

**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE VILLAGE COUNCIL MEETING  
AUGUST 2, 2011 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Special Use for 333 Ogden Avenue	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

**SYNOPSIS**

An ordinance has been prepared for a special use approval of an automobile dealership at an existing automobile repair business at 333 Ogden Avenue.

**STRATEGIC PLAN ALIGNMENT**

The Goals for 2011 to 2018 include *Strong, Diverse Local Economy*.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval on the August 9, 2011 active agenda.

**BACKGROUND**

The petitioner is requesting a Special Use to permit automobile sales in addition to the existing automobile repair business at 333 Ogden Avenue. The property is located at the southeast corner of Fairview Avenue and Ogden Avenue is zoned B-3 General Services and Highway Business.

The site currently consists of a 4,900 square foot automobile repair building that includes four service bays, parts storage and offices. The petitioner is proposing to undertake a façade and site improvement project that will upgrade the existing building and site. No interior improvements are proposed for the building.

Staff analyzed the on-site parking given the proposed site modifications and the additional use. The site currently has 23 striped parking spaces. Based on the proposed improvements, the parking will be reduced to 22 striped spaces. Per the Zoning Ordinance, the proposed automobile dealership and repair shop uses would require 12 parking spaces. The petitioner is proposing to use six spaces, along Fairview Avenue, for display of for-sale vehicles. As such, 16 parking spaces would be available to customers and employees, which meets the Village’s zoning requirements.

The proposal will comply with all other bulk requirements as listed in Section 28.1100 of the Zoning Ordinance.

Additionally, the proposal complies with the Ogden Avenue Master Plan as follows:

- The elimination of the northernmost curb cut on Fairview Avenue and westernmost curb cut on Ogden Avenue
- The installation of new sidewalks and additional green space along both Fairview and Ogden Avenues
- The installation of code compliant signage

The Plan Commission considered the petition at their July 11, 2011 meeting. No public comments were received at the meeting. The Plan Commission found the proposal met the standards of approval for a special use as noted in Section 28.1902 of the Zoning Ordinance. The use is desirable, will not be detrimental to the health, welfare, or property values in the vicinity, will comply with the regulations of the B-3 zoning district and is listed as an allowable special use in the B-3 zoning district. Based on their analysis, the Plan Commission recommended approval of the special use. Staff concurs.

#### **ATTACHMENTS**

Aerial Map

Ordinance

Staff Report with attachments dated July 11, 2011

Minutes of the Plan Commission Hearing dated July 11, 2011

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

**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 333 OGDEN AVENUE  
TO PERMIT AN AUTOMOBILE DEALERSHIP**

WHEREAS, the following described property, to wit:

The north 163.0 feet of the west 193.0 feet (except the north and west 33.0 feet thereof) of the southwest quarter of Section 4, Township 38 North, Range 11 East of the Third Principal Meridian, in DuPage County, Illinois

Commonly known as 333 Ogden Avenue, Downers Grove, IL (PIN 09-04-300-050).

(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

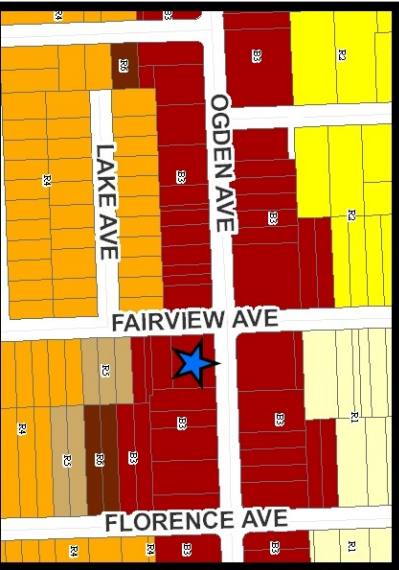
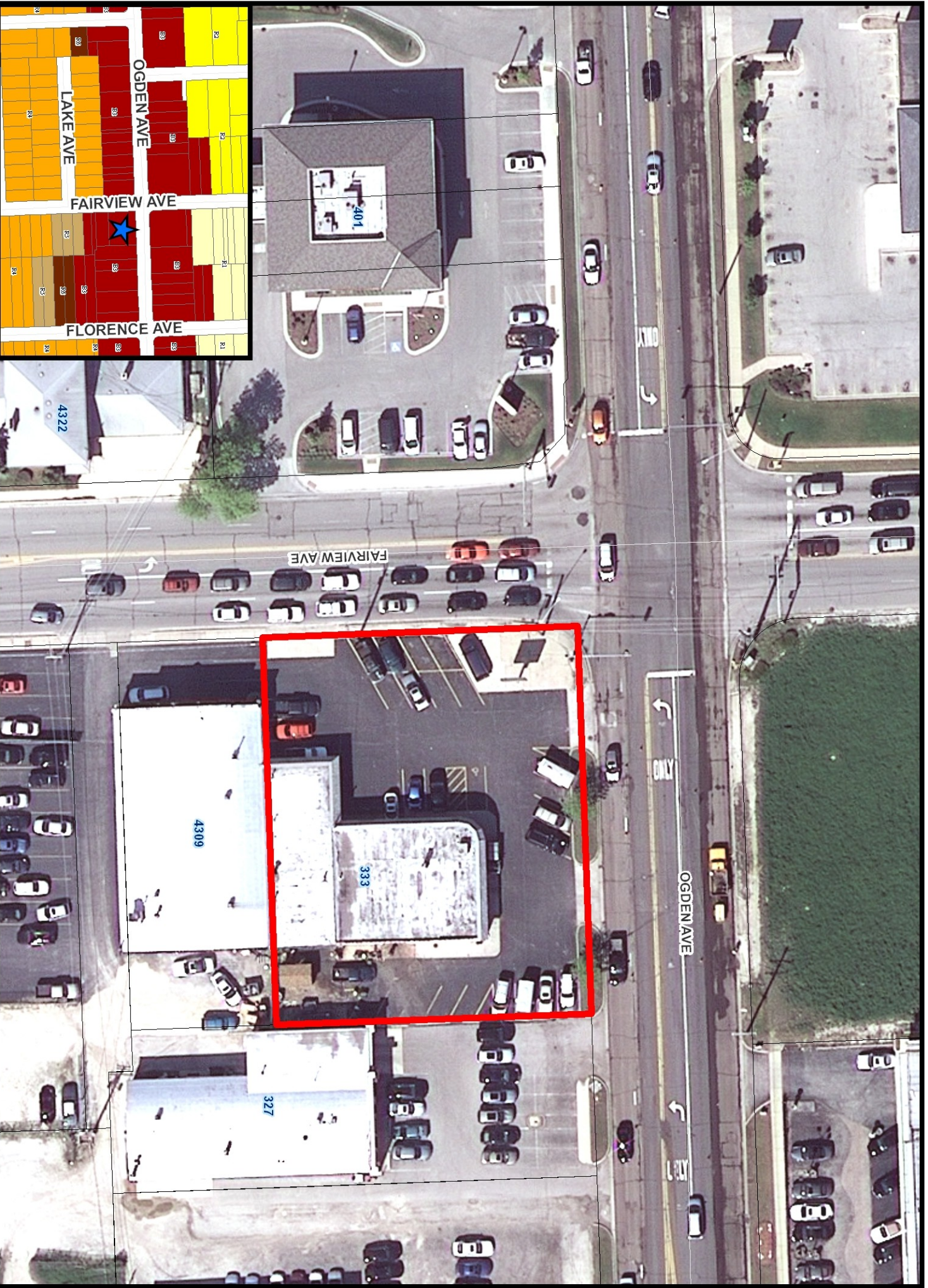
WHEREAS, the owner of the Property has filed with the Plan Commission, a written petition conforming to the requirements of the Zoning Ordinance, requesting that a Special Use per Section 28.609(c) of the Zoning Ordinance be granted to allow the addition of an automobile dealership to an existing automobile repair business; 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 on July 11, 2011 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 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



0 10 20 30 40 Feet

# 333 Ogden Avenue Location Map





**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
JULY 11, 2011 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
PC-21-11 333 Ogden Avenue	Special Use for an automobile dealership	Stan Popovich, AICP Planner

**REQUEST**

The petitioner is requesting approval of a Special Use for an automobile dealership for the property located at 333 Ogden Avenue.

**NOTICE**

The application has been filed in conformance with applicable procedural and public notice requirements.

**GENERAL INFORMATION**

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**OWNER:** Cynlo Ltd. Liability Co.  
333 Ogden Avenue  
Downers Grove, IL 60515

**APPLICANT:** Cynthia & Leonard Senicka  
333 Ogden Avenue  
Downers Grove, IL 60515

**PROPERTY INFORMATION**

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**EXISTING ZONING:** B-3, General Services and Highway Business  
**EXISTING LAND USE:** Automobile Repair  
**PROPERTY SIZE:** 20,800 square feet (0.48 acres)  
**PINS:** 09-04-300-050

**SURROUNDING ZONING AND LAND USES**

	<b>ZONING</b>	<b>FUTURE LAND USE</b>
<b>NORTH:</b>	B-3, General Services and Highway Business	Commercial
<b>SOUTH:</b>	B-3, General Services and Highway Business	Commercial
<b>EAST:</b>	B-3, General Services and Highway Business	Commercial
<b>WEST:</b>	B-3, General Services and Highway Business	Commercial

## **ANALYSIS**

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### **SUBMITTALS**

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Project Summary
3. Plat of Survey
4. Proposed Site Plan

### **PROJECT DESCRIPTION**

The petitioner is requesting a special use for an automobile dealership at 333 Ogden Avenue. The current property is being used as an automobile repair business and the petitioners wish to expand their business to include automobile sales. The 0.48 acre parcel is located at the southeast corner of Fairview and Ogden Avenues and is zoned B-3, General Services and Highway Business. Automobile sales are a permitted Special Use in the B-3 zoning district.

The site currently consists of an automobile repair shop within an existing 4,900 square foot building. The building consists of four services bays, parts storage and offices. The petitioner is proposing to upgrade the existing building through a façade improvement project. No improvements to the interior of the building are proposed at this time. The building will continue to operate in its current layout.

Site improvements proposed by the petitioner include closing the northernmost curb cut along Fairview Avenue and adding landscaping along Fairview Avenue and at the northwest corner of the site. The petitioner is also proposing to install sidewalks along both Fairview and Ogden Avenues. The existing building and free-standing signage will be replaced with code-compliant signage.

In addition to these improvements, staff is requiring that the westernmost curb cut along Ogden Avenue be closed and a three-foot strip of landscaping be installed immediately south of the Ogden Avenue sidewalk. This additional landscaping will provide green space and provide additional buffering between the on-site parking spaces and the sidewalk. Staff's proposed improvements are shown in the attached sketch.

The site currently has 23 striped parking spaces. Based on the proposed improvements, the parking will be reduced to 22 striped spaces. Per the Zoning Ordinance, the proposed automobile dealership and repair shop uses would require 12 parking spaces. The petitioner is planning on using six spaces for the display of sale vehicles and the remaining 16 would be available for the other uses on the property.

### **COMPLIANCE WITH FUTURE LAND USE PLAN**

The Future Land Use Plan designates the property as Commercial. Staff believes the automobile dealership is consistent with the future land use designation of Commercial. There will be no significant change to the use and operation of the property as a result of adding six spaces for automobile sales. As such, staff believes the proposal is consistent with the Future Land Use Plan.

### **COMPLIANCE WITH ZONING ORDINANCE**

The property is zoned B-3, General Services and Highway Business. The proposed automobile dealership is a permitted Special Use in the district per Section 28.609(c) of the Zoning Ordinance. There are no proposed changes to the building which currently conforms to the bulk regulations of the Zoning Ordinance. The petitioner is adding green space to a lot which previously did not have any green space.

The proposed development also complies with the Special Use Standards of Approval. Staff believes the proposal is consistent with the Zoning Ordinance.

**COMPLIANCE WITH THE OGDEN AVENUE MASTER PLAN**

The proposal complies with the Ogden Avenue Master Plan as shown in the table below:

<b>Ogden Avenue Master Plan</b>	<b>Proposal</b>
Improve the parkway with new trees, plantings, signage, and sidewalks.	The petitioner will install new landscaping, sidewalks, and signage along both the Fairview and Ogden Avenue right-of-ways adjacent to the new parking lot.
Reduce curb cuts along Ogden Avenue.	The petitioner will remove one existing curb cut on Fairview Avenue and one existing curb cut on Ogden Avenue.
Improve landscaping in and around parking lots.	The petitioner will install new landscaping along both Fairview and Ogden Avenues adjacent to the resurfaced parking lot.
Provide interconnected sidewalks along the entire length of the corridor.	The petitioner will install new sidewalks along both Fairview and Ogden Avenues.
Improve building facades	The existing building will undergo an exterior façade renovation that will improve the appearance of the building.

**ENGINEERING/PUBLIC IMPROVEMENTS**

The site currently operates with two full access points onto Fairview Avenue and two full access points onto Ogden Avenue. Based on the conditions of approval, the northernmost curb cut on Fairview Avenue will be closed as will the westernmost curb cut onto Ogden Avenue. The petitioner is proposing to install sidewalks on both Fairview and Ogden Avenues. Per Village requirements, the sidewalk immediately adjacent to Fairview Avenue must be seven feet wide due to its location immediately adjacent to the curb. All improvements will be required to comply with Village’s Stormwater Management Ordinance and the Village’s Stormwater Best Management Practices requirements.

No additional public improvements have been proposed.

**PUBLIC SAFETY REQUIREMENTS**

The Fire Prevention Division of the Fire Department has reviewed the proposed plans. Based upon the submittal, the Fire Prevention Division believes they have sufficient access to the site and building. Because there are no proposed interior improvements, the Fire Prevention Division had no additional comments.

**NEIGHBORHOOD COMMENT**

Notice was provided to all property owners 250 feet or less from the property line in addition to posting the public hearing sign and publishing the legal notice. Staff has not received any written neighborhood comment regarding the proposal at this time.

**FINDINGS OF FACT**

Staff believes the standards for a Special Use, as shown below, have been met. There will be no significant changes to the use and operation of the site with the addition of six display spaces for automobiles. The proposed automobile dealership is a desirable use to provide a service to the community. The use will contribute to the general welfare of the community. The development will not

be detrimental to the health, safety, morals, general welfare or property values in the vicinity. The proposed development complies with the regulations of the B-3 zoning district. The requested Special Use is listed as an allowable Special Use in Section 28.609(c) of the Zoning Ordinance.

***Section 28.1902 Standards for Approval of Special Uses***

*The Village Council may authorize a special use by ordinance provided that the proposed Special Use is consistent and in substantial compliance with all Village Council policies and land use plans, including but not limited to the Comprehensive Plan, the Future Land Use Plan and Master Plans and the evidence presented is such as to establish the following:*

- (a) 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.*
- (b) 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.*
- (c) 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 or will comply with any variation(s) authorized pursuant to Section 28-1802.*
- (d) That it is one of the special uses specifically listed for the district in which it is to be located.*

**RECOMMENDATIONS**

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The proposed special use is consistent and compatible with surrounding zoning and land use classifications. Based on the findings listed above, staff recommends the Plan Commission make a positive recommendation to the Village Council regarding this petition subject to the following conditions:

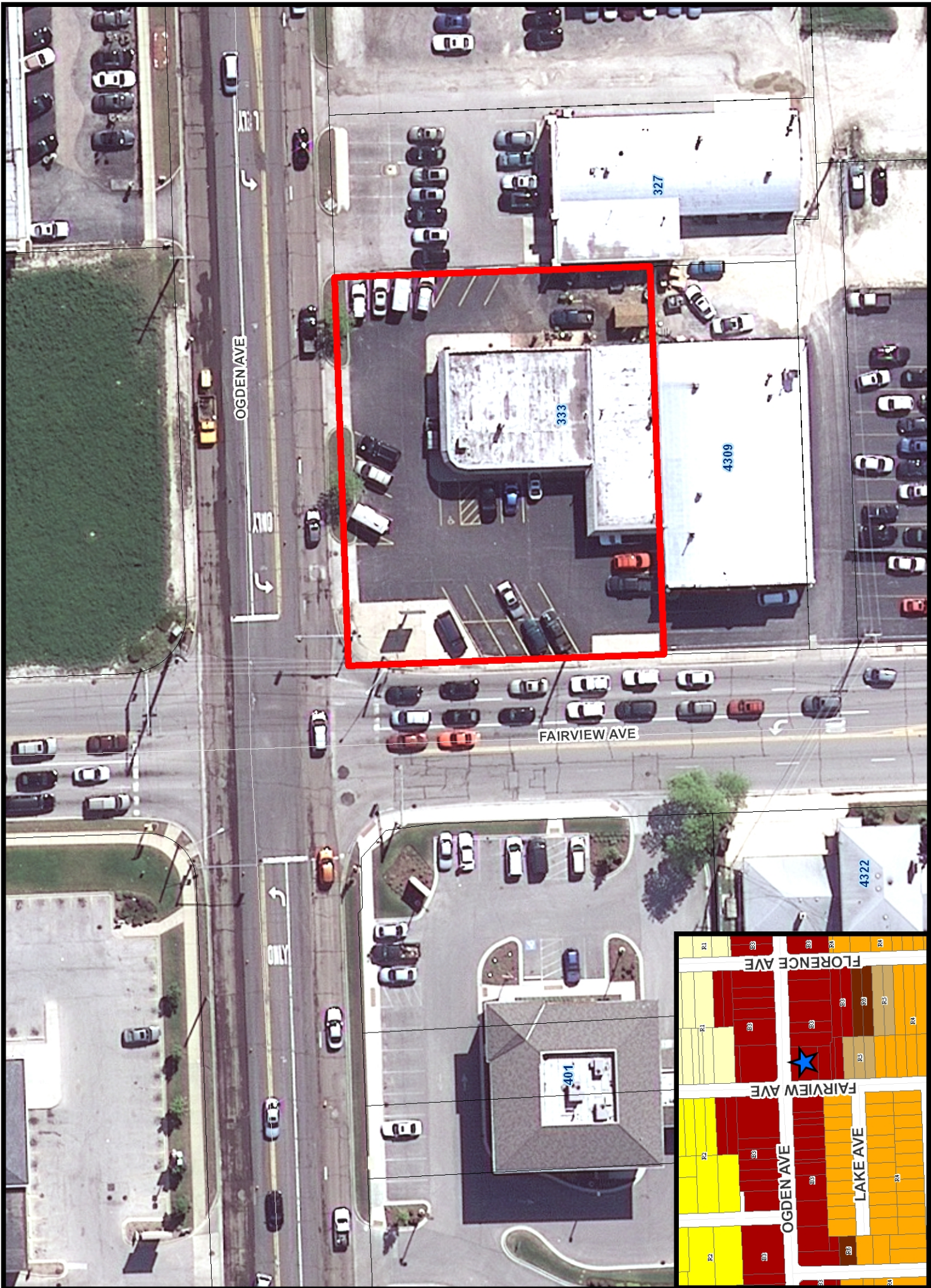
1. The Special Use shall substantially conform to the staff report dated July 11, 2011 and with preliminary sketch prepared by staff except as such plans may be modified to conform to Village Codes and Ordinances.
2. The westernmost curb cut along Ogden Avenue and the northernmost curb cut along Fairview Avenue shall be closed per IDOT standards.
3. The proposed parking along Fairview Avenue shall be at least eight feet from the west property line.
4. An additional three feet of landscaping shall be provided south of and along the entire length of the sidewalk on Ogden Avenue, except for that area south of the remaining curb cut.

Staff Report Approved By:

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Tom Dabareiner, AICP  
Director of Community Development

TD:sjp  
-att



# 333 Ogdgen Avenue Location Map

0 10 20 30 40 Feet

June 3, 2011

Jeff O'Brien  
Village of Downers Grove  
Community Development  
801 Burlington Avenue  
Downers Grove, IL 60515

Dear Jeff,

We are petitioning for a special use change for 4305 Fairview to include used car sales. We have enclosed a drawing indicating 6 parking spots for "on location" sales and we will be also selling on the internet. We feel this would be a welcomed diversification of our present service center, as we can provide reliable pre-owned vehicles to the consumer as well as the "service after the sale."

If you require any further information, please do not hesitate to contact me.

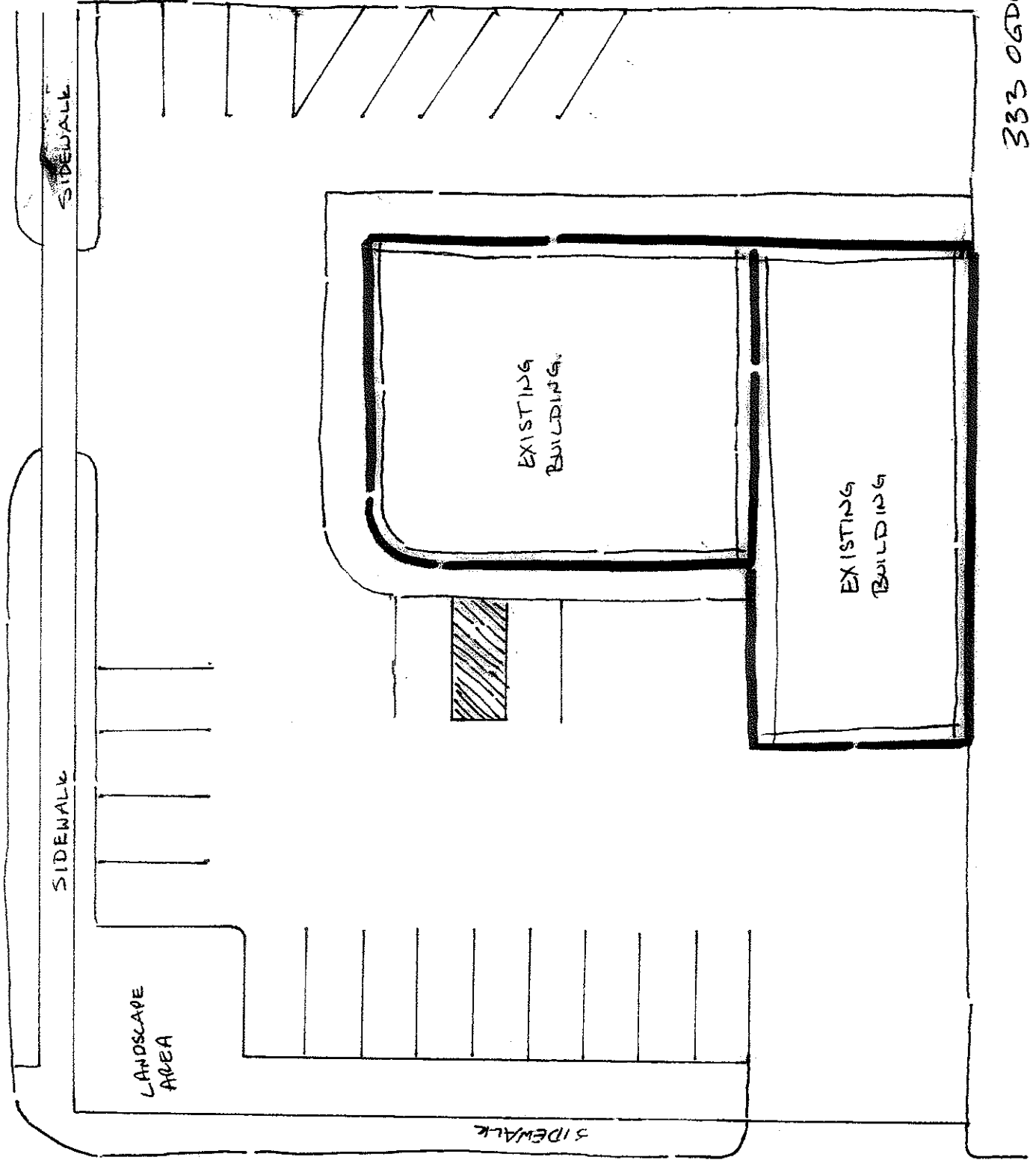
Thank you for your time and assistance in the matter.

  
Cynthia Senicka





OGDEN AVENUE



FAIRVIEW AVENUE

333 OGDEN AVE  
STAFF REC.

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VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING  
PUBLIC HEARING

JULY 11, 2011, 7:00 P.M.

**PC-21-11** A petition seeking a special use approval for an automobile dealership for the property located at the southeast corner of Fairview Avenue and Ogden Avenue, commonly known as 333 Ogden Avenue, Downers Grove, IL (PIN 09-04-300-050); Cynthia and Leonard Senicka, Petitioner; Cynlo Ltd Liability Co., Owner

Chairman Jirik swore in those individuals who would be speaking on File PC-21-11.

Mr. Stan Popovich reviewed the staff report and explained that the petitioner was seeking approval of a special use for an automobile dealership at 333 Ogden Avenue, where an existing auto repair shop was located. The property, zoned B-3 General Services and Highway Business, was located at the southeast corner of Fairview Avenue and Ogden Avenue. The repair shop would remain as is. The petitioner plans to upgrade the building through the OASIS program, which is the Ogden Avenue Site Improvement Strategy program. No interior renovations are taking place. The petitioner's original proposal included the removal of the northern curb cut on Fairview Avenue and to add additional green space along Ogden Avenue, with a new sidewalk, and to bring the existing sidewalk on Fairview Avenue into better compliance. Petitioners will also provide code-compliant signage. After staff review, staff was now requiring that the westernmost curb cut on Ogden Avenue closest to the Ogden/Fairview intersection be closed and that three feet of landscaping be added south of the sidewalk on Ogden. To date, 23 parking spaces exist. With the new proposal, 22 parking spaces will exist.

Per Mr. Popovich, the Future Land Use Plan designated the property as Commercial and the dealership was consistent with the Future Land use designation. No use changes were expected. The proposed automobile dealership was a permitted Special Use in the B-3 Zoning District and the petitioner was adding green space to the site. The proposal complied with the Special Use Standards of Approval. Lastly, the proposal complied with the Ogden Avenue Master Plan, as noted above. No new utilities were being proposed. Fire Prevention reviewed the plans and believed enough access to the site existed.

After publishing the property notices, staff received general inquiries but no significant concerns were voiced. Staff recommended a positive recommendation for this project along with staff's conditions in its report.

Per a question, Mr. Popovich understood that the proposal was for a used car dealership and it was zoned for same. He stated the additional sidewalks and landscaping improvements that were to occur were not present on the site currently. Also, six cars would be displayed for viewing while the remaining vehicles would be sold over the Internet or be used by the auto repair shop.

Dialog was then raised by Mr. Beggs on his recollection of the commission reviewing the Draft Comprehensive Plan some time ago which discussed locating car dealerships to the western end of Ogden Avenue versus the eastern end. He believed the proposal best fit into the current master plan

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and cited those dealerships located in close proximity of the proposal. He further queried staff how this proposal fit in with the comprehensive plan. Mr. O'Brien agreed the proposal probably fit in with the current Ogden Avenue Master Plan although he recalled that the relocation of the dealerships to the western side of Ogden were for larger dealerships. To the point, he stated he viewed this application as the petitioner taking advantage of a village grant program through a TIF program. Staff viewed the proposal by looking at the overall use of the property, its impact, and the fact that the proposal was not a large operation, as far as the comprehensive plan was concerned.

The Chairman also noted that the current use was auto-related already and the proposed change was basically adding a sales component to an existing auto business. It was also pointed out by Mr. Webster that new facades and landscaping were being added, which was a positive benefit.

Petitioner, Cynthia Senicka, 43 Mockingbird Lane, Oak Brook, IL appreciated staff's presentation. In answering a previous question, Ms. Senicka stated the dealership would be selling pre-owned vehicles only. She was basically trying to diversify her business, provide the community with good vehicles, and beautify the property.

Chairman Jirik opened up the meeting for public comment. No comments followed. Public comment was closed. Ms. Senicka provided no closing statement.

**WITH RESPECT TO PC FILE 21-11, MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL WITH THE FOLLOWING CONDITIONS:**

- 1. THE SPECIAL USE SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED JULY 11, 2011 AND WITH PRELIMINARY SKETCH PREPARED BY STAFF EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
- 2. THE WESTERNMOST CURB CUT ALONG OGDEN AVENUE AND THE NORTHERNMOST CURB CUT ALONG FAIRVIEW AVENUE SHALL BE CLOSED PER IDOT STANDARDS.**
- 3. THE PROPOSED PARKING ALONG FAIRVIEW AVENUE SHALL BE AT LEAST EIGHT FEET FROM THE WEST PROPERTY LINE.**
- 4. AN ADDITIONAL THREE FEET OF LANDSCAPING SHALL BE PROVIDED SOUTH OF AND ALONG THE ENTIRE LENGTH OF THE SIDEWALK ON OGDEN AVENUE, EXCEPT FOR THAT AREA SOUTH OF THE REMAINING CURB CUT.**

**SECONDED BY MRS. RABATAH: ROLL CALL:**

**AYE: MR. BEGGS, MRS. RABATAH, MR MATEJCZYK, MR. WAECHTLER, MR. WEBSTER, CHAIRMAN JIRIK**

**NAY: NONE**

**MOTION CARRIED. VOTE: 6-0**