

**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE VILLAGE COUNCIL MEETING  
JUNE 3, 2008 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Annexation, Rezoning and Final Plat of Subdivision for 5416-5418 Belmont Avenue	✓ Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

**SYNOPSIS**

Ordinances have been prepared to annex and rezone the properties at 5416-5418 Belmont Avenue from County R-4 and B-1 to Village B-2 (General Retail Business). A resolution has been prepared for a final plat of subdivision consolidating the three existing lots into two.

**FISCAL IMPACT**

N/A.

**STRATEGIC PLAN ALIGNMENT**

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

**UPDATE & RECOMMENDATION**

This item was discussed at the May 27, 2008 Workshop. Staff recommends approval on the June 3, 2008 active agenda.

**BACKGROUND**

The properties at the southwest corner of Belmont Road and Inverness Avenue, commonly known as 5416-5418 Belmont Road, are currently located in unincorporated DuPage County and are classified as B-1 Local Business District (two lots at 5416 Belmont Road) and R-4 Single Family Residence (lot at 5418 Belmont Road) by the County's Zoning Ordinance. There are currently two single family homes on three lots. The home at 5416 Belmont is being used in conjunction with the Belmont Bible Church. The properties abut manufacturing uses on the north, institutional uses (Belmont Bible Church) on the south and west, and attached single family uses on the east.

The petitioner is proposing to annex to the Village of Downers Grove and rezone the property to B-2 General Retail Business. Additionally, the petitioner is requesting a plat of subdivision to consolidate the three existing lots into two. The petitioner has indicated his intent is to construct two new two-story office buildings on the property. No exceptions or variations are being requested as part of this petition. If the future development requires variations, additional review by the Plan Commission and Village Council may be necessary.

The Future Land Use Plan designates this property as Residential (6-11 D.U./acre). Staff believes the proposed rezoning and annexation will complement the existing land uses in the area and provide an adequate transition from the manufacturing uses to the north to the residential uses south of the Belmont

Bible Church. A majority of the property is currently zoned for commercial uses under the DuPage County Zoning Ordinance. The County's B-1 district permits similar uses as the Village's B-2 district. The remainder of the property is being used in conjunction with the Belmont Bible Church. Staff believes the proposed rezoning meets the standards for approval in Section 28.1702 of the Zoning Ordinance.

The Plan Commission held a public hearing for this matter on April 7, 2008. No objections or concerns were raised by the public. The Plan Commission found the rezoning was in compliance with the standards in Section 28.1702 of the zoning ordinance and recommended unanimous approval of the petition including the annexation, rezoning and plat of subdivision.



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

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION  
FOR STEVENS BELMONT OFFICE SUBDIVISION**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for Final Plat of Subdivision for the Stevens Belmont Office Subdivision, located at the intersection of Inverness Avenue and Belmont Road, Downers Grove, Illinois, legally described as follows:

Lots 1, 2 and 3 in Carlson’s Resubdivision of Lots 24 of Arthur T. McIntosh and Company’s Belmont Farms, being a subdivision situated in the South Half of Section 12 and the North Half of Section 13, Township 38 North, Range 10 East of the Third Principal Meridian and in the Southwest Quarter of Section 7, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded on July 17, 1950 as Document 598421 and Certificate of Correction recorded on February 23, 1954 as Document 708561 in DuPage County, Illinois. Together with that part of Belmont Avenue (County Highway 2) lying Westerly of and adjoining to the above described property not previously annexed to the Village of Downers Grove

Commonly known as 5416-5418 Belmont Road, Downers Grove, IL (PIN 08-12-411-012,-013,-014)

WHEREAS, notice has been given and hearing held on April 7, 2008 regarding this plat application pursuant to the requirements of the Downers Grove Municipal Code; and,

WHEREAS, the Plan Commission has recommended approval of the Final Plat of Subdivision of Stevens Belmont Office Subdivision as requested, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the Final Plat of Subdivision for the Stevens Belmont Office Subdivision, be and is hereby approved subject to the following conditions:

1. The subdivision shall substantially conform to the final plat of subdivision prepared by Intech Consultants, Inc. dated January 30, 2008, last revised February 19, 2008, except as such plans may be modified to conform to Village Codes and Ordinances.
2. Prior to commencement of site development activities, the petitioner shall indicate a new sidewalk on the south side of Inverness Road adjacent to the subject properties or pay a fee in lieu of installing sidewalks to the Village of Downers Grove.

BE IT FURTHER RESOLVED, that the Mayor and Village Clerk are authorized to sign the Final Plat of Subdivision.

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

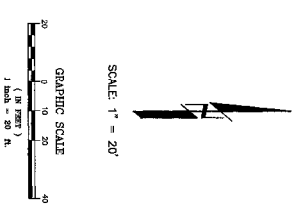
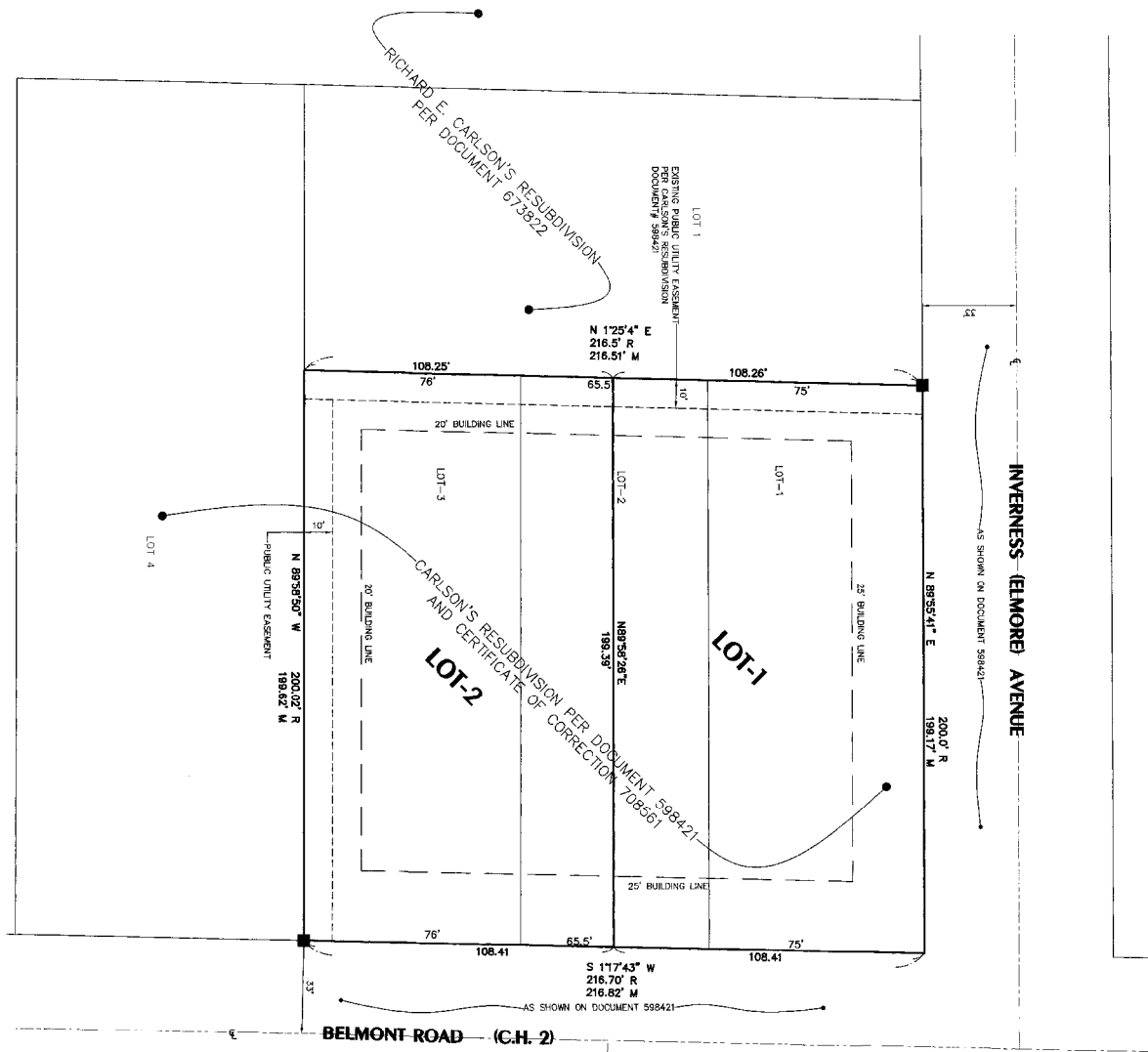
Passed:  
Attest: \_\_\_\_\_  
Village Clerk

# FINAL SUBDIVISION PLAT

## OF

# STEVENS BELMONT OFFICE

PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DU PAGE COUNTY, ILLINOIS.



NOTES:  
 - IRON PIPES ARE AT ALL LOT CORNERS  
 - ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FEET & DECIMAL PARTS THEREOF.

**LEGEND**

- CONCRETE MONUMENT
- BOUNDARY
- UNDERLYING LOT LINE
- EMBANKMENT

**ABBREVIATION**

- S. SOUTH
- E. EAST
- W. WEST

**AREA OF SITE**

LOT 1 = 21,582 S.F. OR 0.4885 AC  
 LOT 2 = 21,508 S.F. OR 0.4880 AC  
 LOT 3 = 45,789 S.F. OR 0.9971 AC

**DEVELOPER**

\_\_\_\_\_

**IN ACCORDANCE WITH ILLINOIS REV. STAT. 1991 CH. 106 RECORDING BY ADDRESS:**

\_\_\_\_\_

**DECLARATION OF RESTRICTIVE COVENANTS**

THE UNDERSIGNED OWNERS HEREBY DECLARES THAT THE REAL PROPERTY DESCRIBED IN AND DEPICTED ON THIS PLAT OF SUBDIVISION SHALL BE HELD TRANSFERRED, SOLD, CONVEYED, MORTGAGED, ENDEMNED, OR OTHERWISE TRANSFERRED TO ANY PERSONS (A) ALL PUBLIC UTILITIES STRUCTURES AND FACILITIES, WHETHER LOCATED ON PUBLIC OR PRIVATE PROPERTY, SHALL BE CONSTRUCTED WHOLLY UNDERGROUND AND EXCEPT FOR AND SIMILAR STRUCTURES APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF DOWNERS GROVE PRIOR TO RECORDING OF THIS PLAT OF SUBDIVISION.

(B) THE FOLLOWING DECLARATIONS, ON OTHERS SIMILAR HERETO, SHALL BE SET FORTH IN THE RECORDS OF THE VILLAGE OF DOWNERS GROVE:

WHEREAS, SAID LOTS WILL BE CONVEYED TO PURCHASERS SUBJECT TO THIS DECLARATION TO THE END THAT THE RESTRICTIONS IMPOSED SHALL INURE TO THE BENEFIT OF EACH AND AFTER THE DATE THEREOF AND THEIR RESPECTIVE HEIRS AND ASSIGNS AND WHEREAS, THE APFORESAID PROPERTY DESCRIBED ON THE ATTACHED PLATS IS LOCATED ENTIRELY WITHIN THE VILLAGE OF DOWNERS GROVE, ILLINOIS, AND WHEREAS, THE APFORESAID PROPERTY IS SUBJECT TO THE PROVISIONS, RESTRICTIONS, CONDITIONS, COVENANTS, AGREEMENTS, AND CHARGES HEREIN CONTAINED SHALL RUN WITH AND BIND ALL OF SAID LOTS AND LAND AND SHALL INURE TO THE BENEFIT OF AND BE ENFORCED BY THE VILLAGE OF DOWNERS GROVE AND THEIR RESPECTIVE HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS NOW, HEREOF, ALL PERSONS, FIRMS OR CORPORATIONS NOW OR IN THE FUTURE AND HEREAFTER ACQUIRING ANY PROPERTY OR LOTS SHOWN UPON THE ATTACHED PLAT OF SUBDIVISION ARE HEREBY SUBJECT TO THE FOLLOWING RESTRICTIONS RUNNING WITH SAID PROPERTY:

1. THE APFORESAID RESTRICTIONS AND COVENANTS, AND EACH AND EVERY ONE OF THEM, ARE HEREBY EXPRESSLY MADE AN ESSENTIAL PART OF THIS INSTRUMENT, AND SHALL BE BINDING UPON THE PART OWNERS (AS REPRESENTED) THEREOF AND EACH OF THEIR SUCCESSORS, HEIRS AND ASSIGNS.

IN WITNESS WHEREOF, THE OWNERS HAVE SET THEIR HANDS UPON THE ATTACHED PLAT THE PART OWNERS

BY: BRIAN BENTLEY  
 BY: VICTORIA BENTLEY

NOTARY: \_\_\_\_\_ DATED: \_\_\_\_\_

BY: BELMONT BIBLE CHURCH PART OWNER  
 BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
 BY: \_\_\_\_\_ TITLE: \_\_\_\_\_

STATE OF ILLINOIS )  
 COUNTY OF DU PAGE ) SS

\_\_\_\_\_ ENGINEER'S CERTIFICATE

I, ILLINOIS AND VICTORIA BENTLEY, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS, HEREBY CERTIFY THAT THE PART OWNERS OF THE LAND DEPICTED HEREON OR THEIR duly AUTHORIZED ATTORNEY DO HEREBY STATE THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF RESPONSIBLE ENGINEERS AND SURVEYORS HAVE BEEN EMPLOYED AND THEIR SERVICES AND FINDINGS ARE SO STATED AS TO BE TRUE AND CORRECT AND THAT SUCH SURFACE WATERWAYS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES AND METHODS, THE LIKELIHOOD OF DAMAGE TO EXISTING OR FUTURE STRUCTURES OR UTILITIES FROM THIS STATEMENT ARE IMPROVEMENTS CONSTRUCTED PRIOR TO THIS DATE, FURTHER AS ENGINEER, HEREBY CERTIFY THAT THE PROPERTY WHICH IS THE SUBJECT OF THIS PLAT AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

REGISTRATION EXPIRATION DATE: \_\_\_\_\_  
 ILLINOIS REGISTERED PROFESSIONAL ENGINEER, STATE REGISTRATION NUMBER \_\_\_\_\_  
 PART OWNERS

BY: BRIAN BENTLEY  
 BY: VICTORIA BENTLEY  
 BELMONT BIBLE CHURCH PART OWNER

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
 BY: \_\_\_\_\_ TITLE: \_\_\_\_\_

**MTech CONSULTANTS, INC.**  
**ENGINEERS / SURVEYORS**  
 5413 WALTON AVENUE, DOWNERS GROVE, ILLINOIS 60130  
 TEL: (630) 844-5800 FAX: (630) 844-5002  
 ILLINOIS REGISTRATION NO. 184-001040

REVISION: 2-19-08, MADE TWO LOT SUBDIVISION  
 PREPARED: 1-30-08

P.L.N. # 08-12-411-012  
 08-12-411-013  
 08-12-411-014

**SHEET 1 OF 2 JOB NO.: 2008-003**

**STEVENS BELMONT OFFICE ~ FINAL SUBDIVISION PLAT**

DUPAGE COUNTY CLERKS CERTIFICATE

STATE OF ILLINOIS ) S

COUNTY OF DU PAGE )

COUNTY CLERK

DATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

ALL EASEMENTS HEREBY RESERVED FOR AND GRANTED TO NORTHERN ILLINOIS GAS COMPANY, ITS SUCCESSORS AND ASSIGNS ( "NIGAS" ) TO INSTALL, OPERATE, MAINTAIN, REPAIR, REPLACE AND REMOVE FACILITIES... (Detailed description of easements and property boundaries follows)

THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL OR AREA OF LAND... (Definition of common areas)

EASEMENT PROVISIONS: ALL EASEMENTS FOR SERVICE UTILITIES, OTHER PROPERTIES WITH ELECTRIC AND COMMUNICATION SERVICES ARE HEREBY RESERVED FOR AND GRANTED TO COMMONWEALTH Edison COMPANY AND SBC... (Easement provisions)

PROPERTY SHOWN ON THIS PLAT MARKED "EASEMENT - COMMON AREA OF PROGRESS" IS THE RELOCATION OF COMMON UTILITY AND/OR ON THIS PLAT AS COMMON ELEMENTS... (Property and easement details)

PROPERTY SHOWN ON THIS PLAT MARKED "EASEMENT - COMMON UTILITY" IS THE RELOCATION OF COMMON UTILITY AND/OR ON THIS PLAT AS COMMON ELEMENTS... (Property and easement details)

FINAL SUBDIVISION PLAT OF STEVENS BELMONT OFFICE THIRD PRINCIPAL QUARTER OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 10 EAST OF THE

OWNERS CERTIFICATE

STATE OF ILLINOIS ) S

COUNTY OF DU PAGE )

DATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

THIS IS TO CERTIFY THAT BELMONT BIBLE CHURCH IS PART OWNER OF THE SAID COUNTY IN THE STATE AFORESAID DO HEREBY CERTIFY THAT BELMONT BIBLE CHURCH IS THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT... (Certification of ownership and survey details)

NOTARY PUBLIC: BELMONT BIBLE CHURCH, PART OWNER

STATE OF ILLINOIS ) S

COUNTY OF DU PAGE )

DATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

NOTARY PUBLIC: BELMONT BIBLE CHURCH, PART OWNER

SCHOOL DISTRICT BOUNDARY STATEMENT

THE UNDERSIGNED, BEING DULY SWORN, UPON HIGHER OATHS DEPOSES AND STATES AS FOLLOWS: I AM THE PART OWNER OF THE PROPERTY LEGALLY DESCRIBED ON THIS PLAT OF SUBDIVISION... (School district boundary statement)

OWNERS CERTIFICATE

STATE OF ILLINOIS ) S

COUNTY OF DU PAGE )

DATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

THIS IS TO CERTIFY THAT BRIAN BENNETT AND VICTORIA BENNETT ARE THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT... (Certification of ownership and survey details)

NOTARY PUBLIC: BRIAN BENNETT AND VICTORIA BENNETT

STATE OF ILLINOIS ) S

COUNTY OF DU PAGE )

DATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

NOTARY PUBLIC: BRIAN BENNETT AND VICTORIA BENNETT

SCHOOL DISTRICT BOUNDARY STATEMENT

THE UNDERSIGNED, BEING DULY SWORN, UPON HIGHER OATHS DEPOSES AND STATES AS FOLLOWS: I AM THE PART OWNER OF THE PROPERTY LEGALLY DESCRIBED ON THIS PLAT OF SUBDIVISION... (School district boundary statement)

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS ) S

COUNTY OF DU PAGE )

DATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

THIS PLAT WAS BEEN APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT TO SECTION 11-4-1.5 AND THAT ALL NECESSARY REQUIREMENTS CONTAINED IN THE DEPARTMENT'S POLICY ON PERMITS FOR ACCESS PREVENTIONS TO STATE HIGHWAYS WILL BE REQUIRED BY THE DEPARTMENT... (Village council certification)

COLLECTOR: DOMNERS GROVE SANITARY DISTRICT CERTIFICATE

STATE OF ILLINOIS ) S

COUNTY OF DU PAGE )

DATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

COLLECTOR: DOMNERS GROVE SANITARY DISTRICT CERTIFICATE

VILLAGE COLLECTOR'S CERTIFICATE

DOMNERS GROVE SANITARY DISTRICT DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OF UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY OTHER DELINQUENT TAXES IN THE TRACT OF LAND INCLUDED IN THIS PLAT... (Village collector's certification)

DOMNERS GROVE SANITARY DISTRICT DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT ALSO COMPLETES ALL REQUIREMENTS CONTAINED IN THE ILLINOIS DEPARTMENT OF TRANSPORTATION POLICY ON PERMITS FOR ACCESS PREVENTIONS TO STATE HIGHWAYS... (Department of transportation requirements)

