

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: _____ Applicant _____ **DATE:** _____ January 21, 2003 _____
(Name)

RECOMMENDATION FROM: _____ Zoning Board of Appeals _____ **FILE REF:** _____ C-6-02 _____
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "AN ORDINANCE AUTHORIZING SPECIAL USE AT AUTOMOTIVE SERVICES, 205 AND 217 OGDEN AVENUE, TO PERMIT AN ADDITION TO THE EXISTING STRUCTURE", as presented.

SUMMARY OF ITEM:

At their meeting of December 18, 2002 the Zoning Board of Appeals unanimously recommended that a Special Use be granted for the property located at 205 and 217 Ogden Avenue, for an automobile repair and service shop, excluding rebuilding and painting of automobiles.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING SPECIAL
USE AT AUTOMOTIVE SERVICES, 205 AND 217 OGDEN AVENUE, TO PERMIT
AN ADDITION TO THE EXISTING STRUCTURE**

WHEREAS, the following described property, to wit:

Lots 1 through 6 inclusive in Block 3 in Arthur T. McIntosh & Company's Ogden Avenue Subdivision in the Southwest Quarter of Section 4, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded December 12, 1923 as Document No. 172336 in DuPage County, Illinois, commonly known as 205 & 217 Ogden Avenue, Downers Grove, IL 60515 (PIN 09-04-305-004, -005 and -006)

(hereinafter referred to as the "Property") is presently zoned in the "B-3, General Services & 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 Secretary of the Zoning Board of Appeals, a written petition conforming to the requirements of the Zoning Ordinance, requesting that a special use be granted for the Property to allow an automobile repair and service shop conducted as part of an automobile dealership and excluding rebuilding and painting of automobiles; and,

WHEREAS, such petition was referred to the Zoning Board of Appeals of the Village of Downers Grove, and said Zoning Board has given the required public notice, has conducted a public hearing respecting said petition 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 Zoning Board has recommended approval of the amended special use; 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 Zoning Board of Appeals, is such as to establish the following:

1. The proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
2. The proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.
3. The proposed use will comply with the regulations specified in this Zoning Ordinance for the district in which the proposed use is to be located.
4. The proposed use is one of the special uses specifically listed for the district in which it is to be located and, if approved with restrictions as set forth in this ordinance, will comply with the provisions of the Downers Grove Zoning Ordinance regulating this Special Use.

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

SECTION 1. That the Special Use of the Property is hereby amended to permit an automobile repair and service shop conducted as part of an automobile dealership and excluding rebuilding and painting of automobiles.

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

1. The conditions and recommendations of the Zoning Board of Appeals as set forth in their findings as outlined in correspondence dated January 6, 2002, is attached hereto and incorporated herein by reference as Exhibit A.

2. Substantial compliance with the plans submitted to the Zoning Board of Appeals, a reduced copy of which are attached hereto and incorporated herein by reference as Group Exhibit B.

3. Substantial compliance with the Staff report dated December 11, 2002, a copy of which is attached hereto and incorporated herein by reference as Exhibit C.

SECTION 3. That all ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance be and are hereby repealed.

SECTION 4. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk



Village of
DOWNERS GROVE
ILLINOIS

Civic Center

801 Burlington Avenue
Downers Grove
Illinois 60515-4776
630.434.5500
TDD 630.434.5511
FAX 630.434.5500

CBD Redevelopment Office

1015 Curtiss Street
Downers Grove
Illinois 60515
630.434.5940
FAX 630.968.6346

Fire Department

Administration

3900 Highland Avenue
Downers Grove
Illinois 60515-1506
630.434.5980
FAX 630.434.5988

Police Department

825 Burlington Avenue
Downers Grove
Illinois 60515-4783
630.434.5600
FAX 630.434.5690

Public Works Department

5101 Walnut Avenue
Downers Grove
Illinois 60515-4074
630.434.5460
FAX 630.434.5495

Department of

Social & Health Services

842 Curtiss Street
Downers Grove
Illinois 60515-4761
630.434.5595
FAX 630.434.5599

Village of

Downers Grove Web site

<http://www.vil.downers-grove.il.us>

Info Line

630.434.6800

January 6, 2003

Mayor Brian Krajewski and Village Council
Village of Downers Grove
801 Burlington Avenue
Downers Grove, IL 60515

RE: C-6-02 A petition seeking approval of a special use for an automobile repair and service shop (but not including rebuilding or painting of automobiles). Such business is proposed to be conducted as part of an automobile dealership. This property is located at the southwest corner of Ogden Avenue and Cumnor Road, Downers Grove, IL 60515, commonly known as 205 and 217 Ogden Avenue (PIN 09-04-305-004, -005 and -006); Joseph & Kathy Dlugopolski, owners of 205 Ogden Avenue and Interstate Brands Corporation, owner of 217 Ogden Avenue; Clingen, Callow, Wolfe & McLean, LLC, Attorneys/Petitioners.

Dear Mayor Krajewski and Village Council:

At its December 18, 2002 meeting, the Zoning Board of Appeals made the following unanimous recommendation in case C-6-02:

Mr. Lukas moved that in case C-6-02 the Zoning Board of Appeals recommend that the Village Council approve this request for a special use for an automobile repair and service shop, not including rebuilding or painting of automobiles consistent with the drawings and plans submitted by the petitioner. Mr. Benes seconded the motion.

AYES: Mr. Lukas, Mr. Benes, Mr. Baker, Mr. Domijan, Mr. Gray, Mr. Sleeter, Chairman White

NAYS: None

Chairman White declared the Motion passed.

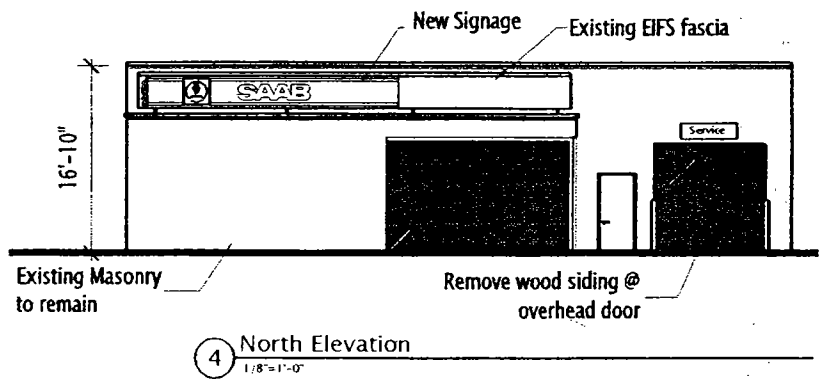
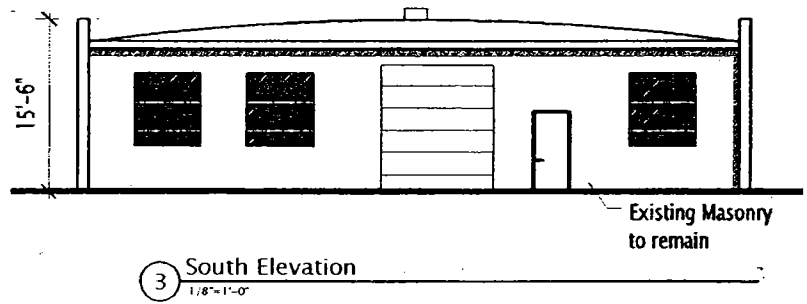
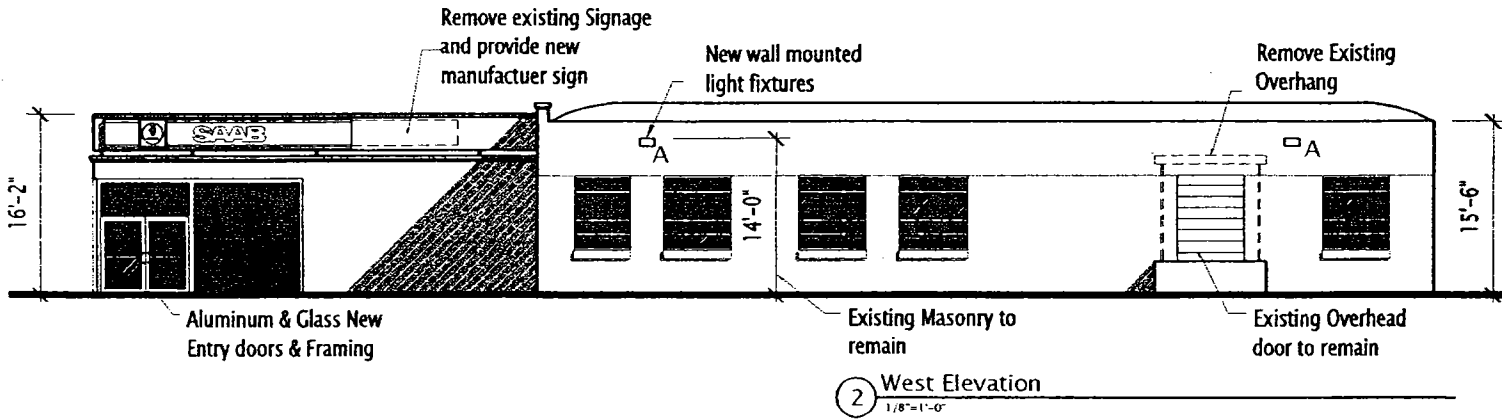
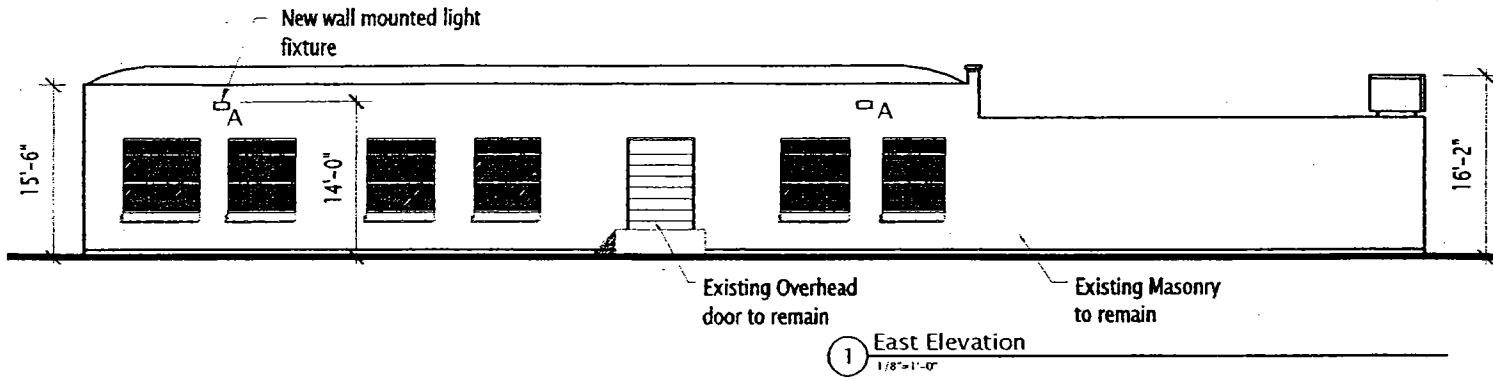
The Board based their finding upon the belief that the requested special use was appropriate to the site, and that the petitioner had met all of the requirements established by the Zoning Ordinance for the proposed special use permit.

Sincerely,

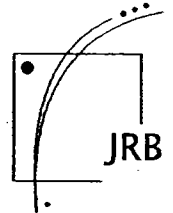
William White,
Chairman

WW/tmh

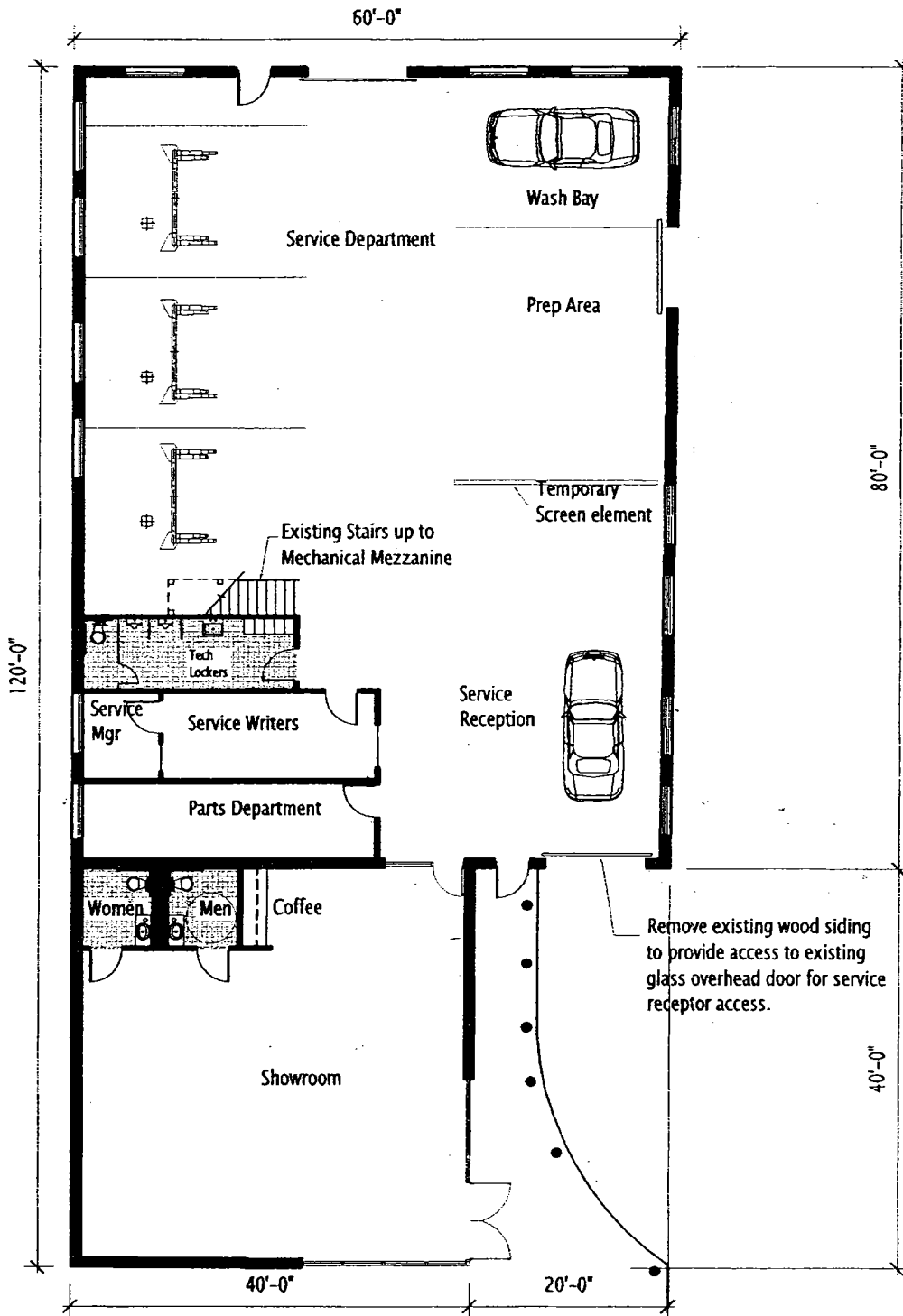
C-6-02




C-6-02



The JRB Group Architects
 3115 N. Wilke Road Arlington Heights, Illinois 60004
 Phone: 847.506.0123 Fax 847.506.0145



No.	Date	Comments
Revisions		
Commission No.	02007	
Drawn By	MAR	
Checked By	JRB	
Approved By	JRB	
Issued for Review		
Issued for Perms		
Issued for Pricing		
Issued for Construction		

Project Title
GARTNER SAAB

 Temporary Sales and Service Facility
 Ogden Ave.
 Downers Grove, Illinois

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Scope Document
 This preliminary drawing indicates the general scope of the project in terms of the architectural design concept, the dimensions of the building, the type of structural system, and an outline of the major elements of construction. As a "scope" document the drawing does not necessarily indicate or describe all work required for the full performance and completion of the work. These documents shall not be used for construction pricing only with the understanding that the Contractor, Subcontractor and material men are to furnish all the work of sound and quality construction and that the Contractor, Subcontractor and materials men shall be solely responsible for the inclusion of adequate amounts to cover the installation of all items indicated, described, or implied.

Sheet Title
Floor Plan

Sheet No.
 DD 1.2

5 Floor Plan
 1/8"=1'-0"



PUBLIC HEARING: **C-6-02** A petition seeking approval of a special use for an automobile repair and service shop (but not including rebuilding or painting of automobiles). Such business is proposed to be conducted as part of an automobile dealership. This property is located at the southwest corner of Ogden Avenue and Cumnor Road, Downers Grove, IL 60515, commonly known as 205 and 217 Ogden Avenue (PIN 09-04-305-004, -005 and -006); Joseph & Kathy Dlugopolski, owners of 205 Ogden Avenue and Interstate Brands Corporation, owner of 217 Ogden Avenue; Clingen, Callow, Wolfe & McLean, LLC, Attorneys/Petitioners

FINDINGS:

1. The petitioner, as contract purchaser, is seeking approval of a special use petition to operate an automobile repair and service shop which is proposed to be utilized in support of a Saab automobile dealership proposed for the subject properties located at 205 and 217 Ogden Avenue. These properties are currently occupied by the Downers Grove Motel and by the Wonder Bread/Hostess facility respectively. More specifically, the petitioner has recently acquired the rights to open a Saab dealership within the general geographic area and desires specifically to bring that dealership to Downers Grove.

The closing of the Saab Dealership in Maywood has created the opportunity for the petitioner to open a dealership in Downers Grove; however, it has also created a problem for Saab owners to obtain factory authorized service at a convenient location to the general west suburban area, and Saab has stressed the need for service facilities to be opened in the relatively near future.

The petitioner has determined that he would be able to utilize the existing 217 Ogden Avenue building which is currently occupied by the Wonder Bread/Hostess facility for a transitional dealership location in order to meet the near term requirements to have an operational Saab sales and service facility. The petitioner has indicated it is his intention to then proceed with the design of plans for the ultimate development of the entire site encompassing both the 205 and the 217 Ogden Avenue sites. This work will proceed within the near term future. The ultimate plans for the dealership with its auto service facilities will be required to be considered by the Board under a future Special Use petition.

The petitioner has indicated that the transitional Saab dealership facilities will be restricted to the 217 Ogden Avenue building and property. The petitioner has advised that he will cause the demolition of the motel building on the 205 Ogden Avenue site also in the near future in anticipation of the future complete redevelopment of the site.

2. The subject property has a depth as measured on the west of 200 feet, a width as measured on the south of 328 square feet and an area of approximately 65,514.16 square feet. The westerly 150 foot by 200 foot parcel, commonly known as 217 Ogden Avenue, is currently occupied by a 6,438.86 square foot one story commercial building occupied by Hostess. The easterly 178 foot by 200 foot parcel is currently occupied by a 9,663 square foot one story building currently occupied by the Downers Grove Motel.
3. The subject property is located within the B-3 General Service and Highway Business district. According to the provisions of Section 28-609 (c) of the Zoning Ordinance, automobile repair and service shops, including automobile laundries, repair and rebuilding and painting of automobiles, is listed as an authorized special use within the B-3 zoning district.
4. Specifically, the petitioner is seeking approval for the special use to operate an automobile repair and service shop, which according to the materials submitted as part of this petition does not include a request to be permitted to conduct painting of automobiles or body repair work. The service facility which the petitioner is proposing to conduct is according to the proposed floor plan to be located within the southerly 4,825 square feet +/- of the 6,438.86 square foot building sited on the 217 Ogden Avenue property.

The floor plan indicates that there is to be an approximately 255 square foot parts room, a small office with an area of approximately 255 square feet for the service manager and the service writers, a locker room and washroom facilities with an area of approximately 176 square feet, three service bays, a prep area and wash bay and space for service reception will occupy the remaining 4,100 square feet of the southerly portion of the building. The service area is to be located in the portion of the building which is currently used for delivery truck parking, but which appears to originally have been built for an automobile dealership that occupied the site perhaps as long ago as the early 1960's. Access to the service facilities will be via three overhead doors; one door accessible by vehicles is located each on the north and south sides of the building, and there is an additional six foot wide overhead delivery door located on the east side of the building that is served by an approximately three foot tall loading dock.

The northerly approximately 1,600 square feet of the building is proposed to be utilized for the showroom and sales area and will be updated with new accessible washroom facilities.

5. Based upon a building floor area of 6,438 square feet, the petitioner is responsible to provide a minimum of 11 parking spaces for staff and customers according to the requirements of Section 28-1410(a) of the Zoning Ordinance which requires a minimum of one space per 600 gross square feet of floor area. The petitioner's site plan indicates that there are going to be spaces for a total of 30 vehicles on paved portions of the site. The petitioner's site plan is annotated to indicate that

seven spaces on the west side of the site are to be set aside for customer's cars and eight spaces are to be set aside for display spaces. Along the south side of the site nine spaces are designated for parking of employees' cars and for the parking of vehicles waiting for service, plus one handicap space. Along the east side there are to be five spaces for the parking of vehicles waiting for service.

In addition to the paved parking, the petitioner's site plan depicts the existing approximately 25 foot wide graveled area located on the east of the Wonder Bread/Hostess site will be utilized for automobile display area. The gravel area has capacity for between 14 and 16 automobiles.

6. In addition to the proposed site plan and the proposed floor plan, the petitioner has submitted building elevations which depict the appearance of the building upon completion of the intended modifications. The primary emphasis of the facade work appears to be to shed the visual image of the 217 Ogden Avenue building being a Wonder Bread/Hostess facility so that it clearly becomes a Saab dealership. Activities proposed include removal of existing Hostess signage and replacing it with Saab signage, removal of an existing overhang located on the westerly side of the building and the removal of siding. A more detailed description of the proposed modifications is included in the petitioner's letter which was submitted as part of this petition.
7. As noted, the petitioner has submitted a detailed letter as part of his petition describing the circumstances of the proposed petition. Within the letter, the petitioner has also provided a description as to how he believes that the proposed petition satisfies the conditions which are required for approval of a Special Use as provided for under Section 28-1902 of the Zoning Ordinance.

For reference purposes, Section 29-1902 of the Zoning Ordinance reads as follows:

"The Village Council may authorize a special use by ordinance provided the evidence presented is such as to establish the following:

- (i) That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
- (ii) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.

- (iii) That the proposed use will comply with the regulations specified in this Zoning Ordinance for the district in which the proposed use is to be located.
- (iv) That it is one of the special uses specifically listed for the district in which it is to be located.”

CONCLUSION:

The petitioner's request for a special use is one which is authorized within the underlying B-3 Zoning District as provided under Section 28-609 (c) of the Zoning Ordinance. Although the petitioner has indicated that his intention is for this facility to be transitional until a new facility is approved and constructed, the proposed automobile repair and service shop has been designed to meet the zoning requirements given the context of an existing building being converted for a new occupancy.

Although not within the realm of zoning, it should be noted that the petitioner has met with and has been fully apprised of the various building and life safety code requirements for the proposed new occupancy, and the petitioner has indicated his understanding of what steps must be considered and met in order to obtain an occupancy permit.

KJR:amd
Attachments
12-11-02