

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village**  
**7/8/2025**

<b>SUBJECT:</b>	<b>SUBMITTED BY:</b>
Special Use Extension - 5133 Main Street	Stan Popovich, AICP Director of Community Development

**SYNOPSIS**

An ordinance has been prepared granting a six-month extension to Special Use Ordinance No. 6044 which authorized multi-family units on the second floor at 5133 Main Street.

**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**

**UPDATE & RECOMMENDATION**

This item was discussed at the July 1, 2025 Village Council meeting. Staff recommends approval on the July 8, 2025 Active Agenda.

**BACKGROUND**

On May 14, 2024 the Village Council approved a Special Use for the reinstatement of a Special Use for multi-family residential on the second story with a parking variation at 5133 Main Street. At this time, the petitioner has yet to receive a building permit for the improvements. Per Section 28.12.050(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 complete the improvements.

On June 23, 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 electrical service.

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 14, 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 July 8, 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 June 23, 2025

Ordinance No. 6040

VILLAGE OF DOWNERS GROVE  
COUNCIL ACTION SUMMARY

INITIATED: Village Attorney DATE: July 8, 2025  
(Name)

RECOMMENDATION FROM: Planning & Zoning Commission FILE REF: 24-PCE-0006  
(Board or Department)

**NATURE OF ACTION:**

- Ordinance
- Resolution
- Motion
- Other

**STEPS NEEDED TO IMPLEMENT ACTION:**

Motion to adopt "AN ORDINANCE AUTHORIZING AN EXTENSION OF SPECIAL USE ORDINANCE NO. 6044 FOR 5133 MAIN STREET TO PERMIT MULTI-FAMILY UNITS ON THE SECOND FLOOR AND A PARKING VARIATION TO NOVEMBER 14, 2025", as presented.



**SUMMARY OF ITEM:**

Adoption of this ordinance shall authorize an extension of Special Use Ordinance 6044 for 5133 Main Street to permit multi-family units on the second floor with a parking variation to November 14, 2025.

**RECORD OF ACTION TAKEN:**

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

**AN ORDINANCE AUTHORIZING  
AN EXTENSION OF SPECIAL USE ORDINANCE NO. 6044  
FOR 5133 MAIN STREET TO PERMIT MULTI-FAMILY UNITS  
ON THE SECOND FLOOR AND A PARKING VARIATION**

WHEREAS, on May 14, 2024, the Village of Downers Grove approved Ordinance No. 6044 entitled "AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 5133 MAIN STREET TO PERMIT MULTI-FAMILY UNITS ON THE SECOND FLOOR AND A PARKING VARIATION"; 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. 6044; 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. 6044, permitting multi-family units on the second floor at 5133 Main Street, is hereby extended to November 14, 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



Via: Electronic Submittal

June 23, 2025

Village of Downers Grove  
801 Burlington Avenue  
Downers Grove, IL 60514

**RE: Special Use Proposal for 5133 Main St., Downers Grove  
2<sup>nd</sup> Floor Apartments, Remodeling Project**

Dear Village of Downers Grove,

We are requesting an extension of our Special Use permit for the apartments located at 5133 Main St for an additional 6 months.

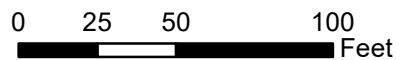
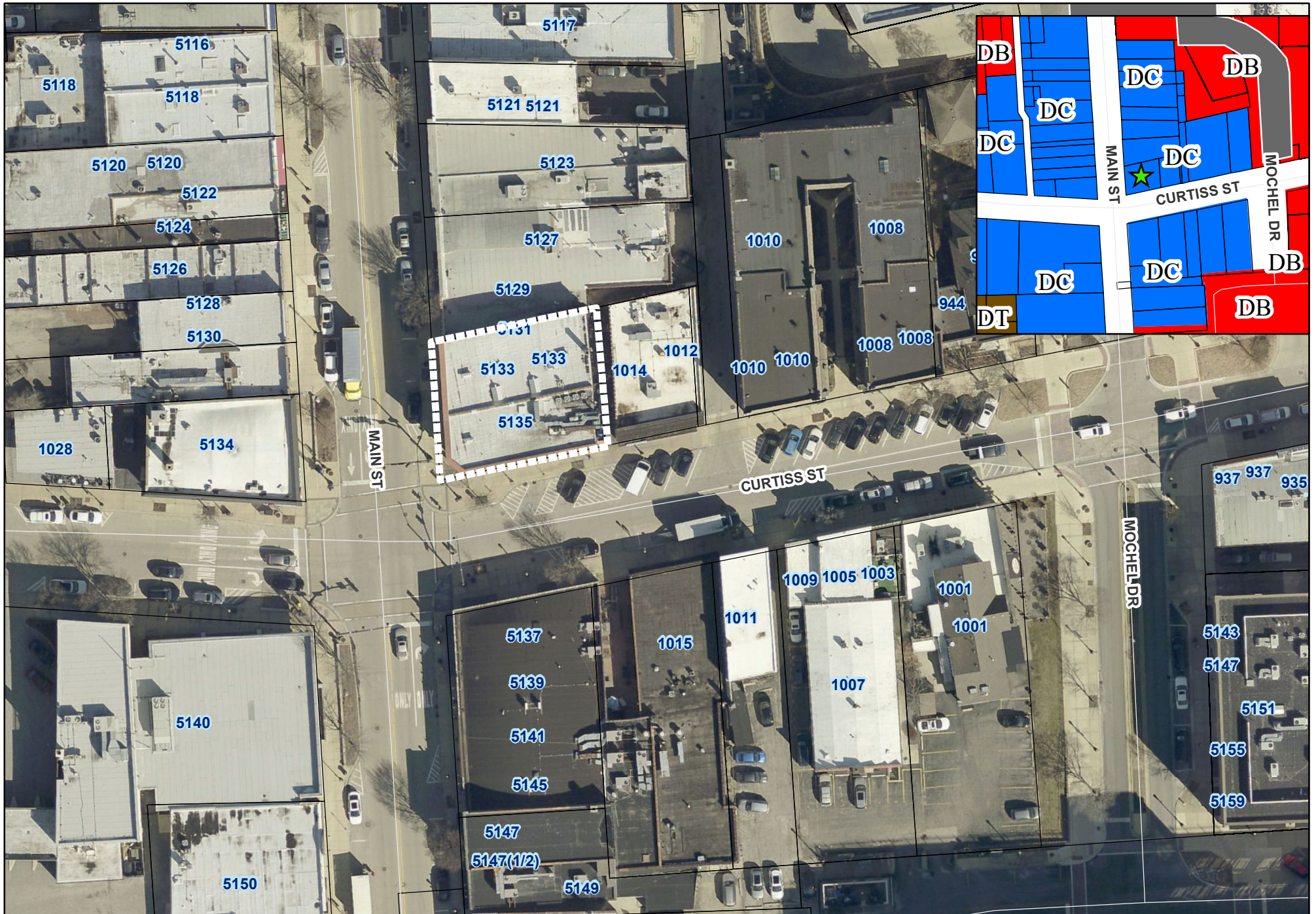
Permit plans have been submitted to the Village of Downers Grove for the apartment upgrades; in order to provide adequate upgrades to the apartments we need additional power from ComEd. The building has adequate proper however part of the permit process we were required to provide a letter from the tenant, after many months of discussing they will not provide us with a letter.

Currently we are working with ComEd for alternative service, this will require obtaining easements from other property owners. We have our commercial real estate brokers contacting the property owners to obtain the easements.



Sincerely,

A handwritten signature in black ink that reads "Tim Winter". The signature is written in a cursive, flowing style.

Tim Winter, PE



### 5133 Main Street - Location Map

-  Subject Property
-  Project Location

ORD 2024-10332

5133 Main  
Special Use - 24-PCE-0006**ORDINANCE NO. 6044****AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 5133  
MAIN STREET TO PERMIT MULTI-FAMILY UNITS ON  
THE SECOND FLOOR AND A PARKING VARIATION**

WHEREAS, the following described property, to wit:

THE WEST 82 FEET AS MEASURED ALONG THE SOUTH LINE AND PARALLEL TO THE WEST LINE OF LOT 10 IN BLOCK 5 IN CURTISS ADDITION TO THE TOWN OF DOWNERS GROVE, BEING A SUBDIVISION OF PART OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 8, 1866 AS DOCUMENT 7317, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as: 5133 Main Street, Downers Grove, IL 60515

PIN: 09-08-303-013

(hereinafter referred to as the "Property") is presently zoned in the "*DC, Downtown Core 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 multi-family units on the second floor of an existing building including the following Variation:

1. Variation per Section 28.7.030, *Parking*, to decrease the required parking spaces from ten (10) to zero (0).

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 April 1, 2024 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, 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. 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.

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 that the following standards for granting a variation per Section 28.12.090.G have been met:

- a. the subject property cannot yield a reasonable return if required to comply with the regulations that apply to it;
- b. the plight of the owner is due to unique circumstances; and
- c. the variation, if granted, will not alter the essential character of the locality.

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 multi-family units on the second floor of an existing building including the parking variation.

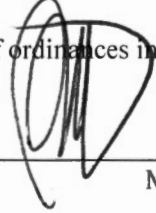
SECTION 2. This approval is subject to the following conditions:

- 1. The Special Use shall substantially conform to the staff report dated April 1, 2024, renderings, architecture plans prepared by Batir Architecture, LTD., dated October 5, 2022 except as such plans may be modified to conform to the Village codes and ordinances.
- 2. Approval by the Community Development Director for a plan to keep the second means of egress, through the fire escape, clear and unobstructed to the public way, including painting a striped path to the Curtiss Avenue right-of-way.

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 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.

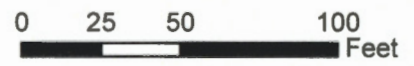



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Mayor

Passed: May 14, 2024  
 Published: May 15, 2024  
 Attest:   
 Village Clerk

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**5133 Main Street - Location Map**

-  Subject Property
-  Project Location