

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village**  
**4/12/2022**

|   |  |
|---|--|
| <b>SUBJECT:</b>                           | <b>SUBMITTED BY:</b>                                     |
| Plat of Subdivision - 1122 Gilbert Avenue | Stan Popovich, AICP<br>Director of Community Development |

**SYNOPSIS**

The petitioner is requesting approval of a Final Plat of Subdivision to subdivide a single property into two lots.

**STRATEGIC PLAN ALIGNMENT**

The goals for 2021-2023 include *Exceptional Municipal Services*.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

**UPDATE & RECOMMENDATION**

This item was discussed at the April 5, 2022 Village Council meeting. Staff recommends approval on the April 12, 2022 consent agenda per the Plan Commission's 8:0 positive recommendation.

**BACKGROUND**

Property Information & Zoning Request

The petitioner is requesting approval of a Final Plat of Subdivision to subdivide an existing parcel at 1122 Gilbert into two lots. The subject property is zoned DT, Downtown Transition. Currently the 2.08 acre property is improved with a multi-family structure and Village Commuter Parking Lot D. Both improvements will remain on the lots.

The property was purchased in 1980 from the Village. At that time, the petitioner and the Village entered into a lease agreement that allowed for the continued use of the parking lot in the rear as off-street public parking until 2078. Two additional lease agreements allowed Immanuel Residences to use the parking lot for access leading to the building's loading dock and for residential parking between 6:00 P.M. and 6:00 A.M. The associated lease agreements currently remain in place.

The property was never formally subdivided in 1980 and the requested Plat of Subdivision will formally recognize the development as two lots of record. Approval of the subdivision would support the continued use of a multi-family residential building and associated parking lot.

### Compliance with the Subdivision Ordinance

The two new lots comply with the minimum lot area, lot width and lot depth. The petitioner is providing the required five-foot wide public utility and drainage easements along the side and rear lot lines and a ten-foot wide stormwater easement over the existing storm sewer. An ingress and egress easement will be granted on Lot 2. Both the watermain and sidewalk easements will be maintained. There are no school and park donations required with this application

### Compliance with the Zoning Ordinance

The property is zoned DT, Downtown Transition. Multi-family developments are allowable special uses in the DT Zoning District. While there is no special use permit for the development, Village records indicate lawful establishment of the use and structure. At the time of construction, the property was zoned B-2: Business District General Retail (per the 1965 Zoning Ordinance) and the use was permitted by right.

Additionally, per Section 28.7.080 off-street parking spaces may be leased as commuter parking if a special use or shared parking agreement is in place. The Village currently holds a lease agreement that grants continued use of the rear parking lot for public off-street parking purposes for Commuter Lot D. The subdivision of the subject property into two lots with the existing zoning classification allows for the continued use an accessory/commuter parking lot and the existing multifamily residential building.

### Engineering and Public Improvements

The property will consist of two lots with access to Gilbert Avenue. The ingress and egress easement will be granted for the benefit of Lot 1. There are no public improvements required with the subdivision application at this time.

### Compliance with the Comprehensive Plan

The proposed redevelopment is consistent with the Comprehensive Plan as follows:

- Continued availability of a variety of housing and dwelling unit types and densities.
- Support for multi-family development that is used to transition between single family residential areas and higher intensity commercial uses.
- The reduction of land area devoted to surface parking through shared parking agreements.

### Public Comment

Prior to and during the Plan Commission meeting, staff did not receive any inquiries regarding this proposal.

## **ATTACHMENTS**

Resolution

Aerial Map

Staff Report with attachments dated March 7, 2022

Draft Minutes of the Plan Commission Hearing dated March 7, 2022

**RESOLUTION \_\_\_\_\_****A RESOLUTION APPROVING THE  
FINAL PLAT OF SUBDIVISION  
FOR 1122 GILBERT AVENUE**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for the approval of a Final Plat of Subdivision to subdivide one lot into two lots, located approximately 176 feet northwest from the intersection of Gilbert Avenue and Forest Avenue, commonly known as 1122 Gilbert Avenue, Downers Grove Illinois, legally described as follows:

A PART OF LOT 57 OF THE ASSESSOR'S SUBDIVISION OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING IN THE NORTH LINE OF GILBERT AVENUE AT A POINT 30 FEET NORTH AND 50 FEET EAST OF THE QUARTER SECTION STAKE BETWEEN SECTIONS 7 AND 8 AFORESAID AND RUNNING THENCE NORTH 274.75 FEET TO A STAKE IN THE SOUTH LINE OF RAILROAD LANDS AT SIMONSON'S NORTHEAST CORNER; THENCE SOUTH 89° 00' EAST ALONG THE SOUTH LINE OF RAILROAD LANDS, 321.58 FEET; THENCE SOUTH 56° 15' EAST 17.8 FEET ON THE SOUTH LINE OF SAID RAILROAD LANDS, THENCE SOUTH ALONG THE LANDS OWNED BY JOHN OLDFIELD, 258 FEET TO THE NORTH LINE OF SAID GILBERT AVENUE; THENCE WEST ALONG THE NORTH LINE OF SAID AVENUE 336.76 FEET TO SIMONSON'S SOUTHEAST CORNER AND THE PLACE OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 1122 Gilbert Avenue, Downers Grove, IL 60515  
PIN: 09-08-126-002

WHEREAS, notice had been given and a public hearing held before the Plan Commission on March 7, 2022 for this final plat application pursuant to the requirements of the Downers Grove Municipal Code; and,

WHEREAS, Village staff has reviewed and recommends approval of the petition for Final Plat of Subdivision for the Immanuel's Plat of Subdivision, located at 1122 Gilbert Avenue, Downers Grove, Illinois, as requested, subject to certain conditions; and,

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the Immanuel's Plat of Subdivision, located at 1122 Gilbert Avenue, Downers Grove, Illinois, is hereby approved subject to the following condition:

1. The final plat of subdivision shall substantially conform to the Final Plat of Subdivision for the Immanuel's Plat of Subdivision prepared by Edward J. Molloy and Associates, dated October 18<sup>th</sup> 2021, last revised on November 22, 2021, except as such plans may be modified to conform to Village Codes and Ordinances.

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

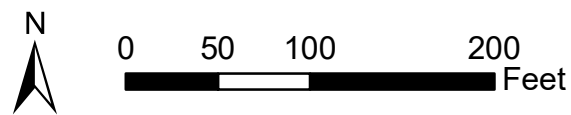
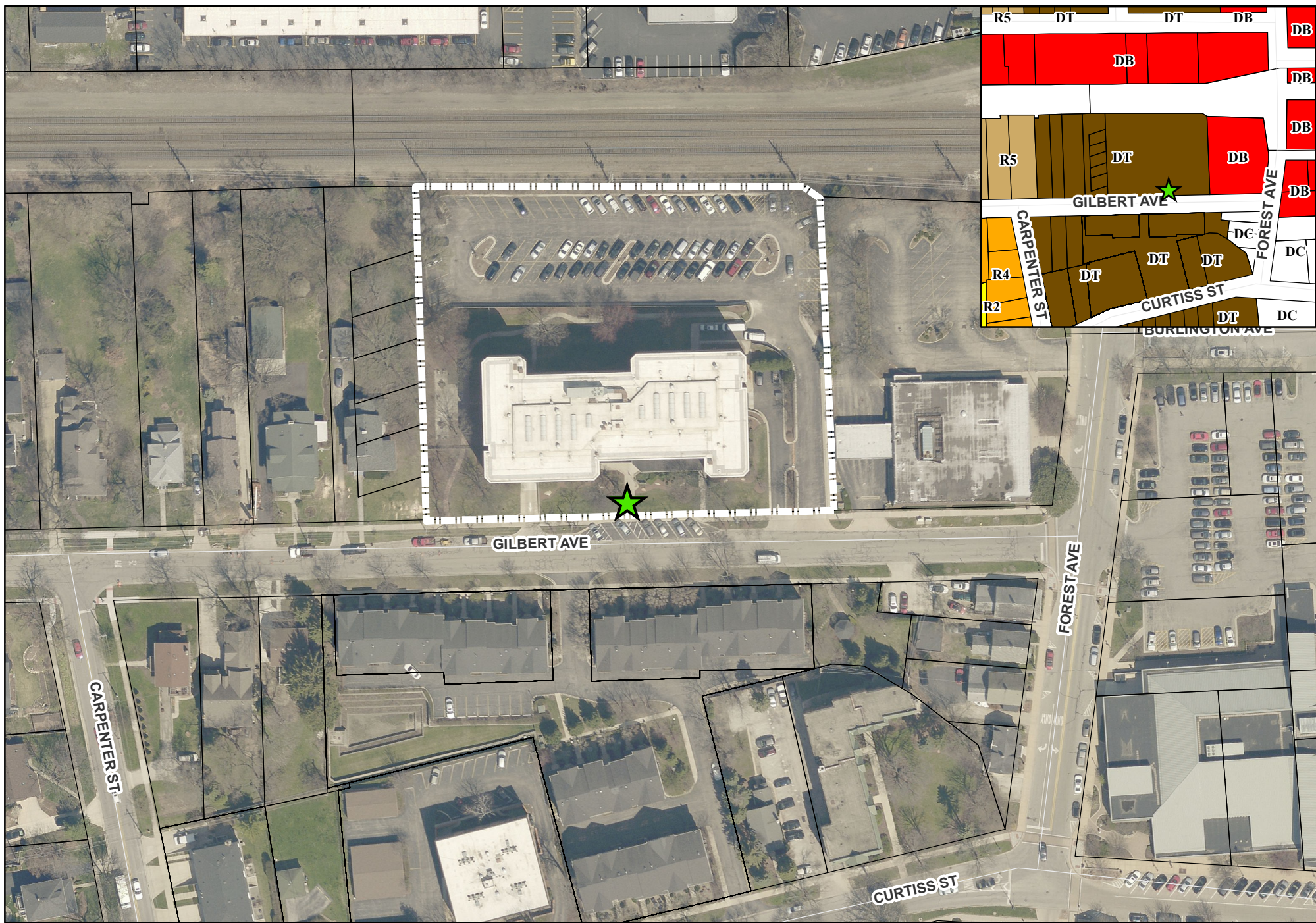
BE IT FURTHER RESOLVED, that this resolution shall be in full force and effect from and after its adoption in the manner provided by law.

\_\_\_\_\_  
Mayor



Passed:

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





1122 Gilbert Avenue - Location Map

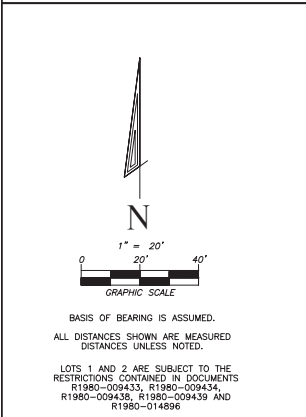
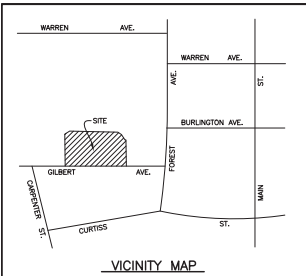
-  Subject Property
-  Project Location



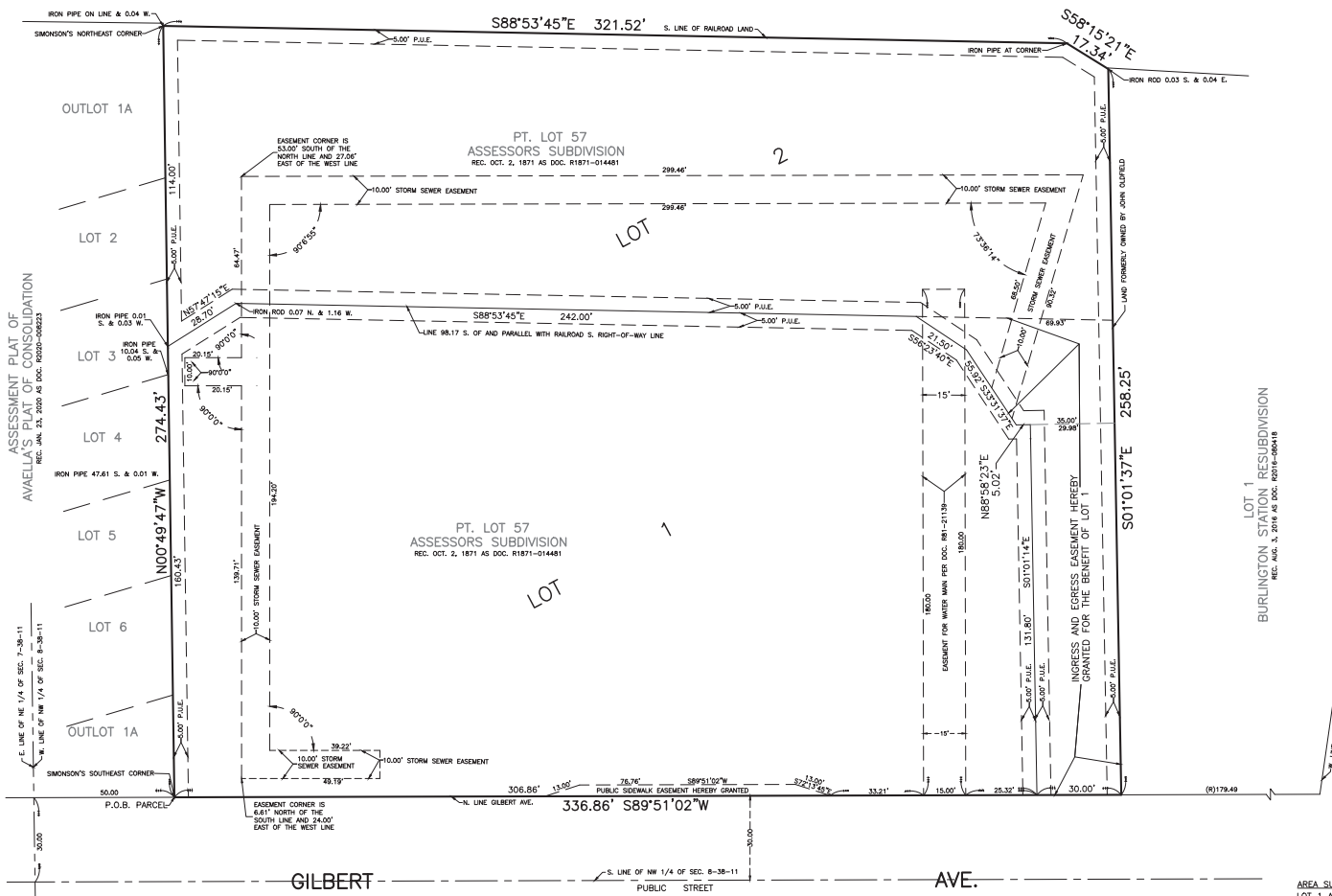
# IMMANUEL'S PLAT OF RESUBDIVISION

BEING A SUBDIVISION IN THE NORTHWEST QUARTER SECTION 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

**BURLINGTON NORTHERN SANTA FE RAILWAY**  
(FORMERLY CHICAGO BURLINGTON AND QUINCY RAILROAD)



BASIS OF BEARING IS ASSUMED.  
ALL DISTANCES SHOWN ARE MEASURED DISTANCES UNLESS NOTED.  
LOTS 1 AND 2 ARE SUBJECT TO THE RESTRICTIONS CONTAINED IN DOCUMENTS R1980-009433, R1980-009434, R1980-009436, R1980-009439 AND R1980-014696



**AREA SUMMARY**  
 LOT 1 AREA : 52,042 SQUARE FEET OR 1.195 ACRES MORE OR LESS  
 LOT 2 AREA : 38,967 SQUARE FEET OR 0.894 ACRES MORE OR LESS  
 TOTAL AREA : 91,009 SQUARE FEET OR 2.089 ACRES MORE OR LESS

|                   |               |           |  |
|-------------------|---------------|-----------|--|
| DRAFTED BY: JJB   | MAR. 3, 2022  | 220004    | COMMENTS REC. 3/01/22 & IN HOUSE REVIEW        |
| PAGE: 1 OF 2      | MAR. 1, 2022  | 220004    | COMMENTS REC. 2/21/22 & IN HOUSE REVIEW        |
| ORDER NO.: 220004 | JAN 31, 2022  | 210065    | UPDATE CERTIFICATES AND ADD P.U.E. AND TEXT    |
| FILE: 8-38-11     | JAN 28, 2022  | 210065    | UPDATE CERTIFICATES AND LOT 1/2 PROPERTY LINES |
| PROJECT NO.: 2711 | JAN 20, 2022  | 210065    | SUBDIVISION PLAT                               |
|                   | REVISION DATE | ORDER NO. | REVISION                                       |

PREPARED BY:  
**EDWARD J. MOLLOY & ASSOCIATES**  
 A DIVISION OF THOMAS A. MOLLOY, LTD. - PROFESSIONAL LAND SURVEYING  
 1236 MARK STREET, BENSenville, ILLINOIS 60109 (630) 595-2800 FAX:(630) 595-4700  
 E-MAIL: TMOLLOY@EMOLLOY.COM

# IMMANUEL'S PLAT OF RESUBDIVISION

BEING A SUBDIVISION IN THE NORTHWEST QUARTER SECTION 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

### OWNER'S CERTIFICATE AND SCHOOL DISTRICT STATEMENT

STATE OF ILLINOIS )  
                          ) SS  
COUNTY OF DUPAGE )

IMMANUEL RESIDENCES, INC., A ILLINOIS NOT FOR PROFIT CORPORATION, DOES HEREBY CERTIFY THAT IT IS THE OWNER OF PART OF THE PROPERTY DESCRIBED HEREON AND THAT IT HAS CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED FOR THE PURPOSE OF SUBDIVIDING SAME INTO TWO LOTS AS SHOWN HEREON FOR THE USES AND PURPOSES THEREIN SET FORTH AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE HEREON SHOWN. IT FURTHER CERTIFIES TO THE BEST OF ITS KNOWLEDGE, THAT THE LAND INCLUDED HEREIN FALLS WITHIN THE FOLLOWING SCHOOL DISTRICTS: COMMUNITY HIGH SCHOOL DISTRICT 99, 7925 JAMES AVENUE, WOODBRIDGE, IL 60517 (630) 795-5800, DOWNERS GROVE GRADE SCHOOL DISTRICT 05, 2500 WARRENVILLE ROAD, SUITE 2000E, DOWNERS GROVE, IL 60515 (630)719-5800, ILLINOIS PUBLIC COMMUNITY COLLEGE DISTRICT NO. 502.

SIGNED AT \_\_\_\_\_, ILLINOIS THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022

IMMANUEL RESIDENCES, INC., A ILLINOIS NOT FOR PROFIT CORPORATION

BY: \_\_\_\_\_

NAME: **RALPH GAINES**

TITLE: **PRESIDENT**

### NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS )  
                          ) SS  
COUNTY OF DUPAGE )

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT **RALPH GAINES** OF **IMMANUEL RESIDENCES, INC., A ILLINOIS NOT FOR PROFIT CORPORATION**, PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE SIGNED AND DELIVERED THE SAID INSTRUMENT AS HIS/HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID LIMITED LIABILITY COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022

MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

### MORTGAGE CERTIFICATE

STATE OF \_\_\_\_\_ )  
                          ) S.S.  
COUNTY OF \_\_\_\_\_ )

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., IN ITS CAPACITY AS FISCAL AGENT IS THE HOLDER OF A NOTE SECURED BY A MORTGAGE ON A PORTION OF THE PROPERTY DESCRIBED HEREIN. HEREBY CONSENTS TO THE EXECUTION AND RECORDING OF THE ATTACHED PLAT OF RESUBDIVISION AND HEREBY SUBORDINATES SAID MORTGAGE TO THIS PLAT.

SIGNED AT \_\_\_\_\_, THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

### NOTARY PUBLIC CERTIFICATE

STATE OF \_\_\_\_\_ )  
                          ) S.S.  
COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ OF THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE SIGNED AND DELIVERED THE SAID INSTRUMENT AS HIS/HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID LIMITED LIABILITY COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022

MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

### VILLAGE COLLECTOR CERTIFICATE

I, \_\_\_\_\_, COLLECTOR FOR THE VILLAGE OF DOWNERS GROVE, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPOINTED AGAINST THE TRACT OF LAND, INCLUDED IN THIS PLAT.

THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

\_\_\_\_\_  
VILLAGE COLLECTOR

### VILLAGE PLAN COMMISSION CERTIFICATE

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE,

THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

\_\_\_\_\_  
CHAIRMAN

### VILLAGE COUNCIL CERTIFICATE

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022  
BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
VILLAGE CLERK

### DOWNERS GROVE SANITARY DISTRICT CERTIFICATE

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 APPOINTED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

\_\_\_\_\_  
COLLECTOR OF THE DOWNERS GROVE SANITARY DISTRICT

### DRAINAGE CERTIFICATE

I, \_\_\_\_\_, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND 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) LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

\_\_\_\_\_  
ILLINOIS LICENSED PROFESSIONAL ENGINEER

\_\_\_\_\_  
ILLINOIS LICENSE NUMBER / EXPIRATION DATE

BY: \_\_\_\_\_  
OWNER OR DULY AUTHORIZED ATTORNEY

\_\_\_\_\_  
PRINT NAME

TAX PARCEL PERMANENT INDEX NUMBERS:  
09-08-124-002

AFTER RECORDING RETURN TO:  
VILLAGE CLERK  
VILLAGE OF DOWNERS GROVE  
801 BURLINGTON AVENUE  
DOWNERS GROVE, IL 60515

PLAT SUBMITTED BY AND SEND FUTURE TAX BILLS TO:  
IMMANUEL RESIDENCES  
C/O EVANGELICAL SERVICES CORP.  
1200 SPRING ROAD, UNIT 500  
OAK BROOK, ILLINOIS 60523

### COUNTY CLERK CERTIFICATE

I, JEAN KACZMAREK, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT, GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS.

THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

\_\_\_\_\_  
COUNTY CLERK

### COUNTY RECORDER CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ON

THE \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

AT \_\_\_\_ O'CLOCK \_\_\_\_ M. AS DOCUMENT NUMBER \_\_\_\_\_

\_\_\_\_\_  
RECORDER OF DEEDS

### EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, NATURAL GAS AND COMMUNICATIONS SERVICE IS HEREBY RESERVED FOR AND GRANTED TO:

THE VILLAGE OF DOWNERS GROVE, COMMONWEALTH EDISON COMPANY, NORTHERN ILLINOIS GAS, D/B/A NICOR GAS COMPANY, AT&T TELEHOLDINGS INCORPORATED, ILLINOIS A.K.A. ILLINOIS BELL TELEPHONE COMPANY AND ANY OTHER PUBLIC UTILITY COMPANY AUTHORIZED TO OPERATE IN THE VILLAGE OF DOWNERS GROVE, GRANTEEES, THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, TO CONSTRUCT, OPERATE, REPAIR, MAINTAIN, MODIFY, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE, FROM TIME TO TIME, POLES, CUIVS, ANCHORS, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUNDS AND SIGNALS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) ON THE PLAT AND MARKED "EASEMENT," "UTILITY EASEMENT," "PUBLIC UTILITY EASEMENT," "P.U.E." (OR SIMILAR DESIGNATION), 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 RIGHTS TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR 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, ROOTS AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE 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 DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) MARKED "EASEMENT," "UTILITY EASEMENT," "PUBLIC UTILITY EASEMENT," "P.U.E." (OR SIMILAR DESIGNATION) 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 THE MEANING SET FORTH FOR SUCH TERM IN THE "CONDOMINIUM PROPERTY ACT," CHAPTER 765 ILCS 605/2, AS AMENDED FROM TIME TO TIME.

THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL, OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE OR 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 "OUTLOTS," "COMMON ELEMENTS," "OPEN SPACE," "OPEN AREA," "COMMON GROUND," "PARKING" AND "COMMON AREA." THE TERM "COMMON AREA AREAS" AND "COMMON ELEMENTS" INCLUDE 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, RETENTION POND OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEEES AT COST OF THE GRANTOR/LOT OWNER, UPON WRITTEN REQUEST.

### 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 GRANTEEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE STORMWATER OR SEWER 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.

### PROFESSIONAL AUTHORIZATION:

STATE OF ILLINOIS )  
                          ) SS  
COUNTY OF DUPAGE )

I, THOMAS A. MOLLOY, A PROFESSIONAL LAND SURVEYOR OF THE STATE OF ILLINOIS, LICENSE NUMBER 35-3409, DO HEREBY AUTHORIZE THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, ITS STAFF OR AUTHORIZED AGENT, TO PLACE THIS DOCUMENT OF RECORD IN THE COUNTY RECORDER'S OFFICE IN MY NAME AND IN COMPLIANCE WITH ILLINOIS STATUTES CHAPTER 109 PARAGRAPH 2, AS AMENDED.

SIGNED AT BENSENVILLE, ILLINOIS THIS 1ST DAY OF MARCH , A.D. 2022.

EDWARD J. MOLLOY AND ASSOCIATES, A DIVISION OF THOMAS A. MOLLOY, LTD.  
AN ILLINOIS PROFESSIONAL DESIGN FIRM - LICENSE NO. 184-004840

\_\_\_\_\_  
THOMAS A. MOLLOY  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3409  
(EXPIRES NOVEMBER 30, 2022 AND IS RENEWABLE)

### LAND SURVEYOR'S CERTIFICATE:

STATE OF ILLINOIS )  
                          ) SS  
COUNTY OF DUPAGE )

I, THOMAS A. MOLLOY, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY FOR THE PURPOSE OF SUBDIVIDING SAME INTO TWO LOTS:

A PART OF LOT 57 OF THE ASSESSOR'S SUBDIVISION OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING IN THE NORTH LINE OF GILBERT AVENUE AT A POINT 30 FEET NORTH AND 50 FEET EAST OF THE QUARTER SECTION STAKE BETWEEN SECTIONS 7 AND 8 AFORESAID AND RUNNING THENCE NORTH 274.75 FEET TO A STAKE IN THE SOUTH LINE OF RAILROAD LANDS AT SIMONSON'S NORTHEAST CORNER, THENCE SOUTH 89° 00' EAST ALONG THE SOUTH LINE OF RAILROAD LANDS, 321.58 FEET; THENCE SOUTH 56° 15' EAST 17.8 FEET ON THE SOUTH LINE OF SAID RAILROAD LANDS, THENCE SOUTH ALONG THE LANDS OWNED BY JOHN OLDFIELD, 238 FEET TO THE NORTH LINE OF SAID GILBERT AVENUE; THENCE WEST ALONG THE NORTH LINE OF SAID AVENUE 336.76 FEET TO SIMONSON'S SOUTHEAST CORNER AND THE PLACE OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A REPRESENTATION OF SAID SURVEY AND SUBDIVISION. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

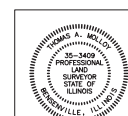
I FURTHER CERTIFY THAT AN EXAMINATION OF THE FEDERAL EGRESSIVE MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP COMMUNITY -PANEL NO. 17043001874 WITH AN EFFECTIVE DATE OF AUGUST 1, 2019, SHOWS THAT NO PART OF THE PROPERTY FALLS WITHIN A SPECIAL FLOOD HAZARD AREA AND THAT SAID PROPERTY DOES FALL WITHIN ZONE "X" DEFINED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.

I FURTHER CERTIFY THAT SAID SURVEY IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS WHICH HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN.

I FURTHER CERTIFY PERMANENT MONUMENTS WILL BE SET AT ALL LOT CORNERS, SIGNED AT BENSENVILLE, ILLINOIS THIS 1ST DAY OF MARCH , A.D. 2022.

EDWARD J. MOLLOY AND ASSOCIATES, A DIVISION OF THOMAS A. MOLLOY, LTD.  
AN ILLINOIS PROFESSIONAL DESIGN FIRM - LICENSE NO. 184-004840

\_\_\_\_\_  
THOMAS A. MOLLOY  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3409  
(EXPIRES NOVEMBER 30, 2022 AND IS RENEWABLE)



VALID ONLY WITH EMBOSSED SEAL

|                   |               |           |  |
|-------------------|---------------|-----------|--|
| DRAFTED BY: JWB   | MAR. 3, 2022  | 220004    | COMMENTS REC. 3/01/22 & IN HOUSE REVIEW        |
| PAGE: 2 OF 2      | MAR. 1, 2022  | 220004    | COMMENTS REC. 2/21/22 & IN HOUSE REVIEW        |
| ORDER NO.: 220004 | JAN 31, 2022  | 210065    | UPDATE CERTIFICATES AND ADD P.U.E. AND TEXT    |
| FILE # - 38 - 11  | JAN 28, 2022  | 210065    | UPDATE CERTIFICATES AND LOT 1/2 PROPERTY LINES |
| PROJECT NO.: 2711 | JAN 20, 2022  | 210065    | SUBDIVISION PLAT                               |
|                   | REVISION DATE | ORDER NO. | REVISION                                       |

PREPARED BY:  
**EDWARD J. MOLLOY & ASSOCIATES**  
A DIVISION OF THOMAS A. MOLLOY, LTD. - PROFESSIONAL LAND SURVEYING  
1236 MARK STREET, BENSENVILLE, ILLINOIS 60106 (630) 595-2800 FAX(630) 595-4700  
E-MAIL: TMOLLOY@MOLLOY.COM



**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
MARCH 7, 2022 AGENDA**

| <b>SUBJECT:</b>                    | <b>TYPE:</b>              | <b>SUBMITTED BY:</b>                  |
|------------------------------------|---------------------------|---------------------------------------|
| 22-PLC-0006<br>1122 Gilbert Avenue | Final Plat of Subdivision | Flora Ramirez, AICP<br>Senior Planner |

**REQUEST**

The petitioner is requesting approval for a Final Plat of Subdivision to subdivide a single property into two lots.

**NOTICE**

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

**GENERAL INFORMATION**

**OWNERS/  
PETITIONER:** Immanuel Residences, Inc.  
1900 Spring Road Apt. 300  
Downers Grove, IL 60515

**PROPERTY INFORMATION**

**EXISTING ZONING:** DT, Downtown Transition  
**EXISTING LAND USE:** Multi-Family Residential  
**PROPERTY SIZE:** 91,009 sq. ft. (2.089 acres)  
**PINS:** 09-08-126-002

**SURROUNDING ZONING AND LAND USES**

|               | <b>ZONING</b>           | <b>FUTURE LAND USE</b> |
|---------------|-------------------------|------------------------|
| <b>NORTH:</b> | DB, Downtown Business   | Downtown               |
| <b>SOUTH:</b> | DT, Downtown Transition | Downtown               |
| <b>EAST:</b>  | DB, Downtown Business   | Downtown               |
| <b>WEST:</b>  | DT, Downtown Transition | Single-Family Detached |

**ANALYSIS****SUBMITTALS**

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

1. Location Map
2. Project Narrative
3. Plat of Survey
4. Final Plat of Subdivision

**PROJECT DESCRIPTION**

The petitioner is requesting approval of a Final Plat of Subdivision to subdivide an existing parcel at 1122 Gilbert into two lots. The subject property is located approximately 176 feet northwest from the intersection of Gilbert Avenue and Forest Avenue and is zoned DT, Downtown Transition. Currently the 2.08 acre



property is improved with a multi-family structure and an accessory parking lot, Village commuter parking Lot D. Both improvements will remain on the lots.

The property was purchased in 1980 from the Village. At that time the petitioner and the Village entered into a lease agreement that allowed for the continued use of the parking lot in the rear as off-street public parking until 2078. Two additional lease agreements allowed Immanuel Residences to use the parking lot for access leading to the building's loading dock and for residential parking between 6:00 P.M. and 6:00 A.M. The associated lease agreements currently remain in place.

The property was never formally subdivided in 1980 and the requested Plat of Subdivision will formally recognize the development as two lots of record. Approval of the subdivision would support the continued use of a multi-family residential building and associated parking lot.

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

The existing neighborhood is a mix of attached and detached single family residential properties. Directly to the east of this property there is also an existing multi-family residential building. The Future Land Use Map identifies the property within the Downtown District.

A goal of the Comprehensive Plan is to promote the continued availability of a variety of housing and dwelling unit types and densities. Specifically the Comprehensive Plan supports multi-family development that is used to transition between single family residential areas and higher intensity commercial uses. The proposed subdivision supports the continued use of this property as a multi-family residential development. Additionally, the Comprehensive Plan encourages the reduction of land area devoted to surface parking through shared parking agreements. The rear parking lot will continue to be leased to the Village per the existing license agreement. Thus, the parking will continue to serve as both Commuter Lot D and residential parking for the Immanuel Residences. The proposed subdivision is consistent with the Comprehensive Plan.

#### **COMPLIANCE WITH ZONING ORDINANCE**

The property is zoned DT, Downtown Transition. Multi-family developments are allowable special uses in the DT Zoning District. While there is no special use permit for the development, Village records indicate lawful establishment of the use and structure. At the time of construction, the property was zoned B-2: Business District General Retail (per the 1965 Zoning Ordinance) and the use was permitted by right.

Additionally, per Section 28.7.080 off-street parking spaces may be leased as commuter parking if a special use or shared parking agreement is in place. The Village currently holds a lease agreement that grants continued use of the rear parking lot for public off-street parking purposes (Commuter Lot D). The subdivision of the subject property into two lots with the existing zoning classification allows for the continued use an accessory/commuter parking lot and the existing multifamily residential building.

#### **COMPLIANCE WITH SUBDIVISION ORDINANCE**

The two new lots comply with the minimum lot area, lot width, and lot depth as noted in Table 1.

Table 1: Subdivision Regulations

| <b>Immanuel Subdivision</b> | <b>Lot Width<br/>(Req. 75 ft.)</b> | <b>Lot Depth<br/>(Req. 140 ft.)</b> | <b>Lot Area<br/>(Req. 10,500 sq. ft.)</b> |
|-----------------------------|------------------------------------|-------------------------------------|---|
| Lot 1                       | 306.86 ft.                         | 160.43 ft.                          | 52,042 sq. ft.                            |
| Lot 2                       | 336.86 ft.                         | 285.25 ft.                          | 38,967 sq. ft.                            |

The petitioner is providing the required five-foot wide public utility and drainage easements along the side and rear lot lines and a ten-foot wide stormwater easement over the existing storm sewer. An ingress and egress easement will be granted on Lot 2. Both the watermain and sidewalk easements will be maintained.

22-PLC-0006; 1122 Gilbert Avenue  
March 7, 2022

Page 3

There are no school and park donations required with this application.

#### **ENGINEERING/PUBLIC IMPROVEMENTS**

The property will consist of two lots with access to Gilbert Avenue. The ingress and egress easement will be granted for the benefit of Lot 1. There are no public improvements required with the subdivision application at this time.

#### **PUBLIC SAFETY REQUIREMENTS**

The Fire Prevention Division has reviewed the proposed plans and has no concerns.

#### **NEIGHBORHOOD COMMENT**

Notice was provided to all property owners 250 feet or less from the property in addition to posting public hearing notice signs and publishing the legal notice in the *Daily Herald*. Staff has received comments from multiple residents concerned about future development. There are no development plans for either lot at this time.

#### **STANDARDS OF APPROVAL**

The petitioner is requesting a Final Plat of Subdivision to subdivide the existing single parcel into two lots. The proposed Final Plat of Subdivision meets the standards of Sections 20.301 and 20.305 of the Subdivision Ordinance and Section 28.4.010 of the Zoning Ordinance.

### **DRAFT MOTION**

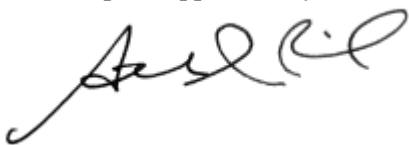
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Staff will provide a recommendation at the March 7, 2022 meeting. Should the Plan Commission find that the request is consistent with the Comprehensive Plan and meets the requirements of the Zoning and Subdivision Ordinances, staff has prepared a draft motion that the Plan Commission may make for the recommended approval of 22-PLC-0006:

Based on the petitioner's submittal, the staff report, and the testimony presented, I find that the petitioner has met the standards of approval for a Final Plat of Subdivision as required by the Village of Downers Grove Zoning and Subdivision Ordinances and is in the public interest and therefore, I move that the Plan Commission recommend to the Village Council approval of 22-PLC-0006, subject to the following conditions:

1. The final plat of subdivision shall substantially conform to the Final Plat of Subdivision for the Immanuel's Plat of Subdivision prepared by Edward J. Molloy and Associates, dated October 18<sup>th</sup> 2021, last revised on November 22, 2021, except as such plans may be modified to conform to Village Codes and Ordinances.

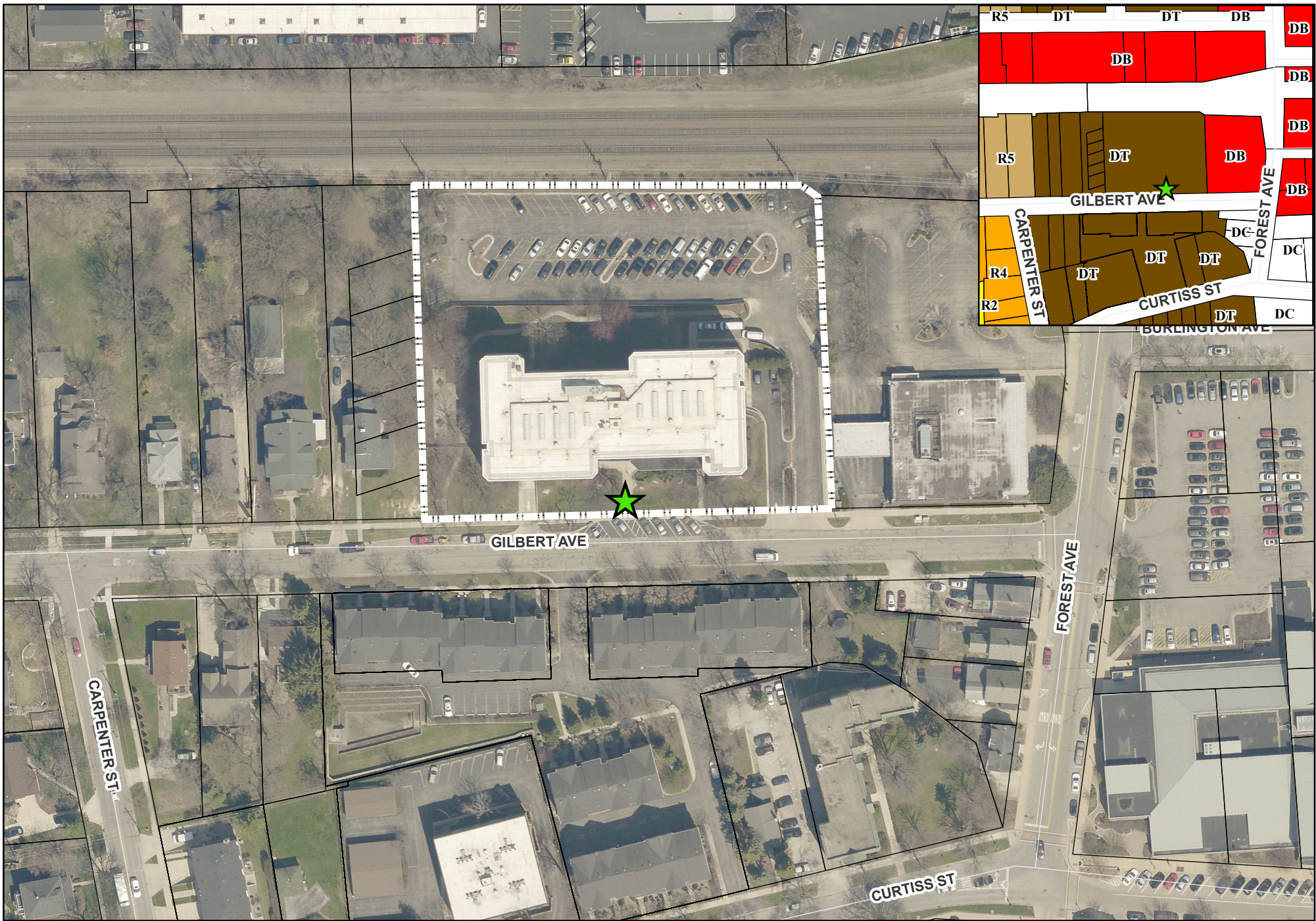
Staff Report Approved By:



Stanley J. Popovich, AICP  
Director of Community Development

SP:fr  
-att





GILBERT AVE

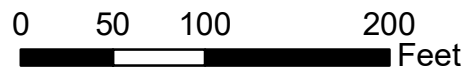
GILBERT AVE

CARPENTER ST



FOREST AVE

CURTISS ST

BURLINGTON AVE



**1122 Gilbert Avenue - Location Map**

-  Subject Property
-  Project Location

Project Summary/Narrative Statement

1122-1134 Gilbert Avenue

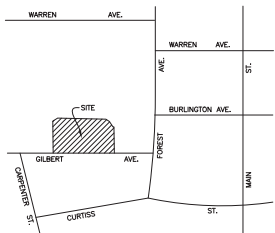
Immanuel Residences

The applicant, Immanuel Residences Inc. acquired the subject property from the Village in 1980. The subject property was not subdivided in 1980. The property was “divided” in 3 parcels. Parcel 1 is the current Village parking lot; parcel 2 is the access driveway to the parking lot; and parcel 3 is where the Immanuel Residences building is located. Immanuel Residences, Inc. and the Village entered into a Lease Agreement in 1980 whereby the Village leased parcel 1 and parcel 2 for off-street public parking until 2078. The Village then entered into two separate license agreements with Immanuel Residences, Inc. that allow use of parcel 2 for purposes of accessing the Immanuel Residences building’s loading dock and also allow building residents to park their passenger vehicles in the parking lot between 6:00 p.m. and 6:00 a.m.

The purpose of the subdivision is to subdivide the property into 2 new lots. Lot 1 will comprise parcel 3 where Immanuel Residences is located. Lot 2 will compromise parcel 1 (the current Village parking lot) and parcel 2 (the access driveway to the parking lot).



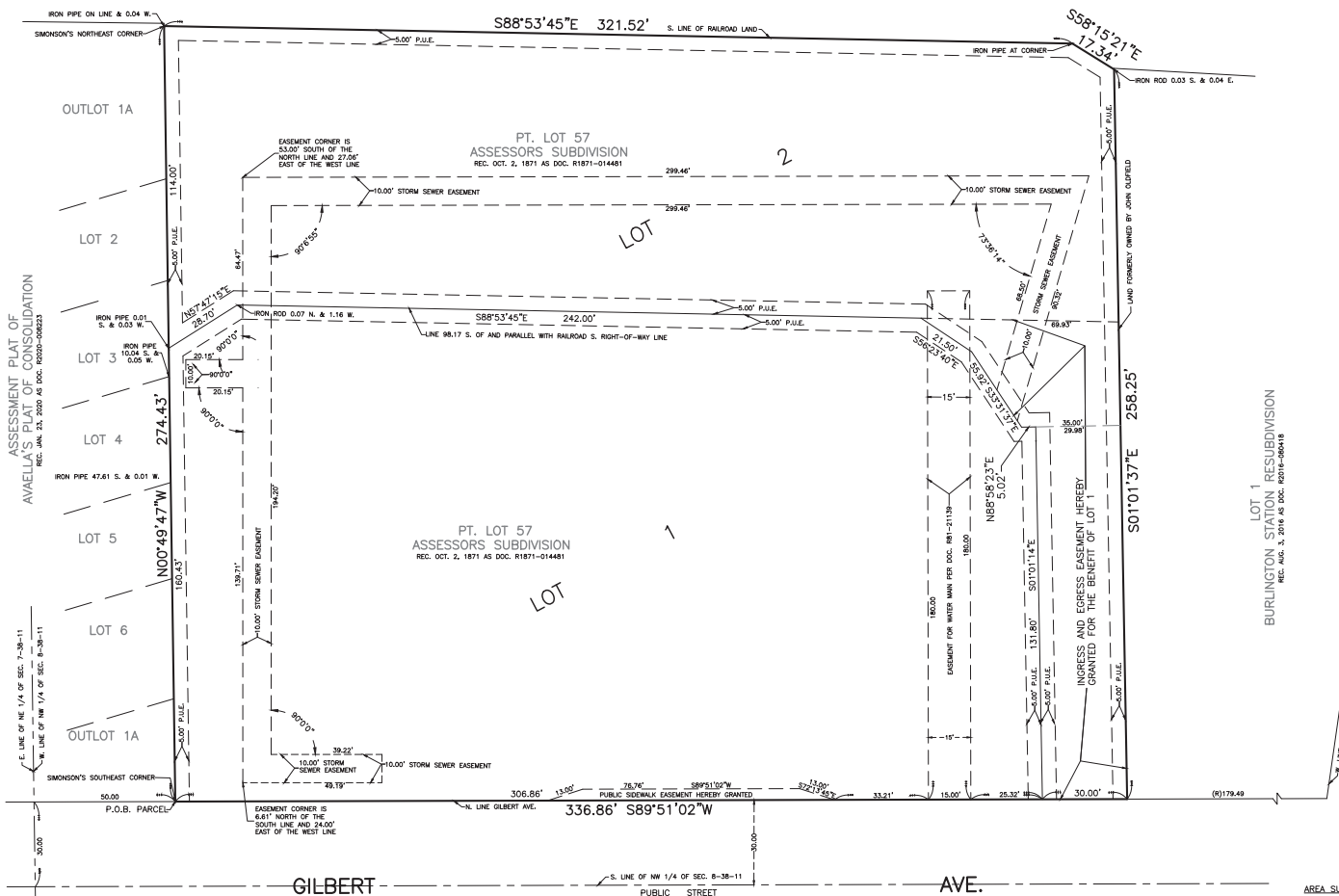




# IMMANUEL'S PLAT OF RESUBDIVISION

BEING A SUBDIVISION IN THE NORTHWEST QUARTER SECTION 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

**BURLINGTON NORTHERN SANTA FE RAILWAY**  
(FORMERLY CHICAGO BURLINGTON AND QUINCY RAILROAD)



LOT 1  
BURLINGTON STATION RESUBDIVISION  
REC. MAR. 3, 2014 AS DOC. 80214-00018

**AREA SUMMARY**  
LOT 1 AREA : 52,042 SQUARE FEET OR 1.195 ACRES MORE OR LESS  
LOT 2 AREA : 38,967 SQUARE FEET OR 0.894 ACRES MORE OR LESS  
TOTAL AREA : 91,009 SQUARE FEET OR 2.089 ACRES MORE OR LESS



BASIS OF BEARING IS ASSUMED.  
ALL DISTANCES SHOWN ARE MEASURED DISTANCES UNLESS NOTED.  
LOTS 1 AND 2 ARE SUBJECT TO THE RESTRICTIONS CONTAINED IN DOCUMENTS R1980-009433, R1980-009434, R1980-009436, R1980-009439 AND R1980-014696

|                   |               |           |  |
|-------------------|---------------|-----------|--|
| DRAFTED BY: JJB   | MAR. 3, 2022  | 220004    | COMMENTS REC. 3/01/22 & IN HOUSE REVIEW        |
| PAGE: 1 OF 2      | MAR. 1, 2022  | 220004    | COMMENTS REC. 2/21/22 & IN HOUSE REVIEW        |
| ORDER NO.: 220004 | JAN 31, 2022  | 210065    | UPDATE CERTIFICATES AND ADD P.U.E. AND TEXT    |
| FILE: 8-38-11     | JAN 28, 2022  | 210065    | UPDATE CERTIFICATES AND LOT 1/2 PROPERTY LINES |
| PROJECT NO.: 2711 | JAN 20, 2022  | 210065    | SUBDIVISION PLAT                               |
|                   | REVISION DATE | ORDER NO. | REVISION                                       |

PREPARED BY:  
**EDWARD J. MOLLOY & ASSOCIATES**  
A DIVISION OF THOMAS A. MOLLOY, LTD. - PROFESSIONAL LAND SURVEYING  
1236 MARK STREET, BENSENVILLE, ILLINOIS 60106 (630) 595-2800 FAX:(630) 595-4700  
E-MAIL: TMOLLOY@EMOLLOY.COM

# IMMANUEL'S PLAT OF RESUBDIVISION

BEING A SUBDIVISION IN THE NORTHWEST QUARTER SECTION 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

### OWNER'S CERTIFICATE AND SCHOOL DISTRICT STATEMENT

STATE OF ILLINOIS )  
 ) SS  
 COUNTY OF DUPAGE )

IMMANUEL RESIDENCES, INC., A ILLINOIS NOT FOR PROFIT CORPORATION, DOES HEREBY CERTIFY THAT IT IS THE OWNER OF PART OF THE PROPERTY DESCRIBED HEREON AND THAT IT HAS CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED FOR THE PURPOSE OF SUBDIVIDING SAME INTO TWO LOTS AS SHOWN HEREON FOR THE USES AND PURPOSES THEREIN SET FORTH AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE HEREON SHOWN. IT FURTHER CERTIFIES TO THE BEST OF ITS KNOWLEDGE, THAT THE LAND INCLUDED HEREIN FALLS WITHIN THE FOLLOWING SCHOOL DISTRICTS: COMMUNITY HIGH SCHOOL DISTRICT 99, 7925 JAMES AVENUE, WOODBRIDGE, IL 60517 (630) 795-8800, DOWNERS GROVE GRADE SCHOOL DISTRICT 05, 2500 WARRENVILLE ROAD, SUITE 2000E, DOWNERS GROVE, IL 60515 (630)719-5800, ILLINOIS PUBLIC COMMUNITY COLLEGE DISTRICT NO. 502.

SIGNED AT \_\_\_\_\_, ILLINOIS THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022

IMMANUEL RESIDENCES, INC., A ILLINOIS NOT FOR PROFIT CORPORATION

BY: \_\_\_\_\_

NAME: **RALPH GAINES**

TITLE: **PRESIDENT**

### NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS )  
 ) SS  
 COUNTY OF DUPAGE )

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT **RALPH GAINES** OF **IMMANUEL RESIDENCES, INC., A ILLINOIS NOT FOR PROFIT CORPORATION**, PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE SIGNED AND DELIVERED THE SAID INSTRUMENT AS HIS/HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID LIMITED LIABILITY COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022

MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_  
 NOTARY PUBLIC

### MORTGAGE CERTIFICATE

STATE OF \_\_\_\_\_ )  
 ) S.S.  
 COUNTY OF \_\_\_\_\_ )

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., IN ITS CAPACITY AS FISCAL AGENT IS THE HOLDER OF A NOTE SECURED BY A MORTGAGE ON A PORTION OF THE PROPERTY DESCRIBED HEREIN. HEREBY CONSENTS TO THE EXECUTION AND RECORDING OF THE ATTACHED PLAT OF RESUBDIVISION AND HEREBY SUBORDINATES SAID MORTGAGE TO THIS PLAT.

SIGNED AT \_\_\_\_\_, THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

### NOTARY PUBLIC CERTIFICATE

STATE OF \_\_\_\_\_ )  
 ) S.S.  
 COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ OF THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE SIGNED AND DELIVERED THE SAID INSTRUMENT AS HIS/HER OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID LIMITED LIABILITY COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022

MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_  
 NOTARY PUBLIC

### VILLAGE COLLECTOR CERTIFICATE

I, \_\_\_\_\_, COLLECTOR FOR THE VILLAGE OF DOWNERS GROVE, 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.

THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

### VILLAGE COLLECTOR

\_\_\_\_\_  
 VILLAGE COLLECTOR

**VILLAGE PLAN COMMISSION CERTIFICATE**

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF DOWNERS GROVE.

THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

\_\_\_\_\_  
 CHAIRMAN.

### VILLAGE COUNCIL CERTIFICATE

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022  
 BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE.

\_\_\_\_\_  
 MAYOR

\_\_\_\_\_  
 VILLAGE CLERK

### DOWNERS GROVE SANITARY DISTRICT CERTIFICATE

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.

THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

### COLLECTOR OF THE DOWNERS GROVE SANITARY DISTRICT

\_\_\_\_\_  
 COLLECTOR OF THE DOWNERS GROVE SANITARY DISTRICT

**DRAINAGE CERTIFICATE:**

I, \_\_\_\_\_, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND 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) LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

\_\_\_\_\_  
 ILLINOIS LICENSED PROFESSIONAL ENGINEER

\_\_\_\_\_  
 ILLINOIS LICENSE NUMBER / EXPIRATION DATE

BY: \_\_\_\_\_  
 OWNER OR DULY AUTHORIZED ATTORNEY

\_\_\_\_\_  
 PRINT NAME

TAX PARCEL PERMANENT INDEX NUMBERS:  
 09-08-124-002

AFTER RECORDING RETURN TO:  
 VILLAGE CLERK  
 VILLAGE OF DOWNERS GROVE  
 801 BURLINGTON AVENUE  
 DOWNERS GROVE, IL 60515

PLAT SUBMITTED BY AND SEND FUTURE TAX BILLS TO:  
 IMMANUEL RESIDENCES  
 C/O EVANGELICAL SERVICES CORP.  
 1200 SPRING ROAD, UNIT 300  
 OAK BROOK, ILLINOIS 60523

### COUNTY CLERK CERTIFICATE

I, JEAN KACZMAREK, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT. GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS.

THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

### COUNTY CLERK

\_\_\_\_\_  
 COUNTY CLERK

**COUNTY RECORDER CERTIFICATE**

THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS, ON

THE \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2022.

AT \_\_\_\_ O'CLOCK \_\_\_\_ M. AS DOCUMENT NUMBER \_\_\_\_\_

### RECORDER OF DEEDS

\_\_\_\_\_  
 RECORDER OF DEEDS

### EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, NATURAL GAS AND COMMUNICATIONS SERVICE IS HEREBY RESERVED FOR AND GRANTED TO:

THE VILLAGE OF DOWNERS GROVE, COMMONWEALTH EDISON COMPANY, NORTHERN ILLINOIS GAS, D/B/A NICOR GAS COMPANY, AT&T TELEHOLDINGS INCORPORATED, ILLINOIS A.K.A. ILLINOIS BELL TELEPHONE COMPANY AND ANY OTHER PUBLIC UTILITY COMPANY AUTHORIZED TO OPERATE IN THE VILLAGE OF DOWNERS GROVE, GRANTEEES, THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, TO CONSTRUCT, OPERATE, REPAIR, MAINTAIN, MODIFY, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE, FROM TIME TO TIME, POLES, CUIVS, ANCHORS, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUNDS AND SIGNALS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) ON THE PLAT AND MARKED "EASEMENT," "UTILITY EASEMENT," "PUBLIC UTILITY EASEMENT," "P.U.E." (OR SIMILAR DESIGNATION), 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 RIGHTS TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR 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, ROOTS AND SAPPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE 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 DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) MARKED "EASEMENT," "UTILITY EASEMENT," "PUBLIC UTILITY EASEMENT," "P.U.E." (OR SIMILAR DESIGNATION) 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 THE MEANING SET FORTH FOR SUCH TERM IN THE "CONDOMINIUM PROPERTY ACT," CHAPTER 765 ILCS 605/2, AS AMENDED FROM TIME TO TIME.

THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL, OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE OR 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 "OUTLOTS," "COMMON ELEMENTS," "OPEN SPACE," "OPEN AREA," "COMMON GROUND," "PARKING" AND "COMMON AREA." THE TERM "COMMON AREA AREAS" AND "COMMON ELEMENTS" INCLUDE 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, RETENTION POND OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEEES AT COST OF THE GRANTOR/LOT OWNER, UPON WRITTEN REQUEST.

### 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 GRANTEEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE STORMWATER OR SEWER 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.

### PROFESSIONAL AUTHORIZATION:

STATE OF ILLINOIS )  
 ) SS  
 COUNTY OF DUPAGE )

I, THOMAS A. MOLLOY, A PROFESSIONAL LAND SURVEYOR OF THE STATE OF ILLINOIS, LICENSE NUMBER 35-3409, DO HEREBY AUTHORIZE THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS, ITS STAFF OR AUTHORIZED AGENT, TO PLACE THIS DOCUMENT OF RECORD IN THE COUNTY RECORDER'S OFFICE IN MY NAME AND IN COMPLIANCE WITH ILLINOIS STATUTES CHAPTER 109 PARAGRAPH 2, AS AMENDED.

SIGNED AT BENSENVILLE, ILLINOIS THIS 1ST DAY OF MARCH , A.D. 2022.

EDWARD J. MOLLOY AND ASSOCIATES, A DIVISION OF THOMAS A. MOLLOY, LTD., AN ILLINOIS PROFESSIONAL DESIGN FIRM - LICENSE NO. 184-004840

THOMAS A. MOLLOY  
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3409  
 (EXPIRES NOVEMBER 30, 2022 AND IS RENEWABLE)

### LAND SURVEYOR'S CERTIFICATE:

STATE OF ILLINOIS )  
 ) SS  
 COUNTY OF DUPAGE )

I, THOMAS A. MOLLOY, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY FOR THE PURPOSE OF SUBDIVIDING SAME INTO TWO LOTS:

A PART OF LOT 57 OF THE ASSESSOR'S SUBDIVISION OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING IN THE NORTH LINE OF GILBERT AVENUE AT A POINT 30 FEET NORTH AND 50 FEET EAST OF THE QUARTER SECTION STAKE BETWEEN SECTIONS 7 AND 8 AFORESAID AND RUNNING THENCE NORTH 274.75 FEET TO A STAKE IN THE SOUTH LINE OF RAILROAD LANDS AT SIMONSON'S NORTHEAST CORNER, THENCE SOUTH 89° 00' EAST ALONG THE SOUTH LINE OF RAILROAD LANDS, 321.58 FEET; THENCE SOUTH 56° 15' EAST 17.8 FEET ON THE SOUTH LINE OF SAID RAILROAD LANDS, THENCE SOUTH ALONG THE LANDS OWNED BY JOHN OLDFIELD, 238 FEET TO THE NORTH LINE OF SAID GILBERT AVENUE; THENCE WEST ALONG THE NORTH LINE OF SAID AVENUE 336.76 FEET TO SIMONSON'S SOUTHEAST CORNER AND THE PLACE OF BEGINNING, ALL IN DUPAGE COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A REPRESENTATION OF SAID SURVEY AND SUBDIVISION. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

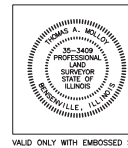
I FURTHER CERTIFY THAT AN EXAMINATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP COMMUNITY -PANEL NO. 1704300187A WITH AN EFFECTIVE DATE OF AUGUST 1, 2019, SHOWS THAT NO PART OF THE PROPERTY FALLS WITHIN A SPECIAL FLOOD HAZARD AREA AND THAT SAID PROPERTY DOES FALL WITHIN ZONE "X" DEFINED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.

I FURTHER CERTIFY THAT SAID SURVEY IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE, DUPAGE COUNTY, ILLINOIS WHICH HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN.

I FURTHER CERTIFY PERMANENT MONUMENTS WILL BE SET AT ALL LOT CORNERS, SIGNED AT BENSENVILLE, ILLINOIS THIS 1ST DAY OF MARCH , A.D. 2022.

EDWARD J. MOLLOY AND ASSOCIATES, A DIVISION OF THOMAS A. MOLLOY, LTD., AN ILLINOIS PROFESSIONAL DESIGN FIRM - LICENSE NO. 184-004840

THOMAS A. MOLLOY  
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3409  
 (EXPIRES NOVEMBER 30, 2022 AND IS RENEWABLE)



VALID ONLY WITH EMBOSSED SEAL.

|                   |               |           |  |
|-------------------|---------------|-----------|--|
| DRAFTED BY: JWB   | MAR. 3, 2022  | 220004    | COMMENTS REC. 3/01/22 & IN HOUSE REVIEW        |
| PAGE: 2 OF 2      | MAR. 1, 2022  | 220004    | COMMENTS REC. 2/21/22 & IN HOUSE REVIEW        |
| ORDER NO.: 220004 | JAN 31, 2022  | 210065    | UPDATE CERTIFICATES AND ADD P.U.E. AND TEXT    |
| FILE: 8-38-11     | JAN 28, 2022  | 210065    | UPDATE CERTIFICATES AND LOT 1/2 PROPERTY LINES |
| PROJECT NO.: 2711 | JAN 20, 2022  | 210065    | SUBDIVISION PLAT                               |
|                   | REVISION DATE | ORDER NO. | REVISION                                       |

PREPARED BY:  
**EDWARD J. MOLLOY & ASSOCIATES**  
 A DIVISION OF THOMAS A. MOLLOY, LTD. - PROFESSIONAL LAND SURVEYING  
 1236 MARK STREET, BENSENVILLE, ILLINOIS 60106 (630) 595-2800 FAX(630) 595-4700  
 E-MAIL: TMOLLOY@MOLLOY.COM

## DRAFT MINUTES

**VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING****March 7, 2022, 7:00 P.M.****FILE 22-PLC-0006: A PETITION SEEKING APPROVAL FOR A FINAL PLAT OF SUBDIVISION TO SUBDIVIDE THE EXISTING PROPERTY INTO TWO LOTS. THE PROPERTY IS CURRENTLY ZONED DT, DOWNTOWN TRANSITION AND IS LOCATED AT 1122 GILBERT AVENUE (09-08-126-002). IMMANUEL RESIDENCES, INC., OWNER AND PETITIONER**

Petitioner, Steve Friedland, introduced himself as an attorney with Applegate & Thorne-Thomsen, representing Immanuel Residences. Mr. Friedland also noted that Anne Oliva who represents Embrace Living Communities, owners of Immanuel Residences, was also present. He then explained that the request was more of a cleanup from their perspective. Immanuel Residences owns the property with the entire parcel conveyed to them by the Village of Downers Grove in 1980. When the Village conveyed the property, the principal building was constructed and then Immanuel Residences leased the parking lot back to the Village through 2078. As such, the Village controls the parking and access drive. Due to a refinancing of the building, the lenders were confused because even though Immanuel Residences owns the entire parcel, they only control the area where the building stands. Mr. Friedland went on to explain that because the property was not subdivided in 1980 it is just one large parcel. The purpose is to create two lots. With Lot 1 dedicated for the Immanuel Residences and Lot 2 used for the Village parking lot and the accessory drive. Mr. Friedland noted that nothing would change. Instead, this change helps convince their lenders the mortgage is really only needed for Lot 1. Mr. Friedland stated that the intention was to make things simpler from a property standpoint. Mr. Friedland concluded by stating that they believed they met all of the subdivision standards in terms of dimensions and easements.

Chairman Rickard invited public comment. No public comment was received. Staff was invited to speak.

Ms. Flora Leon, Senior Planner, introduced this project as a final plat of subdivision. She showed the location of the site on a map and noted that the property was zoned D-T. The request was to subdivide one lot of record into two lots of record. She summarized the request before the commissioners and presented the existing conditions of the area. She then provided existing photos of the site and included photos of the existing building and parking lot. The proposed subdivision plat was presented and existing and proposed easements were highlighted. Specifically, Ms. Leon noted that an ingress/egress easement would be granted at the entrance of lot 2 for the benefit of lot 1. She then showed the requirements for new subdivisions and stated that the proposed subdivision would meet the area, width, and depth. Ms. Leon concluded the presentation by stating that staff felt that all of these standards were, and should the Planning Commission agree there was a draft motion on page three of the staff report.

Commissioner Johnson asked where the dock doors were located on the building. Ms. Flora Leon confirmed the location of the dock doors and noted that the ingress/egress easement would allow for the continue access to these dock doors by the Immanuel Residences.



## DRAFT MINUTES

Commissioner Maurer noted that based on the aerial photograph the typical residences vehicular traffic goes on the western lane of the entrance. The two lanes along the east are used to access the Village parking lot. Ms. Flora Leon confirmed that was correct.

Commissioners provided positive comments and support for the petition. Chairman Rickard entertained a motion.

**WITH RESPECT TO FILE 22-PLC-0006 AND BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, AND THE TESTIMONY PRESENTED, I FIND THAT THE PETITIONER HAS MET THE STANDARDS OF APPROVAL FOR A FINAL PLAT OF SUBDIVISION AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING AND SUBDIVISION ORDINANCES AND IS IN THE PUBLIC INTEREST AND THEREFORE, COMMISSIONER BOYLE MOVED THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 22-PLC-0006, SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION FOR THE IMMANUEL'S PLAT OF SUBDIVISION PREPARED BY EDWARD J. MOLLOY AND ASSOCIATES, DATED OCTOBER 18<sup>TH</sup> 2021, LAST REVISED ON NOVEMBER 22, 2021, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**

**SECOND BY COMMISSIONER TOTH. ROLL CALL:**

**AYE: COMMISSIONERS RECTOR, JOHNSON, DMYTRYSZYN, PATEL, ROCHE, TOTH, CHAIRMAN RICKARD**

**NAY: NONE**

**MOTION PASSED. VOTE: 8-0**

/s/ Village Staff  
Recording Secretary  
(As transcribed by MP-3 audio)