

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JUNE 5, 2007 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Final Planned Development – Main & Maple Redevelopment	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A Planned Development ordinance has been prepared for a three-story residential and retail mixed use development at the northeast corner of Main Street and Maple Avenue.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2006-2011 identified *Vibrant Major Commercial Corridors*. Supporting these goals are the objectives *More Attractive Commercial Development* and *More Contribution to Local Economy*.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

The Village Council discussed this item at the May 22, 2007 Workshop. The Council did not request any changes to the ordinance. Staff recommends approval on the June 5, 2007 active agenda.

BACKGROUND

The petitioner is proposing to construct a three-story mixed-use building at the northeast corner of Main Street and Maple Avenue where a parking lot currently exists. The building is approximately 18,600 square feet of which approximately 5,300 square feet will be dedicated to four retail spaces on the first floor. Five two-story condominiums are located on the 2nd and 3rd floors. The residential units have kitchen and living spaces on the 2nd floor with bedrooms on the 3rd floor.

The proposed building is located immediately adjacent to both Main Street and Maple Avenue. A feature stair and landscaped courtyard will be located at the southwest corner of the site, creating an architectural feature at the intersection of Main Street and Maple Avenue. The feature stair provides access to the residential units along Main Street. The residential units are also accessible through private garages and stairways within the eastern half of the first floor.

The private garages and a 10 car parking lot will be accessed through an improved Maple Avenue curb cut. The existing curb cut onto Main Street will be removed. Landscaping will be provided along the eastern property line and street trees will be installed along Maple Avenue. The development meets bulk zoning requirements including but not limited to lot area, parking requirements, and setbacks.

Zoning Requirements	Required	Proposed
Lot Area	800 sf / dwelling unit	2,800 sf / dwelling unit
Front Setback	N/A	1'
Side Setback	N/A	45'
Rear Setback	N/A	1'
Maximum Height	70'	53' (approx)

Zoning Requirements	Required	Proposed
Minimum SF per Dwelling Unit	620 sf / 2 bedroom 750 sf / 3 bedroom	1,750 sf +
Green Space	N/A	500 sf (approx)
Parking	7	19

A new storm sewer will be installed underneath the proposed parking lot and will connect to an existing storm sewer along Main Street. In order to connect the development to the existing storm sewer, the petitioner is proposing a three foot (3') easement along the North property line. The easement will encroach approximately two feet (2') into the adjacent property. The petitioner is working with the adjacent property owner prior to obtain the easement. If the easement cannot be provided as noted on the plans, the petitioner has proposed to eliminate one to two feet (1'-2') of length from the proposed building to provide a utility easement entirely within the subject property. The petitioner has provided a written plan regarding this modification and has indicated it would not impact the design of the proposed building. If the change is required, revised plans will be required to be submitted prior to the issuance of a building permit.

Additional site improvements include the potential relocation of the existing traffic signal and post due to the placement of the feature stair and pedestrian access to Maple Avenue. Any relocation of these items will require coordination with the Village.

The Plan Commission considered the proposed project at their April 23, 2007 meeting and recommended approval of the Special Use and Planned Development with the conditions as noted in the staff report. Staff concurs with the Plan Commission recommendation.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING
ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS
TO DESIGNATE THE NORTHEAST CORNER OF MAIN & MAPLE
FINAL PLANNED DEVELOPMENT #47**

WHEREAS, the Contract Purchaser of the property at the northeast corner of Main Street and Maple Avenue, Downers Grove, IL (PINs 09-08-306-017,-018,-019,-020, 09-08-306-027); (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 Main and Maple Planned Development # 47 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 Contract Purchaser has also filed a written petition with the Village conforming to the requirements of the Comprehensive Zoning Ordinance and requesting approval of Main and Maple Planned Development site plan for construction of a residential/retail building as provided under the Comprehensive Zoning Ordinance; and,

WHEREAS, the Property is zoned DB, Downtown Business District under the Downers Grove Zoning Ordinance; and,

WHEREAS, the Plan Commission of the Village of Downers Grove has given the required public notice and has conducted a public hearing respecting a final plan for the Main and Maple Planned Development #47 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 Main and Maple planned development plans as the documents submitted are consistent with the requirements of the Comprehensive Zoning Ordinance and the character of the planned development; and

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

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

SECTION 2. The following documents are attached hereto and incorporated herein by reference as a part of this ordinance as Group Exhibit A, and are hereafter collectively referred to as the "Main and Maple Final Development Plans", all of which are incorporated by reference:

1. The proposed building and site improvements shall substantially conform to the staff report dated April 23, 2007; architectural plans prepared by Bloodgood Sharp Buster Architects and Planners Inc., dated March 12, 2007, the engineering improvement plans prepared by GC Engineering Inc.,

dated March 14, 2007; landscape plans prepared by BSB Design, except as such plans may be modified to conform to Village Codes and Ordinances.

2. The proposed plan shall provide one accessible parking space per Illinois law.
3. To ensure adequate space within the trash enclosure, documentation shall be provided identifying if both residential and retail tenants are to use the trash enclosure.
4. The proposed canopies along the South and West facades encroach into the Village's right-of-way. A license agreement for the canopies will have to be executed with the Village.
5. The landscape feature at the Southwest corner of the site encroaches into the public right-of-way. A license agreement for the feature will have to be executed with the Village with maintenance for the feature being the responsibility of the building owner.
6. If the existing traffic signal equipment requires relocation, the petitioner shall work with the Village to ensure the relocation meets Village standards.
7. The new building shall have an automatic sprinkler system installed throughout. All areas of the new building shall be protected. Provide working drawings and cut sheets during permit review.
8. The new building shall have a manual and automatic detection system installed throughout. All areas of the new building shall be protected. Provide working drawings and cut sheets during permit review.
9. Prior to the issuance of any construction permits (site development, building, etc), the petitioner shall make donations to the School and Park Districts in the following amounts: \$2,954.90 to District 58; \$1,224.01 to District 99 and \$8,966.12 to the Downers Grove Park District (grand total of \$13,145.03) subject to verification by the Department of Community Development.

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

(1) That Planned Development #47 meets the requirements of the Comprehensive Zoning Ordinance as follows:

- a. That the planned development at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
- b. That the planned development will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.
- c. That the planned development is specifically listed as a special use in the district in which it is to be located.
- d. That the location and size of the planned development, the nature and intensity of the operation involved in or conducted in connection with said planned development, the size of the subject property in relation to the intensity of uses proposed, and the location of the site with respect to streets giving access to it, shall be such that it will be in harmony with the

appropriate, orderly development of the district in which it is located.

- e. That the planned development will not be injurious to the use and enjoyment of other property in the immediate vicinity of the subject property for the purposes already permitted in such zoning district, nor substantially diminish and impair other property valuations within the neighborhood.
- f. That the nature, location, and size of the structures involved with the establishment of the planned development will not impede, substantially hinder, or discourage the development and use of adjacent land and structures in accord with the zoning district in which it is located.
- g. That adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided for the planned development.
- h. That parking areas shall be of adequate size for that particular planned development, which areas shall be properly located and suitably screened from adjoining residential uses.
- i. That the planned development shall in all other respects conform to the applicable regulations of the zoning district in which it is located.

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

SECTION 4. The Zoning Ordinance is hereby amended by adding to the Zoning Map the boundaries of the following described real estate and by designating said real estate as a Planned Development under the title and style "Main and Maple Planned Development #47" to be stated on the face of said map within the boundaries of the real estate hereinafter described, to wit:

That part of Lot 1 in Curtiss'' Addition to Downers Grove as recorded as Document Number 7317 lying South of Lot 22 in Assessors Subdivision of Section 8, Township 38 North, Range 11, East of the Third Principal Meridian and lying West of Lot 18 in said Assessors Subdivision; also Lots 20, 21, and 22 in said Assessors Subdivision; also that part of Lot 18 in said Assessors Subdivision described by beginning on the North line of Maple Avenue at the Southwest corner of said Lot 18; thence 1 ½½ degrees West along the West line of said Lot 18 a distance of 118.9 feet; thence North 77 degrees East a distance of 44.2 feet; thence South 4 ¾¾ degrees East a distance of 107.4 feet to the North line of said Maple Avenue; thence South 65 ½½ degrees West along said North line a distance of 54.2 feet to the place of beginning, all in DuPage County, Illinois

Commonly known as a vacant lot. (PIN Nos. 09-08-306-017,-018,-019,-020, 09-08-306-027)

SECTION 5. The Main and Maple Final Planned Development Plans be and are hereby approved to permit a Planned 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 Main and Maple Final Planned Development Plans; the Redevelopment Agreement between the Village of Downers Grove and Intercapital Main and Maple, LLC dated October 3, 2006; as well as such covenants, conditions and restrictions as may be

approved by the Village Council.

- b. The Village shall have the right to review and approve the bylaws, and any changes thereto, to ensure compliance with this Ordinance and applicable laws.
- c. Except as provided herein, the Main and Maple Final Planned Development # 47 shall be in conformance with all applicable laws of the Village.

SECTION 6. The Main and Maple Development Plans as well as all covenants, conditions and restrictions heretofore or hereafter filed in connection with the Main and Maple Planned Development #47 shall be deemed to be contractual undertakings by and shall be binding upon the applicants therefore, the contract purchaser of the land covered by the Main and Maple Planned Development #47, and their successors and assigns, and shall limit and control the construction, location, use and operation of all land in the Main and Maple Planned Development #47, 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 7. That all ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance be and are hereby repealed.

SECTION 8. 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