



Village of Downers Grove

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## Report for the Village Council Meeting

*Table 1 - Council Agenda item.*

<b>Subject</b>	1250-1254 Ogden Avenue – Special Use Extension
<b>Submitted By</b>	Stan Popovich, A.I.C.P. Director of Community Development

### Synopsis

An ordinance has been prepared granting a six-month extension to Special Use Ordinance Number 6101 which authorized a Special Use for a drive-through at 1250 Ogden Avenue.

### Strategic Plan Alignment

The goals for the 2025-2027 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

Staff recommends approval on the April 21, 2026 Active Agenda.

## **Background**

On March 4, 2025 the Village Council approved a Special Use for a drive through at 1250-1254 Ogden Avenue. At this time, the petitioner has yet to receive a building permit to construct the building. 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 construct the drive through and related improvements to the subject property.

On March 16, 2026, the petitioner requested that the Village Council grant a one-year extension of the Special Use approval. The petitioner has noted that the proposed work has experienced delays, specifically related to the timing of approvals and permitting required by the Illinois Department of Transportation (I.D.O.T.). 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 September 4, 2026 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 April 14, 2027. 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.

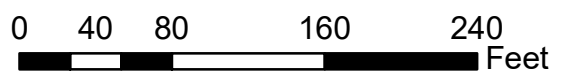
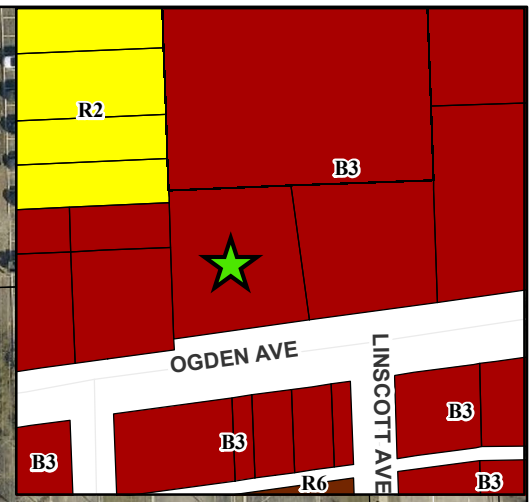
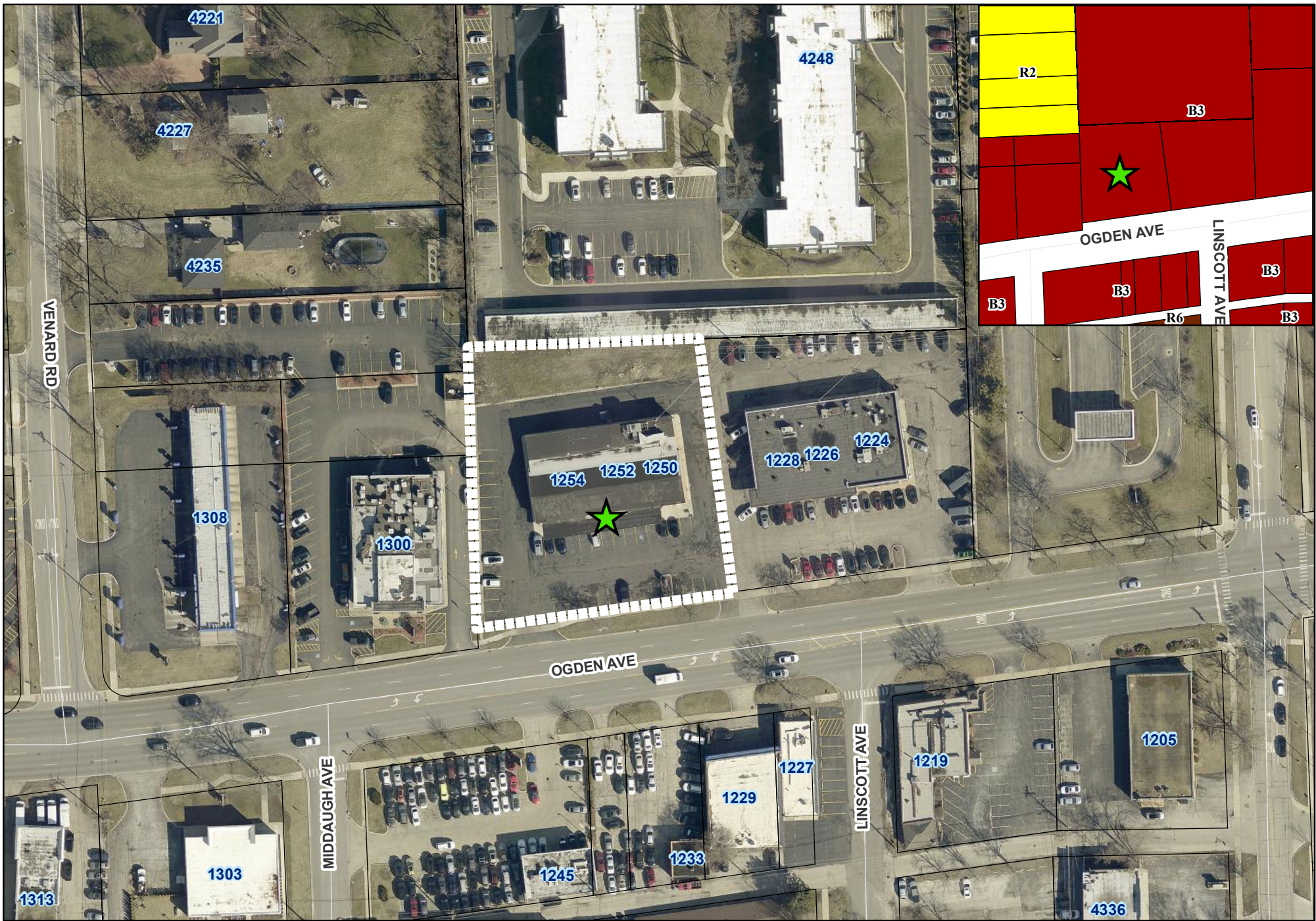
## **Attachments**

Aerial Map



Ordinance

Petitioner's request letter dated March 16, 2026

Ordinance Number 6101



1250 Ogden - Location Map

-  Subject Property
-  Project Location

## Ordinance

### **An Ordinance Authorizing an Extension of the Special Use Ordinance Number 6101 for 1250-1254 Ogden Avenue to Permit a Drive-through to September 4, 2026**

WHEREAS, on March 4, 2025, the Village of Downers Grove has previously approved Ordinance Number 6101 entitled "An Ordinance Authorizing a Special Use for 1250-1254 Ogden Avenue to Permit a Drive-through"; 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 Number 6101; 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 Number 6101, permitting a drive-through at 1250 Ogden Avenue, is hereby extended to September 4, 2026.

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

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By: Mayor

Passed:

Published:

**Attest:**

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By: Village Clerk



March 16, 2026

Vick Mehta  
718 Ogden Ave. STE: 100  
Downers Grove, IL 60515  
vm@investia.com  
630-850-0500

Village of Downers Grove  
Community Development Department  
850 Curtiss St.  
Downers Grove, Illinois 60515

Re: Request for One-Year Extension of Special Use Permit  
Property: 1250-1254 Ogden Avenue, Downers Grove, Illinois  
Ordinance No. 6101 – Special Use for Drive-Through

Dear Sir or Madam,

I am writing on behalf of the owner of the property located at 1250-1254 Ogden Avenue, Downers Grove, Illinois, which was granted a Special Use Permit pursuant to Ordinance No. 6101, approved by the Village Council on March 4, 2025, to allow a drive-through use at the above-referenced property.

We respectfully request a one-year extension of the Special Use approval in order to allow additional time to complete the project. Since issuance of the Special Use, the development team has been actively working toward construction; however, progress has been delayed due to circumstances outside of our control, specifically related to the timing of approvals and permitting required by the Illinois Department of Transportation (IDOT). As the project fronts Ogden Avenue, coordination with IDOT has been necessary for access, permitting, and related improvements, and the review and approval process has taken longer than anticipated.

The project remains fully intended to proceed in accordance with the plans submitted to the Village, and the ownership remains committed to complying with all conditions set forth in Ordinance No. 6101. The requested extension will allow sufficient time to finalize state approvals, obtain building permits, and commence construction without the need to restart the zoning approval process.

We respectfully request that the Village grant a one-year extension of the Special Use Permit, or such other relief as the Village deems appropriate, so that the project may move forward as originally approved.



Please let me know if any additional information, application forms, or fees are required to process this request. We appreciate the Village's time and consideration and look forward to continuing to work cooperatively to complete this development.

Sincerely,

A handwritten signature in black ink, appearing to read "Vick Mehta", written in a cursive style.

Vick Mehta

Manager

1250 Ogden LLC

**ORDINANCE NO. 6101**

**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR  
1250-1254 OGDEN AVENUE TO PERMIT A DRIVE-THROUGH**

WHEREAS, the following described property, to wit:

THAT PART OF LOT 1 IN AMERICAN LEGION POST 80 SUBDIVISION PLAT OF PART OF KALBRIER AND CASSIDY'S SURVEY OF PART OF THE EAST HALF OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 12, 1959, AS DOCUMENT 908714, LYING WESTERLY OF A LINE JOINING A POINT IN THE NORTH LINE OF SAID LOT, 183.92 FEET EAST OF THE NORTHWEST CORNER THEREOF AND A POINT IN THE SOUTHERLY LINE OF SAID LOT 205.69 FEET EASTERLY OF THE SOUTHWEST CORNER THEREOF, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as: 1250 Ogden Avenue, Downers Grove, IL 60515  
PIN: 09-06-403-005

(hereinafter referred to as the "Property") is presently zoned in the "*B-3, General Services and Highway Business District*" under the Comprehensive Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the owner of the Property has filed with the Planning and Zoning 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 allow a drive-through.

WHEREAS, such petition was referred to the Planning and Zoning Commission of the Village of Downers Grove, and said Planning and Zoning Commission has given the required public notice, has conducted a public hearing for the petition on February 3, 2025 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 Planning and Zoning 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 Planning and Zoning 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 will not, in the particular case, be detrimental to the health, safety, or general welfare of the community;

(3) that the proposed use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood;

(4) that the establishment of the special use will not impede the normal and orderly development

and improvement of adjacent property for uses permitted in the district.

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 allow a drive-through.


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

1. The proposed Special Use for a drive-through use shall substantially conform to the proposed New Multi-Tenant Building Plans for 1250-1254 Ogden Avenue drawings prepared by Bono Consulting Civil Engineering dated December 26, 2024, last revised January 21, 2025, architectural drawings prepared by CJ Architects dated December 27, 2024, last revised January 21, 2025, except as such plans may be modified to conform to Village codes, ordinances, and policies.
2. Prior to the issuance of a building permit, the Petitioner shall submit evidence of a cross access easement for the immediately adjacent properties to the west and east of the subject property.
3. That the brick building materials constructed at the base of the building will be carried through to the roofline in columns, pending initial tenant sign placement.

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.

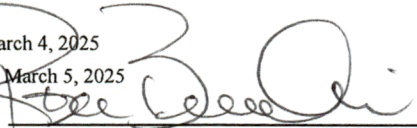
SECTION 4. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, County and Village laws, ordinances, regulations, and policies.

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: March 4, 2025  
 Published: March 5, 2025  
 Attest:   
 Village Clerk