



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: January 16, 2024

RE: **ZONING-23-000085 Beilani (Downers Grove/District 3)**

DuPage County Board: January 23, 2024:

Development Committee: January 16, 2024: The Motion to Approve Failed relative to the following zoning relief:

Conditional Use to allow auto sales (selling on the internet) in the B-1 Local Business District.

Development Committee VOTE (Motion to Approve Failed): 0 Ayes, 5 Nays, 1 Absent

Zoning Hearing Officer: November 29, 2023: The Zoning Hearing Officer recommended to deny the following zoning relief:

Conditional Use to allow auto sales (selling on the internet) in the B-1 Local Business District.

ZHO Recommendation to Deny

FINDINGS OF FACT:

- A. That petitioner testified that he seeks the subject zoning relief to allow auto sales (selling on the internet) in the B-1 Local Business District.
- B. That petitioner testified that the luxury car sales would be completed through appointment only and not open to the public.

- C. That petitioner testified that no advertising signs or balloons would be present on the subject property for the proposed auto sales business.
- D. That petitioner testified that the proposed auto sales business hours would be 9 AM – 6 PM and closed on Sundays.
- E. That petitioner testified that they would have fifty (50) electric and luxury cars for sale, at maximum.
- F. That the Zoning Hearing Officer finds that petitioner has not demonstrated or provided sufficient evidence for a Conditional Use to allow auto sales (selling on the internet) in the B-1 Local Business District. In addition, that the Zoning Hearing Officer finds that petitioner did not demonstrate or provide evidence regarding the required Standards for Conditional Uses.
 - a. Furthermore, that the Zoning Hearing Officer finds that petitioner did not address concerns from the Tri-State Fire Protection District regarding improvements to the site, such as the installation of a fire hydrant.

STANDARDS FOR CONDITIONAL USES:

1. That the Zoning Board of Appeals finds that petitioner **has not demonstrated** that the granting of the Conditional Use is in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's comprehensive plan for development; and specifically, that the granting of the Conditional Use will not:
 - a. Impair an adequate supply of light and air to the adjacent property as petitioner **has not demonstrated** or provided sufficient evidence that the proposed auto sales business will not impair an adequate supply of light and air to the adjacent property.
 - b. Increase the hazard from fire or other dangers to said property as petitioner **has not demonstrated** or provided sufficient evidence that the proposed auto sales business will not increase the hazard from fire or other dangers to said property.
 - c. Diminish the value of land and buildings throughout the County as petitioner **has not demonstrated** or provided sufficient evidence that the proposed auto sales business will not diminish the value of land and buildings throughout the County.
 - d. Unduly increase traffic congestion in the public streets and highways as petitioner **has not demonstrated** or provided sufficient evidence that the proposed auto sales business will not unduly increase traffic congestion in the public streets and highways.
 - e. Increase the potential for flood damages to adjacent property as petitioner **has not demonstrated** or provided evidence that the proposed auto sales business will not increase the potential for flood damages to adjacent property.

- f. Incur additional public expense for flood protection, rescue or relief as petitioner **has not demonstrated** or provided evidence that the proposed auto sales business will not incur additional public expense for flood protection, rescue, or relief.
- g. Otherwise impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County as petitioner **has not demonstrated** or provided evidence that the proposed auto sales business will not impair the public health, safety, comfort, morals, or general welfare of the inhabitants of DuPage County.

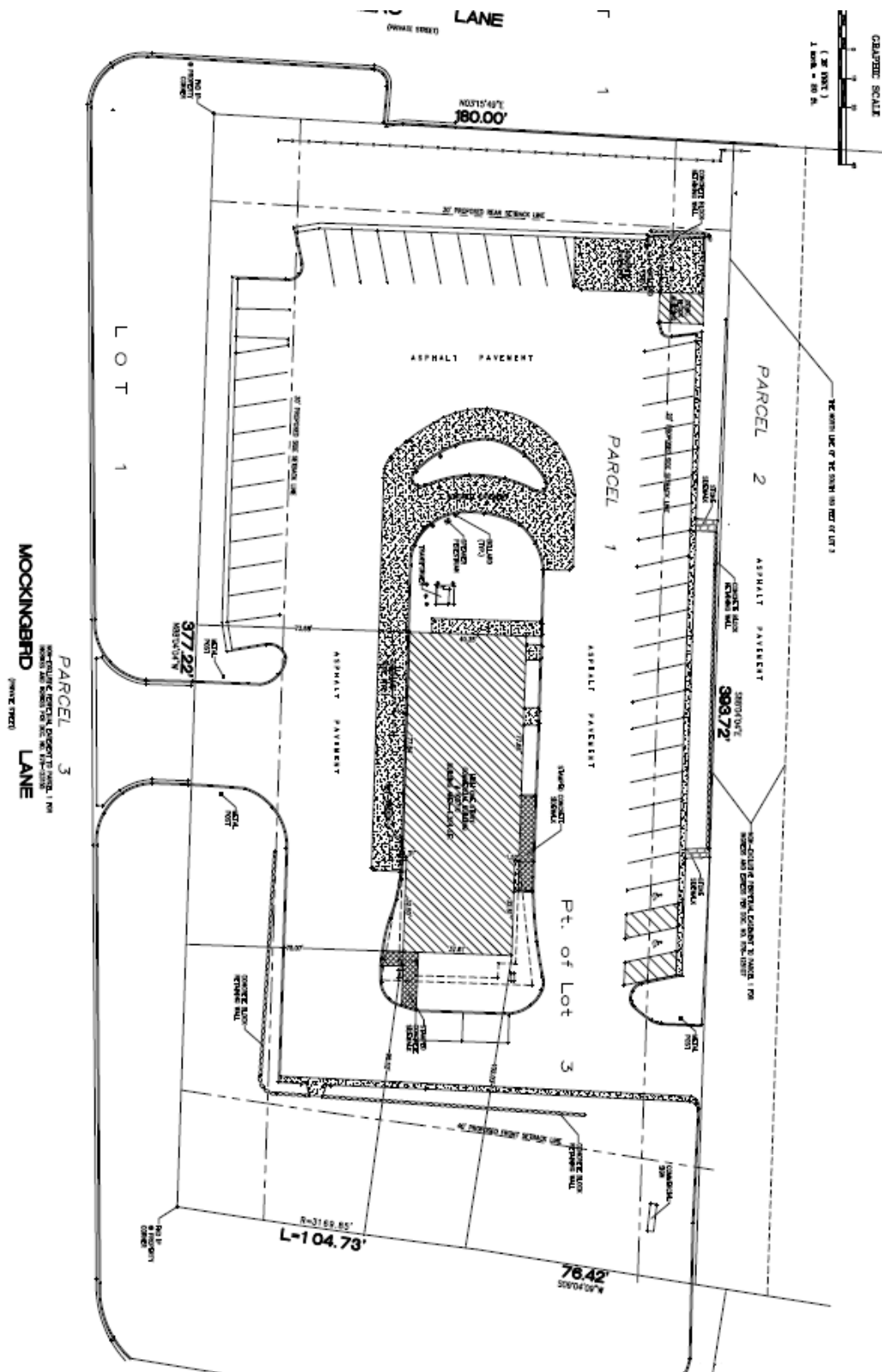
PETITIONER'S DEVELOPMENT FACT SHEET

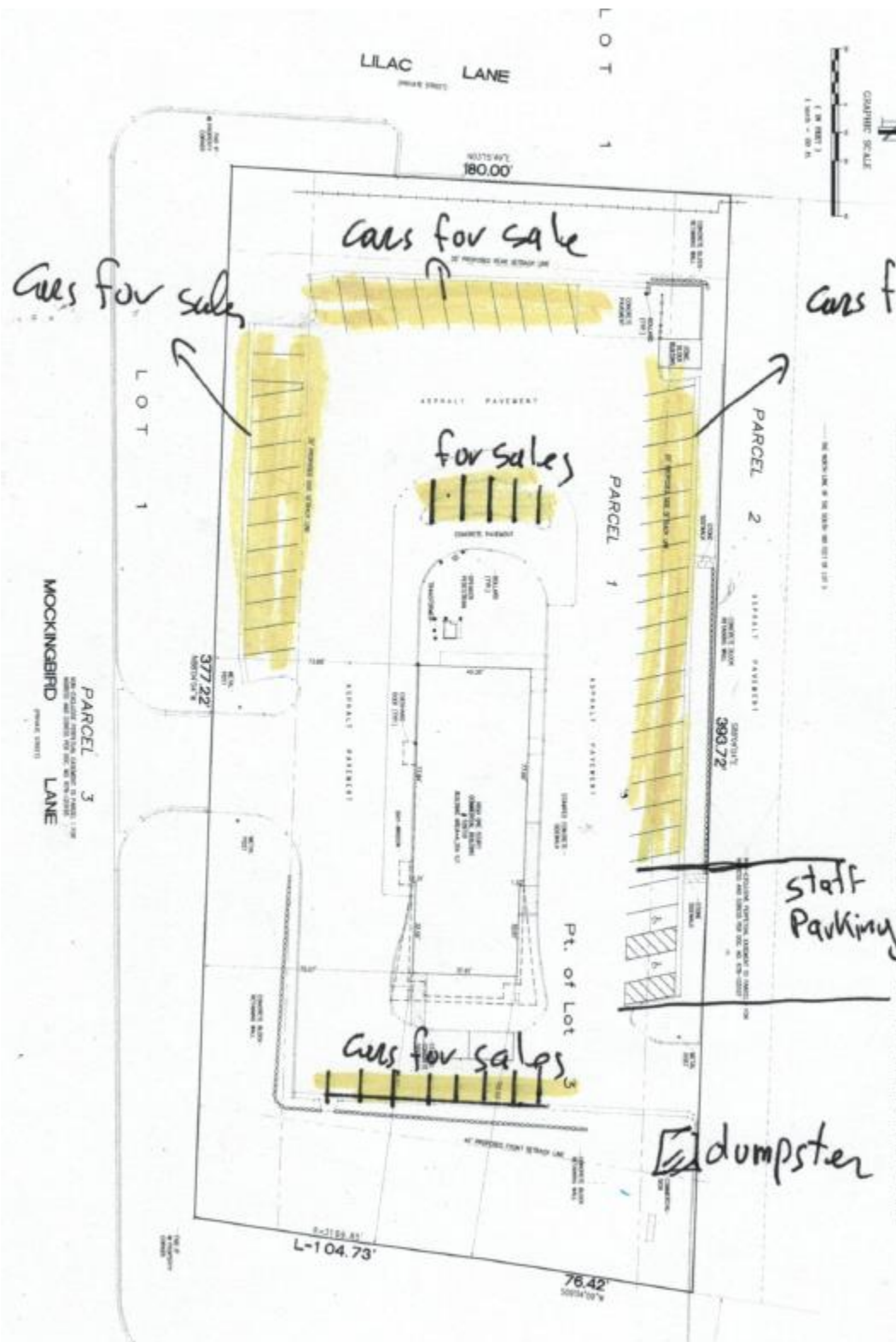
GENERAL ZONING CASE INFORMATION		
CASE #/PETITIONER	ZONING-23-000085 Beilani	
ZONING REQUEST	Conditional Use to allow auto sales (selling on the internet) in the B-1 Local Business District.	
OWNER	CARITE REALTY, LLC., 10S710 KINGERY HWY, WILLOWBROOK, IL 60527/ CARITE REALTY, LLC., 101 W 14 MILE, MADISON HTS, MI 48071/ AGENT: MOHANAD BEILANI, 10S710 KINGERY HWY, WILLOWBROOK, IL 60527	
ADDRESS/LOCATION	10S710 KINGERY HWY, WILLOWBROOK, IL 60527	
PIN	10-02-303-010	
TWSP./CTY. BD. DIST.	DOWNERS GROVE	DISTRICT 3
ZONING/LUP	B-1 LOCAL BUSINESS	LOCAL COMMERCIAL
AREA	1.59 ACRES (69,260 SQ. FT.)	
UTILITIES	WATER AND SEWER	
PUBLICATION DATE	Daily Herald: NOVEMBER 14, 2023	
PUBLIC HEARING	WEDNESDAY, NOVEMBER 29, 2023	
ADDITIONAL INFORMATION:		
Building:	No Objections.	
DUDOT:	No Comments Received.	
Health:	Our office has no jurisdiction in this matter.	
Stormwater:	Our office has no jurisdiction in this matter.	
Public Works:	No Objection with the concept of the petition. Additional information may be required at time of permit application. “We are the sanitary sewer and water provider.”	
EXTERNAL:		
Village of Burr Ridge:	(See attached documentation)	
City of Darien:	No Objections.	
Village of Lemont:	No Comments Received.	
Downers Grove Township:	No Comments Received.	
Township Highway:	Our office has no jurisdiction in this matter.	

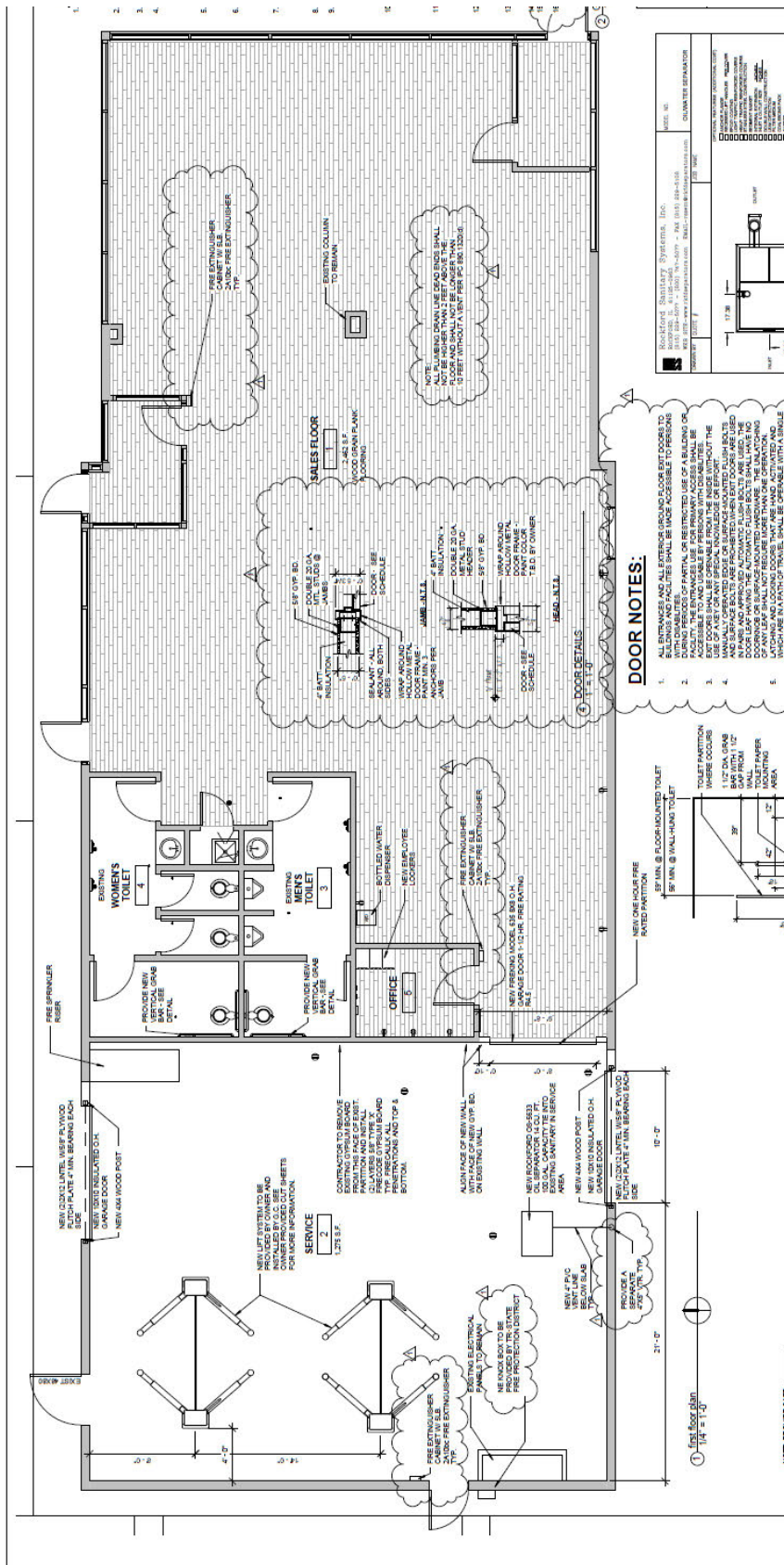
Tri-State Fire Dist.:	(See attached documentation)
Sch. Dist. 180:	No Objections.
Sch. Dist. 86:	No Objections.
Forest Preserve:	“The Forest Preserve District of DuPage County staff has reviewed the information provided in this notice and due to the sizable distance between the subject property and District property, we do not have any specific comments. Thank you.”

LAND USE

Location	Zoning	Existing Use	LUP
Subject	B-1 Local Business	Commercial	Local Commercial
North	B-1 Local Business	Commercial	Local Commercial
South	Mockingbird Lane and beyond R-6 General Residential	Multi-Family	Multi-Family 5-15 DU AC
East	Route 83 and beyond Village of Burr Ridge	House	Village of Burr Ridge
West	R-6 General Residential	Multi-Family	Multi-Family 15+ DU AC













RE: DuPage County Zoning Notification - ZONING-23-000085 Beilani



Lawrence Link <lawrencelink@tristatefd.com>

To: Infelise, Jessica
Cc: DeDe Terpstra



Thu 11/16/2023 10:35 AM

[Caution: This email originated outside Dupageco.org. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

The Car-Rite project opened January 14, 2021.

We received notice on 12-29-2022 that the project was closed and Car-Rite would be selling the building.

There are several issues from the original project that remain unresolved including the requirement for installation of a fire hydrant.

I'm not interested in re-opening this project only to have the same push back regarding required improvements.

At the very least, they would have to request a new permit and work on the same issues that were problematic in 2021.



Lawrence P. Link

Director
Fire Prevention Bureau
Tri-State Fire Protection District
236 Sunrise Avenue
Willowbrook, IL 60527
Office: 630-654-6284



November 27, 2023

Jessica Infelise
DuPage County Building and Zoning Department
421 North County Farm Rd.
Wheaton, IL 60187

Via email to Jessica.infelise@dupageco.org

Re: Zoning Petition ZONING-23-000085 Beilani

Dear Ms. Infelise,

On November 20, 2023, the Village of Burr Ridge Plan Commission/Zoning Board of Appeals performed an extraterritorial review of the conditional use request to allow for auto sales at 10S710 Kingery Highway, Willowbrook, IL 60527. This property is located to the west across from Village of Burr Ridge limits (east side of Kingery Highway).

While the Commissioners did not object to the use, they did have questions about the use which were not answered in the application materials:

- What is name of the auto sales company?
- Are there other locations and where?
- What is the business plan?
- What are the hours and days of operation?
- Are customers by appointment only or walk-ins?
- What kind of vehicles are for sale (i.e. passenger, trucks, vans, etc.) and what are the price-points (i.e. high end, luxury, used, etc.)?
- Will any repair work be performed on site? If so, is this indoors or outside?
- Where will the vehicles be displayed and stored, indoors or outside?
- What kind of security will be provided if the vehicles are outside (i.e. cameras, fencing, gates, etc.)?
- Will there be new parking lot lighting installed? If so, the Commission recommends that the lights be properly angled and shielded to prevent glare and light spillover.

Additionally, the Commission recommends that no sales signs, balloons, banners, streamers, inflatables, or other attention-getting devices be allowed. Currently the Waffles restaurant has several of these items which are distracting along an already dangerous stretch of road. The Commission also recommends that the landscaping be improved on this property since it has been vacant for a few years and there is tall grass, weeds, and an overall lack of maintenance of both the site and structure.

Should you have any questions, please do not hesitate to contact me at jfarrell@burr-ridge.gov or (630) 654-8181 x 6100.

Sincerely,

Janine Farrell, AICP
Community Development Director

www.burr-ridge.gov
630.654.8181