

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
AUGUST 5, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Special Use for a Contractor's Shop and Office in an O-R-M Zoning District at 5106 Walnut	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A Special Use Ordinance has been prepared to permit a contractor's shop and office in an O-R-M Office Research and Manufacturing zoning district for the property located at 5106 Walnut.

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*.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the July 22, 2008 Workshop. Staff recommends approval on the August 5, 2008 active agenda.

BACKGROUND

The petitioner is requesting approval of a Special Use pursuant to Section 28.802(i) of the Zoning Ordinance to allow a contractor's shop and office at 5106 Walnut Avenue. The property is in an O-R-M Office Research and Manufacturing zoning district. The proposed use, a contractor's shop and office, is a permitted Special Use in this district. The proposed use is in the same general character as other neighboring uses in the industrial park and those listed as Special Uses in Section 28.802 of the Zoning Ordinance. The surrounding uses include a contractor's shop to the north, a manufacturing facility to the west, an automobile repair shop to the south and the Downers Grove Public Works facility to the east.

The petitioner is proposing to consolidate four separate rented facilities onto this site to house his primary office and headquarters. The construction business includes commercial and residential construction, remodeling and commercial and municipal paving work. The petitioner is proposing to use the vacant one-story 9,000 square foot commercial building that previously housed a vehicle emissions testing center. A large asphalt parking area and dry detention basin are located west of the existing building.

The petitioner is proposing to use the building and site as it currently exists with no major improvements at this time. The petitioner is proposing to park equipment, trailers, and trucks on the existing asphalt parking area to the west of the existing building. The petitioner is proposing to park 19 pieces of equipment (pavers, rollers, and compressors), 19 dump and pick-up trucks, and nine trailers within the existing asphalt parking

area to the west of the building. Equipment parking is not allowed in front of the existing building or in the grass detention basin. The equipment and vehicle parking area will be screened with an eight-foot high fence per Zoning Ordinance requirements. Other than installation of a new fence, no other improvements are proposed for the property at this time.

The petitioner receives van-type deliveries, such as Federal Express or UPS, on a regular basis. The petitioner anticipates receiving some construction material deliveries that cannot be delivered directly to job sites. These deliveries occur less frequently, typically no more than one or two times a week. All materials shall be stored on a paved surface and may not be stored in the existing detention basin.

The Plan Commission considered the petition at its July 7, 2008 meeting and found that the proposed special use complies with the standards set forth in Section 28.1902 of the Zoning Ordinance. Based on these findings, the Commission recommended unanimous approval of the request. Staff concurs with the Plan Commission recommendations.

ATTACHMENTS

Ordinance

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Applicant **DATE:** August 5, 2008
(Name)

RECOMMENDATION FROM: Plan Commission **FILE REF:** 21-08
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

Ordinance

Resolution

Motion

Other

Motion to Adopt "AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT A CONTRACTOR'S SHOP AND OFFICE AT 5106 WALNUT AVENUE", as presented.

SUMMARY OF ITEM:

At their meeting of July 7, 2008, the Plan Commission recommended that a Special Use be granted on property located at 5106 Walnut Avenue to permit a contractor's shop and office.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A SPECIAL USE
TO PERMIT A CONTRACTOR'S SHOP AND OFFICE
AT 5106 WALNUT AVENUE**

WHEREAS, the following described property, to wit:

The South Half of Lot 19 in Arthur T. McIntosh First Addition to Belmont, a subdivision of part of Sections 1, 2, 11 and 12, Township 38 North, Range 10, East of the Third Principal Meridian, in DuPage County, Illinois, commonly known as 5106 Walnut Avenue, Downers Grove, IL

Commonly known as 5106 Walnut Avenue, Downers Grove, IL (PIN 08-11-408-007)

(hereinafter referred to as the "Property") is presently zoned in the "*O-R-M, Office Research Manufacturing 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 28.506 of the Zoning ordinance be granted to allow a contractor's shop and office within a office research manufacturing zoning district.

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 July 7, 2008 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 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 Special Use of the Property is hereby granted to allow a contractor's shop and

office within an office research manufacturing zoning district.

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

1. The Special Use shall conform to the plans and sketches as attached to the staff report dated July 7, 2008.
2. All equipment, trailers and vehicles shall be parked on a paved surface. Any material storage shall take place on a paved surface. No materials, equipment, trailers, vehicles or material storage may occur within the detention basin.
3. An eight-foot fence shall be installed around the site to screen the storage of equipment, trailers, vehicles and materials.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use to allow a contractor's shop and office in a office research manufacturing zoning district is hereby 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.

Mayor

Passed:

Published:

Attest: _____

Village Clerk

Exhibit 1.0

Parking Plan

Petitioner has reviewed its inventory of Equipment, Trailers, Trucks, and Cars for office parking purposes and adequate parking can be accommodated within the existing paved portions of the Property. Attached as is a copy of a proposed Parking Plan. Handicapped parking on the Parking Plan reflects Staff determination of necessary handicapped parking to comply with applicable ADA and Village requirements. Proposed parking areas of approximately 10,000 square feet fits within existing paved area on the Property.

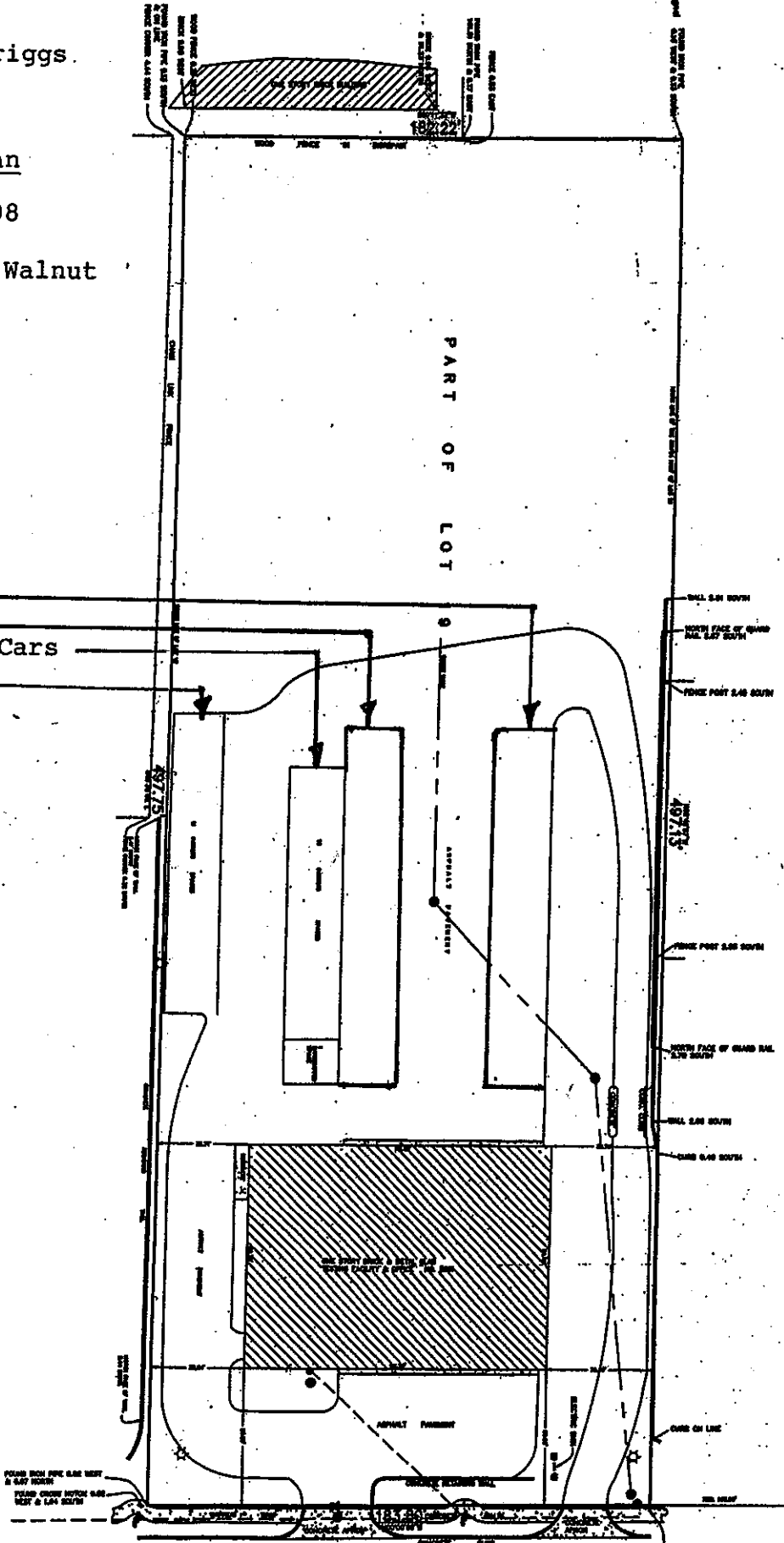
Petitioner
James W. Briggs.

Parking Plan

May 30, 2008

5106 South Walnut

Equipment
Trailers
Trucks and Cars
Trucks



PROFESSIONAL LAND SURVEYOR
4005 N. Dakota Avenue
Telephone: (773) 658-9102
Fax: (773) 258-4184
Chicago, Illinois 60630
The South Half of Lot 19 in Arthur I. Liebman First Addition to Belmont, a subdivision of part of Sections 1,
2, 11 and 12, Township 28 North, Range 10, East of the Third Principal Meridian in Chicago County, Illinois.
Plot of Survey

Exhibit 2.0

Fencing Plan

Petitioner is proposing to install a chain link fence on the perimeter of the Property with PVC or other appropriate quality privacy slats. Chain link security gates would be installed along the rear edge of the building along both side drives as necessary to secure Petitioner's equipment and vehicles. Adjacent property immediately to the north of the Property uses chain link fence with privacy slats; Village municipal yard across the street from the Property uses chain link fence with privacy slats; and multiple properties along Hitchcock to west of Walnut use chain link fence with privacy slats. Proposed Fencing Plan is compatible with neighborhood and adjacent property. Petitioner will attempt to coordinate structure of chain link fence on southern border to avoid trapped space between existing chain link fence and new fence to be constructed by Petitioner. Property of Sanitary District approximately one block farther north on Walnut uses exposed chain link fence for boundary purposes without any privacy slats.

Petitioner
James W. Briggs

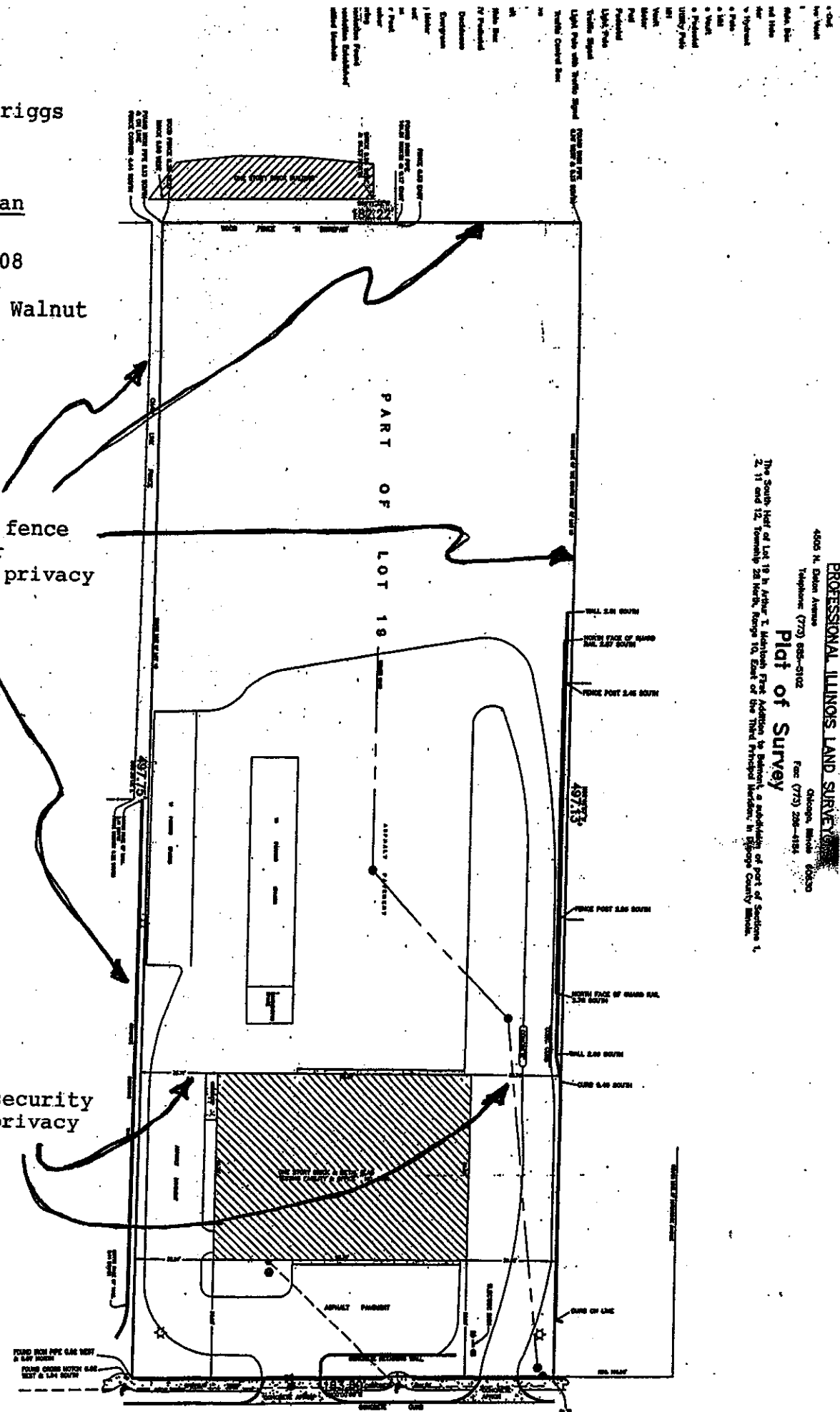
Fencing Plan

May 30, 2008

5106 South Walnut

Chain link fence
with PVC or
equivalent privacy
slats

Chain link security
gates with privacy
slats



PROFESSIONAL ILLINOIS LAND SURVEYOR
4000 N. Daley Avenue
Chicago, Illinois 60630
Telephone: (773) 838-5102 Fax: (773) 228-8104
Plat of Survey
The South Half of Lot 18 in Arthur T. Mathias First Addition to Belmont, a subdivision of part of Section 1,
2, 11 and 12, Township 28 North, Range 10, East of the Third Principal Meridian, in Chicago County Illinois.