

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
MAY 2, 2006 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Special Use for First Presbyterian Church to Permit a Two-story Addition	<div style="text-align: center;"> <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Motion <input type="checkbox"/> Discussion Only </div>	Don Rosenthal Community Development Director

SYNOPSIS

An ordinance has been prepared to approve a Special Use in the R4 Single Family Residence District to allow for an addition to an existing church located at 339 4th Street.

FISCAL IMPACT

N/A.

UPDATE & RECOMMENDATION

This item was discussed at the April 25, 2006 Village Council Workshop. Approval is recommended on the May 2, 2006 active agenda.

BACKGROUND

The petitioner is seeking approval of a Special Use in the R4 Single Family Residence District to construct a two story addition to the front entrance of the existing church structure as well as the lower level area. The addition will provide a new narthex area to the church as well as a kitchen area, storage, and elevator access. The new addition will be setback seventy-two (72) feet on the Fairview Avenue frontage, where twenty-five (25) feet are required by code. The setback along Fourth Street is nine (9) feet which is nonconforming, however it will be unaffected as none of the proposed changes will not alter that side of the building. Churches are identified as special uses within the R4 zoning district, therefore any changes or additions to the site require approval of an amendment to the Special Use.

The proposed changes to the church will not effect or change any of the existing setbacks. As the addition will not result in an increase in the number of seats in the sanctuary, no further parking spaces need to be provided. The petitioner also proposes to restripe the parking lot to allow for handicap accessible spaces which the lot does not currently provide. Staff finds that the proposed addition will make the site more accessible and make the parking lot more compliant with existing codes.

The Plan Commission considered the project on March 6, 2006 and recommended approval of the proposed Special Use amendment subject to the conditions identified in the proposed ordinance.

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR
FIRST PRESBYTERIAN CHURCH TO PERMIT A TWO STORY ADDITION**

WHEREAS, the following described property, to wit:

Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and the West twelve feet of Lot 30 in Block 7 of the Resubdivision of Blocks 2 to 16 in Victor Fredenhagen Jr.'s Subdivision at East Grove, in the Southwest Quarter of Section 9, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat of said Resubdivision recorded on September 8, 1886 as Document #36375, in DuPage County, Illinois; and

Lots 6, 7, 8, and 9 in Block 7 in the Resubdivision of Blocks 2 to 16 in Victor Fredenhagen Jr.'s Subdivision at East Grove, in Section 9, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat of said Resubdivision recorded September 8, 1886, as Document #36375, in DuPage County, Illinois; and

Lots 10, 11 and 12 in Block 7 in the Resubdivision of Blocks 2 to 16 in Victor Fredenhagen Jr.'s Subdivision at East Grove, in Section 9, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat of said Resubdivision recorded September 8, 1886, as Document #36375, in DuPage County, Illinois; and

The East 18 feet of Lot 30 and all of Lots 31 and 32 in Block 7 in the Resubdivision of Blocks 2 to 16 in Victor Fredenhagen Jr.'s Subdivision at East Grove, in Section 9, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat of said Resubdivision recorded September 8, 1886, as Document #36375, in DuPage County, Illinois,

All commonly known as 339 4th Street, Downers Grove, IL

(hereinafter referred to as the "Property") is presently zoned in the "*R-4, Single Family Residence 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 28-609 of the Zoning Ordinance be granted to allow a two-story addition operated in conjunction with a church.

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 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 Plan Commission has recommended approval of the requested 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. 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 a Special Use of the Property is hereby granted to permit a two-story addition to an existing church structure.

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

1. The Special Use shall substantially conform to the staff report dated March 6, 2006 and the plans incorporated herein by reference as Group Exhibit A, except as such plans shall be changed to conform to Village Codes and Ordinances.
2. That the Petitioner obtains a building permit for all work associated with the petition.
3. Any changes to the conditions represented by the Petitioner as the basis for this petition, whether those changes occur prior to or after Village approval, shall be promptly reported to the Village. Changes may require additional review of the Special Use; and
4. This recommendation is further conditioned upon the understanding that it is the Petitioner's obligation to maintain compliance with all applicable Federal, State, County, and Village laws, ordinances, regulations, and policies.

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. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. That this ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk