

**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE VILLAGE COUNCIL MEETING  
DECEMBER 16, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Special Use with Variation 3910 Highland Avenue	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

**SYNOPSIS**

A special use ordinance and zoning variation has been prepared for St. Luke’s Presbyterian Church, located at 3910 Highland Avenue.

**STRATEGIC PLAN ALIGNMENT**

The Five Year Plan and Goals for 2007-2012 identified *Preservation of Our Residential Character*. Supporting this goal are the objectives *Tolerance of Neighborhood Private Redevelopment* and *Continuing Reinvestment in the Neighborhoods*.

**FISCAL IMPACT**

N/A.

**UPDATE & RECOMMENDATION**

This item was discussed at the December 9 workshop. In response to several questions posed by the Village Council, staff has provided the following information.

There are no LPDA, wetlands or other flooding issues that have been recorded for this property. Staff has noticed localized ponding on-site. The proposed expansion will not be impacted by the localized ponding.

The size of the AC unit has not been confirmed and will not until the building permit is issued. The petitioner is considering the installation of a 6’ by 7’ and 3.5’ tall unit. These dimensions are for planning purposes only at this stage and may change.

Staff recommends approval on the December 16 active agenda.

**BACKGROUND**

The property, commonly known as 3910 Highland Avenue, is located at the intersections of 39<sup>th</sup> Street, Main Street and Highland Avenue. The 60,271 square foot lot is improved with a 12,030 square foot building home to St. Luke’s Presbyterian Church. The property is zoned R-4 Single Family Residence District. The church is surrounded by Highland School to the east, Good Samaritan Hospital to the north, Fire Station 3 to the west, and single family residence to the south.

The petitioner is requesting Special Use approval to construct a 1,300 square foot addition on the north side of the building to expand the sanctuary. The addition will increase the seating within the sanctuary from 150 to 222 occupants. There will be minor site work associated with the addition but no other charges are proposed at this time.

The petitioner is also requesting a variation to install new air conditioning units within the front yard

along Main Street to serve the new addition. Per Section 28.1304 of the Zoning Ordinance, air conditioning units may not be located in a front yard. The new units will serve the addition and the nave portion of the church while the existing roof top units will continue to serve the rest of the building.

The subject property is unique in that it is a pie-shaped lot with front yards west, north and east of the existing building. The gable roof of the addition and the property's front yards along Main Street and Highland Avenue create a physical hardship to install the air conditioning units serving the addition anywhere other than the front yard. As such the petitioner has proposed to install the new air conditioning units within the front yard along Main Street 45 feet from west property line. The air conditioning units will be screened with four- and six-foot high landscaping. The proposed building expansion will meet all other setback and bulk requirements of the Zoning Ordinance as summarized in the table below:

<b>3910 Highland Avenue St. Luke's Presbyterian Church</b>	<b>Required</b>	<b>Proposed</b>
Front Setback (West-Ogden Avenue)	25 feet	59.56 feet
Front Setback (East- Highland Avenue)	25 feet	77.02 feet
Lot Coverage Maximum	24,108 sq. ft. (40%)	13,407 sq. ft. (22%)
<b>AC Setback</b>	<b>Not allowed within front yard</b>	<b>45 feet from front property line</b>
Height	33 feet	28 feet
Parking	89	111 - No change (including 94 spaces at Fire Station III)

The Future Land Use Plan designates the site as Residential with 0-6 DU/acre. The existing church has been in its current location since 1965 and has not had a diminishing value on the surrounding properties. The proposed Special Use for the 1,300 square foot building addition is consistent with the intent of the Future Land Use plan to maintain the area for residential use.

The Plan Commission considered the petition at their November 3, 2008 meeting and found the project met the standards for approval. Based on their findings, the Commission recommended unanimous approval of the Special Use with Zoning Variation. Staff concurs with the Plan Commission recommendation.

**ATTACHMENTS**  
Ordinance

**VILLAGE OF DOWNERS GROVE**  
**COUNCIL ACTION SUMMARY**

**INITIATED:**           Applicant                             **DATE:** December 16, 2008  
  (Name)

**RECOMMENDATION FROM:**           Plan Commission             **FILE REF:** 12-08  
  (Board or Department)

**NATURE OF ACTION:**

**STEPS NEEDED TO IMPLEMENT ACTION:**

- X Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 3910 HIGHLAND AVENUE TO PERMIT A CHURCH IN THE R-4 SINGLE FAMILY RESIDENCE DISTRICT WITH A ZONING VARIATION", as presented.

**SUMMARY OF ITEM:**

At their meeting of November 3, 2008, the Plan Commission recommended that a Special Use be granted for the property located at 3910 Highland Avenue to permit a church in an R-4 Single Family Residence District with a zoning variation.

**RECORD OF ACTION TAKEN:**

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR  
3910 HIGHLAND AVENUE TO PERMIT A CHURCH IN THE R-4 SINGLE  
FAMILY RESIDENCE DISTRICT WITH A ZONING VARIATION**

WHEREAS, the following described property, to wit:

Lots One (1), Two (2), Three (3) and Eighteen (18) in Block Five (5) in Walter S. Anderson’s Resubdivision of Blocks 1, 2, 3, 4, 5 and 6 of Park Addition to Downers Grove, a subdivision situated in the Northwest Quarter of Section 5, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat of said Resubdivision recorded April 4, 1951 as Document 620063, as corrected by certificate recorded October 13, 1954 as Document 733302, in DuPage County, Illinois,

Commonly known as 3910 Highland Avenue, Downers Grove, IL (PIN 09-05-104-019)

(hereinafter referred to as the "Property") is presently zoned in the "*R-4, Single Family Residence 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 28-508 of the Zoning Ordinance to allow a church in a residential zoning district including the following Zoning Variation:

1. Variation from Chapter 28, Section 28-1304; *Air Conditioning Units*, to allow air conditioning units to be located in the front yard.

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 on November 3, 2008 respecting said petition and has made its findings and recommendations, all in accordance with the laws of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, the Plan Commission has recommended approval of the requested Special Use with Zoning Variation, subject to certain conditions; 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 or will comply with any variation(s) authorized pursuant to Section 28-1802.
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 a Special Use of the Property is hereby granted to permit an addition to an existing church in a residential zoning district including the requested Variation as outlined above.

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

1. The proposed Special Use with Zoning Variation for the air conditioning units shall substantially conform to building and engineering plans and specifications prepared by David F. Schultz Associates, Ltd. attached to the Staff Report dated November 3, 2008, except as such plans may be modified to conform to Village codes, ordinances, and policies.
2. A sprinkler system shall be installed in the entire building.
3. An automatic and manual detection system shall be installed in the entire building.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use with Zoning Variation 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.

SECTION 5. That 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