

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JUNE 19, 2012 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Final Plat of Subdivision - 824 Franklin Street	<ul style="list-style-type: none"> ✓ Resolution Ordinance Motion Discussion Only 	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A resolution for a Final Plat of Subdivision has been prepared to consolidate three existing lots into one for the property located at 824 Franklin Street.

STRATEGIC PLAN ALIGNMENT

The goals for 2011-2018 identified *Exceptional Municipal Services*.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval on the June 19, 2012 consent agenda

BACKGROUND

The owner of the property located at 824 Franklin Street is proposing to consolidate three lots into a single 66.67-foot wide by 147-foot deep lot to allow the petitioner to construct an addition to an existing house. The 9,800 square foot property is zoned R-4 Single Family Residential. A single family residence and detached garage, owned by the petitioner, are located on the lots.

All required infrastructure, including sidewalks, currently exists and no new public improvements are required. The proposed lot will include five-foot wide utility easements along the side property lines and a ten-foot wide utility easement along the rear property line which meet the requirements for public utility easements. The proposed lot will meet all minimum lot dimension requirements for the R-4 Single Family Residence district contained in Sections 28.1103(d) and 28.1104(d) of the Zoning Ordinance. The petitioner is not requesting any exceptions from Sections 20.101 and 20.301 of the Subdivision Control Ordinance. The dimensions for the new lot are outlined in the table below:

824 Franklin Street	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	66.66 feet (no change)	140 feet	147 feet (No change)	7,500 sq. ft.	9,800 sq. ft. (no change)

The proposed consolidation is consistent with the Comprehensive Plan. The Comprehensive Plan notes the property is located within the single family traditional grid residential area. The traditional grid provides a uniform layout with standard street and lot widths. The Comprehensive Plan recommends residential areas

provide a variety of housing and dwelling unit types and densities, generally organized by dwelling types and lot sizes. The proposed single family lot is consistent in width and area with other single family lots along this block of Franklin Street.

The Plan Commission considered the petition at their June 4, 2012 meeting. No public comments were received at the hearing. The Commission found that the request met the standards of the Subdivision and Zoning Ordinances. The Plan Commission unanimously recommended approval of the Final Plat of Subdivision. Staff concurs with the Plan Commission recommendation.

ATTACHMENTS

Aerial Map

Resolution

Staff Report with attachments dated June 4, 2012

Minutes of the Plan Commission Hearing dated June 4, 2012

RESOLUTION _____

**A RESOLUTION APPROVING THE FINAL PLAT OF SUBDIVISION
FOR 824 FRANKLIN STREET**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for the approval of the Final Plat of Subdivision to consolidate three parcels into one lot for Comer's Consolidation, located on the north side of Franklin Street approximately 133 feet east of Washington Street, commonly known as 824 Franklin Street, Downers Grove, Illinois, legally described as follows:

Lot 5 and the east 16 and 2/3 feet of Lots 4 and 6 of Naramore's Subdivision of Lot 3 in Block 3 in Richmond and Whitney's Addition to Downers Grove, said lots being situated upon and a part of the northwest 1/4 of Section 8, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat of said Naramore's Subdivision recorded October 7, 1891 as Document 46692, in DuPage County, Illinois.

Commonly known as 824 Franklin Street, Downers Grove, IL (PIN 09-08-113-011).

WHEREAS, notice has been given and a public hearing held on June 4, 2012 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 Comer's Consolidation, located at 824 Franklin Street, Downers Grove, Illinois, 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 of Comer's Consolidation, located at 824 Franklin Street, Downers Grove, Illinois, be and is hereby approved subject to the following condition:

1. The final plat shall substantially conform to the Final Plat of Subdivision of Comer's Consolidation prepared by Nekola Survey, Inc., dated May 10, 2012 except as such plat may be modified to conform to the Village Codes and Ordinances.

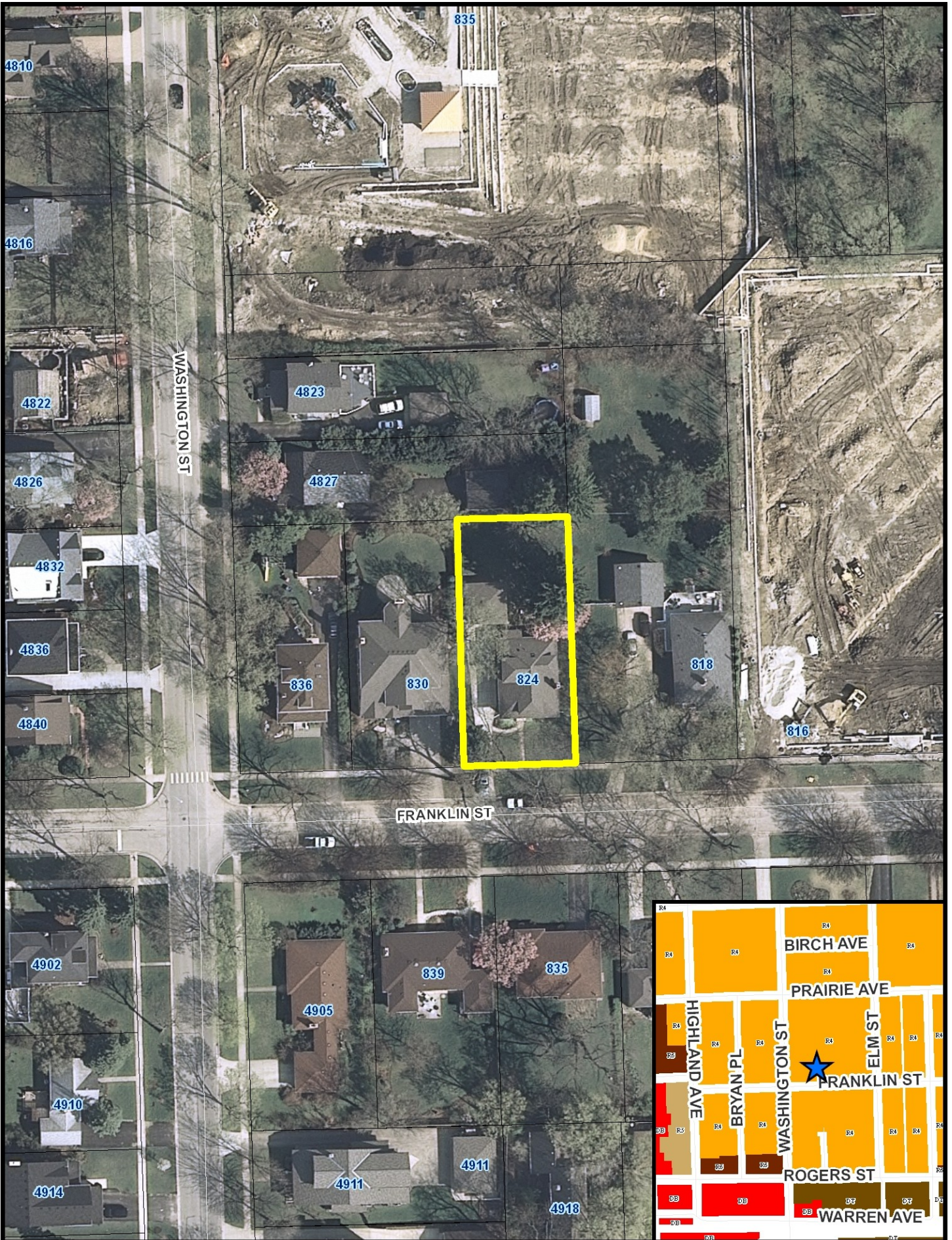
BE IT FURTHER RESOLVED, that the Mayor and Village Clerk are authorized to sign the final plat.

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



0 25 50 75 100 Feet

824 Franklin Street Location Map





**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
JUNE 4, 2012 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC-20-12 824 Franklin Street	Final Plat of Subdivision	Stan Popovich, AICP Planner

REQUEST

The petitioner is requesting approval of a final plat of subdivision to consolidate three existing parcels into one lot.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

OWNER/APPLICANT: Kevin Comer
824 Franklin Street
Downers Grove, IL 60515

PROPERTY INFORMATION

EXISTING ZONING: R-4 Single Family Residential District
EXISTING LAND USE: Residential
PROPERTY SIZE: 9,800 square feet (0.225 acres)
PINS: 09-08-113-011

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	R-4 Single Family Residence District	Single Family Residential
SOUTH:	R-4 Single Family Residence District	Single Family Residential
EAST:	R-4 Single Family Residence District	Single Family Residential
WEST:	R-4 Single Family Residence District	Single Family Residential

ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Project Narrative
3. Plat of Survey
4. Plat of Subdivision

PROJECT DESCRIPTION

The petitioner is requesting approval of a final plat of subdivision to consolidate three existing parcels into one lot. The property, commonly known as 824 Franklin Street, is zoned R-4 Single Family Residential and is 66.66 feet wide by 147 feet deep. The property is made up of one 50-foot wide by 147 foot deep lot and portions of two adjacent lots. A single family home and detached garage are currently on the property.

The petitioners are proposing to demolish the existing detached garage and construct an addition with a garage onto the rear of the property. Without the consolidation of the three lots, the petitioner would not be permitted to construct the addition.

COMPLIANCE WITH COMPREHENSIVE PLAN

The Residential Area Plan section of the Comprehensive Plan identifies the property being within the single family traditional grid residential area. The traditional grid provides a uniform layout with standard street and lot widths. The subject single family property is similar in lot size and width to adjacent residential lots. The Comprehensive Plan recommends residential areas provide a variety of housing and dwelling unit types and densities, generally organized by dwelling types and lot sizes as identified in the Land Use Plan. Staff believes the proposed consolidation of three parcels into one lot is consistent with the Comprehensive Plan.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned R-4 Single Family Residence District. The existing single family residential use is a permitted use in the district. The proposed lot complies with Sections 28.1103(d) and 28.1104(d) of the Zoning Ordinance. If the subdivision is approved, the petitioner will be able to construct an addition onto the existing house. The renovated home will meet all Zoning Ordinance bulk and setback requirements.

COMPLIANCE WITH THE SUBDIVISION ORDINANCE

The proposed lot will meet all minimum lot dimension requirements for residential lots in the R-4 district. The lot dimensions are specified in the table below:

824 Franklin Street	Lot Width		Lot Depth		Lot Area	
	Required	Proposed	Required	Proposed	Required	Proposed
Lot 1	50 feet	66.66 feet (no change)	140 feet	147 feet (No change)	7,500 sq. ft.	9,800 sq. ft. (no change)

The petitioner is not requesting any exceptions from Sections 20.101 and 20.301(b) of the Subdivision Ordinance. The proposed lot will include new five-foot wide utility easements along the side (east and west) property lines and a new ten-foot wide utility easement along the rear (north) property line which will satisfy the requirements for public utility easements.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners 250 feet or less from the property in addition to posting the public hearing notice sign and publishing the legal notice in the *Downers Grove Reporter*. At this time, staff has not received any comments regarding this petition.

FINDINGS OF FACT

Staff believes the proposed Final Plat of Subdivision to consolidate the three existing parcels into a single lot meets the standards of Sections 28.1103(d) and 28.1104(d) of the Zoning Ordinance and Sections 20.101 and 20.301(b) of the Subdivision Ordinance. Staff believes the request is consistent with the

Comprehensive Plan and Zoning and Subdivision Ordinances of the Village.

RECOMMENDATIONS

The proposed final plat of subdivision is compatible with the surrounding zoning and land use classifications. Based on the findings listed above, staff recommends the Plan Commission make a positive recommendation to the Village Council regarding PC-20-12 subject to the condition below:

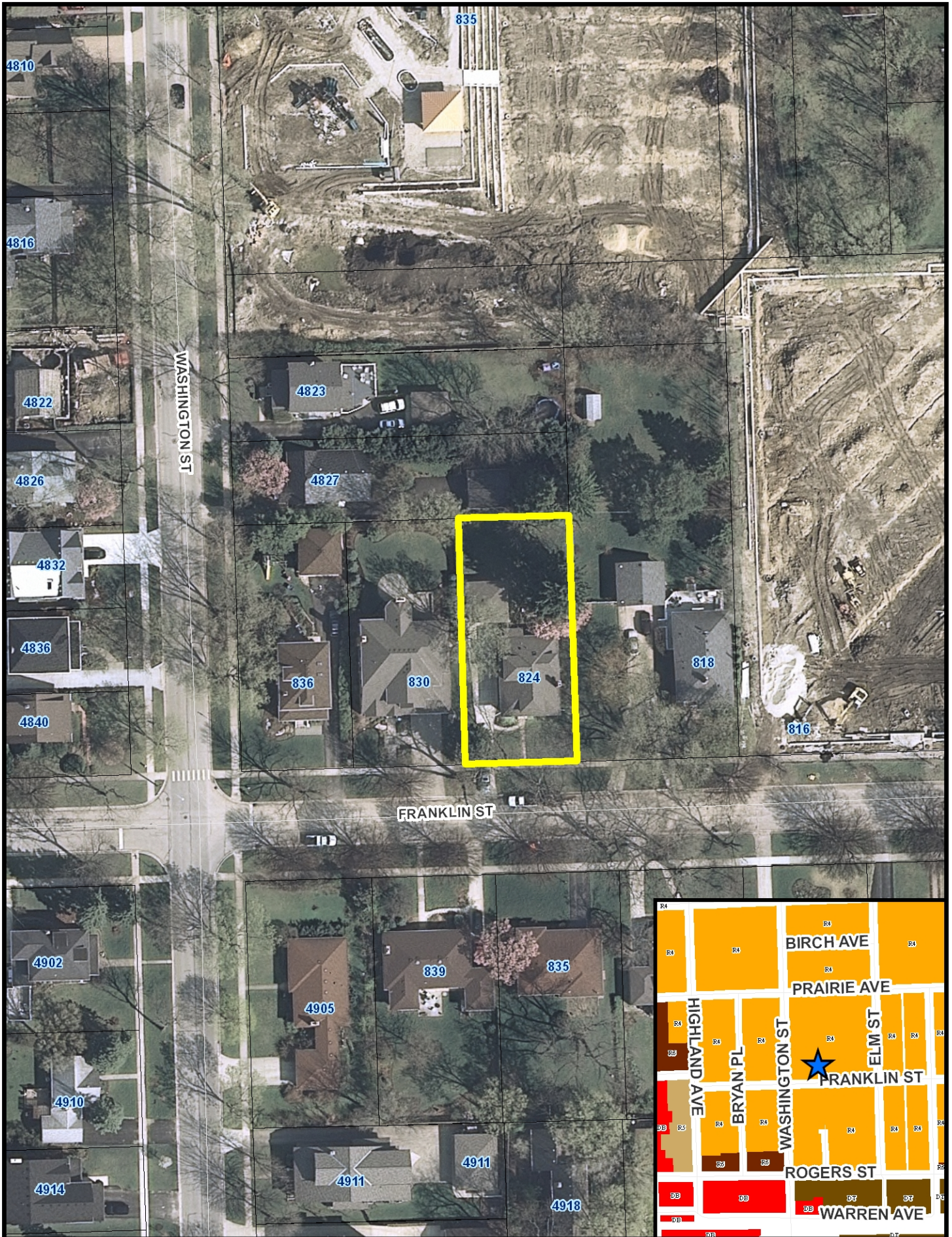
1. The final plat shall substantially conform to the Final Plat of Subdivision of Comer's Consolidation prepared by Nekola Survey, Inc., dated May 10, 2012 except as such plat may be modified to conform to the Village Codes and Ordinances.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:sp
-att

P:\P&CD\PROJECTS\PLAN COMMISSION\2012 PC Petition Files\PC 20-12 824 Franklin St - Lot Consolidation\Staff Report PC-20-12.doc



0 25 50 75 100 Feet

824 Franklin Street Location Map



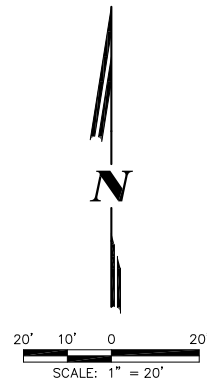
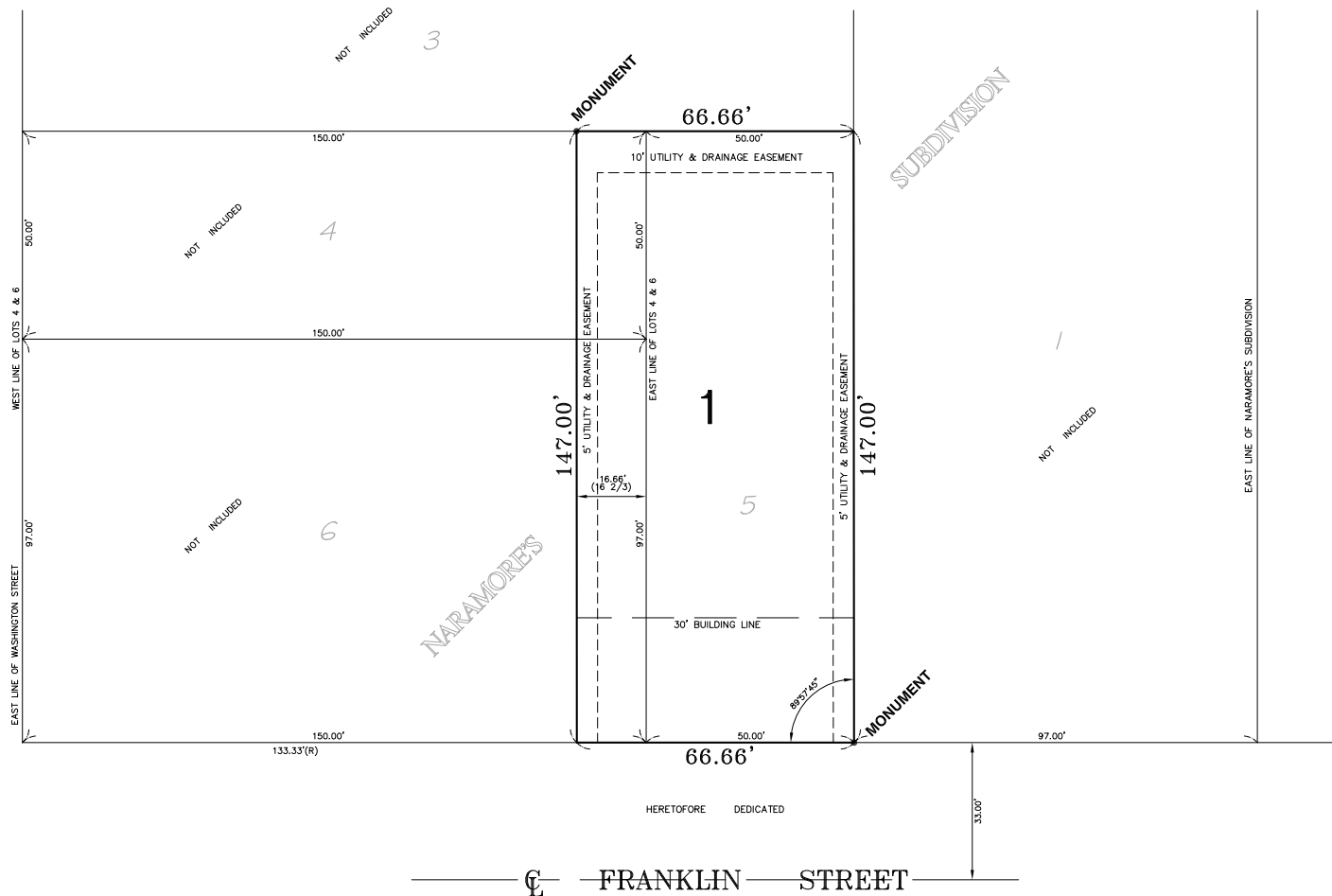
COMER ADDITION

We are looking to build an addition onto our house at 824 Franklin. Today we have a non-attached garage, small kitchen and 2 bedrooms upstairs. The plan is to attach the garage to the house and add a 2nd level above the garage creating more bedroom space (2 more bedrooms upstairs) and allowing us to make the kitchen larger on the 1st level.

PRELIMINARY

COMER'S CONSOLIDATION

OF PART OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.



PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE)SS
APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE.

CHAIRMAN

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE)SS
APPROVED THIS DAY OF A.D., 20 BY THE VILLAGE COUNCIL OF THE VILLAGE OF DOWNERS GROVE.

MAYOR VILLAGE CLERK

DUPAGE COUNTY RECORDERS CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE)SS
THIS INSTRUMENT NO. WAS FILED IN THE RECORDER OF DEEDS OFFICE OF DUPAGE COUNTY, ILLINOIS AFORESAID ON THIS DAY OF A.D., 20 AT O'CLOCK

DUPAGE COUNTY RECORDER

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE)SS
I, COUNTY CLERK FOR THE COUNTY OF DUPAGE, STATE OF ILLINOIS, DO HEREBY CERTIFY THAT I FIND NO UNPAID TAXES OUTSTANDING AGAINST THE PROPERTY DESCRIBED IN THE ABOVE CAPTION OF THIS PLAT.

DATED THIS DAY OF 20

COUNTY CLERK

SANITARY DISTRICT CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE)SS
I, COLLECTOR OF THE DOWNERS GROVE SANITARY DISTRICT, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

DATED THIS DAY OF 20

COLLECTOR

DRAINAGE CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE)SS
I, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS, THE OWNER OF THE LAND DEPICTED HEREON OR HIS DULY AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS AND PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION. FURTHER, AS ENGINEER, I HEREBY CERTIFY THAT THE PROPERTY WHICH IS THE SUBJECT OF THIS SUBDIVISION OR ANY PART THEREOF IS (IS NOT) NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DATED THIS DAY OF 20

ENGINEER OWNER OF ATTORNEY

VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE)SS
I, VILLAGE COLLECTOR OF THE VILLAGE OF DOWNERS GROVE, DO HEREBY CERTIFY THAT I FIND NO UNPAID SPECIAL ASSESSMENTS OUTSTANDING AGAINST THE PROPERTY DESCRIBED IN THE ABOVE CAPTION OF THIS PLAT.

DATED THIS DAY OF 20

VILLAGE COLLECTOR

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE)SS
TO THE BEST OF OUR KNOWLEDGE, THE PROPERTY DESCRIBED HEREIN LIES WITHIN GRADE SCHOOL DISTRICT AND HIGH SCHOOL DISTRICT (OR UNIT SCHOOL DISTRICT).

DATED THIS DAY OF 20

BY: OWNER

BY: ATTEST:

OWNERS CERTIFICATE

THIS IS TO CERTIFY THAT INDIVIDUALS ARE THE RECORD OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYORS CERTIFICATE AFFIXED HEREON AND DOES HEREBY CONSENT TO THE SUBDIVISION OF SAID PROPERTY AND THE VARIOUS EASEMENTS, GRANTS AND RESERVATIONS OF EASEMENT AND RIGHTS-OF-WAY DEPICTED HEREON.

DATED THIS DAY OF A.D., 20

SIGNATURE

PLEASE TYPE/PRINT THE AUTHORIZED INDIVIDUAL'S NAME, TITLE, CORPORATION/COMPANY NAME, AND ADDRESS.

NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS
COUNTY OF DUPAGE)SS
I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE AFORESAID COUNTY AND STATE, DO HEREBY CERTIFY THAT THE FOREGOING SIGNATURE OF THE OWNER'S CERTIFICATE IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND THAT SAID INDIVIDUAL APPEARED AND DELIVERED SAID INSTRUMENT AS A FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH IN THE AFORESAID INSTRUMENT.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS DAY OF A.D., 20

NOTARY

SURVEYORS CERTIFICATE

STATE OF ILLINOIS
COUNTY OF WILL)SS
THIS IS TO CERTIFY THAT I, WAYNE W. NEKOLA, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HAS SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

LOT 5 AND THE EAST 16 AND 2/3 FEET OF LOTS 4 AND 6 OF NARAMORE'S SUBDIVISION OF LOT 3 IN BLOCK 3 IN RICHMOND AND WHITNEY'S ADDITION TO DOWNERS GROVE, SAID LOTS BEING SITUATED UPON AND A PART OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID NARAMORE'S SUBDIVISION RECORDED OCTOBER 7, 1891 AS DOCUMENT 46692, IN DUPAGE COUNTY, ILLINOIS.

THE PLAT HEREON DRAWN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY AND ACCURATELY DEPICTS SAID PROPERTY. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WHICH HAS ADOPTED A COMPREHENSIVE PLAN AND WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AND THAT THE PLAN MEETS THE PROVISIONS OF CHAPTER 43 "SUBDIVISIONS" OF THE DOWNERS GROVE MUNICIPAL CODE. I FURTHER CERTIFY THAT BASED UPON A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 170204, PANEL NUMBER 0901C, EFFECTIVE DATE DECEMBER 16, 2004, THE PROPERTY LIES WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

GIVEN UNDER MY HAND AND SEAL THIS 10TH DAY OF MAY, A.D., 2012.

WAYNE W. NEKOLA I.P.L.S. NO.: 2923
LICENSE RENEWAL DATE: 11/30/2012

DECLARATION OF RESTRICTIVE COVENANTS

The undersigned owner hereby declares that the real property described in and depicted on this plat of subdivision shall be held, transferred, sold, conveyed and occupied subject to the following covenants and restrictions:

(a) All public utility structures and facilities, whether located on public or private property, shall be constructed wholly underground, except for transformers, transformer pads, light poles, regulators, valves, markers and similar structures approved by the Village Engineer of the Village of Downers Grove prior to recording of this plat of subdivision.

(b) An easement for serving the subdivision, and other property with storm drainage, sanitary sewer, street lighting, potable water service and other public utility services, is hereby reserved for and granted to the Village of Downers Grove and Downers Grove Sanitary District, their respective successors and assigns, jointly and separately, to install, operate and maintain and remove, from time to time, facilities and equipment used in connection with the public water supply, transmission lines, sanitary sewers, storm drainage system, street lighting system, or other public utility service, and their appurtenances, either on, over, across, below or through the ground shown within the dotted lines on the plat marked "Public Utility and/or Drainage Easement", or similar language designating a stormwater or sewer easement, and the property designated on the plat for streets and alleys, together with the right to cut, trim or remove trees, bushes and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over "grantee's" facilities or in, upon or over, the property within the stormwater or sewer easement without the prior written consent of grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

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 all of the purchasers of such lots whether they shall have become such before or after the date thereof, and their respective heirs and assigns, and Whereas, the aforesaid property described on the attached plat is located entirely within the corporate limits of the Village of Downers Grove, Illinois, and Whereas, all of 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 enforceable by the Village of Downers Grove, Illinois, and the owners or owner of any of the lots of land comprised within said plat, and their respective heirs, executors, administrators, successors and assigns. Now, therefore, all persons, firms or corporations now owning the aforesaid property do covenant and agree that they or any person, firm or corporation hereafter acquiring any property or lots shown upon the attached plat of subdivision are hereby subjected to the following restrictions running with said property to whomsoever owned, to-wit:

- 1. No improvements shall be made in or upon the stormwater easement, including detention or retention areas, or as depicted in the plat of subdivision, except for landscape installation of trees, shrubs, bushes and grass and the installation of underground utility lines and driveways.
2. Each owner or purchaser shall be responsible for maintaining the stormwater easement, including detention or retention areas, applicable to his lot in such manner as to insure the free and uninterrupted flow of storm water through the drainage system of the subdivision, and shall not destroy or modify grades or slopes without having first received prior written approval of the Village of Downers Grove, Illinois.
3. In the event any owner or purchaser fails to properly maintain the stormwater easement, including detention or retention areas, the Village of Downers Grove, Illinois, shall upon ten days prior written notice, reserve the right to perform, or have performed on its behalf, any maintenance work to or upon the stormwater easement, including detention or retention areas, reasonably necessary to insure adequate stormwater storage and free flow of stormwater through the stormwater easement, including detention or retention areas.
4. In the event the Village of Downers Grove, Illinois, shall be required to perform, or have performed on its behalf, any maintenance work to or upon the stormwater easement, including detention or retention areas, the cost together with the additional sum of ten percent shall, upon recording of a notice of lien within sixty days of completion of the work, constitute a lien against his lot which may be foreclosed by an action brought by or on behalf of the Village of Downers Grove, Illinois.
5. The aforesaid restrictions and covenants, and each and every one of them, are hereby expressly made an essential part of this instrument, and shall be and remain of perpetual efficacy and obligation in respect to the said premises and the parties herein designated, their and each of their successors, heirs, and assigns.

In witness whereof, the owners have set their hands upon the attached plat the day and date first written thereon.

DATED THIS DAY OF 20

OWNER NOTARY PUBLIC

OWNER

EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATIONS SERVICE IS HEREBY RESERVED FOR AND GRANTED TO COMMONWEALTH EDISON COMPANY AND AMERITECH, GRANTEEES,

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, TO INSTALL, OPERATE, MAINTAIN AND REMOVE, FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND SOUNDS AND SIGNALS, IN, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DOTTED LINES ON THE PLAT AND MARKED EASEMENT, THE PROPERTY DESIGNATED IN THE DECLARATION OF CONDOMINIUM AND/OR ON THIS PLAT AS COMMON ELEMENTS, AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, AND COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEEES FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DOTTED LINES MARKED EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM COMMON ELEMENTS SHALL HAVE THAT MEANING SET FORTH FOR SUCH TERM IN 765 ILCS 605/2 AS AMENDED FROM TIME TO TIME.

THE TERM COMMON AREA OR AREAS IS DEFINED AS A LOT, PARCEL OR AREA OR REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE AS AN APPURTENANCE TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS OULOTS, COMMON ELEMENTS, OPEN SPACE, OPEN AREA, COMMON GROUND, PARKING AND COMMON AREA. THE TERMS COMMON AREA OR AREAS AND COMMON ELEMENTS INCLUDES REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS A POOL OR RETENTION POND, OR MECHANICAL EQUIPMENT. RELOCATION OF FACILITIES WILL BE DONE BY GRANTEEES AT COST OF GRANTEEES/LOT OWNER, UPON WRITTEN REQUEST.

NORTHERN ILLINOIS GAS COMPANY

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO NORTHERN ILLINOIS GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, IN ALL PLANNED "EASEMENT" AREAS, STREETS, ALLEYS, OTHER PUBLIC WAYS AND PLACES SHOWN ON THIS PLAT, SAID EASEMENT TO BE FOR THE INSTALLATION, MAINTENANCE, RELOCATION, RENEWAL AND REMOVAL OF GAS MAINS AND APPURTENANCES FOR THE PURPOSES OF SERVING ALL AREAS SHOWN ON THIS PLAT AS WELL AS OTHER PROPERTY, WHETHER OR NOT CONTIGUOUS THERETO. NO BUILDINGS OR OTHER STRUCTURES SHALL BE CONSTRUCTED OR ERECTED IN ANY SUCH EASEMENT AREAS, STREETS, ALLEYS, OR OTHER PUBLIC WAYS OR PLACES UNLESS ANY OTHER USE BE MADE THEREOF WHICH WILL INTERFERE WITH THE EASEMENTS RESERVED AND GRANTED HEREBY.

NEKOLA SURVEY, INC. PROFESSIONAL LAND SURVEYING SERVICES WWW.NEKOLASURVEY.COM 400 N. SCHMIDT RD., STE. 203 BOLINGBROOK, ILLINOIS 60440 (630) 226-1530 PHONE (630) 226-1430 FAX

DRAFT

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

JUNE 4, 2012, 7:00 P.M.

Chairman Jirik called the June 4, 2012 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

PRESENT: Chairman Jirik, Mr. Cozzo, Mr. Hose, Mr. Quirk, Mrs. Rabatah, Mr. Waechtler, Mr. Webster

ABSENT: Mr. Beggs, Mr. Matejczyk

STAFF PRESENT: Community Development Planning Manager Jeff O'Brien and Planners Stan Popovich and Damir Latinovic

VISITORS: Mr. Ray Rahn, 4911 Washington; Mr. Gil Schroeder, 7020 Webster St.; Mr. Kevin Comer, 824 Franklin St.; Mr. Ricardo Ginex, 5424 Carpenter St.; Mr. Mark Ginex, 4100 N. LaSalle St., #1411, Chicago, IL; Mr. Greg Mast, CBRE, 20 N. Martingale, Schaumburg, IL; Mr. Justin Bretzke, Hertz Corp., 1728 Ogden Ave.; Mr. Dan Russell, 4112 Elm Street; Mr. Greg Ginex, 629 Gierz Street

Chairman Jirik led the Plan Commissioners in the recital of the Pledge of Allegiance.

APPROVAL OF THE MAY 7, 2012 MINUTES

MINUTES OF THE MAY 7, 2012 MEETING WERE APPROVED ON MOTION BY MR. WEBSTER, SECONDED BY MR. COZZO. MOTION CARRIED BY VOICE VOTE of 7-0.

Chairman Jirik reviewed the protocol for the public hearing.

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PC-20-12 A petition seeking approval of a Final Plat of Subdivision to consolidate three existing lots into one lot. The property is located on the north side of Franklin Street, approximately 133 feet east of Washington Street, commonly known as 824 Franklin Street, Downers Grove, IL (PIN 09-08-113-011); Kevin Comer, Petitioner and Owner.

Chairman Jirik swore in those individuals who would be speaking on the above petition.

Mr. Popovich explained that the petitioner was seeking three lots of consolidation. The property was currently zoned R-4 Single Family and was 66.66 feet wide by 147 feet deep with a single-family home and detached garage. The three lots were noted on the overhead. The petitioners were planning to add on to the existing home and without the consolidation of the three lots, the petitioner would not be permitted to construct the addition.

DRAFT

The Comprehensive Plan identified the area as the "Traditional Grid" residential area and the property was similar to other lots in the area, which was consistent with goals of the Comprehensive Plan. The lot complied with all bulk standards and met the village's Subdivision Ordinance. The proposal will meet the required public and drainage easements. Per Mr. Popovich, proper public notification was provided and, to date, staff had not received any phone calls or comments concerning this property. Due to the above village requirements and ordinances being met, staff recommended the Plan Commission forward a positive recommendation to the Village Council subject to the one condition in its staff report.

A question was asked how lots 4 and 6 ended up configured the way they did, wherein Mr. Popovich stated he did not know when it would have occurred.

Petitioner, Mr. Kevin Comer, 824 Franklin, Downers Grove stated he was planning to add a two bedroom addition to the house and attach the garage.

No questions followed. The public was invited to speak. None received. Public comment was closed. Mr. Comer had no closing statement. No comments received from the commissioners.

WITH RESPECT TO PC-20-12 MR. WEBSTER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE CONDITION BELOW:

- 1. THE FINAL PLAT SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION OF COMER'S CONSOLIDATION PREPARED BY NEKOLA SURVEY, INC., DATED MAY 10, 2012 EXCEPT AS SUCH PLAT MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

SECONDED BY MR. QUIRK. ROLL CALL:

AYE: MR. WEBSTER, MR. QUIRK, MR. COZZO, MR. HOSE, MRS. RABATAH, MR. WAECHTLER, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED. VOTE: 7-0.

Village Planning Manager, Mr. O'Brien stated the next meeting was scheduled for July 2, 2012 but he wanted to confirm who would be attending. If there was to be no quorum, he would schedule the meeting for the following week -- July 10th. He asked those in attendance that if there was a conflict, to contact him this week. A quick review of the next agenda followed. Mr. O'Brien reminded commissioners about their Freedom of Information training and Open Meetings Act training and to not use the current version Internet Explorer due to compatibility issues.

Mr. Waechtler thanked staff for sending the commissioners the planning publication. It was noted that the Walgreens proposal was being presented tomorrow night at the Village Council meeting.

DRAFT

**THE MEETING WAS ADJOURNED AT 8:05 P.M. ON MOTION BY MR. WEBSTER,
SECONDED BY MR. QUIRK. MOTION CARRIED BY VOICE VOTE OF 7-0.**

/s/ Celeste K. Weilandt
Celeste K. Weilandt
(As transcribed by MP-3 audio)