

ORDINANCE NO. 07-05-18

**AN ORDINANCE REZONING CERTAIN PROPERTY TO THE
DOWNTOWN DESIGN REVIEW OVERLAY DISTRICT –
(Various Properties in the Central Business District)**

WHEREAS, the provisions of the Illinois Compiled Statutes, 65 ILCS 5/11-13-1 et. seq. grant municipalities the right to regulate zoning within the corporate limits of the municipality; and

WHEREAS, the properties described as follows:

Lots 4 through 15 in Block 1, the East 25 feet of Lot 11 and Lot 12, and the portion of vacated Railroad Street adjacent thereto, Lot 13, and Lots 17 through 22 in Block 12, Lots 16 through 18 (except the South half thereof), Lot 25 and Lot 26 (except the South 10 feet as measured on the Easterly Right-of-way of Prospect Avenue) in Block 18 in Clarendon Hills, a Subdivision of Part of Sections 10 and 11, Township 38 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois;

Lots 1 through 3 in Park Avenue Resubdivision of Part of Block 12 in Clarendon Hills, a Subdivision of Part of Sections 10 and 11, Township 38 North, Range 11 East of the Third Principal Meridian, according to the Plat thereof recorded November 6, 1985 as Document R1985-97045, in DuPage County, Illinois;

Lots 1 and 2 in Prospark Resubdivision of Part of Block 18 in Clarendon Hills, a Subdivision of Part of Sections 10 and 11, Township 38 North, Range 11 East of the Third Principal Meridian, according to the Plat thereof recorded as Document R1961-006310, in DuPage County, Illinois;

Lots 1 through 3, 11 and 12 in Gregory's Subdivision of Part of Block 13 in Clarendon Hills, a Subdivision of Part of Sections 10 and 11, Township 38 North, Range 11 East of the Third Principal Meridian, according to the Plat thereof recorded as Document No. 257553, in DuPage County, Illinois;

Lots 1 through 11 in the Subdivision of Block 19 in Clarendon Hills, a Subdivision of Part of Sections 10 and 11, Township 38 North, Range 11 East of the Third Principal Meridian, according to the Plat thereof recorded as Document No. 401748, in DuPage County, Illinois;

Lots 1 through 4 in Brainard's Resubdivision of Part of Block 2 in Clarendon Hills, a Subdivision of Part of Sections 10 and 11, Township 38 North, Range 11 East of the Third Principal Meridian, according to the Plat thereof recorded as Document No. 842915, in DuPage County, Illinois;

Lots 1 through 26, and the vacated alleys adjacent to Lots 13 through 25, in Mochel's Subdivision of Part of Block 12, in Clarendon Hills, a Subdivision of Part of Sections 10 and 11, Township 38 North, Range 11 East of the Third Principal Meridian, according to the Plat thereof recorded as Document 257553, in DuPage County, Illinois;

Lots 12 and 13 in Block 4, Lots 10 through 29 in Block 5, Lots 12 through 19 in Block 12, Lot 22 (except that portion included in Lot 1 of the Clarendon Hills Bank Resubdivision) and Lots 23 through 28 in Block 13, and Lots 1 through 16, together with the vacated portions of the alley adjacent thereto, in Block 38, in Arthur T. McIntosh and Company's Clarendon Hills Subdivision, a Subdivision of Part of the East Half of Section 10, and Part of the West Half of Section 11, Township 38 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded on August 26, 1922 as Document No. 158779, in DuPage County, Illinois;

Lot 1 in the Clarendon Hills Bank Resubdivision of Part of Block 13 in Arthur T. McIntosh and Company's Clarendon Hills Subdivision, a Subdivision of Part of the East Half of Section 10, and Part of the West Half of Section 11, Township 38 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded as Document R1996-203797, in DuPage County, Illinois; and

Also including all public rights-of-way and railroad rights-of-way adjacent thereto;

Common Addresses: 2 through 34, 102 and 103 S. Prospect Avenue; 101 Eastern Avenue; 1 through 23, 100 and 102 Walker Avenue; 136 and 140 through 155 Ann Street; 95, 99, 200, 301, 303, 312, 316, 318, 322 and 326 Park Avenue; 1 through 7 N. Prospect Avenue; 3 and 5 Golf Avenue; 124 through 251 Burlington Avenue; and 1 McIntosh Avenue;

P.I.N.s: 09-10-225-004 through -008, 09-10-225-014 through -019, 09-10-226-005 through -008, 09-10-227-001 through -029, 09-10-502-002, 09-10-406-005, 09-10-407-029 through -030, 09-10-413-001 through -004, 09-10-413-033 through -072, 09-11-102-026 through -031, 09-11-102-038 through -039, 09-11-103-001 through -008, 09-11-104-001 through -012, 09-11-108-009, 09-11-108-010, 09-11-108-025, 09-11-109-001 through -011, 09-11-113-010 through -020, 09-11-113-026, 09-11-114-024, 09-11-115-002 through -004, 09-11-116-001, 09-11-116-004, 09-11-116-005, 09-11-300-001 through -003, 09-11-302-001, 09-11-302-015, 09-11-302-016, 09-11-303-026, 09-11-303-027, and 09-11-502-006.

(collectively the "SUBJECT REALTY") are located within the corporate limits of the Village of Clarendon Hills and are variously zoned B-1 Retail Business District, B-2 General Business District, I Industrial District, R-4 High-Density Multiple Dwelling Residential District, and R-1 Residence District; and

WHEREAS, the Village of Clarendon Hills has petitioned the Village of Clarendon Hills to amend the zoning classification with respect to the SUBJECT REALTY so as to place them within the newly adopted Downtown Design Review Overlay District, while retaining the underlying zoning for the SUBJECT REALTY; and

WHEREAS, the Zoning Board of Appeals/Plan Commission of the Village of Clarendon Hills held a properly noticed public hearing on April 24, 2007, to review the request to rezone the SUBJECT REALTY to the Downtown Design Review Overlay District; and

WHEREAS, the Zoning Board of Appeals/Plan Commission did review the request to amend the zoning classification of the SUBJECT REALTY pursuant to Section 20.16.2 of the Clarendon Hills Village Code and thereafter recommended approval of the request; and

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Zoning Board of Appeals/Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Clarendon Hills, DuPage County, Illinois, as follows:

SECTION 1. That the zoning classification for the SUBJECT REALTY is hereby amended by adding the Downtown Design Review Overlay District as an overlay district to supplement the underlying zoning districts of the various properties within the SUBJECT REALTY, with the Zoning Map of the Village of Clarendon Hills being hereby amended to indicate said zoning amendment.

SECTION 2. The various provisions of this Ordinance are to be considered severable and if any part or portion of this Ordinance shall be held invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION 3. All Ordinances or parts of Ordinances in conflict or which are inconsistent with this Ordinance shall be repealed to the extent of any such conflict or inconsistency herewith.

SECTION 4. This Ordinance shall take full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

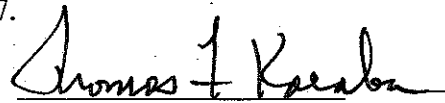
PASSED this 21 day of May, 2007, pursuant to a roll call vote as follows:

AYES: Trustees Alongi, Flood, O'Toole, Pedersen, Robertson, and Wallace

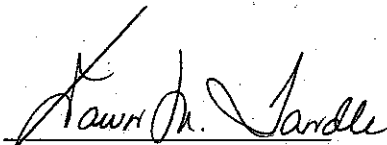
NAYS: None

ABSENT: None

APPROVED by me this 21 day of May, 2007.



Thomas F. Karaba
Village President



Dawn M. Tandle
Village Clerk



Published by me in pamphlet form this 23 day of May, 2007.



Dawn M. Tandle
Village Clerk