

VILLAGE OF DOWNERS GROVE
Report for the Village
11/20/2018

SUBJECT:	SUBMITTED BY:
Ziegler - 2501 Ogden Avenue - Special Use	Stan Popovich, AICP Director of Community Development

SYNOPSIS

The petitioner is requesting approval of a Special Use Amendment to expand an existing automobile dealership outdoor display area at 2501 Ogden Avenue.

STRATEGIC PLAN ALIGNMENT

The goals for 2017-2019 include *Strong and Diverse Local Economy*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the November 13, 2018 Village Council meeting. Staff recommends approval on the November 20, 2018 active agenda.

BACKGROUND

Property Information & Zoning Request

The petitioner is proposing to expand the parking lot into the vacant northeast corner of the parcel. The resulting parking lot expansion will provide a total of 192 vehicle display car stalls, an increase of 93 stalls. The one point of access along Ogden Avenue will remain and no access points will be provided along Cross Street. The petitioner will also provide pedestrian connections to both Cross Street and Ogden Avenue. In addition to landscaping improvements in and around the parking lot, a new six foot fence will be installed on the east side adjacent to the residentially zoned property. The fence will match the existing six foot fence that will remain in place on the south side adjacent to a residentially zoned property.

Compliance with the Comprehensive Plan

The Comprehensive Plan's Future Land Use Map designates this property as Corridor Commercial. Corridor Commercial uses include smaller regional commercial retail uses (such as auto dealers) that provide services and retail opportunities to the nearby neighborhoods and the surrounding region. The Comprehensive Plan recommends aesthetic and functional improvements along Ogden Avenue. To meet this recommendation the petitioner is proposing additional landscaping in the outdoor display area, in addition to improving pedestrian connectivity by installing a new sidewalk on Cross Street and additional pedestrian connections to the existing commercial building.

Compliance with the Zoning Ordinance

The proposed improvements will be compliant with all bulk regulations, including setbacks, open space, and lighting.

Engineering\Public Improvements

The proposed development will meet all stormwater ordinance requirements. A section of the parking lot expansion will be constructed with permeable pavers to meet the required Post Construction Best Management Practices Storage Volumes.

The petitioner will also provide a sidewalk within the right-of-way along Cross Street heading south from Ogden Avenue. The petitioner is also providing a fee in lieu of for the remainder of the sidewalk.

Public Comment

On the day of the public hearing, staff received an inquiry from an adjacent resident who stated concern over existing security light levels, paging volumes, security alarms from the cars and speeding on site when walking along Ogden Avenue. During the public hearing an adjacent property owner stated their support for the project, but they did mention concern regarding the existing traffic patterns stating that Cross Street is over capacity at Ogden Avenue certain times of the day, which may preclude traffic coming onto her business.

Lighting levels will be addressed with the petitioner's photometric plan and additional fencing and landscaping will be provided along the east and south lot lines to create a buffer to potential lighting and noise impacts. In the past, staff has shared similar traffic concerns along Ogden Avenue with IDOT. In response to these concerns, IDOT has shared that their principal focus is to continue to keep traffic moving on Ogden Avenue and the existing signal timing is aligned with their focus for this thoroughway.

ATTACHMENTS

Ordinance

Aerial Map

Staff Report with attachments dated October 1, 2018

Minutes of the Plan Commission Hearing dated October 1, 2018

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Applicant DATE: November 20, 2018
(Name)

RECOMMENDATION FROM: _____ FILE REF: 18-PLC-0030
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AMENDING ORDINANCE NO. 5473 AUTHORIZING A SPECIAL USE FOR 2501 OGDEN TO PERMIT THE EXPANSION OF AN EXISTING AUTOMOBILE DEALERSHIP", as presented.



SUMMARY OF ITEM:

Adoption of the attached ordinance will amend Ordinance No 5473 authorizing a special use for 2501 Ogden Avenue to permit the expansion of an existing automobile dealership.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____**AN ORDINANCE AMENDING ORDINANCE NO. 5473
AUTHORIZING A SPECIAL USE FOR 2501 OGDEN
TO PERMIT THE EXPANSION
OF AN EXISTING AUTOMOBILE DEALERSHIP**

WHEREAS, the Village Council has previously adopted Ordinance No. 5473, on August 18, 2015, authorizing a special use for 2501 Ogden to permit an automobile dealership; and,

WHEREAS, the Owners have requested an amendment to the special use to expand the existing automobile dealership outdoor display at 2501 Ogden Avenue; and,

WHEREAS, such request was referred to the Plan Commission and said Plan Commission has given the required public notice, has conducted a public hearing respecting said petition on October 1, 2018 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 Plan Commission has recommended approval of the Special Use Amendment, subject to certain conditions.

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

SECTION 1. That Section 2 of Ordinance No. 5473 be amended in its entirety as follows:

1. The Special Use Amendment shall substantially conform to the staff report dated October 1, 2018; and development plans prepared by SPACECO Inc. dated August 27, 2018 and last revised on September 17, 2018, except as such plans may be modified to conform to the Village codes and ordinances.
2. A pedestrian connection from the existing building to Ogden Avenue shall be provided in accordance with the Zoning Ordinance.
3. The site lighting shall meet the lighting requirements as per Section 10.030 of the Zoning Ordinance.
4. All trash bins shall be kept inside the building.
5. All test drives are limited to arterial streets as defined in the Comprehensive Plan. Arterial streets include: Ogden Avenue, Belmont Road, Warrant Avenue, and Main Street.
6. No business activities may be conducted on Cross Street or Ogden Avenue, except as provided for in this Ordinance.
7. All vehicle deliveries must be completed on private property. Deliveries may not take place on Cross Street or Ogden Avenue.
8. Sidewalk on Cross Street shall be constructed within the right-of-way in accordance with Village standards. South of the proposed sidewalk, the Village shall collect a fee-in-lieu in the amount of \$6.70/square foot as depicted on the development plans.

9. Sidewalk on Ogden Avenue shall be constructed in front of 2311 Ogden Avenue, and Petitioners shall grant to the Village an easement for public sidewalk for said property.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use Amendment is 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. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, County and Village laws, ordinances, regulations, and policies.

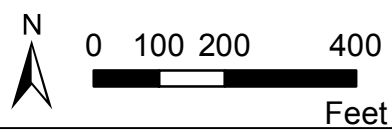
SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Mayor

Passed:

Published:

Attest: _____
Village Clerk



2501 Ogden Avenue - Location Map

- Subject Property
- ★ Project Location



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
OCTOBER 1, 2018 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
18-PLC-0030 2501 Ogden Avenue	Special Use Amendment for an Automobile Dealership	Flora Ramirez Planner

REQUEST

The petitioner is requesting approval of a Special Use Amendment to expand an existing automobile dealership outdoor display area at 2501 Ogden Avenue.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

OWNER: AJZ-Downers Grove II, LLC
4201 Stadium Drive
Kalamazoo, MI 49008

APPLICANT: Ziegler Auto Group, Inc.
4201 Stadium Drive
Kalamazoo, MI 49008

PROPERTY INFORMATION

EXISTING ZONING: B-3, General Services and Highway Business
EXISTING LAND USE: Corridor Commercial
PROPERTY SIZE: 77,222 sq. ft. (1.773 acres)
PINS: 08-01-306-024

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	B-3, General Services and Highway Business	Corridor Commercial
SOUTH:	R-1, Residential Detached House 1	Single Family Residential
WEST:	B-3, General Services and Highway Business	Corridor Commercial
EAST:	R-1, Residential Detached House 1	Single Family Residential

ANALYSIS**SUBMITTALS**

This report is based on the following documents, which are on file with the Department of Community Development:

1. Project Narrative

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2. Plat of Survey
3. Engineering Plans
4. Landscape Plan
5. Photometric
6. Parking Exhibit
7. Fire Truck Turning Exhibit

PROJECT DESCRIPTION

The applicant is requesting a Special Use Amendment to expand an existing automobile dealership outdoor display area at the southeast corner of Cross Street and Ogden Avenue, commonly known as 2501 Ogden Avenue. The property is zoned B-3, General Services and Highway Business and is an existing car dealership. An automobile dealership is an allowable Special Use in the B-3 zoning district per Section 5.010 of the Zoning Ordinance.

Currently, the subject property is improved with a one-story commercial building and a paved parking area north, south, and southeast of the building. The site contains one Ogden Avenue curb cut. There is no curb cut along Cross Street. The public sidewalk along Ogden Avenue is located in the right-of-way.

Proposed Development

The petitioner is proposing to use the existing one-story commercial building, resurface the existing parking lot, and expand the parking lot to the northeast. The majority of the parking lot shall be used for display of vehicles with customer parking in front of the building. The one-story commercial building shall continue to be used for office space.

Currently, there is one curb cut along Ogden Avenue and no curb cuts along Cross Street. Access will not be changed. A new sidewalk is proposed along Cross Street in the right-of-way, running south for 88 feet from the existing sidewalk along Ogden. Currently, the parking lot is striped and allows for 99 vehicle display parking stalls. The improvements to the site would include resurfacing, restriping, landscaping, and expanding the parking lot. The parking spaces on the north, east, and south side of the property will be used for display of sale cars and the twelve spaces in front of the building plus two handicap spaces shall be reserved for customer parking. Parking on the property meets the zoning requirements. The petitioner has provided a photometric plan for the proposed parking lot lighting. All lighting will be directed towards the building, driveways, and parking areas and away from the adjacent residential areas.

The petitioner is proposing landscaping around the perimeter of the property, in conformance with the Village requirements. Landscape islands will be at the end of all parking rows. New trees and plantings will screen the east and south side adjacent to the residential properties. Furthermore, an existing 6' fence will remain in place on the south side adjacent to a residentially zoned property and a new 6' fence will be installed on the east side adjacent to the residential property. Other improvements include a pedestrian connection between the building and Cross Street and Ogden Avenue. The trash generated for this property will be managed through a residential sized trash tote and will be kept inside the building until trash collection day. No exterior changes have been proposed to the existing building.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan's Future Land Use Map designates this property as Corridor Commercial. Corridor Commercial uses include smaller regional commercial retails (such as auto dealers) that provide services and retail opportunities to the nearby neighborhoods and the surrounding region. The Comprehensive Plan specifically mentions that the Ogden Avenue corridor should continue to contain a range of these type of uses.

The Comprehensive Plan calls for aesthetic and functional improvements along Ogden Avenue. The petitioner is proposing improvements that include the beautification of Ogden Avenue through the addition of landscaping and by improving pedestrian connectivity by installing a new sidewalk on Cross Street. Furthermore, the Comprehensive Plan also calls for auto services uses to be located at the western end of Ogden Avenue to enhance the existing cluster of dealerships.

The proposed expansion of the existing automobile dealership outdoor display area at this property is consistent with the Comprehensive Plan.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned B-3, General Services and Highway Business. The proposed personal vehicle sales business is an allowable Special Use in the B-3 District per Section 5.010 of the Zoning Ordinance. The existing building is compliant with all of the required bulk standards. The table below identifies the required regulations and what is proposed:

2501 Ogden Avenue	Required	Proposed/ Existing
North Setback (Street Yard – Ogden Avenue) - Building	75 ft.	169.1 ft. (Existing)
West Setback (Street Yard – Cross Street) - Building	25 ft.	54.8 ft. (Existing)
South Setback (Rear Yard) - Building	20 ft.	123.9 ft. (Existing)
East Setback (Side Yard) - Building	8.6 ft.	135.1 ft. (Existing)
North Setback – (from Ogden Centerline) - Parking	50 ft.	51.7 ft.
West Setback (from Cross Street) - Parking	8 ft.	15.8 ft.
South Setback (Rear Yard) - Parking	20 ft.	21.4 ft.
East Setback (Side Yard) - Parking	8.6 ft.	9.8 ft.
Landscaped Open Space	7,722.2 sq. ft. (10%)	13,770 sq. ft. (17.83%)
Street yard Landscaped Open Space	3,861.1 sq. ft. (50%)	9,943 sq. ft. (77.66%)
Floor Area Ratio	0.75 (max)	n/a
Building Height	60 ft. (max)	n/a
Parking Spaces	12 spaces	14 spaces

ENGINEERING/PUBLIC IMPROVEMENTS

The property will expand the existing footprint of the impervious area and therefore on-site stormwater management is required. There are two existing detention facilities on site. The petitioner has provided a stormwater memo showing that the existing surface storage volume that was previously required is being provided to meet this requirement. Additionally, a section of the southeast portion of the parking lot expansion will be constructed with permeable pavers to meet the required Post Construction Best Management Practices Storage Volumes.

The turning exhibit demonstrating the appropriate turning radii has been reviewed by staff. The petitioner shall provide a sidewalk within the right-of-way along Cross Street for 88 feet heading south from Ogden Avenue. The length of this sidewalk is limited to 88 feet while Public Works further reviews the surrounding area (utilities, grade of road, existing ditches) to determine which side (east or west) of Cross Street will have a full length sidewalk installed in the future.

PUBLIC SAFETY REQUIREMENTS

The Fire Prevention Division has determined that the proposed development provides sufficient access for emergency vehicles. The site layout permits Fire Department apparatus the opportunity to enter and exit the site from the Ogden Avenue curb cut.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners 250 feet or less from the property in addition to posting public hearing notice signs and publishing the legal notice in *Enterprise Newspapers, Inc. (The Bugle)*. One inquiry was received regarding the proposed requirement, staff explained the proposal and shared a link to the online agenda packet.

STANDARDS OF APPROVAL

The petitioner is requesting a Special Use Amendment, to expand an existing automobile dealership outdoor display area at 2501 Ogden Avenue. The review and approval criteria for this request is listed below. The petitioner has submitted a narrative that attempts to address all the standards of approval. The Plan Commission should consider the petitioner's documentation, the staff report and the discussion at the Plan Commission meeting in determining whether the standards for approval have been met.

Section 28.12.050.H Approval Criteria

No special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is constituent with and in substantial compliance with all Village Council policies and plans and that the applicant has presented evidence to support each of the following conclusions:

- 1. That the proposed use is expressly authorized as a Special Use in the district in which it is to be located;*
- 2. That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.*
- 3. That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.*

DRAFT MOTION

Staff will provide a recommendation at the October 1st, 2018 meeting.

Should the Plan Commission find that the request meets the standards of approval for a Special Use Amendment, staff has prepared a draft motion that the Plan Commission may make for the recommended approval of 18-PLC-0030:

Based on the petitioner's submittal, the staff report and the testimony presented, I find that the petitioner has met the standards of approval for the Special Use Amendment as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, I move that the Plan Commission recommend to the Village Council approval of 18-PLC-0030, subject to the following conditions:

1. The Special Use Amendment shall substantially conform to the staff report; and development plans prepared by SPACECO Inc. dated August 27, 2018 and last revised on September 17,

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- 2018, except as such plans may be modified to conform to the Village codes and ordinances.
2. A pedestrian connection from the existing building to Ogden Avenue shall be provided in accordance with the Zoning Ordinance.
 3. The site lighting shall meet the lighting requirements as per Section 10.030 of the zoning ordinance.
 4. All trash bins shall be kept inside the building.
 5. All test drives are limited to arterial streets as defined in the Comprehensive Plan. Arterial streets include: Ogden Avenue, Belmont Road, Warrant Avenue, and Main Street.
 6. No business activities may be conducted on Cross Street or Ogden Avenue.
 7. All vehicle deliveries must be completed on private property. Deliveries may not take place on Cross Street or Ogden Avenue.

Staff Report Approved By:



Stanley J. Popovich, AICP
Director of Community Development

SP; fr
-att

Approved 11-05-18

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18-PLC-0030: A petition seeking approval of a Special Use Amendment to expand an existing automobile dealership outdoor display area. The property is currently zoned B-3, General Services and Highway Business. The property is located directly southeast of the intersection of Ogden Avenue and Cross Street, commonly known as 2501 Ogden Avenue, Downers Grove, IL (PIN 08-01-306-024). AJZ-Downers Grove II, LLC, Owner; Ziegler Auto Group, Inc., Petitioner.

Brian Malpeli, a representative of AJZ-Downers Grove II, LLC, Owner of property at 2501 Ogden Avenue said they are expanding the facilities to increase their sales by expansion of their existing automobile dealership.

Mr. Dan Stevens of Rosemont said that the property was purchased in 2008 and the Petitioner demolished the existing building and made improvements to the property. In 2012 they did some façade and building improvements. At this time they propose to expand from 99 cars to 206. They are requesting no variations and have worked with Staff to meet all the zoning requirements. Part of this project includes replacing curb and gutter, repaving and resurfacing the lot, removing the existing septic field and connecting into the Village sewer system that was installed in 2011, and rehabbing the existing lighting. They will install a 6' fence along the east property line. There is no change to the use of the site. The Village has asked that they add a sidewalk to their main property about two blocks down the road, as well as some additional landscaping. Mr. Stevens said that the new pavement would be permeable pavers. There is no car washing facility at this location.

Ch. Rickard called on anyone from the Public who wished to speak on this petition.

1. Katie Bulgrin of Culvers at 2500 Ogden Avenue said she supports the project. She did however ask that the Petitioner look at the timing of the traffic light from Cross Street onto Ogden Avenue. She said that Cross Street is over capacity at certain times of the day, and that precludes traffic coming into her business and other businesses. She would like people to be able to make the left-hand turn onto Ogden Avenue. There have been several accidents at that location.

There being no further comments from the Public, Ch. Rickard asked staff to give their presentation.

Flora Ramirez, Planner, said the petitioner is requesting approval of a Special Use Amendment to expand the existing automobile dealership display area at 2501 Ogden Avenue. She displayed slides showing the location and the view down Ogden Avenue from the dealership. The Petitioner wishes to increase the number of cars from 99 to 206 cars, and will make numerous improvements upon the property including resurfacing the existing parking lot, expanding the parking lot to the northeast, landscaping, etc. The Village is requiring a partial sidewalk be constructed along Cross Street and that the petitioner provide a fee-in-lieu for the remaining portion of the sidewalk along Cross Street.

Approved 11-05-18

Ms. Ramirez said that Staff finds the request meets the standards of approval for a Special Use Amendment and recommends that the Plan Commission recommend approval by the Village Council of 18-PLC-0030 subject to conditions 1-7 on pages 4-5 of Staff's report dated October 1, 2018.

In response to a question concerning the traffic light request, Director Popovich said it is an IDOT light on a State highway. There is a concern about traffic back-ups at this intersection and the area in general along Warrenville, Finley, Ogden and Belmont. Staff has discussed this with IDOT. IDOT's principal focus is to keep traffic on Ogden moving.

The Petitioner declined to make a closing statement and Ch. Rickard closed the public comment portion of the hearing.

Commission Deliberation:

There being no comments or discussion from the Commission, Ch. Rickard called for a Motion.

Ms. Gassen made the following Motion: Based on the petitioner's submittal, the Staff Report and the testimony presented, I find that the petitioner has met the standards of approval for the Special Use Amendment as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, I move that the Plan Commission recommend to the Village Council approval of 18-PLC-0030, subject to conditions 1-7 on pages 4-5 of Staff's report dated October 1, 2018. Ms. Johnson seconded the Motion.

AYES: Ms. Gassen, Ms. Johnson, Mr. Boyle, Mr. Kulovany, Ms. Majauskas, Mr. Maurer, Ms. Rollins, Ch. Rickard

NAYS: NONE

The Motion to Approve passed unanimously 8:0.

Director Popovich said this petition would most likely appear before the Village Council on the second Tuesday of November 2018.

Mr. Popovich said there are two petitions for the next meeting. Mr. Popovich noted they have hired a new Planning Manager and that he will be starting on October 15.

There being no further business, Ch. Rickard called for a Motion to Adjourn.

Mr. Kulovany moved to adjourn the meeting, seconded by Mr. Boyle. The Motion carried unanimously by voice vote.

Ch. Rickard adjourned the meeting at 9:32 PM.

Respectfully submitted,

Tonie Harrington,

Plan Commission Meeting

Oct. 1, 2018

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Approved 11-05-18

Recording Secretary
(transcribed from mp3 recording)