

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village**  
**10/16/2018**

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| <b>SUBJECT:</b>                           | <b>SUBMITTED BY:</b>                                     |
| Downtown Zoning Map Amendments (Rezoning) | Stan Popovich, AICP<br>Director of Community Development |

**SYNOPSIS**

Ordinances have been prepared to rezone 66 properties in the downtown from Downtown Business to Downtown Core and 11 properties in the downtown from Downtown Business to Downtown Transition. In addition, an ordinance has been prepared updating certain references to the downtown business district in various sections of the Municipal Code.

**STRATEGIC PLAN ALIGNMENT**

The Village Council has identified *Update Downtown Zoning Regulations* as a top priority action item for 2017-2019. The goals for 2017-2019 include *Strong and Diverse Local Economy*.

**FISCAL IMPACT**

N/A

**UPDATE & RECOMMENDATION**

This item was discussed at the October 9, 2018 Village Council meeting. Staff recommends approval at the October 16, 2018 active agenda.

**BACKGROUND**

The Village is requesting approval of 77 rezonings in the downtown to implement the recommendations of the Comprehensive Plan. The proposal would:

- Rezone 66 properties from the Downtown Business (DB) zoning district to the Downtown Core (DC) zoning district; and
- Rezone 11 properties from the Downtown Business (DB) zoning district to the Downtown Transition (DT) zoning district.

The Village approved an update to the Comprehensive Plan in June 2017. Based on the Comprehensive Plan's goals for downtown, the Village undertook the development of a Downtown Regulatory Framework that was approved in January 2018. The Plan and Framework contemplated the creation of three zoning districts in the downtown. Text amendments to the Zoning Ordinance were adopted in July 2018 that created the Downtown Core zoning district and updated various sections of the Zoning Ordinance to meet the

recommendations of the Comprehensive Plan and Regulatory Framework. The proposed rezoning of 77 properties will implement the Comprehensive Plan's vision for the downtown.

The proposed zoning map amendments are consistent with the Comprehensive Plan and the review and approval criteria for Zoning Map Amendments.

#### Public Comment

Six members of the public spoke at the Plan Commission meeting. Three members were in support of the proposed rezonings. Two members were concerned with the rezoning of properties from DB to DT, specifically the setback requirements in the DT zoning district. The final member of the public expressed concern about the height limitations in the downtown.

#### **ATTACHMENTS**

DB to DC Rezoning Ordinance

DB to DT Rezoning Ordinance

Municipal Code Amendments (Downtown Core) Ordinance  
Map

Staff Report with attachments dated September 10, 2018

Minutes of the Plan Commission Hearing dated September 10, 2018

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Petitioner DATE: October 16, 2018
(Name)

RECOMMENDATION FROM: FILE REF: 18-PLC-0027
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- X Ordinance
Resolution
Motion
Other

Motion to Adopt "AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED IN THE DOWNTOWN FROM DOWNTOWN BUSINESS DISTRICT TO DOWNTOWN TRANSITION DISTRICT", as presented.

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SUMMARY OF ITEM:

Adoption of the attached ordinance shall rezone certain properties located in the downtown from Downtown Business District to Downtown Transition District.

RECORD OF ACTION TAKEN:

[Three horizontal lines for recording action taken]

**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE REZONING CERTAIN PROPERTY  
LOCATED IN THE DOWNTOWN FROM  
DOWNTOWN BUSINESS DISTRICT TO DOWNTOWN TRANSITION DISTRICT**

WHEREAS, the real estate located at the southeast corner of Rogers Street and Washington Avenue and the northeast corner of Washington Avenue and Maple Avenue, hereinafter described has been classified as "DB- Downtown Business District" under the Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the Village of Downers Grove ("Petitioner") has requested that such properties be rezoned as hereinafter provided; and

WHEREAS, the Village approved an update to the Comprehensive Plan in June of 2017; and

WHEREAS, the Village undertook the development of a Downtown Regulatory Framework that was approved in January of 2018; and

WHEREAS, making due allowance for existing conditions, the conservation of property values, the development of the property in conformance to the official Comprehensive Plan 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; 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 September 10, 2018 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.

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

**SECTION 1.** The Zoning Map of the Village, pursuant to Section 28.12.030I of the Downers Grove Municipal Code, is hereby further amended by rezoning to "DT – Downtown Transition Business District" the zoning classifications of the following described real estate, to wit:

LOTS 1, 2, 3, 4, 5, AND 6 IN GALLAGHER'S SUBDIVISION OF THE SOUTH 247.5 FEET OF LOTS 3, 4, AND 5 OF BEARDSLY'S ADDITION TO THE TOWN OF DOWNERS GROVE, ILLINOIS, RECORDED AS DOCUMENT R1923-162910 BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, CORRECTED AS DOCUMENT NUMBER 386895 FILED IN 1938 IN DUPAGE COUNTY, ILLINOIS.

Commonly known as: 903-923 Rogers St., Downers Grove, IL 60515  
PINs: 09-08-124-009; -008; 007; 006, 005, 004

THAT PART OF LOTS 6 AND 7 IN BLOCK 3 OF CURTISS' ADDITION TO DOWNERS GROVE, AND THAT PART OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE SOUTHWEST CORNER OF SAID BLOCK 3, AFORESAID, THENCE NORTH ALONG THE WEST LINE OF SAID BLOCK 69 LINKS FOR A PLACE

OF BEGINNING; THENCE SOUTH 88 DEGREES EAST 2 CHAINS; THENCE SOUTH ONE AND ONE FOURTH DEGREES EAST 81 LINKS; THENCE SOUTH SIXTY SIX AND ONE HALF DEGREES WEST 1.23 CHAINS; THENCE NORTH 86 DEGREES WEST 1.38 CHAINS TO THE CENTER OF THE STREET; THENCE NORTH 1-1/4 DEGREES WEST IN CENTER OF STREET, 1.30 CHAINS; THENCE SOUTH 88 DEGREES EAST 50 LINKS TO THE PLACE OF BEGINNING (EXCEPTING THEREFROM A STRIP OF LAND, 27 FEET IN WIDTH OFF THE ENTIRE NORTH SIDE OF THE ABOVE DESCRIBED PREMISES), IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 5145 Washington St., Downers Grove, IL 60515  
PIN: 09-08-307-006

PARCEL 1: PART OF LOT 13 OF ASSESSOR'S SUBDIVISION OF SECTIONS 7 AND 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON PIPE IN THE NORTHWEST CORNER OF LOT 13; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 13, 74.25 FEET TO AN IRON PIPE; THENCE SOUTHERLY PARALLEL TO THE WEST LINE OF SAID LOT, 100.8 FEET TO AN ANGLE IRON STAKE; THENCE WESTERLY 77.82 FEET TO AN IRON PIPE IN THE WEST LINE OF SAID LOT, AT THE SOUTHEAST CORNER OF PROPERTY OWNED BY OSWALD K. HAWKYARD; THENCE NORTHERLY 87.6 FEET ALONG THE WEST LINE OF SAID LOT 13 TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS,  
PARCEL 2: PART OF LOT 14 OF ASSESSOR'S SUBDIVISION OF SECTIONS 7 AND 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT THE NORTHWEST CORNER OF LOT 14 AFORESAID, AND RUNNING THENCE NORTH 86 DEGREES EAST 1.36 CHAINS (89.76 FEET) TO THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTH 25-1/2 DEGREES EAST ALONG EAST LINE OF SAID LOT 14, 2.50 CHAINS (165 FEET) TO A POST; THENCE SOUTH 85-3/4 DEGREES WEST 2.34 CHAINS (154.44 FEET) TO THE CENTER OF STREET; THENCE NORTH 1-1/2 DEGREES WEST 2.34 CHAINS (154.44 FEET) TO THE POINT OF BEGINNING (EXCEPT THE SOUTH 70 FEET IN WIDTH THEREOF), SAID LAND BEING A PART OF THE SOUTHWEST 1/4 OF SAID SECTION 8 (NORTH OF THE INDIAN BOUNDARY LINE), IN DUPAGE COUNTY, ILLINOIS. EXCEPT ALL THAT PORTION OF THE ABOVE DESCRIBED PARCELS 1 AND 2 LYING NORTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL 2; THENCE NORTHERLY, ALONG THE EAST RIGHT OF WAY LINE OF WASHINGTON STREET, 81.86 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 2; TO THE POINT OF BEGINNING; THENCE DEFLECTING RIGHT 88 DEGREES, 11 MINUTES, 50 SECONDS A DISTANCE 0 58.82 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL 2, THENCE DEFLECTING LEFT 13 DEGREES, 25 MINUTES, 07 SECONDS A DISTANCE OF 75.87 FEET, MORE OR LESS, TO THE EAST LINE OF SAID PARCEL 1, TO THE POINT OF ENDING.

Commonly known as 5201 Washington St., Downers Grove, IL 60515  
PIN: 09-28-307-022

THE SOUTH 70 FEET IN WIDTH OF THE FOLLOWING DESCRIBED PREMISES: PART OF LOT 14 OF THE ASSESSORS SUBDIVISION OF SECTIONS 7 AND 8 IN TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT THE NORTHWEST CORNER OF LOT 14 AFORESAID AND RUNNING THENCE NORTH 86 DEGREES EAST 1.36 CHAINS TO THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTH 25 1/2 DEGREES EAST ALONG THE EAST LINE OF SAID LOT 14, 2.50 CHAINS TO A POST; THENCE SOUTH 85 3/4 DEGREES WEST 2.34 CHAINS TO CENTER OF STREET; THENCE NORTH 1 1/2 DEGREES WEST 2.34 CHAINS TO A POINT OF

BEGINNING; SAID LAND BEING SITUATED UPON AND PART OF THE SOUTHWEST 1/4 OF SAID SECTION 8 (NORTH OF THE INDIAN BOUNDARY LINE) IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 5205 Washington St., Downers Grove, IL 60515  
PIN: 09-08-307-008

THAT PART OF LOT 14 OF ASSESSOR'S SUBDIVISION OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED BY COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 14, THENCE SOUTH 25 1/2 DEGREES EAST 2.50 CHAINS TO AN IRON STAKE IN THE EAST LINE OF SAID LOT 14 FOR A PLACE OF BEGINNING; THENCE SOUTH 85 3/4 DEGREES WEST 1.84 CHAINS TO AN IRON STAKE IN THE EAST LINE OF WASHINGTON STREET; THENCE SOUTH ALONG THE EAST LINE OF SAID WASHINGTON STREET 67 FEET; THENCE NORTHEASTERLY 143.5 FEET TO A POINT IN THE EAST LINE OF SAID LOT 14 THAT IS 53 FEET SOUTHEASTERLY FROM THE PLACE OF BEGINNING; THENCE NORTH 25 1/2 DEGREES WEST 53 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 5211 Washington St., Downers Grove, IL 60515  
PIN: 09-08-307-009

PARCEL 1: THE WEST 4.25 FEET OF THE SOUTH 132 FEET OF LOT 13 OF THE ASSESSOR'S SUBDIVISION OF SECTIONS 7 AND 8 1 TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF LOT 14 OF THE ASSESSOR'S SUBDIVISION OF SECTIONS 7 AND 8, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON STAKE ON THE EASTERLY LINE OF SAID LOT 14, 2.50 CHAINS (165.0 FEET) SOUTHERLY OF THE NORTHEAST CORNER OF SAID LOT 14, FOR A PLACE OF BEGINNING; RUNNING THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT 2.50 CHAINS (165.0 FEET) TO THE CENTER OF MAPLE AVENUE; THENCE SOUTH 65.5 DEGREES WEST ALONG THE CENTER OF MAPLE AVENUE, 3.60 CHAINS (237.60 FEET) TO THE CENTER OF WASHINGTON STREET; THENCE NORTH 1.5 DEGREES WEST ALONG THE CENTER OF WASHINGTON STREET, 3.60 CHAINS (237.60) FEET TO THE SOUTHWEST CORNER OF THE LANDS HERETOFORE CONVEYED TO CYNTHIA S. ROGERS; THENCE EASTERLY 2.34 CHAINS (154.44 FEET) MORE OR LESS, TO THE PLACE OF BEGINNING; EXCEPTING FROM SAID DESCRIBED PREMISES THE FOLLOWING: THAT PART OF LOT 14 OF SAID ASSESSOR'S SUBDIVISION DESCRIBED BY COMMENCING AT AN IRON STAKE IN THE EASTERLY LINE OF SAID LOT 14, 2.50 CHAINS (165.0 FEET) SOUTHERLY FROM THE NORTHEAST CORNER OF SAID LOT 14, FOR A PLACE OF BEGINNING; RUNNING THENCE SOUTH 85 3/4 DEGREES WEST 1.84 CHAINS (121.44 FEET) TO AN IRON STAKE IN THE EAST LINE OF WASHINGTON STREET; THENCE SOUTH ALONG THE EAST LINE OF SAID WASHINGTON STREET, 67 FEET; THENCE NORTHEASTERLY 143.5 FEET TO A POINT IN THE EASTERLY LINE OF SAID LOT 14, 53 FEET SOUTHEASTERLY FROM THE PLACE OF BEGINNING; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 14, 53 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 902 Maple Ave., Downers Grove, IL 60515  
PIN: 09-08-307-023

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