

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF DU PAGE     )

I, Lynn Curiale, City Clerk of Wood Dale, Illinois DO HEREBY CERTIFY that as such City Clerk and keeper of the records, that the foregoing is a true and correct copy of Ordinance **#O-23-024 AN ORDINANCE GRANTING A SPECIAL USE FOR A PLAYGROUND AND VARIATIONS TO ALLOW FOR CONSTRUCTION OF A PLAYGROUND LOCATED AT 475 POTTER STREET, WOOD DALE, ILLINOIS** Passed by The City Of Wood Dale, Du Page County, Illinois, IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the City of Wood Dale, this 17<sup>th</sup> day of August, 2023



*Lynn Curiale*  
Lynn Curiale, City Clerk

**Ordinance #O-23-024**

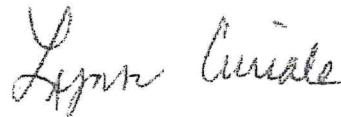
**AN ORDINANCE GRANTING A SPECIAL USE FOR A PLAYGROUND AND  
VARIATIONS TO ALLOW FOR CONSTRUCTION OF A PLAYGROUND LOCATED  
AT 475 POTTER STREET, WOOD DALE, ILLINOIS**

Passed: August 17, 2023  
Published in Pamphlet Form: August 18, 2023

I, Lynn Curiale, as the City Clerk for the City of Wood Dale, hereby certify that the attached Ordinance is a true and correct copy of **#O-23-024**

**AN ORDINANCE GRANTING A SPECIAL USE FOR A PLAYGROUND AND  
VARIATIONS TO ALLOW FOR CONSTRUCTION OF A PLAYGROUND LOCATED  
AT 475 POTTER STREET, WOOD DALE, ILLINOIS**

Passed and approved by the City Council of the City of Wood Dale on August 17, 2023 and hereby published in pamphlet on August 18, 2023.



Lynn Curiale, City Clerk



**ORDINANCE NO. O-23-024**

**AN ORDINANCE GRANTING A SPECIAL USE FOR A PLAYGROUND AND VARIATIONS TO ALLOW FOR CONSTRUCTION OF A PLAYGROUND LOCATED AT 475 POTTER STREET, WOOD DALE, ILLINOIS**

**WHEREAS**, the City of Wood Dale (“City”) is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

**WHEREAS**, the City is authorized and empowered, under the Illinois Municipal Code and the Code of Ordinances of the City of Wood Dale (“City Code”), to regulate properties located within the municipal boundaries of the City; and

**WHEREAS**, in furtherance of this authorization, the City has adopted a Unified Development Ordinance (“UDO”), codified in Chapter 17 of the City Code, which sets forth regulations regarding the use of property within the City; and

**WHEREAS**, the UDO provides for regulations for special uses of property located in the City’s RG – General Residential zoning District;

**WHEREAS**, the UDO also provides for regulations concerning lot width, and the installation of sidewalks in the City’s RG – General Residential zoning District and variations therefrom; and

**WHEREAS**, the Petitioner, Bensenville Park District, applied for a special use for a playground as well as variations for the zoning variations from the City’s regulations concerning lot width and sidewalks so as to enable construction of a public playground located on vacant Bensenville Park District property located at 475 Potter Street in the City; and

**WHEREAS**, on July 17, 2023, the Community Development Commission held a public hearing on the proposed special use and variances in Case No. CDC-2023-0005 following the necessary publication of a legal notice pursuant thereto, as required by law and the City Code; and

**WHEREAS**, following said hearing, the Community Development Commission voted to recommend approval of the proposed special uses and variances, predicated on the Petitioner’s application, testimony presented, UDO requirements, and recommendation of City Staff; and

**WHEREAS**, the proposed special use and variances; recommendation of the Community Development Commission; and Findings of Fact and Staff recommendation set forth in the Staff Report relative to Case No. CDC-2023-0005, dated July 17, 2023, attached hereto and incorporated herein by reference as Exhibit A have been considered by the Planning, Zoning and Building Committee of the City Council of the City of Wood Dale, and the Planning, Zoning and Building Committee of the City Council has recommended approval of the special use, with conditions, and the lot width variance requested by Petitioner; and

**WHEREAS**, the City Council of the City of Wood Dale has reviewed the matter herein and has determined that granting Petitioner's request for the lot width variance in Case No. CDC-2023-05 is in the best interests of the health, safety and welfare of the citizens of the City of Wood Dale.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOOD DALE, DUPAGE COUNTY, ILLINOIS**, as follows:

**SECTION ONE:** The recitals set forth above are incorporated herein and made a part hereof.

**SECTION TWO:** Petitioner, in Case No. CDC-2023-0005, is granted a special use to use the Property located at 475 Potter Street in the City for a playground, on the conditions that: (1) the Property, consisting of five parcels, is consolidated to one parcel; and (2) that Petitioner construct a public sidewalk within thirty-six (36) months of this approval, along the area marked in red, as depicted in the Site Improvement Plan attached hereto and incorporated herein as Exhibit B.

**SECTION THREE:** Upon approval of a playground special use related to the Property, Petitioner, in Case No. CDC-2023-0005, is granted a variation from the City's UDO regulations concerning lot width to allow for a lot width no less than 69 feet, as depicted in Exhibit A.

**SECTION FOUR:** The special use permit shall run with the property located at 475 Potter Street for the benefit of the Applicant and any successive owners of record as authorized under section 17.205 B. 9 of the UDO.

**SECTION FIVE:** That all ordinances or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

**SECTION SIX:** That the City Clerk of the City of Wood Dale is hereby directed to publish this Ordinance in pamphlet form, pursuant to the statutes of the State of Illinois.

**SECTION SEVEN:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this 17th day of August, 2023

AYES: 8

NAYS: 0

ABSENT: 0

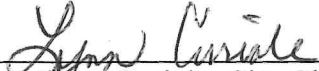
APPROVED this 17th day of August, 2023

SIGNED: Annunziato Pulice



Annunziato Pulice, Mayor

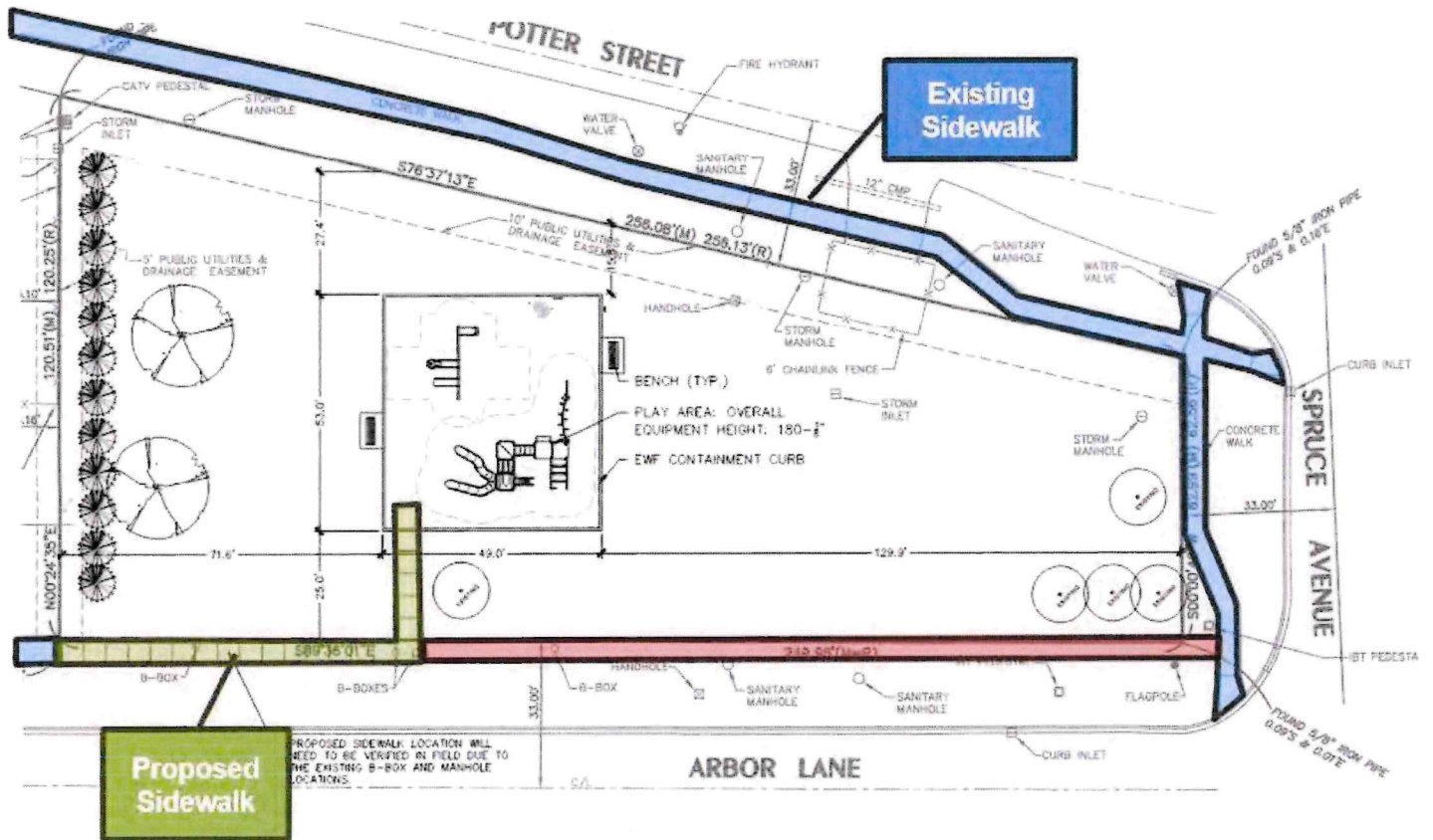
ATTEST:

  
\_\_\_\_\_  
Lynn Curiale, City Clerk

Published in pamphlet form August 18, 2023

**Exhibit A**  
**Staff Report relative to Case No. CDC-2023-0005, dated July 17, 2023**

**Exhibit B**  
**Site Improvement Plan relative to Case No. CDC-2023-0005**



# CITY OF WOOD DALE

Community Development



## MEMO

DATE: July 17, 2023  
TO: Community Development Commission  
FROM: Gosia Pocięcha, AICP, Senior Planner  
SUBJECT: Case No. CDC-2023-0005, Special Use for Playground and Zoning Variations, 475 Potter Street (Bensenville Park District)

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### **REQUEST**

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An application has been filed by the Bensenville Park District for a Special Use for a playground, Zoning Variation for reduction of the lot width, and relief from the code requirement for installation of public sidewalk to enable construction of a playground at 475 Potter Street, Wood Dale, Illinois.

### **PROPERTY INFORMATION**

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Site Address: 475 Potter Street  
PIN: 03-15-225-029, 03-15-225-030, 03-15-225-031, 03-15-225-032, and 03-15-225-033  
Property Size: 0.52 Acres (approx. 22,735 square feet)  
Existing Land Use: Open Space/Recreation  
Future Land Use: Open Space/Recreation  
Existing Zoning: RG – General Residential

#### Surrounding Zoning & Land Use

North: R-3 (Single-Family) & Open Space/Recreation  
South: R-3 (Single-Family) & Single Family Residential  
East: R-3 (Single-Family) & Single Family Residential  
West: R-3 (Single-Family) & Single Family Residential

### **ANALYSIS**

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#### **Submittals**

The analysis and recommendation provided within this memo are based on the following documents, which are on file in the Community Development Department and attached as noted:

- Public Hearing Application



- Petitioner's Narrative/Cover Letter (Exhibit A)
- Responses to Special Use and Site Plan Review Standards (Exhibit B)
- Responses to Variation Standards (Exhibit C)
- Plat of Survey (Exhibit D)
- Site Plan and Landscape Plan (Exhibit E)
- Proof of ownership

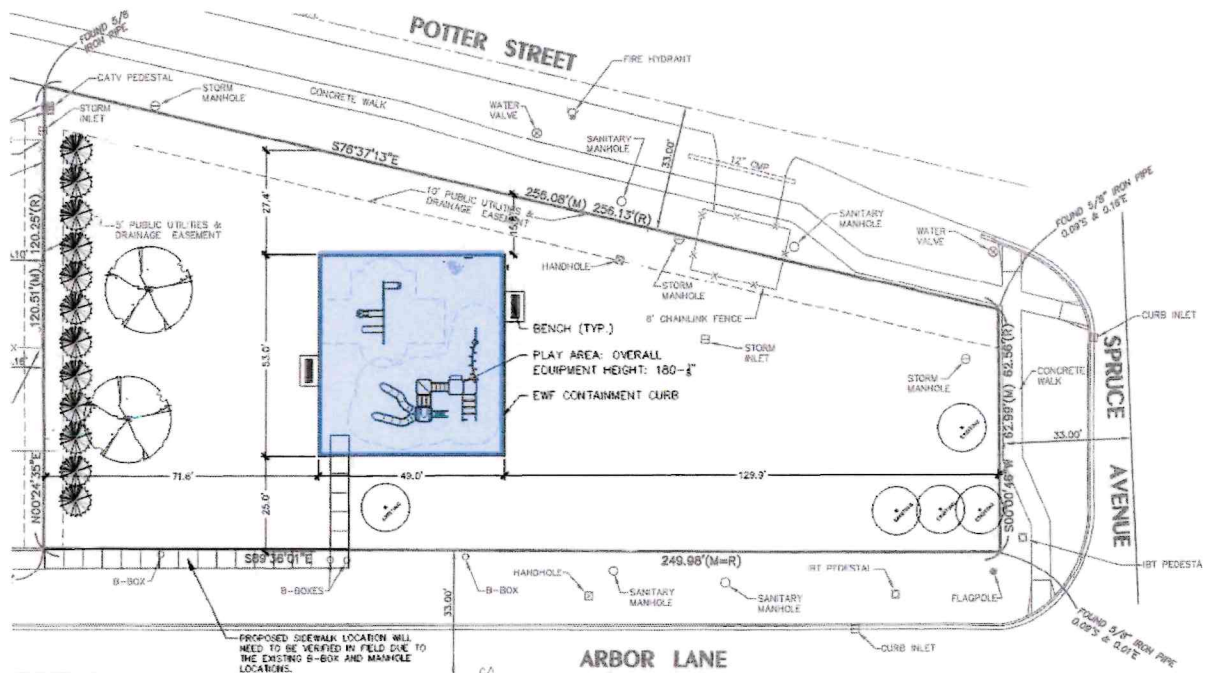
**Project Description**

The subject property is located at 475 Potter Street and is bound by Potter Street, Spruce Street and Arbor Lane (see map below). The property, approximately 0.52 acres in size, consists of five parcels and is zoned R-G, General Residential. Currently the subject property is vacant (see Plat of Survey in Exhibit D). The property was resubdivided in 2009 to accommodate construction of four (4) townhomes, however, the development never took place due to the economic downturn at the time. The property was obtained by the Bensenville Park District in 2015 and has remained vacant.



The intent of the applicant is to construct a playground on the subject property (see below & Exhibit E for site plan). Per the applicant's statement, the new playground is needed to service the area, as there are no other parks within a mile of the subject property. The Bensenville Park District has partnered with Kaboom, a non-profit organization that helps communities build playgrounds for children. Kaboom will facilitate the funding, design and construction of the playground utilizing corporate donations and volunteers. As part of the design phase, the Bensenville Park District and Kaboom held a "design day" on June 27 to solicit comments from the neighborhood. Children and adults were invited to provide input into the design of the playground. The playground build date is scheduled for September.

The proposed playground will consist of a swing set and a play area with slides and monkey bars. The equipment will be set on concrete foundations. Plastic timbers will be placed around the perimeter of the playground footprint and the entire play area will be filled with engineered wood fiber. Walkaway connection will be provided from the play area to the public sidewalk. The proposal also includes installation of two of benches.



**Compliance with the Comprehensive Plan**

The subject property is designated as Open Space/Recreation in the Future Land Use Map of the Comprehensive Plan. This land use category intends to maintain high quality public parks and recreational facilities including a mix of active and passive areas.

The location of this park in an established residential neighborhood provides an ideal setting for the proposed complimentary and compatible land use that can also utilize the existing road network and enhance the overall quality of life in Wood Dale. The site



improvements will serve to draw in park visitors by providing improved passive and active recreation options within the community.

The proposed development will help the City in achieving Goal 2: Build Community Capacity – Objective 3: Improve community services and intergovernmental coordination by supporting work of the Bensenville Park District to promote a sense of belonging to the community. It will also address Goal 4: Keep Wood Dale Diverse – Objective 2, by managing development to enhance City appearance and give residents more recreational amenities. The Special Use and Major Site Plan Review requests are consistent with the Future Land Use and the Comprehensive Plan.

**Compliance with the Unified Development Ordinance**

*Allowable Uses*

The subject site is located within the R-G, General Residential district established to provide and maintain areas for predominantly single-family attached dwellings and multiple-family buildings in character and appearance. The mix of these housing types and densities provides the opportunity for more residents to live near and readily access businesses, transportation and entertainment amenities. The subject property is mainly surrounded by the R-3 Single-Family district which provides and maintains areas for development of moderate density single-family detached residences in a neighborhood setting. The proposed development of the playground is compatible with the surrounding zoning district and will serve the established residential neighborhood.

Per the land use Table 4-5 in the UDO, a playground as a principal use on a property in the R-G zoning district is permitted only upon consideration as a Special Use. In a Special Use evaluation, the impact of such use upon neighboring land and of the public need for such a use at the particular location is considered. As such, the applicant has requested an approval of a Special Use to construct a playground at 475 Potter Street. Due to the request for a Special Use, an administrative Site Plan Review is also required.

*Lot Development Standards*

The following table summarizes the lot development standards for the R-G zoning district and how the development meets those code requirements. Note that regulations in **bold and underlined** indicate where variation will be required.

<i>Lot Development Standard</i>	<i>Required/Allowed</i>	<i>Proposed</i>
Minimum Lot Area (sq. ft)	10,000 sq. ft	22,735 sq. ft
Minimum Lot Width at front yard line (ft)	90 ft (for corner lot)	<b><u>Approx. 69 ft</u></b>
Minimum Lot Depth	90 ft	249.98 ft
Minimum Front Yard Setback (ft)	25 ft	30 ft *
Minimum for each Side Yard per (ft)	15 ft	N/A
Minimum Rear Yard Setback (ft)	30 ft	71.6 ft
Maximum Lot Coverage	80%	Approx. 1%
Maximum Building Height (ft)	60 ft	15 ft

\*Front Yard Setback applies from Potter St, Spruce Ave and Arbor Ln

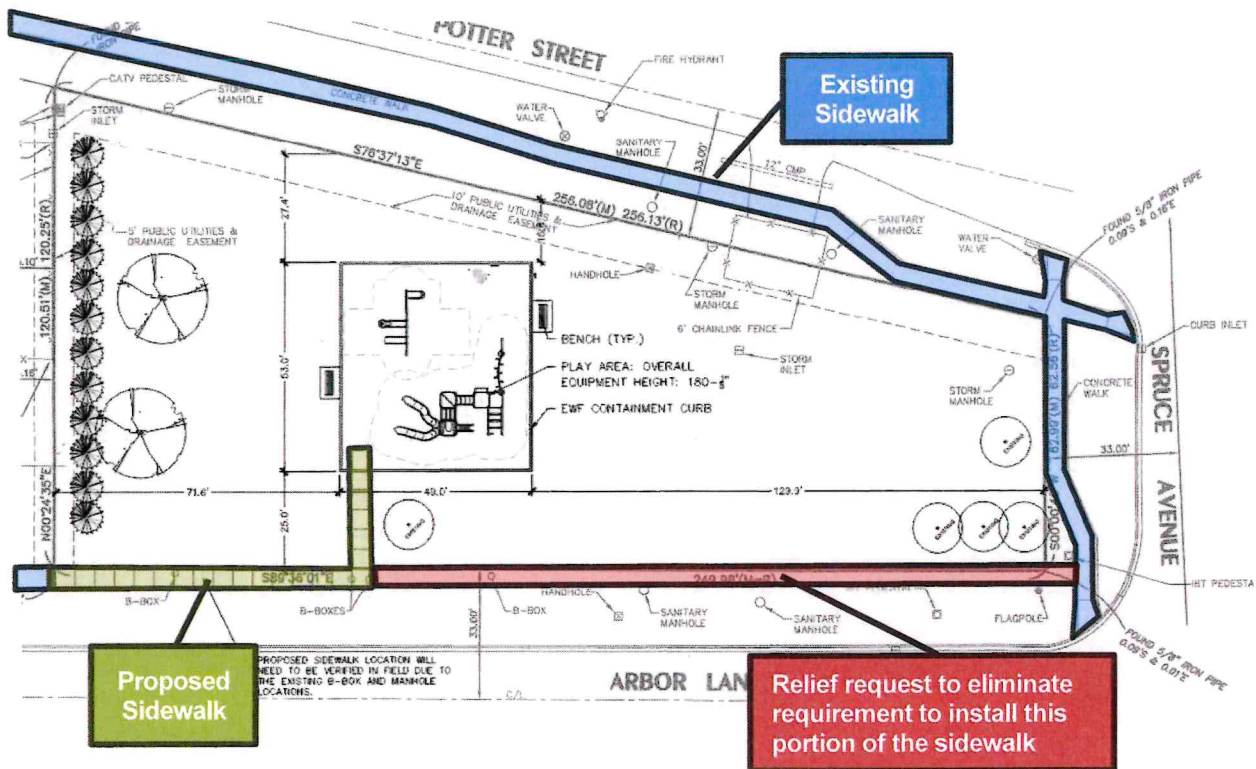
**Lot Consolidation**

The subject property consists of five parcels. The property owners will be consolidating all parcels into one lot and their land surveyor is currently working on the Plat of Consolidation. Since lot consolidation is not typically reviewed by the Community Development Commission, staff suggests placing a condition on the Special Use approval that the Plat of Consolidation be required for the subject property. This request will be considered by the City Council at a later date.

Lot development standards for corner lots in the R-G zoning district require the lot width at the front yard line to be a minimum of 90 ft. The subject property is 69 ft wide at the front yard line of the shortest of the three front yards (Spruce Ave). As such, the applicants are seeking a zoning variation to reduce of the minimum lot width from Sec. 17.402.E to enable this development. The subject property is bound by three streets including Potter Street on the north, Spruce Avenue on the east and Arbor Lane on the south. The property has an irregular triangular shape, and while the minimum lot width at the front building line is not met, the lot gets wider towards the west property line.

**Circulation and Parking**

The subject property is bound by three public streets. There is an existing public sidewalk on the north and east side of the property, but there is none along the south property line along Arbor Lane. Along the south property line, the applicant is proposing installation of a public sidewalk connecting the residential property adjacent to the west with the playground. However, the applicant is seeking relief from Sec. 17.8012.B to eliminate the requirement to install the public sidewalk between the playground and the public sidewalk along Spruce Avenue, citing budgetary constraints.

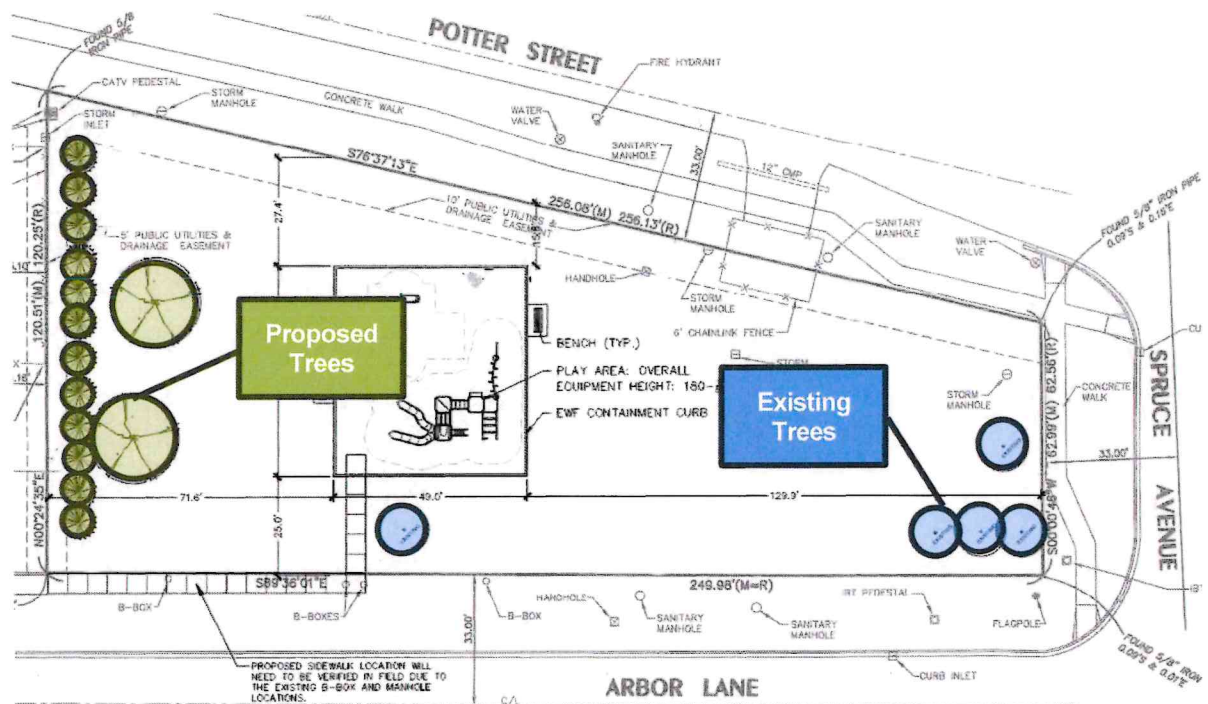




The Bensenville Park District has indicated that this is the first phase of improvements for the park and future phases are planned. Grants are a possibility for the Park District to pursue for sidewalk connections/enhancements in the future. No designated parking facilities are being proposed, but with its location in an established residential neighborhood it is expected that majority of patrons will walk or bike to the park. If needed, on street parking is available. The UDO does not have any parking requirements for playgrounds.

**Landscaping**

The construction of the proposed improvements on site will not require removal of any trees, as the placement of playground equipment has been designed to fit between any existing trees. The applicant is also proposing installation of twelve (12) 6 ft high evergreens to provide screening between the park property and the residential property adjacent to the west as well two (2) code required shade trees along that property line. Per Sec. 6.504 of the Municipal Code, the Director of Public Works has the discretion related to street tree requirements. While the Park District will not be planting any street trees in this phase, the City's Public Works Department has agreed to install at least six (6) new parkway trees around the site in their next planting cycle. The Bensenville Park District plans to install additional landscaping on the site in a future phase, possibly in April 2024.



**Site Plan Review**

Site plan review in accordance with Sec. 17.206 of the UDO has been conducted by staff. The proposed development, subject to Special Use approval, is not expected to have an unwarranted or unreasonable effect on the surrounding property or public utilities. Due to the nature of the proposed playground development, the proposal is not expected to create

unreasonable drainage or erosion problems. The project will be subject to complete plan review and code compliance during the permitting process.

### **Neighborhood Comment**

Notice was provided to adjacent property owners in accordance with Section 17.202.E of the UDO. A public hearing sign was placed at the subject property and a public hearing notice published in Daily Herald on June 30th, 2023. Staff did not receive any inquiries regarding the petition as of writing of this memo. While not required by the Code, the Bensenville Park District staff went door to door in the surrounding neighborhood with fliers announcing the new playground.

### **Findings of Fact**

#### *Special Use Standards*

The Community Development Commission may recommend approval of a Special Use if evidence is presented to establish that the application meets the standards found in Chapter 17, Article II, Section 17.205.B.5 of the Municipal Code. The applicant has provided responses to the standards in Exhibit B and Exhibit C. The standards are as follows (*staff comments italicized*):

1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this UDO was enacted and for which the regulations of the district in question were established and with the general purpose and intent of The City of Wood Dale Comprehensive Land Use Plan.

*Response: The proposed use and development are in harmony with the purpose and intent of the UDO, the R-G zoning district and the Comprehensive Plan. The playground development with its new landscaping and new public sidewalk will enhance the aesthetic value by redeveloping a currently vacant parcel within the R-G district. The proposed use will benefit the existing residential neighborhood by providing improved passive and active recreation options within the community.*

2. No Undue Adverse Impact. The proposed use, drainage and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area or the public health, safety and general welfare.

*Response: The proposed use is conforming to the zoning district and will not have a substantial or undue effect on adjacent property, the character of the area or public health, safety and general welfare. The proposal calls for construction of a playground in a residential zoning district and is expected increase the appeal of the adjacent properties from a desirability stand point. Further, the proposed improvements will add new landscaping to the site.*

3. No Interference with Surrounding Development. The proposed use and development will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.



*Response: The proposed Special Use would provide enhanced recreational opportunities with minimal impact to adjacent properties. The surrounding properties can continue to be used in the same manner as they are today or in accordance with the applicable zoning regulations. The development of the subject property is in line with the surrounding district and existing development.*

4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

*Response: The subject property will be developed as a neighborhood park with play equipment. The property is served, or has access to, adequate existing public utilities and services to support the proposed use.*

5. No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

*Response: The proposed development is not expected to have a negative effect on traffic congestion. The proposed use as a playground will serve the adjacent residential neighborhood. It is expected that majority of patrons will walk or bike to the site, but if needed, on street parking is available. The existing street network can accommodate the additional traffic from the proposed project.*

6. No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic feature of significant importance.

*Response: As noted previously, the intent is to develop a vacant parcel in an established residential district. There is no record of natural, scenic or historic features on the subject property.*

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this UDO authorizing such use.

*Response: The proposed development complies with the provisions of the UDO with the exception of the requested variation for lot width mentioned above in this memo. Responses to the Variation Standards are evaluated below.*

8. Public Benefit. Whether, and to what extent, the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

*Response: The subject property has been vacant for multiple years. The proposed development seeks to construct a playground that would be used by surrounding residential neighborhood. This use is necessary and desirable as per applicant's statement, there are no other parks within 1 mile of the subject property.*

9. Mitigation of Adverse Impacts. Whether, and to what extent, all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping and screening.

*Response: The proposed playground has been designed minimize adverse effects on immediate vicinity. The playground's placement was chosen to keep all existing trees on site. There is also new landscaping proposed to provide site perimeter screening.*

#### *Site Plan Review Standards*

1. Standards. The Development Administrator and the City Council will not disapprove a site plan submitted pursuant to this Section except on the basis of specific written findings directed to one or more of the following standards:
- a. The application is incomplete in specified particulars or contains or reveals violations of this UDO or other applicable regulations that the applicant has, after written request, failed or refused to supply or correct.

*Response: The submitted application is complete and reveals no violations. A separate request was submitted for zoning variation for the lot width, which is being considered as part of the applicant's zoning petition.*

- b. The application is submitted in connection with another application, the approval of which is a condition precedent to the necessity for site plan review, and the applicant has failed to secure approval of that application.

*Response: The Site Plan Review is required for Special Use approval, which is being considered as part of the applicant's zoning petition. The final approval of Site Plan Review will be conditioned on the Special Use approval by City Council.*

- c. The site plan fails to adequately meet specified standards required by this UDO with respect to the proposed use or development, including special use standards where applicable.

*Response: The site plan meets the specified standards required by Special Use and Variation, addressed separately in this Memo.*

- d. The proposed site plan interferes with easements or rights-of-way.

*Response: The submitted site plan does not indicate that there is any interference with easements or rights-of-way. The majority of the development will take place on private property and will include installation of playground equipment and landscaping.*

- e. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property.

*Response: The site plan proposed construction of a playground in a neighborhood park. It is intended to serve the public and is not expected to be unreasonable injurious or detrimental to the surrounding properties.*



- f. The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably create hazards to safety on or off site or disjointed or inefficient pedestrian or vehicular circulation path on or off site.

*Response: The proposed development is not expected to have a negative effect on traffic congestion. The proposed use as a playground will serve the adjacent residential neighborhood. It is expected that majority of patrons will walk or bike to the site, but if needed, on street parking is available. The existing street network can accommodate the additional traffic from the proposed project.*

- g. The screening of the site does not provide adequate shielding from or for nearby uses.

*Response: The applicant is proposing an evergreen screen between the park and residential property adjacent to the west which should provide sufficient screening and is code compliant.*

- h. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactory integrate the site into the overall existing and planned drainage system serving the City.

*Response: It is not expected that the proposed development of the subject property as a playground will have an effect on the drainage system. The proposed improvements include playground equipment and engineered wood fiber with very limited new impervious surface.*

- i. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactory integrate site utilities into the overall existing and planned utility systems serving the City.

*Response: It is not expected that the proposed development will place any burdens on the City's utility's system, as no connection to City services are being proposed.*

- j. The proposed site plan does not provide for required public uses designated on the Official Map.

*Response: The proposed site plan provides for public use.*

- k. The proposed site plan otherwise adversely affects the public health, safety or general welfare.

*Response: It is not expected that the proposed development would adversely affect the public health, safety or welfare. The proposed playground is compatible with the residential district and will provide a public benefit.*

Alternative Approaches. In citing any of the foregoing standards, other than those of Article 2 Section 17.206.E.1.a and 17.206.E.1.b, as the basis for disapproving a site plan, the Development Administrator or the City Council may suggest alternative site plan approaches that could be developed to avoid the specified deficiency or may state the reasons why such deficiency cannot be avoided consistent with the applicant's objectives.

### *Variation Standards*

No variation shall be authorized by the City Council unless the Community Development Commission shall find evidence establishing the following general standards and criteria, found in Chapter 17, Article II, Section 17.204.C.6 of the Municipal Code. Applicant's responses to standards are attached in Exhibit C to this memo. The standards are as follows (*staff comments italicized*):

1. **General Standard.** No variation will be granted pursuant to this Section 17.204.C.6 unless the applicant will establish that carrying out the strict letter of the provisions of this UDO would create a particular hardship or a practical difficulty. Such a showing will require proof that the variation being sought satisfies each of the standards set forth in this Subsection.

*Response: The applicant is seeking a variation of the minimum lot width, as the subject property does not meet this development standard for the R-G zoning district. Records indicate that the existing blocks and streets in the Arbor Woods subdivision where the subject property is currently located, were subdivided in 1926. This results in particular hardship for the subject property, as the size of the parcel, more specifically the width, was established prior to the adoption of the current code. See responses to standards below.*

2. **Unique Physical Condition.** The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

*Response: The subject property consists of five parcels acquired by the current owners in 2015. The subject property is vacant. The proposed improvements include construction of a playground and site improvements including public sidewalk connection and landscaping; however, the subject property does not meet the minimum lot width for a corner lot in the R-G zoning district. The unique physical condition of the site is related to the site being subdivided prior to the purchase by current owners and prior to adoption of the current code.*

3. **Not Self-Created.** The aforesaid unique physical condition is not the result of any action or inaction of the owner or his predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this UDO, for which no compensation was paid.

*Response: The physical condition of the subject lots has not been created by the current owners. The site was originally resubdivided prior to adoption of the current UDO. As noted above, the current owners acquired the subject property in 2015.*



*After purchase, the site has remained vacant and has not been subdivided or developed.*

4. Denied Substantial Rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

*Response: The subject property is proposed to be developed as a neighborhood park with a playground. Carrying out of the strict letter of the provisions would deprive the property owner of rights to provide the desired and necessary public space to serve the surrounding residential neighborhood.*

5. Not Merely Special Privilege. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the sale of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship will not be a prerequisite to the grant of an authorized variation.

*Response: The requested variation could be applicable to other properties subdivided and developed in the same district around the same time as subject property. The applicant is requesting the variation to allow construction of a playground on a lot that does not meet the lot width. The requested variation is needed to allow development on a parcel to serve a public benefit which could be applicable to other property owners and is not a special privilege.*

6. Code and Plan Purposes. The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this UDO and the provision from which a variation is sought were enacted or the general purpose and intent of The City of Wood Dale Comprehensive Land Use Plan.

*Response: The variation request is consistent with the general purpose and intent of the UDO and the Comprehensive Plan. The property is located within an established residential district and will be used for public recreational use compatible with the zoning district. The request also supports goals and objectives of the Comprehensive Plan including improving community services and intergovernmental coordination and managing development to enhance City appearance and give residents more recreational amenities.*

7. Essential Character of the Area. The variation would not result in a use or development on the subject property that:
  - a. Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development value of property or improvements permitted in the vicinity;
  - b. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity;

- c. Would substantially increase congestion in the public streets due to traffic or parking;
- d. Would unduly increase the danger of flood or fire;
- e. Would unduly tax public utilities and facilities in the area; or
- f. Would endanger the public health and safety.

*Response: The variation of the lot width is not expected to result in a use or development that would affect any of the items listed above. The intent of the applicant is to construct a playground on a vacant property. Except for the variation sought in this application, the playground will be required to meet all building permit requirements.*

8. No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

*Response: As is noted above, the applicant is seeking the zoning relief to accommodate construction of a playground. This is driven by a desire to provide a much needed public benefit to the existing residential neighborhood. The property will be used to support a recreational use which is consistent with the surrounding area.*

## RECOMMENDATION

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The Community Development Department finds that the request for a Special Use and Zoning Variation to construct a playground is compatible with surrounding zoning and land use classifications, meets the requirements in the Unified Development Ordinance and is consistent with the City's Comprehensive Plan. Based on the above considerations, staff recommends that the Community Development Commission make the following motion recommending approval of this petition:

Based on the submitted petition and the testimony presented, the proposed Special Use and Zoning Variation for reduction of lot width and relief from the requirement to install public sidewalk meet the standards of approval and are consistent with the UDO and Comprehensive Plan; and, therefore, I move that the Community Development Commission adopt the findings of fact included within the staff memo dated July 17, 2023 as the findings of the Community Development Commission, and recommend to the City Council approval of the Special Use for playground and Zoning Variation for reduction of lot width and relief from the requirement to install public sidewalk to enable construction of a playground at 457 Potter Street in Case No. CDC-2023-0005 with the following condition:

1. The subject property shall be consolidated into a single lot via the Lot Consolidation process.

***(Yes vote would be to approve; No vote would be to deny)***





Bensenville Park District  
1000 W. Wood Street  
Bensenville, IL 60106

BvilleParks.org | 630-766-7015

July 11, 2023

**Exhibit A**  
**CDC-2023-0005**

Gosia Pocięcha, AICP  
Senior Planner  
City of Wood Dale  
404 N. Wood Dale Road  
Wood Dale, Illinois 60191

Dear Gosia:

This request is for a Special Use and Site Plan Review for a new KaBoom Playground to include the following variations:

- (1). Reduction of the lot width for a corner lot in the R-G zoning district from 90 feet to 65 feet.
- (2). Relief from the requirement to install public sidewalk along the entire south property line.

The purpose of the new KaBoom playground is to make play accessible to everyone in the community! The playground will be located at 475 E. Potter Street, Wood Dale, IL 60191. The new location makes it possible for children and families to safely walk, ride their bikes, or drive to their new play-space! Currently, families must drive or walk over one mile to access the closest neighborhood playground. The property is currently an open grass field/vacant land with some trees and shrubs, which will remain. The scheduled dates for the playground installation are September 12-14, 2023. Additionally, over 100 community volunteers will participate in the installation process.

The site will be prepared by removing the grass in the footprint of the new play area and adjusting the grade in the footprint so that it has a 0-2% slope. A Mobile Mini storage unit will be delivered to the site to store the equipment and tools during the construction period. A dumpster will also be delivered to the site for packaging materials.

The playground layout will be marked with flags and marking paint and then the holes for the footings will be augured. The footings will be dug in accordance with the playground manufacturer's installation instructions.

The playground equipment will be assembled and built in the holes and concrete will be mixed and poured into the holes once the playground equipment is in place. Plastic timbers will be placed around the perimeter of the playground footprint. Engineered wood fiber will be installed 12" deep within the timbered area. The engineered wood fiber will be delivered in a large pile and moved into the playground area and raked out by volunteers. All construction and packaging debris will be removed from the site. The playground will be ready to play on within 48 – 72 hours once the concrete is dry.

The playground will be inspected once the work is completed and verified to be in compliance with playground safety standards and in accordance with the manufacturer's instructions.



Bensenville Park District  
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The playground manufacturer, Landscape Structures, is a leading manufacturer of playground equipment and all products are IPEMA certified and designed in accordance with CPSC and ASTM for public playground safety. The playground layout is also designed to be in compliance with federal ADA accessibility standards.

The Bensenville Park District is committed to sustainability, and we enthusiastically support this necessary project. It is an investment in the future that will ensure more recreational opportunities for Bensenville and surrounding communities.

Sincerely,

Joseph C. Vallez  
Executive Director  
Bensenville Park District

## **SPECIAL USE STANDARDS**

**General Standards.** No special use permit will be recommended or granted pursuant to Article 2 Section 17.205.B.5 unless the applicant will establish that:

1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this UDO was enacted and for which the regulations of the district in question were established and with the general purpose and intent of The City of Wood Dale Comprehensive Land Use Plan.  
**The purpose of this plan is to install a new playground that will make play accessible to everyone in the community! Currently, there is a vacant land parcel and no access to a playground within proximity of the residential neighborhood.**
2. No Undue Adverse Impact. The proposed use, drainage and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area or the public health, safety and general welfare.  
**The nature of this request is to install a Playground that has no negative impact to the community.**
3. No Interference with Surrounding Development. The proposed use and development will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.  
**There will be no interference with the surrounding community because the location is in a residential neighborhood that features homes with driveways, apartment buildings with parking lots, townhomes with driveways, sidewalks, and sufficient street parking.**
4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.  
**This does not apply to this project because there are no parking restrictions in this area.**
5. No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.  
**This does not apply to this project because there are no prohibitive parking spaces in this area. There is sufficient parking.**
6. No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic feature of significant importance.  
**This does not apply to this project because the several trees on the site will remain in place. No trees onsite will not be removed.**
7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this UDO authorizing such use.  
**Yes, the proposal will meet all the UDO Standards.**
8. Public Benefit. Whether, and to what extent, the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.



The purpose of the project is to install a playground in a residential area, on a vacant parcel so play is accessible to everyone in the community! The closest playground is over one mile away and it is not within safe walking distance for residents/children of this residential neighborhood.

9. Mitigation of Adverse Impacts. Whether, and to what extent, all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping and screening.  
There will not be an adverse impact because it is a playground installation within a residential area.

## SITE PLAN REVIEW STANDARDS

1. Standards. The Development Administrator and the City Council will not disapprove a site plan submitted pursuant to this Section except on the basis of specific written findings directed to one or more of the following standards:
- a. The application is incomplete in specified particulars or contains or reveals violations of this UDO or other applicable regulations that the applicant has, after written request, failed or refused to supply or correct.  
The Bensenville Park District application is complete because we have submitted everything that has been requested.
  - b. The application is submitted in connection with another application, the approval of which is a condition precedent to the necessity for site plan review, and the applicant has failed to secure approval of that application.  
Yes. It is submitted with another application. They are being considered concurrently.
  - c. The site plan fails to adequately meet specified standards required by this UDO with respect to the proposed use or development, including special use standards where applicable.  
The proposal will meet the requirements of the UDO.
  - d. The proposed site plan interferes with easements or rights-of-way.  
No, it will not interfere with easements or rights-of-way.
  - e. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property.  
No, it will not.
  - f. The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably create hazards to safety on or off site or disjointed or inefficient pedestrian or vehicular circulation path on or off site.  
No, it will not. There is no prohibitive parking in this area. There is sufficient parking.
  - g. The screening of the site does not provide adequate shielding from or for nearby uses.  
This does not apply to this project.
  - h. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned drainage system serving the City.  
No. This does not apply to this project.

- i. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactory integrate site utilities into the overall existing and planned utility systems serving the City.

**This does not apply to this project.**

- j. The proposed site plan does not provide for required public uses designated on the Official Map. k.

**It provides for use in this residential area.**

- k. The proposed site plan otherwise adversely affects the public health, safety or general welfare.

**No. This does not apply to this project.**

Alternative Approaches. In citing any of the foregoing standards, other than those of Article 2 Section 17.206.E.1.a and 17.206.E.1.b, as the basis for disapproving a site plan, the Development Administrator or the City Council may suggest alternative site plan approaches that could be developed to avoid the specified deficiency or may state the reasons why such deficiency cannot be avoided consistent with the applicant's objectives.



## **VARIATION STANDARDS**

No variation shall be authorized by the City Council unless the Community Development Commission shall find evidence establishing the following general standards and criteria (*found in Chapter 17, Article IV, Section 17.204.C.6 of the Municipal Code*):

1. General Standard. No variation will be granted pursuant to this Section 17.204.C.6 unless the applicant will establish that carrying out the strict letter of the provisions of this UDO would create a particular hardship or a practical difficulty. Such a showing will require proof that the variation being sought satisfies each of the standards set forth in this Subsection.

*No response is needed for this question.*

2. Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

*Response:*

*The current, wide-open, vacant space is suitable for our proposition in its current state. No modifications are required by the owner.*

3. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or his predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this UDO, for which no compensation was paid.

*Response:*

*The aforesaid unique physical condition is not the result of any action or inaction of the owner or his predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action.*

4. Denied Substantial Rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

*Response:*

*The lot is not suitable for residential.*

5. Not Merely Special Privilege. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more

money from the sale of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship will not be a prerequisite to the grant of an authorized variation.

*Response:*

*The proposed revision would enhance the community available to all residents.*

6. Code and Plan Purposes. The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this UDO and the provision from which a variation is sought were enacted or the general purpose and intent of The City of Wood Dale Comprehensive Land Use Plan.

*Response:*

*Correct. The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this UDO and provision from which a variation is sought were enacted or the general purpose and intent of The City of Wood Dale comprehensive Land Use Plan.*

7. Essential Character of the Area. The variation would not result in a use or development on the subject property that:

- a. Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development value of property or improvements permitted in the vicinity; *No, it would not be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development value or property or improvements in the vicinity. The proposed revision would enhance the property.*
- b. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; *This does not apply. There will be no impairments to the property.*
- c. Would substantially increase congestion in the public streets due to traffic or parking. *No, it will not increase congestion in the public streets due to traffic or parking. There is sufficient parking and there are no parking restrictions. Residents can walk to the park.*
- d. Would unduly increase the danger of flood or fire. *No. The proposed revision will not impact current drainage and poses no fire risk.*
- e. Would unduly tax public utilities and facilities in the area; or *No requirement on public utilities.*
- f. Would endanger the public health and safety. *No, it will not endanger the public health and safety. It will improve public health and safety.*

8. No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

*Response:*

*No, there is no other means than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.*



# PLAT OF SURVEY

Exhibit D  
CDC-2023-0005

OF

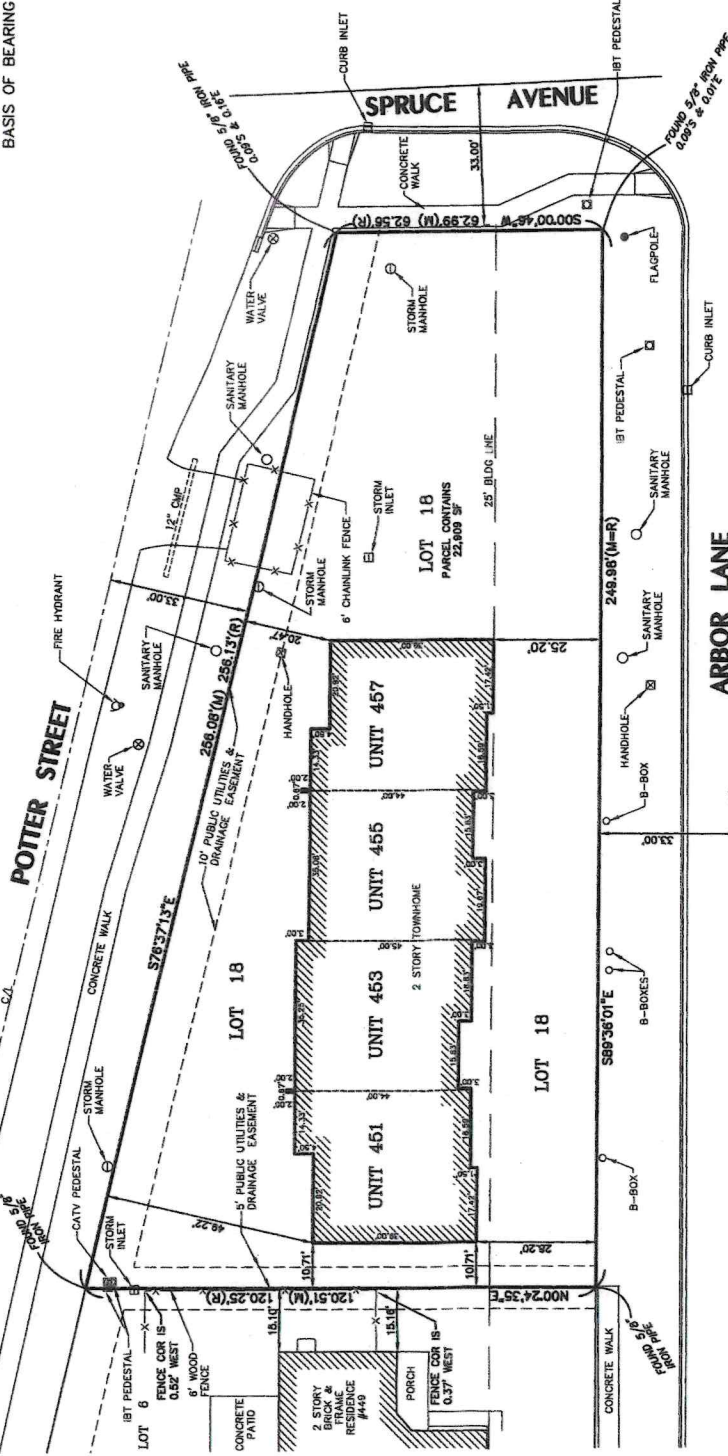
UNITS 451, 453, 455 AND 457 IN ARBOR WOODS RESUBDIVISION, BEING A RESUBDIVISION IN PART OF THE NORTH-EAST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 14, 2009 AS DOCUMENT NUMBER R2009-054911, IN DUPAGE COUNTY, ILLINOIS.

ALONG WITH

LOT 18 IN ARBOR WOODS RESUBDIVISION, BEING A SUBDIVISION IN PART OF THE NORTH-EAST QUARTER OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 14, 2009 AS DOCUMENT NUMBER R2009-054911, IN DUPAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS 451 POTTER STREET, WOODDALE, IL

SCALE: 1" = 20'  
BASIS OF BEARING - ASSUMED



**ABBREVIATIONS**  
M = MEASURED DIMENSION  
R = RECORD DIMENSION

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARD FOR A BOUNDARY SURVEY

ORDERED BY **BOND, DICKSON & ASSOCIATES, P.C.**

NOTE: COMPARE ALL PORTS BEFORE BUILDING AND REPORT ANY DIFFERENCE AT ONCE. EASEMENTS AND BUILDING LINES INDICATED ARE BASED ON RECORD INSTRUMENTS. THIS SURVEY IS FOR RECORD ONLY AND DOES NOT CONSTITUTE A TITLE POLICY. REFER TO TITLE POLICY, DEED OR INSTRUMENT CREATING SAME.

**SURVEYOR'S CERTIFICATE**

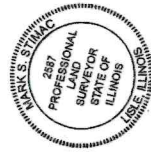
STATE OF ILLINOIS )  
COUNTY OF DU PAGE )

WE, INTECH CONSULTANTS, INC. HEREBY STATE THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF THE SAME.

DATED THIS 29th DAY OF DECEMBER, A.D. 2014

*M. S. Strick*  
M.S. STRICK

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2587  
MY LICENSE EXPIRES DECEMBER 31, 2016

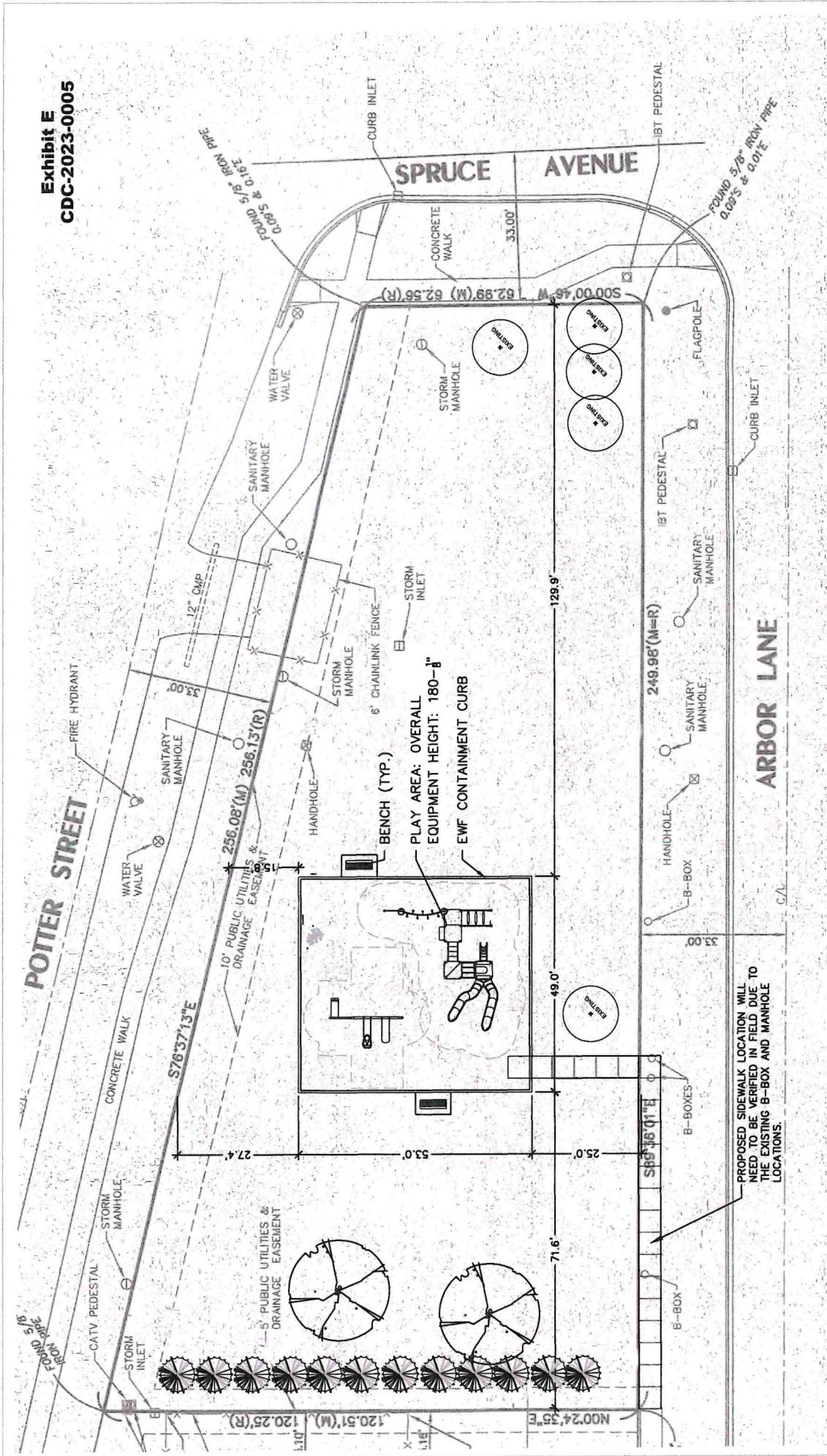


**INTECH CONSULTANTS, INC.**  
1886 UNIVERSITY LANE, SUITE D  
LISLE, ILLINOIS 60532  
PHONE: 630-964-5656  
ILLINOIS REGISTRATION NO. 184-001040

ENGINEERS - SURVEYORS  
SHEET No. 1 of 1  
JOB No.: 6563-18

PREPARED: 12-29-14

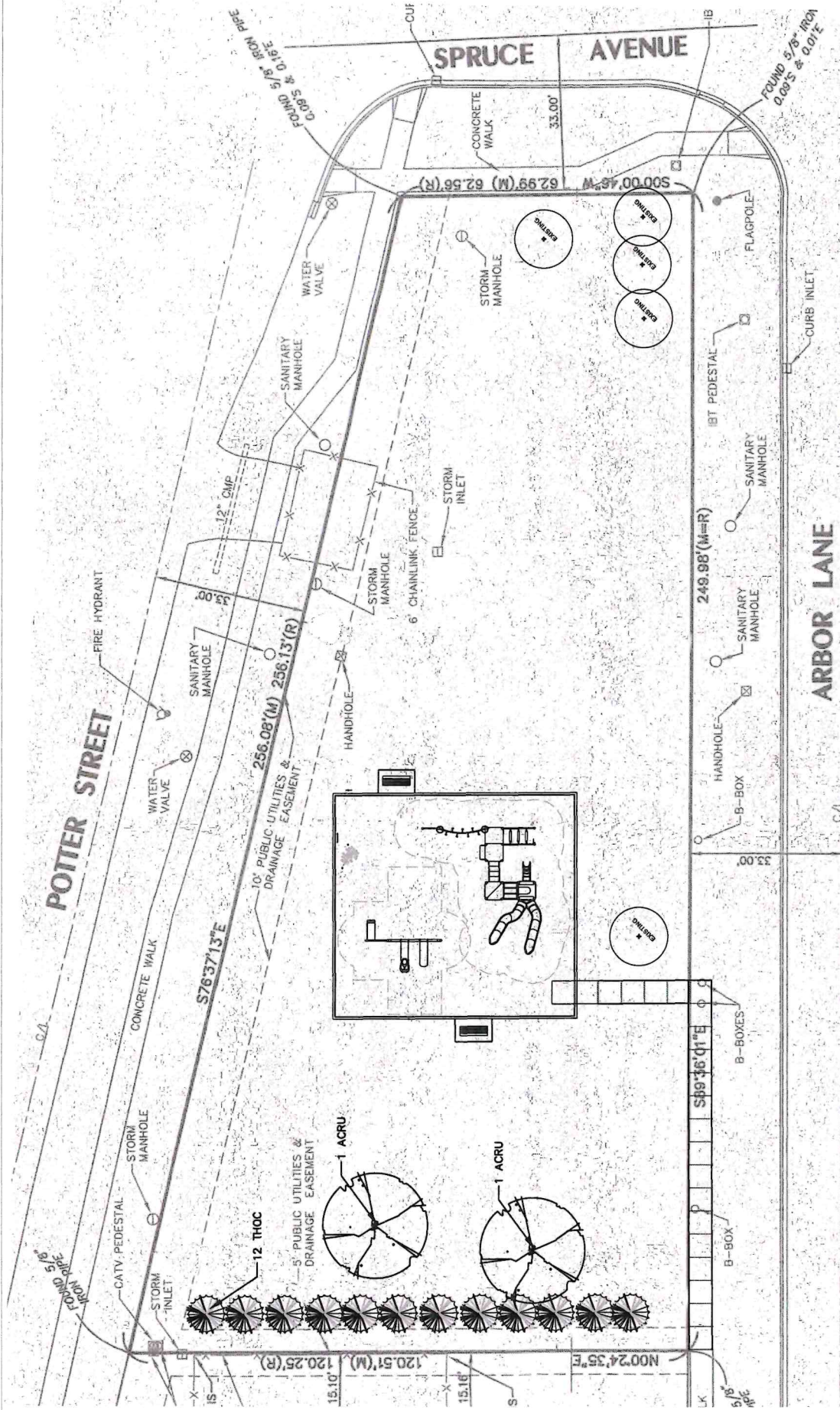




PROPOSED SIDEWALK LOCATION WILL NEED TO BE VERIFIED IN FIELD DUE TO THE EXISTING B-BOX AND MANHOLE LOCATIONS.







PROPOSED TREE LOCATIONS WILL NEED TO BE VERIFIED IN FIELD DUE TO THE EXISTING UTILITY LOCATIONS.

22-11481



**LANDSCAPE PLAN**  
**475 POTTER STREET, WOOD DALE 7/11/2023**



**PLANT LIST**

Code	Quantity	Size	Scientific Name	Common Name
<b>Deciduous Trees</b>				
ACRU	3	3" cal	Acer rubrum 'Armstrong'	Armstrong Red Maple
<b>Evergreen Shrubs</b>				
THOC	12	6' bb	Thuja occidentalis 'Nigra'	Black Arborvitae

