

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
OCTOBER 7, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Stormwater and Flood Plain Control Ordinance Variances – 4958 Forest	✓ Resolution Ordinance Motion Discussion Only	Michael D. Millette, P.E. Stormwater Administrator

SYNOPSIS

An ordinance has been prepared to grant two variances from the Stormwater and Flood Plain Control Ordinance (SWFPCO) for the property located at 4958 Forest Avenue. One variance would allow a structure to be built one foot higher than the base flood elevation instead of the minimum requirement of three feet. Additionally, the variance would allow ponding of up to 18-inches of storm water in a parking lot instead of the permitted maximum of 12-inches.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2007-2012 identified *Authentic Downtown – The Heart of Our Community*. A supporting objective of this goal is: *Increase Service Businesses and Retail Grocery Stores, Hardware Stores*.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the September 23, 2008 Workshop. Staff recommends approval on the October 7, 2008 active agenda.

BACKGROUND

The property is located at the northwest corner of Forest Avenue and Warren Avenue (4958 Forest Avenue). There is currently a one-story drive-through bank on the site. The bank building has been vacant for just over a year. The site is surrounded by the Oak Tree Towers senior development on the north and west, Downers Grove Community Bank on the south and medical offices to the east.

The applicant is proposing to redevelop the site. The existing building would be razed and a new one-story office building would be constructed. The building would contain approximately 3,000 square feet. Surface parking would be provided on the site. The applicant is proposing to locate an eye clinic in the new building. The proposed use and building is consistent with the surrounding neighborhood. No zoning variations are being requested as part of this development.

On August 28, 2008, the Stormwater and Flood Plain Oversight Committee held a public hearing to consider two variances from the SWFPCO for the subject property. No objections were received from any East Branch DuPage Watershed Communities or from the County. The County inquired about the ponding depth variance; however, the County did not voice any concerns. Elevating a building three feet above the base flood elevation is a Village requirement. The County requires buildings in a flood plain to be elevated one-foot above the base flood elevation, which matches the applicant’s request. Two residents spoke in favor of the variances during the hearing. The Committee unanimously recommended approval

of both variances with the requirement that signs be posted in the parking lot indicating the potential depth of ponding. Staff concurs with the Committee's recommendation.

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: _____ **Applicant** _____ **DATE:** _____ October 7, 2008 _____
(Name)

RECOMMENDATION FROM: Stormwater and Flood Plain Oversight Committee **FILE REF:** _____
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

Ordinance

Motion to Adopt "AN ORDINANCE GRANTING STORMWATER VARIANCES FOR 4958 FOREST AVENUE", as presented.

Resolution

Motion

Other

SUMMARY OF ITEM:

At their meeting of August 28, 2008, the Stormwater and Flood Plain Oversight Committee recommended adoption of the attached ordinance to permit stormwater variances for the property located at 4958 Forest Avenue.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

**AN ORDINANCE GRANTING
STORMWATER VARIANCES FOR 4958 FOREST AVENUE**

WHEREAS, the Village has previously adopted the Downers Grove Stormwater & Flood Plain Ordinance (Chapter 26 of the Downers Grove Municipal Code, herein after referred to as the “Stormwater Ordinance”); and

WHEREAS, pursuant to the Stormwater Ordinance, new developments are to provide certain levels of flood protection; and

WHEREAS, pursuant to the Stormwater Ordinance, an application may be made for a variance for unique and extraordinary circumstances; and

WHEREAS, application has been made by the owners of the property located at 4958 Forest Avenue requesting a variance from certain flood protection elevations and a variance from storm water surface flow; and

WHEREAS, a public hearing was held on August 28, 2008 before the Downers Grove Stormwater and Flood Plain Oversight Committee which has recommended the granting of the variance request; and

WHEREAS, the Downers Grove Village Council has considered this matter and has determined that the applicant meets the requirements for a variance from the Stormwater Ordinance.

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

1. That a variance is hereby granted to permit the surface elevation of one(1) foot above the base flood elevation, in lieu of the three (3) foot minimum required per Section 26-62.3 of the Stormwater Ordinance.
2. That a variance is hereby granted to permit stormwater surface flow depths of eighteen (18) inches over parking lot pavement, in lieu of the twelve (12) inch maximum surface flow depths per Section 26-62.4 of the Stormwater Ordinance.
2. This variance is conditioned upon compliance with all applicable Village Ordinances, including those related to the location and construction of an eye care facility and adjoining parking lot/loading area.
3. This ordinance shall be in full force and effect from and after its adoption in the manner provided by law.

Mayor

Passed:

Attest: _____
Village Clerk