



VILLAGE OF WESTMONT
Board of Trustees Memorandum
February 24, 2022

Item for Board of Trustees Consideration:

Board to consider an ordinance approving requests from the Westmont Park District, regarding the property located at 125 East Richmond Street (Veterans Memorial Park) for the following:

1. Special Use Permit for park facilities in the R-3 Single Family Detached Residential District.
2. Variance to allow a new multi-purpose building to encroach into the side yard adjoining Linden Avenue.

Planning and Zoning Commission recommendation:

At its meeting on February 9, 2022, the Planning and Zoning Commission unanimously recommended approval of these items.

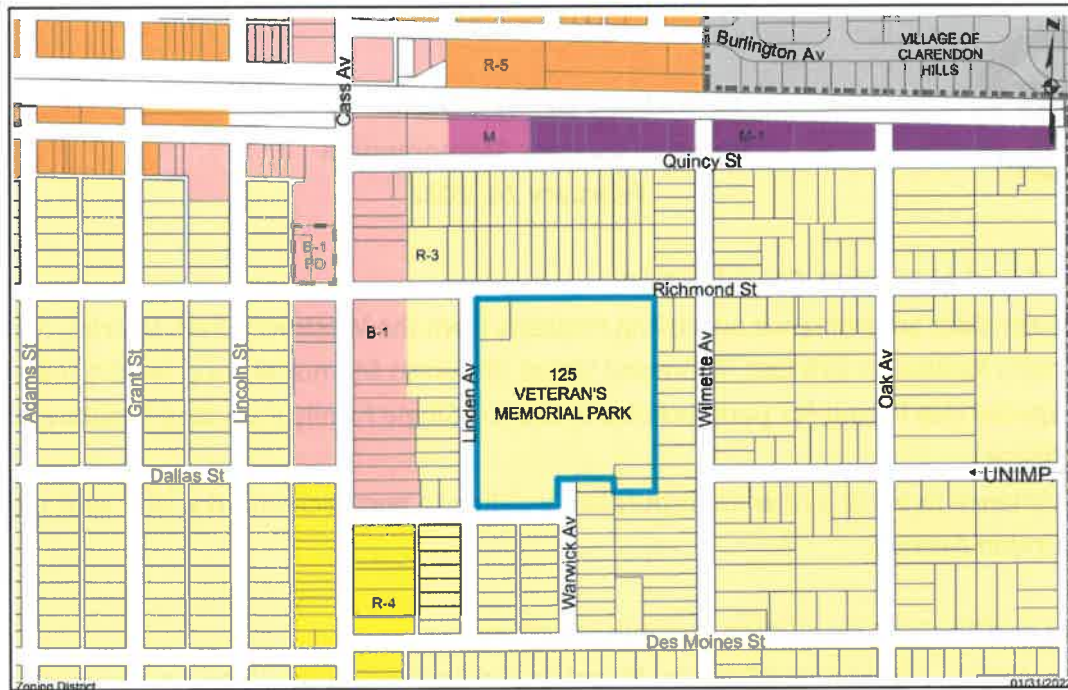
I. BACKGROUND OF ITEM

A. General Legal and Location:

The subject lot is located to the west of south Cass Avenue, between Linden and Wilmette Avenues, and bordered by Richmond Street to the north and Dallas Street to the south. Composed of multiple underlying lots, the total property size is approximately 10 acres.



Aerial Map - 125 East Richmond Street - Veterans Memorial Park



Zoning Map - 125 East Richmond Street - Veterans Memorial Park

B. Zoning Designations:

SUBJECT PROPERTY	R-3 Single Family Detached Residence District
NORTH	R-3 District - SFD homes
SOUTH	R-3 District - SFD homes
EAST	R-3 District - SFD homes
WEST	R-3 District - Holy Trinity and SFD homes

C. Neighborhood Characteristics

Located in one of the oldest single-family residential districts in Westmont, Veterans Memorial Park has anchored the community since the 1950s with a picnic shelter, playgrounds, baseball fields and other facilities. The park is part of the campus that also houses Park District administrative offices, the Gregg House Museum, and the Community Center with gymnasium. A maintenance facility that has served as storage and a location for day-camp summer activities is located adjacent Linden Avenue



Street View - 125 East Richmond Street - Existing Maintenance Building (source: Google)

II. Petitioner Request:

The petitioner proposes to remove and replace an existing maintenance structure located near home plate of the ball field and adjacent Linden Avenue. To do so, both a Special Use Permit (SUP) and Variance to setback approvals have been requested.

The SUP for a public park in a residential district has been submitted based on staff requests to secure the necessary entitlements to operate. The park pre-dates the Zoning Ordinance requirements for a SUP, and has never received such an approval. Consideration of this request will secure the use as legal conforming in the zoning district.

The Variance request is to construct a new 2,500 square foot building to replace the current structure. The existing maintenance building is located adjacent Linden Avenue at a 0 foot setback to the property line. Although the reconstruction will improve the condition to a 5 foot setback, it would not be in compliance with the 35 foot setback requirement of the R-3 zoning district.



Aerial View - Existing Maintenance Building (source: DuPage County GIS)

III. ZONING ANALYSIS

A. Zoning and Comprehensive Plan Designations

Located within the R-3 Single Family Residential District, the park is in an area highlighted as being within a 10-minute walk to the Metra Rail Station in the Comprehensive Plan. Approval of the request would promote the Plan recommendation that “the Village should continue to work with and support the District in their efforts to maintain and improve existing parks and acquire new park sites within the community.”

B. Parking Requirements

Parking minimums for parks, recreation and community centers are defined at Sec. 10.06(K)(3)(c), which requires *“one parking space for each two employees, plus spaces in adequate number as determined by the planning and zoning commission to serve the visiting public.”*

No additional parking is proposed as a part of this construction, which will continue to be served with the lots near the Community Center and on-street parking. Proposed right-of-way improvements to add additional pick-up/drop-off spaces in front of the new building have been shown, and would need to be coordinated with the Public Works Department for installation.

C. Special Use Request

Special Use Permit request for a Public Park and associated facilities in the R-3 Single Family Detached Residential District (*Appendix A, Sections 6.02(B)(7) and 13.09*)

As requested by staff, the petitioner has applied for approval of the existing public park to secure the use as legal conforming in the zoning district. This request is unique in that the park is not new in the location, and has operated here since the 1950s.

The park itself comprises ball fields, park space, picnic pavilion, and other associated park programming. Other structures include the Gregg House Museum, administrative offices, and community center. The proposed construction does not alter any of these existing uses.

One noted difference is that the existing maintenance building, currently used for restrooms, storage and day-camp space, will be upgraded to be usable in all seasons for restrooms, concession stand, storage, and a 1,600 square-foot multipurpose space available for day-camp or similar activities.

The use appears to meet all other Special Use standards, which are noted below.

Standards for Special Uses Sec. 13.09(D):

A proposed special use shall substantially meet the following standards in order to obtain the recommendation of the planning and zoning commission and approval of the board of trustees:

- (1) That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.*
- (2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.*

- (3) *That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*
- (4) *That adequate utilities, access ways, drainage and/or other necessary facilities have been or are being provided.*
- (5) *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*
- (6) *That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the village board pursuant to the recommendation of the plan commission.*

D. Variance Request

Building encroachment into the the side yard adjoining Linden Avenue

(Appendix A, Sections 6.04(F) and 13.07)

The front and side yard setback adjoining a street in the R-3 Single Family Detached Residential District is 35 feet per Sec. 6.04(F). This new building is proposed with a setback of 5 feet, or a 30 foot encroachment.

This is an improvement over existing conditions, as the current maintenance building is on the property line, or a 35 foot encroachment. Although the setback could be accommodated, utilizing the required setback would greatly alter existing programming in the park. Reuse of the current location creates the least disruption to other park facilities, properly serves the ball field behind home plate, and avoids construction in low depressional areas with poor draining in the park.

The petitioner indicates that relocation creates a particular hardship without altering other park spaces, and the construction of the new building at a similar but improved setback will not alter the character of the neighborhood.

Staff notes that the construction of this structure does not require a Site and Landscape approval where the building and landscape can be evaluated, as the R-3 District does not require such an approval.

Standards for Variations Sec. 13.07(D):

- (1) *The planning and zoning commission shall not recommend a variation to the regulations of this comprehensive amendment as authorized herein unless it shall have made findings of fact based upon the evidence presented to it in each specific case that:*
 - (a) *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;*
 - (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.*
- (2) For the purpose of implementing the above rules, the planning and zoning commission shall also, in making its recommendations whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:*
 - (a) The particular physical surroundings, shape or topographical features of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*
 - (b) The conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification.*
 - (c) The purpose of the variation is not based exclusively upon a desire to make more money out of the property.*
 - (d) The alleged difficulty or hardship has not been created by the owner of the property.*
 - (e) The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*
 - (f) The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.*
- (3) The planning and zoning commission may recommend such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards set forth in this subsection to reduce or minimize the injurious effect of such variation upon other property in the neighborhood, and better to carry out the general intent of this comprehensive amendment.*

IV. SUMMARY

A SUP and Variance are required for the existing public park and facilities to permit the construction of a new multipurpose building. The proposal would accommodate both existing and new park activities with minimal impact to the adjacent land uses.

V. DOCUMENTS ATTACHED:

1. Publication notice appearing in the January 20, 2022 Westmont Suburban Life.
2. Petitioner Attachments:
 - a. Planning and Zoning Development Application and supporting documents.
 - b. Plans, elevations and renderings, prepared by Williams Architects, dated November 30, 2021.
 - c. Findings of Fact for Special Use and Variances

PUBLIC NOTICE

LEGAL NOTICE / PUBLIC NOTICE

VILLAGE OF WESTMONT

PLANNING AND ZONING COMMISSION

NOTICE OF PUBLICATION

NOTICE IS HEREBY GIVEN that a public hearing has been scheduled before the Westmont Planning and Zoning Commission to be held on Wednesday, February 9, 2022 at 7:00 P.M. in the Westmont Village Hall, 31 W. Quincy St., Westmont, Illinois 60559.

The purpose of the hearing is to consider a request from Westmont Park District regarding the property located at 125 East Richmond Street, Westmont, IL 60559 for the following:

(A) Special Use Permit request for an existing Park and associated facilities in the R-3 Single Family Detached Residential District.

(B) Zoning Code Variance request to allow a new multi-purpose building to encroach into the side yard adjoining Linden Avenue in the R-3 Single Family Detached Residential District.

Legal Description:

PARCEL 1: LOTS ONE(1), TWO(2), THREE(3) (EXCEPT THE WEST 120 FEET OF EACH SAID LOTS 1, 2, AND 3), LOT FOUR(4) (EXCEPT THE WEST 120 FEET THEREOF LYING NORTHERLY OF A LINE DRAWN 150 FEET SOUTHERLY OF THE SOUTH LINE OF RICHMOND STREET AND PARELLEL TO SAID RICHMOND STREET), FIVE(5), SIX(6), SEVEN(7), EIGHT(8), NINE(9), TEN(10), ELEVEN(11), TWELVE(12), THIRTEEN(13), FOURTEEN(14), FIFTEEN(15), SIXTEEN(16), SEVENTEEN(17), EIGHTEEN(18), NINETEEN(19), TWENTY(20), TWENTY-ONE(21), TWENTY-TWO(22), TWENTY-THREE(23), TWENTY-FOUR(24), TWENTY-FIVE(25), TWENTY-SIX(26), TWENTY-SEVEN(27), TWENTY-EIGHT(28), TWENTY-NINE(29) AND THIRTY(30) IN BLOCK TWO(2) (NOW VACTED BY PLAT RECORDED AS DOCUMENT 575389) AND LOTS ONE(1), TWO(2), THREE(3), FOUR(4), FIVE(5), SIX(6), SEVEN(7), EIGHT(8), NINE(9), TEN(10), ELEVEN(11), TWELVE(12), THIRTEEN(13), FOURTEEN(14) AND FIFTEEN(15), IN BLOCK THREE(3) (NOW VACTED BY PLAT RECORDED AS DOCUMENT 575398) IN REITMAYER'S THIRD RESUBDIVISION OF ALL OF REITMAYER'S SECOND RESUBDIVISION AND LOTS SIXTEEN(16) TO NINETEEN(19) AND THE SOUTH THREE HUNDRED FIFTY(350) FEET OF LOT FIFTEEN(15) IN BLOCK THREE(3) IN ARTHUR T. MCINTOSH AND COMPANY'S FAIRMONT PARK, IN THE SOUTHWEST QUARTER OF SECTION TEN(10), TOWNSHIP THIRTY-EIGHT(38) NORTH, RANGE ELEVEN(11), EAST OF THE THIRD PRINCIPAL MERIDIAN;

PARCEL 2: LOTS SEVEN(7) AND EIGHT(8) (NOW VACTED BY PLAT RECORDED AS DOCUMENT 575389) IN THE RESUBDIVISION OF LOTS TWENTY(20), TWENTY-ONE(21), AND TWENTY-TWO(22) IN BLOCK THREE(3) IN ARTHUR T. MCINTOSH AND COMPANY'S FAIRMONT PARK, BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION TEN(10), TOWNSHIP THIRTY-EIGHT(38) NORTH, RANGE ELEVEN(11) EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART THEREOF CONVEYED TO THE CHICAGO, BURLINGTON AND QUINCY RAILROAD COMPANY) ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED FEBRUARY 13, 1925, IN BOOK 12 OF PLATS, PAGE 69 AS DOCUMENT 188391;

PARCEL 3: LOTS ONE(1), TWO(2), THREE(3), FOUR(4), FIVE(5), AND SIX(6) IN BLOCK ONE(1) (NOW VACTED BY PLAT RECORDED AS DOCUMENT 575389) AND LOT ONE(1) IN BLOCK TWO(2) (NOW VACTED BY PLAT RECORDED AS DOCUMENT 575389), IN BARBARA DUDEKS RESUBDIVISION OF LOTS TWENTY-SIX(26), TWENTY-SEVEN(27), TWENTY-EIGHT(28), TWENTY-NINE(29), THIRTY(30), THIRTY-THREE(33), THIRTY-FOUR(34), THIRTY-FIVE(35), THIRTY-SIX(36), AND THIRTY-SEVEN(37) AND THE SOUTH TWO HUNDRED SIXTY AND SEVENTY-THREE HUNDREDTHS (266.73) FEET OF LOTS THIRTY-ONE(31) AND THIRTY-TWO(32), ALL IN BLOCK THREE(3) IN ARTHUR T. MCINTOSH AND COMPANY'S FAIRMONT PARK SUBDIVISION, AND OF LOTS TEN(10), ELEVEN(11), TWELVE(12) AND THIRTEEN(13) OF REITMAYER'S RESUBDIVISION, ALL BEING PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION TEN(10), TOWNSHIP THIRTY-EIGHT(38) NORTH, RANGE ELEVEN(11), EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 10, 1928 IN BOOK 18 OF PLATS, PAGE 45 AS DOCUMENT 251754;

PARCEL 4: ALL THE RIGHT, TITLE AND INTEREST IN AND TO THAT PORTION OF WARWICK AVENUE LYING SOUTH OF THE SOUTHERN EDGE OF RICHMOND STREET AND NORTH OF THE NORTHERN EDGE OF LOT 2 IN BARBARA DUDEKS RESUBDIVISION, SAID NORTHERN EDGE EXTENDED WESTERLY TO THE WEST EDGE OF WARWICK AVENUE.

PINS: 09-10-307-002

More Common Location: 125 East Richmond Street, Westmont, IL 60559

Village Code(s) Applicable: Appendix A, Section 6.02(B)(7) Appendix A, Section 13.07 Appendix A, Section 13.09

Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact the Village of Westmont, Illinois, 60559 between 8:00 A.M. to 4:00 P.M. Monday through Friday, or telephone (630) 981-6210 voice, or (630) 981-8300 TDD, within a reasonable time before the meeting. All interested persons in attendance will be allowed to express their views. Items may be removed from the agenda after mailing or publication without additional notice. Please check with the Community Development Department at (630) 981-6210 before attending the meeting to verify that an item is still on the agenda.

WESTMONT PLANNING AND ZONING COMMISSION

Doug Carmichael, Chairperson

Publication Date: January 20, 2022

(Published in Westmont Suburban Life January 20, 2022) 1951968

PUBLIC NOTICE

LEGAL NOTICE / PUBLIC NOTICE

NOTICE OF PUBLIC HEARING ON THE DOWNERS GROVE TOWNSHIP BUDGET

Notice is hereby given that a Tentative Budget and Appropriation Ordinance for the Township of Downers Grove, in the County of DuPage, State of Illinois, for the fiscal year beginning March 1, 2022 and ending February 28, 2023 will be on file and available on our website for public inspection at 4340 Prince Street, Downers Grove, Illinois, beginning Monday, January 24, 2022.

Notice is further given that a Public Hearing on said Budget and Appropriation Ordinance will be held at 6:45 PM on Thursday, February 24, 2022 at 4341 Saratoga Street (Senior Center), Downers Grove, IL, and that final hearing and action on this ordinance will be taken at the meeting to be held at the same location at 7:00 PM on Thursday, February 24, 2022.

Lorraine Grimsby, Clerk

January 18, 2022

LEGAL NOTICE / PUBLIC NOTICE

NOTICE OF PUBLIC HEARING ON THE DOWNERS GROVE TOWNSHIP ROAD DISTRICT BUDGET

Notice is hereby given that a Tentative Budget and Appropriation Ordinance for ROAD PURPOSES for the Township of Downers Grove, in the County of DuPage, State of Illinois, for the fiscal year beginning March 1, 2022 and ending February 28, 2023 will be on file and available on our website for public inspection at 4340 Prince Street, Downers Grove, Illinois, beginning Monday, January 24, 2022.

Notice is further given that a Public Hearing on said Budget and Appropriation Ordinance will be held at 6:30 PM on Thursday, February 24, 2022 at 4341 Saratoga Street (Senior Center), Downers Grove, IL, and that final hearing and action on this ordinance will be taken at the meeting to be held at the same location at 6:45 PM on Thursday, February 24, 2022.

Lorraine Grimsby, Clerk

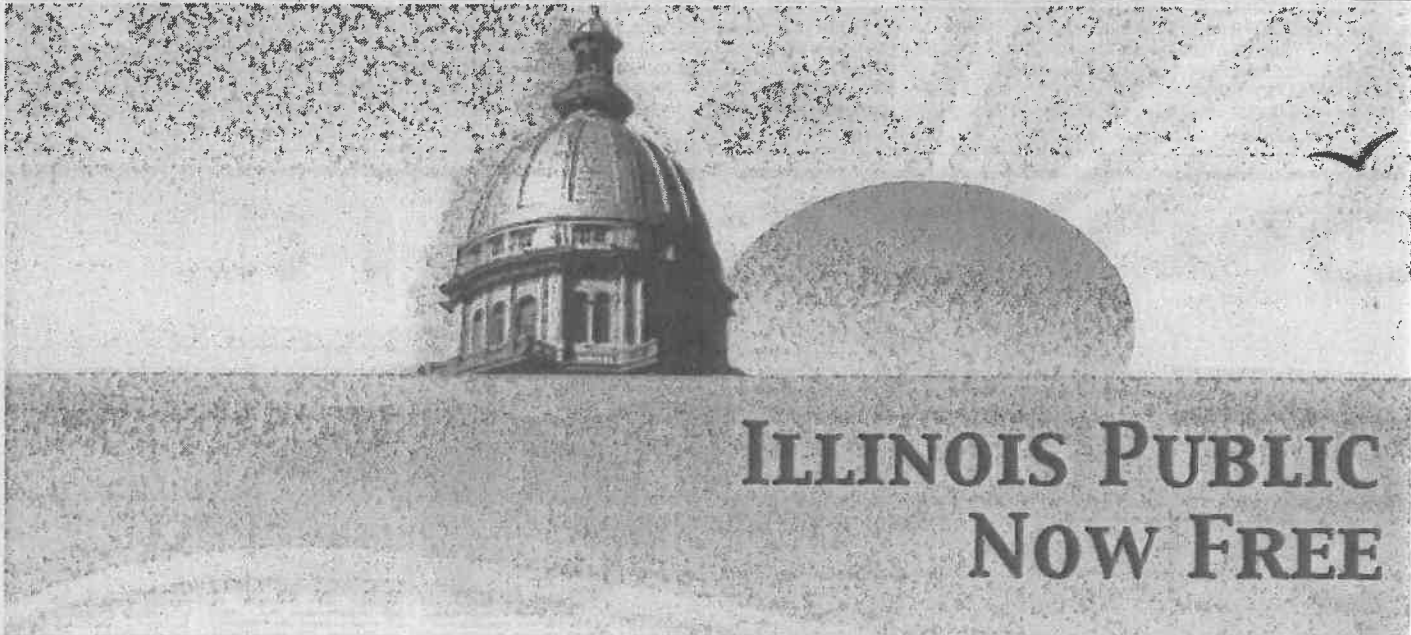
January 18, 2022

(Published in Downers Grove Suburban Life January 20, 2022) 1952533

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VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION
FINDINGS OF FACT

PUBLIC HEARING OF FEBRUARY 9, 2022

PZC 003-2022: Westmont Park District, regarding 125 E. Richmond Street, Westmont

Request for a special use permit to allow an existing park and associated facilities in the R-3 Single-Family Detached Residential District.

CRITERIA NO. 1: That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

FINDINGS OF FACT: The park has operated at this location since the 1950's as a benefit to the community, and without any adverse impacts on the public health, safety, morals, comfort, or general welfare. The park pre-dates the Village's Zoning Ordinance, and the granting of this special use permit is ministerial in nature.

CRITERIA NO. 2: That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.

FINDINGS OF FACT: The park has operated at this location since the 1950's without any adverse impacts on the surrounding residential properties.

CRITERIA NO. 3: That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

FINDINGS OF FACT: Surrounding properties are fully-developed and approving this retroactive special use permit will not impede the future redevelopment of any surrounding properties.

CRITERIA NO. 4: That adequate utilities, access ways, drainage and/or other necessary facilities have been or are being provided.

FINDINGS OF FACT: The park is already served by all necessary facilities and utilities.

CRITERIA NO. 5: That adequate measures have been or will be taken to provide

ingress and egress so designed as to minimize traffic congestion in the public streets.

FINDINGS OF FACT: The park is currently served by public roadways and sidewalks to accommodate traffic to and from the park. The park has existing parking facilities for visitors, there is existing public parking spaces available on the public streets, and the Applicant is adding two additional parking spaces.

CRITERIA NO. 6: That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the village board pursuant to the recommendation of the plan commission.

FINDINGS OF FACT: The park currently substantially conforms to the requirements of the R-3 Single-Family Detached Residential District. Any existing maintenance building which is non-conforming as to its side yard setback adjoining a street is being demolished, and the Applicant is seeking a variance for a similar encroachment for a new proposed building at this location.

VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION
FINDINGS OF FACT

PUBLIC HEARING OF FEBRUARY 9, 2022

PZC 003-2022: Westmont Park District, regarding 125 E. Richmond Street, Westmont

Request for a variance to allow a new multi-purpose Park District building to encroach into the required side yard setback adjoining Linden Avenue.

***CRITERIA NO. 1:** The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.*

FINDINGS OF FACT: The proposed, new building will replace an existing maintenance building at the same location, and with a virtually identical footprint. The current 0' side yard setback adjoining Linden Avenue will be improved to a 5' side yard setback adjoining Linden Avenue. If the Applicant was required to comply with the required 35' side yard setback adjoining a street, the Applicant would be forced to lose or relocate existing park facilities and amenities at great expense, existing mature trees would have to be removed (resulting in a loss of character to the park), and the new building would be located in a low, depressional area with poor drainage, leading to stormwater management concerns. Without this variance, the Applicant could not yield a reasonable return.

***CRITERIA NO. 2:** The plight of the owner is due to unique circumstances.*

FINDINGS OF FACT: The existing maintenance building is in poor shape, is not aesthetically pleasing, and only 50% of the space is usable due to its poor condition. The proposed new multi-purpose facility will replace this existing maintenance building and will constitute a significant aesthetic and functional upgrade. Complying with the required 35' setback would result in the loss of existing park facilities, mature trees, and other impacts as set forth above.

***CRITERIA NO. 3:** The variation, if granted, will not alter the essential character of the locality.*

FINDINGS OF FACT: The proposed new single-story, 2,500 square foot building will constitute a significant upgrade compared to the existing maintenance building that it is replacing. The new building will be aesthetically attractive and will contain 2 additional parking spaces. There is sufficient parking in and around the park to serve this new building, and most children utilizing the building for park programming will be dropped off and picked-up. Existing park facilities, improvements, and trees will be preserved. As a result, the granting of this variance for this new building will not alter the essential character of the area.

