

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village Council Meeting**  
**9/6/2016**

<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

**UPDATE & RECOMMENDATION**

This item was discussed at the August 16, 2016 Village Council meeting. Staff recommends 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

VILLAGE OF DOWNERS GROVE  
COUNCIL ACTION SUMMARY

INITIATED: Applicant DATE: September 6, 2016  
(Name)

RECOMMENDATION FROM: \_\_\_\_\_ FILE REF: 15-PLC-0019  
(Board or Department)

**NATURE OF ACTION:**

**STEPS NEEDED TO IMPLEMENT ACTION:**

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AMENDING ORDINANCE NO. 5475 DESIGNATING PLANNED UNIT DEVELOPMENT #53 AND AUTHORIZING CONSTRUCTION OF A MULTI-FAMILY STRUCTURE WITH DEVIATIONS AT 5100 FOREST AVENUE", as presented.



**SUMMARY OF ITEM:**

Adoption of the attached ordinance shall amend Ordinance No. 5475 designating Planned Unit Development #53 and authorizing construction of a multi-family structure with deviations.

**RECORD OF ACTION TAKEN:**

---

---

---

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

**AN ORDINANCE AMENDING ORDINANCE NO. 5475 DESIGNATING  
PLANNED UNIT DEVELOPMENT #53  
AND AUTHORIZING CONSTRUCTION OF A  
MULTI-FAMILY STRUCTURE WITH DEVIATIONS  
AT 5100 FOREST AVENUE**

WHEREAS, the Village Council has previously adopted Ordinance No. 5475, on August 18, 2015, designating the property described therein as Planned Unit Development #53; and,

WHEREAS, the Owners have requested a reduction in the required cash-in-lieu donation to the Park District for the Burlington Station Apartment complex to be constructed on the property located at 5100 Forest Avenue; and,

WHEREAS, such request was referred to the Village Council of the Village of Downers Grove, and the Village Council, on August 9, 2016, directed staff to amend the appropriate land use ordinances and reduce the required cash-in-lieu donations to the Park District and School Districts in the amount of \$110,166.20; and,

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

SECTION 1. That Section 5(2) of Ordinance No. 5475 be amended to state as follows:

2. Prior to issuing any site development or building permits, the petitioner shall make park and school donations in the amount of \$433,648.20 (\$385,545.30 to the Park District, \$34,643.52 to Elementary School District 58, and \$13,459.37 to High School District 99).

SECTION 2. That the provisions of the preamble are incorporated into and made a part of this ordinance as if fully set forth herein.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That this ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

\_\_\_\_\_  
Mayor

Passed:

Published:

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