

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
MAY 1, 2007 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Abrogation Plats for Utility Easements	<ul style="list-style-type: none"> ✓ Resolutions Ordinance Motion Discussion Only 	Don Scheidler Interim Community Development Director

SYNOPSIS

Resolutions for the Abrogation of Utility Easements have been prepared to abrogate existing water and storm water easements.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the April 23, 2007 Village Council Workshop. Council inquired about the status of the neighborhood meeting and Parking & Traffic Commission review of the existing on-street parking issue. The neighborhood meeting was held on March 27, 2007. The residents requested a parking restriction on 68th Street. This request will be considered at the May 9, 2007 Parking & Traffic Commission meeting. The Village Manager is currently considering enacting a temporary no parking restriction.

Approval is recommended on the May 1, 2007 Active Agenda.

BACKGROUND

The existing Greenbriar Planned Development at the Northwest corner of Main Street and 68th Street consists of two parcels with a three-story medical facility located on the north parcel, Parcel 1. Three previous medical office buildings were approved for the vacant Parcel 2, but for various reasons none were constructed.

The petitioner is proposing to construct a two-story Advocate Good Samaritan outpatient medical building on Parcel 2. The new 36,711 square foot building will be located immediately south of the existing three-story medical building. Advocate Good Samaritan is proposing to create an outpatient care clinic and diagnostic imaging center on the first floor and lease the second floor to a maximum of eight medical professionals. The development meets bulk zoning requirements including but not limited to open space, floor area ratio, parking requirements, and setbacks. The development is summarized below:

	Required/Maximum	Proposed
Parcel Size	N/A	2.15 acres
Building Size (proposed)	N/A	36,711 sq. ft.
Height	35 ft.	34 ft.
Open Space	15% (14,048 sq. ft.)	31.4% (29,434 sq. ft.)
Floor Area Ratio	0.4 (37,495 sq. ft.)	0.39 (36,711 sq. ft.)

Front Setback (Main St)	37 ft. (building) 30 ft. (parking)	124 ft. (building) 30 ft. (parking)
Front Setback (68th St)	37 ft. (building) 30 ft. (parking)	70 ft. (building) 30 ft. (parking)
Parking	275 spaces	297 spaces

The proposed building will sit perpendicular to Main Street and the north wall of the new building will connect to the existing building but no interior cross-access is planned at this time. If at any time the two buildings are connected internally, the existing building on Parcel 1 will have to be upgraded to include an automatic and manual fire detection and sprinkler system. The new building will be clad with brick and metal panels. Windows and doors will be pre-finished aluminum storefront systems. An entrance canopy will cantilever over the vehicle drop-off area.

The proposed development will utilize existing curb cuts onto Main Street and 68th Street. Existing sidewalks on each street will remain. Existing and new drive aisles will be connected to provide a loop around the entire development. The entire development provides 297 parking spaces, which exceeds the Village's requirement of 275 for the entire medical complex. Landscaping will be installed along Main Street and 68th Street to screen the parking areas.

Significant engineering improvements will be undertaken as part of this new development. An underground stormwater detention chamber and three bioswales will be installed to meet stormwater requirements. The existing water, sanitary sewer, and stormwater utilities require relocation due to the layout of the proposed building. Existing easements for water, sanitary sewer, and stormwater will be abrogated with new easements provided by the petitioner. Resolutions have been prepared to abrogate the existing water and stormwater easement. A Plat of Subdivision has been prepared to modify the existing parcel lines so that the proposed building can be located as proposed. New water, sanitary sewer and stormwater easements have been granted on the Plat of Subdivision.

The petitioner held a neighborhood meeting in February 2007 where many neighbors expressed concerns about the petition's impact on traffic along 68th Street, the existing on-street parking on 68th Street, the increased traffic exiting and entering the site, and the possibility of prohibiting construction traffic along 68th Street. These concerns were also expressed at the March 12, 2007 Plan Commission meeting.

A traffic study prepared by the petitioner and approved by Village staff showed that delays entering and exiting the site would increase but not to an unacceptable level of service. The traffic report also indicated increased traffic along 68th Street but not to an unacceptable level of service. The proposal provides more than the required on-site parking and staff does not believe parking on 68th Street will be increased as a result of this proposal. Staff is recommending that all construction traffic access the site from Main Street only. Due to these concerns, the Plan Commission made a separate motion requesting the Village's Parking and Traffic Commission work with the concerned neighbors to address their concerns.

The Village held a neighborhood meeting to address the existing parking and traffic issues on 68th Street on March 27th. At the neighborhood meeting, the chief concern was the on-street parking that takes place along 68th Street immediately West of Main Street. It is in this area where vehicles park on both sides of the street making it difficult to navigate through them. Through discussions, it was determined the majority of the 68th Street parking issues are a result of the building at 6900 Main Street. An acceptable solution to both the neighbors and Village would be to prohibit parking on the North side of 68th Street along the business zoned parcels and allow parking only on the South side of 68th Street. The proposed solution is scheduled to go before the Parking and Traffic Commission on May 9th. The current congestion is not a result of the

existing development at 6800 Main Street. The proposed project meets the Village's parking and circulation standards.

The Plan Commission considered the proposed project at their March 12, 2007 meeting and recommended unanimous approval of the Greenbriar Planned Development Amendment and Plat of Subdivision with the conditions as noted in the staff report. Staff concurs with the Plan Commission recommendation.

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Legal Department **DATE:** May 1, 2007
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** PC-10-07
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "A RESOLUTION ABROGATING A CERTAIN PORTION OF A PUBLIC UTILITY EASEMENT IN THE VILLAGE OF DOWNERS GROVE", as presented.

SUMMARY OF ITEM:

Adoption of the attached resolution shall authorize the abrogation of a portion of a public utility (watermain) easement located at on the northwest corner of Main & 68th Streets (Greenbriar Subdivision).

RECORD OF ACTION TAKEN:

RESOLUTION NO. _____

**A RESOLUTION ABROGATING A CERTAIN
PORTION OF A PUBLIC UTILITY EASEMENT IN
THE VILLAGE OF DOWNERS GROVE**

WHEREAS, it has been determined by the Council of the Village of Downers Grove in DuPage County, Illinois, that it is in the public interest to abrogate a certain portion of a public utility (watermain) easement in said Village hereinafter more particularly described; and

WHEREAS, the Village Council, after due investigation and consideration, has determined that there is no evidence of significant Village use of this portion of the public utility (watermain) easement;

WHEREAS, the Village Council, after due investigation and consideration, has determined that the nature and extent of the public use and the public interest to be served is such as to warrant the abrogation of said public utility (watermain) easement,

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

SECTION 1. That portion of the public utility (watermain) easement on Lot 1 of the Greenbriar Subdivision described as follows:

THE WATERMAIN EASEMENT 10.0 FEET IN WIDTH ACROSS THAT PART OF LOT 1, IN GREENBRIAR, A SUBDIVISION SITUATED IN PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT RECORDED AS DOCUMENT NO. R71-42517 IN DUPAGE COUNTY, ILLINOIS: THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 284.9 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE SOUTHERLY LINE OF LOT 1 BEING A CURVE TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDED AND HAVING A RADIUS OF 115.0 FEET, A DISTANCE OF 128.24 FEET TO THE POINT OF TANGENCY; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY LINE A DISTANCE OF 71.29 FEET, TO A POINT OF CURVATURE FOR A PLACE OF BEGINNING; THENCE NORTHWESTERLY 90 DEGREES 00 MINUTES TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDED, A DISTANCE OF 118.0 FEET; THENCE NORTHERLY 63 DEGREES 54 MINUTES TO THE LEFT OF THE LAST DESCRIBED COURSE EXTENDED A DISTANCE OF 192 FEET TO A POINT 85.0 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1; THENCE EASTERLY 90 DEGREES 00 MINUTES TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDED, ALONG A LINE PARALLEL WITH SAID NORTH LOT LINE, A DISTANCE OF 148.0 FEET; THENCE SOUTHERLY 90 DEGREES 00 MINUTES TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDED A

DISTANCE OF 64.0 FEET; THENCE EASTERLY ALONG A LINE PARALLEL WITH SAID NORTH LOT LINE, A DISTANCE OF 165.0 FEET TO A POINT ON THE EAST LOT LINE, AND 149.0 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 1 WHERE SAID DESCRIBED CENTERLINE TERMINATES.

(hereinafter referred to as the "Abrogated Watermain Easement"), is hereby abrogated and closed, and that it is hereby declared that the same is no longer required for public use and that the public interest will be served by such abrogation.

SECTION 2. That the Mayor and Clerk of the Village of Downers Grove are hereby authorized to sign the plat of abrogation of the abrogated public utility (watermain) easement described herein.

SECTION 3. That a certified copy of this resolution and an accurate map of the abrogated public utility (watermain) easement shall be filed for record by the Clerk of the Village of Downers Grove in the Office of the Recorder of Deeds, DuPage County, Illinois.

SECTION 4. That all resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

SECTION 5. That this resolution shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

Mayor

Passed:

Published:

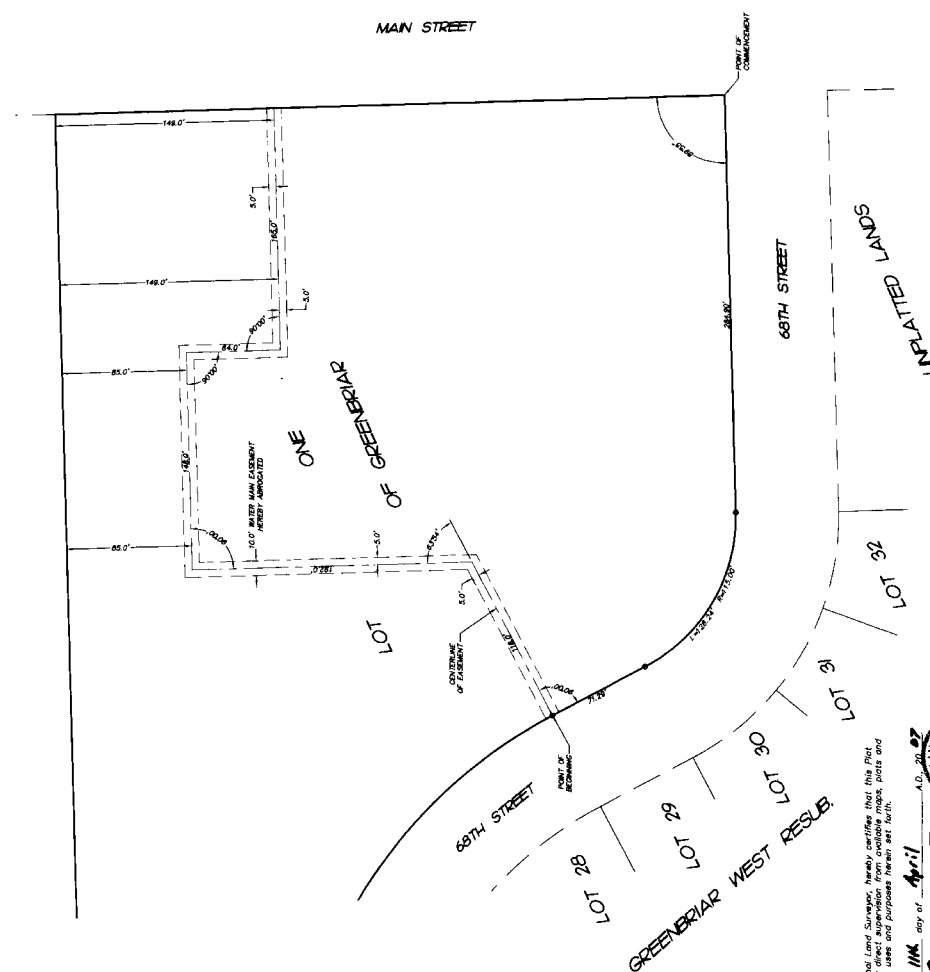
Attest: _____

Village Clerk

PLAT OF ABROGATION FOR PUBLIC UTILITY (WATER MAIN EASEMENT)

LEGAL DESCRIPTION OF WATER MAIN EASEMENT HEREBY ABROGATED:

AN EASEMENT 10.0 FEET IN WIDTH ACROSS THAT PART OF LOT 1 IN GREENBRIAR, A SUBDIVISION SITUATED IN PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 38 NORTH AND RANGE 38 WEST, COUNTY OF DU PAGE, ILLINOIS, WHICH IS DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1, THENCE NORTHWESTERLY ALONG THE SOUTHERLY LINE OF LOT 1 BEING A CURVE TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDED AND TO A POINT OF CURVATURE A TRVERSE NORTHWESTERLY 80 DEGREES 00 MINUTES TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDED A DISTANCE OF 148.0 FEET; THENCE NORTHWESTERLY 80 DEGREES 00 MINUTES TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDED A DISTANCE OF 148.0 FEET TO A POINT 85.0 FEET NORTH OF THE SOUTHERLY LINE OF SAID LOT 1; THENCE SOUTHERLY 90 DEGREES 00 MINUTES TO THE RIGHT OF THE LAST DESCRIBED COURSE EXTENDED A DISTANCE OF 148.0 FEET TO A POINT ON THE EAST LOT LINE AND 148.0 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT 1; WHERE SAID DESCRIBED CENTERLINE TERMINATES.



VILLAGE COUNCIL CERTIFICATE
 STATE OF ILLINOIS }
 COUNTY OF DU PAGE }
 APPROVED THIS _____ DAY OF _____, 2007
 BY: _____ MAYOR
 _____ BY: _____ VILLAGE CLERK

DU PAGE COUNTY RECORDER'S CERTIFICATE
 STATE OF ILLINOIS }
 COUNTY OF DU PAGE }
 This Instrument No. _____ was filed for record in the
 Recorder's Office of Du Page County, Illinois, on the _____ day of
 _____, 2007, at _____ o'clock _____ M. and recorded in
 Book _____ of Page _____
 _____ Du Page County Recorder

_____ - WATER MAIN EASEMENT PER
 DOC. NO. R73-389 HEREBY ABROGATED

SURVEYOR'S CERTIFICATE
 STATE OF ILLINOIS }
 COUNTY OF KENDAL }
 I, Craig L. Day, an Illinois Professional Land Surveyor, hereby certify that this Plat
 of Location was prepared under my direct supervision from available maps, posts and
 other instruments of record for the uses and purposes herein set forth.
 Given under my hand and seal this 11th day of April, A.D. 2007

 PROFESSIONAL LAND SURVEYOR
 License No. 3109
 License Expires: 11/30/2008

**PLAT OF ABROGATION
 FOR PUBLIC UTILITY
 (WATER MAIN EASEMENT)**
 PART OF LOT 1 IN GREENBRIAR, A SUBDIVISION IN
 SECTION 20, TOWNSHIP 38 NORTH, RANGE 38 WEST,
 DU PAGE COUNTY, ILLINOIS.

REVISED	DATE	PROJECT NO.
1	7/26/07	060728-05-4
2	4/2/07	
3	4/2/07	
4	4/2/07	

DATE	BY	SCALE	SHEET NO.
7/26/07	MTD	AS SHOWN	1 of 1
4/2/07	DMB	AS SHOWN	
4/2/07	DMB	AS SHOWN	
4/2/07	DMB	AS SHOWN	

NOTES:
 • Measurements that may override the facts herein describe are NOT
 to be used for any other purpose.
 • This map was created for use as a plat of location. This map is not to
 be used for any other purpose without written consent from a
 proper client of Smith Engineering Consultants, Inc.
 • No underground improvements have been located unless shown and noted.
 • This map is void without original embossed or red colored seal and
 signature affixed.