

**VILLAGE OF DOWNERS GROVE**  
**REPORT FOR THE VILLAGE COUNCIL MEETING**  
**SEPTEMBER 4, 2012 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Final Planned Development Amendment #18 –Bohemian Garden Restaurant 980 75 <sup>th</sup> Street	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

**SYNOPSIS**

An ordinance has been prepared amending Planned Development #18 to permit a second driveway access to Main Street for Bohemian Garden Restaurant at 980 75<sup>th</sup> Street.

**STRATEGIC PLAN ALIGNMENT**

The Goals 2011 - 2018 identified *Strong, Diverse Local Economy*.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval on the September 11, 2012 active agenda

**BACKGROUND**

The applicant is requesting an amendment to Planned Development #18 to permit a service drive to Main Street for Bohemian Garden Restaurant at 980 75<sup>th</sup> Street. The property, zoned B-2 General Retail Business and part of Planned Development #18, is improved with a one-story 7,840-square foot restaurant building and a parking lot with 80 spaces. The proposed 15-foot wide concrete driveway would be located on the north side of the property. The petitioner is proposing the new service drive for trash collection only. The proposed drive would allow direct access to the dumpster located on the northeast side of the building and prevent interference with customer parking. Signage and physical barriers would be installed to restrict general access to customers and the public. No other changes are proposed to the property or the Planned Development.

The property currently has one driveway located on Main Street. This access allows full ingress, but outbound movements are limited to right turns. There is an easement through the property to the west (1000-1010 75<sup>th</sup> Street) that allows access to 75<sup>th</sup> Street. The 75<sup>th</sup> Street access is limited to right-in and right-out.

The property was subdivided in 1986 and the restaurant was built shortly thereafter. As part of that approval, only one access to the property was permitted – through the easement agreement with 1000-1010 75<sup>th</sup> Street. As such, a restrictive covenant was recorded on the property that established the cross-access agreement and precluded any access to Main Street. In March of 1988, the Village approved an amendment to the restrictive covenant that allowed the current driveway configuration on Main Street. That driveway was approved with provisions that restrict left turns out of the site (into the neighborhood) and prohibit deliveries. Signage and physical barriers are in place to reflect these conditions placed on the Main Street driveway.

The petitioner is not proposing any changes that affect the bulk characteristics of the building or the site. The property will continue to be in compliance with the standards for the B-2 zoning district and the Planned Development #18. No changes to the restaurant use are proposed and no new trips are expected to be generated by the addition of the service drive. The new access will only be used for trash collection. Garbage trucks already use Main Street to service the residences to the east. Also, the Downers Park Plaza shopping center has a service access on Main Street, north of the subject property. This access is used for deliveries and trash collection. As such, staff does not expect new traffic to be generated due to this request.

The Comprehensive Plan designates the property as Corridor Commercial and includes a recommendation for reinvestment and functional improvement to commercial properties. The Plan recognizes that commercial properties require modernization from time to time to remain competitive in the marketplace and to avoid becoming functionally obsolete. The proposed service drive will improve garbage collection and help the functionality of the site. As such, staff believes the proposed amendment is consistent with the Comprehensive Plan.

The Plan Commission considered the petition at their August 6, 2012 meeting. No public input was received. The Commission requested that the amendment to the restrictive covenant include a condition that restricts left-turn for outbound movements from the new service drive to be consistent with the existing driveway on Main Street. Additionally, the Commission included a condition that a physical barrier (i.e. bollards) be installed just west of the existing dumpster enclosure to restrict access to customers and general public.

The Plan Commission found the proposal met the standards of approval for a Final Planned Development Amendment per Section 28.1607 of the Zoning Ordinance. Based on their findings, the Plan Commission unanimously recommended approval of the Amendment to Planned Development #18 to permit a second driveway access on Main Street for Bohemian Garden restaurant. Staff concurs with the Plan Commission's recommendation.

#### **ATTACHMENTS**

Ordinance

Amendment to the Restrictive Covenant for 980 75<sup>th</sup> Street

Aerial Map

Staff Report with attachments dated August 6, 2012

Draft Minutes of the Plan Commission Hearing dated August 6, 2012

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING A PLANNED  
DEVELOPMENT AMENDMENT TO PLANNED DEVELOPMENT #18,  
TO ALLOW A SECOND DRIVEWAY ACCESS TO 980 75<sup>TH</sup> STREET**

WHEREAS, the Village Council has previously adopted Ordinance No. 2090 on August 1, 1977, designating the property described therein as Planned Development #18; and,

WHEREAS, the Owners have filed a written petition with the Village conforming to the requirements of the Comprehensive Zoning Ordinance and requesting an amendment to Planned Development #18 to allow a service drive to 980 75<sup>th</sup> Street,

WHEREAS, such request was referred to the Plan Commission of the Village of Downers Grove, and the Plan Commission has given the required public notice, conducted a public hearing for the petition on August 6, 2012, and has made its findings and recommendations, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, the Plan Commission had recommended approval of the requested petition, subject to certain conditions; and,

WHEREAS, the Village Council has considered the record before the Plan Commission, as well as the recommendations of Plan Commission.

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

SECTION 1. That the provisions of the preamble are incorporated into and made a part of this ordinance as if fully set forth herein.

SECTION 2. That a Planned Development Amendment is hereby authorized to approve a service drive to 980 75<sup>th</sup> Street.

SECTION 3. That approval set forth in Section 2 of this ordinance is subject to the findings and recommendations of the Downers Grove Plan Commission regarding File PC-27-12 as set forth in the minutes of their August 6, 2012 meeting.

SECTION 4. The approval set forth in Section 2 of this ordinance is subject to the following conditions:

1. The Amendment to Planned Development #18 for a service drive to Main Street for Bohemian Garden Restaurant shall substantially conform to the plans attached to the Staff Report dated August 6, 2012, except that such plans may be modified to conform to Village Codes and Ordinances.
2. Access to the service drive shall be controlled through a moveable physical barrier or signage.
3. Prior to obtaining a development permit, an amendment to the restrictive covenant shall be recorded with the DuPage County Recorder's Office.

SECTION 5. That the service drive is consistent with and complimentary to the overall planned development site plan and with the requirements of the “*B-2, General Retail Business*” zoning district.

SECTION 6. That the Mayor and Village Clerk are authorized to sign the above described plans.

SECTION 7. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 8. That this ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

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Mayor

Passed:

Published:

Attest: \_\_\_\_\_

Village Clerk

**DECLARATION OF RESTRICTIONS  
AND COVENANTS**

THIS DECLARATION made this \_\_\_\_\_  
day of \_\_\_\_\_, 2012,  
by John Wojdyla and Anna Wojdyla  
(hereinafter referred to as the “Declarants”)

(Reserved for Recorder's Use Only)

**WITNESSETH**

WHEREAS, DECLARANTS are the owners of a certain parcel of property situated in the Village of Downers Grove, DuPage County, State of Illinois, which is legally described as follows:

THAT PART OF LOT 7 IN PINE HILLS UNIT 2, A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED JUNE 14, 1949, AS DOCUMENT NO. 569749, AND THAT PART OF MAIN STREET VACATED PER DOCUMENT NO. R85-11248, IN DUPAGE COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTH LINE OF LOT 7 A POINT 424.00 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 7; THENCE NORTH 89 DEGREES 57 MINUTES EAST, ALONG THE SAID NORTH LINE OF LOT 7 AND SAID LINE EXTENDED EAST, 188.10 FEET; THENCE SOUTH 0 DEGREES 11 MINUTES EAST, 252.35 FEET; THENCE NORTH 90 DEGREES WEST, 187.88 FEET; THENCE NORTH 0 DEGREES 14 MINUTES WEST, 252.18 FEET TO THE POINT OF BEGINNING (CONTAINING 1.089 ACRES MORE OR LESS),

(herein after referred to as 980 75<sup>th</sup> Street, Downers Grove, Illinois PIN 09-29-110-012 the “Property”); and

WHEREAS, on February 11, 1986, the Plan Commission of the Village of Downers Grove approved the separation of the Property from the remainder of Lot 7 in Pine Hills Unit 2 Subdivision as a separate zoning lot, subject to certain conditions; and

WHEREAS, on June 20, 1986, a Declaration of Restrictions and Covenants was recorded with the Recorder of Deeds in DuPage County, Illinois as Document #R86-63644, by which certain restrictions, as required by the Plan Commission, were imposed on the use of the Property; and

WHEREAS, on March 7, 1988, an Amendment to the Declaration of Restrictions and Covenants was recorded with the Recorder of Deeds in DuPage County, Illinois as Document #R98-23262, by which certain amendments, as required by the Plan Commission and the Village of Downers Grove, were further imposed on the use of the Property; and

WHEREAS, Declarants have requested that the Village Council of the Village of Downers Grove consider additional amendments to such Declaration of Restrictions and Covenants; and

WHEREAS, the Village Council of the Village of Downers Grove has determined that such amendments are appropriate, and has approved this revised Declaration of Restrictions and Covenants and has authorized total abrogation of the amended Declaration recorded as Document #R98-23262 on March 7, 1988 upon recordation of this Declaration of Restrictions and Covenants.

Further, Declarants hereby declare that the Property and such improvements as have been or may hereafter be erected thereon shall be held, owned, transferred, sold, conveyed and occupied subject to the following covenants and restrictions:

1. That direct vehicular ingress and egress between the Property and the right-of-way of Main Street shall be permitted subject to the following limitations:
  - a. Egress from the Property to Main Street shall be limited to right turns only.
  - b. Declarants shall provide for the construction and maintenance of an island with the driveway providing ingress and egress between the Property and Main Street, to restrict egress from the Property as provided in subparagraph (a) hereof.
  - c. Declarants shall provide for the erection and maintenance of a sign adjacent to the

driveway providing ingress and egress between the Property and Main Street, words notifying vehicular traffic of the restrictions on egress from the Property as provided in subparagraph (a) hereof.

d. Declarants shall provide for signs on the Property notifying trucks making deliveries to the business located on the Property that ingress and egress between the Property and Main Street by trucks is specifically prohibited.

e. The second service drive to Main Street is hereby permitted subject to the following conditions:

1. The Amendment to Planned Development #18 for a second driveway access to Main Street for Bohemian Garden restaurant shall substantially conform to the plans attached to the staff report, dated August 6, 2012, except as such plans may be modified to conform to Village Codes and Ordinances.

2. Access to the service drive shall be controlled through a moveable physical barrier and signage.

3. Left turn movements (northbound) from the service drive are prohibited.

2. That Declarants agree that the right to allow direct vehicular ingress and egress between the Property and the right-of-way of Main Street shall terminate should the improvements located on the Property be occupied by any business other than a restaurant, unless the Village Council of the Village of Downers Grove shall specifically extend such right for some other use to be located therein.

3. The restrictions and covenants established herein may at any time and from time to time be amended, modified, abrogated, waived or terminated by joint written action of the owner of record of the Property and the Mayor of the Village of Downers Grove after approval thereof by the Village Council. In the event any such amendment, modification, abrogation or termination of the provisions of this Declaration no other person whatsoever shall have the right to complain of or contest any such action. The Village shall have the exclusive right to enforce the provisions of the Declaration and no other person whatsoever shall have the right to rely on the provisions herein or to enforce compliance of the same. The failure of the Village to take any action to enforce any breach or alleged breach of any covenant or restriction herein

contained shall in no event be deemed to be a waiver by the Village of the right to do so thereafter.

4. The covenants and restrictions herein set forth shall run with the land and shall be binding upon the Declarants and each successive owner or occupant of the Property. Declarants acknowledge (i) that this Declaration has been executed for and the covenants and restrictions herein set forth are intended to inure to the benefit of the Village, (ii) that the remedy at law for a breach by Declarants, their successors or assigns of any of the provisions of this Declaration is and shall be inadequate, and (iii) that the Village shall be entitled to obtain injunctive relief to prevent such breaches.

IN WITNESS WHEREOF, the Declarants have heretofore subscribed as of the day and year first above written.

VILLAGE OF DOWNERS GROVE:

DECLARANTS:

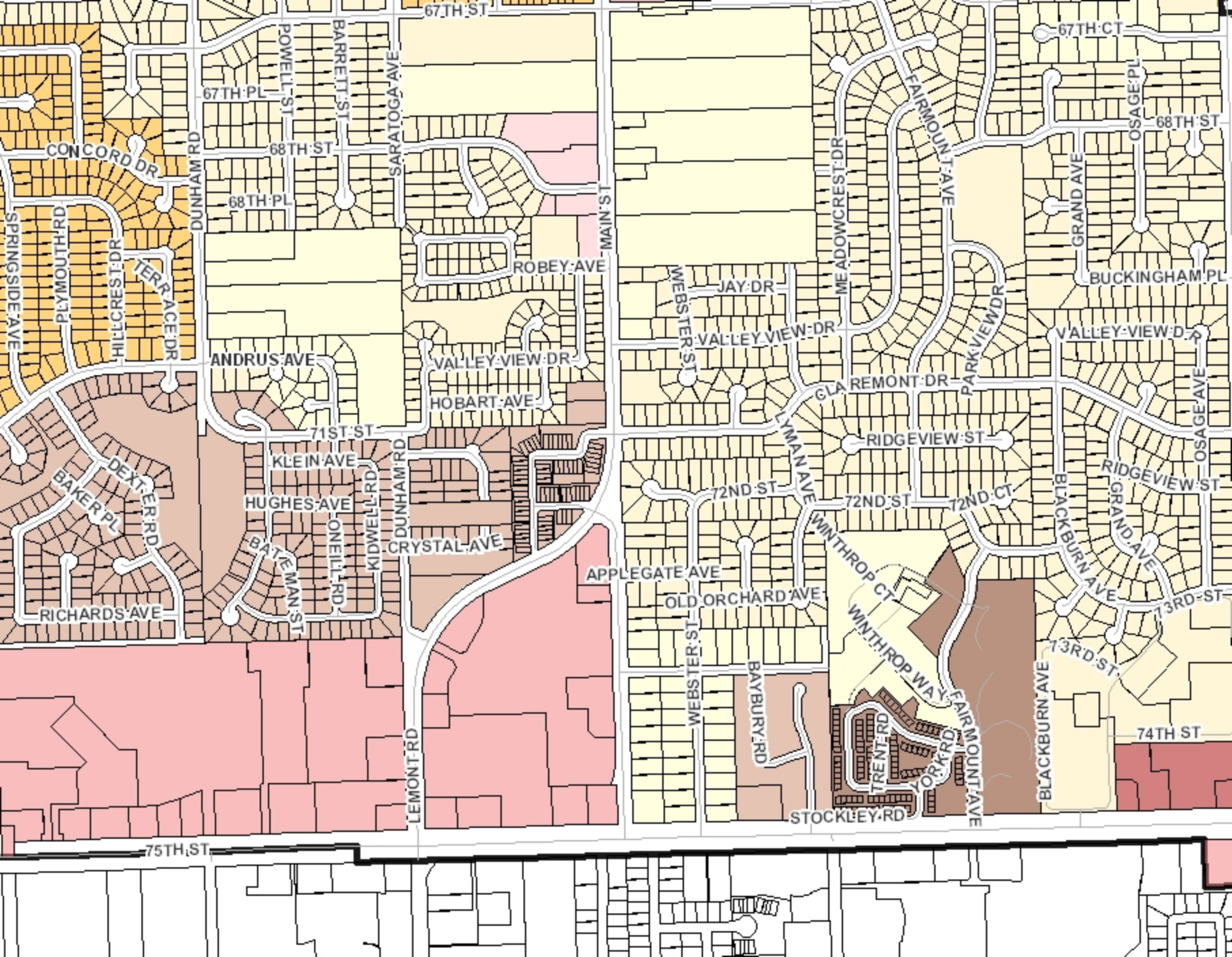
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
John Wojdyla

\_\_\_\_\_  
Anna Wojdyla

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





67TH ST

67TH CT

67TH PL

68TH ST

68TH ST

68TH PL

CONCORD DR

DUNHAM RD

POWELL ST

BARRETT ST

SARATOGA AVE

ROBEY AVE

MAIN ST

MEADOWCREST DR

FAIRMOUNT AVE

OSAGE PL

SPRINGSIDE AVE

PLYMOUTH RD

HILLCREST DR

TERRACE DR

VALLEY VIEW DR

WEBSTER ST

JAY DR

VALLEY VIEW DR

GRAND AVE

BUCKINGHAM PL

ANDRUS AVE

VALLEY VIEW DR

HOBART AVE

GLAREMONT DR

PARKVIEW DR

VALLEY VIEW DR

OSAGE AVE

71ST ST

KLEIN AVE

HUGHES AVE

CRYSTAL AVE

72ND ST

72ND ST

72ND CT

73RD ST

BAKER PL

DEXTER RD

RICHARDS AVE

BATEMAN ST

ONEILL RD

KIDWELL RD

DUNHAM RD

APPLEGATE AVE

OLD ORCHARD AVE

LYMAN AVE

72ND ST

WINTHROP CT

WINTHROP WA

FAIRMOUNT AVE

73RD ST

BLACKBURN AVE

74TH ST

75TH ST

STOCKLEY RD

TRENT RD

ORCHARD

BAYBURY RD



**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
AUGUST 6, 2012 AGENDA**

<b>SUBJECT PROPERTY:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
PC 27-12 980 75 <sup>th</sup> Street Bohemian Garden Restaurant	Amendment to Planned Development #18 to allow a service drive for Bohemian Garden Restaurant	Damir Latinovic, AICP Planner

**REQUEST**

The petitioner is requesting approval of an amendment to Planned Development #18 to permit a second driveway to Main Street for Bohemian Garden restaurant at 980 75<sup>th</sup> Street.

**NOTICE**

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

**GENERAL INFORMATION**

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**OWNER:** John Wojdyla  
7437 Main Street  
Downers Grove, IL 60516

**APPLICANT:** Bohemian Garden Restaurant  
980 75<sup>th</sup> Street  
Downers Grove, IL 60516

**PROPERTY INFORMATION**

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**EXISTING ZONING:** B-2, General Retail Business and PD #18  
**EXISTING LAND USE:** Commercial  
**PROPERTY SIZE:** Approx. 1.08 acres  
**PINS:** 09-29-110-012

**SURROUNDING ZONING AND LAND USES**

	<b>ZONING</b>	<b>FUTURE LAND USE</b>
<b>NORTH:</b>	B-2, General Retail Business and PD #18	Corridor Commercial
<b>SOUTH:</b>	B-1, Neighborhood Convenience Shopping District and B-2, Community Shopping Center Business District (City of Darien)	N/A
<b>EAST:</b>	R-1 Single Family Residential	Single Family Residential
<b>WEST:</b>	B-2, General Retail Business and PD #18	Corridor Commercial

## **ANALYSIS**

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### **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. Restrictive Covenant
4. Plat of Survey
5. Site Plans

### **PROJECT DESCRIPTION**

The petitioner is requesting approval an amendment to the Planned Development #18 to allow a second driveway on Main Street. The property, commonly known as 980 75<sup>th</sup> Street, is zoned B-2 General Retail Business and is part of the Planned Development #18. The Bohemian Garden restaurant is currently located on the site.

The property is improved with a one-story, 7,840-square foot restaurant and parking lot with 80 spaces. The property has one driveway located on Main Street. This access allows full ingress, but outbound movements are limited to right turns. There is an easement through the property to the west (1000-1010 75<sup>th</sup> Street) that allows access to 75<sup>th</sup> Street. The 75<sup>th</sup> Street access is limited to right-in and right-out.

The proposed 15-wide concrete driveway on Main Street would be located on the north side of the property. The petitioner is proposing the new service drive for trash collection. The proposed drive would allow direct access to the dumpster located on the northeast side of the building. There will be signage and moveable barriers to restrict general access to customers and the public. No other changes are proposed to the property or Planned Development.

The property was subdivided in 1986 and the restaurant was built shortly thereafter. As part of that approval, the only one access to the property was permitted – through the easement agreement with 1000-1010 75<sup>th</sup> Street. As such, a restrictive covenant was recorded on the property that established the cross-access agreement and precluded any access to Main Street. In March of 1988, the Village approved an amendment to the restrictive covenant that allowed the existing driveway on Main Street. That driveway was approved with provisions that restrict left turns out of the site (into the neighborhood) and prohibit deliveries. Deliveries enter the site through the property to the west (1000-1010 75<sup>th</sup> Street). Signage and physical barriers are in place to reflect these conditions placed on the Main Street driveway.

If the proposed service drive on Main Street is approved, the Village will record a second amendment to the Restrictive Covenant to reflect the new conditions.

### **COMPLIANCE WITH THE COMPREHENSIVE PLAN**

The Comprehensive Plan designates the property as Corridor Commercial. The Plan identifies these areas for their dual role within the Village by serving both the daily needs of local residents and providing commercial goods and services to the larger region.

The Plan recognizes that commercial properties require modernization from time to time to remain competitive in the marketplace and to avoid becoming functionally obsolete. The proposed service drive will improve garbage collection and help the functionality of the site. As such, the proposal is consistent with the Plan's recommendation for reinvestment and functional improvement to commercial properties. Staff believes the proposed amendment is consistent with the Comprehensive Plan.

### **COMPLIANCE WITH ZONING ORDINANCE**

The petitioner is not proposing any changes that affect the bulk characteristics of the building or site. The site and use will continue to be in compliance with the standards for the B-2 zoning district and the Planned Development #18.

### **TRAFFIC IMPACT**

No changes to the restaurant use are proposed and no new trips are expected to be generated by the addition of the service drive. The new access will only be used for trash collection. Access to the new driveway will be restricted with moveable barriers and signage. Garbage trucks already use Main Street to service the residences to the east. Also, the Downers Park Plaza shopping center has a service access on Main Street, north of the subject property. This access is used for deliveries and trash collection. As such, staff does not expect new traffic to be generated due to this request.

### **ENGINEERING/PUBLIC IMPROVEMENTS**

The new driveway on Main Street is the only proposed improvement. No other improvements that affect the site or rights of way are proposed. The 15-foot wide concrete driveway will be constructed to meet all Village standards and requirements.

### **PUBLIC SAFETY REQUIREMENTS**

The petitioner is not proposing any changes to the existing access points to the property. The property will continue to have adequate access for emergency vehicles.

### **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**

The petitioner has outlined the request in the attached narrative letter, site plan and drawings. The petitioner will further address the proposal and justification to support the requested Planned Development Amendment at the public hearing.

Planned Development approval requests require evaluation per Section 28.1607 of the Zoning Ordinance, *Standards for Approval of Planned Developments*: “*The Plan Commission may recommend a planned development designation, plan or amendment based upon the following findings:*”

**(1) *The extent to which the planned development meets the standards of this Article.***

The existing planned development designation recognizes the unique characteristics of the Downers Park Plaza shopping center which includes a number of different properties and uses. The proposed service drive for Bohemian Garden restaurant will simplify the trash pick-up on the property and reduce the impact it has on customer parking and circulation. The proposed Planned Development amendment is consistent with the Comprehensive Plan’s recommendations that the Village should support modernization of commercial properties including improved access and circulation. Further, as demonstrated below, the request meets all standards of Section 28.1607. Staff believes this standard is met.

- (2) ***The extent to which the planned development departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to, the density, dimension, area, bulk, and use, and the reasons why such departures are deemed to be in the public interest.***

The petitioner is not requesting any deviation from the zoning or subdivision regulations as part of this request. Staff believes this standard is met.

- (3) ***The method by which the proposed plan makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space, and furthers the amenities of light and air, recreation and visual enjoyment.***

The proposed driveway will improve the functionality of the site by allowing for more convenient trash collection. This addition would also improve vehicular circulation on the site and from the lot. No negative impacts to street network or open space will result from the request. Staff believes this standard is met.

- (4) ***Conformity with the planning objectives of the Village.***

The Commercial Areas Plan and Policies recommendations within the Comprehensive Plan notes that the Village should support modernization of commercial properties including improved access and circulation. Staff believes the proposal would improve the on-site circulation and prevent the deterioration of the property. Staff believes this standard is met.

- (5) ***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.***

The petitioner is proposing the service drive for trash collection. The proposal would contribute to the public interest by providing a separate access for garbage trucks without the need to circulate around the building and interfere with the customer parking. Staff believes this standard is met.

- (6) ***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.***

The proposed access will not be detrimental to the health, safety, morals or general welfare of the surrounding neighborhood and the community. The proposal will not impede any future improvements in the area. Staff believes this standard is met.

- (7) ***That the planned development is specifically listed as a special use in the district in which it is to be located.***

Restaurants are listed as a permitted use in the B-2 district. The Planned Development is listed as an allowable Special Use in the B-2 zoning district per Section 28.606 of the Zoning Ordinance. Staff believes this standard is met.

- (8) ***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.***

The request to amend the Planned Development will not significantly alter the overall commercial nature of the property. Because access to the new service drive will be restricted, its addition will not increase the intensity of the existing uses. Staff believes this standard is met.

- (9) ***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.***

The proposed service drive will not be injurious to the use and enjoyment of other properties in the immediate vicinity. The proposal will not significantly alter the existing uses and no new traffic is expected to be generated from the site as a result of the new access. Staff believes this standard is met.

- (10) ***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.***

The amendment to the Planned Development will not affect the nature of the uses or the existing buildings. Construction of a second access on Main Street would only be used for trash collection. Garbage trucks already travel on Main Street to service surrounding single family and commercial properties. As such, the service drive will not negatively affect adjacent properties nor impede the area's future development. Staff believes this standard is met.

- (11) ***That adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided for the planned development.***

There are adequate utilities and public facilities for the restaurant use. The proposed service drive will not alter the use of the property or require the need for additional public investment. Staff believes this standard is met.

- (12) ***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.***

The petitioner is not proposing significant changes to the existing parking lot layout. The new service drive will help separate trash collection from customer use of the parking lot. There are no changes to the screening of the parking lot or dumpster. Staff believes this standard is met.

- (13) ***That the planned development shall in all other respects conform to the applicable regulations of the zoning district in which it is located.***

The proposed service drive complies with the underlying regulations of the B-2 zoning district. Staff believes this standard is met.

## **RECOMMENDATIONS**

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The proposed service drive to Main Street for Bohemian Garden restaurant is compatible with surrounding zoning and land use classifications and the Village's Comprehensive Plan. Based on the findings of fact listed above, staff recommends the Plan Commission forward a positive recommendation to the Village Council regarding PC 27-12 subject to the following conditions:

1. The Amendment to Planned Development #18 for a second driveway access to main Street for Bohemian Garden restaurant shall substantially conform to the plans attached to the this report except as such plans may be modified to conform to Village Codes and Ordinances.
2. Access to the service drive shall be controlled through a moveable physical barrier and signage.
3. Prior to obtaining a development permits, an amendment to the restrictive covenant shall be recorded with the DuPage County Recorder's Office.

Staff Report Approved By:

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Tom Dabareiner, AICP  
Director of Community Development

TD:dl  
-att

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DRAFT

VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING  
PUBLIC HEARING

AUGUST 6, 2012, 7:00 P.M.

Chairman Jirik called the August 6, 2012 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

**PRESENT:** Chairman Jirik, Mr. Beggs, Mr. Cozzo, Mr. Davenport, Mr. Hose, Mr. Matejczyk, Mrs. Rabatah, Mr. Waechtler

**ABSENT:** Mr. Quirk, Mr. Webster

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

**VISITORS:** Mr. Sean Fleming, 4634 Roslyn Road, Downers Grove; Mr. Joseph Wojdyla, 7437 Main Street, Downers Grove; Edward Kalina, Engineering Solutions Team, 4925 Forest, Downers Grove

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

APPROVAL OF THE JULY, 2012 MINUTES

A change was noted on page one, last paragraph, delete the word "open" and revise to "opened".

**THE MINUTES OF THE JULY, 2012 MEETING, WERE APPROVED, WITH NOTED REVISION, ON MOTION BY MR. MATEJCZYK. SECONDED BY MRS. RABATAH. MOTION CARRIED BY VOICE VOTE OF 6-0-1 (MR. WAECHTLER ABSTAINS)**

Chairman Jirik reviewed the protocol for the public hearing.

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**PC-27-12** A petition seeking approval of an Amendment to Planned Development #18 to allow a second driveway access on Main Street for Bohemian Garden Restaurant. The property is located at the northwest corner of 75<sup>th</sup> and Main Streets and is commonly known as 980 75<sup>th</sup> Street, Downers Grove, IL (PIN 09-29-110-012); Bohemian Garden Restaurant, Petitioner; John Wojdyla, Owner.

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

Village Planner, Mr. Damir Latinovic, reported that the property was located at the northwest corner of Main Street and 75<sup>th</sup> Street and was zoned B-2 General Retail Business and was part of Planned Development No. 18. The Bohemian Garden Restaurant sat on the site and was approximately 7,800 square feet in size with 80 surface parking spaces. An aerial photo was presented with Mr.



## DRAFT

Latinovic pointing out the current accesses to the site via 75<sup>th</sup> Street through a cross-access easement with the property to the west (right in/right out) and a full access to Main Street with a limited egress for right turn movements only.

The petitioner was seeking an amendment to Planned Development No. 18 to allow a second (service) drive, 15 feet in width, onto Main Street, which would be located on the northeast corner of the site and would only be used for trash collection by garbage trucks. A physical chain barrier would prevent access and use for any other vehicles. Signage would be posted stating the same.

Mr. Latinovic continued to report that currently garbage trucks enter and circulate around the building but that the petitioner indicated the trucks were causing damage to the parking lot and interfered with customer parking and its circulation. A history of the site and its access followed. Per staff, no bulk changes to the building were being requested at this time and staff did not expect any change in trip generation to or from the site by the new service drive. Other service drives for surrounding properties on Main Street were also pointed out. The character of the area would not be changed by this petition.

Staff believed the proposal was consistent with the Village's Comprehensive Plan, the drive would improve the site and its functionality, and it was consistent with the Plan's goal for reinvestment in commercial properties. All required public notification for the petition was met and staff received no comments from any nearby neighbors concerning this petition.

Mr. Latinovic reminded the commissioners that Planned Development approval requests did require evaluation, per Section 28.1607 of the Zoning Ordinance, and staff believed all thirteen standards were met. Specifically, staff believed the new drive would simplify trash pick-up, reduce the impact on traffic circulation around the site and for the customers. There would be no negative impacts to the neighbors or the main thoroughfares and the petition was consistent with the goals of the Comprehensive Plan. Staff recommended a positive recommendation to the Village Council subject to the three conditions in its staff report.

Mr. Matejczyk asked for more clarification about the restrictions and signage to the access drive, wherein, Mr. Latinovic stated the petitioner can also provide details on the barrier but he answered there would be a chain that could be unhooked to allow access for the trucks. Signage next to the drive for traffic wanting to enter would convey that the drive was a service drive for garbage trucks, only. Mr. Matejczyk voiced concern about the trucks waiting on Main Street and tying up traffic in order to gain access to the drive.

Mr. Hose queried staff whether a chain would be sufficient barrier to keep the general public out, wherein Mr. Latinovic explained that the width of the drive was narrow enough and that it would be challenging for a vehicle to get past parked vehicles on the north side of the building to use the drive for exiting. Similarly signage would assist preventing any vehicles to use it for access into the parking lot. Due to the signage being proposed, staff did not expect any conflicts as only garbage trucks would have access to the drive.

Responding to Mr. Beggs's idea about a barrier being installed similar to the existing barrier on the southern driveway and it being recorded, staff stated the commission could request something similar. Staff expected that the proposed drive was simply to allow garbage trucks to pull in and out and confirmed that restriction would be recorded in the amended restrictive covenants. Proposed

## DRAFT

signage would state something to the effect: "No public access." However, Mr. Latinovic stated that additional signage could be included from the interior of the site for those vehicles trying to turn out of the drive or attempting to make a left-turn into the neighborhood.

Concern was raised that a truck would have to back up onto Main Street after a pick up. Mr. Latinovic explained that depended upon if the garbage truck was front or rear loading. Another concern was whether the trucks would be blocking the sidewalk wherein, staff stated the truck would have to be entirely on the property when loading the garbage dumpster. Sight line concerns were also raised, wherein staff explained this part of Main Street was not heavily traveled and there no visual obstructions existed. As to the existing configuration of the garbage enclosure, the petition would not change it. Lastly, Chairman Jirik suggested that trucks back into the drive since it provided better sight lines when pulling away from the drive, from a public safety point of view, and that at the same time the sound from the truck when it is driving in reverse would be positioned away from the nearby residents across the street.

Asked if there was an advantage to having a barrier located just to the west of the dumpster so that a vehicle attempting to exit could not make the exit, staff liked the suggestion and suggested the petitioner address it in his presentation.

Petitioner, Mr. Joseph Wojdyla, 7437 Main Street, son of property owner, John Wojdyla, explained that he and his father were considering the drive access for a couple of years due to the weight of the garbage trucks, their damage to the parking lot, and for customer safety.

Commission questions included whether the petitioner was opposed to having the same no-left turn restriction out of the site as his current access drive to which Mr. Wojdyla stated he had none and offered to install a sign for it. He reiterated that the proposed drive was not wide enough and a sign could be installed. He also noted that the trucks would not be traveling past the residences and the neighbors should not have any objection to the petition.

Asked if the petitioner would be opposed to a physical barrier west of the dumpster enclosure, Mr. Wojdyla stated he believed a chain would be sufficient and be cost effective but if there was another cost-effective way to prevent a truck from using the driveway, he was not opposed to it. Chairman Jirik clarified that the commissioners' idea was to have the truck pull in and out without the use of a chain and not enter into the parking lot whatsoever, so that no maintenance existed for the owner. The suggestions for bollards or a curb were made. Mr. Wojdyla was open to the suggestions.

Jeff O'Brien, summarized that the commissioners appeared to be in favor of installing bollards west of the garbage enclosure. Mr. Wojdyla was fine with the suggestion but believed removing the one parking space was unnecessary then. He supported placing the posts in the middle, along the fence line, which would prevent cars from using it as a drive.

Mr. Waechtler also suggested that Mr. Wojdyla give Village staff some flexibility to position the bollards in the best possible location. As to delivery trucks utilizing the access drive, Mr. Wojdyla confirmed that delivery trucks would utilize the new access drive by parking along Main Street, as they currently do, and bringing the deliveries up the service drive with hand trucks. Currently they use a small paved path in the parkway. Mr. Wojdyla clarified for Mr. Waechtler that beer trucks, which were semi-trucks, do not have enough room to back into the access drive. Asked if the

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sidewalk would be reinforced, Mr. Joseph Wojdyla confirmed that it would with thicker concrete for a truck's weight.

Asked what was to keep the garbage truck from making a left turn after collecting the garbage, Mr. Wojdyla stated signage could be installed and also contacting the garbage company. Mr. O'Brien stated there was signage internal to the lot that stated No Left Turn.

Chairman Jirik opened up the meeting to public comment. No public comment received. Public comment was closed. Mr. Joseph Wojdyla offered no closing statement.

Commissioners appeared to be in consensus on recording no left turn movements out of the site and that a physical barrier was in order and eliminating the need to have to chain and unchain the access drive and restrict the public from exiting through it. Mr. Waechtler asked for better clarification of the word "signage" in staff's Condition No. 2.

**WITH RESPECT TO PC-27-12, MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. THE AMENDMENT TO PLANNED DEVELOPMENT #18 FOR A SECOND DRIVEWAY ACCESS TO MAIN STREET FOR BOHEMIAN GARDEN RESTAURANT SHALL SUBSTANTIALLY CONFORM TO THE PLANS ATTACHED TO THE STAFF REPORT DATED AUGUST 6, 2012 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
- 2. ACCESS TO THE SERVICE DRIVE SHALL BE CONTROLLED THROUGH A MOVEABLE PHYSICAL BARRIER AND SIGNAGE.**
- 3. PRIOR TO OBTAINING DEVELOPMENT PERMITS, AN AMENDMENT TO THE RESTRICTIVE COVENANT SHALL BE RECORDED WITH THE DUPAGE COUNTY RECORDER'S OFFICE.**
- 4. THE AMENDMENT TO THE RESTRICTIVE COVENANT SHALL INCLUDE A PERMANENT RESTRICTION PROHIBITING NORTH-BOUND MOVEMENTS FROM THE NEW ACCESS DRIVEWAY TO MAIN STREET.**

**SECONDED BY MR. HOSE.**

Mr. Cozzo suggested revising Condition No. 2 to read as follows: "Access to the service drive shall be controlled through a permanent physical barrier to the west of the current dumpster." Mr. Hose was fine with Mr. Cozzo's revision. Dialog followed regarding clarification of Condition No. 2.

**ROLL CALL:**

**AYE: MR. BEGGS, MR. HOSE, MR. COZZO, MR. MATEJCZYK, MRS. RABATAH,  
MR. WAECHTLER, CHAIRMAN JIRIK**

**NAY: NONE**

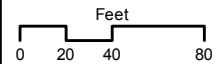
**MOTION CARRIED. VOTE: 7-0**

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Commissioners were notified that next month's meeting would be one week later due to the Labor Day holiday. Agenda items were briefly reviewed.

**THE MEETING WAS ADJOURNED AT 8:20 P.M. ON MOTION BY MR. WAECHTLER, SECONDED BY MR. COZZO. MOTION CARRIED BY VOICE VOTE OF 7-0.**

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



**980 75th Street**

BOHEMIAN  
  
GARDEN  
Restaurant

Village of Downers Grove  
Planning Commission – Department of Community Development  
801 Burlington Avenue  
Downers Grove, IL 60515

RE: Bohemian Garden Restaurant - New Drive Access to Main Street

Dear Sirs/Madams,

The proposed project is for the addition of a new drive access to Main Street. The driveway would be located on the northeast corner of the property (please refer to site plan) and would solely be used as an access for the garbage disposal. The reason for the addition is in an effort to preserve the parking lot which was completely resurfaced in October 2011. It was determined the very heavy garbage trucks were causing the majority of the damage to the old parking lot because of the need to circle around the entire property to access the garbage enclosure. To prevent this expensive damage, it was determined that a drive access in the proposed location would be most cost efficient to the property in the long term. The drive access will be blocked off by a chain in order to prevent vehicles from using both (existing and new) driveways as an entrance/exit.

The driveway would be constructed per the steps on the Project sheet and would be made of concrete (details can be seen on the Commercial Concrete Approach with Curb). All work will be completed in compliance with the Village Code.

Thank you for your consideration in this matter,



Anna Wojdyla  
Vice-President  
Bohemian Garden Restaurant



Joe Wojdyla  
General Manager – Project Contact  
Bohemian Garden Restaurant  
630-673-4558

DECLARATION OF RESTRICTIONS AND COVENANTS

THIS DECLARATION made this 7<sup>th</sup> day of March, 1988, by John Foltyn and Jacqueline Foltyn (hereinafter referred to as "Declarants").

WITNESSETH

WHEREAS, DECLARANTS are the owners of a certain parcel of property situated in the Village of Downers Grove, County of DuPage, State of Illinois, which is legally described as follows:

That part of Lot 7 in Pine Hills Unit 2, a Subdivision of the Southwest 1/4 of the Northwest 1/4 of Section 29, Township 38 North, Range 11, East of the Third Principal Meridian according to the plat thereof recorded June 14, 1949 as Document no. 569749, and that part of Main Street vacated per Document No. R85-11248, in DuPage County, Illinois described as follows:

Beginning on the North Line of Lot 7 at a point 424.00 feet East of the Northwest Corner of said Lot 7; thence North 89 degrees 57 minutes East, along the said North line of Lot 7 and said line extended East, 188.10 feet; thence South 0 degrees 11 minutes East, 252.35 feet; thence North 90 degrees West, 187.88 feet; thence North 0 degrees 14 minutes West, 252.18 feet to the point of beginning (containing 1.089 acres more or less),

(hereinafter referred to as the "Property"); and

WHEREAS, on February 11, 1986, the Plan Commission of the Village of Downers Grove approved the separation of the Property from the remainder of Lot 7 in Pine Hills Unit 2 Subdivision as a separate zoning lot, subject to certain conditions; and

WHEREAS, on June 20, 1986, a Declaration of Restrictions and Covenants was recorded with the Recorder of Deeds in DuPage County, Illinois as Document #R86-63644, by which certain restrictions, as required by the Plan Commission, were imposed on the use of the Property; and

9/9

Vertical stamp and handwritten notes on the right margin.

WHEREAS, Declarants have requested that the Village Council of Downers Grove consider certain amendments to such Declaration of Restrictions and Covenants; and

WHEREAS, the Village Council has determined that such amendments are appropriate, and has approved this revised Declaration of Restrictions and Covenants and has authorized total abrogation of the Declaration recorded on June 20, 1986,

NOW THEREFORE, the Village of Downers Grove hereby aorogates in full the Declaration of Restrictions and Covenants, recorded June 20, 1986, with the Recorder of Deeds in DuPage County, Illinois, as Document #86-63644, upon recordation of this Declaration of Restrictions and Covenants.

Further, Declarants hereby declare that the Property and such improvements as have been or may hereafter be erected thereon shall be held, owned, transferred, sold, conveyed and occupied subject to the following covenants and restrictions:

1. That direct vehicular ingress and egress between the Property and the right of way of Main Street shall be permitted subject to the following limitations:

a. Egress from the Property to Main Street shall be limited to right turns only.

b. Declarants shall provide for the construction and maintenance of an island within the driveway providing ingress and egress between the Property and Main Street, to restrict egress from the Property as provided in subparagraph (a) hereof.



c. Declarants shall provide for the erection and maintenance of a sign adjacent to the driveway providing ingress and egress between the Property and Main Street, words notifying vehicular traffic of the restrictions on egress from the Property as provided in subparagraph (a) hereof.

d. Declarants shall provide for signs on the Property notifying trucks making deliveries to the business located on the Property that ingress and egress between the Property and Main Street by trucks is specifically prohibited.

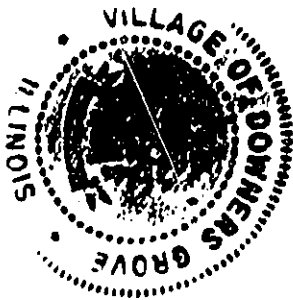
2. That Declarants agree that the right to allow direct vehicular ingress and egress between the Property and the right of way of Main Street shall terminate should the improvements located on the Property be occupied by any business use other than a restaurant, unless the Council of the Village of Downers Grove shall specifically extend such right for some other use to be located therein.

3. The restrictions and covenants established herein may at any time and from time to time be amended, modified, abrogated, waived or terminated by joint written action of the owner of record of the Property and the Mayor of the Village of Downers Grove after approval thereof by the Village Council. In the event of any such amendment, modification, abrogation or termination of the provisions of this Declaration no other person whatsoever shall have the right to complain of or contest any such action. The Village shall have the exclusive right to enforce the provisions of the within Declaration and no other person whatsoever shall have the right to rely on the provisions herein or to enforce compliance of the same. The failure of the Village to take any action to enforce any breach or alleged

breach of any covenant or restriction herein contained shall in no event be deemed to be a waiver by the Village of the right to do so thereafter.

4. The covenants and restrictions herein set forth shall run with the land and shall be binding upon the Declarants and each successive owner or occupant of the Property. Declarants acknowledge (i) that this Declaration has been executed for and the covenants and restrictions herein set forth are intended to inure to the benefit of the Village, (ii) that the remedy at law for a breach by Declarants, their successors or assigns of any of the provisions of this Declaration is and shall be inadequate, and (iii) that the Village shall be entitled to obtain injunctive relief to prevent such breaches.

IN WITNESS WHEREOF, the Declarants have heretofore subscribed as of the day and year first above written.



DECLARANTS:

*John Foltyn*  
John Foltyn

*Jacqueline Foltyn*  
Jacqueline Foltyn

VILLAGE OF DOWNERS GROVE

BY: *Betty M. Cheever*  
Mayor

Attest: *Barbara Walker*  
Village Clerk

*Prepared by + returned to*

VILLAGE CLERK  
VILLAGE OF DOWNERS GROVE  
801 Burlington  
Downers Grove, Illinois 60518

# SITE PLAN - NEW DRIVE ACCESS

## BOHEMIAN GARDEN RESTAURANT

### 75TH AND MAIN STREET

### DOWNERS GROVE, ILLINOIS

#### GENERAL NOTES

- THESE PLANS ARE BASED ON DRAWINGS PREPARED BY SHAPIRO AND ASSOCIATES, DATED 07/28/86. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THAT THE IMPROVEMENTS EXIST AS SHOWN ON THE SURVEY. THE CONTRACTOR IS RESPONSIBLE FOR NOTIFYING WOODLYA ENTERPRISES, INC. OF ANY DEVIATIONS OR OMISSIONS THAT MAY AFFECT THE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS.
- PHASES OF SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED THE OWNER'S SITE WORK SPECIFICATIONS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF EXISTING STRUCTURES, RELATED UTILITIES, PAVING, UNDERGROUND STORAGE TANKS AND OTHER EXISTING IMPROVEMENTS AS NOTED.
- CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM PREVIOUS AND CURRENT DEMOLITION OPERATIONS. DISPOSAL WILL BE IN ACCORDANCE WITH ALL LOCAL, STATE AND/OR FEDERAL REGULATIONS GOVERNING SUCH OPERATIONS.
- THE GENERAL CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR AND SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT.
- ALL CONSTRUCTION IN RIGHT-OF-WAY SHALL BE COORDINATED WITH THE APPROPRIATE AGENCY(IES) HAVING AUTHORITY.
- WARRANTY/DISCLAIMER:  
THE DESIGNS REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN FUNCTIONS AND USES INTENDED BY THE OWNER AT THIS TIME. HOWEVER, NEITHER THE ENGINEER NOR HIS PERSONNEL CAN OR DO WARRANT THESE DESIGNS OR PLANS AS CONSTRUCTED EXCEPT IN THE SPECIFIC CASES WHERE THE ENGINEER INSPECTS AND CONTROLS THE PHYSICAL CONSTRUCTION ON A CONTINUING BASIS AT THE SITE.
- SAFETY NOTICE TO CONTRACTOR:  
IN ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL REQUIREMENTS, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. ANY CONSTRUCTION OBSERVATION BY THE ENGINEER OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN, ON OR NEAR THE CONSTRUCTION SITE.

#### DOWNERS GROVE SANITARY DISTRICT NOTES

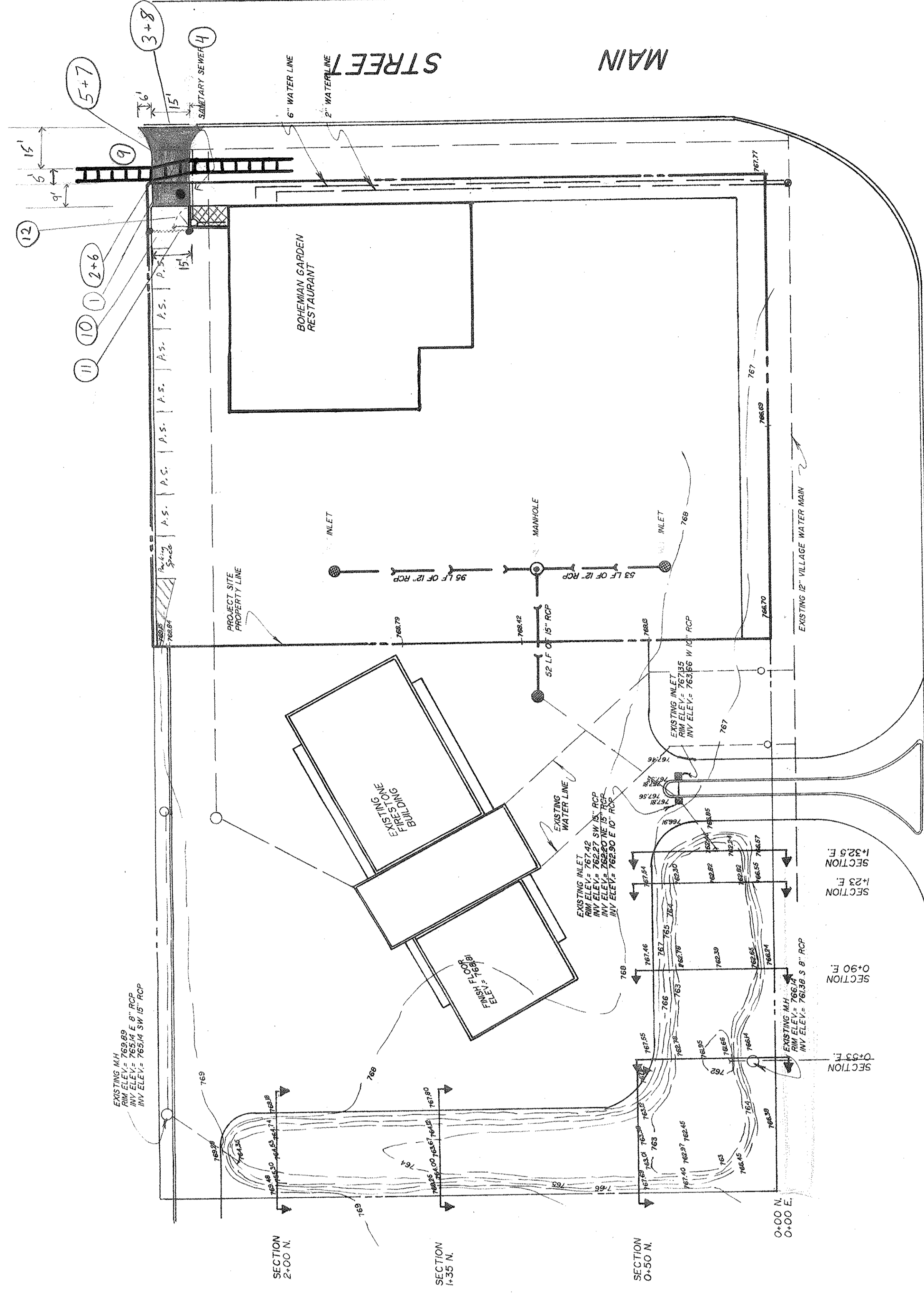
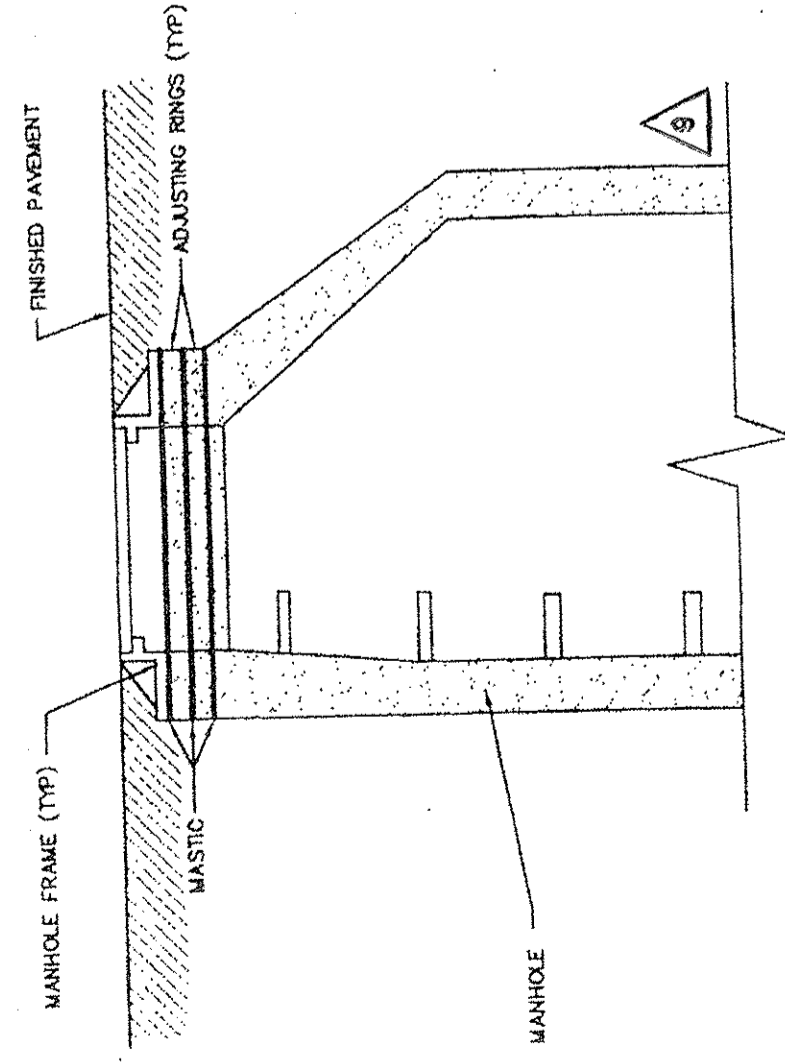
- THE DOWNERS GROVE SANITARY DISTRICT STANDARDS AND ORDINANCES SHALL GOVERN ALL SANITARY SEWER CONSTRUCTION.
- THE SEWER CONTRACTOR SHALL SCHEDULE THE FOLLOWING INSPECTIONS OF THE SANITARY SEWER CONSTRUCTION WITH THE DISTRICT 48 HOURS IN ADVANCE OF THE APPLICABLE POINT IN TIME:
  - PIPE CONSTRUCTION INSPECTION OF THE MANHOLE STRUCTURES WITH CONTRACTOR IN ORDER TO REVIEW REQUIREMENTS.
  - AN INSPECTION OF THE ACTUAL ADJUSTMENT OF THE MANHOLES PRIOR TO PAVING.
  - A FINAL INSPECTION AFTER PAVING.
- SPECIFICATIONS FOR SANITARY SEWER MANHOLE ADJUSTMENT (DIAGRAM A)
  - THE FOLLOWING METHOD SHALL BE USED FOR ALL MANHOLES WHICH WILL HAVE LESS THAN SEVEN AND ONE HALF (7 1/2") INCHES OF ADJUSTMENT BETWEEN THE TOP OF THE CONE AND THE BOTTOM OF THE FRAME WHEN SET AT FINISHED GRADE:
    - TO RAISE THE FRAME, ADJUSTMENT SHALL BE MADE USING PRECAST REINFORCED CONCRETE RINGS. CONCRETE BLOCKS OR BRICKS SHALL NOT BE USED.
    - THE SPACES BETWEEN THE CONE, RINGS, AND FRAME SHALL BE COMPLETELY SEALED WITH PREFORMED BITUMINOUS MASTIC (EASY STIK OR APPROVED EQUAL). MORTAR SHALL NOT BE USED.
    - TO LOWER THE FRAME, EXISTING ADJUSTMENTS SHALL BE REMOVED AND THE SPACE BETWEEN THE FRAME AND THE CONE SHALL BE REMOVED AND THE SPACE BETWEEN THE FRAME AND THE CONE SHALL BE COMPLETELY SEALED WITH PREFORMED BITUMINOUS MASTIC GASKET.
    - IF THE MANHOLE WOULD HAVE SEVEN AND ONE HALF (7 1/2") INCHES OR MORE OF ADJUSTMENT WHEN SET AT THE FINISHED GRADE OR IF THE FRAME MUST BE LOWERED BY MORE THAN THE AMOUNT OF THE EXISTING ADJUSTMENT, THE MANHOLE SHALL BE RECONSTRUCTED.

#### SITE NOTES

- REFER TO SHEET "COMMERCIAL CONCRETE APPROACH WITH CURB" FOR DRIVEWAY CURB DETAIL.
- CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR LOCATIONS AND DIMENSIONS OF SIDEWALKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND UNCOVERING EXISTING UTILITIES IN THE VICINITY OF THE PROPOSED DRIVE ACCESS PRIOR TO THE START OF CONSTRUCTION TO ASCERTAIN EXACT MATERIALS, LOCATIONS, ELEVATIONS, ETC. AND THEIR POTENTIAL CONFLICT WITH PROPOSED IMPROVEMENTS. GC SHALL CONSULT WITH CONSTRUCTION MANAGER AND ENGINEER AS APPROPRIATE BEFORE BEGINNING SUCH WORK.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON DESIGN DRAWINGS. RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. WOODLYA ENTERPRISES, INC. DOES NOT GUARANTEE THAT LOCATIONS SHOWN ARE EXACT. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES.

#### KEYED NOTES

- THE PROPOSED CONCRETE DRIVE APRON WILL BE BUILT WHERE SHOWN IN THE SHADED AREA AS DETAILED ON THE ATTACHED BID DOCUMENTS AND HEREIN. THE AREA WILL FIRST BE EXCAVATED (25 CUBIC YARDS).
- REMOVE EXISTING SIDEWALK (100 SQUARE FEET).
- REMOVE EXISTING SIDEWALK (100 SQUARE FEET).
- ADJUST 8 INCH CALS OF SEWER MANHOLE PER SPECIFICATIONS ABOVE.
- NEW 8 INCH CALS COMPACTED BASE (50 SQUARE YARDS).
- NEW 8 INCH PCC SIDEWALK (86 SQUARE FEET).
- NEW M-2.12 C&G (27 LINEAR FEET).
- SITE RESTORATION.
- ONE PARKING SPACE WILL BE ELIMINATED ON THE NORTHEAST CORNER OF THE PROPERTY DIRECTLY NORTH OF THE GARBARGE ENCLOSURE. THE DRIVE ACCESS WILL BE UTILIZED BY GARBARGE TRUCKS AND DELIVERY TRUCKS.
- THE GENERAL PUBLIC IS BLOCKED FROM USING THE NORTH DRIVE ACCESS BY THE USE OF A REMOVABLE CHAIN GATE LOCATED AT THE NORTHWEST CORNER OF THE GARBARGE ENCLOSURE. THE CHAIN GATE WILL BLOCK THE DRIVE ACCESS ACROSS THE 15 FOOT SECTION OF THE PARKING LOT NORTH OF THE GARBARGE ENCLOSURE. A "NOT AN ENTRANCE" SIGN WILL BE INSTALLED.
- THE GARBARGE ENCLOSURE ACCESS POINT WILL BE MODIFIED FROM ITS CURRENT STATE IN WHICH THE SWINGING DOOR OPENS EAST TO INSTEAD OPEN NORTH FROM THE NORTH SIDE.

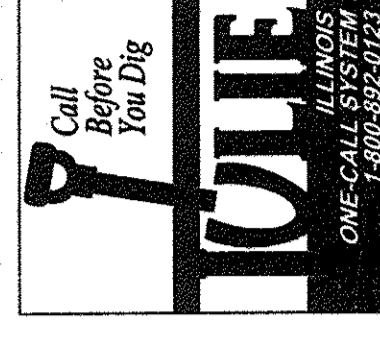
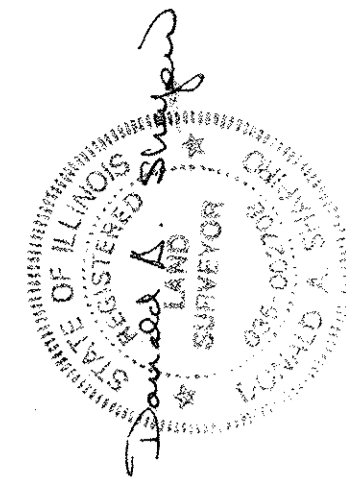
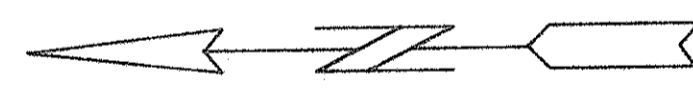


STREET

75TH

TOPOGRAPHIC SURVEY.

SCALE: 1" = 30'  
JULY 26, 1986



SHAPIRO AND ASSOCIATES  
520 RIDGE ROAD  
MUNSTER, INDIANA 46321  
JOB NO. 86-3271  
F.B. 64 P. 93-100

DOWNERS GROVE SANITARY DISTRICT  
DETAIL FOR SANITARY MANHOLE ADJUSTMENT

SHEET NO. 1 OF 2

Main St

### Work Plan:

- The proposed concrete drive apron will be built where shown in red & as detailed on the attached bid documents.

### Parking Plan:

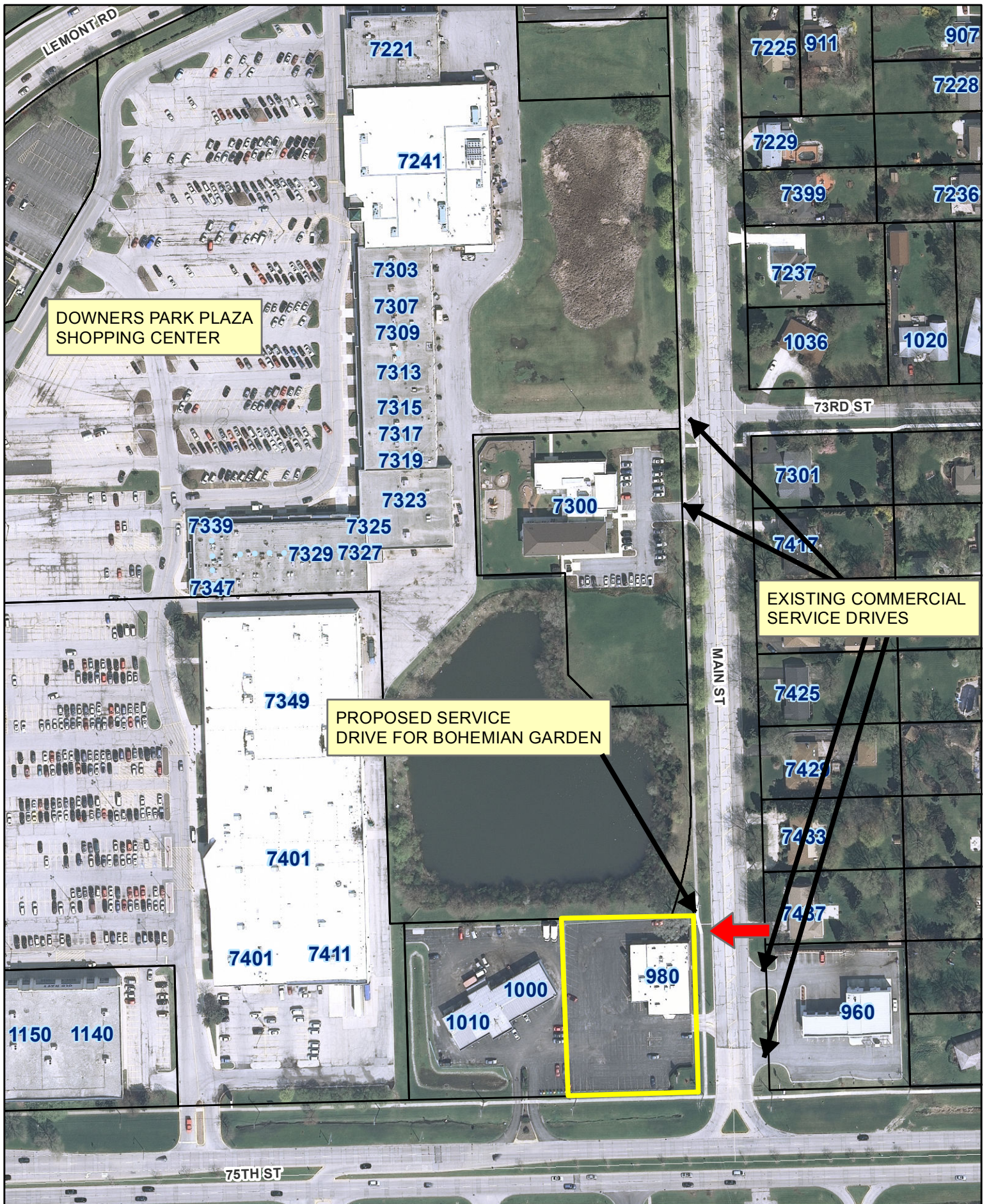
- 1 parking space will be eliminated on the north side.

### Traffic Plan:

- The general public will be blocked from entering the north side.
- Trucks: Garbage Trucks & Delivery trucks will utilize the new north drive.

Bohemian Garden  
New Drive Apron  
Site Plan

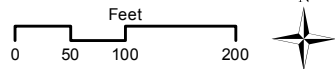
7-16-12



DOWNERS PARK PLAZA  
SHOPPING CENTER

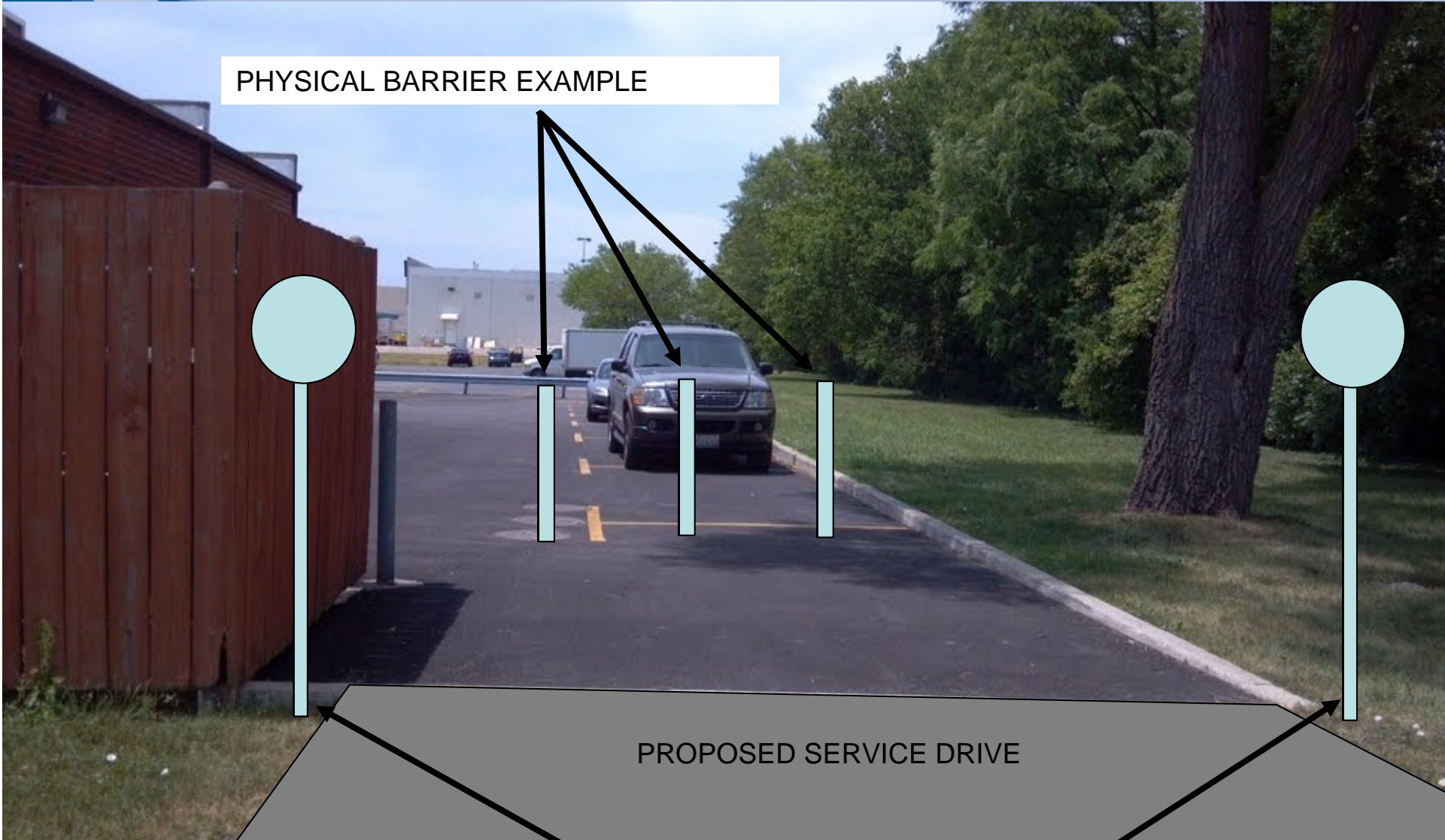
PROPOSED SERVICE  
DRIVE FOR BOHEMIAN GARDEN

EXISTING COMMERCIAL  
SERVICE DRIVES



**980 75th Street  
AREA MAP**

PHYSICAL BARRIER EXAMPLE



PROPOSED SERVICE DRIVE

DO NOT ENTER / SERVICE ONLY SIGNS

