

RESOLUTION _____

**A RESOLUTION APPROVING THE FINAL PLAT
OF SUBDIVISION FOR THE
NELSON MEADOW SUBDIVISION WITH EXCEPTIONS**

WHEREAS, application has been made pursuant to the provisions of Chapter 20 of the Downers Grove Municipal Code for Final Plat of Subdivision approval for the Nelson Meadow Subdivision, located on the east side of Brookbank Road, north of Jefferson Avenue and west of Carpenter Street, Downers Grove, Illinois, legally described as follows:

Lot 52 in Branigar Brothers' in Downers Grove Farms, being a subdivision in Sections 17 and 18, Township 38 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois.

Commonly known as 5737 Brookbank, Downers Grove, IL (PIN 09-17-108-015)

WHEREAS, Exceptions have been requested pursuant to Section 20-602 of the Downers Grove Municipal Code to permit the following:

a) An Exception from Chapter 20, *Subdivision Ordinance*, Section 20-303(d)(3), *Street Widths* to allow right of way exceptions for:

- (i) Brookbank Road to allow right-of-way width less than the required seventy (70)feet.
- (ii) Carpenter Street to allow right-of-way width less than the required seventy (70)feet.
- (iii) Proposed Nelson Court to allow right-of-way width less than the required seventy (70)feet.

b) An exception from Chapter 20, *Subdivision Ordinance*, Section 20-401, *Required Public Improvements* to not provide a sidewalk over portions of Lots 8, 9, 10, and 11 along the west side of Carpenter Street.

c) An exception from Chapter 20, *Subdivision Ordinance*, Section 20-401, *Required Public Improvements* to not provide street lights along Carpenter Street.

d) An exception from Chapter 20, *Subdivision Ordinance*, Section 20-401, *Required Public Improvements* to not widen the pavement or provide curb and gutter along Carpenter Street.

WHEREAS, notice has been given and hearings held on September 12, October 3 and December 12, 2005 regarding this plat application pursuant to the requirements of the Downers Grove Municipal Code; and,

WHEREAS, the Plan Commission has recommended approval of the Final Plat of Subdivision for the Nelson Meadow Subdivision with Exceptions as requested, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove that the Final Plat of Subdivision for the Nelson Meadow Subdivision, be and is hereby approved subject to the following conditions:

1. Seven (7) sets of a revised Final Plat of Subdivision and Engineering Plans shall be submitted to the Department of Planning & Community Development with the following modifications:
 - a. Lot 8 shall include the detention area and a residential structure. Prior to Village Council approval, the petitioner and staff shall collaborate to define a common-interest solution to accomplish such situation, such as a homeowner's association that would be the permanent

benefactor of a stormwater detention easement on Lot 8 that would preserve the build-ability of Lot 8. Such documents shall be reviewed and approved by staff.

- b. The payment of a fee-in-lieu of installing a public sidewalk on the west side of Carpenter Street adjacent to Lots 8, 9, 10, and 11 shall be made to the Village of Downers Grove.
 - c. The proposed eight (8) inch water main along the south property line shall be modified to minimize negative impacts to the trees on the adjacent property. Appropriate preservation measures shall be utilized to ensure the long-term health of the trees.
 - d. A photometric plan with street lights on Carpenter Street shall be provided indicating light levels.
 - e. Indicate where the new parkway trees will be planted or indicate that the planting will be done by the Village of Downers Grove.
 - f. Compliance with all other technical issues outlined in the Public Works memorandum dated October 28, 2005.
- 2. Compliance with all Fire Prevention Division requirements and conditions as outlined in their memorandum dated August 23, 2005; and
 - 3. Payments of School and Park District donations of \$11,091.08 to District 58; \$6,897.60 to District 99 and \$22,708.01 to the Park District (grand total of \$40,696.69) payable to the Village of Downers Grove; and
 - 4. Any changes to the conditions represented by the petitioner as the basis for this petition, whether those changes occur prior to or after Village approval, shall be promptly reported to the Village. Changes may require additional review of the subdivision and/or exceptions; and
 - 5. It is the petitioner's obligation to maintain compliance with all applicable Federal, State, County and Village laws, ordinances, regulations, and policies.

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