

Responses to Village Council Questions March 11, 2025

ORD 2025-10694 A. Ordinance: Rezoning Certain Property Located at 826 Warren Avenue

1. Is the zoning change contingent on the special use passing? In other words, is there a scenario that the land could be rezoned, but the special use not be awarded?

The zoning change is not contingent on the special use. The Village Council could approve a rezoning without approving a Special Use. If the zoning change is not approved, the proposed development does not meet the bulk regulations (density, height, west side yard setback and parking setback) of the Downtown Transition zoning district; and therefore, the Special Use as submitted could not be approved. The Special Use must meet the [approval criteria](#).

2. If both pass, but then the developer pulled out after the administrative consolidation, what could be built on that lot that would not require a special use (by-right)? What if that happened after rezoning but before consolidation?

In the DB zoning district, apartments and condominiums are a Special Use. An office, restaurant, or photo studio are some examples of by-right uses in the DB zoning district. For a complete list of permitted uses, see [Table 5-1 of the Zoning Ordinance](#). If the property were rezoned but not consolidated, the owner would have two lots of record that they could build on in accordance with DB [bulk](#) and use regulations.

MOT 2025-10717 J. Motion: Approving the Lead Service Line Inventory and Lead Service Replacement Plan Updates for Submittal to the Illinois EPA by April 15, 2025

1. What actions do we plan on taking in the event that a service line material remains undetermined and the property owner refuses to allow access to the property?

In these cases, staff could excavate the area around the water service line within the Village parkway, allowing for visual confirmation and ensuring no damage to existing lines. This option is more expensive than a visual inspection inside of the

home. Staff will continue to work cooperatively with property owners to obtain access to the water service to make a determination regarding its material.

As a last resort, the Village could demand, pursuant to the Municipal Code, that the property owner allow the Village to access their water service. Failure to allow access could result in the Village shutting off the water supply to the property.