



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

**A RESOLUTION APPROVING THE FINAL PLAT OF  
SUBDIVISION FOR WOODCREEK BUSINESS PARK RESUBDIVISION #2**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for final plat approval for Woodcreek Business Park Resubdivision #2 at the property located at the southwest corner of Butterfield Road and Woodcreek Drive, Downers Grove, Illinois; and,

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

WHEREAS, the Plan Commission has recommended approval of the Woodcreek Business Park Resubdivision #2 with no exceptions.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the final plat of subdivision of the Woodcreek Business Park Resubdivision #2, be and is hereby approved subject to the following conditions:

1. The subdivision shall be in accordance with the Plat entitled "Woodcreek Business Park Resubdivision #2", reduced copy attached as Exhibit 1.
2. The subdivision shall be in substantial compliance the engineering plans.
3. The subdivision shall be in substantial compliance with stormwater detention requirements by increasing the volume of the off-site existing Woodcreek Business Park detention basin by 0.26 acre-feet.
5. Except as provided herein, the Woodcreek Business Park Resubdivision #2 shall be subject to the conditions and recommendations of the Plan Commission as set forth in their findings dated May 16, 2003 and as set forth in the minutes of the meeting of the Plan Commission on May 6, 2003; (Copy attached as Exhibit 2) and as set forth in the Staff Report (Copy Attached as Exhibit 3).

BE IT FURTHER RESOLVED, that the Mayor and Village Clerk are authorized to sign the final plat.

BE IT FURTHER RESOLVED, that this resolution shall be in full force and effect from and after its adoption in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:  
Attest: \_\_\_\_\_  
Village Clerk

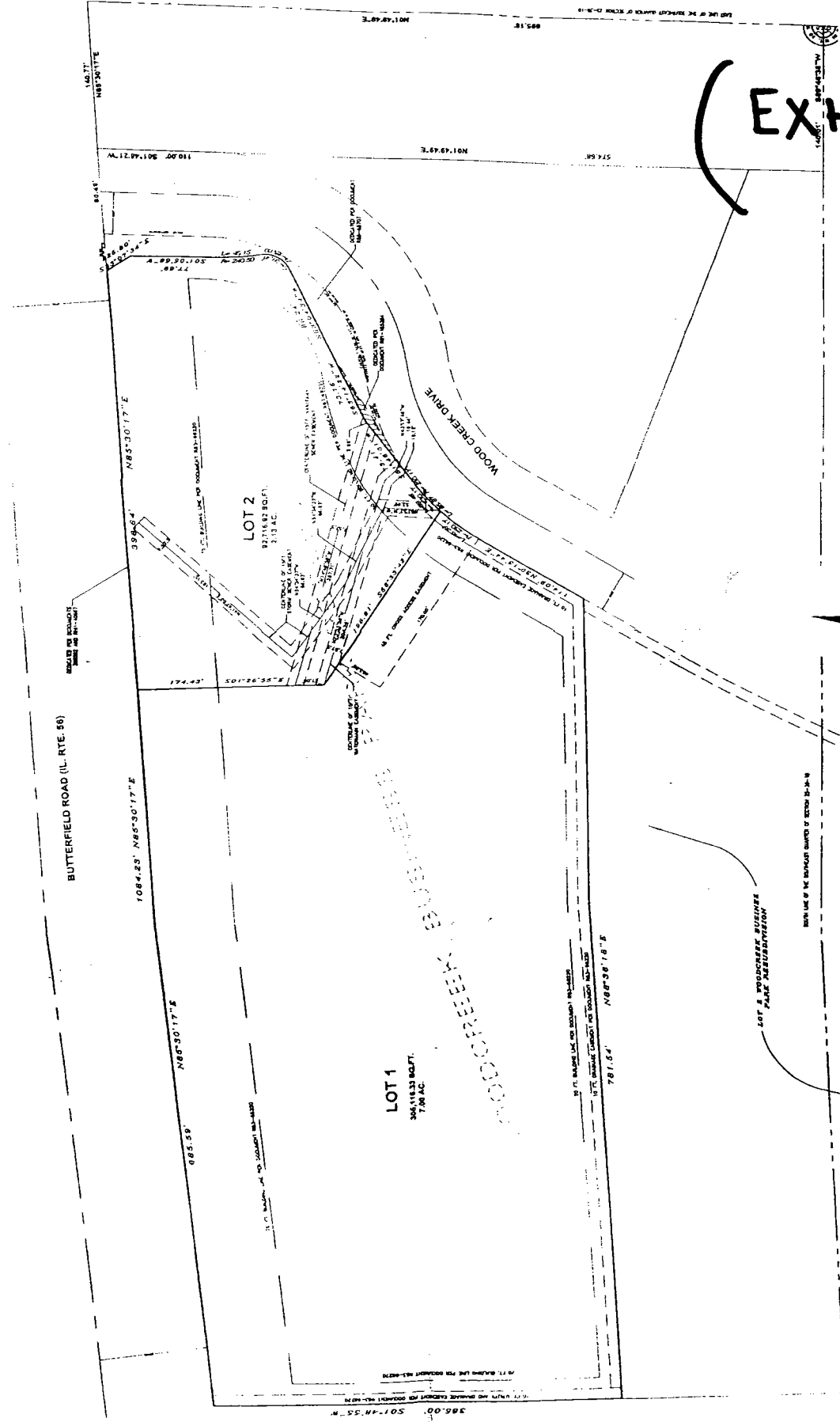
FILE  
1090

(EXHIBIT  
1)



# WOODCREEK BUSINESS PARK RESUBDIVISION NUMBER 2

LOT 1, EXCEPT THOSE PARTS TAKEN FOR RIGHT OF WAY PER DOCUMENT NOS. R88-68707 AND R91-165284, IN WOODCREEK BUSINESS PARK RESUBDIVISION, A RESUBDIVISION OF SECTIONS 25 AND 36, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.



<b>WOODCREEK RESUBDIVISION #2</b>			
BUTTERFIELD ROAD AND WOODCREEK DRIVE DOWNERS GROVE, ILLINOIS			
<b>FINAL PLAT OF SUBDIVISION</b>		DRAWN BY: MAL	CHECKED BY: RWS
		SCALE: 1"=50'	DATE: 8-20-02
		JOB NUMBER: 02-185	SHEET: 1 OF 2
		DATE: 12-28-02	DESCRIPTION: CORRECTION LOT 1
Consulting Civil Engineering Land Planning & Surveying 631 Rogers Street			



Village of  
DOWNERS GROVE  
ILLINOIS

**Civic Center**  
801 Burlington Avenue  
Downers Grove  
Illinois 60515-4776  
630.434.5500  
TDD 630.434.5511  
FAX 630.434.5577

**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**  
25 Burlington Avenue  
Downers Grove  
Illinois 60515-4783  
630.434.5600  
FAX 630.434.5690

**Public Works Department**  
101 Walnut Avenue  
Downers Grove  
Illinois 60515-4074  
630.434.5460  
FAX 630.434.5495

**Department of  
Social & Health Services**  
2 Curtiss Street  
Downers Grove  
Illinois 60515-4761  
630.434.5595  
FAX 630.434.5599

Village of  
Downers Grove Web site  
<http://www.vil.downers-grove.il.us>

**Info Line**  
630.434.6800

FILE  
1090

May 16, 2003

(Exhibit 2)

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

**FILE NO. 1090 FINAL PLAT APPROVAL – WOODCREEK  
BUSINESS PARK RESUBDIVISION NO. 2;** Property is located at the  
southwest corner of Butterfield Road and Woodcreek Drive, commonly  
known as 2211 Butterfield Road, Downers Grove, IL (PIN 05-25-414-  
010,-011); James F. Miller, JFM Enterprises, Inc., Owner/ Petitioner

Dear Mayor Krajewski & Village Council Members:

The following motion was adopted by the Plan Commission at their  
meeting on May 6, 2003:

**MOTION: WITH RESPECT TO FILE NO. 1090 – FINAL PLAT  
APPROVAL – WOODCREEK BUSINESS PARK  
RESUBDIVISION NO. 2, MR. GRIESBAUM MOVED  
THAT THE PLAN COMMISSION FORWARD A  
POSITIVE RECOMMENDATION TO THE  
VILLAGE COUNCIL THAT THE TWO LOT  
RESUBDIVISION BE APPROVED AS PROPOSED.  
THIS RECOMMENDATION IS BEING MADE AS  
THE RESULTING LOTS BOTH EXCEED THE  
MINIMUM LOT WIDTH AND LOT AREA  
REQUIREMENTS OF THE SUBDIVISION  
CONTROL ORDINANCE AND OF THE ZONING  
ORDINANCE RESPECTIVELY. FURTHER IT HAS  
BEEN DETERMINED BY THE VILLAGE’S  
STORMWATER ENGINEER THAT THE  
STORMWATER PLANS ARE IN ESSENTIAL  
COMPLIANCE WITH THE VILLAGE’S  
STORMWATER ORDINANCE. MR. KAHLKE  
SECONDED THE MOTION.**

**ROLL CALL:**

**AYE:** Mr. Griesbaum, Mr. Kahlke, Mr. Nicholaou, Mr. Stark,  
Mr. Waechtler, Chairman Pro Tem McCormick

**NAY:** None

**The motion passed unanimously.**

The Plan Commission has forwarded this unanimous recommendation as the Commission members have found that the petitioner's final plat of subdivision has been prepared in a manner consistent with the applicable Codes & Ordinances.

Sincerely,

VILLAGE OF DOWNERS GROVE



Daniel McCormick, Chairman Pro Tem  
Plan Commission

DM:amd

FILE NO. 1090

**FINAL PLAT APPROVAL – WOODCREEK BUSINESS PARK RESUBDIVISION NO. 2;** Property is located at the southwest corner of Butterfield Road and Woodcreek Drive, commonly known as 2211 Butterfield Road, Downers Grove, IL (PIN 05-25-414-010,-011); James F. Miller, JFM Enterprises, Inc., Owner/ Petitioner

Chairman Pro Tem McCormick asked if there was a representative of the petitioner present and if so, would he please come forward and give his full name and address before making his presentation..

Frank Silzer, JFM Enterprises, 1301 W. 22<sup>nd</sup> Street, Oak Brook, IL, stated he represents the owner of the property. Mr. Silzer explained that JFM Enterprises bought this property including the portion of the property that has a two story office building on it back in 1994. They built the office building and subsequently sold the business which occupied the building in 1998. Mr. Silzer noted JFM Enterprises still owns the building and the property. Their current intention is to subdivide the property and sell the eastern-most two acres to the petitioner in File No. 1091, American Charter Bank.

Mr. Silzer stated they will provide shared access to the two acre parcel of the property via the existing driveway off of Woodcreek Drive.

Chairman Pro Tem McCormick asked Staff for its presentation.

Mr. Rathje advised the petition is for a two lot subdivision. The subject property is located at the southwest corner of Woodcreek Drive and Butterfield Road. It has an overall area of approximately 9.133 acres. The site is currently improved with a 53,072 square foot office building along with parking, landscaping and other improvements all sited on the westerly portion of the property. The petitioners desire to sell off the easterly 400 feet or so of the property for development. The development of the easterly parcel is going to be the subject of the next petition on the agenda, File No. 1091.

Mr. Rathje explained the subject property has a total east to west dimension of 1,084.23 feet as measured along the south line of Butterfield Road right of way and has a width along the property's south line of 781.54 feet. It has a north to south depth as measured along the west property line of 385.00 feet and a total frontage along Woodcreek Drive, which is made up of ten line segments, of 613.42 feet.

Mr. Rathje stated the property carries a zoning of O-R-M and explained that under the provisions of the Subdivision Control Ordinance and the Zoning Ordinance, the minimum lot area for an O-R-M zoned lot is 20,000 square feet, and there must be a minimum lot width of 100 feet. There is no prescribed lot depth that applies to O-R-M zoned lots.

Mr. Rathje noted the petitioner is proposing to do a two lot subdivision. Mr. Rathje advised that Lot No. 1, the westerly lot, is proposed to have a total frontage on Butterfield

Road of 685.59 feet, a dimension along the south of 781.54 feet and a depth as measured along the west of 385.00 feet. The easterly frontage of the property, which will be on Woodcreek Drive consists of two line segments measuring 160.48 feet. This site will have an area of 305,116.33 square feet or 7.005 acres.

Proposed Lot No. 2, which will be the subject of File No. 1091, will have a frontage as measured along Butterfield Road of 389.64 feet and a depth as measured along the west of 174.43 feet. It has a southwesterly lot line of 198.81 feet and a frontage along Woodcreek Drive consisting of eight line segments measuring 452.94 feet with an acreage of 2.128 acres or an area of 92,716.92 square feet.

With respect to engineering, Mr. Rathje stated as the petitioners are proposing a subdivision they are subject to the current provisions of the Stormwater Control Ordinance. Even though this had been in a previous subdivision for which stormwater detention had been provided, because of changes to the Village's Stormwater Control Ordinance since the previous subdivision was approved, the re-subdivision of the property requires them to essentially make up the difference between the previous stormwater release rate and the current rate. Mr. Rathje explained when the original subdivision was created in about 1981 the stormwater release rate was 0.15 cubic feet per second per acre. In the early 1990's that was reduced to 0.10 which was a fairly significant modification. Mr. Rathje pointed out with the development of this property the developer will have to provide some incremental stormwater detention. Because of some of the business relationships between the buyer and the seller, Mr. Rathje advised that the seller undertook the preparation of the Plat of Subdivision; however, the buyer undertook the engineering. The memorandum regarding the stormwater engineering has actually been made a part of this file although the planned development petitioner undertook the engineering. Mr. Rathje stated the petitioner will be adding approximately 0.26 acre feet of storage capacity to the stormwater detention pond which is located on the third lot to the south on Woodcreek Drive. That stormwater detention pond is a subdivision-wide stormwater detention facility.

Mr. Rathje pointed out that there is a memorandum from Jon Hall dated April 30, 2003 indicating that the stormwater detention design was in substantial conformance. Because of some minor items that need to be resolved but certainly were not worthy of delaying this petition, the petitioner worked with the Village's engineers to resolve the details. There is a revised memorandum from the Engineering Department dated May 5, 2003 which had been passed out to the Plan Commission members this evening outlining the resolved items. Still unresolved at the writing of this report were some additional easements that need to be shown for existing utilities on Lot No 1. Mr. Rathje indicated he received the corrected Plat of Resubdivision this evening which now shows all of the easements.

With regard to school and park donations, Mr. Rathje explained as the proposed subdivision is a non-residential subdivision and there are no dwellings permitted by the underlying O-R-M zoning, the provisions of the Subdivision Control Ordinance found under Section 20-300 Park and School Donations do not apply.

In summation, Mr. Rathje stated it was the Planning Staff's recommendation that the Plan Commission forward a positive recommendation to the Village Council that the proposed two lot subdivision be approved as proposed subject only to the final payment of all necessary engineering fees and the final certification by the Village Engineer.

Chairman Pro Tem McCormick asked if there were any questions or comments from anyone in the audience. There was no response. Chairman Pro Tem McCormick closed the public participation portion of the meeting.

Chairman Pro Tem McCormick asked if there were any questions or comments from the Plan Commission members.

Mr. Griesbaum asked if the existing building is on Lot No. 1. Mr. Rathje confirmed that it was. Mr. Rathje further explained as part of its analysis, Staff took a look at whether or not the existing improvements would be conforming with the underlying O-R-M zoning district. The acreage, the dimensions, the setback lines and the greenspace elements are all acceptable. All the parking is on that property. The only item that could be modified or remedied would be the issues concerning stormwater engineering which will be part of the site development process. The planned development aspects of the existing building are all sound, and there is no requirement for any portion of proposed Lot No. 2 to satisfy any of the improvements on Lot No. 1.

Mr. Griesbaum asked for confirmation that there are no contingencies with regard to Lot No. 2 as of the most recent information received. Mr. Rathje concurred and pointed out that the Engineering/Stormwater memorandum issued last week listed some minor issues. The memo received May 5, 2003 states the plat deficiencies must be resolved before a certificate of occupancy can be issued. Mr. Rathje referenced the updated Plat of Resubdivision which he earlier showed to the Plan Commission. The missing easements are now shown on the Plat of Resubdivision. Mr. Rathje commented these changes were not required under the stormwater regulations in existence when the original plat of subdivision was done.

Mr. Waechtler asked Mr. Rathje to show the Commissioners where the added easements were drawn on the latest Plat of Resubdivision, which he did.

As there were no further questions or comments from the Plan Commission members, Chairman Pro Tem McCormick called for a motion.

**MOTION: WITH RESPECT TO FILE NO. 1090 – FINAL PLAT APPROVAL – WOODCREEK BUSINESS PARK RESUBDIVISION NO. 2, MR. GRIESBAUM MOVED THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL THAT THE TWO LOT RESUBDIVISION BE APPROVED AS PROPOSED. THIS RECOMMENDATION IS BEING MADE AS THE RESULTING LOTS BOTH EXCEED THE MINIMUM LOT WIDTH AND LOT AREA REQUIREMENTS OF**

**THE SUBDIVISION CONTROL ORDINANCE AND OF THE ZONING ORDINANCE RESPECTIVELY. FURTHER IT HAS BEEN DETERMINED BY THE VILLAGE'S STORMWATER ENGINEER THAT THE STORMWATER PLANS ARE IN SUBSTANTIAL COMPLIANCE WITH THE VILLAGE'S STORMWATER ORDINANCE. MR. KAHLKE SECONDED THE MOTION.**

Chairman ProTem McCormick asked if there were any questions, additions or comments with regard to the motion. There was none.

**ROLL CALL:**

**AYE:** Mr. Griesbaum, Mr. Kahlke, Mr. Nicholaou, Mr. Stark, Mr. Waechtler, Chairman ProTem McCormick

**NAY:** None

**The motion passed unanimously.**

**FILE NO. 1091 PUBLIC HEARING: P.D. #20 WOODCREEK** – Request for approval of an amended final planned development site plan for that portion of Planned Development #20 located at the southwest corner of Butterfield Road and Woodcreek Drive, commonly known as 2211 Butterfield Road, Downers Grove, Illinois (PIN 05-25-414-010 & -011). The petitioner is proposing to construct a bank with a drive-through banking facility on the eastern portion of the subject property. Approval of the drive-through banking facility is being sought as an exceptional permitted use under a planned development; American Charter Bank as contract purchaser, James F. Miller, JFM Enterprises, Inc., Owner; Mark E. Brabec, Attorney/Petitioner

Chairman ProTem McCormick asked if there was a representative of the petitioner present and if so, would he please come forward and give his full name and address before making his presentation.

Dave Shindoll, civil engineer with Mackie Consultants, 9575 W. Higgins Road, Suite 500, Rosemont, Il explained he is representing the design team this evening. He noted the bank's attorney, Mark Brabec, is present this evening as well as Chris Presteggard, current branch manager of American Charter Bank's Warrenville facility. Mr. Shindoll advised that the architectural team as well as the traffic consultant are also here if there are questions for them.

Mr. Shindoll explained this project is being developed from Lot No. 2 of the re-subdivision of the existing Lot No. 1 in the Woodcreek Business Park. The resulting re-

**FILE NO. 1090**      **FINAL PLAT APPROVAL – WOODCREEK BUSINESS PARK RESUBDIVISION NO. 2;** Property is located at the southwest corner of Butterfield Road and Woodcreek Drive, commonly known as 2211 Butterfield Road, Downers Grove, IL (PIN 05-25-414-010,-011); James F. Miller, JFM Enterprises, Inc., Owner/ Petitioner

**FINDINGS:**

1. The owners of the subject property were last before the Village under Plan Commission File No. 958 in September of 1995 with a petition seeking final planned development approval for a two story office building on Lot No.1 of the Woodcreek Business Park. This property is more specifically located at the southwest corner of Butterfield Road and Woodcreek Drive. The Plan Commission and Village Council approved the previous petition which permitted the construction of the 53,072 square foot office building along with parking, landscaping and other site improvements which were subsequently constructed and completed.

The owners of this property are now requesting approval of a two lot re-subdivision as they desire to sell the easterly approximately 400 feet of the subject property. This petition is being pursued as a companion petition to the planned development petition proposed under Plan Commission File No. 1091. File No. 1091 has been filed by the contract purchaser of proposed lot No. 2, as the contract purchaser is simultaneously seeking approval of a final planned development petition to permit the construction of a bank with a drive-through facility.

2. The subject property currently has an east to west width of 1,084.23 feet as measured along the south line of the Butterfield Road right of way and 781.54 feet as measured along its south property line, a north to south depth as measured along the west property line of 385.00 feet and a total frontage along Woodcreek Drive, which is made up of ten line segments, of 613.42 feet. The overall area of the subject property is 397,833.25 square feet or 9.133 acres.

3. The subject property is located within the O-R-M zoning district. According to the provisions of Section 28-1103 (l) of the Zoning Ordinance, this zoning district has a minimum lot area requirement of 20,000 square feet and Section 20-301 (g) of the Subdivision Control Ordinance requires a minimum lot width requirement of 100 feet.

4. As stated, petitioner desires to divide the subject property into two lots. Proposed lot No. 1, the westerly of the two lots, which is the developed portion of the property, is proposed to have a width as measured along the north of 685.59 feet, a width as measured along the south of 781.54 feet and a depth as measured along the west of 385.00 feet. The easterly frontage of proposed lot No. 1, which fronts

on Woodcreek Drive, will have a total dimension of 160.48 feet which consists of two line segments. Proposed lot No. 1 is to have an area of 305,116.33 square feet or 7.005 acres.

Lot No. 2, the easterly of the two proposed lots, which is the current undeveloped portion of the subject property, is proposed to have a width as measured along the north of 389.64 feet, a depth as measured on the west line of 174.43 feet, a southwesterly lot line of 198.81 feet and a frontage on Woodcreek Drive along its easterly and southeasterly sides, which is made up of eight line segments that have a total dimension of 452.94 feet. This parcel is to have an area of 92,716.92 square feet or 2.128 acres.

5. As previously noted, this petition is being sought as a companion petition to File No. 1091 which is seeking planned development site plan approval for the development of proposed lot No. 2. Based upon the purchase arrangement between the owners of the land who are petitioning for the subdivision and the contract purchasers who are the petitioners for the planned development related matters, this project is being pursued on the basis of shared responsibilities.

With respect to stormwater and site engineering, the contract buyers have taken on this responsibility. As there are signature blocks on the Plat of Subdivision which must be executed by the engineer of record for the proposed development, the owner and the purchaser are going to have to come to an agreement regarding having the appropriate engineer execute the engineering signature blocks.

With respect to the actual issue of stormwater management, the contract purchaser's engineer has prepared a stormwater management plan and has submitted plans and calculations which have been reviewed by the Village's Stormwater Engineering Division. The Stormwater Engineering Division has reviewed the petitioner's engineering plans and calculations and has concluded that the plan is acceptable, and a stormwater permit will be issued subject to the payment of fees and security.

The memo from the Engineering Department further indicates that there are several engineering details which must be revised on the petitioner's plans. The memo from Mr. Millette concludes that approval of the plans conditioned upon the corrections to the plans being made is acceptable to the Engineering Staff.

6. As the proposed subdivision is a non-residential subdivision and there are no dwellings permitted by the underlying zoning, the provisions of the Subdivision Control Ordinance found under Section 20-300 Park and School Donations, do not apply.

**RECOMMENDATION:**

The Planning Staff would recommend that the Plan Commission forward a positive recommendation to the Village Council that the proposed two lot subdivision be approved as proposed subject to the completion/correction of the engineering-related issues enumerated in the Engineering Department's April 30, 2003 memorandum. This recommendation is being made as the resulting lots both exceed the minimum lot width and lot area requirements of the Subdivision Control Ordinance and of the Zoning Ordinance respectively. Further, it has been determined by the Village's Stormwater Engineer that stormwater plans are in substantial compliance with the Village's Stormwater Ordinance.

KJR:amd  
Attachments  
05/01/03