

COUNCIL WORKSHOP ITEM

ITEM: Annexation Petition – Highland Avenue & 31st Street (Vacant Lot),
Downers Grove
DATE: February 19, 2002
PREPARED BY: Daniel P. Blondin, Village Attorney
PURPOSE: Review and Place on Active Agenda for Approval by Ordinance

DISCUSSION:

A petition for annexation has been submitted by the owners of the property located at Highland & 31st Street, Downers Grove.

Pursuant to state statute, upon annexation to the Village this property will be automatically disconnected from the fire protection district in which it is now located, unless a timely objection is filed by such district in the circuit court. To trigger this disconnection, notice must be served upon the fire protection district specifying the date upon which the Village Council will first consider the annexation. This alerts the fire protection district regarding the pendency of the annexation and provides an opportunity for them to appear and object to the disconnection. Note: this does not require a "public hearing" or a final decision regarding annexation of the parcel. Rather, the Council must merely note that this annexation is pending at some point during the meeting specified in the notice.

ATTACHMENT:

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS (VACANT LAND SOUTHEAST OF HIGHLAND AVENUE & 31ST STREET)

RECOMMENDATION:

It is requested that this matter be placed on the workshop agenda of February 26, 2002 for Council consideration.

cc: Rick Ginex, Village Manager
Kenneth J. Rathje, Sr. Dir., Community Development and Planning
Arlene Balicki, Admin. Tech. III

ORDINANCE NO. _____

**AN ORDINANCE ANNEXING CERTAIN TERRITORY
TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS
(VACANT LAND SOUTHEAST OF HIGHLAND AVENUE & 31ST STREET)**

WHEREAS, there has been filed with the Clerk of the Village of Downers Grove, in DuPage County, Illinois, a verified petition requesting annexation to said Village of certain territory as hereinafter described and hereafter referred to as the "Territory"; and

WHEREAS, it appears that the owner or owners of record of each parcel of land within the Territory and at least fifty-one percent (51%) of the electors, if any, residing therein, have joined in said petition; and

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, in 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:

That part of Lot 16 in York Township Supervisor's Assessment Plat No. 4, also known as "Butterfield Woods", according to the Plat thereof recorded August 23, 1943, as Document 452578, described as follows: Commencing at the Southwest corner of said Lot 16; thence North 90 degrees 00 minutes 00 seconds East along the South line of said Lot 16 for a distance of 61.47 feet to a point of beginning; thence North 23 degrees 05 minutes 53 seconds East for a distance of 53.71 feet; thence North 87 degrees 09 minutes 16 seconds East for a distance of 113.22 feet to a point on a non-tangent curve; thence Southerly along a curve with a radius of 244.65 feet, a chord bearing of South 00 degrees 00 minutes 01 seconds East, a chord distance of 55.03 feet, for an arc length of 55.16 feet to the South line of said Lot 16; thence North 90 degrees 00 minutes 00 seconds West along the South line of said Lot 16 for a distance of 134.15 feet to the place of beginning, in DuPage County, Illinois. (Commonly known as the Vacant land Southwest of Highland Avenue & 31 Street, Downers Grove, Illinois; PIN 06-32-101-034 - partial)

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

COUNCIL WORKSHOP ITEM

ITEM: Zoning Board of Appeals File No. MC-2-02
DATE: February 12, 2002
PREPARED BY: Kenneth J. Rathje, Director Planning Services
PURPOSE: Approval of a request seeking rezoning from O-R, Office Research and R-5A, Townhouse Residence District to R-1, Single Family Residential District for property located at the Southeast corner of the intersection of Highland Avenue and 31st Street, Downers Grove, IL.

DISCUSSION:

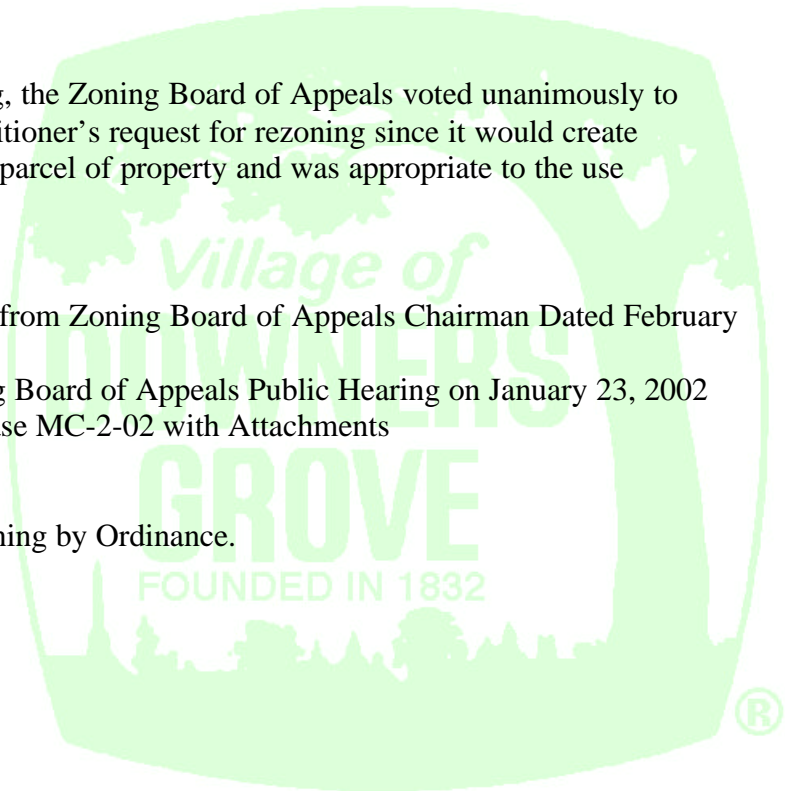
At its January 23, 2002 meeting, the Zoning Board of Appeals voted unanimously to recommend approval of the petitioner's request for rezoning since it would create consistent zoning for the entire parcel of property and was appropriate to the use requested.

ATTACHMENT:

1. Letter to Mayor & Council from Zoning Board of Appeals Chairman Dated February 12, 2002
2. Draft Minutes of the Zoning Board of Appeals Public Hearing on January 23, 2002
3. Staff Findings regarding Case MC-2-02 with Attachments

RECOMMENDATION:

Approval of the requested rezoning by Ordinance.





Village of
DOWNERS GROVE
ILLINOIS

Civic Center

801 Burlington Avenue
Downers Grove
Illinois 60515-4776
630.434.5500
TDD 630.434.5511
FAX 630.434.5571

CBD Redevelopment Office

1015 Curtiss Street
Downers Grove
Illinois 60515
630.434.5940
FAX 630.968.6346

Fire Department

Administration
3900 Highland Avenue
Downers Grove
Illinois 60515-1506
630.434.5980
FAX 630.434.5988

Police Department

825 Burlington Avenue
Downers Grove
Illinois 60515-4783
630.434.5600
FAX 630.434.5690

Public Works Department

5101 Walnut Avenue
Downers Grove
Illinois 60515-4074
630.434.5460
FAX 630.434.5495

Department of

Social & Health Services

842 Curtiss Street
Downers Grove
Illinois 60515-4761
630.434.5595
FAX 630.434.5599

Village of

Downers Grove Web site

<http://www.vil.downers-grove.il.us>

Info Line

630.434.6800

February 12, 2002

Mayor Brian Krajewski and Village Council
Village of Downers Grove
801 Burlington Avenue
Downers Grove, IL 60515

MC-2-02 A petition seeking a rezoning from O-R, Office Research and R-5A, Townhouse Residence District to R-1, Single Family Residence District for property located at the Southeast corner of the intersection of Highland Avenue and 31st Street, Downers Grove, IL (PIN NO. 06-32-101-034); Forest Preserve District of DuPage County and Downers Grove Park District, Owners/Petitioners

Dear Mayor Krajewski and Village Council:

At its January 23, 2002 meeting, the Zoning Board of Appeals made the following unanimous recommendation in case MC-2-02:

Mr. Benes moved that in case MC-2-02 the Board recommend to the Village Council approval of rezoning the properties in question from their current zoning of R-5A, Townhouse Residential zoning and O-R, Office Research zoning to Village R-1, single family residential zoning. Mr. Gray seconded the Motion.

**AYES: Mr. Benes, Mr. Gray, Mr. Lukas, Mr. Sleeter,
Ch. White**

NAYS: None

Chairman White declared the Motion passed unanimously.

The Board made this Motion as they believed the request for rezoning, upon annexation, was consistent with the Village's requirements.

Sincerely,

VILLAGE OF DOWNERS GROVE

William White

William White, Chairman
Zoning Board of Appeals

WW/tmh

ROUGH DRAFT

1 Meridian, according to the plat thereof recorded August 23, 1943 as
2 Document 452578, more particularly described as follows:
3 Commencing at the Northeast corner of Lot 31 in said York Township
4 Supervisor's Assessment Plat, thence South 89 degrees 59 minutes 27
5 seconds West along the North line of Lots 3, 22, and 31 in said York
6 Township Supervisor's Assessment Plat No. 4, a distance of 948.18 feet
7 to the point of beginning; thence South 00 degrees 00 minutes 33
8 seconds East, 615.67 feet; thence North 88 degrees 28 minutes 02
9 seconds West, 126.75 feet; thence South 00 degrees 43 Minutes 41
10 seconds West, 28.18 feet to a point of curvature; thence southwesterly
11 along the arc of a curve concave to the Northwest, having a radius of
12 70.00 feet; having a chord bearing of South 45 degrees 19 minutes 04
13 seconds West for a distance of 108.95 feet to a point of tangency; thence
14 South 89 degrees 54 minutes 27 seconds West, 105.49 feet to a point of
15 curvature; thence southwesterly along the arc of a curve, being concave
16 to the Southeast, having a radius of 35.00 feet, having a chord bearing
17 South 44 degrees 54 minutes 27 seconds West for a distance of 54.98
18 feet to a point of tangency, being a point on the West line of said Lot 8;
19 thence North 00 degrees 05 minutes 33 seconds West along the West line
20 of said Lots 5, 6, 7 and 8, a distance of 344.94 feet to a point 50.00 feet
21 northerly of the Southwest corner of said Lot 5; thence North 11 degrees
22 13 minutes 14 seconds East, 50.98 feet to a point on the North line of
23 said Lot 5 that is 10.00 feet East of the Northwest corner of said Lot 5;
24 thence North 00 degrees 05 minutes 33 seconds West along a line 10.00
25 feet East of and parallel with the West line of Lots 1 and 4 in said York
26 Township Supervisor's Assessment Plat No. 4 a distance of 215.00 feet to
27 the most southerly corner of a parcel of land dedicated per Document No.
28 R70-11086; thence North 12 degrees 54 minutes 23 seconds East along
29 the East line of a parcel of land dedicated per Document No. R70-11086,
30 a distance of 66.69 feet; thence North 79 degrees 22 minutes 21 seconds
31 East along the South line of a parcel of land dedicated per Document No.
32 R70-11086, a distance of 108.54 feet to the most easterly corner of a
33 parcel of land dedicated per Document No. R70-11086, said point being
34 on the East line of Lot 1 in said York Township Supervisor's Assessment
35 Plat No. 4, 50.00 feet South of the Northeast corner thereof; thence
36 South 89 degrees 59 minutes 27 seconds West along a line 50.00 feet
37 South of and parallel with the North line of Lot 1 in said York Township
38 Supervisor's Assessment Plat No. 4, a distance of 101.71 feet to a point
39 on a line 30.00 feet East of and parallel with the West line of said Lot 1;
40 thence North 00 degrees 05 minutes 33 seconds West along said parallel
41 line, being 30.00 feet East of the West line of Lot 1 in said York Township
42 Supervisor's Assessment Plat No. 4, a distance of 50.00 feet to the North

ROUGH DRAFT

1 line of said Lot 1; thence North 89 degrees 59 minutes 27 seconds East
2 along the North line of Lots 1, 2 and 3 in said York Township
3 Supervisor's Assessment Plat No. 4, a distance of 308.49 feet to the point
4 of beginning, all in DuPage County, Illinois (PIN Nos. 06-32-101-001, -
5 002, -048, -049,-050, -051).

6 Parcel 3:

7 Lot 1 in Forest Preserve District-Lyman Woods Assessment Plat, being an
8 assessment plat of part of the North Half of Section 32, Township 39
9 North, Range 11 East of the Third Principal Meridian, according to said
10 Assessment Plat recorded October 16, 1995, as Document R95-142635,
11 in DuPage County, Illinois (PIN No. 06-32-101-034).

12 Individuals with a disability requiring a reasonable accommodation in order to
13 participate in any meeting should contact the Community Relations
14 Department (630) 434-5560 prior to the meeting. Wheelchair access may be
15 gained through the side (south) entrance of Village Hall.

16 All interested persons should attend this hearing and will be given an
17 opportunity to be heard. The hearing may be continued from time to time
18 without further public notice. Zoning Board of Appeals, William White,
19 Chairman. Published in the Downers Grove Reporter, Friday, January 4, 2004.

20
21 **Petitioner's Presentation:**

22
23 Mr. Paul Mitchell said he was an attorney acting as the representative the
24 petitioner, the DuPage County Forest Preserve District. He indicated that
25 representatives from the Downers Grove Park District were present as was the
26 architect for the project. Mr. Mitchell described the property which is located
27 at the southeast corner of 31st Street and Highland Avenue. He said it was
28 originally proposed for development several years ago as the Town & Country
29 project; however, the Park District and the Forest Preserve District jointly
30 acquired the property instead. Mr. Mitchell said they are requesting a special
31 use permit for a Visitors' Center building. The Visitors' Center would not
32 change the passive use of the property.

33
34 Mr. Mitchell said that the petitioners' desire is to down zone the property from
35 O-R Office, Research and R-5A, Townhouse Residence District to R-1, Single
36 Family Residential. He noted because they intend to build the Visitors' Center,
37 they must also obtain a special use permit from the Village. Mr. Mitchell said
38 that there are also two other petitions before the Village concerning the subject
39 property which are not before the Zoning Board of Appeals this evening. A
40 small portion of the property is not currently within the limits of the Village
41 and was subject the provisions of Planned Development No. 27. The staff has
42 also suggested that the District request excluding this property from Planned
43 Development No. 27.

ROUGH DRAFT

1
2 Mr. Mitchell said the petitioners wish to construct a learning center building
3 which would be a small passive use project. The learning center would serve
4 as an entryway to the preserve. It would be used to view exhibits and for
5 instructional programs. Mr. Mitchell indicated that the entire site would be
6 operated by the Downers Grove Park District. They anticipate having school
7 groups come to the site for specific programs. He said this is a relatively
8 passive use and was designed to be the least intrusive on the site. Access to
9 the property is off 31st Street, and all the utilities are present along 31st Street.
10 He pointed out that there is some cleared vacant land at the southeast corner
11 of the 31st and Highland intersection, but that is not the appropriate location
12 for the learning center. They have located the proposed access so that it lines
13 up with the access to the office buildings to the north. In addition, the Visitor's
14 Center has been specifically designed to be placed in the proposed location as
15 there are the fewest number of trees which will need to be removed there. They
16 are proposing to provide 24 spaces for parking. Since they anticipate classes
17 coming by bus, there is room to park two buses as well. General public
18 parking would be in the parking lot.

19
20 Regarding stormwater engineering, Mr. Mitchell said they have made several
21 presentations to the Village Engineers as well as the County Stormwater
22 Department. They understand that final engineering should be approved
23 shortly. The timetable is based on a State Grant which will pay for this project.

24
25 Mr. Mitchell displayed an architectural drawing of the Visitors'/Learning
26 Center stating they have tried to blend the design into the Forest Preserve area.
27 The exterior will be constructed of a synthetic cement based material that looks
28 like wood. The roof will be metal with a minimum slope. They are looking into
29 bids on a variety of roofing styles. He displayed a floor plan design for the
30 Visitors'/Learning Center which contains two ADA-accessible restrooms. The
31 building is comprised of 2,800 square feet of interior space, and 1,000 square
32 feet in the porch area. Mr. Mitchell said they anticipate having exhibits on the
33 walls in the lobby area. There is also a multi-purpose room for instruction
34 classes which has a divider to make it into two separate classrooms. No other
35 improvements are anticipated except for the driveway and sidewalk. The
36 improvements which they are proposing to make will take up less than two
37 acres of the forty acre site.

38
39 Mr. Mitchell then reviewed the four findings of fact which the Zoning Ordinance
40 provides for in order to approve a special use permit as follows:
41

ROUGH DRAFT

1 “(i) That the proposed use at the particular location requested is
2 necessary or desirable to provide a service or a facility which is in
3 the interest of the public convenience and will contribute to the
4 general welfare of the neighborhood or community.”

5
6 Mr. Mitchell said that this is an exhibit for the public with a learning facility for
7 the schools.

8
9 “(ii) That such use will not, under the circumstances of the particular
10 case, be detrimental to the health, safety, morals, or general
11 welfare of persons residing or working in the vicinity or injurious to
12 property values or improvements in the vicinity.”

13
14 Mr. Mitchell stated that considering the prior proposed uses of an office park
15 and a residential development, this project has minimal impact on the
16 surrounding area. This is the most passive use they could have in the general
17 area of this intersection. The learning center is approximately 530 feet west of
18 Highland Avenue, 240 feet south of 31st Street, 240 feet east of the residences
19 adjoining the property, with 900 feet of Forest Preserve land to the south. They
20 believe no one will be able to see the improvement except from the 31st Street
21 area. He noted that across 31st Street there is a six story office building.

22
23 “(iii) That the proposed use will comply with the regulations specified in
24 this Zoning Ordinance for the district in which the proposed use is
25 to be located.”

26
27 Mr. Mitchell said the plans submitted comply with the Ordinance
28 requirements.

29
30 “(iv) That it is one of the special uses specifically listed for the district in
31 which it is to be located.”

32
33 Mr. Mitchell said the use is listed as an allowable special use in the residential
34 zoning classification. He stated that the Ordinance allows government
35 facilities, public parks and playgrounds, and municipal community centers, all
36 of which apply to the proposed visitors' center.

37
38 Mr. Mitchell indicated there were several people present to answer any other
39 questions the Board might have regarding the project, including Jerry Cibulka,
40 architect for the project.

ROUGH DRAFT

1 Mr. Lukas asked about the Saturday hours of operation from 9:00 a.m. to 1:00
2 p.m., and asked whether someone could rent this place out for something like
3 a wedding reception in the afternoon. Ms. Karen Shannon of the Park District
4 said that is not being considered as this is a passive use and not a public
5 facility per se.

6
7 Mr. Gray asked which area would be used for assembly. Mr. Cibulka,
8 architect for the project, showed the site plan and pointed out the location
9 within the building which would be used for assembly. Any assemblies would
10 take place in one of the two rooms provided.

11
12 Mr. Gray asked what the capacity of the building would be, and Ms. Shannon
13 said it comfortably accommodate about 25 people at a time.

14
15 Mr. Cibulka said they have gone through the Building Department and received
16 reviews for all of their permits. They are now waiting for their contractor to
17 come on board.

18
19 Mr. Gray asked about building codes. Chairman White noted that regardless of
20 what is approved, nothing would be built without total compliance being
21 required with all Village regulations and permit requirements.

22
23 Mr. Cibulka added that they have had a review by the Fire Prevention Bureau
24 and received their approval. He said it is essentially an all metal building that
25 meets all fire safety requirements as well as sanitary requirements.

26
27 Chairman White stated that the Board's purpose in these petitions is only one
28 small piece in the entire project.

29
30 Mr. Sleeter said he assumed there would be paths and trails connected with
31 the visitors' center and the original portion of Lyman Woods. If that were
32 correct, he asked if the people visiting Lyman Woods would be parking in the
33 parking lot rather than in the parking lot area that occupies vacated 33rd
34 Street off of Highland Avenue, opposite the entrance of Mistwood. Ms.
35 Shannon said they could use the new parking lot, and added that there would
36 be adequate parking as well as the additional potential overflow use of the 33rd
37 Street parking lot.

38
39 There being no further questions at this time, Chairman White asked Mr.
40 Rathje to make the Staff's presentation:

41
42 **Staff's Presentation:**

ROUGH DRAFT

1 Mr. Kenneth Rathje, Director of Planning, said that the DuPage County Forest
2 Preserve District has filed a series of four petitions with the Village regarding
3 the land area located to the southeast of the intersection of 31st Street and
4 Highland Avenue. The essential objective of the District is to receive approval
5 of a Special Use in order to construct an Interpretive Center that is to be
6 available to visitors of the Lyman Woods Forest Preserve. The specific objective
7 of the subject petition is to seek the rezoning of those portions of the Lyman
8 Woods Forest Preserve which currently carry either R-5A, Townhouse
9 Residential zoning or O-R, Office-Research zoning to R-1, Single Family
10 Residential. This rezoning is being sought for two reasons. First, the O-R,
11 Office-Research zoning district does not list parks as an authorized use and
12 second, it is appropriate for the Lyman Woods parcel to fall all into one zoning
13 designation.

14
15 As background, Mr. Rathje noted that the four petitions that the District has
16 submitted to the Village include the subject rezoning petition File MC-2-02, a
17 special use petition under Case C-1-02, an annexation petition for a 6,182
18 square foot parcel of land and a request which is to be considered by the
19 Village Council to vacate the planned development designation over that
20 portion of the Highland Woods Planned Development which is still designated
21 as a planned development.

22
23 Mr. Rathje said the proposed rezoning petition and the request to vacate the
24 Highland Woods Planned Development revolve at least somewhat around the
25 zoning history of the Highland Woods Planned Development. The original
26 Highland Woods Planned Development was zoned O-R, Office Research and
27 was approved as an Office Research Planned Development. A subsequent
28 planned development petition proposed the development of a portion of the
29 original Highland Woods property for development as townhomes, and there
30 was a rezoning of a portion of the land area to R-5A, Townhouse.

31
32 Mr. Rathje stated that the portions of the District's site which make up the O-
33 R, Office Research zoned land are generally located along the southerly and
34 easterly areas and at the northwesterly corner of the Highland Woods Planned
35 Development. The R-5A, Townhouse zoned lands cover the remainder of the
36 Highland Woods Planned Development portion of the Forest Preserve's land.

37
38 Mr. Rathje explained that parks are listed as a special use in the residential
39 zoning districts; however, they are not listed as either a permitted use or a
40 special use in the O-R, Office Research zoning district.

41

ROUGH DRAFT

1 The Future Land Use Plan has the subject property identified either as
2 Residential @ 0-6 dwelling units per acre or as Open Space. The proposed
3 rezoning would be consistent with either of the Future Land Use Plan
4 designations.

5
6 Mr. Rathje said the proposed rezoning of portions of the Lyman Woods Forest
7 Preserve property from O-R, Office Research and R-5A, Townhouse to R-1,
8 Single Family Residential should be considered to be consistent with the
9 Village's Future Land Use Plan for the subject property and would be more
10 reflective of the actual use of the subject property. In addition, having the
11 subject areas rezoned to R-1, Single Family Residential would result in zoning
12 consistency with the balance of the Lyman Woods Forest Preserve.

13
14 Concerning the request for a special use, Mr. Rathje explained that the Forest
15 Preserve District, as co-owner of the subject property with the Downers Grove
16 Park District, has submitted a request for a special use so they may construct
17 an Interpretative (Visitors') Center which will serve the Lyman Woods Forest
18 Preserve. The Zoning Ordinance lists, "Public parks and playgrounds...", as a
19 special use in the R-1, Single Family Residential zoning district under Section
20 28-502 (q).

21
22 Mr. Rathje said the Forest Preserve District is preparing to construct a one-
23 story building which is to include space for exhibitions, a multi-purpose
24 gathering area, offices, storage facilities and bathroom facilities. In addition to
25 the interior space, the petitioner's plans indicate that the structure will include
26 covered porches. The plans indicate that the overall square footage of the
27 building is to be 3,820 square feet, of which 2,800 square feet of floor area will
28 be interior space with the remaining 1,020 square feet of floor area being
29 covered porch area.

30
31 Mr. Rathje stated the proposed building has been depicted on the site plan as
32 being located approximately 620 feet east of the east right-of-way line of
33 Highland Avenue and approximately 231 feet south of the south right-of-way
34 line of 31st Street.

35
36 The petitioner's plans show the structure as somewhat "T" shaped, and it will
37 be constructed of a masonry material which has been described by the
38 petitioner's documentation as a colored cementitious panel siding with
39 aluminum trim. The building is to have a maximum width of 84 feet and a
40 maximum depth of 47 feet 10 inches exclusive of the covered porch. The
41 covered porch adds approximately 12 feet 6 inches to the depth of the proposed
42 structure. With respect to building height, the plans indicate that the building

ROUGH DRAFT

1 is partially to be built into a berm with a maximum vertical exposure of
2 approximately 14 feet 11 inches.

3
4 Mr. Rathje said that in addition to the building, the petitioner's plans propose
5 the construction of a 24 space parking lot. The proposed parking lot will be
6 accessed via 31st Street. The proposed driveway is to be located opposite of
7 the westerly driveway serving the Highland Landmark planned development to
8 the north. He explained, as 31st Street is a County roadway, an access permit
9 must be issued by the County's Division of Transportation. Representatives of
10 the Forest Preserve have contacted the County Highway Department to
11 determine their criteria for issuing an access permit. It has been determined
12 that the Division of Transportation has provided a list of modifications to the
13 petitioner's street access engineering plans that must be made prior to the
14 County Division of Transportation issuing an access permit to 31st Street. The
15 Planning Staff called Robert Kolar, Permits Administrator for the Division of
16 Transportation, on January 11, 2002. Mr. Kolar confirmed that the Forest
17 Preserve District will be issued an access permit for a full access driveway in
18 the location depicted on the petitioner's plans once the corrections, which are
19 essentially details, are made and, of course, subject to the satisfaction of
20 normal permitting details, such as bonding, etc.

21
22 Regarding the proposed parking facilities, Mr. Rathje said they have been
23 designed to meet the Village's parking space dimensional criteria with spaces
24 measuring 9 feet x 18.5 feet with access to be provided by a 24 foot wide aisle.
25 At the rate of one parking space per 300 square feet using a very conservative
26 approach of including the floor area of the covered porch area, a minimum of
27 13 spaces should be provided for a 3,920 square foot building. The proposed
28 plans indicate that there are to be 24 spaces, of which one space is to be
29 configured to meet the State's Handicap Accessibility parking space
30 requirements. Based upon the total number of spaces to be provided, a
31 minimum of one space must be a handicap accessible space.

32
33 Mr. Rathje pointed out that the petitioner has designed the driveway in order to
34 accommodate bus access and egress as it is anticipated that the proposed
35 Interpretive Center will be utilized for environmental and nature education
36 programs. The driveway facility is to have capacity for several buses to park
37 while students are visiting the Interpretive Center and the Forest Preserve.

38
39 Mr. Rathje said the petitioner's plans indicate that there are to be three light
40 standards for purposes of illuminating the parking lot and driveway area
41 installed as part of the construction of this facility. Two of the lights are to be
42 located at the south edge of the parking lot, and one light is to be located at the

ROUGH DRAFT

1 southwesterly edge of the driveway adjacent to the building. The lights are to
2 be installed with cut-offs that will shield the area located to the south of the
3 lights. According to the plans submitted by the petitioner, lighting levels are to
4 be fairly moderate with a light level of 1.0 foot candles or less as measured at a
5 distance beyond approximately 40 feet from the base of the lighting structures.
6

7 With respect to stormwater engineering issues, Mr. Rathje stated that the
8 petitioner's representative has been working with the Village's Stormwater
9 Engineer with respect to the design for a stormwater detention facility for the
10 proposed development. The materials, which were submitted by the petitioner,
11 depict that there are to be two detention areas. The one located to the
12 northeast of the site will have a volume of approximately 18,787 cubic feet or
13 0.431 acre feet with a second basin to be located near the westerly boundary of
14 the site which is to have a capacity of approximately 10,460 cubic feet or .240
15 acre feet.
16

17 Mr. Rathje said the Village's stormwater management consultant has reviewed
18 the petitioner's stormwater management plans and has provided a written
19 analysis indicating how the plans comply with the Village's stormwater control
20 ordinance.
21

22 Mr. Rathje indicated that Mr. Mitchell, in his presentation, outlined the four
23 conditions that are necessary for the granting of a special use as enumerated
24 under Section 28-1902 (i) through (iv). He then reminded the Board of those
25 conditions as follows:

- 26 (i) That the proposed use at the particular location requested is
27 necessary or desirable to provide a service or a facility which is in
28 the interest of the public convenience and will contribute to the
29 general welfare of the neighborhood or community.
30
- 31 (ii) That such use will not, under the circumstances of the particular
32 case, be detrimental to the health, safety, morals, or general
33 welfare of persons residing or working in the vicinity or injurious to
34 property values or improvements in the vicinity.
35
- 36 (iii) That the proposed use will comply with the regulations specified in
37 this Zoning Ordinance for the district in which the proposed use is
38 to be located.
39
- 40 (iv) That it is one of the special uses specifically listed for the district in
41 which it is to be located."
42

ROUGH DRAFT

1 Mr. Rathje summarized that the DuPage County Forest Preserve District,
2 together with the Downers Grove Park District, is pursuing approval of a
3 special use so that they may develop an Interpretative Center and parking
4 facilities for the use of visitors to this Forest Preserve. The District has
5 prepared plans which are consistent with the requirements of the Village's
6 Zoning Ordinance with respect to the proposed use as a special use and with
7 respect to setback, number and size of parking spaces. Additionally, the
8 District, through its consultants, have prepared preliminary drainage
9 engineering plans for the proposed development which have been reviewed by
10 the Village Staff and the Village's stormwater engineering consultants who have
11 determined that the plans have been prepared in a manner that is consistent
12 with the requirements of the Ordinance.

13
14 Mr. Rathje said it would be appropriate for the Board to forward a
15 recommendation to the Village Council regarding the rezoning of the property
16 as well as the proposed special use petition, provided that the Board is in
17 agreement regarding the proposed rezoning and provided that the Board is able
18 to make the necessary findings for the special use as such are enumerated
19 under Section 28-1902 of the Zoning Ordinance.

20
21 Mr. Benes asked about the stormwater detention ponds and where they drain.
22 Mr. Rathje said they would drain to the surface and into the overland channels,
23 eventually draining into the Lacy Creek watershed. He said there would be
24 restrictors limiting the rate of flow from the detention pond. Stormwater from
25 the site will drain into the detention areas and then will flow out of the
26 detention area via the restrictors. He said flooding is controlled by regulating
27 the release rate to allow the drainage area to assimilate the flow of stormwater
28 at a regulated rate. Mr. Benes said his thought is that the natural drainage
29 route flows to the south, and there is no way it can create any flooding along
30 31st street and Highland. Mr. Rathje said that was correct. Due to the limited
31 scope of this project, even if the ponds were not provided, it would not affect
32 31st Street. It might affect the downstream area but not the upstream area.

33
34 Mr. Benes asked about the hours of operation for the facility. He asked if the
35 District wanted to have evening hours whether that would affect the use. Mr.
36 Rathje said typically the Village would not restrict the hours of operation for a
37 facility like this particularly given its proximity to the neighbors. He added,
38 however, that limiting the hours would be something the Zoning Board of
39 Appeals could recommend if there is some very good reason. However, if the
40 District wanted to have night classes, limitations could pose a problem. He
41 referred to Mr. Mitchell's letter stating there may be a few evenings per week
42 where classes would be conducted from 7:00 PM to 10:00 PM. Mr. Benes said

ROUGH DRAFT

1 he wanted it clarified that it could be used for more than just grade school
2 children.

3
4 Chairman White clarified that the petition as it now stands has no hourly
5 restrictions. Mr. Rathje said that was correct.

6
7 There being no further comments from the Board at this time, Chairman White
8 called for comments in favor of or in opposition to the petition from the public.
9 There being no additional comments from the public, Chairman White closed
10 the opportunity for further public comment.

11
12 **Board's Deliberation:**

13
14 Chairman White asked to consider the rezoning petition first.

15
16 In regard to case MC-2-02, Mr. Benes said that the petitioner clarified that all
17 of the odd zoning on the site would become R-1, Single Family Residential.
18 Chairman White said that was correct, and the site would eventually become
19 all R-1, Single Family Residential zoning.

20
21 **Mr. Benes moved that in case MC-2-02 the Board recommend to the**
22 **Village Council approval of rezoning the properties in question from their**
23 **current zoning of R-5A, Townhouse Residential zoning and O-R, Office**
24 **Research zoning to Village R-1, Single Family Residential zoning. Mr.**
25 **Gray seconded the Motion.**

26
27 **AYES: Mr. Benes, Mr. Gray, Mr. Lukas, Mr. Sleeter, Ch. White**

28
29 **NAYS: None**

30
31 **Chairman White declared the Motion passed unanimously.**

32
33 Chairman White then asked for discussion concerning the special use request
34 under Case C-2-02. There were no comments from the Board. Chairman
35 White asked if anyone was opposed to the petition, and there were no
36 comments. He then called for a Motion.

37
38 **Mr. Lukas moved that in Case C-1-02 the Board recommend to the Village**
39 **Council approval of the special use for an Interpretive Visitors' Center and**
40 **accessory parking facility as shown on the site plan and associated**
41 **drawings that were submitted by the petitioner. Mr. Gray seconded the**
42 **Motion.**

43
44 **AYES: Mr. Lukas, Mr. Gray, Mr. Benes, Mr. Sleeter, Ch. White**

PUBLIC HEARING:

MC-2-02 A petition seeking a rezoning from O-R, Office Research and R-5A, Townhouse Residence District to R-1, Single Family Residence District for property located at the Southeast corner of the intersection of Highland Avenue and 31st Street, Downers Grove, IL (PIN NO. 06-32-101-034); Forest Preserve District of DuPage County and Downers Grove Park District, Owners/Petitioners

FINDINGS:

1. The DuPage County Forest Preserve District has filed a series of four petitions with the Village regarding the land area located to the southeast of the intersection of 31st Street and Highland Avenue. The essential objective of the District is to receive approval of a Special Use in order to construct an Interpretive Center that is to be available to visitors of the Lyman Woods Forest Preserve. The specific objective of the subject petition is to seek the rezoning of those portions of the Lyman Woods Forest Preserve which currently carry either R-5A, townhouse residential zoning or O-R, office-research zoning to R-1, single family residential. This rezoning is being sought for two reasons. First, the O-R zoning district does not list parks as an authorized use and second, it is appropriate for the Lyman Woods parcel to fall all into one zoning designation.
2. As background, it may be of interest to note that the four petitions that the District have submitted to the Village include the subject rezoning petition File MC-2-02, a special use petition which is to be considered under Case C-1-02, an annexation petition for a 6,182 sq.ft parcel of land and a request which is to be considered by the Village Council to vacate the planned development designation over that portion of the Highland Woods Planned Development which is still designated as a planned development.

The proposed rezoning petition and the request to vacate the Highland Woods Planned Development revolve at least somewhat around the zoning history of the Highland Woods Planned Development. The original Highland Woods Planned Development was zoned O-R, office research and was approved as an office research planned development. A subsequent planned development petition proposed development of a portion of the original Highland Woods property for development as townhomes, and there was a rezoning of a portion of the land area to R-5A, townhouse

3. The portions of the District's site which make up the O-R zoned land are generally located along the southerly and easterly areas and at the northwesterly corner of the Highland Wood Planned Development. The R-5A zoned lands cover the remainder of the Highland Woods Planned Development portion of the Forest Preserve. Please review the location of the currently zoned O-R and R-5A areas on the attached drawing.

4. Parks are listed as a special use in the residential zoning districts; however, they are not listed as either a permitted use or a special use in the O-R zoning district.
5. The Future Land Use Plan has the subject property identified either as Residential @ 0-6 dwelling units per acre or as Open Space. The proposed rezoning would be consistent with either of the Future Land Use Plan designations.

CONCLUSION:

The proposed rezoning of portions of the Lyman Woods Forest Preserve property from O-R and R-5A to R-1 should be considered to be consistent with the Village's Future Land Use Plan for the subject property and would be more reflective of the actual use of the subject property. In addition, it may be of interest to note that having the subject areas rezoned to R-1 would result in zoning consistency with the balance of the Lyman Woods Forest Preserve.

KJR:amd
Attachments
01/17/02



VILLAGE OF DOWNERS GROVE, ILLINOIS
 Petition for a Map Amendment to the Zoning Ordinance

to: The Zoning Board of Appeals
 Village of Downers Grove
 801 Burlington Avenue
 Downers Grove, Illinois 60515-4776

\$400.00 Fee for Individuals and
 Non-Public Bodies

Application Number MC- 2-02
 Date Filed 12/18/97

Application must be filed in TRIPLICATE. Two copies of a Registered Surveyor's Plat of Survey must accompany the application.

1. Applicant/ Forest Preserve District of Telephone 630-933-7200
 Owner DuPage County
 Address 35580 Naperville Road, Wheaton, IL 60187-8761

2. Applicant/ Downers Grove Park District Telephone 630-963-1304
 Owner _____
 Address 2455 Warrenville Road, Downers Grove, Illinois 60515

3. Applicant is (check one) Attorney Agent Other (specify) Owners
 (NOTE: A letter of authorization from owner must be submitted)

4. Present owner acquired title to the property on (date) Parcel 1: 12/30/96; Parcel 2: 12/21/98;
Parcel 3: 07/11/95

5. Location of property Southeast of 31st Street and Highland Avenue

Square foot area _____ Acreage Parcel 1: 29.81; Parcel 2: 4.7039
Parcel 3: 9.02

Legal Description of property and P.I.N. # See attached Exhibit "A"

Please Note: Parcels 2 and 3 owned by Forest Preserve District

7 Present zoning classification Parcels 1 and 3 - OR; Parcel 2 - R5A

8. Proposed zoning classification R1

9. Is this a pre-annexation zoning petition? Yes No

10. Has applicant previously sought to rezone the property or any part of it? Yes No

When? _____ To what zoning classification _____

11. Is an improvement planned? Yes No When? a visitor center is planned for
the near future

12. What will be the actual use of the improvement? public

13. A list of the names and addresses of all persons to whom the latest general real estate tax bills were sent for all
 property situated within 250 feet of the subject property: see attached Exhibit "B"

(Attach list of names and addresses, if room provided is insufficient.)

I hereby certify that these statements and all accompanying statements and drawings are true and correct to the best of my knowledge.

Dated: July 23 20 01

Respectfully submitted,

Signature of Applicant: see below

Date forwarded to Plan Commission _____

Recommendation of Plan Commission _____

Date of Public Hearing _____

Action Taken by the Board _____

Signature of Chairman: _____

Date submitted to Village Council _____

Action Taken by the Council _____

Dated: _____ 20 01

APPLICANT:
FOREST PRESERVE DISTRICT OF
DUPAGE COUNTY (as to all Parcels)

BY: William Madry
Vice President

APPLICANT:
DOWNERS GROVE PARK DISTRICT
(as to Parcel 1 only)

BY: Susan Cole

LEGAL PUBLICATION NOTICE

AND

LIST OF SURROUNDING PROPERTY OWNERS

FOR CASE MC-2-02

CAN BE FOUND

WITH CASE C-1-02