

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JANUARY 15, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Annexation with Rezoning of 4412 Cross Street	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

An annexation ordinance and an ordinance to rezone the property located at 4412 Cross Street from R-1 Single Family Residence District (unincorporated DuPage County) to B-3 General Services and Highway Business have been prepared.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2007-2012 identified *Vibrant Major Commercial Corridors*. Supporting this goal are the objectives *More Attractive Commercial Developments* and *More Contribution to Local Economy*.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the January 8, 2008 Workshop. Staff recommends approval on the January 15, 2008 active agenda.

BACKGROUND

The vacant property is located in unincorporated DuPage County and is classified as R-1 Single Family Residence District by the County’s Zoning Ordinance. A single family house previously located on the lot was demolished in 2005, and the lot has been vacant since. The petitioner is proposing to annex to the Village of Downers Grove and rezone the property to B-3 General Services and Highway Business District.

The subject property is contiguous to the Village and within the Village’s ultimate boundary. The properties west, north and east of the site are currently zoned B-3 General Services and Highway Business and are occupied by commercial uses. The properties directly to the south and one property located east of the subject site are zoned for Single Family Residential uses (unincorporated DuPage County). The Future Land Use Plan classifies all adjacent properties and the subject site for commercial use. Staff believes the proposed B-3 General Service and Highway Business district is appropriate for this property and is consistent with the zoning designation of the area and the goals of Future Land Use Plan.

The Ogden Avenue Master Plan contemplates increasing the depth of commercial properties along the corridor. The additional depth will enable the commercial properties to provide additional setback from the residential properties, green space and parking. The proposed rezoning of the subject property to B-3

General Services and Highway Business is consistent with this goal as it will provide an opportunity for larger properties along Ogden Avenue.

The zoning and land use classifications of surrounding properties are outlined in the table below:

Address	Location	Zoning Classification	Future Land Use	Current Use
2539 Ogden Avenue	Northwest & West of subject lot	B-3 General Services and Highway Business	Commercial	Commercial (Insurance and Landscape company)
2535 Ogden Avenue	North of subject lot	B-3 General Services and Highway Business	Commercial	Vacant (Single Family Residential)
2525 Ogden Avenue	North of subject lot	B-1 Local Business District (DuPage Co.)	Commercial	Commercial (Construction Company)
2501 Ogden Avenue	Northeast & East of subject lot	B-3 General Services and Highway Business	Commercial	Commercial (Used Car Dealership)
4409 Cross Street	East of subject lot	R-4 Single Family Residence (DuPage Co.)	Commercial	Residential (Single Family Residential)
4416 Cross Street	South of subject lot	R-4 Single Family Residence (DuPage Co.)	Commercial	Residential (Single Family Residential)

The petitioner is not proposing any development on the site at this time. Prior to commencement of any site development on this property, the petitioner will be required to obtain all required permits from the appropriate permitting authority and fully comply with all Village Codes and Ordinances.

The Plan Commission considered the petition at its December 3, 2007 meeting. Several residents spoke at the meeting in opposition to the rezoning of the property for a commercial use. The residents were concerned a permitted use similar to the landscape business located at 2539 Ogden Avenue could open on the subject site. They were also opposed to traffic increases and changes to existing drainage patterns resulting from any new commercial development on the site. The Plan Commission recommended approval of the Annexation and Rezoning to B-3 General Services and Highway Business. Staff concurs with the Plan Commission recommendation.

Subject to the Council’s approval of the annexation, the property at 2525 Ogden Avenue will become a “doughnut hole” or, in other words, a single, unincorporated parcel. For provision of efficient public safety services, the Village should proceed with annexation of this parcel, either voluntary or involuntary.

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: _____ Petitioner _____ **DATE:** January 15, 2008
(Name)

RECOMMENDATION FROM: Plan Commission **FILE REF:** PC-38-07
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE, AS AMENDED TO REZONE PROPERTY LOCATED AT 4412 CROSS STREET", as presented.

SUMMARY OF ITEM:

Adoption of the attached ordinance shall rezone 4412 Cross Street from Village R-1 Single Family Residential to Village B-3 General Services and Highway Business District.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE
OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS
CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE,
AS AMENDED TO REZONE PROPERTY LOCATED
AT 4412 CROSS STREET**

WHEREAS, the real estate located at 4412 Cross Street and hereinafter described has been classified as R-1 Single Family Residence upon its annexation under the Comprehensive Zoning Ordinance of the Village of Downers Grove; and,

WHEREAS, the owner or owners of said real estate have requested that such property be rezoned as hereinafter provided; and

WHEREAS, it appears that the Plan Commission of the Village of Downers Grove has given the required public notice, and has conducted a public hearing respecting said requested rezoning in accordance with applicable law; and

WHEREAS, making due allowance for existing conditions, the conservation of property values, the development of the property in conformance to the official Future Land Use Plan and Map of the Village of Downers Grove, and the current uses of the property affected, the Council has determined that the proposed rezoning is for the public good.

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

SECTION 1. The Comprehensive Zoning Ordinance of the Village of Downers Grove, Illinois, codified as Chapter 28 of the Downers Grove Municipal Code (which ordinance as heretofore amended, is hereinafter referred to as the "Zoning Ordinance"), is hereby further amended by changing to "*B-3, General Service and Highway Business District*" the zoning classification of the following described real estate, to wit:

Lot 33 in Block 2 in Arthur T. McIntosh & Company's Belmont Golf Addition, in the Southwest Quarter of Section 1, and the Northwest Quarter of Section 12, Township 38 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded September 14, 1925 as Document No. 199614, in DuPage County, Illinois

Commonly known as 4412 Cross Street, Downers Grove, IL (PIN 08-01-305-022)

SECTION 2. The official zoning map shall be amended to reflect the change in zoning classification effected by Section 1 of this ordinance.

1. 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.

2. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, County, and Village laws, ordinances, regulations, and policies.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk