

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JUNE 3, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Annexation, Rezoning and Final Plat of Subdivision for 5416-5418 Belmont Avenue	✓ Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

Ordinances have been prepared to annex and rezone the properties at 5416-5418 Belmont Avenue from County R-4 and B-1 to Village B-2 (General Retail Business). A resolution has been prepared for a final plat of subdivision consolidating the three existing lots into two.

FISCAL IMPACT

N/A.

STRATEGIC PLAN ALIGNMENT

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

UPDATE & RECOMMENDATION

This item was discussed at the May 27, 2008 Workshop. Staff recommends approval on the June 3, 2008 active agenda.

BACKGROUND

The properties at the southwest corner of Belmont Road and Inverness Avenue, commonly known as 5416-5418 Belmont Road, are currently located in unincorporated DuPage County and are classified as B-1 Local Business District (two lots at 5416 Belmont Road) and R-4 Single Family Residence (lot at 5418 Belmont Road) by the County’s Zoning Ordinance. There are currently two single family homes on three lots. The home at 5416 Belmont is being used in conjunction with the Belmont Bible Church. The properties abut manufacturing uses on the north, institutional uses (Belmont Bible Church) on the south and west, and attached single family uses on the east.

The petitioner is proposing to annex to the Village of Downers Grove and rezone the property to B-2 General Retail Business. Additionally, the petitioner is requesting a plat of subdivision to consolidate the three existing lots into two. The petitioner has indicated his intent is to construct two new two-story office buildings on the property. No exceptions or variations are being requested as part of this petition. If the future development requires variations, additional review by the Plan Commission and Village Council may be necessary.

The Future Land Use Plan designates this property as Residential (6-11 D.U./acre). Staff believes the proposed rezoning and annexation will complement the existing land uses in the area and provide an adequate transition from the manufacturing uses to the north to the residential uses south of the Belmont

Bible Church. A majority of the property is currently zoned for commercial uses under the DuPage County Zoning Ordinance. The County's B-1 district permits similar uses as the Village's B-2 district. The remainder of the property is being used in conjunction with the Belmont Bible Church. Staff believes the proposed rezoning meets the standards for approval in Section 28.1702 of the Zoning Ordinance.

The Plan Commission held a public hearing for this matter on April 7, 2008. No objections or concerns were raised by the public. The Plan Commission found the rezoning was in compliance with the standards in Section 28.1702 of the zoning ordinance and recommended unanimous approval of the petition including the annexation, rezoning and plat of subdivision.

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: _____ Petitioner _____ **DATE:** _____ June 3, 2008 _____
(Name)

RECOMMENDATION FROM: _____ Plan Commission _____ **FILE REF:** _____ PC-07-08 _____
(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 5416-5418 BELMONT ROAD", as presented.

SUMMARY OF ITEM:

Adoption of the attached ordinance shall rezone 5416-5418 Belmont Road from Village R-1 Single Family Residential to Village B-2 General Retail 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 5416-5418 BELMONT ROAD**

WHEREAS, the real estate located at the intersection of Inverness Avenue and Belmont Road, hereinafter described has been classified as "R-1 Single-Family Residence" 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, 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 on April 7, 2008 and has made its findings and recommendations respecting said requested rezoning in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; 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-2, General Retail Business District" the zoning classification of the following described real estate, to wit:

Lots 1, 2 and 3 in Carlson's Resubdivision of Lots 24 of Arthur T. McIntosh and Company's Belmont Farms, being a subdivision situated in the South Half of Section 12 and the North Half of Section 13, Township 38 North, Range 10 East of the Third Principal Meridian and in the Southwest Quarter of Section 7, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded on July 17, 1950 as Document 598421 and Certificate of Correction recorded on February 23, 1954 as Document 708561 in DuPage County, Illinois. Together with that part of Belmont Avenue (County Highway 2) lying Westerly of and adjoining to the above described property not previously annexed to the Village of Downers Grove

Commonly known as 5416-5418 Belmont Road, Downers Grove, IL (PIN 08-12-411-012,-013,-014)

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

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. The Village reserves the right to re-open its review process upon receipt of such information; and
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