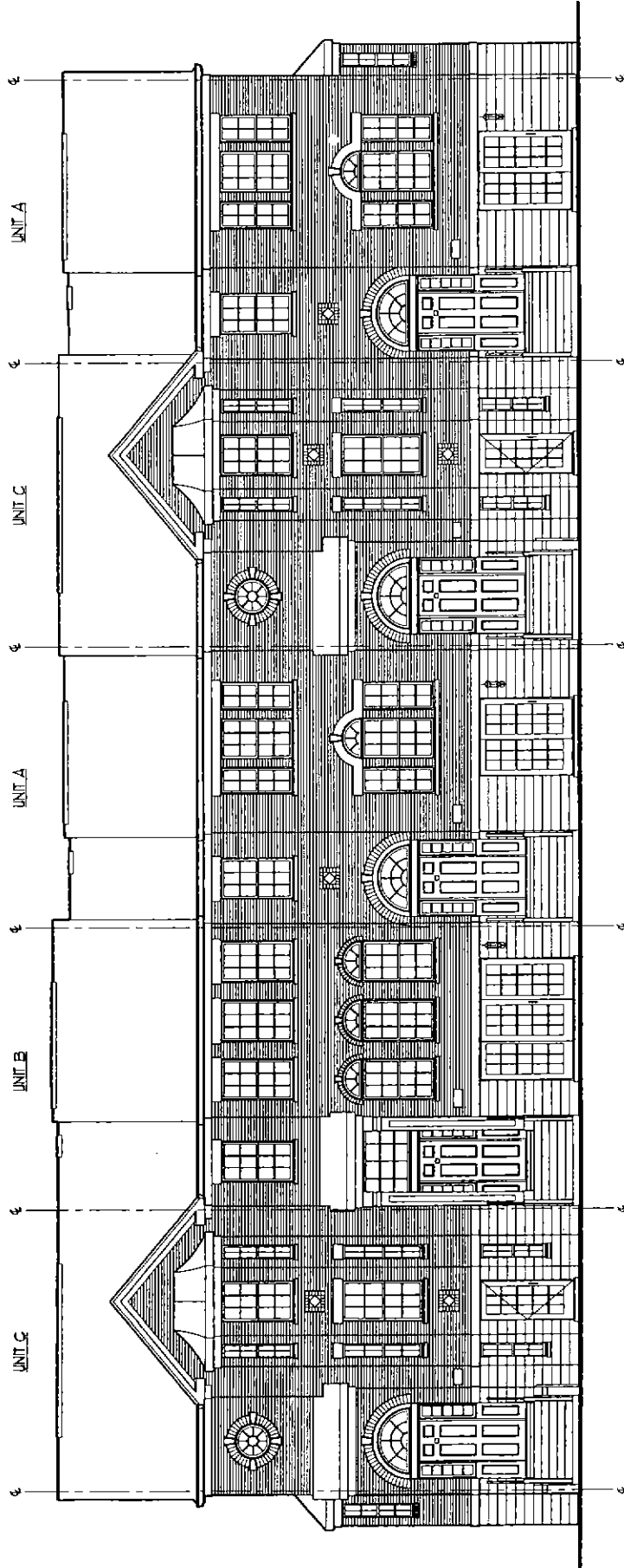
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Otis Koglin Wilson
Architects

PROJECT NUMBER: 0102



DATE: 01.09.02



FRONT ELEVATION

SCALE: 1/8" = 1'-0"

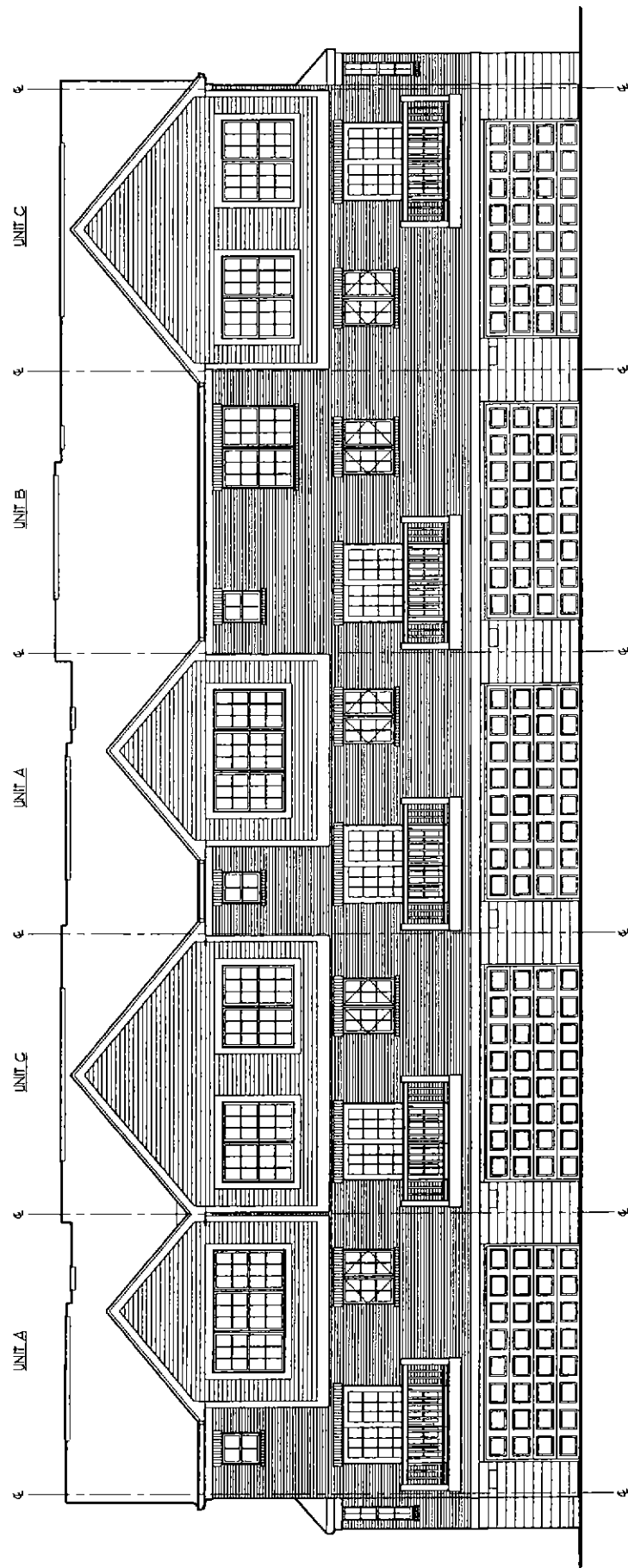
ROWHOME DEVELOPMENT
DOWNERS GROVE, IL
ROSOL CONSTRUCTION

FILE
1070

Otis Koglin Wilson
Architects



PROJECT NUMBER: 0102
DATE: 01.08.02



REAR ELEVATION

SCALE: 1/8" = 1'-0"

ROWHOME DEVELOPMENT
DOWNERS GROVE, IL

ROSOL CONSTRUCTION

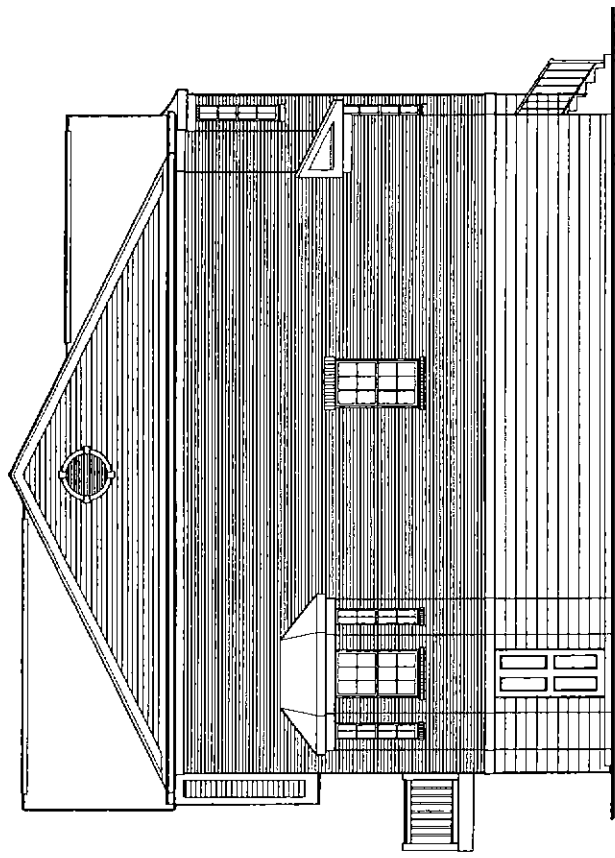
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Ollis Koglin Willson
Architects

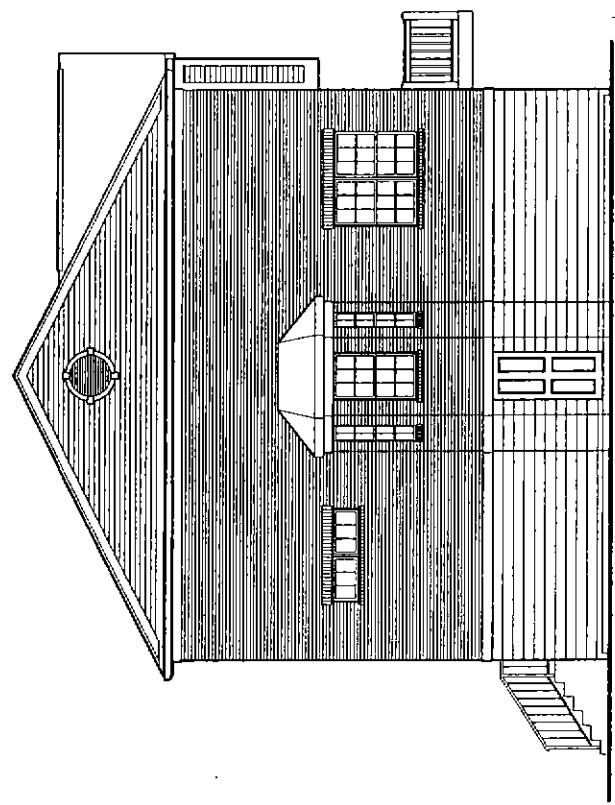
PROJECT NUMBER: 9182

DATE: 01.09.02



LEFT SIDE ELEVATION

SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEVATION

SCALE: 1/8" = 1'-0"

ROSOL CONSTRUCTION

ROWHOME DEVELOPMENT

DOWNERS GROVE, IL

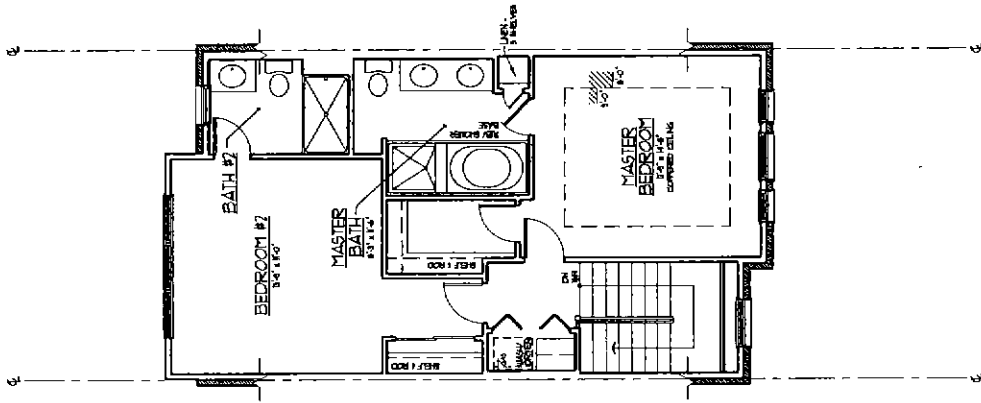
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Otis Koglin Wilson
Architects

PROJECT NUMBER: 01062

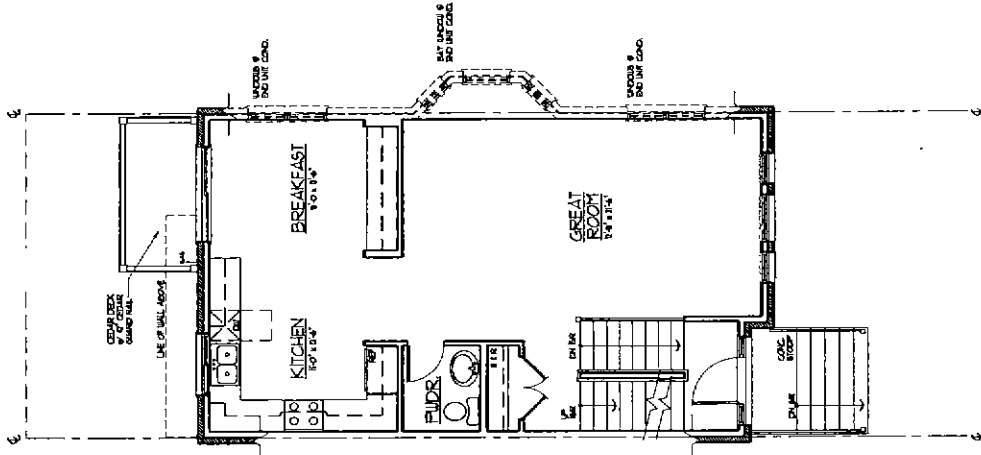


DATE OF ISSUE



UNIT A - SECOND FLOOR

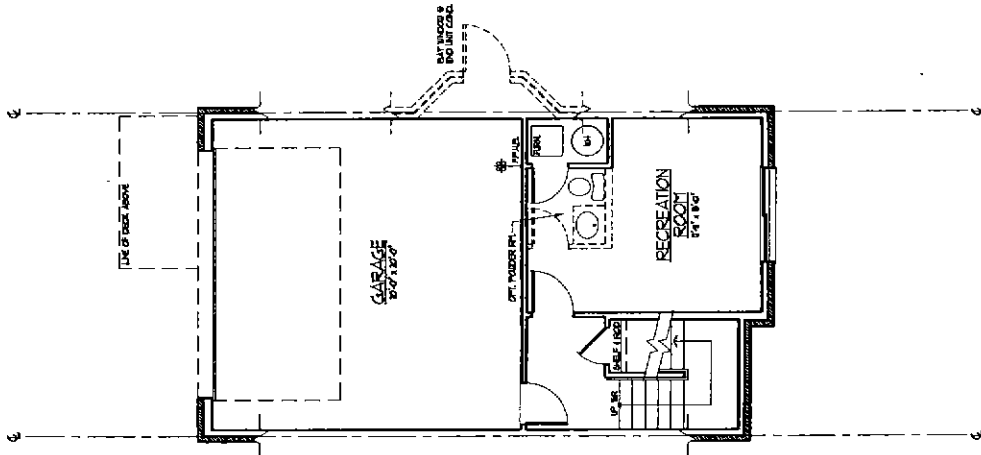
SCALE: 1/8" = 1'-0"



UNIT A - FIRST FLOOR

SCALE: 1/8" = 1'-0"

ROSOL CONSTRUCTION



UNIT A - GROUND FLOOR

SCALE: 1/8" = 1'-0"

ROWHOME DEVELOPMENT

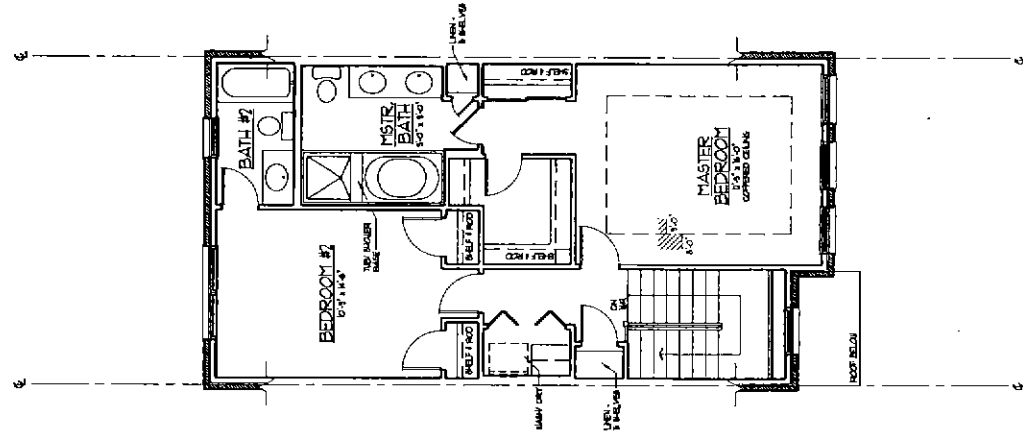
DOWNERS GROVE, IL

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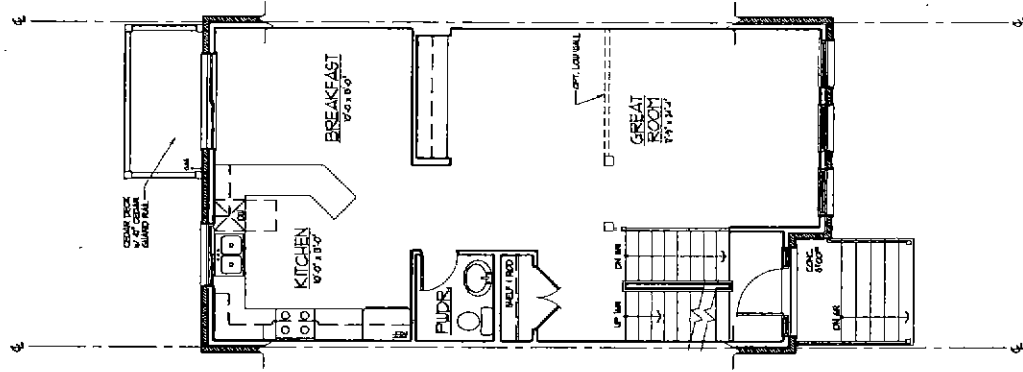
Olis Koglin Wilson
Architects



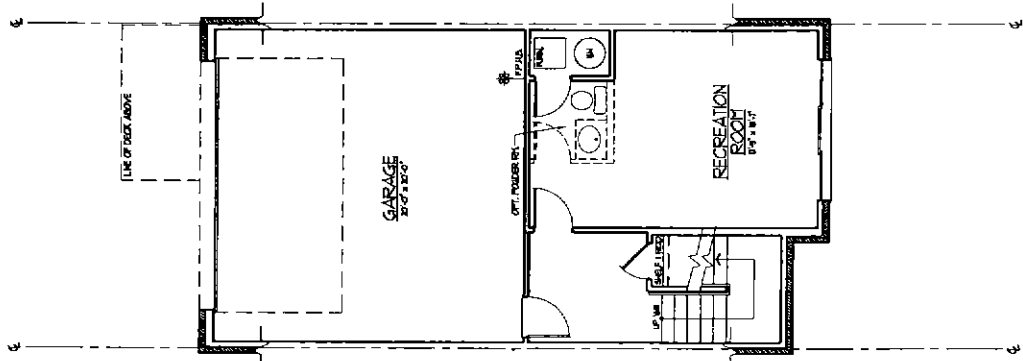
PROJECT NUMBER: 0102
DATE: 01/09/02



UNIT B - SECOND FLOOR
SCALE: 1/8" = 1'-0"



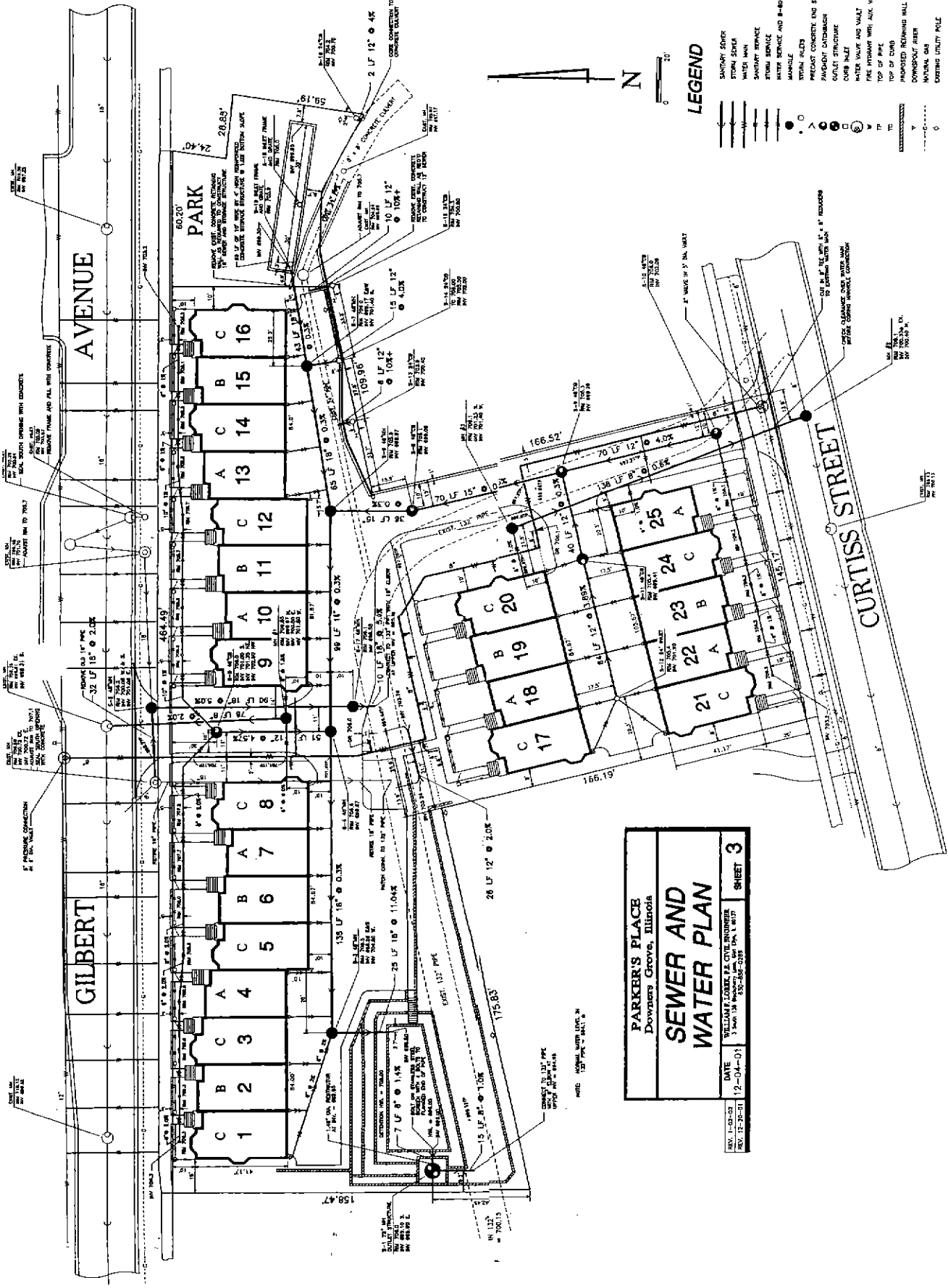
UNIT B - FIRST FLOOR
SCALE: 1/8" = 1'-0"



UNIT B - GROUND FLOOR
SCALE: 1/8" = 1'-0"

ROSOL CONSTRUCTION

ROWHOME DEVELOPMENT
DOWNERS GROVE, IL



- LEGEND**
- SANITARY SEWER
 - STORM SEWER
 - WATER MAIN
 - WATER SERVICE
 - STORM SERVICE
 - WATER SERVICE AND B-BY
 - MANHOLE
 - STREET INLETS
 - PRECAST CONCRETE END SECTION
 - PRECAST CONCRETE DRAINAGE
 - OUTLET STRUCTURE
 - CURB INLET
 - FIRE HYDRANT WITH JUNK VALVE
 - TOP OF CURB
 - PROPOSED RETAINING WALL
 - DOWNPOUR REEF
 - NATURAL GAS
 - CORNER UTILITY POLE

PARKER'S PLACE
Downers Grove, Illinois

SEWER AND WATER PLAN

DATE	12-04-01	SHEET	3
REV. 1-10-03			
REV. 12-25-01			
PREPARED BY: J. J. COLE ENGINEERS 1300 N. BROADWAY, SUITE 100, DOWNERS GROVE, ILL. 60155 PHONE: 630-585-0285			

Attachment 1: Location of Property and Description of Planned Development

The Parker's Place Rowhome planned development will be located on nine (9) parcels of property currently owned by the Village of Downers Grove on Gilbert and Curtiss streets between Forest and Carpenter streets in Downtown Downers Grove, Illinois, commonly known as the Landbank Area . The current street addresses of these nine parcels are: 1111 Gilbert, 1115 Gilbert, 1119 Gilbert, 1123 Gilbert, 1127 Gilbert, 1131 Gilbert, 1137 Gilbert, 1122 Curtiss and 1126/1128 Curtiss.

The Parker's Place Rowhome planned development will include 25 three-story rowhomes. The purchaser may choose from three different floor plans (designated as A, B, or C) that consist of either two or three bedroom units with standard amenities that will include hardwood floors, granite countertops, solid oak doors, custom wood trim, stainless steel appliances and high quality windows. Each unit includes a two-car garage that is accessed from the back of each unit. The architectural design of the buildings will be a combination of stone, limestone and brick. The Parker's Place Rowhome planned development will be adjacent to a park with a gazebo for both new residents and the neighborhood to enjoy. The details for the construction of the Parker's Place Rowhome planned development may be found in the site plan, the engineering plans for site improvements, the architectural plans for the buildings and the landscape plans that have been submitted to the Village of Downers Grove.

Rosol Construction, Inc. will provide public utility easements in the future, specifically after the foundations for all of the buildings have been poured and surveyed. Rosol Construction, Inc. anticipates that these easements will be contained in a designated easement area that will be a portion of the common area of the development. In addition, Rosol Construction, Inc. will provide the Village with a surveyed Plat of Easement when all of the drainage facilities have been completed. Finally, Rosol Construction, Inc. will provide the Village of Downers Grove with a copy of the draft Covenants for review and comment prior to the sale of any dwelling units.

Rosol Construction, Inc. has requested one variation from the Village of Downers Grove Subdivision Control Ordinance. Specifically, Rosol Construction, Inc. understands that the Village of Downers Grove Future Land Use Plan designates both Gilbert Street and Curtiss Street as collector streets. Currently, the existing right-of-way and pavement areas are less than the requirements of the Subdivision Control Ordinance. However, because the Parker's Place Rowhome planned development will have limited frontage in relation to the total length of these streets, and because the possibility of future redevelopment of these streets is low, it would not make sense to require wider right-of-way and pavement areas for the portion of these streets that are adjacent to the Parker's Place Rowhome planned development. Therefore, Rosol Construction, Inc. requests this variation.

FILE
1070

ORDINANCE NO. 4341

**AN ORDINANCE AMENDING CERTAIN PROVISIONS OF
THE DOWNERS GROVE ZONING ORDINANCE REGARDING LANDBANKS**

BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows: (Additions are indicated by shading; deletions by ~~strikeout~~.)

SECTION 1. That Chapter 28 of the Downers Grove Municipal Code is hereby amended as follows:

28-201. Definitions.

For the purposes of this Zoning Ordinance, the following words and phrases shall have the meanings respectively ascribed to them as follows:

* * *

Dwelling, attached single-family. (Group, Row, Townhouse) A building originally designed and constructed to accommodate three (3) or more dwelling units, with dwelling units joined together by party wall or walls ~~and being not more than two (2) stories in height~~. Each unit shall have its own ground floor entrance and living space.

* * *

Landbank Area. ~~The area south of Gilbert Street, north of Curtiss Street, east of Forest Avenue and west of Carpenter Street.~~

Landbank Development. ~~A residential townhouse development when pursued as a Planned Development and involving more than 1.5 acres of land and located in the Landbank Area.~~

28-1103. Lot Area.

Nothing in this section shall be interpreted so as to allow the creation of newly subdivided lots with a minimum lot area of less than 10,500 square feet. Provided, in those areas of the Village which are zoned for and subdivided with lots of less than 10,500 square feet, new lots with as little as 7,500 square feet may be created if 50 per cent of the lots in the block in which the proposed sub-division is located contain less than 10,500 square feet.

* * *

(g) *R-6 District:*

(1) *Lot area for attached single-family, two-family and multiple-family dwellings.* Every zoning lot used for ~~attached single-family, two-family and multiple-family dwellings~~ shall have a minimum lot area of ten thousand five hundred (10,500) square feet. The minimum lot area per dwelling shall be as follows: three (3) or more bedrooms - three thousand (3,000) square feet per dwelling unit; two (2) bedrooms - two thousand one hundred seventy-eight (2,178) square feet per

dwelling unit; one (1) bedroom, studio or efficiency unit - one thousand four hundred and fifty-two (1,452) square feet per dwelling unit.

(2) *Lot area for single-family dwellings.* Every zoning lot used for single-family dwellings shall be subject to the same lot area requirements as for single-family dwellings in the R-5 District.

* * *

28-1110. Front Yard.

* * *

(g) *R-6 District: Same as required in the R-4 District.*

(1) *General requirement.* Except as provided herein, setback requirements shall be the same as required in the R-4 District.

(2) *Landbank Development.* A Landbank Development shall not be required to provide any setback except as may be mandated by the Village Council in the context of a Planned Development.

* * *

28-1111. Side Yard.

* * *

(g) *R-6 District: Same as required in the R-1 District.*

(1) *General requirement.* Except as provided herein, side yard requirements shall be the same as required in the R-1 District.

(2) *Landbank Development.* A Landbank Development shall not be required to provide any side yard except as may be mandated by the Village Council in the context of a Planned Development.

* * *

28-1112. Rear Yard.

* * *

(g) *R-6 District: Same as required in the R-1 District.*

(1) *General requirement.* Except as provided herein, rear yard requirements shall be the same as required in the R-1 District.

(2) *Landbank Development.* A Landbank Development shall not be required to provide any rear yard except as may be mandated by the Village Council in the context of a Planned Development.

* * *

28-1611. Height regulations.

(a) *Residential planned developments.* No building in a residential planned development shall exceed in height the greater of thirty-five (35) feet or sixty-six and two thirds percent (66 2/3%) of the shortest distance between any wall of such building and any exterior boundary line of such planned development. If any building in a residential planned

development exceeds thirty-five (35) feet in height, it shall be screened on each side which is parallel to or makes an angle of forty-five (45) degrees or less with the lot line of any adjacent lot by means of a wall, fence or compact hedge, which shall be twenty-five (25) percent or more opaque, not less than four (4) feet nor more than six (6) feet in height, and situated within ten (10) feet of such lot line. Provided, the provisions of this Section 28-1611(a) shall not apply to a Landbank Development.

* * *

28-1612. Permanent common open space.

(a) Except for areas subdivided for single-family dwellings on separate zoning lots pursuant to the Subdivision Control Ordinance, no planned development shall be approved unless such plan provides the following minimum percentage of the total area of the planned development as permanent common open space:

(1) Thirty percent (30%) - R-1 Single-Family Residence District; R-2 Single-Family Residence District; R-3 Single-Family Residence District; R-4 Single-Family Residence District.

(2) ~~Forty percent (40%) - R-5 Two-Family Residence District; R-5A Town House Residence District; R-6 Multiple Family Residence District.~~ Forty percent (40%) - R-5 Two-Family Residence District; R-5A Town House Residence District; R-6 Multi-Family Residence District. Provided, a Landbank Development shall not be required to provide any permanent common open space except as may be mandated by the Village Council in the context of a Planned Development.

(3) Fifteen percent (15%) - B-1 Limited Retail Business District; B-2 General Retail Business District; B-3 General Services and Highway Business District.

(4) Twenty percent (20%) - M-1 Light Manufacturing District; M-2 Restricted Manufacturing District; O-R Office-Research District; O-R-M Office-Research-Manufacturing District.

* * *

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

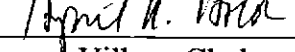
SECTION 4. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.



Mayor

Passed: November 20, 2001

Published: November 21, 2001

Attest: 

Village Clerk

MISC/landbank[zonrev]

LEGAL NOTICE: VILLAGE OF DOWNERS GROVE NOTICE OF PUBLIC HEARING - Notice is hereby given that a public hearing will be held by the Plan Commission at 7:30 p.m. on January 8, 2002 at the Village of Downers Grove Public Works Building, 5101 Walnut Avenue, Downers Grove, Illinois, to consider a petition seeking final approval of a planned development for a townhouse residential development which is being requested under the Landbank Development provisions of the Zoning Ordinance. The property is located on the south side of Gilbert Avenue commencing at a point approximately 130 feet west of Forest Avenue and on the north side of Curtiss Street commencing at a point approximately 220 feet west of Forest Avenue. The common addresses of the properties involved in this petition include: 1137 Gilbert Avenue, 1131 Gilbert Avenue, 1127 Gilbert Avenue, 1123 Gilbert Avenue, 1119 Gilbert Avenue, 1115 Gilbert Avenue, 1111 Gilbert Avenue, 1128 Curtiss Street and 1122 Curtiss Street, Downers Grove, Illinois. The property is legally described as follows:

1137 GILBERT AVENUE (PIN #09-08-301-001)

That part of Lot 57 and 83 in Assessor's Subdivision of Sections 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, described as follows: Commencing at the intersection of the southerly line of Gilbert Avenue and the easterly line of Carpenter Street as now platted and recorded; thence easterly along the southerly line of Gilbert Avenue, 171.55 feet to an angle iron stake at the Northwest corner of Lot 3 of Blodgett's Resubdivision for a place of beginning; thence continuing along the southerly line of Gilbert Avenue, 138.00 feet to an iron pipe stake; thence southerly along a line making an angle of 90 degrees 01 minutes to the right of the last described course 128.00 feet to an iron rod in the North line of the Curtis condominium property; thence southwesterly along said North line a distance of 142.36 feet, to an iron pipe stake in the West line of Lot 3 of Blodgett's Resubdivision extended southerly, said stake being 158.77 feet southerly of the place of beginning; thence northerly along the West line (extended) of Lot 3 of Blodgett's Resubdivision, 158.77 feet to the place of beginning. Also described as Lot 1 of Chipman Assessment Plat of part of Lots 57 and 83 in Assessors Subdivision of Sections 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded August 13, 1971 as Document R71-46433, in DuPage County, Illinois.

1131 GILBERT AVENUE (PIN 09-08-301-002)

A strip of land 50 feet in width off the entire West side of that part of Lot 57 of Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, described as follows: Commencing at a point on the South line of Gilbert Avenue, 100.00 feet East of the section line for a place of beginning; thence East along Gilbert Avenue 154.10 feet; thence South 12 degrees, 0 minutes East 92.40 feet to the

Northeast corner of a lot conveyed to George Binder by warranty deed recorded as Document 38855; thence South 78 degrees 0 minutes West to the Southeast corner of a lot conveyed to Edward Wootten by warranty deed recorded as Document 48505; thence North parallel to the section line and along the East line of said Wootten lot to the place of beginning, in DuPage County, Illinois.

1127 GILBERT AVENUE (PIN 09-08-301-003)

All of that part of Lot 57 of the Assessor's Subdivision of Section 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, described as follows: Beginning on the section line 30 feet South of the quarter section corner in the West line of said Section 8 and running thence East along the South line of Gilbert Avenue 254.10 feet; thence South 12 degrees East 92.40 feet to the Northeast corner of lot heretofore conveyed to George Binder; thence South 78 degrees West 249.48 feet to the Northwest corner of Julia Lehman's lot; thence North 40.90 feet to post; thence South 80 $\frac{1}{4}$ degrees West 30.30 feet to section line in creek; thence North 110.00 feet to the point of beginning, (except the West 150 feet and the East 54.10 feet as measured on the North line of the land thereof) according to the Plat of Assessor's Subdivision recorded October 2, 1871 as Document 14481, in DuPage County, Illinois.

1123 GILBERT AVENUE (PIN 09-08-301-004)

All of that part of Lot 57 of the Assessor's Subdivision of Section 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, described as follows: Beginning on the section line 30 feet South of the quarter section corner in the West line of said Section 8 and running thence East along the South line of Gilbert Avenue, 254.10 feet; thence South 12 degrees East 92.40 feet to the Northeast corner of lot heretofore conveyed to George Binder; thence South 78 degrees West 249.48 feet to the Northwest corner of Julia Lehman's lot; thence North 40.90 feet to post; thence South 80 $\frac{1}{4}$ degrees West 30.30 feet to section line in creek; thence North 110.00 feet to the point of beginning, (except the West 200.00 feet as measured on the North line of the land thereof) according to the Plat of said Assessor's Subdivision recorded October 2, 1871 as Document 14481, in DuPage County, Illinois.

1119 GILBERT AVENUE (PIN 09-08-301-005)

That part of Lot 57 of the Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, described as follows, to-wit: Commencing for the purposes of a boundary at the quarter section stake between Sections 7 and 8, in the township and range aforesaid, and running South 9 $\frac{1}{4}$ degrees East, 176.88 feet to a post; thence North 78 degrees East 249.48 feet to the Northeast corner of the Binder lot for a point of beginning; thence North 12 degrees West, 92.40 feet to the South line of Gilbert Avenue; thence East along the South line of Gilbert Avenue 71.62 feet; thence southerly 77 feet to a point 66.66 feet North, 78 degrees East, from the Northeast corner of the said

Binder lot; thence South 78 degrees West 66.66 feet to the Northeast corner of said Binder lot, being the point of beginning, in DuPage County, Illinois.

1115 GILBERT AVENUE (PIN 09-08-301-006)

That part of Lot 57 of the Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, described by commencing at the intersection of the South line of Gilbert Avenue with the West line of Forest Avenue (formerly Foote Street); thence West along said South line, 185.00 feet to an iron stake at the Northeast corner of the property deeded by Shears to Wells (recorded in Deed Book 68, Page 216 as Document 47285) for a point of beginning; thence continuing West along the South line of Gilbert Avenue to the North line of said property 45.10 feet to an iron stake at the Northwest corner of said property deeded by Shears to Wells aforesaid, thence South along the West line of said property 77.00 feet to an angle iron at the point of old place of beginning, in description of said property recorded in Book 68 Page 216; thence easterly along the South line of said property 21.90 feet; thence North along the East line of said property, 71.60 feet to the point of beginning, in DuPage County, Illinois.

1111 GILBERT AVENUE (PIN 09-08-301-007)

That part of Lot 57 of the Assessor's Subdivision in Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, described as follows: commencing at the quarter section corner between Section 7 and 8, Township 38 North, Range 11 East of the Third Principal Meridian, and running thence South on the section line 30.00 feet; thence East and parallel with the quarter section line, and in the South line of Gilbert Avenue, a distance of 370.72 feet for a place of beginning; thence East along the South line of Gilbert Avenue 55 feet measured, thence South 8 degrees 15 minutes West a distance of 24.40 feet measured; thence South 83 degrees 49 minutes East a distance of 28.85 feet measured; thence South 8 degrees 35 minutes West a distance of 60.25 feet; thence North 60 degrees 40 minutes West a distance 26.40 feet; thence South 77 degrees 30 minutes West a distance of 21.40 feet; thence North 8 degrees 15 minutes East a distance of 71.60 feet measured to the place of beginning, in DuPage County, Illinois

1128 CURTISS STREET (PIN 09-08-301-012)

That part of Lot 57 of the Assessor's Subdivision of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, being also a part of the Southwest Quarter of said Section 8, described by commencing at the quarter section corner between Sections 7 and 8 in township and range aforesaid and running thence South 9 ¼ degrees East 2.68 chains to a post; thence North 78 degrees East 1.58 chains to a stake for a point of beginning; thence North 78 degrees East 1.00 chain to a stake; thence South 12 degrees East 2.50 chains to the North line of Church Street; thence South 78 degrees West along the North line of Church Street 1.00 chain;

thence North 12 degrees West 2.50 chains to the point of beginning, in DuPage County, Illinois.

1122 CURTISS STREET (PIN 09-08-301-013)

A part of the Southwest Quarter of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, and being also a part of Lot 57 of the Assessment Division of said Section 8, described by commencing at the quarter section corner between Sections 7 and 8 and running thence South 9 $\frac{1}{4}$ degrees East 2.68 chains; thence North 78 degrees 2.58 chains to a stake for a place of beginning; thence North 78 degrees 1.20 chains; thence South 12 degrees East 2.50 chains to the North line of Church Street; thence South 78 degrees West along the North line of Church Street, 1.20 chains; thence North 12 degrees West 2.50 chains to the place of beginning, in DuPage County, Illinois.

Individuals with a disability requiring a reasonable accommodation in order to participate in any meeting should contact the Community Relations Department (630 434-5560) prior to the meeting. Wheelchair access may be gained through the main entrance of the Public Works Building. All interested parties should attend this hearing and will be given an opportunity to be heard. The hearing may be continued from time to time without further public notice. Plan Commission, Alan Jirik, Chairman. Published in the Downers Grove Reporter, Friday, December 21, 2001.