

**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE VILLAGE COUNCIL MEETING  
OCTOBER 16, 2007 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Amendment to Special Use 4000 Saratoga Avenue – American Legion Post 80	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

**SYNOPSIS**

A Special Use ordinance has been prepared for 4000 Saratoga Avenue – American Legion Post 80. The amendment to the existing Special Use is for the construction of two new garages, open air pavilion and a gazebo.

**STRATEGIC PLAN ALIGNMENT**

The Five Year Plan for 2006-2011 identified the *Preservation of Our Residential and Neighborhood Character* as one of the Goals. Supporting this goal are the objectives *Continuing Reinvestment in the Neighborhoods* and *More Pedestrian Friendly and Connected Neighborhoods*.

**FISCAL IMPACT**

N/A.

**UPDATE & RECOMMENDATION**

This item was discussed at the October 9, 2007 Workshop. Staff recommends approval on the October 16, active agenda.

**BACKGROUND**

The American Legion Post 80 located at 4000 Saratoga Avenue is a permitted Special Use. At this time the petitioner is requesting approval of the addition of two garages, open air pavilion and a gazebo with a trail.

The 10.8 acre property is currently improved with an approximately 10,666 square foot office building with meeting and banquet halls, a surface parking lot with 135 striped parking spaces, a World War II memorial located just south of the building, and an approximately 1,045 square foot storage shed located west of the building.

The site improvements will include the construction of two new 28 foot by 22 foot garages in the northwest portion of the site. The existing storage shed will be replaced with a 30 foot by 60 foot open air pavilion, and a new 192 square foot gazebo will be constructed south of the existing building. The petitioner is also proposing to install a path throughout the wooded portion of the property.

The petitioner is not requesting any variations from the Zoning Ordinance. The proposed improvements meet all bulk regulations as noted in the table below:

<b>American Legion Post 80 Addition Gazebo, Pavilion, Garages</b>	<b>Required</b>	<b>Proposed</b>
<b>Setbacks</b>		
Front (South)	40 feet	N/A (Garage) 270 feet (Gazebo) N/A (Pavilion)
Side (East)	6 feet	N/A (Garage) 315 feet (Gazebo) N/A (Pavilion)
Side (West)	6 feet	180 feet (Garage) 430 feet (Gazebo) 307 feet (Pavilion)
Rear (North)	6 feet	130 feet (Garages) 150 feet (Pavilion) N/A (Gazebo)
Height	23 feet	13 feet -7 ¾ inches (Garage) 12 feet (Gazebo) 15 feet-1 1/8 inches (Pavilion)
Lot Coverage (maximum)	0.6 (282,307 sq. ft.)	0.028 (13,845.85 sq. ft.)

The Plan Commission considered the petition at its September 10, 2007 meeting and recommended approval of the Special Use with the conditions as noted in the staff report. Staff concurs with the Plan Commission recommendation.



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

**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR  
THE AMERICAN LEGION TO PERMIT TWO DETACHED GARAGES, A PAVILION  
AND A GAZEBO WITH A TRAIL AT 4000 SARATOGA AVENUE**

WHEREAS, the following described property, to wit:

Tracts One and Two in Alexander Bradley Burns American Legion Post No. 80 Assessment Plat of part of the East Half of the Northeast Quarter of Section 6, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded August 16, 1990 as Document R90-105159, in DuPage County, Illinois.

Commonly known as 4000 Saratoga Avenue, Downers Grove, IL (PIN 09-06-215-005,-006).

(hereinafter referred to as the "Property") is presently zoned in the "*R-1, Single Family Residential District*" under the Comprehensive Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the owner of the Property has filed with the Plan Commission, a written petition conforming to the requirements of the Zoning Ordinance, requesting that a Special Use per Section 28-502 of the Zoning Ordinance be granted to allow two detached garages, a pavilion and a gazebo with a trail.

WHEREAS, such petition was referred to the Plan Commission of the Village of Downers Grove, and said Plan Commission has given the required public notice, has conducted a public hearing respecting said petition and has made its findings and recommendations, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, the Plan Commission has recommended approval of the requested Special Use, subject to certain conditions; and,

WHEREAS, the Village Council finds that the evidence presented in support of said petition, as stated in the aforesaid findings and recommendations of the Plan Commission, is such as to establish the following:

1. The proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
2. The proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.
3. The proposed use will comply with the regulations specified in this Zoning Ordinance for the district in which the proposed use is to be located.
4. The proposed use is one of the special uses specifically listed for the district in which it is to be located and, if approved with restrictions as set forth in this ordinance, will comply with the provisions of the Downers Grove Zoning Ordinance regulating this Special Use.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, in

DuPage County, Illinois, as follows:

SECTION 1. That a Special Use of the Property is hereby granted to permit two detached garages, a pavilion and a gazebo with a trail at 4000 Saratoga Avenue.

SECTION 2. This approval is subject to the following conditions:

1. The improvements shall substantially conform to the Site Plan prepared by JFP, dated July 14 2007, Architectural Plans prepared by Regency Garages and manufacturer's specifications for the gazebo and the pavilion included with the staff report submitted to the Plan Commission dated September 10, 2007, except as such plans may be modified to conform to Village Codes and Ordinances.
2. The applicant shall provide a cost estimate for the cost to construct the proposed improvements prior to issuance of the building permit. The cost estimate shall be prepared by a Registered Professional Engineer pursuant to Section 26-77 of the Downers Grove Municipal Code.
3. All necessary construction permits shall be obtained by the petitioner prior to any site development activities.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use is granted. Violation of any or all of such conditions shall be deemed a violation of the Village of Downers Grove Zoning Ordinance, the penalty for which may include, but is not limited to, a fine and or revocation of the Special Use granted herein.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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Mayor

Passed:

Published:

Attest: \_\_\_\_\_

Village Clerk