

VILLAGE OF DOWNERS GROVE
Report for the Village
5/20/2025

SUBJECT:	SUBMITTED BY:
Special Use Extension for 902 Maple Avenue	Stan Popovich, AICP Director of Community Development

SYNOPSIS

An ordinance has been prepared granting a six-month extension to Special Use Ordinance No. 6050 which authorized the construction of a three-story multi-family building at 902 Maple Avenue.

STRATEGIC PLAN ALIGNMENT

The goals for the 2023-2025 Strategic Plan include a *Strong and Diverse Local Economy* and acting as a *Steward of Financial, Environmental, and Neighborhood Sustainability*.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on the June 3, 2025 Active Agenda.

BACKGROUND

On May 21, 2024 the Village Council approved a Special Use for a three-story multi-family building at 902 Maple Avenue. At this time, the petitioner has yet to receive a building permit to construct the building. Per Section 12.050(i) of the Zoning Ordinance, a special use approval will lapse after one year if a building permit has not been issued. Since their approval, the petitioner has been actively pursuing a building permit to construct the three-story multi-family building.

On May 1st, 2025, the petitioner requested that the Village Council grant a six-month extension of the Special Use approval. The petitioner has noted that the proposed work has experienced delays due to a lack of readily available funds, slower paced loan approvals and increased material costs all associated with current market conditions. The petitioner has been working to ensure the proposed building meets the original conditions of approval.

The Village Council is authorized to extend the expiration period for good cause on up to two separate occasions, by up to six months each. This is the first request to extend the expiration period. Approval of the extension would allow the applicant until November 21, 2025 to obtain a building permit. A building permit is good for one year after its issuance.

However, if the Village Council does not authorize an extension of the special use, no substantially similar application may be accepted for the same property for 12 months from the date of denial by the Village Council. The Village would not be able to accept a substantially similar application until June 3, 2026. A similar application would be required to go through the public hearing process again which typically takes three to four months and subsequently a building permit process whose timeline varies based on the complexity of the project.

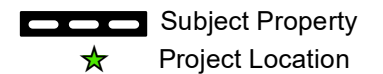
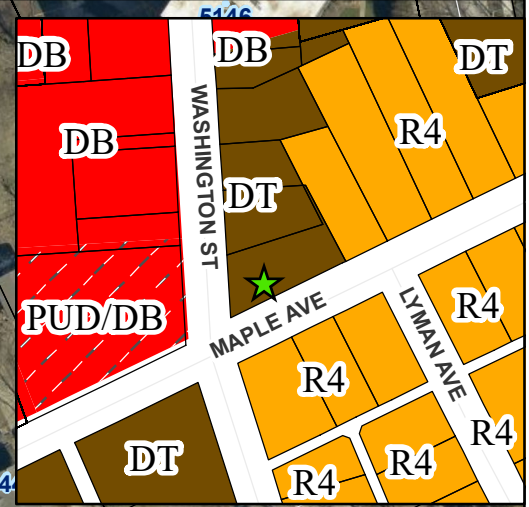
ATTACHMENTS

Aerial Map

Ordinance

Petitioner's request letter dated May 1st, 2025.

Ordinance No. 6050.



ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING
AN EXTENSION OF SPECIAL USE ORDINANCE NO. 6050
902 MAPLE AVENUE TO PERMIT CONSTRUCTION OF A
THREE-STORY MULTI-FAMILY BUILDING TO NOVEMBER 21, 2025**

WHEREAS, on May 21, 2024, the Village of Downers Grove has previously approved Ordinance No. 6050 entitled "AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 902 MAPLE AVENUE TO PERMIT CONSTRUCTION OF A THREE-STORY MULTI-FAMILY BUILDING"; and

WHEREAS, pursuant to the Downers Grove Zoning Ordinance, Section 28.12.050(I), "The Village Council is authorized to extend the expiration period for good cause on up to two separate occasions, by up to six (6) months each. Requests for extensions must be submitted to the Community Development Director and forwarded to the Village Council for a final decision"; and

WHEREAS, the owner of the Property has made a request for an extension of the improvements authorized under Ordinance No. 6050; and

WHEREAS, the Village Council has considered such request and has determined that it is in the best interest of the Village of Downers Grove to extend the Special Use approval as requested.

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

SECTION 1. That the Special Use approval as set forth in Ordinance No. 6050, permitting a three-story multi-family building at 902 Maple Avenue, is hereby extended to November 21, 2025.

SECTION 2. That this ordinance shall be in full force an effect from and after its adoption in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk



BOODELL & DOMANSKIS, LLC

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domanskis@boodlaw.com

May 1, 2025

Via e-mail- spopovich@downers.us

Stan Popovich
Community Development Director
Village of Downers Grove
850 Curtiss Street
Downers Grove, IL 60515

Re: Request for Extension of Special Use Approval for
902 Maple Avenue, Downers Grove-22-PLC-0030

Dear Mr. Popovich:

On May 21, 2024, the Village of Downers Grove approved a special use to expire 1 year after approval absent the issuance of a building permit. As you know, I am the attorney for Aran Holdings LLC which was granted the special use. Aran Holdings is diligently pursuing the grant of a building permit at this time. In the event that it is not issued within the 1 year time period specified in the special use ordinance, I request on behalf of Aran Holdings, LLC, an extension of the special use approval requirements for 6 months pursuant to Downers Grove Ordinance Section 28.12.050(i)(1). We request the consideration of this request at the Village Board meeting of May 20, 2025.

This request of Aran Holdings, LLC is being made in good faith and is based on good cause.

1. The owners of Aran Holdings, LLC are involved in the logistics business which experienced significant downturns in the last year resulting in a cash crunch with capital contribution outlays for their business that were to be used to proceed with the engineering and construction for this property.

Stan Popovich
May 1, 2025
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2. This cash crunch also resulted in uncertainties in the logistics business which affected lender demands for the owner's business as well as stricter lender requirements for this development. This resulted in financing delays.
3. With the last year being a presidential election year, lenders delayed decisions on loan approvals until after the elections.
4. There have been recent uncertainties that are not yet resolved involving the imposition of tariffs that are substantially increasing costs so that lenders are again delaying financing decisions because of the uncertainty of construction budgets based on whether tariffs will be imposed in part or whole or will be withdrawn.
5. This special use involves the demolition of the existing structure on the property as well as Downers Grove and other governmental approvals. All approvals take time. The project engineer, Morris Engineering, Inc., is proceeding as best and as fast as possible to obtain all of these.
6. Despite all of the above, the owners of Aran Holdings, LLC are aware of their obligations and are diligently pursuing all approvals necessary to obtain a building permit from the Village of Downers Grove. On behalf of my client, thanks to you and the Village of Downers Grove for your cooperation and assistance through the process.

I request that the Village of Downers Grove favorably consider this request. Please let me know what additional information the Village would like. Thanks for your time and consideration.

Very truly yours,



Alexander R. Domanskis

Cc: Aran Holdings LLC
Morris Engineering

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902 Maple
Special Use - 24-PCE-0031**ORDINANCE NO. 6050****AN ORDINANCE AUTHORIZING A SPECIAL USE FOR
902 MAPLE AVENUE TO PERMIT CONSTRUCTION OF A
THREE-STORY MULTI-FAMILY BUILDING**

WHEREAS, the following described property, to wit:

PARCEL ONE:

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

PARCEL TWO:

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 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 (237.6 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 ALONG THE EASTERLY LINE OF SAID LOT 14, 53 FEET TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as: 902 Maple Avenue, Downers Grove, IL 60515
PINs: 09-08-307-023

(hereinafter referred to as the "Property") is presently zoned in the "*DT-Downtown Transition 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 28.12.050 of the Zoning Ordinance be granted to permit construction of a three-story multi-family building; 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 for the petition on March 4, 2024 and has made its findings and recommendations, all in accordance with the statutes of the State

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of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, the Plan Commission did not recommend approval of the Special Use; and,

WHEREAS, Village staff recommends approval of the Special Use, subject to certain conditions; and,

WHEREAS, the Village Council finds that the evidence presented in support of said petition, is such as to establish the following:

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.

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

SECTION 1. That Special Use of the Property is hereby granted to permit construction of a three-story multi-family building.

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

1. The Special Use shall substantially conform to the staff report dated March 4, 2024, renderings, architecture plans prepared by N. Batistich, Architects, dated February 6, 2024 and January 21, 2024 engineering plans prepared by Morris Engineering, Inc. dated February 2, 2024, landscape plans prepared by Morris Engineering, Inc. dated November 3, 2024, except as such plans may be modified to conform to the Village codes and ordinances.
2. The petitioner shall consolidate the two lots into a single lot of record pursuant to Section 20.507 of the Subdivision Ordinance prior to the issuance of any site development or building permits.
3. Prior to issuing any site development or building permits, the petitioner shall make park and school donations in the amount of \$71,233.60 (\$45,756.85 to the Park District, \$18,766.15 to Elementary School District 58, and \$6,710.60 to High School District 99).
4. The building materials shall be substantially consistent with the approved plans as verified by the Village and consistent with the Downtown Design Guidelines.
5. Court Order 1980CH000988 shall be vacated prior to the issuance of a building permit.
6. All signage must comply with the Zoning Ordinance and may not be illuminated.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use is granted. Violation of any or all of such conditions shall be deemed a violation of the Village of Downers Grove

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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.

Passed: May 21, 2024

Published: May 22, 2024

Attest:

Village Clerk

Mayor

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