

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JUNE 17, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Rezoning of 2525 Ogden Avenue	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

An ordinance has been prepared to rezone 2525 Ogden Avenue from R-1 Single Family Residence to B-3 General Services and Highway Business.

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 June 10, 2008 Workshop. Staff recommends approval on the June 17, 2008 active agenda.

BACKGROUND

The subject property was recently annexed by the Village of Downers Grove. The property is on the south side of Ogden Avenue between the Cross Street and the DuPage County detention basin at Ogden Avenue and Drendel Road. The applicant is requesting rezoning from R-1 to B-3. No additional zoning/subdivision requests are being made at this time. All of the properties surrounding the subject lot are zoned B-3.

The property owner is working with the Downers Grove Sanitary District to extend the sanitary sewer in the area. As part of this project, the property owner would grant the Sanitary District an easement on the northern twenty feet of the property for construction of the new sanitary sewer. The proposed location of the sewer conflicts with the property's existing well. As such, the Sanitary District is proposing to demolish the well and have the existing building connect to the Village's water distribution system. Annexation is required to facilitate connection to Village water.

The property owner, in conjunction with the Sanitary District, filed petitions for voluntary annexation and rezoning. To ensure the sanitary sewer can be completed in 2008, the petition for annexation is being considered separate from the petition for rezoning. Upon annexation, the property would

automatically be zoned R-1. The petitioner is proposing to rezone the property to B-3, which is consistent with other property adjacent to Ogden Avenue.

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 rezoning.

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: _____ Petitioner _____ **DATE:** June 17, 2008
(Name)

RECOMMENDATION FROM: Plan Commission **FILE REF:** PC-08-08
(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 2525 OGDEN AVENUE", as presented.

SUMMARY OF ITEM:

Adoption of the attached ordinance shall rezone 2525 Ogden Avenue 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 2525 OGDEN AVENUE**

WHEREAS, the real estate located at the southwest corner of Ogden Avenue and Cross Street, 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-3, General Services & Highway Business District" the zoning classification of the following described real estate, to wit:

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

Commonly known as 2525 Ogden Avenue, Downers Grove, IL (PIN 08-01-305-010).

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