

ORDINANCE NO. O2025-42

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT
FOR TEMPORARY SHOPS FOR
THE LEONE SCHMIDT HERITAGE PARK POP-UP MARKET
(28W164 WARRENVILLE ROAD)**

WHEREAS, the City is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the City is the owner of the property commonly known as Leone Schmidt Heritage Park and located at 28W164 Warrenville Road, Warrenville, Illinois ("**Property**"); and

WHEREAS, the City desires to construct and operate a temporary pop-up market on the Property ("**Market**"); and

WHEREAS, the City of Warrenville Zoning Ordinance, as amended ("**Zoning Ordinance**"), is codified as Title 10 of the Warrenville City Code ("**City Code**"); and

WHEREAS, on August 5, 2024, the City Council approved Ordinance No. 2024-33, which amended the Zoning Ordinance to establish the Warrenville by Design Mixed-Use and Middle Housing Overlay District and related regulations ("**Overlay District Regulations**"); and

WHEREAS, the Property is located in the R-3 Medium Density Single Family District ("**R-3 District**") and the Warrenville by Design Village General or Middle Housing Types District ("**Overlay District**"); and

WHEREAS, pursuant to Subsection 4.2.d.1 of the Overlay District Regulations, temporary shops may be placed on any lot within the Overlay District provided that the location and design of the shops are authorized pursuant to a special use permit approved by the City Council; and

WHEREAS, pursuant to the applicable sections of the Zoning Ordinance, the City filed an application for approval of a special use permit to allow the construction and operation of the Market on the Property ("**Special Use Permit**"); and

WHEREAS, a public hearing by the City Plan Commission ("**Plan Commission**") to consider the Special Use Permit was duly published in the *Daily Herald* on August 6, 2025, and was conducted on August 21, 2025, during which hearing evidence and testimony was received by the Plan Commission; and

WHEREAS, on August 21, 2025, the Plan Commission, having adopted Findings of Fact, Project Number PZ2025-0023, recommended that the Mayor and the City Council approve the Special Use Permit; and

WHEREAS, the Mayor and the City Council have determined, subject to and contingent upon the conditions, restrictions, and provisions of this Ordinance, that the Special Use Permit complies with the required standards for special uses as set forth in Section 7C of the Zoning Ordinance; and

WHEREAS, consistent with the Plan Commission recommendation, and pursuant to the City's powers under applicable law, including its home rule powers under the Illinois Constitution

of 1970, the Mayor and the City Council have determined that it is in the best interest of the City and the public to approve the Special Use Permit, in accordance with, and subject to and contingent upon, the conditions, restrictions, and provisions of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals listed above are incorporated in this Ordinance as if fully set forth in this Ordinance.

SECTION 2: Approval of Special Use Permit. Subject to and contingent upon the conditions, restrictions, limitations and provisions set forth in Section 3 of this Ordinance, the City Council approves the Special Use Permit to allow the Market on the Property.

SECTION 3: Conditions. Notwithstanding any use or development right that may be applicable or available pursuant to the provisions of the City Code, the Zoning Ordinance, or any other rights the Owner may have, the approvals granted in Sections 2 and 3 of this Ordinance are hereby expressly subject to and contingent upon the conditions, concepts, restrictions, limitations, and provisions set forth in this Section (collectively, the "**Conditions**").

A. **Compliance with Law and Regulations.** The development, use, operation, and maintenance of the Property and the Proposed Uses must comply with all applicable City codes and ordinances, as the same have been or may be amended from time to time, except to the extent specifically provided otherwise in this Ordinance.

B. **Compliance with Plans and Documents.** Except for minor changes and site work approved by the Director of Community and Economic Development in accordance with all applicable City standards, the development, use, operation, and maintenance of the Market must substantially comply with the Community Development Staff Report, consisting of three pages, and its Attachments A, B and C, and dated August 21, 2025, a copy of which is attached to and made a part of this Ordinance as **Exhibit A**.

SECTION 4: Amendments. Any amendment to any provision of this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Ordinance and the City Code, as applicable to the affected items of relief, except as otherwise specifically authorized in this Ordinance.

SECTION 5: Effective Date. This Ordinance will be effective upon its passage and publication in the manner required by law.

[Signatures and Voting Record on the Following Page]

PASSED THIS _____ day of _____, 2025.

APPROVED THIS _____ day of _____, 2025.

VOTES: AYES _____ NAYS _____ ABSENT _____ ABSTAIN _____

MAYOR

ATTEST:

CITY CLERK

EXHIBIT A

COMMUNITY DEVELOPMENT STAFF REPORT

LEONE SCHMIDT HERITAGE PARK TEMPORARY SHOP SPECIAL USE

August 21, 2025

Project No.

PZ2025-0023

Applicant and Property Owner

City of Warrenville
35258 Manning Ave
Warrenville, IL 60555

Subject Property Location & Info.

Located at the northwest corner of
Warrenville Rd and 2nd St

Address: 27755 Diehl Rd
PIN: 04-35-405-009
Approximate Size: 1.5 acres
Zoning: R-3 Medium Density Single
Family Residential and Village General
or Middle Housing Types

Existing Improvements

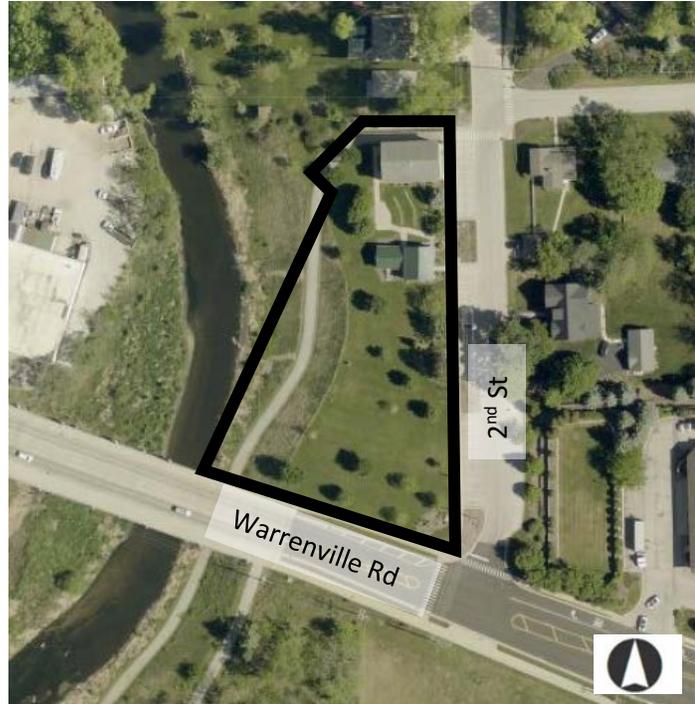
Warren Tavern, Warrenville Historical
Society, and related improvements

Approvals Sought

- Temporary shop special use permit

Attachments

- Attachment A – Special Use Standards Response
- Attachment B – Site Plan
- Attachment C – Shop Details



LOCATION MAP

PROJECT DESCRIPTION

The Community Development Department, on behalf of the City of Warrenville, “the Applicant” is seeking approval of a temporary shop special use permit for a “pop-up” market at 28W164 Warrenville Road, Leone Schmidt Heritage Park, “the Subject Property.” Project documents are available on the *City Private Development Projects* webpage at:

<https://www.warrenville.il.us/987/Leone-Schmidt-Heritage-Park-Pop-Up-Shop->

The public hearing for this request is scheduled for the August 21, 2025 Plan Commission meeting. It is important to note that this staff report does not reflect any public input that may be received during the August 21, 2025 public hearing, and therefore should be reviewed with this in mind. Any additional information concerning the application that may be provided up to and at the public hearing will need to be reviewed and taken into consideration.

The Plan Commission is responsible for making recommendations to the City Council for special use permit requests.

BACKGROUND

In an effort to spur economic activity and to create a community space, the Applicant is proposing a “pop-up” market at the Subject Property. Around the country, these markets have been a successful tool in creating community, creating a flexible “third space” for various events, and assisting local businesses growth. In the region, examples are found in Batavia, Berwyn, McHenry, Utica, and Brookfield. The City

has identified a “pop-up” market as a work plan item for fiscal year 2026. City staff identified Leone Schmidt Heritage Park as an opportunity site for a “pop-up” market. The Subject Property is within the Warrenville by Design overlay which permits temporary shops as a special use in all districts.

The requested special use is for an eight-shop “pop-up” market and related improvements at the Subject Property (see Attachment B). Each 12’ x 12’ shop will be a shed placed on a gravel pad in a boulevard type arrangement along the Warrenville Road frontage. Architectural features including siding, a pitched metal roof, and a “porch” (see Attachment C). While the color scheme of the shops is not finalized, it will likely mimic the colors in the City logo. Site improvements include a 10’ wide concrete walkway, which narrows to 8’, that serves as the entryway to the market, a 3’ x 6’ concrete pad for maintenance equipment (rakes, shovels, etc.), and a concrete pad for a port-a-potty. The shops will be situated on either side of the 10’ walk, providing a framing and sense of place for the market. The units are spaced to preserve existing trees and maintain views of the river. The market will be served by the 28 parking stalls, including two ADA stalls, in the 2nd St right-of-way.

If approved, the project will break ground this fall, with two shops located on the property for soft launch events tentatively planned for October 25 and November 1, 2025. By springtime, these two shops will be ready for tenants and additional merchants will utilize temporary tents along the 10’ concrete walkway during market operating times. Additional shop units are expected to be purchased in phases during 2026 and 2027 as funds become available. The Applicant is requesting approval of up to eight shops as outlined in the proposed site plan. Additions like benches, picnic tables, garbage receptacles, pavilion, and other park improvements may be installed by the City by-right throughout the phased construction of the market as these amenities serve the park in general, not just the market and are standard park features. The Community Development Department worked closely with Public Works to finalize a proposed site plan to limit removal.

I. SPECIAL USE PERMIT (Requires public hearing and ultimately a Plan Commission recommendation to the City Council)

In recommending or granting approval or conditional approval of a **Special Use Permit for a Planned Unit Development**, the City Council and Plan Commission shall prepare written findings of fact that on the basis of the characteristics listed Table 7C, titled “Approval Criteria for Special Uses” and any conditions recommended to be part of the approval -- the proposed use will be compatible with existing uses in the area, and with Permitted Uses in the zoning district, in the ways listed and described below (Community Development Department staff responses are in *italics*):

1. Traffic

Any adverse impact of types or volumes of traffic flow not otherwise typically in the zoning district has been minimized.

The market will likely result in more traffic to the Subject Property. However, Staff believes the proposed temporary shop special use permit will not attract traffic of a type nor volume that is already present on Warrenville Rd and 2nd St. Market hours will be coordinated with the Warren Tavern and Historical Society to manage traffic and parking impacts.

2. Environmental Nuisance

Any adverse effects of noise, glare, odor, dust, waste disposal, blockage of light or air, or other adverse environmental effects of a type or degree not characteristic of Permitted Uses in the zoning district, have been appropriately controlled.

Staff believes the proposed special use will not create an environmental nuisance in or near the Subject Property. The site plan itself was designed to maintain existing healthy trees on site. Staff believes that parking located within the adjacent right-of-way will adequately serve the project.

The shops will be phased so staff will monitor parking needs throughout the phases and provide additional parking if necessary at Old Town Redevelopment Site #2 located at the corner of Warrenville Rd and Batavia Rd.

3. Neighborhood Character

The proposed use will fit harmoniously with the existing natural or man-made character of its surroundings and with Permitted Uses in the zoning district. The use will not have undue deleterious effect on the environmental quality, property values, or neighborhood character already existing in the area or normally associated with Permitted Uses in the district.

Staff believes the proposed special use will enhance the neighborhood character as it will create a shared space to bring residents, visitors, and small business owners to support local businesses, enjoy the park, and foster community.

4. Public Services and Facilities

The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of Permitted Uses in the district, nor generate disproportionate demand for new services or facilities as compared with the Permitted Uses, in such a way as to place undue burdens upon existing development in the area.

Other than being located on City-owned property, the proposed special use will not require public services or facilities that are disproportionate to other park or residential uses.

5. Public Safety and Health

The proposed use will not be detrimental to the safety or health of the employees, patrons, or visitors associated with the use nor of the general public in the vicinity.

Staff believes the proposed special use will not be detrimental to the public safety or health of the surrounding neighborhood. Shops will be adequately secured and monitored when the market is not open.

6. Other Factors

The proposed use is in harmony with any other elements of compatibility pertinent in the judgment of the Commission or Council to the particular Special Use or its particular location.

Staff believes the proposed special use will enhance the Leone Schmidt Heritage Park by creating a shared community space for a market and future events. Furthermore, the City Council directed staff to prepare this project as part of the fiscal year 2026 work plan.

CONCLUSION

Based on the findings outlined in this report, staff recommends the Plan Commission recommend City Council approval of the temporary shop Special Use Permit as outlined in the August 21, 2025, Community Development Department staff report.

Attachment A – Special Use Standards Response

Attachment B – Site Plan

Attachment C – Shop Details

Attachment A

CITY OF WARRENVILLE

38258 MANNING AVENUE • WARRENVILLE, IL 60555 • PH: (630) 393-9050 • FAX (630) 393-1531



SPECIAL USE PERMIT FILLABLE PDF

Certain uses cannot be allowed generally in a particular zoning district, or in any zoning district, because of the impact their special character creates on surrounding areas. However, some special uses may be allowed under special conditions. These uses are listed in the Zoning Ordinance as Special Uses. Because a Special Use is compatible with the applicable zoning district only under special conditions, a Special Use Permit is required before any use listed in the Zoning Ordinance as a Special Use may be established.

- A. List specific Special Use approval that is being sought (*refer to Zoning Ordinance Table 3A for a list of Special Uses possible in each zoning district*).

Special use permit for temporary shops (2.d.1 of Warrenville by Design)

- B. In evaluating the suitability of a proposed Special Use, the Plan Commission and City Council shall examine the following characteristics of the proposed use and its individual structures or components:

1. Location and orientation
2. Lot Size
3. Size of facility, including floor area, structure height, design capacity, and anticipated employment
4. Site design and arrangement
5. Provisions affecting on and off-site pedestrian and traffic movement, vehicle storage, and the passage of emergency vehicles
6. Appearance
7. Screening or landscaping
8. On or off-site buffering from incompatible uses with open spaces or transitional uses
9. Operations factors, such as hours of use or environmental controls
10. Other characteristics of the proposed use pertinent in the judgment of the Commission or Council to an assessment of the impact of the use on the area.

In recommending or granting approval or conditional approval of a Special use, the City Council and Plan Commission shall prepare written findings of fact that on the basis of the ten characteristics cited above, or changes to such characteristics that conditions to which the approval is made subject require, the proposed use will be compatible with existing uses in the area, and with the Permitted Uses in the zoning district, in the following ways. Please review and provide a written response indicating how these six characteristics/criteria will be impacted by the proposed Special Use:

1. Traffic

And adverse impact of types or volumes of traffic flow not otherwise typical in the zoning district has been minimized.

Applicant Response:

The proposed special use will result in eight 12' x 12' "pop up shops", a 10' wide concrete walk, and related improvements to create a pop up market. 28 parking stalls, including two ADA stalls, are located adjacent to the proposed pop up shop market. Five more parallel spaces are located on the east side of 2nd St. Staff believes the adjacent public parking is sufficient for the proposed market. Additionally, the proposed market will be phased, providing time to assess parking.

2. Environmental Nuisance

Any adverse effects of noise, glare, odor, dust, waste disposal, blockage or light or air, or other adverse environmental effects of a type or degree not characteristic of Permitted Uses in the zoning district, have been appropriately controls.

Applicant Response:

The current park use does not produce any adverse environmental effects. While the proposed market is a more "intense" use compared to the existing park, but the proposed special use and resultant noise is consistent with a park use. The site design is focused on locating the market nearer to Warrenville Road to maintain open areas, views of the river, and separation from the Tavern. The shop units are intentionally spaced to maintain an open feeling, views, and preserve existing trees.

3. Neighborhood Character

The proposed use will fit harmoniously with the existing natural or man-made character of its surroundings and with Permitted Uses in the zoning district. The use will not have undue deleterious effect on the environmental quality, property values, or neighborhood character already existing in the area or normally associated with Permitted Uses in the district.

Applicant Response:

The proposed pop up market will enhance the neighborhood character by providing a pop up market and shared space for community events. The market will have limited hours and days of service. Specific times/season is yet to be decided and may change as the market is built out. At full build-out the market would not have more than eight (8) shop units and be open no more than two days a week. Any evening use would be concluded by 10:00pm.

4. Public Services and Facilities

The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of Permitted Uses in the district, nor generate disproportionate demand for new services or facilities as compared with the Permitted Uses, in such a way as to place undue burdens upon existing development in the area.

Applicant Response:

The proposed use will require public services and facilities disproportionate to permitted uses in the underlying district. The proposed use will utilize parking available on 2nd Street. Coordination with the Warren Tavern and Historical Society events will occur to limit parking demand. In addition, as the vision of Warrenville by Design is realized, it is anticipated that visitors to the pop-up shops may park elsewhere in Old Town to use other shops,

5. Public Safety and Health

The proposed use will not be detrimental to the safety or health of the employees, patrons, or visitors associated with the use nor of the general public in the vicinity.

Applicant Response:

The proposed special use will not be detrimental to the health or safety of employees, patrons, nor visitors nor of the general public in the vicinity. The addition will invite visitors to the park to enjoy the outdoors, enhance community connections, and support local entrepreneurs - consistent with Warrenville's Strategic Plan priorities.

6. Other Factors

The proposed use is in harmony with any other elements of compatibility pertinent in the judgment of the Commission or Council to the particular Special use or its particular location.

Applicant Response:

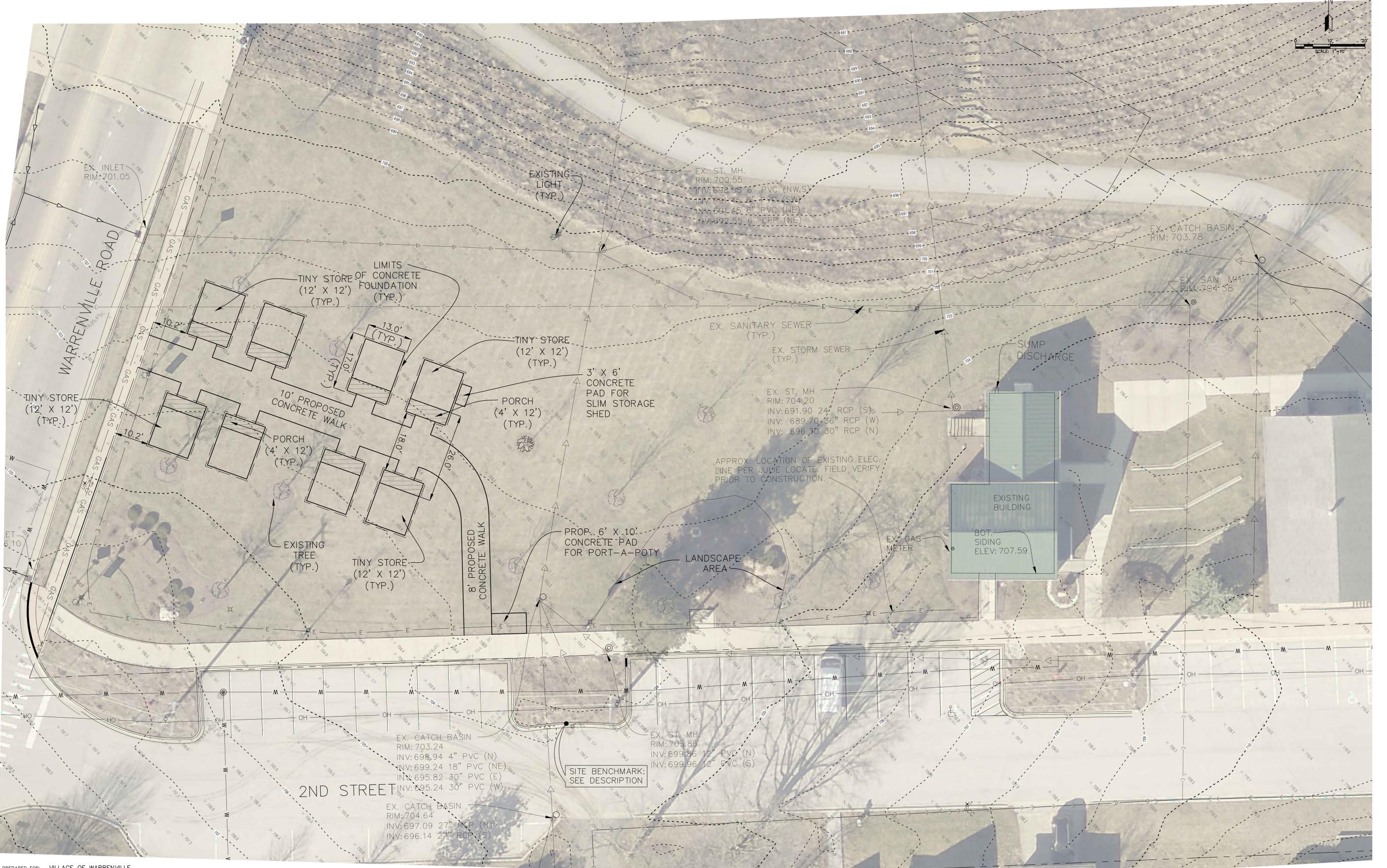
The proposed special use will result in a revitalized community space, providing both opportunity for small businesses and flex space for community events.

CONCEPT PLAN

SITE BENCHMARK:
SET CUT GROSS IN CURB ALONG THE WEST SIDE
OF 2ND STREET IN FRONT OF PROJECT SITE.
ELEV: 704.48 (NAVD 88)

IMPERVIOUS DATA TABLE

PROPOSED IMPERVIOUS CONCRETE PAD: (8 TOTAL): 13' X 17' EA.	1,768 S.F.
CONCRETE:	1,632 S.F.
TOTAL:	3,400 S.F.



PREPARED FOR: VILLAGE OF WARRENVILLE

DRAWN BY: B.L.
CHECKED BY: J.G.
APPROVED BY: J.G.

ENGINEERING RESOURCE ASSOCIATES
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PHONE (630) 393-3060
FAX (630) 393-2152

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2416 GALEN DRIVE
CHAMPAIGN, ILLINOIS 61821
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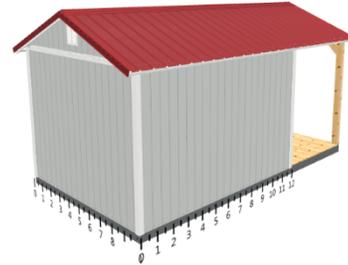
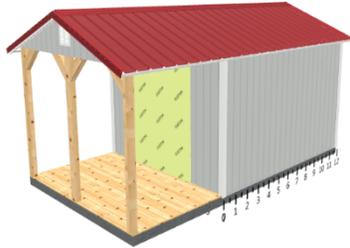
TITLE:
CITY OF WARRENVILLE
CONCEPT PLAN #1

SCALE: 1"=10'
DATE: 08/04/2025
JOB NO: W25173.00

SHEET 1 OF 1

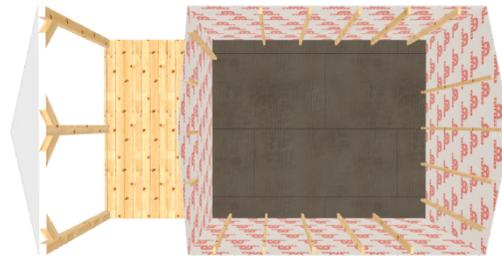
Attachment C

Shed Sample Specs
Final Vendor TBD



Wall D

Wall A



Wall C

Wall B

Base Details/Permit Details

Building Size & Style

10' wide by 12' long
Insulated
Porch Overhang

Paint Selection

Base: Solitary State, Trim: Delicate
White

Roof Selection

Metal Roof - Color TBD

Drip Edge

White

Optional Details

Doors

15-Lite French Door

Porch

60 Sq Ft Integrated Porch - Endwall

2 Ea 12"x12" Gable End Vent, White

Vents

HVAC Unit Installation

Electric Service

Substrate Shed will be installed on?

Dirt/Gravel