

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING
ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS
TO DESIGNATE STATION CROSSING CBD RE-DEVELOPMENT PROJECT AS
PLANNED DEVELOPMENT NO. 36**

WHEREAS, the Owners of the property commonly known as 1002-1008 Warren Avenue, also referred to as Block 117, (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 Station Crossing CBD Re-Development Planned Development No. 36 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 Station Crossing CBD Re-Development planned development site plan for construction of a forty-eight (48) dwelling unit multiple family residential/mixed use retail commercial facility and below grade parking garage to be used as a Central Business District Re-Development Project as provided under the Comprehensive Zoning Ordinance;

WHEREAS, the Property is zoned B-2 under the Downers Grove Zoning Ordinance and is located in the Concentrated Business District, as such is defined by the 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 Station Crossing CBD Re-Development Project, which is to be designated as Planned Development Number 36, 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 Station Crossing CBD Re-Development 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 provision of the preamble are incorporated into this ordinance.

SECTION 2. The following documents are incorporated into and made a part of this ordinance:

- a. The following plans and specifications for Planned Development No. 36 are incorporated by reference and are hereafter collectively referred to as the "Station Crossing CBD Re-Development Final Development Plans":

(1) Document entitled "Site Plan A-1", dated April 29, 2002, consisting of one sheet, prepared by Gammonley Group/PPKS Architects (reduced copy attached).

(2) Zoning Ordinance Review (Excerpt from A-1 above).

(3) Document entitled "Grading Site Plan C-2" dated 02/20/02 , revised to 04/29/02 prepared by Kudrna & Associates, Ltd. of Westmont, Illinois consisting of one page (reduced copy attached).

(4) Utility Site Plan C-1 dated 02/20/02 , revised to 04/29/02 prepared by Kudrna & Associates, Ltd. of Westmont, Illinois consisting of one page (reduced copy attached).

(5) Document entitled "Final Landscape Plans L-1" dated 03-14-02, revised 04/29/02, prepared by Ives/Ryan Group, Inc., consisting of 1 page (reduced copy attached).

(6) Document entitled "Off Site Improvement Plan A-2" dated 04/29/02, prepared by Gammonley Group/PPKS Architects, consisting of 1 page (reduced copy attached).

(7) Elevation plans dated April 29, 2002, consisting of five sheets entitled "North Elevation A-6", "South Elevation A-7", "West Elevation A-8", "East Elevation A-9", "Section A-10", prepared by Gammonley Group/PPKS Architects (reduced copy attached).

(8) Document entitled "Parking Level Plan A-3", dated April 29, 2002, consisting of one sheet, prepared by Gammonley Group/PPKS Architects (reduced copy attached).

(9) Floor plans consisting of four pages entitled "First Floor Plan A-4A", "Typical Floor Plan A-4B", "Fourth Floor Plan A-5A", "Fifth Floor Plan A-5B", dated April 29, 2002, prepared by Gammonley Group/PPKS Architects (reduced copy attached).

b. Village staff findings in File No. 1077, dated May 2, 2002, consisting of 12 pages.

c. Minutes of the May 7, 2002 meeting of the Downers Grove Plan Commission regarding File No. 1077, consisting of 4 pages.

d. Findings and recommendations of the Downers Grove Plan Commission regarding File No. 1077, dated May 17, 2002, consisting of 4 pages.

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

(1) That Planned Development No. 36 meets the requirements of the Comprehensive Zoning Ordinance as follows:

a. 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. The planned development will serve to retain current residents of Downers Grove and is the first significant combination retail commercial/multi-family residential development within Downtown Downers Grove in the last twenty years. This development is also expected to result in a substantial increase in property tax revenues as well as park and school donations.

b. 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. The planned development is specifically listed as a special use in the district in

which it is to be located.

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

h. Parking areas are of adequate size for that particular planned development, which areas shall be properly located and suitably screened from adjoining residential uses. The planned development will meet parking requirements of the Downers Grove Municipal Code.

i. 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 Concentrated Business District Re-Development conforms with the requirements of the Comprehensive Zoning Ordinance as follows as reported in the Village staff findings in File No. 1077, dated May 2, 2002, consisting of 12 pages.

(3) The use shall not overburden the Village utility systems or community facilities. The planned development plans are in compliance with applicable engineering standards and should not, based upon the proposed plans, have any negative implications either on utility systems or community facilities.

(4) Appropriate landscaping and screening will be provided where such zoning lots abut or are adjacent to single-family dwellings. The subject property abuts no single-family dwellings. However, landscape plans have been submitted and approved by the Village Forester.

SECTION 4. The Zoning Ordinance is hereby amended by adding to the Zoning Map the boundaries of the following described real estate, to wit:

Parcel 1:

Lot 5 (except the east 73 feet thereof) and all of Lots 6 and 7 of Roger's Resubdivision of Lot 59 and part of Lot 58 lying east of Main Street, of Assessor's Subdivision of Sections 7 and 8, Township 38 north, range 11, east of the third principal meridian, according to the plat thereof recorded January 8, 1917 as Document 127751 and amended by instrument recorded as Document 128649, in DuPage County, Illinois.

Parcel 2:

Lot 4 (except the north 22 feet thereof) of Roger's Subdivision of Lot 59 and that part of Lot 58 lying east of Main Street of Assessor's Subdivision of Section 8, Township 38 north,

range 11, east of the third principal meridian, according to the plat thereof recorded January 8, 1917 and Document 127751 and corrected by Certificate of Correction recorded March 23, 1917 as Document 128649, in DuPage County, Illinois.

Parcel 3:

Lot 8 (except the north 22 feet thereof) of Roger's Subdivision of Lot 59 and that part of Lot 58 lying east of Main Street of Assessor's Subdivision of Section 8, Township 38 north, range 11, east of the third principal meridian, according to the plat thereof recorded January 8, 1917 as Document 127751 and corrected by Certificate of Correction recorded March 23, 1917 as Document 128643, in DuPage County, Illinois.

Parcel 4:

The east 47 feet of Lot 5 in Rogers Resubdivision of Lot 59 and that part of Lot 58 lying east of Main Street of the Assessor's Subdivision of Sections 7, 8, and 9, Township 38 north, range 11, east of the third principal meridian, according to the plat thereof recorded January 8, 1917 as Document 127751 and amended by instrument dated March 23, 1917 as Document 128649, in DuPage County, Illinois.

Parcel 5:

The west 26 feet of the east 73 feet of Lot 5 of Roger's Resubdivision of Lot 59, and that part of Lot 58 lying east of Main Street of the Assessor's Subdivision of Sections 7 and 8, Township 38 north, range 11, east of the third principal meridian, according to the plat thereof recorded January 8, 1917 as Document 127751 and amended by instrument dated March 23, 1917 as Document 128649, in DuPage County, Illinois.

The property is bounded by Main Street on the west, Rogers Street on the north, Highland Avenue on the east and Warren Avenue on the south (PIN Nos. 09-08-117-037,-038,-039,-040,-041,-042,-043,-044).

and by designating said real estate as a Planned Development under the title and style 'Station Crossing CBD Re-Development Planned Development No. 36" to be stated on the face of said map within the boundaries of the real estate hereinabove described.

SECTION 5. The Station Crossing CBD Re-Development Final Development Plans be and are hereby approved to permit a CBD Re-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 Station Crossing CBD Re-Development Final Development Plans as well as such covenants, conditions and restrictions as may be approved by the Village Council.

b. Owner shall provide the Village with a stormwater detention easement to cover the areas of the site which are to be utilized for stormwater detention which shall be provided within underground structures. This easement shall be in such form as approved by the Village Attorney and shall be recorded before occupancy.

c. That the utility easement established by Ordinance No. 4202 should be revoked at such time when the Public Works Department and the effected entities or utilities are satisfied that their

utilities have either been replaced or abandoned in an acceptable manner

d. The Village shall have the right to review and approved the bylaws, and any changes thereto, to ensure compliance with this Ordinance and applicable laws.

e. Except as provided herein, the Station Crossing CBD Re-Development Planned Development No. 36 shall be in conformance applicable laws of the Village, including but not limited to, payment of applicable park and school donations.

SECTION 6. Exceptions and variations are hereby approved to the extent necessary to permit development consistent with the CBD Re-Development Plans, including but not necessarily limited to, height, density, yard setback variations or the dedication of any additional right of way to the adjacent streets, in order to permit construction as set forth on the Station Crossing CBD Re-Development Plans.

SECTION 7. The Station Crossing CBD Re-Development Plans as well as all covenants, conditions and restrictions heretofore or hereafter filed in connection with the Station Crossing CBD Re-Development Planned Development Number 36 shall be deemed to be contractual undertakings by and shall be binding upon the applicants therefore, the owners of the land covered by the Station Crossing CBD Re-Development Planned Development Number 36, and their successors and assigns, and shall limit and control the construction, location, use and operation of all land in the Station Crossing CBD Re-Development Planned Development Number 36, 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

ZONING ORDINANCE REVIEW

FILE
1077

ZONING B-2 GENERAL RETAIL DISTRICT
 WITHIN THE CONCENTRATED BUSINESS
 DISTRICT

	REQUIRED	PROPOSED
SITE AREA	N/A	43,969 SF
SETBACKS	NONE REQUIRED	SEE SITE PLAN
BLDG FOOTPRINT	N/A	25,915 SF
BLDG COVERAGE	N/A	59%
OPEN SPACE	NONE REQUIRED	41% TOTAL
GREEN SPACE		9,641 SF (22%)
HARDSCAPE	COMMERCIAL PLAZA	6,399 SF
	OTHER HARDSCAPE	2,008 SF
	TOTAL HARDSCAPE	8,407 SF (19%)
GROSS BLDG AREA	N/A	
1ST FLOOR GFA		25,405 GSF
2ND FLOOR GFA		17,111 GSF
3RD FLOOR GFA		17,111 GSF
4TH FLOOR GFA		17,415 GSF
5TH FLOOR GFA		11,921 GSF
TOTAL GROSS BLDG AREA (ABOVE GRADE)		90,169 GSF
PARKING (BELOW GRADE)		28,914 GSF
PARKING		25,632 GSF
LOBBY / STAIRS / MECH / STORAGE		3,282 GSF
TOTAL F.A.R. AREA (GSF)		93,451 GSF
FLOOR AREA RATIO	3.0 MAX	2.13 ACTUAL
COMMERCIAL AREA = 12,751 GSF		
12,751 GSF / 3.0 = 4,252 SF		
SITE AREA = 43,969 SF		
- 4,252 SF		
39,717 SF (RESIDENTIAL SITE AREA)		
39,717 SF / 48 UNITS = 827.4 SF / UNIT REQUIRED		
BUILDING HEIGHT	70'-0" MAX	
ROGERS STREET		61'-11 1/2"
HIGHLAND AVENUE		61'-4"
WARREN AVENUE		58'-0 1/2"
MAIN STREET		60'-6 1/2"
OFF-STREET PARKING (CONDOMINIUM)	14 PER UNIT 68 SPACES	145 PER UNIT 70 SPACES
H.C. SPACES	3 SPACES	3 SPACES
RETAIL PARKING	NONE REQUIRED	

RESIDENTIAL UNIT MIX

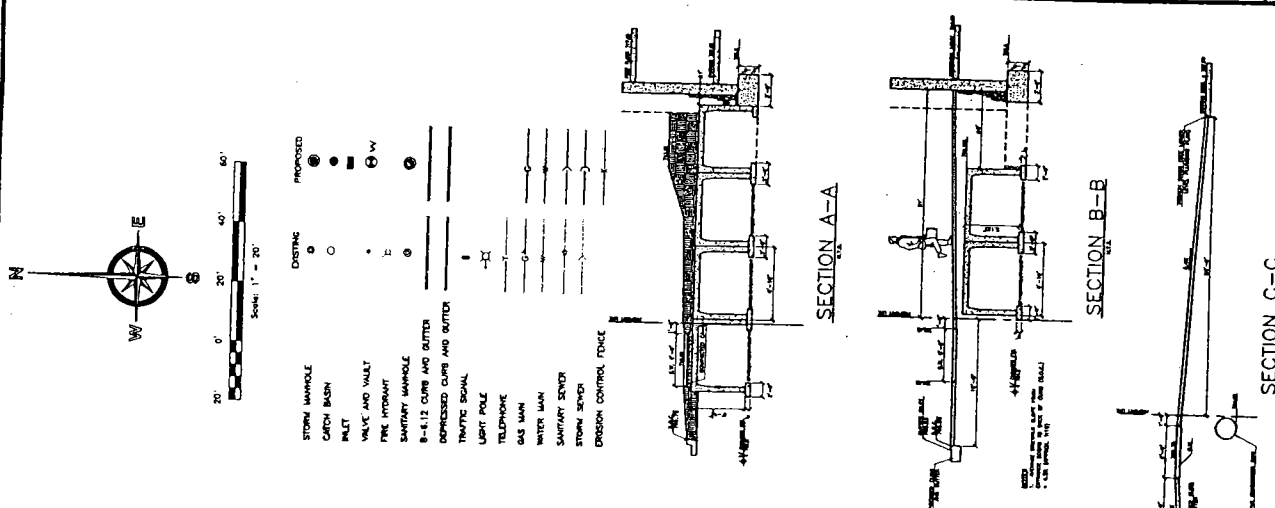
ONE BEDROOM	8
ONE BEDROOM W/ DEN	7
TWO BEDROOMS	14
TWO BEDROOMS W/ DEN	14
THREE BEDROOMS	5
TOTAL UNITS	48

REVISIONS
VILLAGE REV. 4/12/02
PLAN 4/11/02

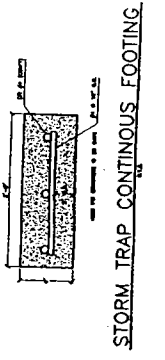
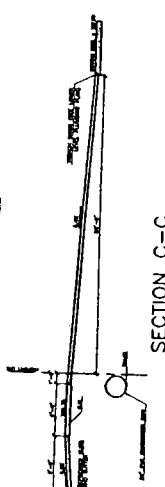
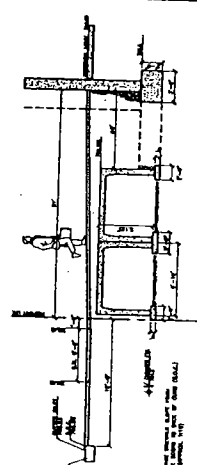
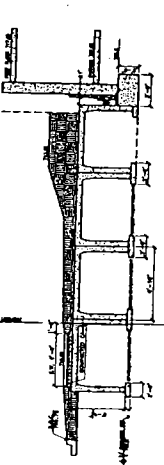
FILE 1071
KUDRNA & ASSOCIATES, LTD.
CIVIL ENGINEERING
PLANNING • DESIGN • LAND SURVEY • CONSTRUCTION MANAGEMENT
5007 • (630) 956-3060

Checked By: []
Drawn By: []
DATE: FEBRUARY 20, 2002
SCALE: 1" = 20'
JOB NUMBER: 2202
TITLE: GRADING SITE PLAN

Sheet C2 of 5



EXISTING	PROPOSED
STORM MANHOLE	○
CATCH BASIN	○
INLET	○
VALVE AND VAULT	○
FIRE HYDRANT	○
SEWAGE MANHOLE	○
8"-12" CURB AND GUTTER	○
DEPRESSED CURB AND GUTTER	○
TRAFFIC SIGNAL	○
LIGHT POLE	○
TELEPHONE	○
GAS MAIN	○
WATER MAIN	○
SEWAGE MAIN	○
STORM SEWER	○
DEPRESSION CONTROL FENCE	○



NOTES

1. ALL FOOTING DRAINS AND ROOF DRAINS SHALL BE TRIBUTARY TO PERFORATED STORM PIPE.
2. EXISTING CURB CUTS AND DRIVEWAYS ALONG HIGHLAND AVENUE SHALL BE USED FOR CONSTRUCTION ACCESS.
3. STORM DETENTION OVERFLOW MANHOLE SHALL HAVE AN 8"-1792-EG 200725. PAV SHALL BE SET AT 708.26 TO OVERFLOW TO THE STREET.
4. WATER SERVICE CONNECTION SHALL BE IN CONFORMANCE WITH THE LATEST EDITION.
5. HIGHLAND AVENUE (UNIMPROVED) AND AN ADJUTANT PARKWAY DRIVEWAY SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STREET PAVING DETAIL ON SHEET C1.
6. EXISTING 8" WATER SERVICE SLUG FROM MAIN STREET; TOP OF SLUG = 708.17, 5' EAST OF SIDEWALK EDGE.
7. EXISTING 8" SEWAGE SERVICE SLUG FROM MAIN STREET; TOP OF SLUG = 705.94, 5' EAST OF SIDEWALK EDGE.

SITE BENCHMARKS

1. DOWNERS BENCH #113 - CORNER CUT NORTH BENCHMARK OF THE HYDRANT ON THE NORTHEAST CORNER OF MAIN AND HIGHLAND, ELEV.=718.48
2. END OF SEWERAGE MANHOLE, CENTER OF INTERSECTION OF MAIN AND WARREN, ELEV.=717.48

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REVISIONS

1	PREP. P.L.D.	5-23-02
2	FINAL PLANT SELECTION	4-15-02
3	FINAL	4-15-02

STATION CROSSING
 Downers Grove, Illinois

The Gammonley Group
 322 W. Burlington Avenue
 LaGrange Illinois 60525

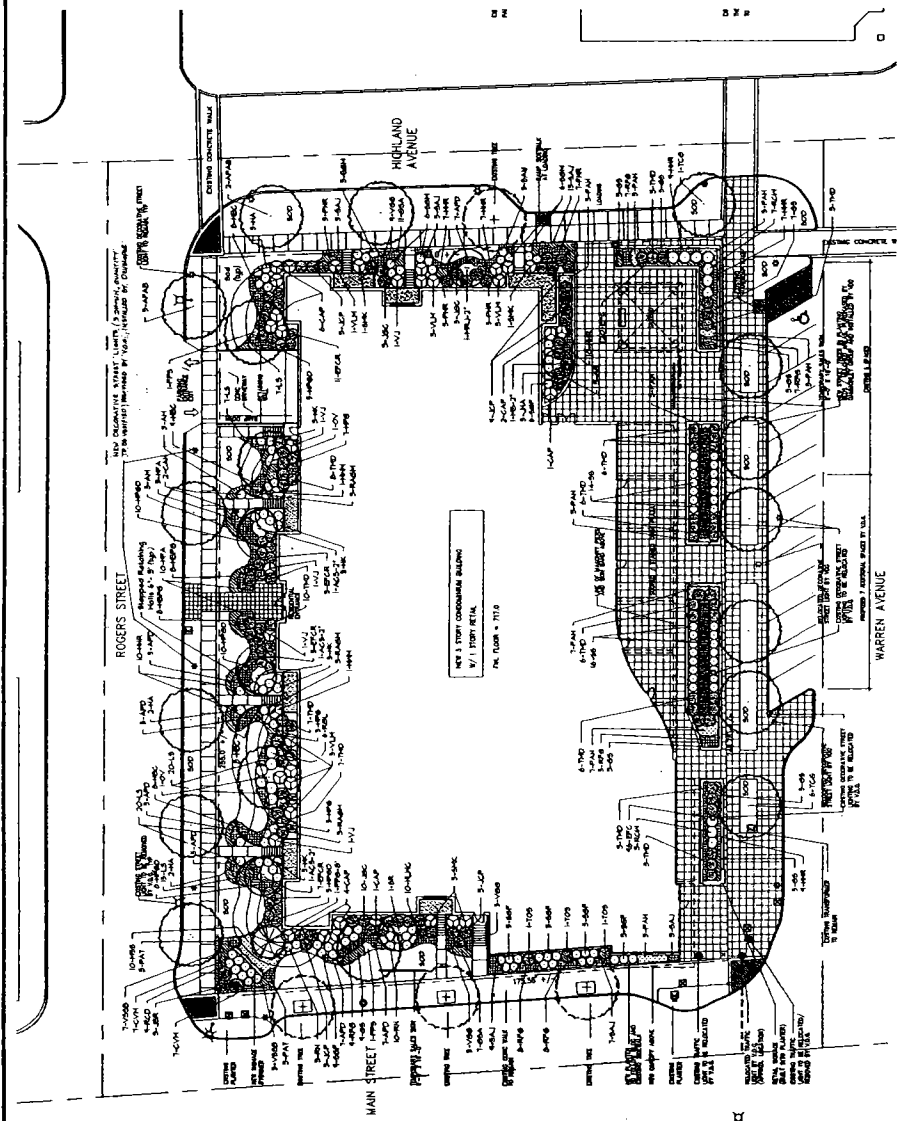
Ives/Ryan Group, Inc.
 Land Planning
 Landscape Architecture
 Civil Course Architect
 180 W. North Ave.
 Naperville, IL
 Phone: (630) 317-4777
 Fax: (630) 317-4777
 E-Mail: IvesRyan@IvesRyan.com

FINAL LANDSCAPE PLAN

PROJECT NO.: L1602
 JOB NO.: 6453A

DATE: 3-15-02
 SCALE: 1/8" = 1'-0"

SHEET: RE
 DRAWN BY: JLT
 CHECKED: JLT



LEGEND

- SHADE TREE
- ORNAMENTAL TREE
- EVERGREEN TREE
- LARGE DECIDUOUS SHRUBS
- UPRIGHT EVERGREEN SHRUBS
- CHART DECIDUOUS SHRUBS
- EVERGREEN SHRUBS
- ORNAMENTAL GRASSES
- PERENNIALS/GROUNDCOVERS

CALL OUTS

CALL OUTS TO BE USED FOR ALL PLANTINGS. SEE SPECIFICATIONS FOR PLANTING DETAILS.

GENERAL NOTES

The Plan is prepared in metric and subject to change pending final planting, materials and landscape design.

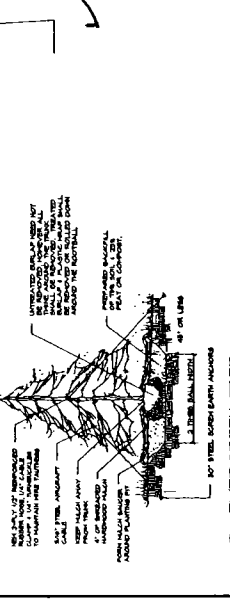
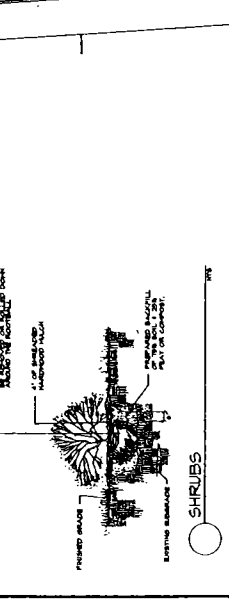
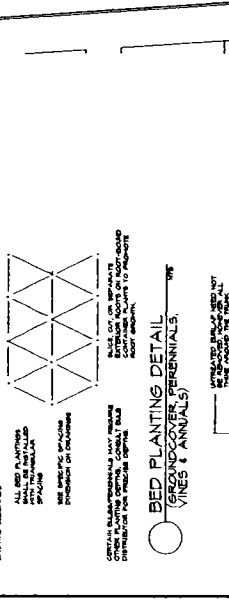
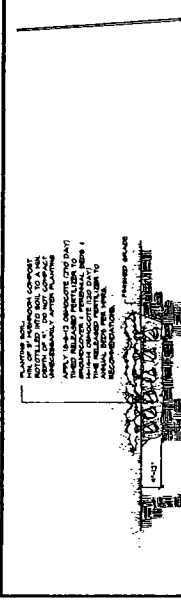
Plant material shall be nursery grown and shall be delivered and installed in accordance with the American Association of Nurserymen, Inc. standards.

Plantings shall be installed in accordance with the American Association of Nurserymen, Inc. standards.

Plantings shall be installed in accordance with the American Association of Nurserymen, Inc. standards.

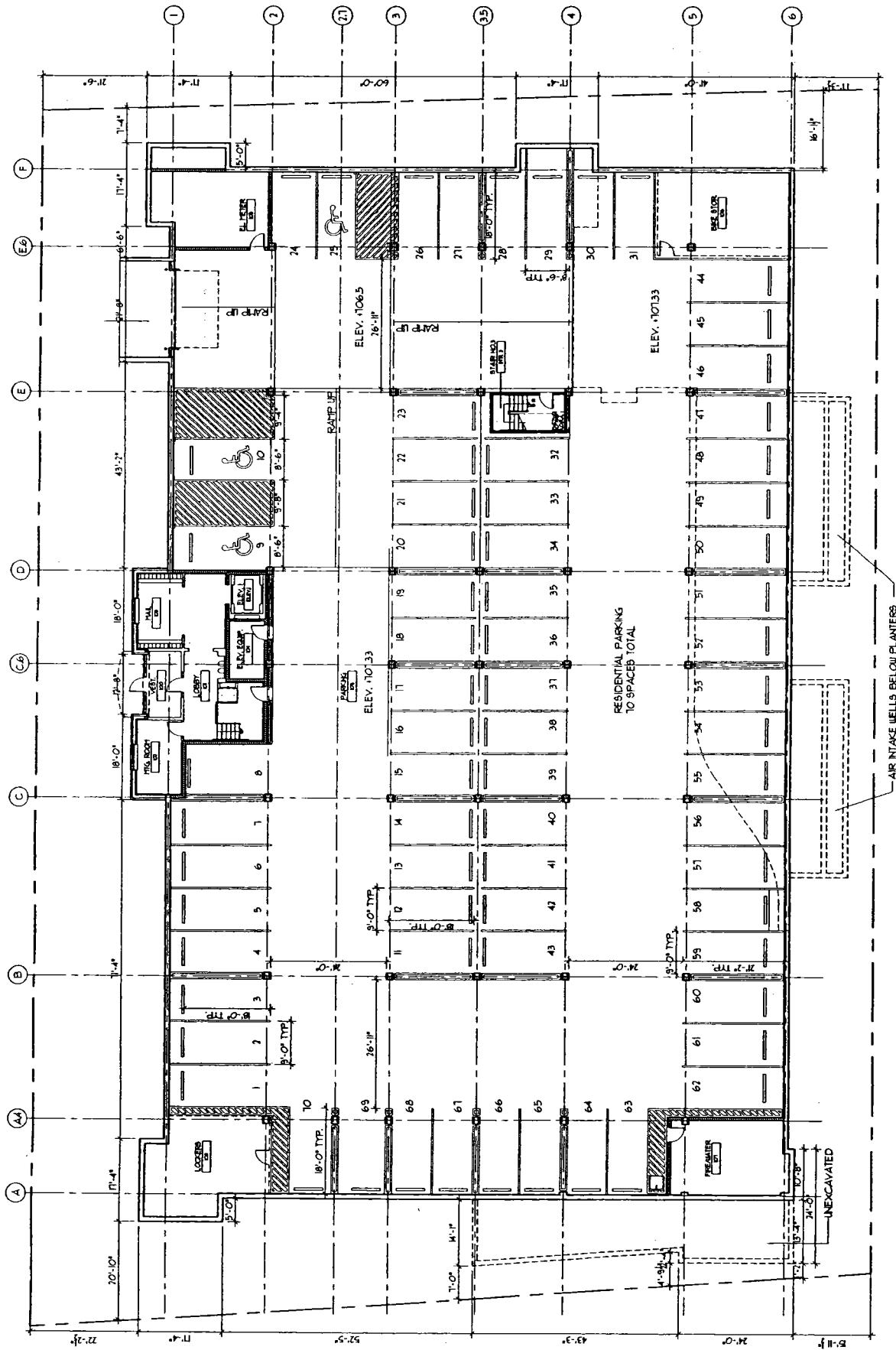
PLANT LIST

NO.	QUANTITY	DESCRIPTION	SIZE	PRICE
1	1	SHADE TREE	18"	\$150
2	2	ORNAMENTAL TREE	18"	\$150
3	3	EVERGREEN TREE	18"	\$150
4	4	LARGE DECIDUOUS SHRUBS	18"	\$150
5	5	UPRIGHT EVERGREEN SHRUBS	18"	\$150
6	6	CHART DECIDUOUS SHRUBS	18"	\$150
7	7	EVERGREEN SHRUBS	18"	\$150
8	8	ORNAMENTAL GRASSES	18"	\$150
9	9	PERENNIALS/GROUNDCOVERS	18"	\$150



PLANT LIST

NO.	QUANTITY	DESCRIPTION	SIZE	PRICE
1	1	SHADE TREE	18"	\$150
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3	3	EVERGREEN TREE	18"	\$150
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5	5	UPRIGHT EVERGREEN SHRUBS	18"	\$150
6	6	CHART DECIDUOUS SHRUBS	18"	\$150
7	7	EVERGREEN SHRUBS	18"	\$150
8	8	ORNAMENTAL GRASSES	18"	\$150
9	9	PERENNIALS/GROUNDCOVERS	18"	\$150

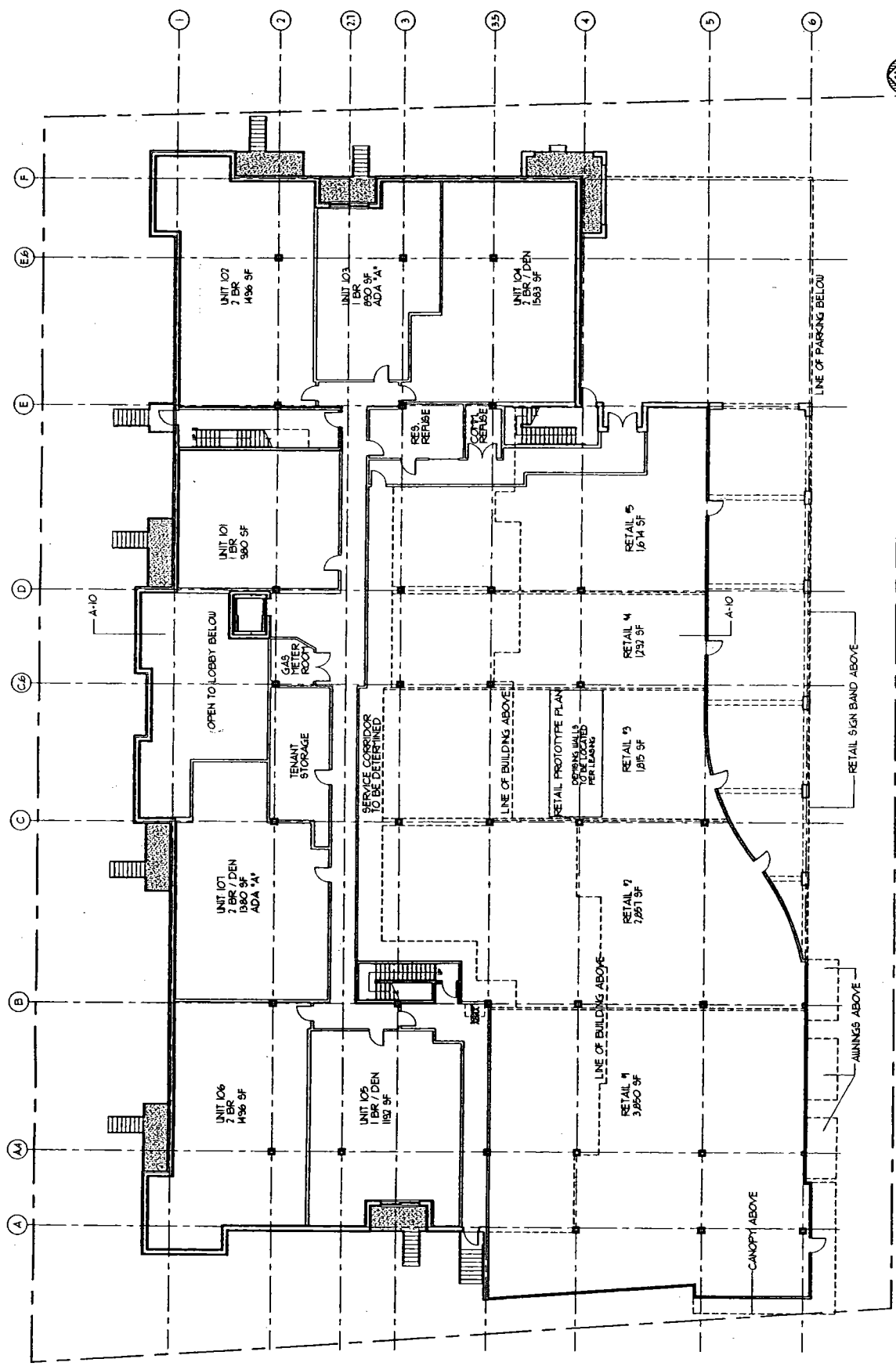


SCALE: 1" = 20'-0"

GAMMONLEY GROUP / PPKS ARCHITECTS
PUD SUBMISSION 29 APRIL 2002

PARKING LEVEL PLAN

STATION CROSSING
DOWNERS GROVE, IL



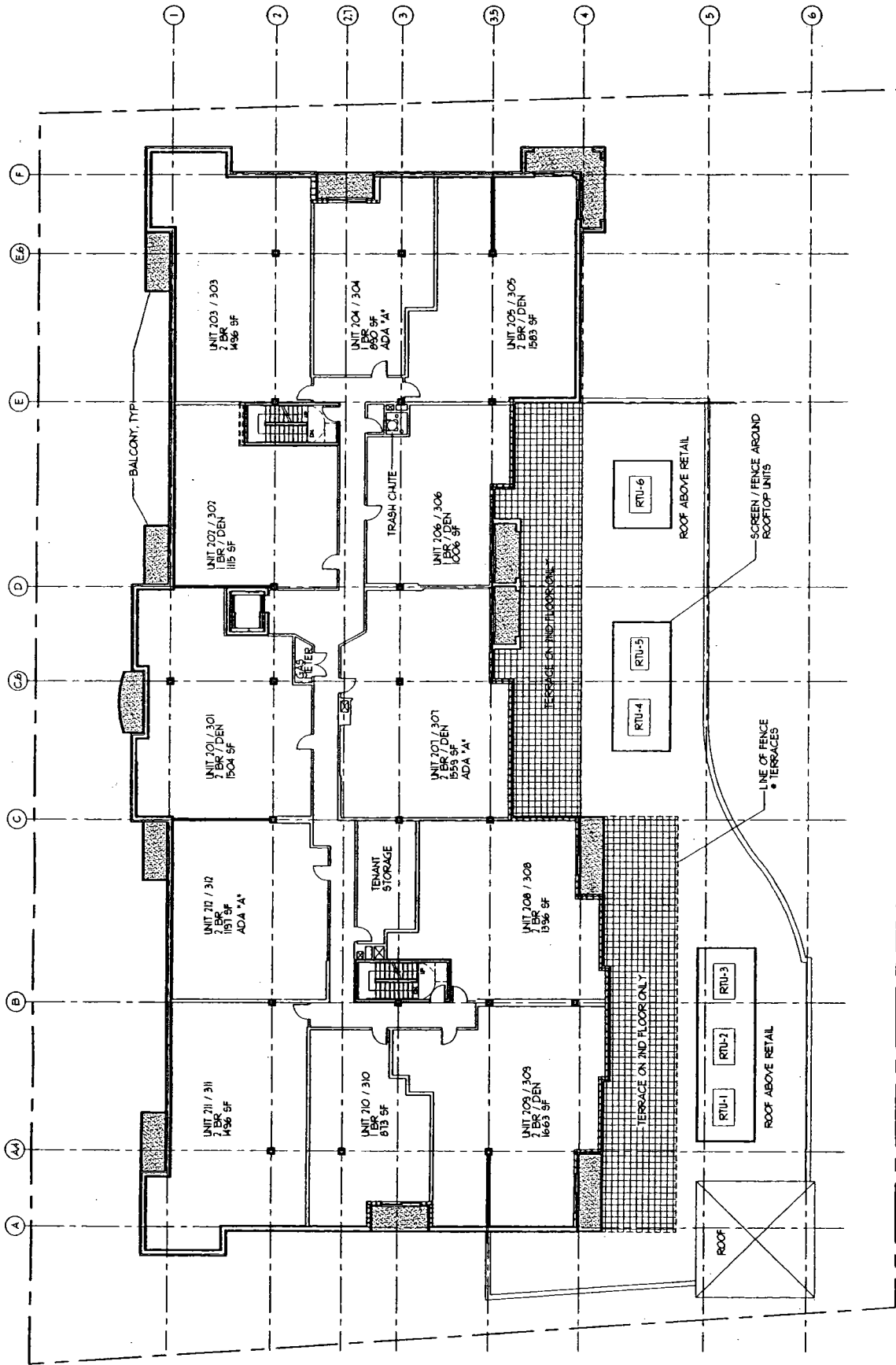
NORTH
SCALE: 1" = 20'-0"

FIRST FLOOR PLAN

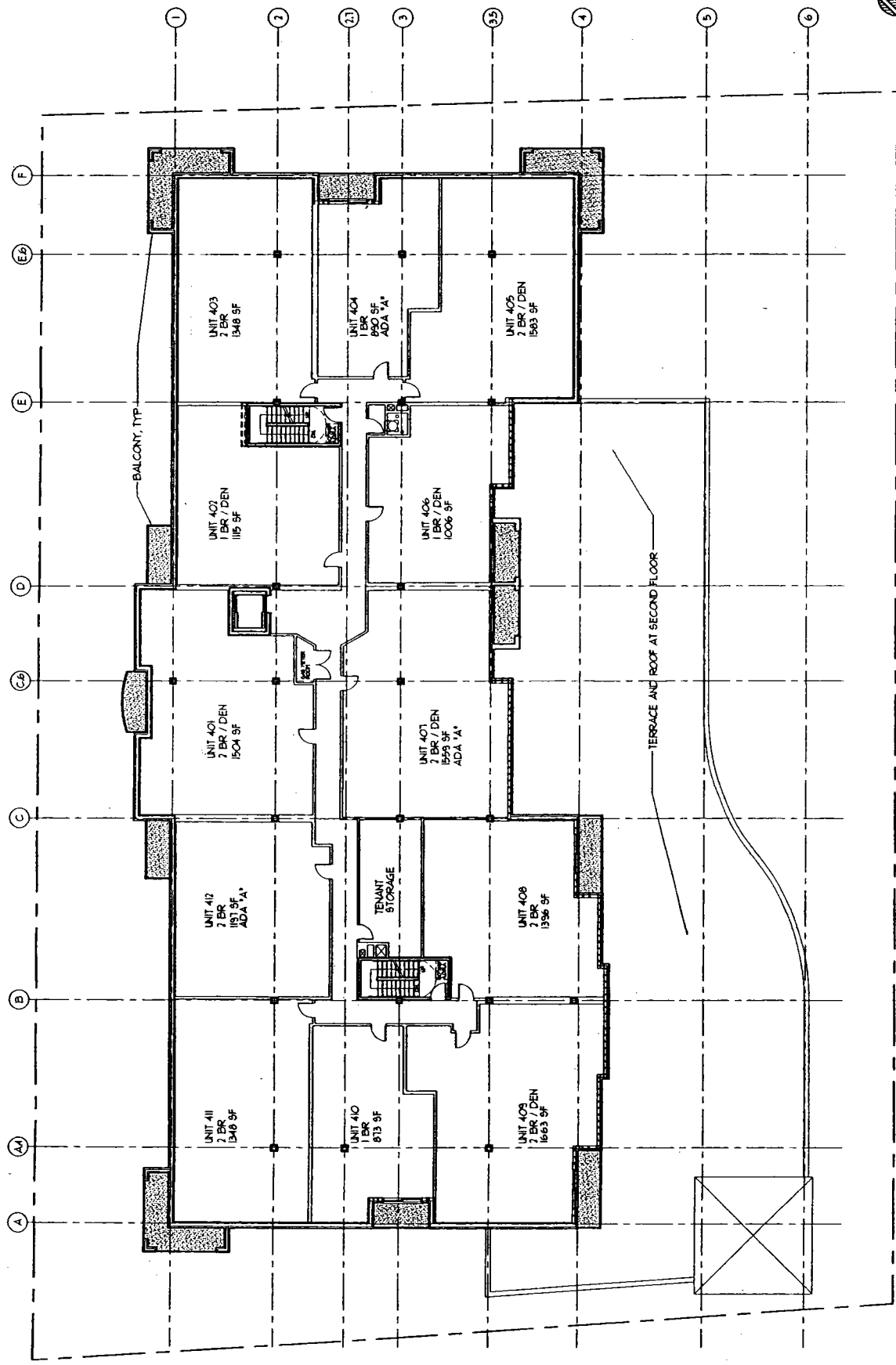
STATION CROSSING
DOWNERS GROVE, IL

GAMMONLEY GROUP / PPKS ARCHITECTS
PUD SUBMISSION 29 APRIL 2002

A-4A



TYPICAL FLOOR PLAN



FOURTH FLOOR PLAN

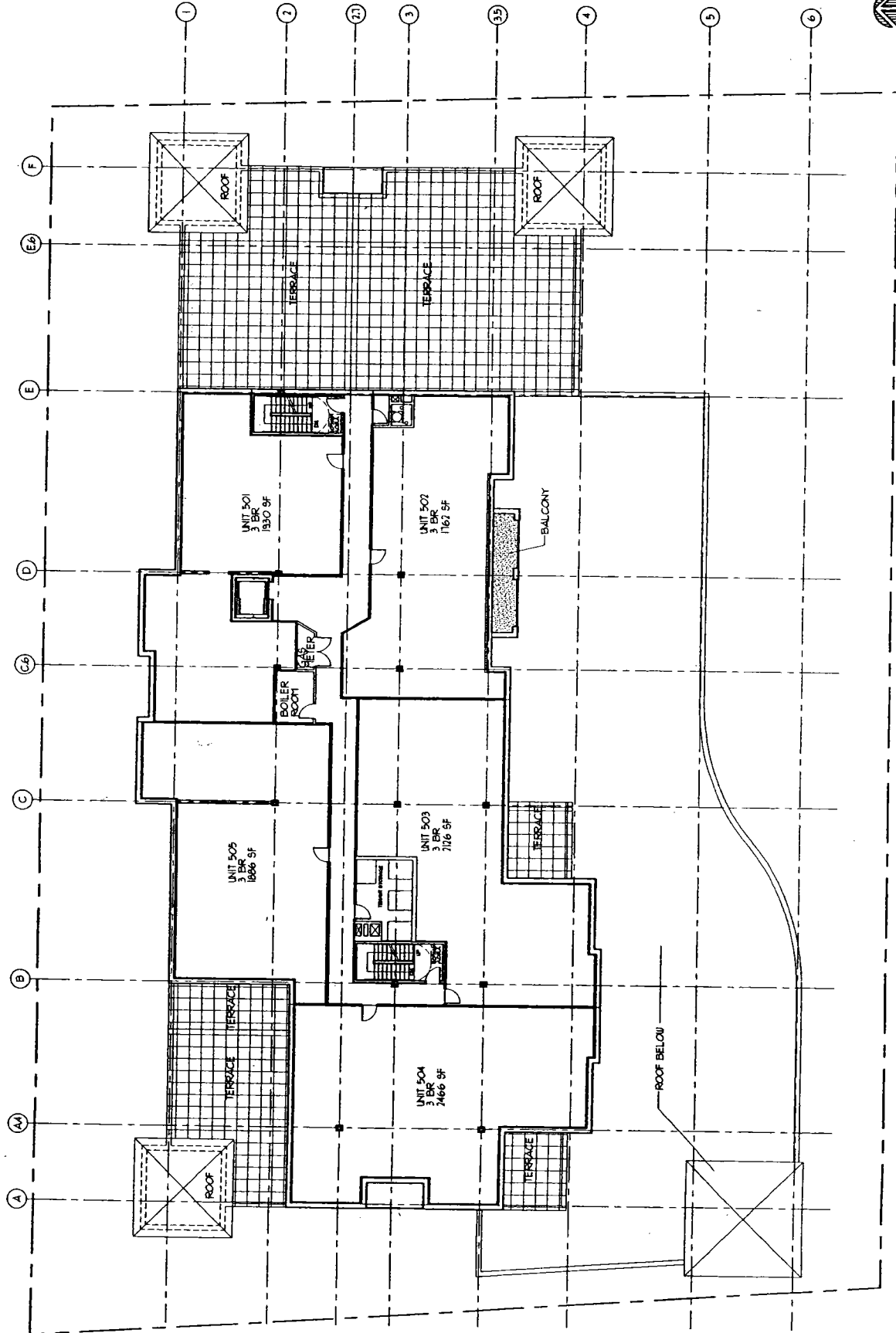
FILE 1077



SCALE: 1" = 20'-0"

A-5B

GAMMONLEY GROUP / PPKS ARCHITECTS
PUD SUBMISSION 29 APRIL 2002



FIFTH FLOOR PLAN

STATION CROSSING
DOWNERS GROVE, IL

FILE NO. 1077

**PUBLIC HEARING – FINAL PLANNED DEVELOPMENT
SITE PLAN APPROVAL – STATION CROSSING –**

The petitioner is seeking approval of a planned development which proposes the construction of a mixed use building to accommodate both retail commercial activities and multiple family residential dwellings in a B-2, General Retail Zoning District. The site is bounded by Main Street on the west, Rogers Street on the north, Highland Avenue on the east and Warren Avenue on the south (PIN Nos. 09-08-117-037,-038,-039,-040,-041,-042,-043,-044); RTG - Station Crossing, LLC, Owner; Matthew M. Klein, Petitioner

FINDINGS:

1. The petitioner is seeking final planned development approval for a mixed use, commercial and residential project on the 43,969 square foot or approximately 1.0094 acre assemblage of properties which make up the entire block which is bordered by Main Street, Rogers Street, Warren Avenue and Highland Avenue. The petitioner is proposing to develop a five story building. The first floor is to have commercial space within the southerly portion of the floor and condominium residential space within the northerly portion of the floor. Floors two through five are to be developed with condominium residential. The proposed building will also have one, mostly below grade level which will be devoted to resident parking.
2. The subject property is the block bounded by Main Street, Rogers Street, Warren Avenue and Highland Avenue. It has measured dimensions according to the ALTA survey of 175.64 feet as measured along the west adjacent to Main Street, 255.08 feet as measured along the north adjacent to Rogers Street, 174.44 feet as measured along the east adjacent to Highland Avenue and 248.0 feet as measured on the south adjacent to Warren Avenue. The subject property is made up of three complete lots, parts of two other lots (the remainder of which had been dedicated for purposes of extending Rogers Street between Highland Avenue and Main Street) and a vacated nine foot wide alley right of way which runs east to west between Main Street and Highland Avenue. Based upon the area notations listed on the ALTA survey plus the 2,284 square feet for the vacated alley right of way, the area of the subject property is 43,969 square feet in area.

The majority of the subject property had been owned by the Village since the early 1970's and had been improved with a parking lot which had capacity for 39 commuter parking spaces, 11 meter spaces and two non-metered handicap parking spaces. The remaining portion of the property which had two small commercial buildings had been acquired by the Village in 1999, and the Village had the structures razed in 2000. Gravel was placed on the site of the former commercial buildings which has been used for temporary parking especially by construction workers who were working on the downtown infrastructure construction.

The subject property was until March 26, 2002 owned by the Village when it was conveyed to the petitioner's company.

The Village sent out requests for proposal last year and following a review of the two respondents' proposals, the Village Council ultimately decided that the petitioner, the Gammonley Group, would be able to develop the site in a manner which was consistent with the Council's vision for this property. Prior to the sale of the property, the Village sought and received input from an ad hoc committee regarding a variety of issues pertaining to the redevelopment of the site. Consideration was given to the input of the ad-hoc committee, and ultimately the Village Council made a decision to work with the Gammonley Group based on a very broad basis of consideration. The primary emphasis of the Council's consideration was based upon what the Council felt was in the best interest of the Village at large.

In its determination of whether or not to proceed with the Gammonley Group, consideration was given to the scope of the development in terms of having both commercial and retail elements, the ability of the developer to provide off-street parking for the residents of the development, the willingness and ability of the developer to deal with the soil remediation issues and the track record of the developer to construct and market projects of this type.

3. The subject property is located within a B-2, General Retail Business District. The B-2 zoning district allows as permitted uses retail and service uses as are outlined under Section 28-605 of the Zoning Ordinance (also see Section 28-602). The proposed uses of the proposed building are retail commercial on a portion of the first floor and multiple-family dwellings on the first through fifth floors, are classified as permitted uses within the B-2 Zoning District.

The subject property is also located within the defined Concentrated Business District. The Concentrated Business District is an overlay zoning feature, which establishes certain zoning regulations that differ from the regulations which govern B-2 zoned land in locations of the Village other than the defined geographical area. For instance, the floor area ratio within the Concentrated Business District is 3.0, there are no minimum front yard setback or landscaped greenspace requirements, typically there are no off-street parking requirements and the maximum height of buildings is greater than in other B-2 zoned areas.

The zoning of the neighboring properties is as follows: to the west, south and east, the neighboring properties are Zoned B-2, General Retail Business and are also located within the boundary of the defined Concentrated Business District; to the north, the westerly 120 feet of the block is zoned B-2 and is located within the Concentrated Business District, while the easterly 142 feet of the Block is zoned R-5 and is not within the Concentrated Business District; to the northeast, the property is zoned R-6, is not within the Concentrated Business District and is improved with multiple family dwellings.

The Village has recently adopted certain modifications to the Zoning Ordinance which effect development within the Concentrated Business District and will be explained in the following paragraph.

4. In anticipation of the proposed development, the Village Staff, along with representatives of the developer, took a careful look at certain elements of the Village's Zoning Ordinance. In light of the type of redevelopment projects which are taking place in downtown areas similar to the Village's downtown, and in light of some of the features of the Village's Zoning Ordinance both with and without the standards regulating planned developments, a draft of a series of amendments to the Zoning Ordinance was prepared by the Village's Legal Department. These amendments were subsequently presented to the Zoning Commission for consideration at a public hearing. The Zoning Commission considered the proposed amendments and forwarded a positive recommendation to the Village Council. On April 16, 2002, the Village Council passed Ordinance No. 4396 which adopted the proposed amendments.

The essential elements of the amendments to the Zoning Ordinance are as follows: The Ordinance was amended to establish a category of a planned development to be known as a "Concentrated Business District Re-Development Project." The definitions section of the Zoning Ordinance was amended to add a definition which specifies that such a development was limited to property located within the defined Concentrated Business District, and that it must be pursued as a planned development. Further, it specifies that such a development may be a residential development or a combination of commercial and residential uses, and the new provisions of the Zoning Ordinance also limit the number of bedrooms per dwelling unit to no more than three bedrooms.

The next element of the amendments to the Zoning Ordinance provided that the maximum height of buildings developed under the provisions of a Concentrated Business District Re-development Project may be up to 70 feet, excluding the height of parapet walls and mechanical penthouses.

Next, the provisions governing the density of dwelling units were modified to a ratio of one dwelling per 800 square feet of available site area regardless of the number of bedrooms; however, by definition the number of bedrooms per dwelling unit cannot exceed three.

Finally, the amendment obligated that there be a minimum of 1.4 parking spaces constructed per dwelling unit. This new requirement should be considered in light of the Zoning Ordinance's provision which almost entirely exempts developers and property owners from having to provide off-street parking within the defined Concentrated Business District.

A copy of Ordinance No. 4396, which adopted the specified amendments, has been included as reference for the Commission's consideration.

5. Specifically regarding the subject development, the petitioner is proposing to construct a mixed use, five-story building which is to have a total of 48 dwelling units and 70 below-grade parking spaces. The total building floor area is to be 93,451 square feet, which does not include the 25,632 square feet of floor area which is to be devoted to parking, as such area is exempt from floor area ratio calculations. The proposed building is to be a somewhat irregularly-shaped building with a maximum east to west dimension of approximately 234.27 feet and a maximum north to south dimension of 137 feet as measured at the ground floor.

The petitioner's plans indicate that the proposed building is to have a brick exterior accented with cast stone. The arrangement of the brick colors is for the red brick to be dominant in the lower levels and the beige brick to be dominant in the upper areas; however, there will be some beige brick at the lower level of the residential elements of the building, and red brick will extend to the roof line of some elements of the building. Copies of all four elevations along with the materials legend have been included for the Commission's consideration.

The floor plans submitted by the petitioner provide the following information: As noted previously, the ground floor is to consist of 12,757 square feet of commercial area which is to occupy the southerly portion of the building, and seven dwelling units occupying a total of 12,648 square feet are to be located in the northerly portion of the building. The commercial area has been configured so that it is internally separated from the residential section of the floor.

Although the floor plan which has been submitted by the petitioner depicts five commercial spaces with square footages as follows, retail #1-3,850 square feet, retail #2-2,857 square feet, retail #3-1,815 square feet, retail #4-1,292 square feet and retail #5-1,674 square feet, it should be understood that this is a prototype plan and the actual locations of the demising walls are to be determined per the leasing requirements of the future tenants.

Access to the commercial area is oriented to the south. The petitioner has proposed a 8,569 square foot plaza area to the south of and generally in front of the retail space which may be used for outdoor seating, etc., depending upon the ultimate tenants.

The retail area will have an internal refuse room, and all retail units will have secondary access by means of a service corridor which will be accessed on the east side of the building adjacent to proposed retail unit #5.

As noted, the remaining approximately 12,648 square feet of the first floor will be occupied by seven dwellings units. The first floor dwellings are unique as they will have access via the residential lobby located on the north side of the building adjacent to Rogers Street or via private entrance doors for each unit.

Floors two and three are to be the same, each having a total floor area of 17,711 square feet, and each being constructed with 12 condominium dwelling units.

Floor four is to have a floor area of 17,415 square feet and is to have a total of 12 condominium dwelling units, while the fifth floor is to have a floor area of 11,927 square feet and is to be constructed with a total of 5 dwelling units.

With regard to the size and bedroom breakdowns of the proposed dwelling units, the petitioner's plans depict that there is to be a wide number of choices with respect to the size and configuration of the proposed dwelling units. The following is a breakdown of the different configurations: There are to be eight one-bedroom units and seven one-bedroom units with dens. There are to be six different unit sizes for the one-bedroom units which will have floor areas ranging between 873 square feet and 1,192 square feet. There are to be 14 two-bedroom units and 14 two-bedroom units with dens. There are to be nine different sizes for the two-bedroom units which will have floor areas ranging between 1,197 square feet and 1,663 square feet. Finally, there are to be five three-bedroom units. All five of the three bedroom units will differ in terms of floor area ranging from 1,762 square feet to 2,466 square feet. All of the units will have either a balcony or a terrace area. The terrace areas are limited to certain units on the first, second and fifth floors as depicted on the floor plans provided as part of the petitioner's submittal.

The petitioner's plans indicate that the entire building, including the parking level, is to be fully sprinklered. The plans have been reviewed by the Fire Department, and they have advised that they have no concerns regarding the proposed design.

6. With respect to setbacks, as the property is located within the Concentrated Business District, no setbacks are required. However, the building is to be setback from the perimeter property lines of the subject site as follows: Along the north side of the building adjacent to Rogers Street, the building will be setback a distance ranging between 27.04 feet at the furthest point and 19.58 feet at the closest point, with the majority of that wall being setback between 22.00 feet and 27.00 feet. Along the Highland Avenue frontage on the east, the majority of this section of the building which is to be occupied by dwelling units is to have a setback ranging between 7.33 feet and approximately 14.04 feet. The southerly-most section of the easterly wall, at the east end of the commercial portion of the building, will have a setback of approximately 58.21 feet. Along the Warren Avenue frontage of the property on the south, the ground floor of the building will be setback between 15.96 feet as measured at the southwest corner of the building and 58.21 feet as measured at the southeast corner of the building. The residential portion of the building on the second floor will be setback from the Warren Avenue frontage a distance ranging between approximately 57.63 feet and approximately 77.94 feet. Along the Main Street frontage of the property on the west, the southerly section at the west end of the commercial portion of the building will have a setback ranging between 3.17 feet as measured at the southwest corner of the building and approximately 7.00 feet as measured approximately 67 feet north of the southwest corner. The remainder of the

building, which is to be occupied by dwelling units, will have a setback from Main Street which will range between 20.83 feet and approximately 23.67 feet.

7. With respect to the height of the proposed building, the amended provisions of the Zoning Ordinance limit the height of a building pursued as a Concentrated Business District Re-development Project planned development to no more than 70 feet, excluding the height of parapet walls and mechanical penthouses. Building height for zoning purposes is calculated based upon the definition of "Height" which is found under Section 28-201 (Definitions) of the Zoning Ordinance. Height is calculated by definition at the front of a structure; however, with four front yards and no side or rear yards, the subject property is quite unusual. In order to best understand the characteristics of the proposed building, the petitioner's architect has made a determination of the building height for the building as measured from the average grade at each of the four sides of the building. Based upon the above description, the building has the following height characteristics, all which for the purposes of zoning compliance have been reported as height above the average grade as measured along each of the four street frontages of the property.

Along the north side of the building adjacent to the Rogers Street frontage, the height between the average grade and the highest roof deck is 61 feet 11 and one-half inches, the height to the mid-point of the decorative roof element is 69 feet three and three quarter inches and the highest point of the decorative roof element is 72 feet 4 inches.

Along the east elevation of the building adjacent to the Highland Avenue frontage, the height between the average grade and the highest roof deck is 61 feet four inches, the height to the mid-point of the decorative roof element is 69 feet ten inches and the highest point of the decorative roof element is 74 feet two and one-half inches.

Along the south elevation of the building adjacent to the Warren Avenue frontage, the height between the average grade and the highest roof deck is 58 feet and one-half inches, the height to the mid-point of the decorative roof element is 66 feet eight and five-eighths inches and the highest point of the decorative roof element is 71 feet and one and one eighth inches.

Finally, along the west elevation of the building adjacent to the Main Street frontage, the height between the average grade and the highest roof deck is 60 feet six and one-half inches, the height to the mid-point of the decorative roof element is 65 feet eight inches and the highest point of the decorative roof element is 68 feet five and seven-eighths inches.

8. There are two provisions of the Zoning Ordinance which regulate density. For the commercial element of the planned development, because it is within the CBD, a floor area ratio of 3.0 is the regulating factor. For the residential elements of the planned development, the number of dwelling units per acre (the ratio of land area per dwelling unit) is the regulating factor. Pursuant to the amended provisions of the Zoning Ordinance, within the Concentrated Business District for a project being

pursued as a Concentrated Business District Re-development Project, the maximum applicable land area per dwelling unit ratio is one dwelling unit per 800 square feet (54.45 dwelling units per acre).

On the basis of a site area of 43,969 square feet or 1.0071 acres and the application of the density regulations described above, the proposed building's density calculation would function as follows: The commercial floor area at 12,757 square feet requires 4,252.33 square feet of land area (12,757 square feet divided by 3.0 equals 4,252.33 square feet). The proposed 48 dwelling units require a land area of 38,400 square feet (48 dwelling units times 800 square feet equals 38,400 square feet). The combination of the commercial area and the residential elements of the proposed building has a total land area requirement of 42,652.33 square feet which consumes 97.01% of the density potential for the subject site (43,969 square feet minus 42,652.33 square feet equals 1,316.67 square feet). It should be noted that the parking areas and the resident storage area, hallways and lobby area are not counted in determining floor area ratio for residential density purposes.

9. With respect to parking, buildings within the Concentrated Business District are, for the most part, exempt from having to provide any off-street parking per the requirements of Section 28-1410 (f). However, under the amended provisions of the Zoning Ordinance which were adopted to support a Concentrated Business District Re-development Project, residential dwellings pursued as a planned development are required to provide a minimum of 1.4 parking spaces per dwelling unit. Under this provision of the Ordinance, a minimum of one parking space must be designated for each dwelling unit, with the remaining parking spaces being made available for sale to dwelling unit owners.

Based upon the petitioner's proposal for 48 dwelling units, a minimum of 68 parking spaces must be provided. The petitioner's plans indicate that a total of 70 spaces including three handicapped spaces are to be constructed. Forty-eight of the spaces are to specifically be assigned and conveyed with the dwelling units as they are sold, leaving 22 parking spaces which may be sold or conveyed to the future dwelling owners. A copy of the garage floor plan has been included for the Commission's consideration

In addition to the off-street parking spaces, the petitioner will be modifying the street parking spaces along the Warren Avenue frontage to add seven more parking spaces to the six diagonal spaces which the Village installed when Warren Avenue was reconstructed several years ago. The petitioner's plans also depict a 52.00 foot long loading area along the west side of Highland Avenue, which will be of significant benefit to the businesses who become occupants of the commercial space.

10. The petitioner is not obligated to provide openspace or landscaped greenspace under the provisions of Section 28-1106(i) of the Zoning Ordinance. The petitioner's plan indicates that of the 43,969 square foot site, 10,051 square feet, or approximately 22.85% of the site, is to be developed as greenspace, and that 7,842 square feet or

approximately 17.84% of the site is to be developed as hardscape, which would include the plaza area adjacent to the retail area. The total area of the site, which falls into the two open space categories as noted above, is 17,893 square feet or approximately 40.69% of the site area.

As one of the planned development drawings, the petitioner has submitted a detailed landscape plan, a copy of which is attached. The landscape plan indicates that a very broad list of plant materials are proposed to be used. The Village Forester has reviewed the petitioner's landscape plan and has concluded that the proposed plantings are suitable and should enhance the appearance of the site.

The Forester also indicated that the developer has agreed to pay for parkway trees instead of having them planted and that in order for the Village to take that responsibility, a payment in the amount of \$4,446 needs to be paid to the Village. Such payment is normally made at the time of payment of the Public Works' fees.

11. The petitioner has submitted stormwater engineering plans to the Village which have been reviewed by the Village's stormwater engineering consultant, Christopher B. Burke and Associates. The petitioner has designed the stormwater engineering plans to satisfy 100% of the current stormwater detention requirements, which is a significant improvement over the current stormwater situation on the subject property which has no stormwater storage.

The petitioner's plans indicate that storage in the amount of 0.45 acre feet of stormwater detention is to be provided within a series of 58 below-grade stormwater storage vaults (stormtrap sections) which are to be located to the north of the proposed building. The stormwater is to exit the system by means of a 1.25 inch restrictor pipe which is sized to restrict the release rate to 0.1 cfs. The stormwater will be released into the Highland Avenue storm sewer system. The vaults are to be located partially on private property and partially within the parkway area of the Rogers Street right of way. The Village has authorized Gammonley to locate portions of the detention vaults within the Rogers Street right of way by means of the approval of a stormwater license agreement which the Village has already executed.

The Village's stormwater administrator, P. Kay Whitlock, has provided a memorandum outlining the consultant's findings regarding the proposed stormwater management design. The memorandum indicates that the petitioner's stormwater plans have been determined to be in conformance with the Village of Downers Grove Stormwater and Floodplain Ordinance.

Prior to the issuance of any occupancy permits, the petitioner must provide the Village with a stormwater detention easement to cover the areas of the site which are to be utilized for stormwater detention. The easement should be presented in a form acceptable both to the Public Works Department and to the Village's Legal Department with specific attention being given to the fact that the detention is to be provided within underground structures.

12. The petitioner will also be undertaking off-site work such as sidewalk construction, modification of curbs and gutters and street pavement and other Public Works-related issues. The Public Works Department has reviewed the petitioner's plans and Mr. Brian Parks, Senior Engineer, has provided a memorandum which outlines that the petitioner has submitted plans which are acceptable and appropriate, subject only to minor modifications being made to the drawings.
13. Under the terms of Section 20-300 of the Subdivision Control Ordinance, which the petitioner is obligated to follow according to Section 28-1613 of the Zoning Ordinance, donations are to be made to the school districts and to the park district as a condition of approval for either a subdivision or a planned development. According to the formula found under Section 20-300, the donation amount to be paid by the developer to the Village of Downers Grove for the two school districts and the park district, as a condition of approval for the proposed 48 dwelling units consisting of 15 one-bedroom dwelling units, 28 two-bedroom dwelling units and five three-bedroom dwelling units is to be as follows: For School District 58 the donation amount is \$14,412.80; for School District 99 the donation amount is \$5,464.98; for the Downers Grove Park District the donation amount is \$70,094.50 which equals a total donation obligation of \$89,972.28. Payment is to be made to the Village prior to final action by the Village Council for this planned development petition.
14. In anticipation of the possibility of selling the subject property, the Village learned through its consultants that there were certain contaminants contained within the soil of the subject property which existed prior to the Village's acquisition of the property. The Village and Gammonley have entered into an agreement. Gammonley will be pursuing corrective action of the site and of some of the right of way adjacent to the site. Remediation will be pursued as necessary in order to obtain NFR (no further remediation) approval from the IEPA (Illinois Environmental Protection Agency). Remediation efforts will be pursued to an IEPA "Tier 1 residential level under 35 Ill. Admin. Code Part 742." Remediation efforts will include soil removal, and the construction of appropriate barriers. In addition, the Village has adopted appropriate regulations forbidding the use of groundwater as a potable or other domestic supply of water within an area acceptable to the IEPA.

The agreement between the Village and Gammonley is a separate obligation from the proposed planned development. The information about soil remediation is being provided only as background information.

15. The petitioner has indicated that they will submit the homeowners association documents and restrictive covenants to the Village in a form that is acceptable to the Village Attorney following the approval of the proposed planned development, but prior to the issuance of any occupancy permits for any dwelling unit or commercial space which is to be constructed within the proposed planned development.
16. The petitioner is seeking approval of one waiver from the terms of the Subdivision Control Ordinance regarding the dedication of additional right of way width to

adjacent streets. The Village's Future Land Use Plan designated Main Street as an arterial roadway, both Rogers Street and Warren Avenue as Collector Roadways and Highland Avenue as a local street. According to the provisions of Section 20-303 (d) of the Subdivision Control Ordinance, arterial roadways are to have a minimum right of way width of 100 feet and a minimum pavement width of 48 feet; collector roadways are to have a minimum right of way width of 80 feet and a minimum pavement width of 36 feet; local streets are to have a minimum right of way width of 70 feet and a minimum pavement width of 70 feet.

Main Street currently has a uniform right of way width of 66 feet at least between Ogden Avenue and 55th Street and a pavement width of approximately 45 to 50 feet.

Rogers Street has a right of way width of 72 feet between Main Street and Highland Avenue and a right of way width of 66 feet between Highland Avenue and Maple Avenue. The pavement width for the section of Rogers Street between Main Street and Highland Avenue is approximately 46 feet. This is the section of roadway where access to the parking garage for this development will take place. East of Highland Avenue, the typical pavement width is approximately 28 feet.

Warren Avenue between Main Street and Highland Avenue has a right of way width of 66 feet. It has a pavement width as measured curb to curb ranging from approximately 40 feet just to the east of Main Street, to approximately 48 feet eastward to the diagonal parking spaces where the pavement width, when considered exclusive of the pavement used for the parking spaces, narrows to approximately 40 feet. East of Highland Avenue to Washington Street Warren Avenue has a right of way width of approximately 60 feet and a pavement width exclusive of the pavement used for parking on the south side of the right of way of 35 feet.

Finally, Highland Avenue from the north line of Warren Avenue northward has a right of way width of 66 feet. The pavement has a width of approximately 33 feet between Warren Avenue and Rogers Street and a width of approximately 28 feet north of Rogers Street.

In light of the fact that Main Street, Highland Avenue and Rogers Street were all recently reconstructed within their existing right of ways and as Rogers Street already has a pavement width considerably wider than is required for a collector roadway, even though its right of way is somewhat narrower and in light of the rather remote possibility of additional right of way or pavement width being developed as part of other new development or redevelopment in the area, the petitioners are seeking a waiver under the provisions of Section 28-1613 of the Planned Development provisions of the Zoning Ordinance. This section of the Ordinance provides as follows: "A planned development shall include all required public improvements in conformance with the requirements of the Subdivision Control Ordinance, and other applicable provisions of this Code, unless specifically waived by the Village Council. This shall include, but is not necessarily limited to, stormwater control facilities, park and school donations, water mains, sewers, streets street lights, sidewalks."

RECOMMENDATION:

The Planning Staff would recommend that the Plan Commission forward a positive recommendation to the Village Council to grant approval to the proposed planned development site plan, landscape plan and building elevation drawings for the property located on the block bounded by Main Street, Rogers Street, Highland Avenue and Warren Avenue.

The Planning Staff is also of the opinion that the request for a waiver from the requirements of Section 20-303(d) of the Subdivision Control Ordinance regarding right of way dedication etc., should be waived according to the provisions of Section 28-1613 of the Zoning Ordinance based upon the fact that all of the adjacent roadways have recently been rebuilt within the existing right of ways and as there is little or no likelihood of acquiring any additional right of way via future development or redevelopment in the area.

This recommendation is being made based upon the proposed construction of approximately 12,757 square feet of retail commercial space, upon the construction of 15 one-bedroom dwelling units, 28 two-bedroom dwelling units and five three-bedroom dwelling units and upon the construction of a 70 space underground parking facility to serve the future residents of the building.

With respect to certain dwelling units which have additional rooms referred to as "dens", it should be understood that such rooms may not in the future be modified or utilized as bedrooms, and that the homeowners' association covenants should be prepared in such manner to make that very clear.

This recommendation is being made subject to the payment to the Village of Downers Grove for the School and Park District impact fees in the following amounts: School District 58 the donation amount is \$14,412.80; School District 99 the donation amount is \$5,464.98; the Downers Grove Park District the donation amount is \$70,094.50 which equals a total donation obligation of \$89,972.28. The impact fees are due to be paid to the Village prior to final action by the Village Council.

This recommendation is also being made subject to the submittal by the petitioner of easement documents over the proposed stormwater detention areas and subject to the submittal of the homeowners' and or commercial area owners' association documents. Both of these documents should be submitted and finalized in forms acceptable to the Village prior to the issuance of any occupancy permits.

Finally, the revocable utility easement which was retained over the vacated alley should be revoked at such time when the Public Works Department and the effected governmental entities or utilities are satisfied that their utilities have either be replaced or abandoned in an acceptable manner.

Ordinance and other applicable Ordinance requirements, and as the petitioner has submitted a proposal for the development of the subject property which appears to be in substantial compliance with the concept plans which were presented to the Village Council prior to the Village entering into an agreement to sell the property to the petitioner.

KJR:amd
Attachments
05/02/02

FILE NO. 1077

PUBLIC HEARING – FINAL PLANNED DEVELOPMENT SITE PLAN APPROVAL – STATION CROSSING – The petitioner is seeking approval of a planned development which proposes the construction of a mixed use building to accommodate both retail commercial activities and multiple family residential dwellings in a B-2, General Retail Zoning District. The site is bounded by Main Street on the west, Rogers Street on the north, Highland Avenue on the east and Warren Avenue on the south (PIN Nos. 09-08-117-037,-038,-039,-040,-041,-042,-043,-044); RTG - Station Crossing, LLC, Owner; Matthew M. Klein, Petitioner

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

Dick Gammonly, President of the Gammonly Group, 322 W. Burlington Avenue, LaGrange, Illinois stated he brought his group with him because each one has a significant role in this project. They each have expertise in a specific area and if there are any questions from the Plan Commission members they will be able to answer them. Mr. Gammonly explained his company, Gammonly Group, is known as transit-oriented developers. They build in communities with established downtowns normally by transportation and with amenities similar to what Downers Grove has to offer. Mr. Gammonly stated they have done developments in Glen Ellyn, Clarendon Hills, LaGrange, Oak Park and Elmhurst.

Mr. Gammonly stated they are here tonight to present their Station Crossing project in concert with the Village's February 2001 RFP. Their task was to design a quality project to meet the guidelines provided by the Village Council and staff.

Mr. Gammonly advised this project provided them with some unique challenges. The first was the environmental issues on this site from previous users. The Gammonly Group has taken responsibility for addressing the environmental issues, and that process is underway right now.

The second challenge was zoning. Mr. Gammonly advised the project conforms to all the standards; height, side yard setbacks, parking. He pointed out that they are not requesting any variations.

The third challenge was stormwater detention. He explained the Gammonly Group will construct a stormwater management system that will accommodate 100 percent of the stormwater on this site in a vault system in accordance with the Village and the DuPage County Stormwater Ordinances.

The fourth challenge was greenspace and open space. Mr. Gammonly noted, although it was not specifically required in the Village's RFP, there were some recommendations made and the Gammonly Group met and exceeded them. This site provides almost 41% open space of which 22% of the site is to be greenspace.

The fifth challenge was to not disturb Main Street. Mr. Gammonly advised, during construction, this project will not impact Main Street in any way.

The sixth challenge was ownership. Mr. Gammonly stated the residential portion of this project is to be condominium which is essentially defined as attached single family homes contained in one building. The retail/commercial portion of this project will be rental, but the ownership will be retained by the Gammonly Group.

Mr. Gammonly pointed out this property has four unique street frontages each with a different character. He stated it is a general consensus in his company that this project is their best work to date.

Mr. Gammonly presented David Kennedy, principal of PPKS Architects who will explain the design criteria of the project.

David Kennedy, principal with Perkins Pryde Kennedy Steevensz, Architects, 404 N. Main Street, Glen Ellyn explained his firm has been doing a lot of work with the Gammonly Group, and this project did present many challenges. This project developed as part of a submission they made to the Village under the guidelines of the RFP. Some of the guidelines were to integrate the site into the community, link the north and south sides of the downtown area, the relationship between the site, the Tivoli and the train station, storefront streetscape, open space, enclosed parking, setbacks particularly against adjoining residential property and the different feel between residential and commercial uses.

Mr. Kennedy stated the retail and the residential elements of the building are separated. The Warren Avenue frontage of the first floor will have 12,700 square feet of retail space wrapping around the Main Street side of the building in order to capture Main Street retail frontages.

With regard to parking, Mr. Kennedy noted they took advantage of the slope of this site.. The principal residential entry will be located in the center of the north side of the building off of Rogers Street. The main parking entrance will also be via Rogers Street near the east side of the building in order to avoid any possible traffic conflicts with Main Street and to keep it as more of a private residential drive. He pointed out the location of the parking garage ramp going down to the lower level. Because the grade of Rogers Street is already lower than the south side of the site, it allows for a relatively shallow ramp. There are to be parking spaces for 70 cars within the lower level.

Mr. Kennedy indicated there will be significant setbacks on the Rogers Street side of the building. There will be an enormous amount of landscaping and berming. He also pointed out the step-down feature of the upper floors of the building from the penthouse to the 4th floor.

Mr. Kennedy noted another unique feature of this proposal will be the public plaza at the southeast corner of the building which will include a gazebo, planters and seating. This

significant amount of space will be a good design response to the presence of the Tivoli Theater. Forty-one percent of the property will be open space and will help public use of the project.

Mr. Kennedy stated the building will have four front elevations. He then displayed two renderings of the building. The first view is looking at the residential side from the corner of Rogers and Main looking to the south and east. He pointed out the residential entry and advised that every unit either has a balcony or a terrace. He also noted because of the unique slope of the land, the ground floor residential units on the north are actually above grade and will have front porch units for alternate access.

Mr. Kennedy pointed out there are four front doors as there is no back side of the structure for service.. The depressed curb on the east side delineates the loading zone which leads to the service entrance and service hallway.

With respect to architectural details of the building, Mr. Kennedy noted that each façade will utilize different materials and different color changes.

Mr. Kennedy concluded by stating this project will have a positive image for downtown Downers Grove.

Matthew Klein, 322 W. Burlington Avenue, LaGrange, Illinois, stated he is general counsel for the Gammonly Group. Mr. Klein noted that while Mr. Gammonly had said they were not asking for any variations, there is one issue from which they need a waiver. When the Village conveyed the property to the Gammonly Group, they conveyed the property based on the existing right of way lines. The streets that surround the property were developed a long time ago and have all recently been reconstructed. The Village's Subdivision Control Ordinance requires additional dedication of right of way. Mr. Klein asked for a waiver of having to make any additional dedication.

Mr. Klein concluded by stating that the Gammonly Group looks forward to working in Downers Grove.

Chairman Jirik asked Staff for its review and analysis.

Mr. Rathje advised that the petitioner is seeking final planned development approval for a proposed 91,000 square foot multi-use building on the block of land which is bounded by Main Street, Rogers Street, Warren Avenue and Highland Avenue. The subject property is around 43,969 square feet or just slightly over 1.0094 acres. The basic description of the petitioner's proposal is for a five story building with commercial and residential on the first floor and residential condominiums on floors two through five. There will also be a largely below grade level which will be devoted to resident parking.

The subject property has a dimension of 255.08 feet on the north, 248 feet on the south, 175.64 feet on the west and 174.44 feet on the east. Mr. Rathje recalled that in 2000, the Plan Commission entertained a petition to vacate the alley which runs between Highland Avenue and Main Street which is about two-thirds or three-quarters north on the site.

The alley was vacated, and a copy of the Ordinance was included in the Plan Commission packet. The overall parcel, including the 2,284 square feet for the vacated alley right of way, is 43,969 square feet in area.

Mr. Rathje explained the majority of the subject property has for some time been owned by the Village, and in the mid-1970's was improved for a commuter parking lot. The lot had 39 commuter parking spaces, 11 meter spaces and two non-metered handicap parking spaces. In 1999, the Village acquired the southeasterly portion of the property which had two small commercial buildings on it, and the Village razed the structures in 2000. Gravel was placed on the easterly portion of the site following the demolition of the buildings, and that portion of the site was used for temporary parking, especially by workers who were working on the downtown infrastructure construction.

Mr. Rathje noted the property was identified by one of the Village's consultants as being a really good site for a redevelopment project. The Village sent out Requests For Proposal last year and following a review of the two developers' proposals, the Village Council, after a considerable amount of consideration and discussion, settled on the Gammonley Group. Mr. Rathje explained the Council studied the recommendations that were forwarded to them by an ad hoc committee which was asked several years ago to consider how this site could be developed: 1) what was best for the community at large; 2) economic viability; 3) long-term implications of what the project would do for the general downtown and the Village at large. Ultimately the Village settled on the Gammonly Group and sold the property to them on March 26, 2002. Mr. Rathje explained the criteria that was most important to the Council in settling on the Gammonly Group was the scope of development experience in terms of both having commercial and residential elements, the ability of the developer, through this project, to provide off-street parking for the residents of the residential phase of the building and the willingness and the ability of the developer to deal with the soil remediation issues on the site. Mr. Rathje noted a portion of this site had been the site of the former Ford dealership and garage. There were certain petrochemicals left in the soil from the automobile dealership. Included in the criteria for choosing a developer for this land was the track record of the developer to be able to develop a project of this nature, which as Mr. Gammonly indicated they have a considerable amount of experience in very similar locations within a stone's throw of railroad tracks. They understood the nature of the market and the nature of this site in a manner which was consistent with the Council's vision for the redevelopment of this property.

Mr. Rathje pointed out that the subject property is located within a B-2, General Retail Business District. The B-2 zoning district permit both residential as well as retail, commercial and office uses. The proposed uses on the property as best we can determine right now with regard to the commercial phase would all be consistent with the existing zoning so there are no exceptional permitted use approvals necessary.

Mr. Rathje noted the subject property is also located within the Village's Concentrated Business District. The Concentrated Business District is an overlay zoning classification over the B-2 zoning district which permits a higher floor area ratio of 3.0 for commercial

elements, has no minimum yard or greenspace requirements, generally does not have any off-street parking requirements and has a maximum building height typically greater than the underlying B-2 zoning district in areas outside of the Concentrated Business District.

Mr. Rathje detailed the surrounding zoning; to the east, south and west is B-2, General Retail Business all within the Concentrated Business District. The block to the north, which is bounded by Main Street on the West and Highland Avenue on the east, is split into two zoning districts where the westerly 120 feet of the block is zoned B-2 and is located within the Concentrated Business District, while the easterly 142 feet of the block is zoned R-5, two family and is not within the Concentrated Business District. The area to the northeast on the north side of Rogers Street carries R-6, multiple family, and there are two residential condominium buildings.

He continued, in anticipation of this development and other redevelopments in the downtown area, the Council directed Legal Staff to prepare a text amendment for consideration by the Zoning Commission. The text amendment was done in consultation with the Staff and this particular developer, and it also took into consideration the general nature of possible redevelopment in the downtown area. The Zoning Commission held a public hearing on the proposed text amendments and on April 16, 2002, the Village Council adopted the amendments under Ordinance No. 4396. Mr. Rathje pointed out that there is a copy of that Ordinance in the Plan Commission packet.

He indicated that the high points of the Ordinance are that the Zoning Ordinance was amended to establish a sub-category of a planned development which is known as a "Concentrated Business District Re-Development Project." This type of project must be undertaken as a planned development. It may be either a residential development or a combination of residential and commercial and may only take place within the existing Concentrated Business District. The first principal provision of the amendment was that the projects undertaken as a Concentrated Business District Redevelopment Project may have a taller building height. The maximum building height in the remainder of the CBD is 60 feet; however, the Ordinance was amended to permit a building height of 70 feet for a Concentrated Business District Redevelopment Project. Part of the basis for the height extension is a recognition of the fact that for the types of redevelopment the Village is looking for, we are looking for greater ceiling heights both for the commercial as well as the residential elements of such buildings. Mr. Rathje pointed out that the up-scale developments tend to have more volume, more ceiling height, and it is not just simply an issue of squeezing out an additional floor. The increased height will make the floors much more viable and attractive and will meet the more current development trends.

The second significant change was in terms of the way residential density is to be calculated. Within the Concentrated Business District, the residential density maximums are one bedroom unit per 1,000 square feet of land area, one two-bedroom unit per 2,000 square feet of land area and one three-bedroom unit for 3,000 square feet of land area. Part of that density ratio is somewhat of an anachronism and reflects the past practice that larger family sizes previously occupied multiple residential dwellings. The trend of development and occupancy of multi-family dwellings is now more reflective of people wanting to have more space and more bedrooms, not necessarily because they are going

to raise families there, but they would like to have the rooms for other purposes than just bedrooms. They may have adult children living with them. There may be room-mate situations where the people who own a condominium unit may not share a single bedroom. Mr. Rathje pointed out even with our Illinois School Consulting numbers, the number of persons living within multi-family dwellings is very, very low per bedroom unit. The Zoning Ordinance was amended so that there was a straight rate of one dwelling unit per 800 square feet; however, there can be no more than three bedrooms within any dwelling unit developed under the terms of the amended Ordinance for a CBD Redevelopment Project.

Mr. Rathje indicated the final change to the Zoning Ordinance which was different from the standard provisions of the Concentrated Business District concerned parking. The Ordinance was amended to require 1.4 parking spaces per dwelling unit for a CBD Redevelopment Project in contrast to the current provisions which normally exempt off-street parking in the CBD. The Ordinance requires that at least one parking space be conveyed or assigned, depending on whether it would be a condominium or a rental unit, per dwelling unit with the remaining spaces in the case where there is to be a conveyance, being able to be purchased by dwelling unit owners as they see fit or see the need. Mr. Rathje noted this is a really important coordination between the number of dwelling units per acre and the number of parking spaces because the Village very transit oriented. This is in contrast to what we have in some of our older residential buildings that may not have any parking. People who live in buildings without off-street parking either have to not have cars or rely on buying parking spaces in the Village commuter lots. With the type of development we are looking for in the downtown, there will be slightly fewer cars per dwelling unit than one would expect in newer developments outside of the CBD.

More specific to the actual project, Mr. Rathje stated the plans call for a 93,451 square foot building exclusive of the lower parking level which has a floor area of 25,632 square feet. Mr. Rathje pointed out the tenant storage is not counted against floor area ratios. He also noted that the parking area is not counted against floor area ratio because the Zoning Ordinance specifically exempts garage or structured parking from floor area ratio because the Village wants to encourage that type of parking and not have it go against the potential for development. The 48 dwelling units would be located on floors one through five. The building will have a maximum east to west dimension of 234.27 feet and a maximum north to south dimension of 137 feet,

Mr. Rathje explained the petitioner's plans indicate that the proposed building is to have a brick exterior accented with cast stone. The red brick is to be dominant in the lower levels, and the beige brick is to be dominant in the upper areas; however, there will be some beige brick at the lower level of the residential elements of the building, and red brick will also extend to the roof line of some elements of the building. Mr. Rathje commented this will be a very beautiful building, and the architect has chosen excellent materials that are consistent or reminiscent of many features of the buildings in the downtown and will be upscale from some of the current features of the downtown.

Mr. Rathje stated the commercial facet of the building is restricted to the first floor, primarily on the south half of the building. The commercial element of the building is to have a floor area of 12,757 square feet. On the first floor plan you will note that the petitioner has drawn in possible leasing modules that range from 3,850 square feet for unit #1 down to 1,292 square feet for unit #4. He explained that these are prototype divisions of the commercial space. Mr. Rathje pointed out there is a note on the plan that the actual locations of the demising walls will be based on the leasing requirements of the future commercial tenants.

Mr. Rathje advised that the remaining approximately 12,648 square feet of the first floor will be occupied by seven dwelling units. He explained that there is a distinct separation between the commercial and the residential areas of the proposed building. On the first floor plan, he noted there are essentially parallel corridors that bisect the building from north to south. The commercial area has a service corridor which is primarily accessed from the east and west sides of the building, and the drawing also features that there is to be an internal trash room. There will be no external trash storage on this site. Likewise, the first floor residential units have access both via an interior corridor and, as Mr. Kennedy indicated, they each respectively have exterior access via stairs either from the Highland Avenue, Rogers Street or Main Street frontages of the building.

Floors two and three will each have 12 condominium dwelling units with a total floor area of 17,711 square feet.

Floor four also will have 12 condominium dwelling units with a slightly smaller floor area of 17,415 square feet, while the fifth floor, which is the floor that has the wonderful terraces, will have only five dwelling units with a dwelling unit floor area of 11,927 square feet.

Mr. Rathje gave the breakdown of the proposed dwelling units by bedrooms: There will be eight one-bedroom units, seven one-bedroom units with dens, 14 two-bedroom units, 14 two-bedroom units with dens and five three-bedroom units. With respect to the one bedroom units, there are six different floor area sizes ranging from 873 square feet to 1,192 square feet. There are to be nine different sizes for the two-bedroom units which will have floor areas ranging from 1,197 square feet to 1,663 square feet. Each of the three bedroom units are different, and they will have floor area ranging from 1,762 square feet to 2,466 square feet.

Mr. Rathje stated the petitioner's plans indicate that the entire building, including the parking level, is to be fully sprinklered. The Fire Prevention Bureau has been in on a number of discussions, and at this stage of the development process the Fire Department has indicated they are very comfortable with the developer's design. This will be subject to review of sprinkler plans, etc. as the petitioner goes through architectural and structural building approval.

With respect to setbacks, Mr. Rathje noted, as the property is located within the Concentrated Business District, it is exempt both from greenspace and setbacks. However, as Mr. Gammonly and Mr. Kennedy indicated, in the Council's dealings with

the possible different developers, it was expressed that setbacks were going to be an important consideration. Prospective developers were judged on how well they provided transitions, interesting yards and greenspace, not on the Ordinance basis but on the practical basis. Mr. Rathje gave a quick review of the setbacks: On the north, the setbacks range from 19.58 feet to 27.04 feet, with the majority of the building setback between 22.00 feet and 27.00 feet. On the east opposite the Tivoli Theater block, the setbacks will range from 7.33 feet to 14.04 feet for the residential portion of the building; however, at the southeast corner where you have the large plaza area and the gazebo, the building will be setback as far from the Highland Avenue lot line as 58.21 feet. Along the Warren Avenue frontage of the property on the south, the setbacks range from 15.96 feet to 58.21 feet which is consistent with the cut-out square at the southeast corner of the building. On the Main Street side, the building will be setback from as close as 3.17 feet to 7.00 feet adjacent to the southerly 67 feet of the commercial building element. Mr. Rathje pointed out this is consistent with the essentially zero or minimal setback of the commercial area on the west side of the street, while the northerly residential portion of the building will have a setback ranging from 20.83 feet to 23.67 feet.

Mr. Rathje noted on the floor plan for floor two that the building's setback from the Warren Avenue property line runs between 57.63 to 77.94 feet. The residences are significantly setback from the commercial activities and from the area along the train tracks side of the property. Mr. Rathje commented this is a significant mitigating factor regarding the presence of the building near the train tracks. Mr. Rathje expressed the opinion that the sound issues associated with the railroad will be well taken care of by the masonry building and by the proper glazing of the windows.

With respect to the height of the proposed building, Mr. Rathje stated under this type of a planned development the maximum building height is 70 feet according to the Zoning Ordinance's definition of building height. Mr. Rathje commented, that while this is a very unusual piece of property having four front yards, it is not unique because there are others in town that essentially have four front yards. Typically, the Plan Commission deals with an interior lot with one front yard or maybe a corner lot with two front yards. Mr. Rathje explained in calculating building height he and Mr. Kennedy worked on the basis that the Ordinance defines building height as the height above the average grade as measured at the front of the building. One of the first things that was done was to calculate the average finished grade of each of the four sides of the property. Mr. Rathje commented this property has some significant changes in grade from north to south. It drops about eight feet from Warren Avenue to Rogers Street. The Rogers Street and Warren Avenue sides are pretty level. The Highland Avenue and Main Street sides of the property do have an appreciable amount of change. Mr. Rathje pointed out, based on the Ordinance, building height measurements are based on the average between peak and eaves for sloped roof sections, and the building heights have been reported in three manners; one to the highest roof deck, one to the midpoint of the roof for sloped roof sections and one to the peak. On the north, there are heights of 61 feet 11 and one-half inches to the roof deck, 69 feet three and three quarter inches to the midpoint of the roof and 72 feet 4 inches to the peak. Mr. Rathje explained the maximum building height is based on the midpoint of the roof, and that mechanical penthouses and parapet walls are

excluded. He noted that the portions of the building measuring over 70 feet are consistent with Ordinance requirements. They are not exceptions because of the way the Ordinance defines building height.

Along the east side, adjacent to Highland Avenue to the roof deck is 61 feet four inches, to the mid-point of the sloped roof section is 69 feet ten inches and to the peak is 74 feet two and one-half inches.

Along the south, adjacent to Warren Avenue, pushing it all the way back even considering that there is an additional 70 some feet of setback, the building height ranges from 58 feet and one-half inches to the roof deck ,66 feet eight and five-eighths inches to the midpoint and 71 feet and one and one eighth inches to the peak.

Mr. Rathje explained on the Main Street side, the height is 60 feet six and one-half inches to the roof deck, 65 feet eight inches to the midpoint and 68 feet five and seven-eighths inches to the peak.

Mr. Rathje pointed out the next area of measurement for the proposal is density. As this project is a mixed use, there are two forms of density measurement which comes into play. One is floor area ratio for the commercial elements, and the other is dwelling units per acre for the residential elements. For the commercial elements, the Ordinance permits a floor area ratio of 3.0. In other words, for every 10,000 square feet of land you can have up to 30,000 square feet of commercial floor area. In determining how much the 12,757 square feet of commercial floor area uses up in terms of development potential, the square footage is divided by three which equals 4,252.33 feet. That figure is subtracted from the 43,969 square footage site area. In terms of the residential density, you use up 800 square feet of land area for each residential dwelling unit which with 48 units equals 38,400 square feet. From the total of 43,969 square feet subtract 42,652 square feet, which is the addition of the residential and the commercial, and you end up with a positive balance of about 1,300 square feet. Mr. Rathje stated the developers essentially used 97 percent of their density on this property so they are well within the requirements of the Ordinance.

With respect to parking, Mr. Rathje recalled he had noted that the Ordinance was amended to obligate developments of this type to provide 1.4 parking spaces per dwelling unit. Based on 48 dwelling units, a minimum of 68 parking spaces must be provided. The petitioner's plans indicate that a total of 70 spaces including three handicapped spaces are to be constructed. Forty-eight of the spaces are to specifically be assigned and conveyed with the dwelling units as they are sold, leaving 22 parking spaces which may be conveyed to dwelling units based on the people who are willing to pay the price to have multiple parking spaces.

In addition to the underground parking, Mr. Rathje advised the petitioners have also provided for the construction of a 52 foot long truck loading area along the west side of Highland Avenue adjacent to the building. Mr. Rathje commented, as a regular course of business, trucks making deliveries double park or park wherever they can in the downtown area, and this will be a significant benefit to the businesses who become

occupants of the commercial space and possibly for UPS deliveries to the residential tenants. It will be an excellent loading area for moving vans when people move in or move out. Mr. Rathje stressed that there is no parking along the west side of Highland Avenue.

With regard to greenspace, Mr. Rathje commented that he tried to keep up with all the number changes during the fine tuning of the site plan, but his review in the Plan Commission packet has some numbers that are different than the numbers shown on the "Zoning Ordinance Review" chart under green space and hardscape. Those numbers are correct, but the numbers in his report are off a bit. The greenspace shown in his report as 10,051 square feet is actually 9,647 square feet, and the hardscape went up from 7,842 square feet to 8,407 square feet. The total area of the site in greenspace or hardspace increases to 18,054 square feet versus the figure of 17,893 square feet shown in his report, for a total of 41.06 percent.

Mr. Rathje noted that between the nice commercial plaza area adjacent to the business property as well as the green landscaped area and the planter boxes, the landscape plan has about 55 different plant varieties. Mr. Rathje indicated it may take a Village Forester to distinguish that there are that many specific types, but between the colors, the forms and the varied sizes, there is a very rich landscaping plan. The Village Forester has reviewed the petitioner's landscape plan and has concluded that the proposed plantings are suitable and should enhance the appearance of the site. Mr. Rathje commented the landscape plan has been very well thought out and will create some real presence immediately after it is completed. Mr. Rathje stated a copy of the Village Forester's memorandum is included in the Plan Commission packet.

Mr. Rathje advised the petitioner and the Village Forester have struck a deal that rather than having the petitioner be responsible for parkway tree planting, the Village will take responsibility for the parkway trees and add the trees to the Village's parkway tree planting contract which will mean these trees will be guaranteed by the Village's contractor. The payment amount in lieu of the petitioner providing the parkway tree planting is \$4,446.

Mr. Rathje recalled Mr. Gammonly's reference to one of the interesting challenges with this site because of its size and slope was to provide for stormwater detention while still be able to provide for underground parking. The petitioners came up with a plan which the Village's stormwater consultant has been very supportive of which will consist of 58 below grade stormwater vaults which they call stormtrap sections. Mr. Rathje asked Ms. Browne to display the cross-section drawing on the overhead screen, and he pointed out the area where the traps will be located. That area is on the north side of the building partly on private property and partly on the Rogers Street parkway. The vaults will be able to store about 0.45 acre feet of stormwater which is 100 percent of the obligation for this piece of property. Mr. Rathje noted that he has never mentioned to the Plan Commission that there are 325,803 gallons in an acre foot, and Gammonly's plan provides for the storage of about 147,000 gallons of stormwater.

Mr. Rathje indicated the petitioners have entered into, and the Village has approved a license agreement that allows for the portions of the structures that cross over the property line. The subject property is going from zero stormwater detention on a significantly paved piece of property to 100 percent detention following the redevelopment of this site.

Mr. Rathje noted the Village's stormwater consultant, P. Kay Whitlock, has provided a memorandum indicating her satisfaction with the plans. She stated the plans will work well because they are based on good technology.

Prior to the issuance of any occupancy permits for the retail or residential areas, Mr. Rathje explained the petitioner must provide the Village with a stormwater detention easement over the private portions of the property where vaults are to be constructed..

Mr. Rathje stated the petitioner will also be undertaking off-site work such as sidewalk construction, curbs and gutters and other Public Works-related issues. Mr. Rathje explained that Brian Parks, Senior Engineer in the Public Works Department, has been working with the petitioner's engineering group. He noted they were down to a few minor points that needed to be revised or corrected on the plans for full compliance. The revised plans have been delivered to Mr. Parks, and all reviews should be completed by the time this matter goes before the Village Council

With regard to school and park donations, Mr. Rathje explained based on 15 one-bedroom units, 28 two-bedroom units and five three-bedroom units, the donation amounts are \$14,412.80 for School District 58 , \$5,464.98 for School District 99 and \$70,094.50 for the Downers Grove Park District for a total of \$89,972.28. Mr. Rathje pointed out this payment has to be made to the Village prior to the Council's final action. Mr. Rathje explained the petitioner has also entered into an agreement with the Village concerning the soil remediation on the site. Mr. Rathje advised this really does not have anything to do with the Plan Commission; however, the Village had commissioned an environmental company to make a determination of the extent and the nature of the remediation that is needed. There will be a significant amount of soil removal, but remediation efforts will also involve the construction of barriers.

Mr. Rathje commented one of the other things that the Village did with the blessing of the IEPA was to adopt an ordinance forbidding any types of wells within a significant distance around this property. As long as people are not taking ground water from anywhere near this area, that was one of the criteria that was satisfactory for the IEPA for a portion of the remediation that needs to be undertaken.

Mr. Rathje explained at one time the site had been an automobile dealership so there probably is transmission fluid, oil, gasoline, etc. in the soil. Mr. Rathje pointed out in order to excavate for the below grade area, a lot of that soil is going to be hauled away. Gammonly will be required to get to an IEPA "Tier 1 residential level" no further remediation approval under the State regulations because the IEPA recognizes the nature and type of occupancy this building will have. Gammonly will be held to a high standard

as to what they will have to do in order to obtain the No Further Remediation memorandum from the IEPA (Illinois Environmental Protection Agency).

With regard to the homeowners association documents, Mr. Rathje stated these documents need to be submitted in a form that is acceptable to the Village Legal Department prior to final occupancy for any dwelling or commercial units.

Mr. Rathje referred to the one waiver request that Mr. Klein had referenced which is relative to street right of way. As the Planned Development section of the Ordinance obligates a developer to satisfy the requirements of the Subdivision Control Ordinance, one of the conditions is for the possible dedication of additional right of way depending on the category of the adjacent roadway. The Village's Future Land Use Plan shows Main Street as an arterial roadway, both Rogers Street and Warren Avenue as Collector Roadways and Highland Avenue as a Local Street. In many parts of the Village, with new development or with redevelopment we have certainly sought dedication and the construction of roadways consistent with this criteria, but we also recognized in the Future Land Use Plan Narrative that some roadways will always be limited in terms of their right of way width because of the level of development which may exist in an area. Mr. Rathje stated in this case the petitioners are seeking relief from having to provide any additional dedications of right of way to the adjoining streets. The nature of that variation is variable depending on the street. According to the provisions of Section 20-303(d) of the Subdivision Control Ordinance, arterial roadways are to have a minimum right of way width of 100 feet and a minimum pavement width of 48 feet; collector roadways are to have a minimum right of way width of 80 feet and a minimum pavement width of 36 feet; local streets are to have a minimum right of way width of 70 feet and a minimum pavement width of 70 feet.

Mr. Rathje noted Main Street has a very uniform right of way width of 66 feet with a pavement width running between 45 to 50 feet. Pavement-wise, we are almost at the Ordinance standard; however, the right of way is narrower than would be preferred were we to start from scratch for Main Street.

With regard to Rogers Street, Mr. Rathje explained there is 72 feet of pavement width between Main Street and Highland Avenue and a right of way width of 66 feet between Highland Avenue and Maple Avenue. The pavement width for the section of Rogers Street between Main Street and Highland Avenue is approximately 46 feet

Warren Avenue between Main Street and Highland Avenue has a right of way width of 66 feet. Mr. Rathje noted the pavement width for Warren Avenue is quite variable, and exclusive of the area for the parking spaces that the Village added in on the north side of the road, the pavement width runs from approximately 40 feet to 48 feet

Mr. Rathje pointed out the Village has reconstructed all of the streets around this site. The opportunity to get any additional right of way through redevelopment is very unlikely, if not impossible, considering the nature of these roadways. All of these roadways are of such nature that they are regulated either by a traffic signal or a stop sign at least within one or two legs of the intersection. Mr. Rathje advised this project is

going to be a relatively low traffic generator, considering the fact that it will be replacing a parking lot which had a guaranteed turnover of one to two times a day, to more of a residential neighborhood situation.

In conclusion, Mr. Rathje stated the Planning Staff would recommend that the Plan Commission forward a positive recommendation to the Village Council for the proposed planned development including site plan, landscape plan and building elevation drawings.

This recommendation is being made to include the requested waiver from having to dedicate or construct any additional pavement from the adjoining roadways as these roadways have all been recently reconstructed, and as there is very little or no likelihood of acquiring either additional right of way and as for the most part the pavements either meet or exceed the pavement requirements depending on the hierarchical classification of the specific road.

Mr. Rathje stated this recommendation is being made based upon the construction of approximately 12,757 square feet of retail space, 15 one-bedroom dwelling units, 28 two-bedroom dwelling units, five three-bedroom dwelling units and 70 underground parking spaces.

With respect to the one-bedroom and two-bedroom units that have dens, it should be clearly understood that those are to be used as dens and may not be used as bedrooms. Staff will be looking for language in the homeowners' association covenants that any units that are sold with dens may not be converted into bedrooms.

Mr. Rathje further stated that this recommendation is subject to the payment to the Village of the impact fees as previously outlined, is subject to the provision of easements over the stormwater detention areas on private property, subject to the submittal of the association documents to the Legal Department to their satisfaction and subject to the revocation of the temporary easement to protect the utilities in the vacated alley once those utilities are relocated.

In conclusion, Mr. Rathje advised this recommendation is being made as the petitioner has submitted plans which are consistent with the requirements of the Zoning Ordinance; specifically, with the standards for approval of a planned development by the Plan Commission as outlined in Section 28-1607 of the Zoning Ordinance: (1) The extent to which the planned development meets the standards of this Article. (2) The extent to which the planned development departs from the zoning and subdivision regulations... (3) The method by which the proposed plan makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space and furthers the amenities of light and air, recreation and visual enjoyment.

Chairman Jirik thanked Mr. Rathje for his usual excellent presentation.

Chairman Jirik advised that the next step is the public participation portion of the meeting. Chairman Jirik asked if there were any members of the public who wished to speak for or against this petition.

James F. Russ, Jr., stated he is President of the Downtown Management Board. He explained the Board was created about four or five years ago and part of what they have looked at is the redevelopment of the downtown. Mr. Russ stated the Board has reviewed these plans and are very excited about this development as part of the revitalization of the downtown. The Board truly believes Downers Grove needs more residential units in the downtown area and more retail space that will attract some different retail businesses than what we currently have available to us right now. The project will be a great amenity for bringing retail to the north side of the railroad tracks which has been somewhat short on business development.

Dave Reynolds, 4919 Bryan Place, Downers Grove, pointed out that he is not aware of any relationship to Plan Commission member, Mrs. Reynolds. Mr. Reynolds commented he was not sure if his question is appropriate for this Commission, nor was he sure that the Gammonly Group would be able to answer it. Mr. Reynolds expressed the opinion that Mr. Rathje had glossed over the soil remediation issue. Looking over the soil analysis that was done, Mr. Reynolds pointed out there are three chemicals that really stick out, tetrachlorethane, chloroform and carbon tetrachloride. Mr. Reynolds noted he is not a chemist, but those three chemicals alone are dangerous, especially when they go airborne. His question is what kind of effort is going to be made to contain the soils when the excavation is being done and also what is to be done to prevent any of the materials from coming out onto the streets via truck tires, etc. Mr. Reynolds stated this is a concern of his and of his neighbors. They do not want to see those contaminants leave that area and come into the neighborhood.

John Conway, stated he manages the day-to-day construction activities of the Gammonly Group. In order to achieve a NFR letter from the IEPA, everything they do on that site has to be closely monitored, observed and recorded. It is not a typical excavation where you go in, cut through the grades and then build the building. This is very closely monitored, and samples are taken throughout the remediation process. They are studied, reports are drafted and submitted to the IEPA for review and approval. As far as any of the impacted soil getting out onto the street, Mr. Conway explained the trucks would be parked and backhoe equipment would load the materials into the waiting trucks. Mr. Conway noted any time you are dealing with a volatile soil, extra measures have to be taken to be able to control dust, airborne contaminants, etc. In their construction management plan Gammonly has outlined watering of the site field by hosing the area with a mist or spray in order to keep down any dust. Mr. Conway stressed the whole process is managed by the State of Illinois.

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

Chairman Jirik next asked if there were any questions, comments or discussion by members of the Plan Commission.

Mr. Matejczyk commented while this project has been a long time coming, it has been well worth the wait. Mr. Matejczyk asked if any of the mature parkway trees will be saved. Mr. Rathje commented there are several trees on the Main Street parkway that will be able to be saved. The larger trees on the west and north sides of the property will have to go because of the excavation that will need to be done for construction, remediation and stormwater management considerations.

Mr. Matejczyk noted that there is going to be one elevator. He recalled having lived in an apartment building and wondered if the elevator would have a high enough ceiling to also serve as a freight elevator. He also asked if there is a trash chute and if there will be office space for a building manager. Mr. Gammonly responded that there is one elevator which will serve as a freight elevator. There is a trash chute and a self-contained trash room in the lower level. The trash containers will be wheeled out to the trucks on trash day. It was also noted that management offices for the residences will not be located on-site.

Mr. Waechtler asked if there is only one elevator for the entire building. Mr. Kennedy responded the one elevator is oversized with regard to platform size and carrying capacity. He noted the elevator was given strenuous review by the Village's Fire Prevention Department, and the plans are reflective of what the Fire Department requires. Mr. Waechtler asked if there will be any problems for people moving furniture into their units. Mr. Gammonly responded there will not be any problem because this is usually is a managed process.

Mr. Stark asked if the terraces can be accessed to the units. Mr. Gammonly explained on the second floor above part of the retail space, they are more or less patios. Residents will be able to go out there from their dwellings, and it will be part of their living space. They are designated and designed for each individual unit. The same is true on the fifth floor.

Mr. Stark asked if there were any restrictions as to what may be stored on these areas such as bicycles, etc. Mr. Gammonly answered affirmatively.

With regard to sidewalks, Mr. Kahlke asked if they will match what has been put in the downtown area recently. Mr. Kennedy indicated they will not be touching the Main Street sidewalk. There will be new sidewalk on the south side of Rogers Street which presently does not have a sidewalk. Even though the Highland Avenue sidewalk was recently replaced, there will be so much activity on that side of the site that the Gammonly group will have to replace that sidewalk as well as a large portion of the Warren Avenue sidewalk. The three new or replacement sections of sidewalks will meet Public Works' standards. Mr. Kahlke suggested matching the crosswalks would tie the project into the restored downtown area. Mr. Rathje commented he did not believe Gammonly will be adding any additional crosswalks.

Mr. McCormick asked if the parking on the west side of the Building on Main Street will remain intact. Mr. Rathje responded that it will remain intact. Gammonly will be adding seven additional parking spaces along the Warren Avenue frontage of the property. He noted we will be losing one parking stall on the south side of Rogers for the garage ramp.

Mr. McCormick stated he realizes the plans are just a depiction, but it appears there could be approximately 11 businesses in the commercial space. He wondered if 13 parking spaces with one handicapped parking space is going to be sufficient. Mr. Gammonly responded they believe the adjacent street parking is reasonable based on standards for this sort of retail in a downtown location in this sort of community. A lot of the retail traffic could be coming and going at different times during the day. He noted they are receiving tremendous inquiry with regard to the retail space. He advised that five additional parking spaces are currently shown but, depending on the demand, perhaps these can be refigured.

Mrs. Reynolds commented the proposed parking is comparable to what is currently in the downtown area at least until the parking garage is built.

Mr. Griesbaum complimented the Gammonly Group for a beautiful and well thought-out development. He commented that it will add a lot to the downtown area. Mr. Griesbaum asked if the traffic for the loading area will be coming in from the Highland Avenue side of the property into the retail area. Mr. Kennedy responded that the plaza area is relatively flat in that location so you actually end up coming onto the site off Highland via the depressed curb ramp that accesses the retail space through the recessed side door. There is an access corridor that runs behind the retail up to the trash room area and back out again.

Mr. Griesbaum clarified that any type of truck can only go so far onto the site. Mr. Kennedy advised no trucks or vehicles will be allowed across the sidewalk onto the property itself because of the below grade parking area. Mr. Rathje added that the Fire Department determined where its vehicles would be allowed and were satisfied with access issues..

Mr. Waechtler recalled at one time there was some discussion about retail development on the entire first floor. He noted that the current plans now show some residential units on the first floor. Mr. Gammonly pointed out the retail/commercial component just would not work on the Rogers Street side of the property because of lack of visibility and the slope of the site.

Mr. Waechtler addressed the separation design between the commercial and residential elements of the building and asked what kind of separation are we talking about. He wondered if he was a resident, would he be hearing any noise from the commercial spaces. Mr. Gammonly stated there is a concrete block fire wall in between the two occupancy elements so there will not be much noise penetration. There is a public corridor which is another fire separation between the retail and residential portions of the first floor.

Mr. Waechtler asked for confirmation that parking for the residences is in an enclosed garage below grade, and Mr. Gammonly affirmed that to be the case.

Mrs. Reynolds asked Mr. Waechtler for his opinion of this project as he chaired the AdHoc Committee that worked very hard on this property.

Mr. Waechtler stated he wanted to add his comments to those of the other Plan Commission members. In his opinion, this is a beautiful result that far exceeds the expectations of the AdHoc Committee. The Committee provided a lot of input, suggestions and ideas. He is very pleased with how the Gammonly group was able to incorporate many of the ideas and suggestions from the Committee as well as the residents.

Mr. Kennedy indicated he forgot to show the Commission members the color-coded cross section of the building showing the different uses and then displayed that drawing. Mrs. Reynolds and Mr. Matejczyk wondered what the prices ranges would be for the various units.

Carrie Gammonly, Vice President of Sales and Marketing for the Gammonly Group, stated there are 21 different unit types on the first through fourth floors. Prices on those floors range from \$160,000 for the one bedroom to the most expensive two bedroom/den units which will sell for \$300,00 to \$330,000. The middle range comes in at about \$230,000 for a two bedroom unit. There are five penthomes which range from \$390,000 to \$526,000 for the 2,400 square foot units with two terraces which are located at both ends of the building. The average for the penthomes is about \$400-425,000. Chairman Jirik stated if there is no further comment or discussion he would entertain a motion.

MOTION: WITH RESPECT TO FILE NO. 1077, MR. GRIESBAUM MOVED THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL TO GRANT APPROVAL OF THE PROPOSED PLANNED DEVELOPMENT SITE PLAN, LANDSCAPE PLAN AND BUILDING ELEVATION DRAWINGS FOR THE PROPERTY LOCATED ON THE BLOCK BOUNDED BY MAIN STREET, ROGERS STREET, HIGHLAND AVENUE AND WARREN AVENUE.

THE PLANNING STAFF AND THE PLAN COMMISSION ARE OF THE OPINION THAT THE REQUEST FOR A WAIVER FROM THE REQUIREMENTS OF SECTION 20-303(d) OF THE SUBDIVISION CONTROL ORDINANCE REGARDING RIGHT OF WAY DEDICATION, ETC., SHOULD BE WAIVED ACCORDING TO THE PROVISIONS OF SECTION 28-1613 OF THE ZONING ORDINANCE BASED UPON THE FACT THAT ALL OF THE ADJACENT ROADWAYS HAVE RECENTLY BEEN REBUILT WITHIN THE EXISTING RIGHTS OF WAY AND AS

THERE IS LITTLE OR NO LIKLIHOOD OF ACQUIRING ANY ADDITIONAL RIGHT OF WAY VIA FUTURE DEVELOPMENT OR REDEVELOPMENT IN THE AREA.

THIS RECOMMENDATION IS BEING MADE BASED UPON THE PROPOSED CONSTRUCTION OF APPROXIMATELY 12,757 SQUARE FEET OF RETAIL COMMERCIAL SPACE, UPON THE CONSTRUCTION OF 15 ONE-BEDROOM DWELLING UNITS, 28 TWO-BEDROOM DWELLING UNITS AND 5 THREE-BEDROOM DWELLING UNITS AND UPON THE CONSTRUCTION OF A 70 SPACE UNDERGROUND PARKING FACILITY TO SERVE THE FUTURE RESIDENTS OF THE BUILDING.

WITH RESPECT TO CERTAIN DWELLING UNITS WHICH HAVE ADDITIONAL ROOMS REFERRED TO AS "DENS", IT SHOULD BE UNDERSTOOD THAT SUCH ROOMS MAY NOT IN THE FUTURE BE MODIFIED OR UTILIZED AS BEDROOMS AND THAT THE HOMEOWNERS' ASSOCIATION COVENANTS SHOULD BE PREPARED IN SUCH MANNER TO MAKE THAT VERY CLEAR.

THIS RECOMMENDATION IS BEING MADE SUBJECT TO THE PAYMENT TO THE VILLAGE OF DOWNERS GROVE FOR THE SCHOOL AND PARK DISTRICT IMPACT FEES IN THE FOLLOWING AMOUNTS: SCHOOL DISTRICT 58 THE DONATION AMOUNT IS \$14,412.80; SCHOOL DISTRICT 99 THE DONATION AMOUNT IS \$5,464.98; THE DOWNERS GROVE PARK DISTRICT THE DONATION AMOUNT IS \$70,094.50 WHICH EQUALS A TOTAL DONATION OBLIGATION OF \$89,972.28. THE IMPACT FEES ARE DUE TO BE PAID TO THE VILLAGE PRIOR TO FINAL ACTION BY THE VILLAGE COUNCIL.

THIS RECOMMENDATION IS ALSO BEING MADE SUBJECT TO THE SUBMITTAL BY THE PETITIONER OF EASEMENT DOCUMENTS OVER THE PROPOSED STORMWATER DETENTION AREAS AND SUBJECT TO THE SUBMITTAL OF THE HOMEOWNERS' AND OR COMMERCIAL AREA OWNERS' ASSOCIATION DOCUMENTS. BOTH OF THESE DOCUMENTS SHOULD BE SUBMITTED AND FINALIZED IN FORMS ACCEPTABLE TO THE VILLAGE PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMITS.

FINALLY, THE REVOCABLE UTILITY EASEMENT WHICH WAS RETAINED OVER THE VACATED ALLEY SHOULD BE REVOKED AT SUCH TIME WHEN THE PUBLIC WORKS

DEPARTMENT AND THE EFFECTED GOVERNMENTAL ENTITIES OR UTILITIES ARE SATISFIED THAT THE UTILITIES HAVE EITHER BEEN REPLACED OR ABANDONED IN AN ACCEPTABLE MANNER.

THIS RECOMMENDATION IS BEING MADE AS THE PETITIONER HAS SUBMITTED PLANS AND SUPPORTING DOCUMENTATION WHICH ARE IN A FORM CONSISTENT WITH THE REQUIREMENTS OF THE ZONING ORDINANCE AND OTHER APPLICABLE ORDINANCE REQUIREMENTS AND AS THE PETITIONER HAS SUBMITTED A PROPOSAL FOR THE DEVELOPMENT OF THE SUBJECT PROPERTY WHICH APPEARS TO BE IN SUBSTANTIAL COMPLIANCE WITH THE CONCEPT PLANS WHICH WERE PRESENTED TO THE VILLAGE COUNCIL PRIOR TO THE VILLAGE ENTERING INTO AN AGREEMENT TO SELL THE PROPERTY TO THE PETITIONER. MR. KAHLKE SECONDED THE MOTION.

Chairman Jirik asked if there were any questions regarding the content or the intent of the motion. As everyone was clear on the nature of the motion, Chairman Jirik next asked if there was any discussion regarding the motion. There was no response.

ROLL CALL:

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

NAY: None

The motion passed unanimously.

Chairman Jirik explained this motion is a recommendation. The minutes and all the background information will be forwarded to the Mayor and the Village Council for final consideration in approximately three weeks. Those wishing to follow the progress of this petition are advised to contact Staff for when the petition will be discussed at a Council Workshop meeting.

Mr. Gammonly thanked the Chairman and the Plan Commission members.

Mr. Rathje advised the Plan Commission that it is Staff's intention to bring the issue of flag lots before the Plan Commission for discussion either next month or the following month. Mr. Rathje indicated his initial presentations will be based upon some more raw information rather than a final presentation. He advised that the Commission and Staff will, among other things, be looking at plat pages to determine the number of possible flag lots in each quarter section.



May 17, 2002

Village of
DOWNERS GROVE
ILLINOIS

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

FILE NO. 1077

PUBLIC HEARING – FINAL PLANNED DEVELOPMENT SITE PLAN APPROVAL – STATION CROSSING – The petitioner is seeking approval of a planned development which proposes the construction of a mixed use building to accommodate both retail commercial activities and multiple family residential dwellings in a B-2, General Retail Zoning District. The site is bounded by Main Street on the west, Rogers Street on the north, Highland Avenue on the east and Warren Avenue on the south (PIN Nos. 09-08-117-037,-038,-039,-040,-041,-042,-043,-044); RTG - Station Crossing, LLC, Owner; Matthew M. Klein, Petitioner

Dear Mayor Krajewski & Council Members:

The following motion was adopted by the Plan Commission at their meeting on May 7, 2002:

MOTION: WITH RESPECT TO FILE NO. 1077, MR. GRIESBAUM THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL TO GRANT APPROVAL OF THE PROPOSED PLANNED DEVELOPMENT SITE PLAN, LANDSCAPE PLAN AND BUILDING ELEVATION DRAWINGS FOR THE PROPERTY LOCATED ON THE BLOCK BOUNDED BY MAIN STREET, ROGERS STREET, HIGHLAND AVENUE AND WARREN AVENUE.

THE PLANNING STAFF AND THE PLAN COMMISSION ARE OF THE OPINION THAT THE REQUEST FOR A WAIVER FROM THE REQUIREMENTS OF SECTION 20-303(d) OF THE SUBDIVISION CONTROL ORDINANCE REGARDING RIGHT OF WAY DEDICATION, ETC.,

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://vil.downers-grove.il.us

Info Line
630.434.6800

SHOULD BE WAIVED ACCORDING TO THE PROVISIONS OF SECTION 28-1613 OF THE ZONING ORDINANCE BASED UPON THE FACT THAT ALL OF THE ADJACENT ROADWAYS HAVE RECENTLY BEEN REBUILT WITHIN THE EXISTING RIGHTS OF WAY AND AS THERE IS LITTLE OR NO LIKELIHOOD OF ACQUIRING ANY ADDITIONAL RIGHT OF WAY VIA FUTURE DEVELOPMENT OR REDEVELOPMENT IN THE AREA.

THIS RECOMMENDATION IS BEING MADE BASED UPON THE PROPOSED CONSTRUCTION OF APPROXIMATELY 12,757 SQUARE FEET OF RETAIL COMMERCIAL SPACE, UPON THE CONSTRUCTION OF 15 ONE-BEDROOM DWELLING UNITS, 28 TWO-BEDROOM DWELLING UNITS AND 5 THREE-BEDROOM DWELLING UNITS AND UPON THE CONSTRUCTION OF A 70 SPACE UNDERGROUND PARKING FACILITY TO SERVE THE FUTURE RESIDENTS OF THE BUILDING.

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FINALLY, THE REVOCABLE UTILITY EASEMENT WHICH WAS RETAINED OVER THE VACATED ALLEY SHOULD BE REVOKED AT SUCH TIME WHEN THE PUBLIC WORKS DEPARTMENT AND THE EFFECTED GOVERNMENTAL ENTITIES OR UTILITIES ARE SATISFIED THAT THE UTILITIES HAVE EITHER BEEN REPLACED OR ABANDONED IN AN ACCEPTABLE MANNER.

THIS RECOMMENDATION IS BEING MADE AS THE PETITIONER HAS SUBMITTED PLANS AND SUPPORTING DOCUMENTATION WHICH ARE IN A FORM CONSISTENT WITH THE REQUIREMENTS OF THE ZONING ORDINANCE AND OTHER APPLICABLE ORDINANCE REQUIREMENTS AND AS THE PETITIONER HAS SUBMITTED A PROPOSAL FOR THE DEVELOPMENT OF THE SUBJECT PROPERTY WHICH APPEARS TO BE IN SUBSTANTIAL COMPLIANCE WITH THE CONCEPT PLANS WHICH WERE PRESENTED TO THE VILLAGE COUNCIL PRIOR TO THE VILLAGE ENTERING INTO AN AGREEMENT TO SELL THE PROPERTY TO THE PETITIONER. MR. KAHLKE SECONDED THE MOTION.

ROLL CALL:

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

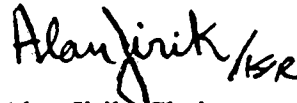
NAY: None

The motion passed unanimously.

This recommendation is being made subject to the conditions contained in the motion and based upon the reasons expressed within the motion.

Sincerely,

VILLAGE OF DOWNERS GROVE

Handwritten signature of Alan Jirik in black ink, with the initials 'AJR' written at the end of the signature.

Alan Jirik, Chairman
Plan Commission

AJ:amd