

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village Council Meeting**  
**8/16/2016**

<b>SUBJECT:</b>	<b>SUBMITTED BY:</b>
5100 Forest - Special Use and PUD Ordinance Update and Extension	Stan Popovich, AICP Director of Community Development

**SYNOPSIS**

The following items have been prepared:

1. An ordinance granting a six-month extension to Special Use Ordinance No. 5476 to permit the construction of an 89-unit apartment building at 5100 Forest Avenue.
2. An ordinance amending Planned Unit Development Ordinance No. 5475 to reduce the required cash-in-lieu Park District and school district donations amount from \$543,814.40 to \$433,648.20.
3. An ordinance amending Special Use Ordinance No. 5476 to reduce the required cash-in-lieu Park District and school district donations amount from \$543,814.40 to \$433,648.20.

**STRATEGIC PLAN ALIGNMENT**

The goals for 2015 – 2017 include *Strong and Diverse Local Economy*.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval on the September 6, 2016 Active Agenda.

**BACKGROUND**

On August 18, 2015, the Village Council approved a proposal to construct a five-story, 89-unit apartment building at 5100 Forest Avenue. As part of the approval, the petitioner is required to dedicate land or provide a cash-in-lieu donation for both park and school sites per the Subdivision Ordinance. At their August 9, 2016 meeting, the Village Council directed staff to amend the Special Use and Planned Unit Development Ordinances (No. 5476 and No. 5475 respectively) to reflect a reduction in the cash-in-lieu Park District and school district donations from \$543,814.40 to \$433,648.20.

The table below depicts the original and revised fees:

	Original Fees	Revised Fees
Park District	\$483,491.20	\$385,545.30
District 58	\$43,444.54	\$34,643.52
District 99	\$16,878.66	\$13,459.37
<b>Total</b>	<b>\$543,814.40</b>	<b>\$433,648.20</b>

On August 10, 2016, the petitioner requested the Village Council grant a six-month extension of the Special Use approval. Per Section 12.050.I of the Zoning Ordinance, a special use approval will lapse after one year if a building permit has not been issued. The Village Council is authorized to extend the expiration period for good cause on up to two separate occasions, by up to six months each.

The petitioner has met with Village representatives many times over the past year regarding construction of the building and has submitted a building permit application to construct the building. At this time, the petitioner is addressing Village comments and anticipates having an approved and issued permit within the next few weeks.

#### **ATTACHMENTS**

Ordinance

Petitioner's Letter

**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE AUTHORIZING THE EXTENSION OF A SPECIAL USE  
TO AUTHORIZE CONSTRUCTION OF A  
MULTI-FAMILY STRUCTURE AT  
5100 FOREST AVENUE TO FEBRUARY 18, 2017**

WHEREAS, on August 18, 2015, the Village of Downers Grove has previously approved Ordinance No. 5476 entitled "AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 5100 FOREST TO PERMIT CONSTRUCTION OF A MULTI-FAMILY STRUCTURE"; and

WHEREAS, pursuant to the Downers Grove Zoning Ordinance, Section 28.12.050(I), "The village council is authorized to extend the expiration period for good cause on up to 2 separate occasions, by up to 6 months each. Requests for extensions must be submitted to the community development director and forwarded to the village council for a final decision";

WHEREAS, the owner of the Property has made a request for an extension of the improvements authorized under Ordinance No. 5476; and

WHEREAS, the Village Council has considered such request and has determined that it is in the best interest of the Village of Downers Grove to extend the Special Use approval as requested.

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

**SECTION 1.** That the Special Use approval as set forth in Ordinance No. 5476, permitting construction of a multiple-family residential dwelling in the DB/PUD #53 Downtown Business District with Planned Unit Development Overlay Zoning District to permit a multiple family residence at 5100 Forest Avenue, is hereby extended to February 18, 2017.

**SECTION 2.** That this ordinance shall be in full force an effect from and after its adoption in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:

Published:

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



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August 10, 2016

Mr. Stanley J. Popovich, AICP  
Director of Community Development  
801 Burlington Ave.  
Downers Grove, IL 60515

RE: Burlington Station Project - 5100 Forest Ave, Downers Grove, IL

Dear Mr. Popovich,

In response to your email dated August 10, 2016, please note that it is still our intention to proceed with the subject project.

Our Development Team has been working diligently on the above noted project for the past year, and permit review and response is underway. We anticipate receiving the permit in August/September 2016, and anticipate initiating demolition and construction immediately thereafter.

Nevertheless, I recognize that our Special Use, granted August 18, 2015, is approaching expiration on August 18, 2016. While we are hopeful we have obtained a permit prior to the expiration, it would be prudent to extend this Special Use.

With this in mind, we are requesting an extension of the Special Use ordinance associated with this project. Accordingly, we would request we be placed on the Village Council's schedule for consideration and hopefully approval of this request.

Please call with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Drew Mitchell', with a stylized flourish at the end.

T. Drew Mitchell  
VP Development – Holladay Properties  
Project Manager – Burlington Station