

**Village of Downers Grove  
Car Show Committee  
Summary**

Committee Room, Village Hall  
May 22, 2006

**Members Present:** Chuck Farrar, Frank Giancola, Mel Gregory, David Hanks, Bill Horwath, Bob Jankowski, Garry Kornack, Bob Markert

**Staff:** Audrey Priorello, Susan Larson

**Agenda Item: Minute Approval**

**Decision:** A motion to accept the minutes was made by Frank Giancola and seconded by Bob Markert, all in favor.

**Agenda Item: Update on Donations/Applications Received**

**Decision:** Staff distributed a list of preregistered vehicles and donations received. Twenty-four donations and sixty applications have been received to date. Confirmations have been sent to all that have registered to date. Last year at this date we had twenty-four door prizes and seventy-one preregistered. Joe Madden Ford will sponsor the awards. Staff reported in order for a business to be included on the big boards and in the program, the donation must be received by June 1, 2007. Donations will be accepted after that date; however, the business will not be included in the printed material but only announced by the DJ during the show. Whole Foods will donate the bags for goodie bags.

**Agenda Item: Old Business**

**Decision:** Location: Staff reported that the location for ballot counting will be in the Moose Lodge at 1030 Warren. The free-sample trailer will not be at the Car Show however, Mr. D's will have ice cream and hot dog carts.

Job Assignments Public Works: Staff suggested the following job assignments for Public Works staff: posting outside signage, moving items out of place, and at the suggestion of the committee help with parking of cars. Committee members who signed up for parking detail will give direction to the public works employees.

Parking Plan: Participants wishing to park in a lot may do so without the direction of a committee member and park within the painted lines. Committee members will be in lots to fill in cars in nonpainted spaces. However due to no lines being painted on Warren Ave, committee members will direct participants to spaces on the street. The cars on the street will be angled toward the west in order to exit the show west on Warren towards Belmont. The Medical Center Lot at Forest and Warren will be used for the DARE cars and committee member cars.

Registration Placement: The registration tables will be placed in the Downers Grove National Drive Thru in the two southern most lanes. The two north lanes will be used for cars entering the show. No tents will be needed for shelter.

Agenda Item: **New Business**

Decision: John Pedersen will not be volunteering on the committee. Staff will request the presence of the Mayor to give his award at the show.

Agenda Item: **Next Meeting Date**

Decision The next meeting will be Tuesday, June 12, 2007 at **6:30pm** in the Ante Room and the garage for stuffing the bags.

**REGULAR MEETING OF THE BOARD OF TRUSTEES  
OF THE  
DOWNERS GROVE PUBLIC LIBRARY  
May 23, 2007**

**MINUTES**

**ROLL CALL**

President Daniels called the meeting to order in the Library Meeting Room at 7:35 p.m. Trustees present: DiCola, Greene, Humphreys, Vlcek, Daniels. Trustees absent: Read. Also present: Library Director Bowen. Visitors: none.

**APPROVAL OF MINUTES**

The Board reviewed the minutes of the regular meeting of May 9, 2007. It was moved by Vlcek and seconded by Greene **THAT THE MINUTES OF THE REGULAR MEETING OF May 9, 2007 BE APPROVED AS WRITTEN.** Ayes: DiCola, Greene, Humphreys, Vlcek, Daniels. Abstentions: none. Nays: none. Motion carried.

**PAYMENT OF INVOICES**

The Board reviewed the list of invoices submitted for payment. It was moved by Humphreys and seconded by Greene **TO APPROVE PAYMENT OF OPERATING INVOICES FOR MAY 23, 2007 TOTALING \$41,808.43, AND BUDGET JOURNAL ENTRY TRANSFERS TOTALING \$1,950.00.** Ayes: DiCola, Greene, Humphreys, Vlcek, Daniels. Abstentions: none. Nays: none. Motion carried.

**OPPORTUNITY FOR PUBLIC COMMENT ON AGENDA ITEMS**

None.

**OLD BUSINESS**

**-- Approval of a resolution Opposing the Senate version of HB 1727 The Internet Filtering in Public Libraries Act**

An amended version of HB 1727 is being considered by the Illinois Senate. While the amendments have removed a few of the most objectionable portions of the Act, the essential flaws remain. The Board considered a resolution opposing the Senate version of HB 1727. Trustees made few changes in the wording of the original draft and it was moved DiCola and seconded by Humphreys **THAT LIBRARY BOARD RESOLUTION 2007-02 OPPOSING THE SENATE VERSION OF HB 1727 THE INTERNET FILTERING IN PUBLIC LIBRARIES ACT BE ADOPTED AND TRANSMITTED TO THE STATE SENATORS SERVING THE VILLAGE OF DOWNERS GROVE.** Ayes: DiCola, Greene, Humphreys, Vlcek, Daniels. Abstentions: none. Nays: none. Motion carried.

**NEW BUSINESS**

**-- Approval of the 2007 Annual Report to the State Library**

Bowen reviewed highlights of the Annual Report to the State Library and answered questions from the Board. It was moved by Humphreys and seconded by DiCola **THAT THE 2007 ILLINOIS PUBLIC**

## **LIBRARY ANNUAL REPORT BE APPROVED AND SUBMITTED TO THE STATE LIBRARY.**

Ayes: DiCola, Greene, Humphreys, Vlcek, Daniels. Abstentions: none. Nays: none. Motion carried.

### **-- Approval of a request to close the library at 7:00 p.m. on Thursday, June 21, 2007**

There will be a special 175<sup>th</sup> Anniversary concert featuring the Gin Blossoms on the stage in the Forest Street Parking Lot on Thursday, June 21, 2007. The opening act will begin playing at 7:00 p.m. During Heritage Fest, the library closes at 7:00 p.m. on the Friday of Heritage Fest. Bowen asked the Board to consider closing at 7:00 p.m. on Thursday this year, as well. It was moved by Greene and seconded by Vlcek **THAT THE LIBRARY CLOSE AT 7:00 P.M. ON THURSDAY, JUNE 21, 2007.** Ayes: DiCola, Greene, Humphreys, Vlcek, Daniels. Abstentions: none. Nays: none. Motion carried.

## **REPORT FROM THE ADMINISTRATION**

Monica Hork, the library's art consultant, recently spoke with artist Walter Gordinier about the repair on the art work that hangs in the Curtiss Street atrium. Gordinier has recovered from the severe illness that had resulted in his hospitalization and is in the process of fabricating the new pieces. When completed, he'll ship them to Terry Dowd's where the artwork is currently stored. Gordinier expects to send his assistant out during the first week of June to make the repairs. Library staff will arrange to have the artwork re-installed as soon as the repairs are completed.

Bowen met with Mary Scalzetti from the Village to discuss the Village's request to use the Library Meeting Room as a Green Room for the musicians who will be performing at the Thursday night concert opening Heritage Fest. Scalzetti verified that the library will be added to the Village's Heritage Fest insurance policy as an additional insured, and that a Village staff member will be acting as the band's escort between the stage and the library. He and Scalzetti agreed on the set-up of the meeting room and Bowen does not anticipate any problems with the arrangement.

The Children's Services staff has begun decorating the Junior Room for this year's Summer Reading Club. Bowen invited Trustees to visit the Junior Room to see how The Big Rally, the recently installed wall sculpture of a bicycle race, has been incorporated into the summer reading club theme of Alien Invasion.

## **TRUSTEES REQUEST FOR INFORMATION AND ANNOUNCEMENTS**

Greene reported that she recently saw Elmhurst College's year book that prominently features the College's art collection. Their collection is heavily focused on very modern, abstract art. Greene prefers the library's collection because it includes a variety of styles of art that provides something for almost everyone's taste.

Vlcek reported that she recently saw a television commercial that featured an artwork very similar to the Chihuly bowl in the library collection.

## **OPPORTUNITY FOR PUBLIC COMMENT**

None.

## **ADJOURNMENT**

The meeting was adjourned at 8:40 p.m.

## **PARKING & TRAFFIC COMMISSION**

Minutes of Public Hearing  
May 9, 2007

Downers Grove Public Works Facility  
5101 Walnut Avenue, Downers Grove

Chairman Johnson called the May 9, 2007 meeting of the Parking and Traffic Commission to order at 7:00 p.m. Roll call followed and a quorum was established.

### **ROLL CALL:**

Present: Commissioners Carlquist, Kren (7:04 p.m.), Stapleton, Thurston, Wendt, Yeksigian, Chairman Johnson

Staff Present: Asst. Dir. Mike Millette; Traffic Manager Dorin Fera; Public Works; Police Sgt. Edward Harrison, Officer Tim Sembach, Staff Engineer Luis Dominguez, and Recording Secretary Megan Dugard

Visitors: Geri and Bob Schumacher, 1050 68<sup>th</sup> Street; John Loper, 4920 Middaugh Ave.; Ralph Harrison, 4837 Oakwood Ave.; Tim Rooney, 1031 68<sup>th</sup> Street; Claire Putlack, 1040 68<sup>th</sup> St.; Barb Paradowski, 1041 W. 68<sup>th</sup> St.; J. R. Parker, 1021 W. 68<sup>th</sup> St.; John Shuman, 6801 Carpenter; Laurie Holstein, 4532 Prince St.; Paul Svoboda, 4528 Prince St.; Barb Miller, 4524 Prince St.; Colette and Chuck Kaufmann, 4837 Linscott; Brian Madigan, 4500 Prince St.; Scott Jacaway, 4828 Oakwood, Pat Sexton, 4836 Middaugh; Amy Nesmeth, 4836 Linscott; Todd Wenger, 4913 Middaugh Ave.; Margaret Wittman, 4825 Middaugh Ave.

**Chairman Johnson** informed the commissioners and the public the meeting was being recorded on Village owned equipment to aid in the preparation of the meeting minutes.

### **APPROVAL OF APRIL 11, 2007 MINUTES**

A change was noted on page 1 under "Staff Present", insert "staff Engineer Lou Dominguez"; page 3, fourth paragraph, delete "A resident asked" and insert "Engineer Dominguez asked".

**COMMISSIONER CARLQUIST MOVED TO APPROVE THE APRIL 11, 2007 MINUTES, AS CORRECTED. COMMISSIONER STAPLETON SECONDED THE MOTION. MOTION PASSED BY VOICE VOTE OF 6-0.**

**PUBLIC COMMENT** - None

### **NEW BUSINESS**

**File #11-07 68th Street, Main St. to Dunham Rd. - Parking Restrictions.** The chairman reported residents of the neighborhood and possibly some business submitted a petition over concerns of speeding and parking on 68<sup>th</sup> Street near Main Street. Staff did meet with the neighbors in March, 2007 and staff's report was referenced. **Mr. Fera** provided highlights from the meeting. A traffic calming evaluation was underway and preliminary plans would be forthcoming in the future.

When asked why staff supported a No Parking restriction from 7:00 a.m. to 4:00 p.m. instead of signage for No Parking This Side of Street, **Mr. Fera** stated he observed many times cars

parked there during normal business hours and he also wanted to be consistent with nearby parking restrictions for South High School, which were 7:00 a.m. to 4:00 p.m. However, the hours could be modified, if desired. **Mr. Millette** reported the Village Council appeared amicable to the proposed solution. **Chairman Johnson** noted staff's recommendation was to allow parking only on the south side of 68<sup>th</sup> Street approximately 750' feet west of Main Street with no parking from 7:00 a.m. to 4:00 p.m. on the north side, and with a review of traffic calming considerations coming in the future.

Discussion followed regarding the concerns of the nearby development and parking spilling over onto the street. **Mr. Millette** confirmed the village planners at a recent planning meeting indicated the development was meeting its parking requirement with an additional 20 spaces. Asked if there was consideration for extending the restrictive parking further west to the fire hydrant, **Mr. Fera** indicated that neighbors only observed cars parking in front of the 6900 building and not further west.

**Chairman Johnson** opened up the meeting to public comment.

**Ms. Claire Putlack**, 1040 68<sup>th</sup> Street, indicated the proposed striping of the parking spaces on the street was not in the resolution and confirmed with **Chairman Johnson** that the striping would occur. **Chairman Johnson** agreed the language was left out of the resolution but that the parking spaces striping would take place.

**COMMISSIONER WENDT MADE A MOTION TO ACCEPT STAFF'S RECOMMENDATION TO INSTALL "NO PARKING 7:00 AM TO 4:00 PM" SIGNS ALONG THE NORTH SIDE OF 68<sup>TH</sup> STREET, BETWEEN MAIN STREET AND A POINT 750 FEET WEST OF MAIN STREET, WHICH IS THE GREENBRIAR MEDICAL CENTER'S SOUTH DRIVEWAY.**

**SECONDED BY COMMISSIONER KREN.**

**ROLL CALL:**

**AYE: MR. WENDT, MR. KREN, MR. CARLQUIST, MR. STAPLETON, MR. THURSTON, MR. YEKSIAN, CHAIRMAN JOHNSON**

**NAY: NONE**

**MOTION CARRIED. VOTE: 7-0**

**File #12-07 Middaugh Avenue at Franklin Street Intersection - Safety Review.** **Chairman Johnson** stated the residents petitioned the matter before the commission and had concerns about speeding and traffic volume along Franklin street between Linscott and Oakwood Avenues, as well as the intersection of Franklin and Middaugh. A neighborhood meeting was held on the matter and staff's report of that meeting was referenced. **Mr. Fera** had nothing further to add at this time. In reviewing the information regarding warrants for a stop sign, **Chairman Johnson** pointed out that the traffic warrants were not met for a four-way intersection at the Middaugh and Franklin nor at Franklin and Linscott.

**Mr. Wendt** asked **Mr. Fera** about the supporting information for the percentage increase in traffic since he did not see it in staff's report, wherein **Mr. Fera** pointed out the information in his report. He explained the figures being discussed for the streets were below the village's average. However, traffic growth for the village, as a whole, had increased.

**Mr. Carlquist** believed the proposed yield signs were redundant because the speed limit was 25 MPH. However, he believed the areas were an opportunity to use the park district speeds, which would fit in better. **Mr. Fera** concurred, explaining he did speak to the park district already and it could be a recommendation this commission presents to the park district, as the park district recently identified reduced speed limits near certain parks within the village. A dialog followed on whether cut-through traffic was becoming an issue on Franklin east of Linscott, wherein **Mr. Fera** mentioned it could have been but was difficult to confirm. More accurately, however, **Mr. Fera** believed those driving were using Franklin to bypass Main Street and were doing it on a regular basis to avoid delays thru the downtown. In addition to the area qualifying for the traffic calming intervention, staff was recommending yield signs to be installed at Middaugh Avenue and Franklin Street to regulate north/south traffic and also to install a yield sign at Oakwood for westbound traffic.

**Chairman Johnson** opened up the meeting to public comment.

**Mr. John Loper**, 4920 Middaugh Avenue, distributed an aerial graphic to the commission which depicted a picture of the northwest side of Downers Grove and the traffic control used through the area. He discussed the necessity for a similar traffic control policy such as that found on Lincoln Street. He asked that the village consider the same for the area being discussed. He voiced concern about using yield signs and setting a precedent.

**Mr. Ralph Harrison**, 4837 Oakwood Avenue, resided at the northeast corner of Oakwood and Franklin for 47 years. He believed a yield sign would not slow down traffic because motorists were too distracted. He believed a stop sign would produced better results.

**Mr. Pat Sexton**, 4836 Middaugh, stated that if the yield signs were installed where proposed by staff, it gave the corridor more license for motorists to travel faster since they would believe they had the right of way. He reiterated the residents wanted to slow down the traffic on Franklin.

**Ms. Margaret Wittman**, 4825 Middaugh, agrees with the residents' comments about Franklin, which was the problem. She believed a four-way stop sign needed to be at Linscott and Franklin due to the nearby park. She believed it would stop the traffic at the first full intersection followed by yield signs afterwards so that cars could not increase their speed.

**Mr. Chuck Kaufmann**, 4837 Linscott, also agreed with the last couple of comments in that Franklin appeared to be a thoroughfare which travels east to west and was a speed area. He believed a yield sign would be better east/west versus north/south.

**Chairman Johnson** explained, in general, how yield signs and stop signs are used to designate who has the right of way and not to control speed. He pointed out how motorists will sometimes assume they have the right of way, which creates an unsafe situation. Percentiles were also referenced from staff's report. Addressing vehicles accidents, the chairman noted there were very few accidents in the area, except for one recent accident. However, the number of accidents was another gauge staff used.

**Mr. Scott Jacaway**, 4828 Oakwood, asked for the advantages and disadvantages of installing traffic calming measures, i.e., speed humps on either side of the park. He suggested the same when heading eastbound on the brick pavement between Oakwood and Middaugh.

**Chairman Johnson** proceeded to explain the difference between speed bumps and speed humps. Furthermore, **Mr. Fera** explained the village's own traffic calming program and the components of Phase I and Phase II for **Mr. Jacaway**. For this particular matter, **Mr. Fera**

pointed out that the traffic calming evaluation was not completed, but based on the data to date, he was not confident it would meet the qualifications for the program.

**Mr. Scott Jacaway** inquired as to who establishes the criteria for the traffic calming measures, wherein **Chairman Johnson** stated the village council adopted the program and the village had just begun to use the program. In general, **Chairman Johnson** discussed the overall speeding and traffic problems in the village and indicated he was surprised at the low number of traffic volume on the streets. As to compared to other areas within the village, **Chairman Johnson** believed the area was working well.

**Ms. Margaret Wittman**, 4825 Middaugh, noted there were three accidents within seven months at a low volume intersection and they were significant.

**Ms. Colette Kaufmann**, 4837 Linscott, resides across from the park. She emphasized the major concern was the park, the speed, and safety of the children near the park and pond. She pointed out that even when traffic calming initiatives (signage) were implemented, the traffic volumes still increased 40%, which she saw as a concern.

**Mr. Todd Wenger**, 4913 Middaugh Avenue, returning to **Mr. Loper's** aerial, noted that since the light and stop signs were installed area and while the intersection may not meet MUTCD standards for stop signs, he believed the village created a culture of speeding through the area in order to avoid the stop signs. He asked the commission to be responsive to what was done in the past. **Chairman Johnson** respectfully disagreed and pointed out the lower volume of traffic. He believed the light at Franklin and Main had added to the problem.

**Ms. Amy Nemeth** 4836 Linscott, also expressed concern about the nearby park and safety of the children. She noted a personal incident with her own son.

**Mr. Fera** stated the data in his report reflected a strong showing of vehicles that were traveling between 20 to 30 miles per hour. A large gap followed and then another set of vehicles were traveling above 40 miles an hour. The residents' perception was validated by the data collected. **Mr. Fera** stated he rarely sees such a gap in the figures and did not know how to respond. While he agreed police enforcement could be increased, it could not be out there around the clock. Due to the large gap, **Chairman Johnson** suggested another rechecking of the figures. He surmised the area was being used as a cut-through due to issues somewhere else.

**Mr. Kren** discussed the number of "roll and goes" he saw on Prairie Street.

**Mr. Ralph Harrison**, 4837 Oakwood Ave., suggested putting out speed display signs.

**Mr. Stapleton** commented on the increased traffic he sees on Saratoga going east and west on Franklin during Sunday mornings. **Mr. Wendt** also pointed out staff's comments about the statistics and the fact that the commission may need to look at this matter a bit differently.

**Mr. Millette** offered to consider turn restrictions but the entire area from the school extending outward would have to be considered, wherein Chairman Johnson believed much work would be involved. **Mr. Fera** believed further review of the matter would be necessary as well as gathering additional data collection in the area and to look at the street patterns.

**Mr. Thurston**, as a resident of the area, believed a yield sign was necessary at Middaugh and at Oakwood. However, he preferred to see a stop sign on Franklin at the intersection,



understanding it would not meet the warrants. **Mr. Wendt** also concurred somewhat with **Mr. Thurston's** comments and added that it bothered him to be seven or eight feet away from children playing. While a yield sign had been installed, he had hoped for a second component to that, such as a fence installed along Franklin, or a some other form of a barrier.

**Mr. Stapleton** recommended that staff speak to the park district about adding another fence around the playground with one opening and so that a child does not run away from a parent and into the street. **Mr. Fera** agreed that speaking to the park district was appropriate and keeping pedestrian counts would be necessary. Additionally, if the commission supported the park speed limit of 20 MPH, it would be appropriate, based on the residents' input.

**Mr. Thurston** stated there was a visibility issue on Franklin eastbound looking northbound on Linscott and also coming south on Linscott to look at Franklin. He recommended getting good pedestrian counts this summer and recommended a stop sign at Franklin. However, **Chairman Johnson** felt the stop sign at Franklin was premature and would interfere with future traffic studies. He recommended that staff gather all the information it could before any installation of signs.

**Mr. Ralph Harrison**, 4837 Oakwood, noted that many people ice skate at the pond too.

**Mr. Margaret Wittman**, 4825 Middaugh, could not understand how **Chairman Johnson** suggested a reduction in speed sign when he made comments earlier in the meeting that yield signs would not be effective for stopping the traffic. She did not believe a 20 MPH sign would make a difference. She indicated the residents wanted a stop sign installed. **Chairman Johnson** reiterated the fact that a higher percentage of people will not respect a stop sign, especially when it is not warranted, which was when accidents occurred. Studies supported same.

Discussion followed that construction was going to take place in the area and would affect the area. **Mr. Millette** indicated pedestrian counts could take place but vehicle counts would be skewed by the construction activity. Regarding looking at the area as a neighborhood-wide project, **Mr. Millette** would place the counters out now before construction started.

**COMMISSIONER THURSTON MADE A MOTION THAT 1) THE VILLAGE INSTALL YIELD SIGNS AT MIDDAUGH AVENUE AT THE FRANKLIN INTERSECTION REGULATING THE NORTH/SOUTH TRAFFIC FLOW ON MIDDAUGH AVENUE; 2) INSTALL ONE YIELD SIGN AT FRANKLIN AVENUE AT THE OAKWOOD AVENUE INTERSECTION REGULATING WESTBOUND TRAFFIC FLOW ON FRANKLIN STREET; 3) STAFF CONTINUE TO PURSUE PEDESTRIAN COUNTS, TRAFFIC COUNTS, AND, IF POSSIBLE, DURING THE SUMMER TO PURSUE TRAFFIC FLOW ON MIDDAUGH VERSUS PRAIRIE VERSUS LINCOLN VERSUS CHICAGO AND TO RETURN THE ISSUE TO THE COMMISSION BY SEPTEMBER, 2007; 4) STAFF BEGIN DIALOG WITH THE DOWNERS GROVE PARK DISTRICT REGARDING FENCING; AND 5) PLACE THE 20 MPH PARK DISTRICT SIGNAGE ON LINSOTT APPROXIMATELY 100 FEET SOUTH OF FRANKLIN AND ON FRANKLIN BETWEEN LINSOTT AND PARKWAY DRIVE.**

**SECONDED BY COMMISSIONER WENDT.**

**ROLL CALL:**

**AYE: MR. THURSTON, MR. WENDT, MR. CARLQUIST, MR. KREN, MR. STAPLETON,  
MR. YEKSIKIAN, CHAIRMAN JOHNSON**

**NAY: NONE**

**MOTION CARRIED. VOTE: 7-0**

**MR. YEKSIKIAN MADE A MOTION TO RECOMMEND THAT THE VILLAGE MANAGER ADD  
THE FRANKLIN AVENUE TO THE POLICE DEPARTMENT'S SPEED PATROL LIST.**

**SECONDED BY COMMISSIONER THURSTON.**

**ROLL CALL:**

**AYE: MR. YEKSIKIAN, MR. THURSTON, MR. CARLQUIST, MR. KREN, MR. STAPLETON,  
MR. WENDT, CHAIRMAN JOHNSON**

**NAY: NONE**

**MOTION CARRIED. VOTE: 7-0**

**File #13-07 Prince Street, Lincoln Ave. to Sherman St., and Grant St., Prince Street to  
Saratoga Avenue - North School Afternoon Road Closures.** Chairman Johnson reported  
that the current road closure was working well and staff recommended that it be legalized by  
inserting it into the ordinance. However, he asked that input be received from the residents.

**Mr. Fera** stated he spoke to the high school about the situation and he observed the process.  
He stated he was trying to work with the school to align the buses in a better place, which was a  
previous discussion by this commission. **Mr. Fera** has also developed a parking map and  
specific overflow bus parking signage that will be placed on the street in designated areas to  
park the buses away from the neighborhood. This is a new concern that has arisen from buses  
having no direction of where to park for those activities that took place beyond Monday through  
Friday after school hours. North High School officials are contacting Herrick Middle School as a  
potential overflow location for those after hours bus parking needs.

**Chairman Johnson** opened up the meeting to the public.

**Ms. Barb Miller**, 4524 Prince Street, stated staff needed to convey that the neighbors have  
been very pro-active and were team players throughout the discussions. She clarified the  
school bell rings at 3:20 p.m. and not 3:00 p.m. Additionally, she noted that staff was not  
considering those days that included early dismissals. She would like to be provided a list of  
those days from the school.

**Mr. Paul Svoboda**, 4528 Prince Street, voice concern about the buses and parents parking  
next to the stop signs because they were not seen. He stated some close calls have occurred.

**Chairman Johnson** asked if it would be inappropriate to place stop signs on both sides of the  
street, wherein **Mr. Fera** stated that generally dual Stop sign installations are reserved for wider  
boulevards. However, for this situation, it appears to be a possible solution.

**Mr. Brian Madigan**, 4500 Prince Street, also agreed buses were parking close to the stop signs and vehicles were bypassing the signs. Parents were also parking on Grant and waiting. He suggested notifying the parents to park in the parking lot to make the Prince and Grant intersection safer. He thanked the Police Department for coming out when he calls them.

**Sgt. Harrison** stated the issue has been discussed with the school, flyers have been sent to the parents, and it was a matter of the parents cooperating.

Discussion followed that the village should speak to the bus company about parking away from the stop signs. **Mr. Fera** stated he will work with the school to specifically determine where the buses should park in order to address that situation.

**Ms. Laurie Holstein**, 4532 Prince, asked whether the buses would be located ahead of the sign or behind the sign, wherein **Mr. Fera** stated the buses would not be located within the intersection, but rather north of Grant up to Sherman.

**Mr. Fera** confirmed no school representatives were present but he would forward to the school any recommendations made tonight.

**COMMISSIONER WENDT MADE A MOTION TO MAKE A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL AND CREATE A NEW SECTION 14.8.02 "SCHOOL TEMPORARY ROAD CLOSURES" AND ADD THE FOLLOWING ROADWAYS:**

1) PRINCE STREET, LINCOLN AVENUE TO SHERMAN STREET (SOUTH), FROM 20 MINUTES BEFORE AND 40 MINUTES AFTER HIGH SCHOOL DISMISSAL, MONDAYS THROUGH FRIDAYS, DURING THE SCHOOL YEAR AND ON DAYS WHEN SCHOOL IS IN SESSION;

2) GRANT STREET, SARATOGA AVENUE TO PRINCE STREET, FROM 20 MINUTES BEFORE AND 40 MINUTES AFTER HIGH SCHOOL DISMISSAL, ON DAYS THROUGH FRIDAYS, DURING THE SCHOOL YEAR AND ON DAYS WHEN SCHOOL IS IN SESSION.

**COMMISSIONER YEKSIKIAN SECONDED THE MOTION.**

**ROLL CALL:**

**AYE: MR. WENDT, MR. YEKSIKIAN, MR. CARLQUIST, MR. KREN, MR. STAPLETON, MR. THURSTON, CHAIRMAN JOHNSON**

**NAY: NONE**

**MOTION CARRIED. VOTE: 7-0**

### **NEW BUSINESS**

**Mr. Kren** raised discussion on how the State of Idaho has gone to overhead stop signs. He inquired whether the village had an ordinance for people talking on the cell phones while driving. He felt the matter should be raised at this commission. **Chairman Johnson** suggested making a recommendation to the village council. Staff was asked to research if the matter was ever raised in the village.

**OLD BUSINESS - None**

## **COMMUNICATIONS**

**Mr. Fera** reported a couple of communications have occurred with Linden Place between Chicago and Austin, as it relates to the one-way conversion. Staff conveyed to those individuals that no changes will be made for at least one year. The DuPage County south regional bike trail is moving forward in Downers Grove and will be an on-street path with signage only, and no physical changes to the roadway. The June meeting will include a discussion on Claremont Drive which will be posted in the newspaper. Regarding Roslyn Road, the stop sign warrants are being completed at Chicago and Traube. Crossing guard warrant reviews are being completed at the following locations: Hillcrest School and Pierce Downer School.

Regarding traffic calming devices on 71<sup>st</sup> Street, **Chairman Johnson** reminded the commissioners that 71<sup>st</sup> Street was a collector street and did not qualify for traffic calming. Personally, if the striping was not first tried, the chairman believed the village was wasting taxpayer money.

## **ADJOURN**

**COMMISSIONER KREN MOVED TO ADJOURN THE MEETING. COMMISSIONER CARLQUIST SECONDED THE MOTION. MOTION CARRIED BY VOICE VOTE OF 7-0.**

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,  
(as transcribed by tape)

/s/ Celeste K. Weilandt  
Celeste K. Weilandt, Recording Secretary

VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING, APRIL 23, 2007, 7:00 P.M.

Chairman Jirik called the April 23, 2007 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

**PRESENT:** Chairman Jirik, Mr. Beggs, Mr. Cozzo, Mrs. Hamernik, Mr. Matejczyk, Mr. Quirk, Mrs. Rabatah, Mr. Waechtler, Mr. Webster

**STAFF PRESENT:** Senior Planner, Jeff O'Brien, Planners Stan Popovich and Damir Latinovic

**VISITORS:** Mr. Ryan Oyster, GPD Group, 520 S. Main St., Akron, OH; Mr. Mitchell Mize, Intercapital Main & Maple LLC, 414 N. Orleans, Chicago; Ms. Judy Torres, Taco Bell, 7451 Lemont Rd., Downers Grove; Mr. Michael Flynn, Business & Banking Services, 936 Maple, Downers Grove

**APPROVAL OF MINUTES**

(Mr. Webster arrives at 7:01 p.m.) The April 2, 2007 minutes were approved on motion by Mr. Quirk, seconded by Mrs. Rabatah. Motion carried by voice vote of 9-0.

Chairman Jirik reviewed the protocol for the meeting.

**FILE NO. PC-14-07; 7451 Lemont Road Taco Bell Restaurant:** A petition seeking 1) an Amendment to Planned Development #18 Downers Park Plaza and 2) Special Use for a Drive-Up Window at a sit-down restaurant located on the Northeast corner of Lemont Road and 75<sup>th</sup> Street, commonly known as 7451 Lemont Road, Downers Grove, IL (PIN 09-29-110-001); Ryan Oyster, GPD Group, Petitioner; Kimco Realty Corp., owner.

Chairman Jirik swore in those individuals who would be speaking on File No. PC-14-07.

Mr. Damir Latinovic, Village Planner, indicated the site is 40,000 square feet and is located on the northeast corner of 75<sup>th</sup> Street and Lemont Road. The property is zoned B-2, General Retail Business and is part of Planned Development #18 Downers Park Plaza originally approved in 1977. The property currently has an existing 2,500 square foot Taco Bell building with a drive-through facility. Because there are proposed changes to the site, the petitioner is requesting an amendment to the Planned Development. The petitioner would like to demolish the existing building and construct a new one-story, 2,831 square foot sit-down restaurant with a drive-up window on the south side of the property, which is allowed only as a Special Use.

The maximum height of the building will be 19.6 feet, and it will meet all required setbacks. No changes are being proposed to the existing access drives. The new building will have a .07 Floor Area Ratio meeting the maximum allowed FAR of 0.75 and will include approximately 42.4% of total open space, thereby exceeding the minimum requirement of 15%. The Zoning Ordinance requires a restaurant to provide one parking space for each 100 square feet of gross floor area. The 2,831 square foot building is required to provide 29 parking spaces on site. However, the proposed site plan indicates 36 parking spaces are proposed. The drive-through lane, which will allow for

nine stacked vehicles, will include one pre-pay window and one pick-up window to allow for improved service.

The proposal is part of the 75<sup>th</sup> Street Commercial Corridor and should have minimal impact on parking and traffic circulation on the site. The proposal is consistent with the Village's Future Land Use Plan, and the site plan meets all zoning requirements. Preliminary plans indicate all new signage will meet the Sign Ordinance, but signage will be reviewed again at the time of the sign permit application. Because the development will not require an on-site detention facility, the petitioner is proposing to use the existing on-site water and storm sewer lines. The final utility configurations will be reviewed prior to the issuance of the building permit and will have to meet all stormwater management ordinance requirements. The Fire Department has required the new building to provide a complete automatic sprinkler system and a complete manual and automatic detection system.

As the proposed amendment is compatible with zoning and land uses, staff recommends that the Plan Commission make a positive recommendation to the Village Council subject to the conditions listed in its memorandum.

Discussion followed that Planning Department staff and the Code Inspection staff will review the signage again. Staff dialog followed that a previous drive-through restaurant did not require a Special Use in the mid-1980's. The Ordinance has been amended since to allow drive-through windows with a Special Use mainly due to unique traffic circulation patterns, vehicle stacking and potential for backing up traffic on thoroughfares.

On behalf of the petitioner, Mr. Ryan Oyster, GPD Group, 520 S. Main St., Akron, Ohio, summarized plans are to demolish the existing structure because it is dated. The proposed building is about 300 square feet larger and more efficient. The current building was actually retrofitted to be a Taco Bell. The drive-through will allow for the stacking of nine vehicles. Two drive-up windows in one drive-through lane are proposed: a payment window and a pick-up window. Mr. Oyster discussed where the main entrance would be located.

Mr. Waechtler asked if the petitioner could provide one more handicap space, wherein Mr. Oyster explained in adding an additional stall he would be losing another parking space. Illinois law required an access point for each handicap space. Mr. Oyster offered to return with the recommendation to Taco Bell. However, clarification followed that two handicap spaces were already provided. Mr. Waechtler commended the petitioner for the additional open space since the site was very bare.

Mr. Oyster explained the landscaped islands would include sod. Originally, the islands were striped out on the plans. Staff indicated the Plan Commission could make a condition to beautify the islands versus just sod. Mr. Matejczyk expressed concern about the maintenance of whatever landscaping was placed on the islands due to the fact there was no enforcement. Mr. Waechtler also expressed concern about visibility issues.

Discussion followed on reference to the ITE Manual and the traffic figures provided by the Traffic Engineer. Mr. Oyster stated the source for those figures was from his firm. Chairman Jirik confirmed with the petitioner and staff that the architectural plans and colors provided were accurate, and the petitioner would have to adhere to those plans.

Chairman Jirik opened up the meeting to public comment. No comments followed. Public comment was closed.

The petitioner thanked the Plan Commissioners for their time and looked forward to bringing the proposal to the Village.

Mr. Matejczyk had positive comments in general and was curious to know the average lifespan of these restaurants. Mr. Waechtler also commended Taco Bell for coming in and modernizing the building. Chairman Jirik stated in reviewing the standards and findings of fact, he did not find it necessary to review them point by point because the proposal was clearly a fine example of the continuing use and was an enhancement for the area and for the Village.

**WITH RESPECT TO FILE NO. PC 14-07, MR. WAECHTLER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THE PROPOSED AMENDMENT TO PLANNED DEVELOPMENT #18, DOWNERS PARK PLAZA, AND A SPECIAL USE FOR THE DRIVE-UP WINDOW FOR THE TACO BELL SIT-DOWN RESTAURANT BUILDING, SUBJECT TO THE FOLLOWING CONDITIONS AS OUTLINED BY STAFF:**

- 1. THE PROPOSED PLANS SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED APRIL 23, 2007; THE ALTA/ACSM LAND TITLE SURVEY PREPARED BY GENTILE AND ASSOCIATES, INC. DATED FEBRUARY 14, 2007; THE ARCHITECTURAL PLANS PREPARED BY GPD ASSOCIATES DATED MARCH 2, 2007 AND REVISED ON MARCH 22, 2007; EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGECODES AND ORDINANCES.**
- 2. THE SIGN APPLICATION SHALL BE SUBMITTED FOR ALL NEW SIGNAGE ON SITE. ALL PROPOSED SIGNAGE SHALL MEET THE VILLAGE'S SIGN ORDINANCE.**
- 3. THE PROPOSED BUILDING SHALL HAVE AN AUTOMATIC SPRINKLER SYSTEM INSTALLED.**
- 4. THE PROPOSED BUILDING SHALL HAVE A MANUAL FIRE ALARM AND AUTOMATIC DETECTION SYSTEM INSTALLED.**
- 5. ALL FIRE ALARMS SHALL BE U.L. CERTIFIED UPON ACCEPTANCE BY THE DOWNERS GROVE FIRE PREVENTION BUREAU.**
- 6. PRIOR TO THE COMMENCEMENT OF SITE DEVELOPMENT ACTIVITIES, THE APPROPRIATE PERMITS (WATER, STORMWATER, SITE DEVELOPMENT, RIGHT-OF-WAY, ETC.) SHALL BE OBTAINED FROM THE APPROPRIATE PERMITTING AUTHORITY.**

**SECONDED BY MR. MATEJCZYK.**

**ROLL CALL:**

**AYE: MR. WAECHTLER, MR. MATEJCZYK, MR. BEGGS, MR. COZZO, MRS. HAMERNIK, MR. QUIRK, MRS. RABATAH, MR. WEBSTER, CHAIRMAN JIRIK**

**NAY: NONE**

**MOTION CARRIED. VOTE: 9-0**

**FILE NO. PC-15-07; Main and Maple Final Planned Development and Special Use:** The petitioner is requesting a Final Planned Development and Special Use at the Northeast Corner of Main Street and Maple Avenue. The petitioner is proposing to construct a mixed-use development that includes retail uses on the first floor and residential uses on the second and third floors.

Chairman Jirik swore in those individuals who would be speaking on File No. PC 15-07.

Mr. Stan Popovich, Village Planner, discussed the proposal for the construction of a new three-story mixed-use building at the northeast corner of Main Street and Maple Avenue. In February 2006, there was a previous proposal before this Commission, which called for a four-story mixed use and residential use building. However, while the Plan Commission approved it, it was never forwarded to the Village Council. At present, the new proposed three-story building will be approximately 18,600 square feet of which approximately 5,300 square feet will be dedicated to four retail spaces. Five residential units will be provided on the second and third floors. The petitioner is requesting a Planned Development and Special Use to allow this new building.

The building will front Main Street and Maple Avenue. Details of the structure followed, noting there are five garages for the five residential units. Four two-car garages and one one-car garage are being provided, and 10 additional parking spaces are being provided. The Village requires 1.4 parking spaces per dwelling unit in the Downtown Business District. However, parking is not required for the commercial uses in the same district. A handicap parking space, while not shown, will be provided. The Main Street curb cut will be removed, but the existing Maple Avenue access will be revised and expanded to a 24-foot width. Second and third floor plans were noted. A public walkway will be located on the second floor. Each of the residential units has its own terrace. Landscaping will be provided. Some street trees are proposed, and screening of the parking lot will take place on the east side.

All bulk requirements are being met, and the proposal meets the requirements of the Zoning Ordinance and the village's Future Land Use Plan. The petitioner is proposing to use the existing sanitary sewer and provide domestic water service and a new storm sewer. The storm sewer will run North underneath the parking lot and West to Main Street. It requires a three-foot easement, but two feet will be required from the property owner to the North. The petitioner is working with the owner on the easement matter. If the easement is not obtained, the petitioner has agreed to eliminate one to two feet (1' to 2') from his building to provide the utility easement.

An existing traffic signal cabinet and post will have to be relocated. Currently there is no signage proposed, but that will be reviewed at the time permit applications are submitted. Staff recommended approval subject to the conditions listed in its staff memorandum.



Commissioner comments followed. In addressing the current curb cut on Main Street, Mr. Waechtler stated it was very difficult to make a left turn out of it. Addressing access to the units, staff noted the residential units would be accessed from the rear of the building and along the second floor through the walkway. Mr. Beggs expressed concern about a proposed tree blocking the traffic signal at the corner and recommended that the petitioner not install a tree there. Mr. Waechtler shared similar concerns. As to security on the staircase to the residential units, staff had no concerns but pointed out it was a public access and each private terrace had a gated entrance. Mr. Matejczyk inquired as to who would have responsibility for the public walkway space. Mrs. Rabatah shared the same concerns.

As to the parking on the east side, staff recalled the retaining wall was approximately three feet in height. The petitioner and the property owner were addressing landscaping screening on the East side of the parking lot. Mr. Popovich did not recall a fence on the East side of the property. No signage for the parking lot was being proposed at this time. Mr. Waechtler believed some sort of guest signage would be appropriate. As to allocating spaces for the retail uses, Mr. Popovich noted there was no required parking in the Downtown Business District for guest parking and no requirement for commercial parking for the retail units. He clarified the ten parking spaces were for retail customers and for residential guests.

Petitioner, Mr. Mitchell Mize, with Intercapital Main and Maple LLC, 414 N. Orleans, Chicago, Illinois, was present to answer questions. As to the security and access from the public walkway, Mr. Mize stated it was mislabeled as “public” and clarified it was a common area. He agreed to work with the Building Department to see how the walkway could be secured, but stated it provided a secondary means of egress for the units. Mr. Matejczyk liked the proposal, stating it fit well in the downtown area. Regarding the stairway to the roof, Mr. Mize stated it was at staff’s recommendation. He did not prefer the stairway. Mr. Popovich explained staff was under the assumption that having a three-floor building, a rooftop access was required. However, after reviewing the International Building Code, a roof access was required for four stories or more. Mr. Popovich stated the roof staircase could be removed. Commissioners asked that the roof staircase be removed. As to signage, Mr. Mize stated the signage would depend upon speaking with the commercial brokers for their input.

Mr. Waechtler shared his concern about left-turn difficulties out onto Maple Avenue. Others shared their own input on the matter, noting that common sense would probably prevail. Mrs. Hamernik noted the residential units should be allowed to turn either left or right and the new owners would learn quickly if they would be able to make a left turn. As to having signage for pedestrians when crossing the access, Mr. Mize stated he was agreeable with whatever staff wanted. Mr. O’Brien said typically a sidewalk is carried through a driveway, similar to the 922 Warren Avenue project.

As to the access onto Maple Avenue, because the property has one full access and one limited access, Mr. O’Brien explained it was important, from staff’s perspective, to maintain the street wall along Main Street and to provide the petitioner with a full access point. Staff thought it was the best location for the access. A brief clarification of landscaping maintenance followed.

Chairman Jirik opened the matter to public comment. No comments received. Public comment was closed.

Overall, Mr. Matejczyk had positive comments about the proposal, noting it fit in well as to the architecture and size. As to the access to the condos, he felt the petitioner needed to work those out in the market and recommended the Commission not address the matter. While Mr. Webster liked the look of the project, he did not believe it was the appropriate time to place such a building on the site, since so much development was already occurring in the downtown area that is not currently leased or sold. Mr. Matejczyk disagreed, noting it was the developer who was supporting the project financially, and it was not for this Commission to question. Mr. Webster stated he would vote against it, but not on the merits of the project. A short dialog followed on the various developments occurring in the downtown district and the notion of how this project positively affects adjacent properties. Mrs. Rabatah also supported the project, noting it fit in well with the area. The Chairman spoke about the transition occurring in the area and the parcel being “awkward.” However, in the end, he believed the market would decide. Chairman Jirik believed the proposal offered many positives and noted project met the standards for approval.

Discussion then followed on whether the Village addressed overnight parking. Mr. O’Brien stated it had not been addressed yet, but staff was working toward a resolution and trying to address that concern. Mr. O’Brien explained how some of the developments after the Acadia project incorporated guest parking for their particular developments. Mr. Matejczyk agreed the guest parking matter needed to be addressed. Further dialog followed on commuter parking versus shopper parking.

**WITH RESPECT TO FILE NO. PC-15-07, MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND APPROVAL OF THE PLANNED DEVELOPMENT FOR A MIXED-USE BUILDING, SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. THE PROPOSED BUILDING AND SITE IMPROVEMENTS SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED APRIL 23, 2007; ARCHITECTURAL PLANS PREPARED BY BLOODGOOD SHARP BUSTER ARCHITECTS AND PLANNERS INC., DATED MARCH 12, 2007, THE ENGINEERING IMPROVEMENT PLANS PREPARED BY GC ENGINEERING INC., DATED MARCH 14, 2007; LANDSCAPE PLANS PREPARED BY BSB DESIGN, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
- 2. THE PROPOSED PLAN SHALL PROVIDE ONE ACCESSIBLE PARKING SPACE PER ILLINOIS LAW.**
- 3. AS SHOWN ON THE ENGINEERING PLANS, A THREE-FOOT (3’) PERMANENT DRAINAGE EASEMENT SHALL BE PROVIDED ALONG THE NORTH SIDE OF THE PROPOSED BUILDING FOR THE STORM SEWER AND ROOF ACCESS STAIR. THE EASEMENT WILL INCLUDE APPROXIMATELY TWO FEET (2’) OF THE PARCEL TO THE NORTH OF THE PROPOSED DEVELOPMENT. THE PETITIONER SHALL RECORD THE EASEMENT WITH THE DUPAGE COUNTY RECORDER AND PROVIDE THE VILLAGE WITH THREE (3) HARD COPIES OF THE RECORDED EASEMENT PRIOR TO THE ISSUANCE OF ANY BUILDING, CONSTRUCTION OR SITE DEVELOPMENT PERMITS.**
- 4. IF AN EASEMENT IS NOT SECURED, THE BUILDING SHALL BE REDUCED BY ONE TO TWO FEET (1’-2’) TO ALLOW A PERMANENT DRAINAGE EASEMENT ENTIRELY WITHIN THE SUBJECT PROPERTY. REVISED**

**ARCHITECTURAL AND ENGINEERING PLANS SHALL BE SUBMITTED TO THE VILLAGE FOR APPROVAL.**

- 5. TO ENSURE ADEQUATE SPACE WITHIN THE TRASH ENCLOSURE, DOCUMENTATION SHALL BE PROVIDED IDENTIFYING IF BOTH RESIDENTIAL AND RETAIL TENANTS ARE TO USE THE TRASH ENCLOSURE.**
- 6. THE PROPOSED CANOPIES ALONG THE SOUTH AND WEST FACADES ENCROACH INTO THE VILLAGE'S RIGHT-OF-WAY. A LICENSE AGREEMENT FOR THE CANOPIES WILL HAVE TO BE EXECUTED WITH THE VILLAGE.**
- 7. THE LANDSCAPE FEATURE AT THE SOUTHWEST CORNER OF THE SITE ENCROACHES INTO THE PUBLIC RIGHT-OF-WAY. A LICENSE AGREEMENT FOR THE FEATURE WILL HAVE TO BE EXECUTED WITH THE VILLAGE WITH MAINTENANCE FOR THE FEATURE BEING THE RESPONSIBILITY OF THE BUILDING OWNER.**
- 8. IF THE EXISTING TRAFFIC SIGNAL EQUIPMENT REQUIRES RELOCATION, THE PETITIONER SHALL WORK WITH THE VILLAGE TO ENSURE THE RELOCATION MEETS VILLAGE STANDARDS.**
- 9. THE NEW BUILDING SHALL HAVE AN AUTOMATIC SPRINKLER SYSTEM INSTALLED THROUGHOUT. ALL AREAS OF THE NEW BUILDING SHALL BE PROTECTED. PROVIDE WORKING DRAWINGS AND CUT SHEETS DURING PERMIT REVIEW.**
- 10. THE NEW BUILDING SHALL HAVE A MANUAL AND AUTOMATIC DETECTION SYSTEM INSTALLED THROUGHOUT. ALL AREAS OF THE NEW BUILDING SHALL BE PROTECTED. PROVIDE WORKING DRAWINGS AND CUT SHEETS DURING PERMIT REVIEW.**
- 11. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS (SITE DEVELOPMENT, BUILDING, ETC), THE PETITIONER SHALL MAKE DONATIONS TO THE SCHOOL AND PARK DISTRICTS IN THE FOLLOWING AMOUNTS: \$2,954.90 TO DISTRICT 58; \$1,224.01 TO DISTRICT 99 AND \$8,966.12 TO THE DOWNERS GROVE PARK DISTRICT (GRAND TOTAL OF \$13,145.03) SUBJECT TO VERIFICATION BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT.**

**SECONDED BY MRS. HAMERNIK.**

A discussion occurred where Mr. Beggs was asked if he would like to amend his motion to include added conditions that dealt with roof access, the Maple Avenue tree closest to the intersection, and access to the 'public' walkway. Mr. Beggs declined, noting staff was better able to deal with these specific issues and come to an agreement with the petitioner. Mrs. Hamernik agreed.

**ROLL CALL:**

**AYE: MR. BEGGS, MRS. HAMERNIK, MR. COZZO, MR. MATEJCZYK, MR QUICK, MRS. RABATAH, MR. WAECHTLER**

**NAY: MR. WEBSTER**

Mr. Webster was provided with an opportunity to comment on his Nay vote. Mr. Webster stated he did not believe another development should be placed downtown at this time as the Village has a significant amount of development currently taking place with numerous existing storefronts being empty.

**MOTION CARRIED: VOTE: 8-1**

Mr. O'Brien informed the Commission the new Community Development Director, Mr. Tom Dabareiner, AICP, started with the Village today, and he may attend a future Plan Commission meeting.

Mr. Matejczyk praised the staff for the quality of their work and Chairman Jirik asked staff to look into completing a visioning session with the new Village Council once they have some time to get their feet wet. Chairman Jirik noted previous visioning sessions were very helpful in the past, but they had not completed any visioning sessions recently.

**MRS. HAMERNIK MOVED TO ADJOURN THE MEETING. MRS. RABATAH SECONDED THE MOTION. THE MEETING ADJOURNED AT 8:25 P.M.**

/s/ Celeste K. Weilandt  
Celeste K. Weilandt  
(As transcribed by MP-3 audio)

VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING, MAY 7, 2007, 7:00 P.M.

Chairman Jirik called the May 7, 2007 meeting of the Plan Commission to order at 7:05 p.m. and asked for a roll call:

**PRESENT:** Chairman Jirik, Mr. Beggs, Mr. Cozzo, Mr. Matejczyk, Mr. Quirk, Mrs. Rabatah, Mr. Waechtler, Mr. Webster

**ABSENT:** Mrs. Hamernik

**STAFF PRESENT:** Senior Planner, Jeff O'Brien, Planner Stan Popovich, Director of Community Development, Tom Dabareiner, Assistant Director of Public Works, Mike Millette

**VISITORS:** Jerry Kiluk, 4733, Puffer Rd., Downers Grove, Mark Thoman, 1109 61<sup>st</sup> St., Phil Barr, 4605 Puffer Rd., Les Hunzinger, 3704 Venard Rd., Darcy Berg, Downers Grove Park Dist, 2544 Warrenville Rd., Ed Sherman, Atty. 490 N. Ashbury Ave., Bolingbrook, Betty Rigsby 1962 Hitchcock Ave., Sally Lusescu, 1560 Snowberry Ct., Manuel J. Alves, 1511 Coral Berry, K. Evans, 2640 Buckthorn Dr., Ed Briscoe, 3949 Buckthorn Dr., Graham & Robert Merkin, 635 Ogden Ave., James Crince, 620 Dawn Pl., Greg Nesypor, 639 Ogden, Patti Parrillo, 3737 Downers Dr., Helene Hosking, 1460 Golden Bell, Ben Regimand, 1521 Coral Berry, Dan Gilbert, 3549 Saratoga Ave., James & Effie Kyroudis, 4740 Belmont Rd., Pat Szot, 4311 Stanley Ave., David Schmidt, Architect, 4906 Main St., Lisle, IL., Tim Eubeler, 3702 Venard Rd., Mark Khankan, 1313 Ogden Ave., Don Kuster, 1501 Coral Berry Lane., Mr. Jerry Knoebaugh, 4733 Belmont Road.

The Plan Commission recited the Pledge of Allegiance.

Chairman Jirik reviewed the protocol for the meeting.

**FILE NO. PC-31-06;** A petition seeking a right-of-way vacation for the dedicated but unbuilt Prairie Avenue right-of-way West of Belmont Road to the East line of Puffer Road; James Kyroudis & Jay Dockendorff, Petitioners; Village of Downers Grove, Owner

Chairman Jirik swore in those individuals who would be speaking on File No. PC-31-06.

Mr. Jeff O'Brien, Senior Planner, presented the staff report. He explained the request was for the vacation of the 66-foot Prairie Avenue right-of-way between Belmont and Puffer. He stated the right-of-way was currently unimproved, and there were trees and a fence blocking access to the area. Mr. O'Brien stated the petitioners had been pursuing the vacation for several years in order to enhance the privacy and safety of their properties. He indicated there had been a history of vandalism in the right-of-way including a fire on the 4740 Belmont Avenue property.

Mr. O'Brien noted the petitioner originally met with management, public works and planning staff and was provided direction to address the issues. After the petitioner submitted his petition, staff

routed the request to the various utility companies, governmental entities and Village departments. Staff received several objections to the vacation from the Sanitary District, the Park District and the Village's public safety officials. Mr. O'Brien indicated the Sanitary District had changed its position and was now only asking that a 20-foot easement be reserved along the southern edge of the right-of-way. Mr. O'Brien stated the area was being reserved for a future trunk sewer line.

Mr. O'Brien indicated the Park District was opposing the vacation because of its proximity to the Downers Grove Golf Course. He stated the Park District indicated in their letter attached to the staff report that there may be some future need for an additional access point to the golf course. He stated he confirmed this position with the Director of Parks last week.

Finally, Mr. O'Brien stated there had been some history with emergency vehicles having problems accessing the homes on Puffer Road. He stated Puffer Road is a 15-foot wide road that can only be accessed from Chicago Avenue. Mr. O'Brien stated several emergencies have taken place at the southern end of Puffer Road, and the Fire Department used the right-of-way to service this area in the past.

Mr. O'Brien stated staff was recommending the right-of-way be reserved for future access and need. He noted staff did not think a full road would ever be constructed in the right-of-way, but some emergency access path might be constructed. He stated staff believes there are alternatives to vacation to address the petitioners' concerns. Mr. O'Brien reminded the Plan Commission that its job is to provide a recommendation as to the future need for the Village to maintain ownership of the right-of-way. He stated staff is recommending denial of the petition but has provided conditions for approval if the Plan Commission recommends approval.

The Plan Commission asked Mr. O'Brien to discuss the Village's maintenance actions in the right-of-way. Mr. O'Brien provided a description of the Village's activities with regard to installing a fence and brush removal. He also provided additional details about the safety and access concerns in the area.

Mr. James Kyroudis, a petitioner, summarized his petition. He stated this process started four years ago at a meeting with Village staff where they noted this would not be much of an issue to vacate this right-of-way. After this initial meeting, the Planning Director left, and his case was assigned to a Village Planner. Subsequent time passed, and the Village had an alley vacation policy that would need to be followed, but he stated he was fine with that. The Village Planner left, and he was again transferred, this time to Mr. O'Brien. Mr. Kyroudis stated Mr. O'Brien has been very helpful throughout this whole process.

Mr. Kyroudis stated his family moved from Chicago to Downers Grove to get away from the problems and issues one might see in Chicago. Upon moving to his current house, his family found he had to deal with the problems they tried to move away from on a daily basis because of his location next to right-of-way in question. He stated his family did not open their blinds or use their yard because of people or cars wandering throughout the right-of-way. In the past, he has seen teenagers parking, drug deals, illegal dumping and other inappropriate actions. He once had a semi-truck drive back into the area and dump mulched Christmas trees. He had to call the Village to have them come out and clean it up.

Mr. Kyroudis stated he spoke to his co-petitioner, and they thought of building a fence, but they both decided it would only make the area worse because no one would watch the area. He stated his family has spent a large amount of time and money cleaning up the illegal dumping and trash that accumulates within the right-of-way. He noted once someone set fire to his shed. He filed a police report, but no one was ever caught.

Mr. Kyroudis noted the Village has installed a fence at the east end of the right-of-way which has kept out vehicular traffic, but people still wander through the area, and he sometimes has to kick people out of his back yard.

Mr. Kyroudis noted the Village would not be able to access Puffer Road through the right-of-way in its current state due to 30-40 year old trees near the West side of the right-of-way. These trees would have to be removed in order for any motor vehicle to get to Puffer Road.

Mr. Kyroudis offered that Fire Vehicles could access the South side of Puffer Road from the schoolyard to the South. Mr. O'Brien stated this would not be possible because the Village does not have an easement on the School District property.

Mrs. Effie Kyroudis read a letter from the co-petitioner, Mr. Dockendorff, who was unable to attend the meeting. The letter expressed the Dockendorffs' concerns regarding the Village ownership of the right-of-way. The Dockendorffs asked the Plan Commission to support the petition.

The Plan Commission asked Mr. Kyroudis about the current use and status in the right-of-way. Mr. Kyroudis indicated the problems have not been present in the past 6-12 months. He indicated the Village had removed some trees and underbrush and had installed a fence at the entrance to Belmont Road. Mr. Kyroudis indicated the largest problem at this time was foot traffic.

Mr. Waechtler asked about the debris that was currently in the right-of-way. Mr. Kyroudis indicated the Dockendorffs' tenant at 4741 Puffer Road owned a landscaping business and was storing wood chips and equipment on the property. He noted the area has some extra debris on it because the tenant is being evicted from the home.

Chairman Jirik opened the matter to public comment.

Ms. Betty Rigsby, 1962 Hitchcock Avenue, noted she preferred the right-of-way be vacated to the school. She stated that a 60-foot wide piece of land is a buildable lot width in the Village, and the Village should not give that land away. She was against the petition.

Mr. Jerry Knobaugh, 4733 Belmont Road, felt the building at 4711 Puffer Road is in poor condition, and the tenants in that building may be causing some of the problems within the right-of-way. He objected to the price the Village was going to ask for from the petitioners and felt the right-of-way would be better vacated to the School District.

Mr. Phillip Barr, 4605 Puffer Road, stated he was not against Mr. Kyroudis but felt that Mr. Dockendorff is a developer who does not maintain his property at 4741 Puffer Road. He stated there are currently eight abandoned cars on Mr. Dockendorff's property with three of them being located within the right-of-way. Mr. Barr noted he is against the vacation, and if the Village were to vacate the right-of-way, it should go to the school.

Chairman Jirik asked for additional comments. There were none, and the Chairman closed the public comment portion of the meeting.

Mr. Kryoudis stated he did not want to be lumped into the same category as Mr. Dockendorff. He stated he did not know if Mr. Dockendorff was a developer or not, he just knows him as a neighbor. Mr. Kryoudis said he was not a developer and did not want to build on the property. He stated the vacation would benefit the Village because there would no longer be a need for the Village to maintain the property. Mr. Kryoudis re-iterated he does not want to develop the property; he merely wants to protect his property.

Mr. Waechtler asked staff what had been done in the area to improve it. Mr. O'Brien noted the Village has put up a split rail fence at the East end of the right-of-way and cleared the underbrush.

Mr. Waechtler inquired to staff whether the school district had expressed interest in the right-of-way. Mr. O'Brien stated the school district had not expressed interest at this time.

Mr. Matejczyk noted this was tough to pass because the Village could be very different in the future, and he wanted to make sure when granting vacations that the right-of-ways would not be needed. He felt if there were other avenues for the petitioner to take care of the problems, then those should be exhausted.

Mr. Waechtler agreed, stating alley vacations are much different from street rights-of-way. The Village has a responsibility to not give up important parcels. He asked if the Village could install additional fencing or post the property to restrict pedestrian traffic to address the petitioners' concerns.

Mr. Cozzo agreed and noted the Village should work with the petitioner to explore the possibility of installing a fence. Additionally, the Village should do more to deter pedestrian and vehicular traffic through the right-of-way through the posting of no trespassing signs. A discussion occurred wondering if the Village would be able to restrict traffic on a public right-of-way.

Chairman Jirik noted the Commission needed to assess the current situation and determine a justification for its recommendation. He noted the response needed to be proportionate to the needs of the petitioner and the Village. Chairman Jirik noted the Village should maintain the right-of-way on a set schedule and ensure that the East side of the right-of-way is blocked while the West side provides adequate turn around and life safety protection. He also stated there might be some need to install a fence along the southern edge of the right-of-way.

Mrs. Rabatah stated the Village would do well by completing a study of the right-of-way and work with the neighbors to complete such a study.

Mr. Beggs felt there were several troubling items with regard to this petition. He believes the petition was brought before the Commission prior to the Village hearing a response from several entities on whether they would want to receive the vacated right-of-way. He noted some entities sent a letter to the Village but were not represented at the meeting tonight. Mr. Beggs stated he is inclined to rehear the petition in 120 days so that staff has an opportunity to receive responses from the various entities who did not respond.



Mr. Waechtler stated the Village does not know the future of this right-of-way and should maintain its ownership.

**WITH RESPECT TO FILE NO. PC 31-06, MR. WAECHTLER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A RECOMMENDATION OF DENIAL TO THE VILLAGE COUNCIL FOR THE PROPOSED RIGHT-OF-WAY VACATION FOR THE DEDICATED BUT UNBUILT PRAIRIE AVENUE RIGHT-OF-WAY WEST OF BELMONT ROAD TO THE EAST LINE OF PUFFER ROAD.**

**SECONDED BY MR. MATEJCZYK.**

**ROLL CALL:**

**AYE: MR. WAECHTLER, MR. MATEJCZYK, MR. BEGGS, MR. COZZO, MR. QUIRK, MRS. RABATAH, MR. WEBSTER, CHAIRMAN JIRIK**

**NAY: NONE**

**MOTION CARRIED. VOTE: 8-0**

**FILE NO. PC-16-07;** A petition seeking 1) Rezoning of the South ten feet of the alley located South of Ogden Avenue and East of Stanley Avenue from R-4, Single Family Residential to B-3, General Services & Highway Business; 2) Vacation of the 20 foot alley right-of-way located South of Ogden Avenue and East of Stanley Avenue, commonly known as 621, 631-35 and 639 Ogden Avenue, Downers Grove, IL (PIN Nos. 09-05-402-004,-003,-002,-001); Edward P. Sherman, Petitioner; Robert Merkin, Greg Nesypor, William Warman, Gail Reingold, Owners

Chairman Jirik swore in those individuals who would be speaking on File No. PC 16-07.

Mr. O'Brien presented the staff report. He stated the petitioner is requesting a vacation of the 20-foot alley immediately south of 621-639 Ogden Avenue. He stated the alley is currently unimproved and is used as yard space. Mr. O'Brien indicated there were overhead utility lines running through the alley. He noted the alley did not go through to Sterling Road. He stated staff was requesting an easement be maintained over the entire alley after receiving input from the utility providers.

Mr. O'Brien stated the unique portion of this case was the requested map amendment. He noted because the alley is a boundary of the zoning district, half of the alley was zoned B-3 and the other half was zoned R-4. He stated staff was recommending the alley be rezoned to B-3 to be consistent with the zoning of the properties on Ogden Avenue. He noted all of the proper buffers and setbacks would be maintained, and the only structures that could be built would be a fence and a parking lot.

Mr. O'Brien stated the proposal was consistent with the vacation policy and the Ogden Avenue Master Plan because it added depth to the properties fronting Ogden. He stated staff was recommending approval of the vacation and rezoning. He noted staff was recommending an appraisal be completed to determine the price of the alley.

Mr. Ed Sherman, 490 N. Ashbury Ave., Bolingbrook stated he is representing two of the petitioners, Dr. Merkin and Mr. Neyspor. He noted counsel for the other applicants was unable to attend tonight's meeting but felt Mr. Sherman could adequately answer all questions pertaining to this project. Mr. Sherman introduced the petitioners in the audience.

Mr. Sherman stated the case as presented by staff was accurate. He noted the proposed project would assist the Village in meeting their development goals along Ogden Avenue. Mr. Sherman stated with the addition of the alley space, his petitioners were looking to add parking. The alley would also assist in creating easier access to those new parking spaces. The vacation would allow his petitioners to move their parking around and create a nicer looking Ogden Avenue.

Mr. Sherman reviewed the Village's standards for an alley vacation and rezoning. He stated his belief that this project did in fact meet all the Village's standards.

Mr. Cozzo asked the petitioner what type of screening would be installed along the South alley line adjacent to the residential buildings. Mr. Sherman noted that they were prepared to install a six-foot privacy fence. Mr. O'Brien clarified that minimally a six-foot tall privacy fence is required. The structural fence supports would be required to face the business properties, while the finished side would face the residential area.

Chairman Jirik opened the case for public comment. There was none, and the Chairman closed the public comment portion of the meeting.

Mr. Matejczyk stated his support for the project.

Mr. Waechtler asked staff if the fence were included within this project. Mr. O'Brien answered the fence was not included but would have to be included during the permit review phase of any development on these sites.

Chairman Jirik reminded the Commission there are two distinct motions needed in this case; one for the alley vacation and another for the rezoning.

Mr. Waechtler inquired about the vacant piece of property within the project area. Staff noted that any development proposed for this site would have to meet Village codes and ordinances.

**WITH RESPECT TO FILE NO. PC-16-07, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND APPROVAL OF THE VACATION OF THE 20-FOOT ALLEY RIGHT-OF-WAY LOCATED SOUTH OF OGDEN AVENUE AND EAST OF STANLEY AVENUE AND REZONE THE SOUTH TEN FEET OF THE ALLEY LOCATED SOUTH OF OGDEN AVENUE AND EAST OF STANLEY AVENUE FROM R-4, SINGLE FAMILY RESIDENTIAL TO B-3 GENERAL SERVICES & HIGHWAY BUSINESS, SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. THE VACATION SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED MAY 7, 2007 EXCEPT AS PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES AND THE FOLLOWING CONDITIONS:**

- A. A UTILITY AND DRAINAGE EASEMENT SHALL BE RETAINED OVER**

**THE ENTIRE WIDTH AND LENGTH OF THE SUBJECT ALLEY BY THE VILLAGE OF DOWNERS GROVE AND OTHER APPLICABLE UTILITY COMPANIES FOR THE MAINTENANCE OF THE EXISTING UTILITY FACILITIES AND FUTURE UTILITY NEEDS.**

- B. SUCH EASEMENT LANGUAGE SHALL BE PROVIDED ON THE PLAT OF VACATION.**
- C. THE CONSTRUCTION OF FUTURE STRUCTURES ON THE ALLEY PROPOSED TO BE VACATED SHALL BE LIMITED TO FENCES AND SURFACE PARKING LOTS. CONSTRUCTION OF ANY NEW BUILDINGS ON THE ALLEY SHALL NOT BE PERMITTED.**
- 2. PRIOR TO VILLAGE COUNCIL CONSIDERATION, THE PETITIONERS SHALL, AT THEIR SOLE EXPENSE, HAVE A CERTIFIED APPRAISAL SUBMITTED TO THE VILLAGE FOR REVIEW. THE APPRAISAL SHALL PROVIDE A FAIR MARKET VALUATION FOR THE ALLEY**
- 3. PRIOR TO FINAL VILLAGE COUNCIL CONSIDERATION, EACH PETITIONER SHALL PROVIDE THE VILLAGE WITH COMPENSATION FOR THE ALLEY AS DETERMINED BY THE VILLAGE COUNCIL.**
- 4. PRIOR TO FINAL VILLAGE COUNCIL CONSIDERATION, THE PETITIONERS SHALL HAVE A PLAT OF VACATION PREPARED BY A LICENSED SURVEYOR.**

**SECONDED BY MRS. RABATAH.**

**ROLL CALL:**

**AYE: MR. MATEJCZYK, MRS. RABATAH, MR. BEGGS, MR. COZZO, MR QUICK, MR. WAECHTLER, MR. WEBSTER, CHAIRMAN JIRIK**

**NAY: NONE**

**MOTION CARRIED. VOTE: 8-0**

**FILE NO. PC-17-07** A petition seeking a Special Use for an automobile dealership for property located on the Southeast corner of Ogden and Middaugh Avenues, Downers Grove, IL, commonly known as 1245-49 Ogden Avenue Downers Grove, IL (PIN Nos. 09-06-407-001,-002); Mark Khankan, World Class Motorcars, Petitioner; World Class Motorcars, Mark Khankan & Louie Kanjo, Owners

Mr. Stan Popovich, Village Planner, stated this project was for a Special Use and Plat of Consolidation for an automobile dealership at 1245-1249 Ogden Avenue. He noted in May 2006 a similar petition was before the Plan Commission. In that petition, the petitioner proposed to demolish the building at 1249 Ogden Avenue and utilize the existing building at 1245 Ogden Avenue for the automobile dealership. Site improvements included the removal of two curb cuts onto Ogden Avenue. Since that time, the 1249 Ogden building has been demolished but no other work has been completed on site. Additionally, the owner has determined that the existing building at 1245 Ogden Avenue does not satisfy his building needs, and he wants to construct a new building. Mr. Popovich explained the new building is a significant change to the previous approval and as such requires Plan Commission review.

Mr. Popovich noted the petitioner is proposing a two-story pre-cast concrete panel and glass building. Totaling 6,300 square feet, the interior will include offices, a showroom, and detail and service bays according to Mr. Popovich.

Mr. Popovich summarized the site plan and noted the proposed building is in generally the same location as the existing building. As such, Mr. Popovich noted Village staff did not require new engineering plans to be submitted at this time, however, revised engineering plans will be required as part of the permit review. Mr. Popovich noted the engineering plans would have to substantially conform to previously submitted plans and include the removal of two Ogden Avenue curb cuts and the improvement of the property along Middaugh Avenue to include a defined curb cut and sidewalk. Mr. Popovich noted the petition meets open space and parking requirements.

Staff is requiring a curb along the length of the alley where garage bays are not located. Additionally, staff will require a plan that shows all loading and unloading of sale vehicles taking place entirely on site. Furthermore, Mr. Popovich noted that parking or queuing of cars within the alley would be prohibited.

A Plat of Consolidation is required to consolidate six separate parcels into a single parcel. Mr. Popovich explained this was submitted last year, but never recorded; therefore, staff is requiring it be completed at this time.

Mr. Popovich reviewed conversations staff had with two concerned citizens and went over how those concerns would be addressed. Mr. Popovich noted the project complies with the Future Land Use Map, Zoning Ordinance, Subdivision Ordinance, Public Safety Requirements, and the Ogden Avenue Master Plan. Staff recommended approval of this petition subject to the conditions listed in its staff report.

Mr. Waechtler inquired about the Plat of Subdivision that was provided to the Plan Commission. He noted that Middaugh Avenue was labeled twice. Mr. Popovich clarified that the road shown on the East side of the plat should have in fact been labeled as Linscott Avenue and will be corrected prior to Village Council consideration.

Mr. David Schmidt, 4906 Main St., Lisle, Illinois represented the owner of the property, Mr. Mark Khankan, who he introduced in the audience. Mr. Schmidt noted staff's presentation was in-line with what the petitioner was proposing. He stated World Class Motorcars has an image with the cars they sell, and the existing building would not meet that image; therefore, a new building is necessary. He noted there are numerous car dealerships on Ogden Avenue, but that World Class serves a different and unique clientele that is not represented on Ogden Avenue.

Mr. Matejczyk stated he liked the building's design and style.

Mr. Waechtler inquired about the size of the building. Mr. Popovich noted it was 6,300 square feet, and Mr. Schmidt stated it was approximately 60 feet by 110 feet.

Chairman Jirik opened the petition for public comment. There was none, and the Chairman closed the public comment portion of the meeting.

Mr. Matejczyk noted the petition had already been through the Plan Commission once and was approved. He was delighted staff had included conditions to prohibit parking and queuing in the alley and stated the Village needs to ensure policing of that condition.

Mr. Quirk inquired about condition number one in the staff report regarding doors swinging out into the alley. Mr. Popovich stated that no doors, stoops or patios are allowed to encroach into the public right-of-way; as such, the building will have to move one to two feet north to accommodate the door swings. Mr. Popovich did not believe this would be a significant change as there is adequate room north of the building.

**WITH RESPECT TO FILE NO. PC-17-07, MR. COZZO MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND APPROVAL OF THE SPECIAL USE TO CONSTRUCT AN AUTOMOBILE DEALERSHIP AT 1245-1249 OGDEN AVENUE AND THE PLAT OF CONSOLIDATION TO CONSOLIDATE SIX SEPARATE PARCELS INTO A SINGLE PARCEL, SUBJECT TO THE CONDITIONS LISTED BELOW:**

- 1. THE BUILDING SHALL BE DESIGNED SO THAT THE PEDESTRIAN DOORS ON THE SOUTH FAÇADE SWING OUT BUT DO NOT ENCROACH INTO THE PUBLIC ALLEY. ADDITIONALLY, NO STOOPS, STEPS, CORNICES, OR BOLLARDS SHALL ENCROACH INTO THE PUBLIC ALLEY.**
- 2. REVISED ENGINEERING PLANS SHALL BE SUBMITTED TO THE VILLAGE FOR REVIEW DURING THE PERMIT REVIEW PROCESS. THE REVISED PLANS SHALL SUBSTANTIALLY COMPLY WITH THE ENGINEERING PLANS DATED MARCH 17, 2006 AND SUBMITTED AS PART OF THE PREVIOUS SPECIAL USE PETITION THAT WAS AUTHORIZED IN ORDINANCE #4789. THE ENGINEERING PLANS SHALL INCLUDE:**
  - A. GEOMETRY PLAN**
  - B. REMOVAL PLAN**
  - C. UTILITY\GRADING\SEDIMENT AND EROSION CONTROL PLAN**
  - D. LANDSCAPE PLAN**
  - E. PHOTOMETRIC PLAN**
  - F. DETAILS**
- 3. A PLAT OF CONSOLIDATION SHALL BE PREPARED TO CONSOLIDATE THE SIX SEPARATE LOTS.**
  - A. THE PLAT SHALL HAVE THE REQUIRED CERTIFICATIONS NOTED.**
  - B. THE PLAT TITLE SHALL INCLUDE "FINAL PLAT OF CONSOLIDATION."**
  - C. THE PLAT SHALL BE PREPARED AND SUBMITTED TO THE VILLAGE PRIOR TO THE CONSIDERATION OF THE SPECIAL USE BY THE VILLAGE COUNCIL.**
  - D. THE PLAT OF CONSOLIDATION SHALL BE RECORDED WITH THE DUPAGE COUNTY RECORDER PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS, INCLUDING BUT NOT LIMITED TO CONSTRUCTION, DEMOLITION, OR SITE DEVELOPMENT PERMIT.**
- 4. NO OUTDOOR SPEAKER SYSTEM SHALL BE ALLOWED ON THE SITE.**
- 5. A SIDEWALK SHALL BE PROVIDED ALONG MIDDAUGH AVENUE IN A MANNER ACCEPTABLE TO THE VILLAGE ENGINEER PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT.**

6. **THE DUMPSTER SHALL BE RELOCATED OUTSIDE OF THE REQUIRED MIDDAGH AVENUE FRONT YARD. THE DUMPSTER SHALL BE RELOCATED A MINIMUM OF 25 FEET FROM THE WEST PROPERTY LINE.**
7. **A CURB SHALL BE PROVIDED ALONG THE ENTIRE LENGTH OF THE ALLEY EXCEPT FOR THOSE AREAS WHERE A DUMPSTER OR OVERHEAD DOOR ACCESS IS PROVIDED.**
8. **NO PARKING OR QUEUING OF VEHICLES SHALL BE ALLOWED IN THE ALLEY.**
9. **ALL VEHICLE LOADING AND UNLOADING SHALL OCCUR ON SITE. A LOADING AND UNLOADING PLAN THAT DEMONSTRATES COMPLIANCE SHALL BE PROVIDED TO THE VILLAGE.**
10. **ALL PROPOSED SIGNS SHALL COMPLY WITH THE SIGN ORDINANCE.**
11. **ALL CONSTRUCTION WITHIN THE OGDEN AVENUE RIGHT-OF-WAY WILL REQUIRE APPROVAL AND PERMITS FROM THE ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT). PROVIDE THE VILLAGE WITH COPIES OF ALL IDOT CORRESPONDENCE.**
12. **THE NEW BUILDING SHALL HAVE AN AUTOMATIC SPRINKLER SYSTEM INSTALLED THROUGHOUT. ALL AREAS OF THE NEW BUILDING SHALL BE PROTECTED. PROVIDE WORKING DRAWINGS AND CUT SHEETS DURING PERMIT REVIEW.**
13. **THE NEW BUILDING SHALL HAVE A MANUAL AND AUTOMATIC DETECTION SYSTEM INSTALLED THROUGHOUT. ALL AREAS OF THE NEW BUILDING SHALL BE PROTECTED. PROVIDE WORKING DRAWINGS AND CUT SHEETS DURING PERMIT REVIEW.**

**SECONDED BY MR. WAECHTLER**

**ROLL CALL:**

**AYE: MR. COZZO, MR. WAECHTLER, MR. BEGGS, MR. MATEJCZYK, MR. QUIRK, MRS. RABATAH, MR. WEBSTER, CHAIRMAN JIRIK**

**NAY: NONE**

**MOTION CARRIED. VOTE: 8-0**

Chairman Jirik asked the remaining audience how many were present to hear petition PC-18-07 versus PC-19-07. Except for one individual, the audience was present to discuss petition PC-19-07. Chairman Jirik asked the Commission if they would object to changing the order of the last two petitions. Without any objections, Chairman Jirik opened petition PC-19-07 for public hearing.

**FILE NO. PC-19-07;** A petition seeking a Special Use for Extended Family Accessory Housing for property located on the West side of Venard Road, approximately 60 feet North of Brookside Lane, Downers Grove, IL., commonly known as 3702 Venard Road, Downers Grove, IL (PIN No. 06-31-413-007); Tim & Maureen Eubeler, Petitioners/Owners

Mr. Popovich explained the Special Use petition was for an Extended Family Accessory Housing unit, better known as a mother-in-law suite, at 3702 Venard Road. Mr. Popovich informed the

zoning of the parcel in question is R-2 with Extended Family Accessory Housing being an allowable Special Use within the district.

Mr. Popovich explained the petitioner is constructing an addition to their property, and the addition as designed meets all bulk zoning requirements. Mr. Popovich noted the accessory housing unit will be located in the basement and includes a living area, kitchen, bathroom, bedroom and laundry facility. The unit would be accessible from the outside and not require the resident to enter the unit through the primary residence entrance.

Mr. Popovich stated the proposal meets the requirements of Section 28.1015 of the Zoning Ordinance that sets standards for Extended Family Accessory Housing. Mr. Popovich informed the Commission that these requirements and an explanation of how they are met were shown on pages two and three of the staff report.

Mr. Popovich stated staff has spoken to numerous neighbors, including the homeowners' association president who spoke directly with Mr. O'Brien. The Special Use was explained to each of the neighbors and once it was noted as a mother-in-law suite, the neighbors expressed no other concern.

Mr. Popovich noted staff believes that the Extended Family Accessory Housing and Special Use standards have been met and recommends approval per the conditions noted in the staff report.

Mr. Waechtler inquired to the number of these units located in the Village and how long this use has been in the Zoning Ordinance. Mr. Popovich stated staff was aware of four throughout the Village, with this petition being the fifth. Mr. O'Brien stated this Special Use has been in the ordinance since the 1965. Mr. Waechtler questioned when the last one was granted since he has been on the Plan Commission for some time, but this is the first time he had reviewed one. Mr. O'Brien noted the Zoning Board of Appeals previously approved Conditional and Special Uses until 2003 when that responsibility was given to the Plan Commission. The Special Use has always been in the Zoning Ordinance; the Village changed the responsible board.

Mr. Tim Eubeler, 3702 Venard Road, is the petitioner and presented his case. He noted the unit is intended for his mother-in-law. He stated his family has been going through quite an ordeal to obtain approval for what in his opinion is a good thing to allow his mother-in-law to live with his family.

Chairman Jirik opened the meeting to public comment.

Mr. Manuel J. Alves, 1511 Coral Berry, stated he was previously on the Board of Directors and the Architectural Review Committee in the Orchard Brook subdivision. He was concerned that the Village is allowing this use in a purely single-family neighborhood. The covenants of the homeowners association clearly state the area is to be only single family residential. Mr. Alves stated he is concerned about protecting Orchard Brook from non-compliant uses.

Chairman Jirik interjected if Mr. Alves is concerned about non-compliant issues, Mr. Alves should contact the Village Code Enforcement Officers. Chairman Jirik also noted the Village can only enforce its own ordinances and codes and has no jurisdiction over homeowner association by-laws.

Mr. Alves stated he has dealt with many people who move into the neighborhood and are surprised what they can and cannot do with their properties. Mr. Alves stated he is worried this is another step in the direction of letting people do whatever they want without proper restrictions or oversight.

Mr. Beggs stated there is an enforcement provision in the ordinance including normal inspections and signed affidavits stating the owner is in compliance. Mr. Beggs noted if the affidavit was filed falsely, there are monetary and injunction provisions. He stated enforcement is not guaranteed, but if there is a violation, enforcement will take place.

Mr. Les Hunzinger, 3704 Venard Rd. stated he is the petitioner's neighbor and harbors no ill will towards his neighbor. He is impressed that his neighbor will allow his mother-in-law to move into his house. Mr. Hunzinger was concerned about the proposed addition since he could not do an addition because his property is in the floodplain. He also inquired how the mother-in-law would access the site, to which Mr. Eubeler replied access would be gained along the north side of the property through an existing walk.

Mr. Popovich noted the petitioner has a current building permit application on file with the Village, and the Village is reviewing the project. The Village will ensure the construction takes place with full compliance of all codes, including ensuring the development is outside of the floodway.

Mr. Don Kuster, 1501 Coral Berry Lane, serves on the Orchard Brook board and has a deep interest in the community. He is concerned with the future of the area and what enforcement processes are in place. He questioned whether the Village would be able to enforce this and who verifies the use.

Mr. Popovich explained the Future Land Use Map shows the area as single family residential and an extended family accessory housing unit is an allowable Special Use in the residential zoning district. He stated the Village would enforce the Special Use through affidavits and site visits.

Mr. Beggs commented the neighbors ultimately do the enforcing. When neighbors call the Village, the Village will come out to enforce the ordinance if something is wrong.

Mr. Dan Gilbert, 3549 Saratoga Ave., stated he is the current president of the Orchard Brook Homeowners Association. He stated in the past the group had a group of cargo pilots using a house in the area instead of a hotel, and Code Enforcement came out and ended that practice. He stated Mr. and Mrs. Eubeler are good people.

Chairman Jirik asked for additional comments. There were none and the Chairman closed the public comment portion of the meeting.

Mr. Eubeler stated he understood the concerns of the Orchard Brook neighborhood but wished these concerns had been addressed to him prior to the meeting tonight. He stated his family wants to follow the rules and raise their children in this nice neighborhood. He was not trying to change anything about Orchard Brook, just make a spot for his mother-in-law. He suggested the public hearing notice sign contain more specific information rather than just Special Use, so more people can understand what is going on.



Mr. Waechtler asked staff the effective date of this section of the ordinance. Staff stated this section was in the original 1965 Zoning Ordinance.

Mrs. Rabatah asked to what use would the unit be converted. She was concerned about points I and K in Section 28.1015.

Mr. Popovich explained the use had to be converted to a single-family residence once the owner or accessory unit occupant no longer lived in the unit. He explained the use was only applicable to this particular family member.

Mr. Beggs expressed concern over Code Enforcement responsibilities. Staff noted Section K allows a physical inspection, although in the past, staff has chosen to undertake only written affidavits to confirm continuing compliance.

Mr. Waechtler offered some suggestions to the ordinance. A discussion ensued in which it was determined the ordinance was working, an affidavit was sufficient according to staff, the Commission should allow staff to enforce the ordinance as they see fit, and the process is a reasonable one.

Mrs. Rabatah noted she felt the Village was proactive in requiring the affidavit and should use their judgment on whether they need to enter the house or not. She commended the petitioner for wanting his mother-in-law to move in with the family.

Mr. Waechtler asked staff if other Villages have this type of Special Use. Mr. O'Brien noted many Villages do not, but civilization has provided living arrangements for older relatives throughout history. He noted the Village was very proactive in putting this into the Zoning Ordinance in 1965.

**WITH RESPECT TO FILE NO. PC-19-07, MRS. RABATAH MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND APPROVAL OF A SPECIAL USE FOR AN EXTENDED FAMILY ACCESSORY HOUSING UNIT AT 3702 VENARD ROAD, SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. THE PROPOSED EXTENDED FAMILY ACCESSORY HOUSING UNIT SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED MAY 7, 2007 AND ARCHITECTURAL PLANS PREPARED BY LASA INCORPORATED, DATED JUNE 30, 2006 AND SIGNED BY ARCHITECT FRANK J. LUCCHESI ON MARCH 19, 2007, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
- 2. THE EXTENDED FAMILY ACCESSORY HOUSING UNIT SHALL NOT BE EXPANDED.**
- 3. ANNUALLY, THE PETITIONER SHALL PERMIT THE VILLAGE TO COMPLETE AN INSPECTION OF THE PREMISES TO ASSURE CONTINUING COMPLIANCE WITH SECTION 28.1015, EXTENDED FAMILY ACCESSORY HOUSING, OF THE ZONING ORDINANCE.**
- 4. ANNUALLY, THE PETITIONER SHALL SUBMIT TO THE VILLAGE A SWORN AFFIDAVIT ON A FORM PROVIDED BY THE VILLAGE, WHICH CERTIFIES CONTINUED COMPLIANCE WITH SECTION 28.1015, EXTENDED FAMILY ACCESSORY HOUSING, OF THE ZONING ORDINANCE.**

- 5. THE ACCESSORY UNIT SHALL BE CONVERTED TO BE A PART OF THE EXISTING SINGLE FAMILY DWELLING UNIT WITHIN 120 DAYS OF THE EXPIRATION OF THE SPECIAL USE.**

**SECONDED BY MR. MATAJCZYK**

**ROLL CALL:**

**AYE: MRS. RABATAH, MR. MATEJCZYK, MR. BEGGS, MR. COZZO, MR. QUICK, MR. WAECHTLER, MR. WEBSTER, CHAIRMAN JIRIK**

**NAY: NONE**

**MOTION CARRIED. VOTE: 8-0**

(The plan commissioners took a short break at 10:00 p.m. The commissioners reconvened at 10:05 p.m.)

**FILE NO. PC-18-07;** A petition seeking an Amendment to Chapter 28 Zoning Ordinance, Article VIII, O-R-M District (Office-Research-Manufacturing), Article IX, Manufacturing Districts (M-1 & M-2), Article X, Use Regulations and Article XI, Yards and Open spaces. The purpose of the proposed amendment is to consider modifications to the M-1, M-2 and O-R-M Districts; Village of Downers Grove, Petitioner

Mr. O'Brien presented the staff report. He explained the proposed modifications and went over the changes individually. He specifically noted staff was proposing to modify Section 28.1007 regarding recycling collection facilities. Staff was proposing to insert a separation distance from these uses to residential uses. Mr. O'Brien noted the change was in response to staff's findings during the petition for 5240 Thatcher Road. He stated staff found the State EPA had a separation recommendation of 1,320 feet. In order to make the Village's requirements consistent with the State, staff was proposing to insert a required separation between recycling collection facilities and residences.

Mr. O'Brien stated the proposed modifications mirror the Village's rules for adult entertainment uses. He noted the required separation distance would be 1,000 feet. He explained staff is recommending the smaller distance to account for the size of the Village's industrial areas. He stated, although the distance is smaller than the State's, the intent to maintain some large setback is still achieved. Specifically, he stated by increasing the distance to 1,320 feet, the Ellsworth Industrial Park would be eliminated for consideration of a Special Use for these uses. Mr. O'Brien noted staff was recommending approval of the amendments.

Mr. Beggs asked Mr. O'Brien to explain the basis for the smaller distance. Mr. O'Brien responded the staff looked to mirror the existing separation requirements in the Zoning Ordinance for adult entertainment uses.

Mr. Webster asked where recycling collection facilities could be located. Mr. O'Brien referred to the maps attached to the staff report.

Chairman Jirik asked for public comments.

Mark Thoman, 1109 61<sup>st</sup> Street, stated he opposed the modifications to 28.1007(f). He noted most Villages fight to keep these types of uses out of their boundaries. He stated the use being discussed was not a recycling collection facility, but a clean construction waste transfer station. Mr. Thoman stated the IEPA recommends a separation distance of 1,320 feet from residential uses for these types of facilities. He noted the reasons for this separation are they attract rodents, create air pollution from the processing of construction materials and trucks, create excess road wear, cause noise pollution, create traffic hazards and degrade surrounding property values.

Mr. Thoman stated the Village needed a comprehensive review of its uses in the M-1, M-2 and ORM zoning districts. He noted it was his opinion that the Village has a residential character with supporting commercial uses. He noted an increased distance would eliminate the possibility of locating these uses in the Ellsworth Industrial Park.

Mr. Thoman stated the modifications being proposed were a result of some people's desire to allow a recycling collection facility to be located within the Village. He stated he would like the distance to be increase to 1,320 feet and to eliminate the exceptions proposed for Section 28.1007(f). Mr. Thoman stated the smaller separation distance seems like an attempt to circumvent the State's regulations by the individual that previously petitioned the Village for a Special Use to locate a recycling collection facility at 5240 Thatcher Road.

Mr. Beggs asked for clarification whether Mr. Thoman did not want recycling collection facilities in the Ellsworth Industrial Park or in the entire Village. Mr. Thoman stated he did not think they were appropriate uses for the entire Village. He stated there seems to be a strong momentum to locate this use in the Village, and he thought there would be more appropriate locations than the Ellsworth Industrial Park if one were to be sited in Downers Grove.

Mr. Beggs asked if the Esplanade development was a more desirable location for these facilities than the industrial park. Mr. Thoman said he thought the Ellsworth Industrial Park was changing into a more mixed-use area. He noted Belmont would become a more commercial corridor in the future, and there would not be as many heavy industrial uses in the area.

Mr. Beggs asked Mr. Thoman for more information on the air pollution concerns. Mr. Thoman stated he did not have any specific information regarding the air pollution. He noted staff might have some more information about the equipment used to control pollution.

Mr. O'Brien explained while no specific information on the pollution was provided for the previous petition for a recycling collection facility, staff required information on the dust control measures. He stated the petitioner had proposed ventilation systems as well as a dust suppression system.

Mr. Waechtler stated he was surprised that Cook County did not allow these facilities. Mr. O'Brien indicated Cook County does allow them as far as he knows. He stated the IEPA requirements have a county population threshold for these types of uses. Based on the 2000 Census, only two counties are eligible for the use – Cook and DuPage. Mr. O'Brien stated both counties have comprehensive zoning ordinances, so they can come up with their own separation requirements.

Mr. Thoman indicated there was also a facility in Will County. He noted the operation was rather large because it is part of a larger landfill development.

Mr. O'Brien re-iterated the Village staff is attempting to modify the Zoning Ordinance requirements to provide for some separation between recycling collection facilities and residential property. He stated as far as he knows there is no momentum to locate a facility in the Village, but it would be difficult to remove the use entirely from the ordinance based on two factors 1) it has been a listed Special Use for 40 years in the manufacturing districts and 2) the use lists for the manufacturing districts permit uses as of right that are arguably more harmful to people. He stated the Village would have to go through a comprehensive analysis of its Future Land Use Plan and zoning ordinance in order to come up with a defensible reason to remove recycling collection facilities entirely.

Mr. O'Brien noted the modifications to the Zoning Ordinance would still require that a Special Use be obtained. He stated the amendments would likely make location of a facility harder because fewer properties would be eligible for the Special Use.

Mr. Quirk asked Mr. Thoman if his main concern was air pollution or separation. Mr. Thoman said it was both because these facilities create pollution and can be a nuisance to surrounding residences.

There was a discussion about increasing the distance between recycling collection facilities and residences. Maps were provided for reference. A discussion about the parcels that would become ineligible for the Special Use if the separation distance was increased took place. The Plan Commission came to a consensus that 1,320 feet should be the required separation.

Mr. Thoman stated the Tollway exception should also be removed.

The Plan Commission discussed the proposed draft language.

Mr. Webster questioned why the Village would want to allow this use if it creates air pollution.

Chairman Jirik stated the use is a nuisance, not a danger. He stated the particulate matter that comes from these facilities is large and does not have deep lung penetration abilities.

**WITH RESPECT TO FILE NO. PC-18-07, MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND APPROVAL OF THE TEXT AMENDMENTS TO SECTIONS 28.801, 28.902, 28.906, 28.1007 AND 28.1110 OF THE ZONING ORDINANCE ASSOCIATED WITH PC 18-07 TO THE VILLAGE COUNCIL, SUBJECT TO THE FOLLOWING MODIFICATION:**

**SECTION 28.1007(f) SHALL READ AS FOLLOWS:**

**“(f) Recycling collection facility shall not be located within 1,320 feet of any property that is zoned for residential purposes pursuant to this Zoning Ordinance, or, for property located beyond the corporate limits of the Village, the zoning ordinance of the governmental entity having jurisdiction. Provided, this separation requirement shall not apply to the following:**

**(1) Property owned, maintained and used by the Village and used for any water tower and/or fire station.**

- (2) Property owned, maintained and used by the Forest Preserve District of DuPage County.**
- (3) Property owned, maintained and used as part of the Morton Arboretum.”**

**MR. WAECHTLER SECONDED THE MOTION.**

**AYE: MRS. RABATAH, MR. MATEJCZYK, MR. BEGGS, MR. COZZO, MR QUICK, MR. WAECHTLER, MR. WEBSTER, CHAIRMAN JIRIK**

**NAY: NONE**

**MOTION CARRIED. VOTE: 8-0**

Chairman Jirik asked for any updates from staff. Mr. O’Brien said there was none. Chairman Jirik asked for a motion to adjourn.

**MR. WEBSTER MOVED TO ADJOURN THE MEETING. MR. COZZO SECONDED THE MOTION. THE MEETING ADJOURNED AT 10:54 P.M.**

Minutes Transcribed by:

Jeff O’Brien, AICP  
Senior Planner

and

Stan Popovich, AICP  
Planner