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## VILLAGE OF DOWNERS GROVE Report for the Village 9/4/2018

SUBJECT:	SUBMITTED BY:				
4000 Lee Avenue - Annexation	Stan Popovich, AICP Director of Community Development				

#### **SYNOPSIS**

The petitioner is requesting annexation of the property at 4000 Lee Avenue.

## STRATEGIC PLAN ALIGNMENT

The goals for 2017-2019 include *Strong and Diverse Local Economy*.

## **FISCAL IMPACT**

N/A

## **UPDATE & RECOMMENDATION**

This item was discussed at the August 21, 2018 Village Council meeting. Staff recommends approval on the September 4, 2018 active agenda.

## **BACKGROUND**

The property at 4000 Lee Avenue consists of two parcels (PINs 09-06-105-013 & 09-06-107-009) located in unincorporated DuPage County at the terminus of 40<sup>th</sup> Street and Lee Avenue. The property is directly southeast of the Ronald Regan Memorial Tollway. The 123,329 square-foot property has an existing single-family detached home.

The owner has petitioned the Village to extend water service to their property, and thus is required to annex into the municipal limits. The subject property is contiguous and located within the Village's planning boundary. The plat of annexation has been prepared and all necessary fees have been paid. The proper notices were sent to the Downers Grove Township on August 7, 2018. The property is not part of a fire protection district per the adjacent fire district's records, and is within the Downers Grove emergency response limits.

The petitioner is not proposing future development on the site. The property is exclusively accessed by municipal roads. The default zoning classification of R-1, Residential Detached House 1, will be applied upon annexation as the petitioner is not interested in rezoning the property.

## Compliance with the Zoning Ordinance

The property will be zoned R-1, Residential Detached House 1, upon annexation. The existing single-family use is a permitted use in the R-1 zoning district.

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The default R-1, Residential Detached House 1, zoning classification is appropriate for this property as it meets the bulk and use regulations.

## Compliance with the Comprehensive Plan

The annexation is consistent with the Comprehensive Plan, identifying the property as part of the estate type of residential development. The annexation will have no impact on the existing residential development patterns of this area as the land use will remain single family residential. The annexation and R-1 zoning of the property of R-1 is consistent with the Comprehensive Plan.

## **ATTACHMENTS**

Ordinance Annexation Petition

# VILLAGE OF DOWNERS GROVE COUNCIL ACTION SUMMARY

INITIATED:	Petitioner	DATE: _	September 4, 2	2018
	(Name)			
RECOMMENDA'	ΓΙΟΝ FROM:		FILE REF	r:
	(Bo	oard or Department)		
NATURE OF ACT	ΓΙΟN:	STEPS NEEDED	TO IMPLEME	ENT ACTION:
X Ordinance				NCE ANNEXING E VILLAGE OF
Resolution		DOWNERS GRO		
Motion		4		
Other			ĺ	
SUMMARY OF IT	гем:			
		000 Lee Avenue into	the Village.	
RECORD OF ACT	ΓΙΟΝ TAKEN:			
			19	a

1\wp\cas.18\4000-Lee-Anx

<b>ORDINANC</b>	E NO.	

# AN ORDINANCE ANNEXING 4000 LEE AVENUE TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS

WHEREAS, there has been filed with the Clerk of the Village of Downers Grove, in DuPage County, Illinois, a verified petition requesting annexation to said Village of a parcel of land commonly known as 4000 Lee Avenue, as hereinafter described and hereafter referred to as the "Territory"; and

WHEREAS, it appears to be in the best interests of the Village of Downers Grove to annex the Territory; and

WHEREAS, the owners of record have filed a petition for annexation; and

WHEREAS, all required submittals, fees and payments have been submitted to the Village prior to the approval of this Ordinance.

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

<u>SECTION 1</u>. The following described real estate, together with any public streets or highways adjacent to or within the Territory described that have not been previously annexed to any municipality, is hereby annexed to the Village of Downers Grove, to wit:

## PARCEL 1:

THE NORTH 224.45 FEET OF THE SOUTH 374.45 FEET OF THAT PART OF THE EAST ½ OF LOT 2 IN THE NORTHWEST ¼ OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS TO-WIT: BEGINNING AT AN IRON STAKE ON THE NORTH LINE OF DOWNERS GROVE TOWNSHIP AND THE CENTERLINE OF LACEY ROAD; THENCE EAST ALONG THE SAID TOWNSHIP LINE A DISTANCE OF 725.0 FEET TO AN IRON PIPE; THENCE EAST ALONG SAID TOWNSHIP A DISTANCE OF 725.0 FEET TO AN IRON PIPE; THENCE SOUTHERLY A DISTANCE OF 1273.0 FEET TO A POINT (MARKED BY AN IRON STAKE), SAID POINT BEING 716.5 FEET EASTERLY FROM AND IRON STAKE IN THE CENTER LINE OF SAID LACEY ROAD THENCE WESTERLY A DISTANCE OF 716.5 FEET TO AN IRON STATE IN THE CENTER LINE OF LACEY ROAD; THENCE NORTHERLY ALONG THE CENTER LINE OF LACEY ROAD A DISTANCE OF 1261.0 FEET TO THE PLACE OF BEGINNING, EXCEPT THAT PART TAKEN FOR TOLL WAY BY CASE E-2-33 AND CASE NO. 87ED66.

## PARCEL 2:

THE SOUTH 150 FEET OF THAT PART OF THE EAST ½ OF LOT 2 IN THE NORTHWEST ¼ OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS, TO-WIT; BEGINNING AT AN IRON STAKE ON THE NORTH LINE OF DOWNERS GROVE TOWNSHIP AND THE CENTER LINE OF LACEY ROAD; THENCE EAST ALONG THE SAID TOWNSHIP LINE A DISTANCE OF 725.0 FEET TO AN IRON PIPE; THENCE EAST ALONG SAID TOWNSHIP A DISTANCE OF 725.0 FEET TO AN IRON PIPE; THENCE SOUTHERLY A DISTANCE OF 1273.0 FEET TO A POINT (MARKED BY AN IRON STAKE), SAID POINT BEING 716.5 FEET EASTERLY FROM AN IRON STAKE IN THE CENTERLINE OF

SAID LACEY ROAD, THENCE WESTERLY A DISTANCE OF 726.5 FEET TO AN IRON STAKE IN THE CENTER LINE OF LACEY ROAD; THENCE NORTHERLY ALONG THE CENTER LINE LACEY ROAD A DISTANCE OF 1261.0 FEET TO THE PLACE OF BEGINNING, EXCEPT THAT PART TAKEN FOR TOLLWAY BY CASE E-2-33 AND CASE NO 87ED66.

Commonly known as: 4000 Lee Avenue, Downers Grove, IL 60515 PINs 09-06-105-013 and 09-06-107-009

<u>SECTION 2</u>. A certified copy of this ordinance, together with an accurate map of the Territory hereby annexed shall be recorded in the office of the Recorder of DuPage County and shall be filed with the County Clerk of DuPage County by the Clerk of the Village.

<u>SECTION 3</u>. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance be and are hereby repealed.

<u>SECTION 4</u>. This ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

	Mayor
Passed:	
Published:	
Attest:	
Village Clerk	
-	

1\mw\ord.18\4000-Lee-Anx

Village of DOWNERS GROVE FOUNDED IN 1832
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Office Use Only:	
File No	

* Village Uj	mmunity Development		
NOWNERS 801 Burlington Avenu	e – Downers Grove, IL 515 Fax: 630.434.6873	60515	Date Filed
Petition includes request(s) for		ck all that apply)	
Annexation (\$448)			, *
Zoning Map Amendment/Re-Z			
<ul><li>□ Special Use (\$537 Residential,</li><li>□ Special Use – minor amendment</li></ul>			
□ Variation in Conjunction w		sidential \$537 No	on-residential)
□ Planned Unit Development/Pla			
☐ Planned Unit Development Site	e Plan Approval (\$225)		
□ Plat of Subdivision (\$845, \$225			
☐ With Exception(s) (\$113 p ☐ Lot Consolidation/Reconfigura			
☐ Lot Consolidation (\$480 – Plan			
☐ With Exception(s) (\$113 p		,	
☐ Right-of-Way Vacation of Stre			
☐ Appeal from Administrative De			
1. Applicant Celestino Ojeda		Davtime Phone	708-259-1307
Mailing Address 4000 Lee Ave, Downers			
E-Mail Address tino@blueline.ws			
2.Owner(s) of Record Celestino and Sophia Oj	eda	Daytime Phone	708-259-1307
Mailing Address 4000 Lee Ave, Downers			
Owner(s) of Record Celestino and Sophia Oj	eda	Daytime Phone	708-259-1307
Mailing Address 4000 Lee Ave, Downers		g 0	
3. Applicant is: Owner  Attorney  Other Agent (ple		tion to Dowr	ners Grove
(Note: A letter of authorization from the owner(s) of reco			_
4. Address/Location of Subject Property 4000 Lee Av			
5. Property Index Number(s) of Subject Property 09-06	-105-013 and 09-	06-107-009	
6. Present Zoning Classification Residential	_		
7. Describe the relief requested Annexation to Dow	ners Grove		
Annexation to Downers Grove			
hereby certify that the above statements and all accompan	ying statements and drav	vings are true and	d correct to the best of
ny knowledge. I hereby consent to the entry in or upon	the premises described	in this applicati	on by any authorized
fficial of the Village of Downers Grove for the purpose of otices as may be required by law.	securing information, po	osting, maintaini	ng and removing such
	10 Q	1/2	7/2018
CEROSTINO O	KRG	_ (0)	-110010
Applicant Signature		Date	
ease note that advertisement of proposed projects prior to Village appro promotion of a project is done at the risk of the petitioner.	vai in no way creates an oblig	ation for Village app	proval. Any advance



\$901 Processing Fee (Annexation & Rezoning) Property Address:

## PETITION FOR ANNEXATION TO THE VILLAGE OF DOWNERS GROVE, ILLINOIS

STATE OF ILLINOIS )
) SS
COUNTY OF DU PAGE )

TO: The Mayor and Village Council of the Village of Downers Grove
 801 Burlington Avenue
 Downers Grove, Illinois 60515

The undersigned petitioner(s) (hereinafter referred to as the "Petitioners"), being first duly sworn on oath, hereby respectfully represent and petition as follows:

- 1. The Petitioners are and include (i) the owner or owners of record of all land within the territory (the "Territory") hereinafter more particularly described, to be annexed to the Village of Downers Grove, Illinois, pursuant to this Petition, and (ii) at least 51% Of the electors, if any, residing in the Territory;
- 2. The Territory is contiguous to the Village of Downers Grove, Illinois, and is not included within the corporate limits of any municipality;
- 3. The Petitioners request that the Territory, more particularly described as follows, to-wit:

(Insert Legal Description of the Subject Property)

The North 224.45 feet of the South 374.45 feet of that part of the East ½ of Lot 2 in the Northwest ¼ of Section 6, Township 39 North, Range 11, East of the Third Principal Meridian, described as follows to-wit: beginning at an iron stake on the North line of Downers Grove Township and the center line of Lacey Road; thence East along the said township line a distance of 725.0 feet to an iron pipe; thence East along said township a distance of 725.0 feet to an iron pipe; thence Southerly a distance of 1273.0 feet to a point (marked by an iron stake), said point being 716.5 feet Easterly from an iron stake in the center line

of said Lacey Road, thence Westerly a distance of 716.5 feet to an iron stake in the center line of Lacey Road, thence Northerly along the center line of Lacey Road a distance of 1261.0 feet to the place of beginning, except that part taken for toll way by Case E-2-33 and Case No. 87ED66

PARCEL 2:

The South 150 feet of that part of the East ½ of Lot 2 in the Northwest ¼ of Section 6, Township 38 North, Range 11, East of the Third Principal Meridian, described as follows, to-wit: Beginning at an iron stake on the North line of Downers Grove Township and the center line of Lacey Road; thence East along the said township line a distance of 725.0 feet to an iron pipe; thence East along said township a distance

of 725.0 feet to an iron pipe; thence Southerly a distance of 1273.0 feet to a point (marked by an iron stake), said point being 716.5 feet Easterly from an iron stake in the center line of said Lacey Road, thence Westerly a distance of 726.5 feet to an iron stake in the center line of Lacey Road; thence Northerly along the center line of Lacey Road a distance of 1261.0 feet to the place of beginning, except that part taken for Tollway by Case E-2-33 and Case No 87ED66

Commonly Known As: 4000 Lee Ave, Downers Grove, IL

Permanent Index Numbers (PIN): 09-06-105-013 and 09-06-107-009

together with any public streets or highway adjacent to or within the Territory that have not previously been annexed to any municipality to be annexed to and become a part of the Village of Downers Grove, Illinois.

- 4. A plat of annexation certified by a Registered Illinois Land Surveyor and including the Permanent Index Number(s) of the Territory has been or will be prepared and attached hereto as an exhibit.
- 5. That this annexation is contingent upon granting zoning as requested in the Petition herewith.

WHEREFORE, the Petitioners respectfully request that an ordinance be adopted by the Council of the Village of Downers Grove, Illinois, annexing the Territory to said Village and that all such other proceedings be had as are required by law to effect the annexation of the Territory to the Village of Downers Grove, Illinois.

Dated: June 27, 2018

Respectfully submitted,

Owners:

OJEDA, Celestino and Sophia

Mailing Address:

4000 Lee Ave

Downers Grove, IL 60515

Telephone Numbers:

708-259-1307

630-816-1553

Subscribed and sworn to before me this 27th day of Qune, 20 18

Notary Public

**NOTARIAL SEAL** 

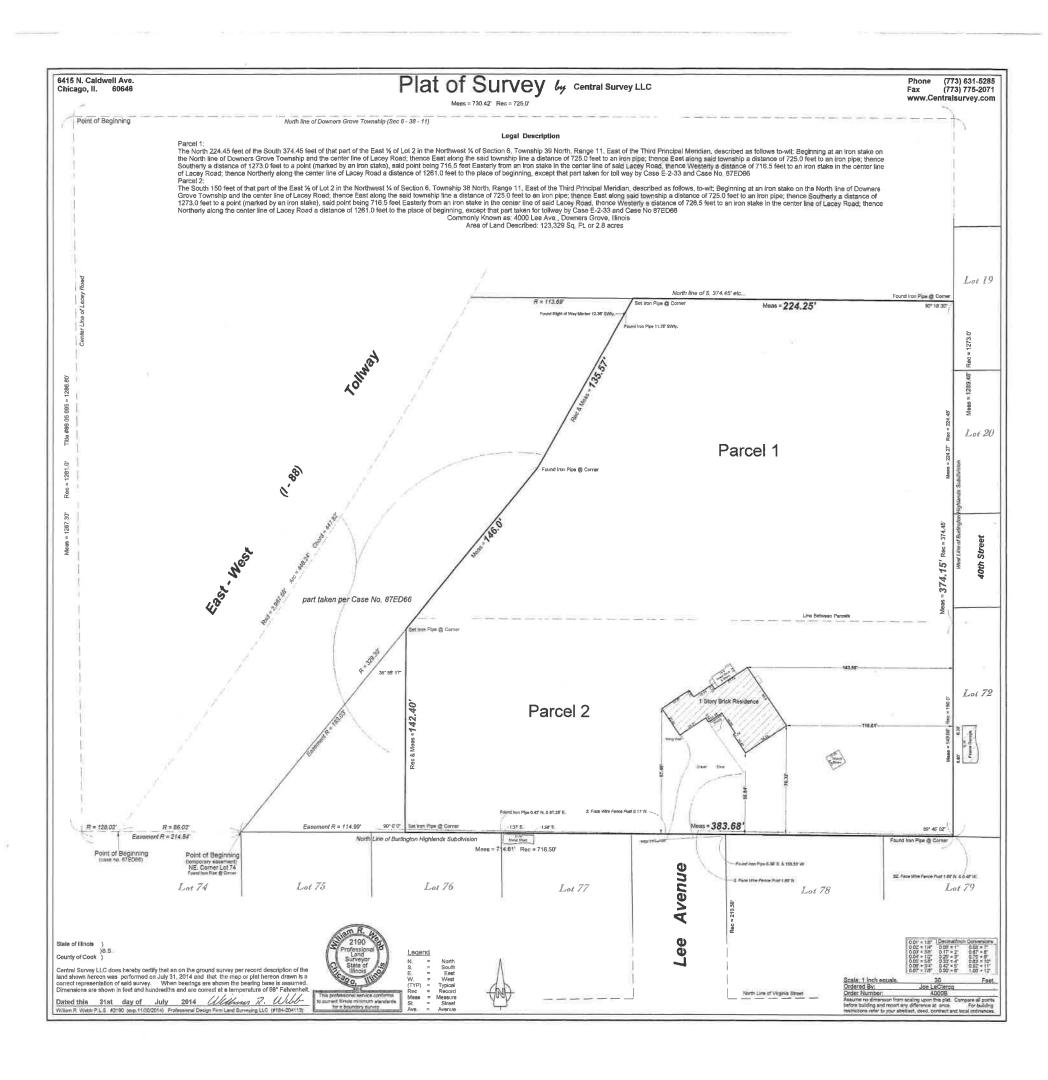
OFFICIAL SEAL
SOHIA E OJEDA
Notary Public - State of Illinois
My Commission Expires Aug. 12, 2019

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6415 N. Caldwell Ave. Chicago, II. 60646

(773) 631-5285 (773) 775-2071

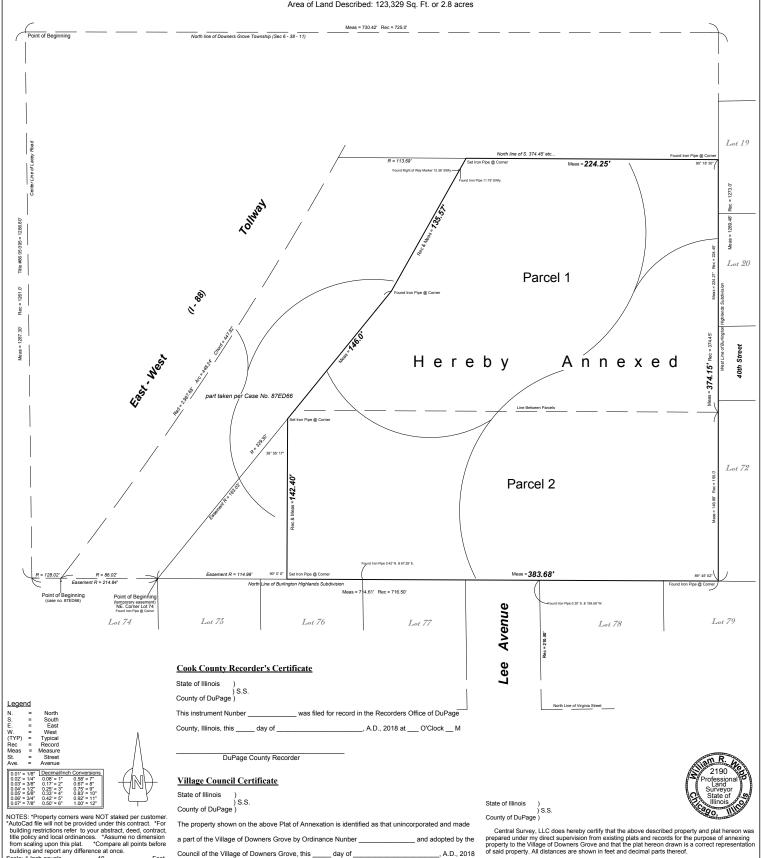
Plat of Annexation 6, Central Survey LLC

PARCEL 1:

The North 224.45 feet of the South 374.45 feet of that part of the East ½ of Lot 2 in the Northwest ¼ of Section 6, Township 39 North, Range 11, East of the Third Principal Meridian, described as follows to-with beginning at an iron stake on the North line of Downers Grove Township and the center line of Lacey Road; thence East along the said township ine a distance of 725.0 feet to an iron pipe; thence East along said township a distance of 725.0 feet to an iron pipe; thence East along said township a distance of 725.0 feet to an iron pipe; thence Southerly a distance of 1273.0 feet to a point (marked by an iron stake), said point being 716.5 feet Easterly from an iron stake in the center line of Lacey Road; thence Westerly a distance of 716.5 feet to an iron stake in the center line of Lacey Road; thence Northerly along the center line of Lacey Road a distance of 1261.0 feet to the place of PARCEL 2:

PARCEL 2:
The South 150 feet of that part of the East ½ of Lot 2 in the Northwest ½ of Section 6, Township 38 North, Range 11, East of the Third Principal Meridian, described as follows, to-wit: Beginning at an iron stake on the North line of Downers Grove Township and the center line of Lacey Road; thence East along the said township line a distance of 725.0 feet to an iron pipe; thence East along said township a distance of 725.0 feet to an iron pipe; thence Southerty a distance of 1273.0 feet to a point (marked by an iron stake), said point being 716.5 feet Easterly from an iron stake in the center line of said Lacey Road, thence Westerly a distance of 726.5 feet to an iron stake in the center line of Lacey Road at distance of 1261.0 feet to the place of beginning, except that part taken for Tollway by Case E-2-33 and Case No 87ED66

Commonly Known as: 4000 Lee Ave., Downers Grove, Illinois Area of Land Described: 123,329 Sq. Ft. or 2.8 acres



and adopted by the

. A.D., 2018

Dated this 21st day of June 2018 William R. Webb PLS. #2190 (exp.11/30/2018) Professional Design Firm Land Surveying LLC (#184-004113)

a part of the Village of Downers Grove by Ordinance Nunber

day of

Council of the Village of Downers Grove, this

Village Clerk

Attest:

\*Compare all points before

40

Celestino Ojeda

from scaling upon this plat. \*Compare a building and report any difference at once.

Scale: 1 Inch equals

Ordered By: