

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JANUARY 15, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Annexation with Rezoning of 4412 Cross Street	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

An annexation ordinance and an ordinance to rezone the property located at 4412 Cross Street from R-1 Single Family Residence District (unincorporated DuPage County) to B-3 General Services and Highway Business have been prepared.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2007-2012 identified *Vibrant Major Commercial Corridors*. Supporting this goal are the objectives *More Attractive Commercial Developments* and *More Contribution to Local Economy*.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the January 8, 2008 Workshop. Staff recommends approval on the January 15, 2008 active agenda.

BACKGROUND

The vacant property is located in unincorporated DuPage County and is classified as R-1 Single Family Residence District by the County’s Zoning Ordinance. A single family house previously located on the lot was demolished in 2005, and the lot has been vacant since. The petitioner is proposing to annex to the Village of Downers Grove and rezone the property to B-3 General Services and Highway Business District.

The subject property is contiguous to the Village and within the Village’s ultimate boundary. The properties west, north and east of the site are currently zoned B-3 General Services and Highway Business and are occupied by commercial uses. The properties directly to the south and one property located east of the subject site are zoned for Single Family Residential uses (unincorporated DuPage County). The Future Land Use Plan classifies all adjacent properties and the subject site for commercial use. Staff believes the proposed B-3 General Service and Highway Business district is appropriate for this property and is consistent with the zoning designation of the area and the goals of Future Land Use Plan.

The Ogden Avenue Master Plan contemplates increasing the depth of commercial properties along the corridor. The additional depth will enable the commercial properties to provide additional setback from the residential properties, green space and parking. The proposed rezoning of the subject property to B-3

General Services and Highway Business is consistent with this goal as it will provide an opportunity for larger properties along Ogden Avenue.

The zoning and land use classifications of surrounding properties are outlined in the table below:

Address	Location	Zoning Classification	Future Land Use	Current Use
2539 Ogden Avenue	Northwest & West of subject lot	B-3 General Services and Highway Business	Commercial	Commercial (Insurance and Landscape company)
2535 Ogden Avenue	North of subject lot	B-3 General Services and Highway Business	Commercial	Vacant (Single Family Residential)
2525 Ogden Avenue	North of subject lot	B-1 Local Business District (DuPage Co.)	Commercial	Commercial (Construction Company)
2501 Ogden Avenue	Northeast & East of subject lot	B-3 General Services and Highway Business	Commercial	Commercial (Used Car Dealership)
4409 Cross Street	East of subject lot	R-4 Single Family Residence (DuPage Co.)	Commercial	Residential (Single Family Residential)
4416 Cross Street	South of subject lot	R-4 Single Family Residence (DuPage Co.)	Commercial	Residential (Single Family Residential)

The petitioner is not proposing any development on the site at this time. Prior to commencement of any site development on this property, the petitioner will be required to obtain all required permits from the appropriate permitting authority and fully comply with all Village Codes and Ordinances.

The Plan Commission considered the petition at its December 3, 2007 meeting. Several residents spoke at the meeting in opposition to the rezoning of the property for a commercial use. The residents were concerned a permitted use similar to the landscape business located at 2539 Ogden Avenue could open on the subject site. They were also opposed to traffic increases and changes to existing drainage patterns resulting from any new commercial development on the site. The Plan Commission recommended approval of the Annexation and Rezoning to B-3 General Services and Highway Business. Staff concurs with the Plan Commission recommendation.

Subject to the Council’s approval of the annexation, the property at 2525 Ogden Avenue will become a “doughnut hole” or, in other words, a single, unincorporated parcel. For provision of efficient public safety services, the Village should proceed with annexation of this parcel, either voluntary or involuntary.

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: _____ Petitioner _____ **DATE:** _____ January 15, 2008 _____
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** _____
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE ANNEXING 4412 CROSS STREET TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS", as presented.

SUMMARY OF ITEM:

Approval of the attached ordinance will authorize the annexation of the property located at 4412 Cross Street.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

**AN ORDINANCE ANNEXING 4412 CROSS STREET TO THE
VILLAGE OF DOWNERS GROVE, ILLINOIS**

WHEREAS, there has been filed with the Clerk of the Village of Downers Grove, in DuPage County, Illinois, a verified petition requesting annexation to said Village of a parcel of land located on the West side of Cross Street, approximately 169 feet south of Ogden Avenue (4412 Cross Street), as hereinafter described and hereafter referred to as the "Territory"; and

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

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

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

SECTION 1. The following described real estate, together with any public streets or highways adjacent to or within the Territory described that have not been previously annexed to any municipality, is hereby annexed to the Village of Downers Grove, to wit:

Lot 33 in Block 2 in Arthur T. McIntosh & Company's Belmont Golf Addition, in the Southwest Quarter of Section 1, and the Northwest Quarter of Section 12, Township 38 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded September 14, 1925 as Document No. 199614, in DuPage County, Illinois

Commonly known as 4412 Cross Street, Downers Grove, IL (PIN 08-01-305-022)

SECTION 2. A certified copy of this ordinance, together with an accurate map of the Territory hereby annexed shall be recorded in the office of the Recorder of DuPage County and shall be filed with the County Clerk of DuPage County by the Clerk of the Village.

SECTION 3. Immediately upon annexation, the Village agrees to adopt an ordinance zoning the Property B-3, General Services and Highway Business, under the Village of Downers Grove Zoning Ordinance.

SECTION 4. A certified copy of this ordinance, together with an accurate map of the Territory hereby annexed shall be recorded in the office of the Recorder of DuPage County and shall be filed with the County Clerk of DuPage County by the Clerk of the Village.

SECTION 5. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance be and are hereby repealed.

SECTION 6. 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

PLAT OF ANNEXATION TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS

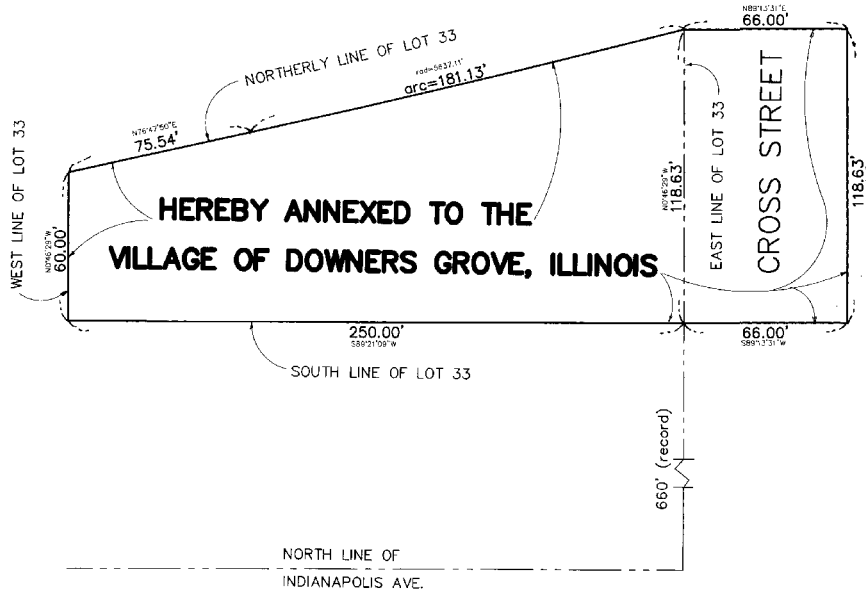
LEGAL DESCRIPTION:
LOT 33 IN BLOCK 2 OF ARTHUR T. MCINTOSH AND COMPANY'S BELMONT GOLF ADDITION, IN THE SOUTHWEST 1/4 OF SECTION 1, AND THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 14, 1925 AS DOCUMENT 199614, IN DUPAGE COUNTY, ILLINOIS.
ALSO, THAT PORTION OF THE 66.00 FT. WIDE CROSS STREET LYING EAST OF AND ADJACENT TO AND AS MEASURED PERPENDICULAR TO THE EAST LINE OF SAID LOT 33 IN BLOCK 2.



BEARINGS ARE ASSUMED DATUM

PIN 08-01-305-022

29960 S.F.



STATE OF ILLINOIS) VILLAGE COUNCIL CERTIFICATE
COUNTY OF DUPAGE) SS

THE ATTACHED PLAT OF ANNEXATION IS IDENTIFIED AS THAT INCORPORATED INTO AND MADE A PART OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS BY ORDINANCE NO. _____

ADOPTED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF DOWNERS GROVE

DATE: _____

BY: _____ MAYOR

ATTEST: _____ CLERK

STATE OF ILLINOIS) RECORDER CERTIFICATE
COUNTY OF DUPAGE) SS

THIS DOCUMENT NUMBER _____ WAS FILED FOR RECORD IN THE RECORDER OF DEEDS OFFICE OF DUPAGE COUNTY, ILLINOIS, ON THE _____ DAY OF _____ AD, 20____ AT _____ M., ON PAGE _____ IN BOOK _____ OF PLATS

DUPAGE COUNTY RECORDER OF DEEDS _____

STATE OF ILLINOIS) SURVEYOR CERTIFICATE
COUNTY OF DUPAGE) SS

I, JOSEPH M. DE CRAENE, ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE PREPARED THIS PLAT FROM THE RECORDS, FOR THE PURPOSE OF ANNEXATION TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS. DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.

DATE: OCTOBER 19 2007
Joseph M. De Craene

ILLINOIS LAND SURVEYOR NO. 2476 Lic. exp. 11/30/2008
JOSEPH M. DE CRAENE
ILLINOIS LAND SURVEYOR
8710 SKYLINE DRIVE
HINSDALE, ILLINOIS 60527

