



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
fax: 630-407-6702

www.dupagecounty.gov/building

MEMORANDUM

TO: DuPage County Board

FROM: DuPage County Development Committee

DATE: June 18, 2024

RE: **ZONING-24-000022 Somerset Plaza, LLC.
(Downers Grove/ District 3)**

DuPage County: June 25, 2024:

Development Committee: June 18, 2024: The DuPage County Development Committee recommended to approve the following zoning relief:

Conditional Use to allow auto sales with auto repair in the B-1 Local Business District.

Development Committee VOTE (to Approve): 4 Ayes, 0 Nays, 2 Absent

DEVELOPMENT COMMITTEE FINDINGS OF FACT:

1. That the Development Committee found that the primary use of the subject property is automotive repair and that the automotive sales are ancillary and minimal compared to the primary use of the property, which has operated for over forty (40) years at the subject property.

Zoning Board of Appeals Meeting: June 6, 2024: The Zoning Board of Appeals recommended to deny the following zoning relief:

Conditional Use to allow auto sales with auto repair in the B-1 Local Business District.

ZBA VOTE (to Deny): 6 Ayes, 1 Nays, 0 Absent

Dissenting Opinion: That the one (1) dissenting Zoning Board of Appeals member found that petitioner presented sufficient evidence in order to approve the subject zoning relief.

FINDINGS OF FACT:

1. That petitioner testified that they requested a Conditional Use in order to allow the operation of auto sales, in addition to an existing automobile repair garage.
2. That petitioner testified that the subject property is over three (3) acres in size and is located within a strip shopping center with three (3) access points.
 - a. That the subject strip shopping center and shopping out-lot buildings include a restaurant, car wash, office building, liquor store, dentist, pantry, and tax office.
3. That petitioner testified that the existing use is an auto repair garage that has operated for at least forty (40) years.
4. That petitioner testified that they purchased the subject property in 2016 with the ongoing auto repair shop and assumed it was permitted as it has operated for over forty (40) years.
 - a. That petitioner testified that they complete general auto repair, including engine work, oil changes, brakes, and tires, and that no bodywork or salvage work is completed on the property.
 - b. That petitioner testified that all repairs are performed inside of the building.
 - c. That petitioner testified that the repair shop operates until 6:00 PM Monday through Saturday.
 - d. That petitioner testified that no storage of inoperable vehicles or parts will take place outside and that all repairs are completed inside.
 - e. That petitioner testified that there is no long-term storage of vehicles and that the normal turn around is a day or two at most.
 - f. That petitioner testified that approximately 60-70% is direct from customer work and that 30-40% is direct from dealers.
5. That petitioner testified that they also propose to sell automobiles out of the same location via the internet.
 - a. That petitioner testified that the sale of automobiles would be internet-based direct to dealers and that there would be no display of vehicles for sale for the public.
 - b. That petitioner testified that they would sell between three (3) and five (5) vehicles a month.

6. That petitioner testified that they have recently installed three (3) cameras in the parking lot for safety purposes.
7. That the Zoning Board of Appeals finds that the petitioner has not presented or provided sufficient evidence in order to approve a Conditional Use to allow auto sales with auto repair in the B-1 Local Business District.

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 existing automobile repair garage and proposed auto sales 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 existing automobile repair garage and proposed auto sales 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 existing automobile repair garage and proposed auto sales will not diminish in 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 existing automobile repair garage and proposed auto sales 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 sufficient evidence that the existing automobile repair garage and proposed auto sales 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 sufficient evidence that the existing automobile repair garage and proposed auto sales 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 provide sufficient

evidence that the existing automobile repair garage and proposed auto sales will not impair the public health, safety, comfort, morals, or general welfare.

PETITIONER’S DEVELOPMENT FACT SHEET

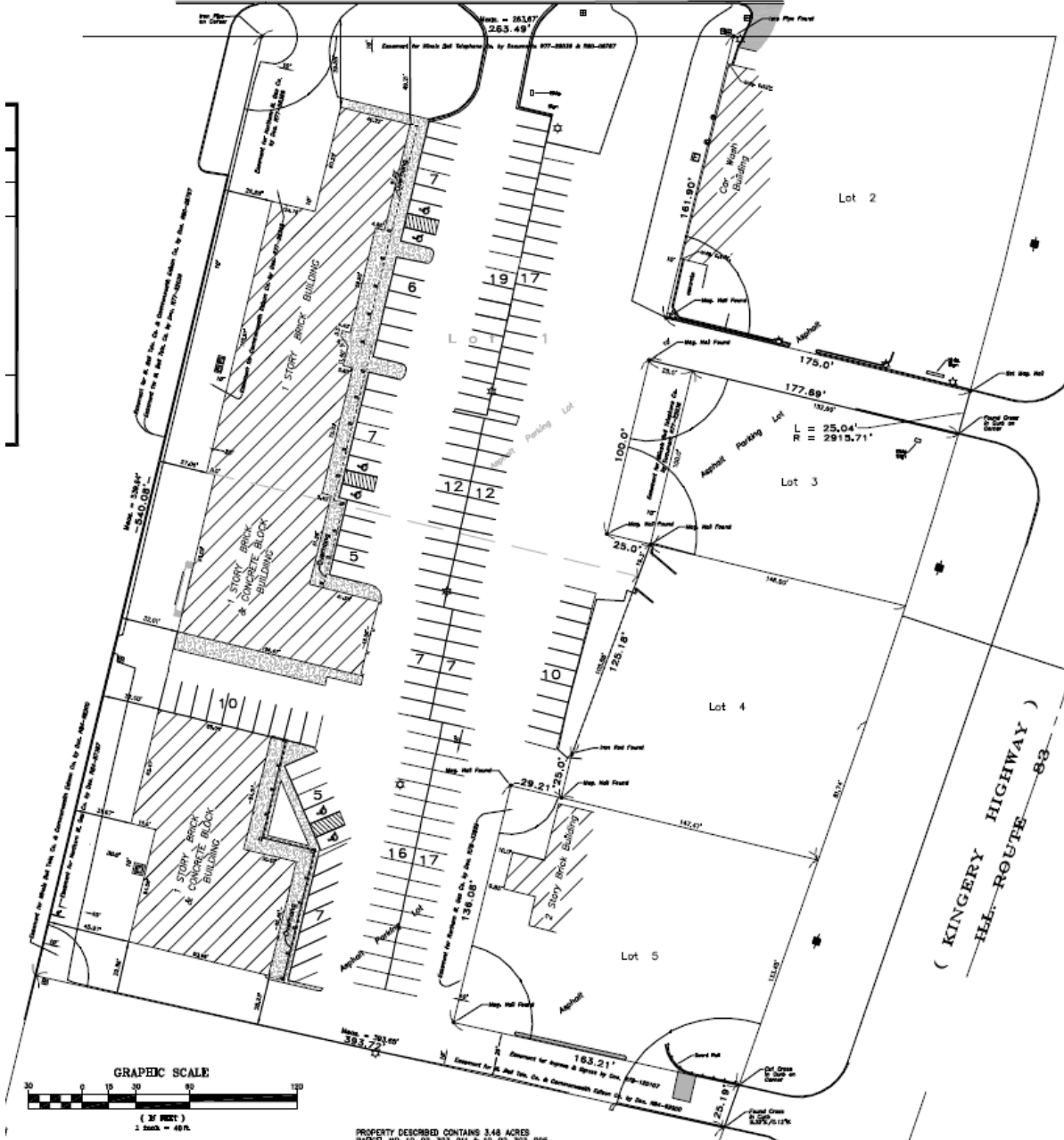
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-24-00022 Somerset Plaza, LLC.
ZONING REQUEST	Conditional Use to allow auto sales with auto repair in the B-1 Local Business District.
OWNER	SOMERSET PLAZA, LLC., 1015 BUTTERFIELD ROAD, DOWNERS GROVE, IL 60515 / AGENT: PHILLIP LUETKEHANS & BRIAN ARMSTRONG, LUETKEHANS, BRADY, GARNER & ARMSTRONG, LLC., 105 EAST IRVING PARK ROAD, ITASCA, IL 60143
ADDRESS/LOCATION	10S644 SOUTH ROUTE 83, WILLOWBROOK, IL 60527 / ALSO KNOWN AS: 10S644 KINGERY HIGHWAY, WILLOWBROOK, IL 60527 / ALSO KNOWN AS: 9300 S. RT 83, WILLOWBROOK, IL 60527
PIN	10-02-303-005 / 10-02-303-011
TWSP./CTY. BD. DIST.	DOWNERS GROVE DISTRICT 3
ZONING/LUP	B-1 LOCAL DISTRICT LOCAL COMMERCIAL
AREA	1.76 ACRES (76,666 SQ. FT.)
UTILITIES	WATER / SEWER
PUBLICATION DATE	Daily Herald: APRIL 10, 2024
PUBLIC HEARING	THURSDAY, APRIL 25, 2024
ADDITIONAL INFORMATION:	
Building:	No Objections.
DUDOT:	Our office has no jurisdiction in this matter.
Health:	<i>No Comments Received.</i>
Stormwater:	Our office has no jurisdiction in this matter.
Public Works:	No Objections with the concept of the petition. Additional information may be required at time of permit application. “We are the sewer and water provider, a permit is required from us.”
EXTERNAL:	
Village of Burr Ridge:	(See attached documentation)
City of Darien:	No Objections.
Downers Grove Township:	<i>No Comments Received.</i>
Township Highway:	No Objections with the concept of the petition. Additional information may be required at time of permit application. (See attached documentation)

Tri-State Fire Dist.:	No Objections.
Sch. Dist. 180:	No Objections.
Sch. Dist. 86:	No Objections with the concept of the petition. Additional information may be required at time of permit application.
Forest Preserve:	<i>No Comments Received.</i>

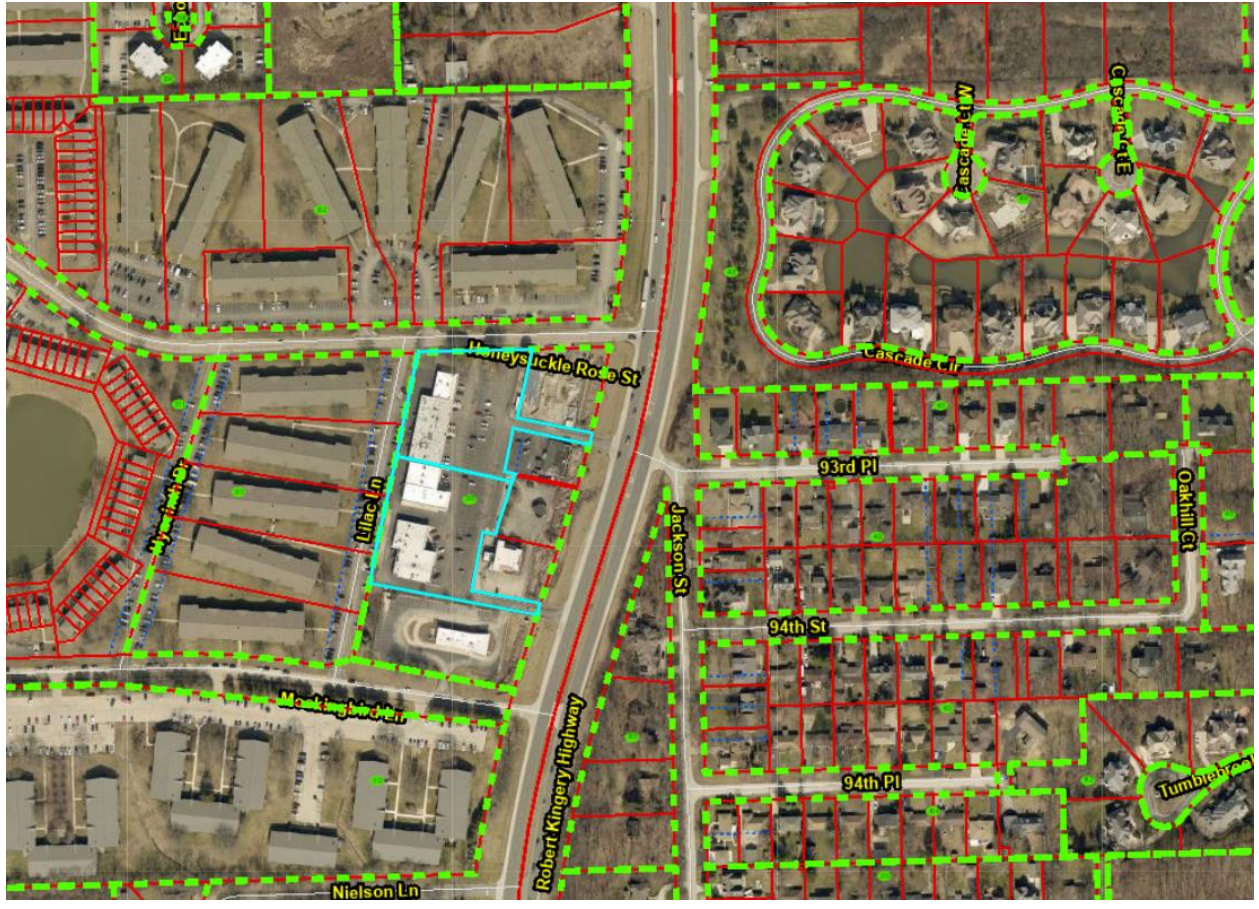
LAND USE

Location	Zoning	Existing Use	LUP
Subject	B-1 LOCAL COMMERCIAL	COMMERCIAL	LOCAL COMMERCIAL
North	B-1 LOCAL COMMERCIAL	COMMERCIAL	LOCAL COMMERCIAL
South	MOCKINGBIRD LANE AND BEYOND R-6 GENERAL RESIDENTIAL	MULTI-FAMILY RESIDENTIAL	5-15 DU AC
East	ROUTE 83 AND BEYOND VILLAGE OF BURR RIDGE	RESIDENTIAL	VILLAGE OF BURR RIDGE
West	R-6 GENERAL RESIDENTIAL	MULTI-FAMILY RESIDENTIAL	15+ DU AC

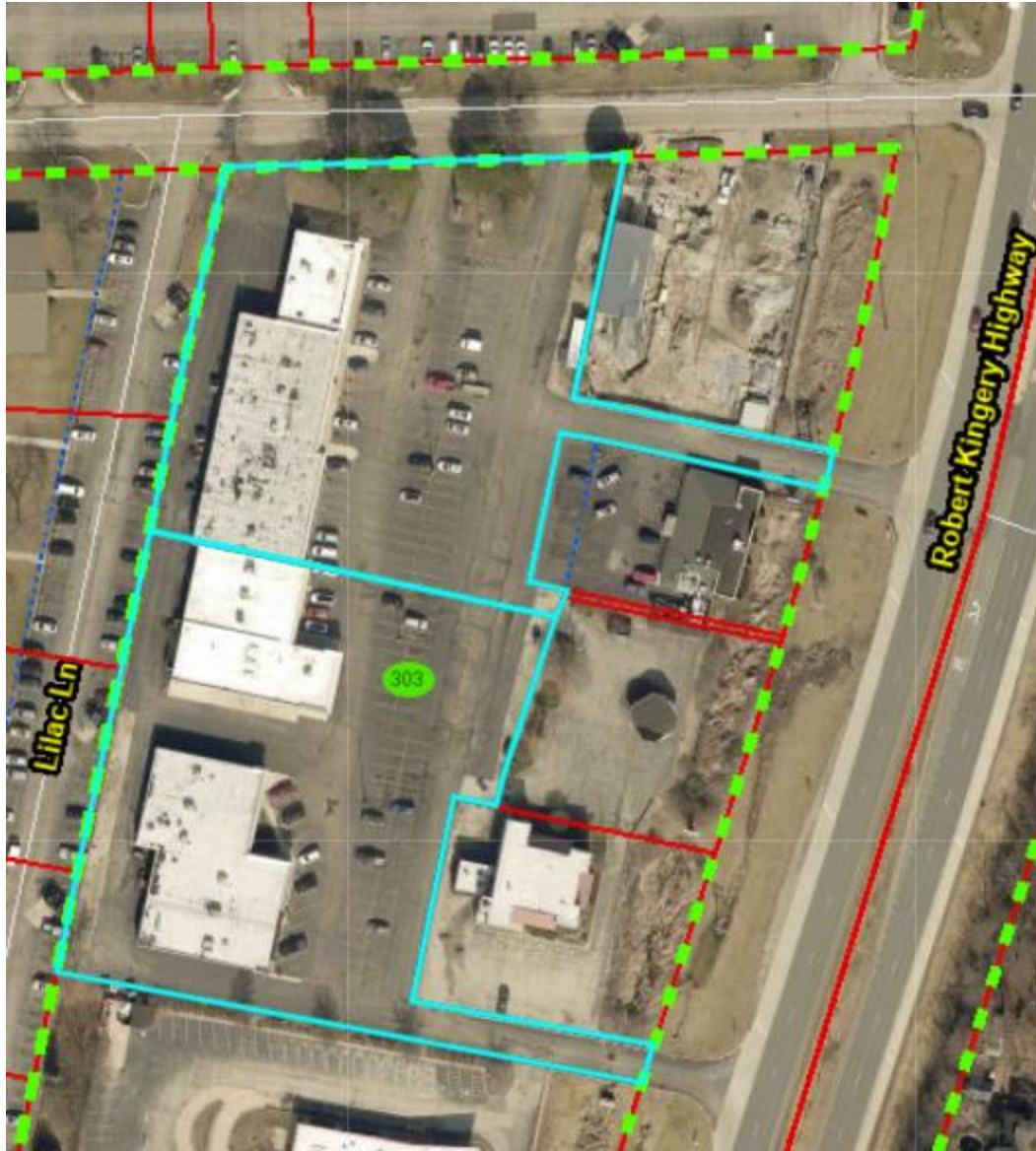
HONEYSUCKLE ROSE ROAD



PROPOSED PLAN









April 23, 2024

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-24-000022 Somerset Plaza, LLC

Dear Ms. Infelise,

On April 15, 2024, 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 with auto repair at 10S644 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:

- Are there other locations for the business 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.)?
- Based upon the configuration of the tenant space, it appears that a large volume of repair work will also be occurring at the property. Please clarify the nature of the auto repair work, how tires will be stored, and how fluid disposal will be handled.
- Will the auto repair work be conducted inside or outside the building?
- Where will the vehicles be displayed and stored, indoors or outside?
- Since this is a multi-tenant development, how many parking spaces are dedicated to the unit?
- 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.

Should you have any questions, please do not hesitate to contact me at estern@burr-ridge.gov or (630) 654-8181 x 6260.

Sincerely,


Ella Stern, Planner



DUPAGE

Building

Zoning &

Environmental

BUILDING & ZONING DEPARTMENT

630-407-6700
fax: 630-407-6702

www.dupagecounty.gov/building

DU PAGE COUNTY ZONING BOARD OF APPEALS
Zoning Petition ZONING-24-000022 Somerset Plaza, LLC.

Please review the information herein and return with your comments to:
Jessica Infelise, DuPage County Building and Zoning Department, 421 North County Farm
Road, Wheaton, Illinois 60187; or via email at Jessica.Infelise@dupagecounty.gov or via
facsimile at 630-407-6702 by April 24, 2024.

Form with sections: COMMENT SECTION, COMMENTS, SIGNATURE, MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT, GENERAL ZONING CASE INFORMATION. Includes handwritten notes and dates.