

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL WORKSHOP
JULY 22, 2008 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Special Use for a Contractor's Shop and Office in an O-R-M Zoning District at 5106 Walnut	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A Special Use Ordinance has been prepared to permit a contractor's shop and office in an O-R-M Office Research and Manufacturing zoning district for the property located at 5106 Walnut.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2007-2012 identified *Vibrant Major Commercial Corridors*. Supporting these goals are the objectives *More Attractive Commercial Developments* and *More Contribution to Local Economy*.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval on the August 5, 2008 active agenda.

BACKGROUND

The petitioner is requesting approval of a Special Use pursuant to Section 28.802(i) of the Zoning Ordinance to allow a contractor's shop and office at 5106 Walnut Avenue. The property is in an O-R-M Office Research and Manufacturing zoning district. The proposed use, a contractor's shop and office, is a permitted Special Use in this district. The proposed use is in the same general character as other neighboring uses in the industrial park and those listed as Special Uses in Section 28.802 of the Zoning Ordinance. The surrounding uses include a contractor's shop to the north, a manufacturing facility to the west, an automobile repair shop to the south and the Downers Grove Public Works facility to the east.

The petitioner is proposing to consolidate four separate rented facilities onto this site to house his primary office and headquarters. The construction business includes commercial and residential construction, remodeling and commercial and municipal paving work. The petitioner is proposing to use the vacant one-story 9,000 square foot commercial building that previously housed a vehicle emissions testing center. A large asphalt parking area and dry detention basin are located west of the existing building.

The petitioner is proposing to use the building and site as it currently exists with no major improvements at this time. The petitioner is proposing to park equipment, trailers, and trucks on the existing asphalt parking area to the west of the existing building. The petitioner is proposing to park 19 pieces of equipment (pavers, rollers, and compressors), 19 dump and pick-up trucks, and nine trailers within the existing asphalt parking area to the west of the building. Equipment parking is not allowed in front of the existing building or in the

grass detention basin. The equipment and vehicle parking area will be screened with an eight-foot high fence per Zoning Ordinance requirements. Other than installation of a new fence, no other improvements are proposed for the property at this time.

The petitioner receives van-type deliveries, such as Federal Express or UPS, on a regular basis. The petitioner anticipates receiving some construction material deliveries that cannot be delivered directly to job sites. These deliveries occur less frequently, typically no more than one or two times a week. All materials shall be stored on a paved surface and may not be stored in the existing detention basin.

The Plan Commission considered the petition at its July 7, 2008 meeting and found that the proposed special use complies with the standards set forth in Section 28.1902 of the Zoning Ordinance. Based on these findings, the Commission recommended unanimous approval of the request. Staff concurs with the Plan Commission recommendations.

ATTACHMENTS

Ordinance

Staff Report with attachments dated July 7, 2008

Draft Minutes of the July 7, 2008 Plan Commission Hearing

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A SPECIAL USE
TO PERMIT A CONTRACTOR'S SHOP AND OFFICE
AT 5106 WALNUT AVENUE**

WHEREAS, the following described property, to wit:

The South Half of Lot 19 in Arthur T. McIntosh First Addition to Belmont, a subdivision of part of Sections 1, 2, 11 and 12, Township 38 North, Range 10, East of the Third Principal Meridian, in DuPage County, Illinois, commonly known as 5106 Walnut Avenue, Downers Grove, IL

Commonly known as 5106 Walnut Avenue, Downers Grove, IL (PIN 08-11-408-007)

(hereinafter referred to as the "Property") is presently zoned in the "*O-R-M, Office Research Manufacturing District*" under the Comprehensive Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the owner of the Property has filed with the Plan Commission, a written petition conforming to the requirements of the Zoning Ordinance, requesting that a Special Use per Section 28.506 of the Zoning ordinance be granted to allow a contractor's shop and office within a office research manufacturing zoning district.

WHEREAS, such petition was referred to the Plan Commission of the Village of Downers Grove, and said Plan Commission has given the required public notice, has conducted a public hearing respecting said petition on July 7, 2008 and has made its findings and recommendations, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, the Village Council finds that the evidence presented in support of said petition, as stated in the aforesaid findings and recommendations of the Plan Commission, is such as to establish the following:

1. The proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
2. The proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.
3. The proposed use will comply with the regulations specified in this Zoning Ordinance for the district in which the proposed use is to be located.
4. The proposed use is one of the special uses specifically listed for the district in which it is to be located and, if approved with restrictions as set forth in this ordinance, will comply with the provisions of the Downers Grove Zoning Ordinance regulating this Special Use.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows:

SECTION 1. That Special Use of the Property is hereby granted to allow a contractor's shop and

office within an office research manufacturing zoning district.

SECTION 2. This approval is subject to the following conditions:

1. The Special Use shall conform to the plans and sketches as attached to the staff report dated July 7, 2008.
2. All equipment, trailers and vehicles shall be parked on a paved surface. Any material storage shall take place on a paved surface. No materials, equipment, trailers, vehicles or material storage may occur within the detention basin.
3. An eight-foot fence shall be installed around the site to screen the storage of equipment, trailers, vehicles and materials.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use to allow a contractor's shop and office in a office research manufacturing zoning district is hereby granted. Violation of any or all of such conditions shall be deemed a violation of the Village of Downers Grove Zoning Ordinance, the penalty for which may include, but is not limited to, a fine and or revocation of the Special Use granted herein.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Mayor

Passed:

Published:

Attest: _____

Village Clerk



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
JULY 7, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC-21-08 5106 Walnut Avenue	Special Use for a Contractor's Shop and Office	Stan Popovich, AICP Planner

REQUEST

The petitioner is requesting approval of a Special Use for a Contractor's Shop and Office in the O-R-M, Office Research Manufacturing, zoning district.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

OWNER: Environmental System Products
7 Kripes Road
East Granby, CT 06026

APPLICANT: James W. Briggs
751 N. Bolingbrook Drive, #14
Bolingbrook, IL 60440

PROPERTY INFORMATION

EXISTING ZONING: O-R-M, Office Research Manufacturing
EXISTING LAND USE: Vacant Vehicle Emissions Testing Center
PROPERTY SIZE: 89,351 square feet (2.051 acres)
PINS: 08-11-408-007

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	O-R-M, Office Research Manufacturing	Office Research and Manufacturing
SOUTH:	M-1, Light Manufacturing	Office Research and Manufacturing
EAST:	M-1, Light Manufacturing	Office Research and Manufacturing
WEST:	M-1, Light Manufacturing	Office Research and Manufacturing

ANALYSIS

SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Project Summary
3. Owner Consent Letter
4. Proposed Fencing and Parking Plans

PROJECT DESCRIPTION

The property, commonly known as 5106 Walnut Avenue, is located at the northwest corner of Walnut Avenue and Curtiss Street. The property is zoned O-R-M, Office Research Manufacturing. The site is 89,351 square feet with a lot width of 183 feet and depth of 497 feet. The property is approximately 850 feet north of the nearest residentially-zoned property, Cameo Apartments at the intersection of Maple and Walnut Avenues.

There is a one-story 9,000 square foot commercial building on the site that previously housed a vehicle emissions testing center and is currently vacant. The building includes a four-bay vehicle area and an office area. To the west of the building is an asphalt parking area that is approximately 25,000 square feet in size. A 27,000 square foot grass detention basin is provided between the parking area and the west property line.

The petitioner is under contract to purchase the building from the current owner and plans to relocate his primary office and headquarters to the site. The construction business includes commercial and residential construction, remodeling and commercial and municipal paving work. The petitioner wishes to consolidate his four separate rented facilities onto this site. A contractor's shop and office is a permitted Special Use in the O-R-M zoning district.

The petitioner is proposing to use the building and site as it currently exists with no improvements at this time. The petitioner is proposing to park equipment, trailers, and trucks on the existing asphalt parking area to the west of the existing building. The petitioner is proposing to park 19 pieces of equipment (pavers, rollers, and compressors), 19 dump and pick-up trucks, and nine trailers within the existing asphalt parking area to the west of the building. Equipment parking is not allowed in front of the existing building or in the grass detention basin. Attached to the staff report is a layout of the proposed parking locations.

The petitioner is proposing to screen the entire rear portion of the site with an eight-foot chain link fence with PVC privacy slats. The proposed fence would encompass the area west of the rear line of the building and would include two gates to provide access on either side of the building. The fence will provide screening as required for O-R-M uses.

The petitioner receives van-type deliveries, such as Federal Express or UPS, on a regular basis. The petitioner anticipates receiving some construction material deliveries that cannot be delivered directly to job sites. These deliveries occur less frequently, typically no more than one or two times a week. All materials are required to be stored on a paved surface and may not be stored in the existing detention basin.

The building complies with the bulk regulations of the O-R-M zoning district. The floor area ratio, building height and front, side and rear setbacks are met. Eleven parking spaces, including one handicap

space, are required and provided in the rear parking area. The property provides approximately 47,356 square feet of open green space, with approximately 3,366 square feet provided in the front yard. While the amount of green space in the front yard does not comply with the Zoning Ordinance, the front yard green space is considered to be legal non-conforming and is allowed to remain as such because no site changes are proposed at this time. Compliance with the Zoning Ordinance is outlined in the table below:

	Required	Existing
Front Yard Setback	35 ft	40 ft
Side Yard Setback	10 ft	36 ft
Rear Yard Setback	10 ft	368 ft
Building Height	126 ft (max)	18 ft
Floor Area Ratio	0.8 (max)	0.1
Open Space	13,402 sf / 6,701 sf	47,356 sf / 3,366 sf
Parking	11	11

COMPLIANCE WITH FUTURE LAND USE PLAN

The Future Land Use Plan designates the site as Office, Research and Manufacturing. The proposed use, a contractor’s shop and office, is consistent with the intent of the Future Land Use Plan to maintain the property for office, research and manufacturing uses and will not diminish the value of the surrounding properties. The surrounding uses include a contractor’s office to the north, a body shop to the south, the Village’s Public Works department to the east, and other office and manufacturing uses.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned O-R-M, Office Research Manufacturing. The proposed use, a contractor’s shop and office, is a permitted Special Use in this district. The proposed use is in the same general character as other neighboring uses in the industrial park and those listed as Special Uses in Section 28.802 of the Zoning Ordinance. The existing site and building complies with environmental standards and the requirements of the Zoning Ordinance.

ENGINEERING/PUBLIC IMPROVEMENTS

The petitioner is proposing no site improvements. The existing stormwater detention basin was designed to accommodate the existing building and paved areas. With no improvements planned at this time, no improvements to the detention basin are required. Should the petitioner wish to pursue site modifications in the future, engineering improvements may be required.

The existing site access points will remain in their current configuration. There are no public improvements required at this time as all public improvements are in place.

PUBLIC SAFETY REQUIREMENTS

The site provides adequate access for emergency vehicles and services. As with all changes in building ownership, the petitioner will be required to have the Village’s Community Development and Fire Departments complete a walk-through of the building to ensure the building is up to current building and fire codes.

NEIGHBORHOOD COMMENT

Staff has not received any written neighborhood comment regarding the proposal at this time.

FINDINGS OF FACT

Staff believes the proposed contractor's shop and office is an allowable Special Use per Section 28.802 of the Zoning Ordinance as shown below. A contractor's shop and office is in the same general character as other Permitted and Special Uses of the O-R-M district and the immediately surrounding M-1 (Light Manufacturing) district. The use will be in compliance with environmental standards as noted in the petitioner's narrative letter. Additionally, the building and site are in compliance with the Zoning Ordinance as noted above.

Staff believes the standards for a Special Use, as shown below, have been met. The proposed use is located within the existing industrial park and will contribute to the general welfare of the industrial park. The proposed use will not be detrimental to the health, safety, morals, or general welfare as the proposed use is in the same character as the existing uses in the industrial park and will meet all applicable environmental, health and safety regulations per Federal, State and local requirements. Additionally, the property is located well within the boundaries of the Industrial Park and is 850 feet from the nearest residential district. The use complies with the Zoning Ordinance and staff believes the proposed use is a permitted Special Use.

Section 28.802 O-R-M District – Special Uses

The following uses are allowed in the O-R-M Office-Research-Manufacturing District as special uses:

- (a) Aircraft landing areas.*
- (b) Automobile Repair.*
- (c) Automobile service stations. (See Section 28-1018.)*
- (d) Drive-in banking facilities.*
- (e) Planned developments. (See Article XVI.)*
- (f) Railroad and motor freight terminal, railroad switching facilities.*
- (g) Recycling collection facilities. (See Section 28-1007.)*
- (h) Vocational and trade schools*
- (i) Any other proposed business, manufacturing, assembling, servicing or processing activity, if the Plan Commission finds:*
 - (1) Such proposed activity is of the same general character as the uses permitted in Section 28-802;*
 - (2) It is reasonably anticipated that such proposed activity will be in compliance with the environmental standards set forth in Article XX. The Plan Commission may in its discretion require that there be furnished favorable certification by a registered professional engineer approved by the Plan Commission covering any one or more of such environmental standards; and*
 - (3) Such proposed activity will be in compliance with all applicable provisions of this Zoning Ordinance.*

Section 28.1902 Standards for Approval of Special Uses

The Village Council may authorize a special use by ordinance provided that the proposed Special Use is consistent and in substantial compliance with all Village Council policies and land use plans, including but not limited to the Comprehensive Plan, the Future Land Use Plan and Master Plans and the evidence presented is such as to establish the following:

- (a) That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.*
- (b) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.*

- (c) *That the proposed use will comply with the regulations specified in this Zoning Ordinance for the district in which the proposed use is to be located or will comply with any variation(s) authorized pursuant to Section 28-1802.*
- (d) *That it is one of the special uses specifically listed for the district in which it is to be located.*

RECOMMENDATIONS

The proposed Special Use is compatible with surrounding zoning and land use classifications. Based on the findings listed above, staff recommends the Plan Commission make a positive recommendation to the Village Council regarding this petition subject to the following conditions:

1. The Special Use shall conform to the plans and sketches as attached to the staff report.
2. All equipment, trailers and vehicles shall be parked on a paved surface. Any material storage shall take place on a paved surface. No materials, equipment, trailers, vehicles or material storage may occur within the detention basin.
3. An eight-foot fence shall be installed around the site to screen the storage of equipment, trailers, vehicles and materials.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:sp
-att

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HITCHCOCK AVE

WALNUT AVE

CURTISS ST

5100

5104

2811

5106

5126

5123

5201



5106 Walnut Avenue Location Map

GREMLEY & BIEDERMANN, INC.

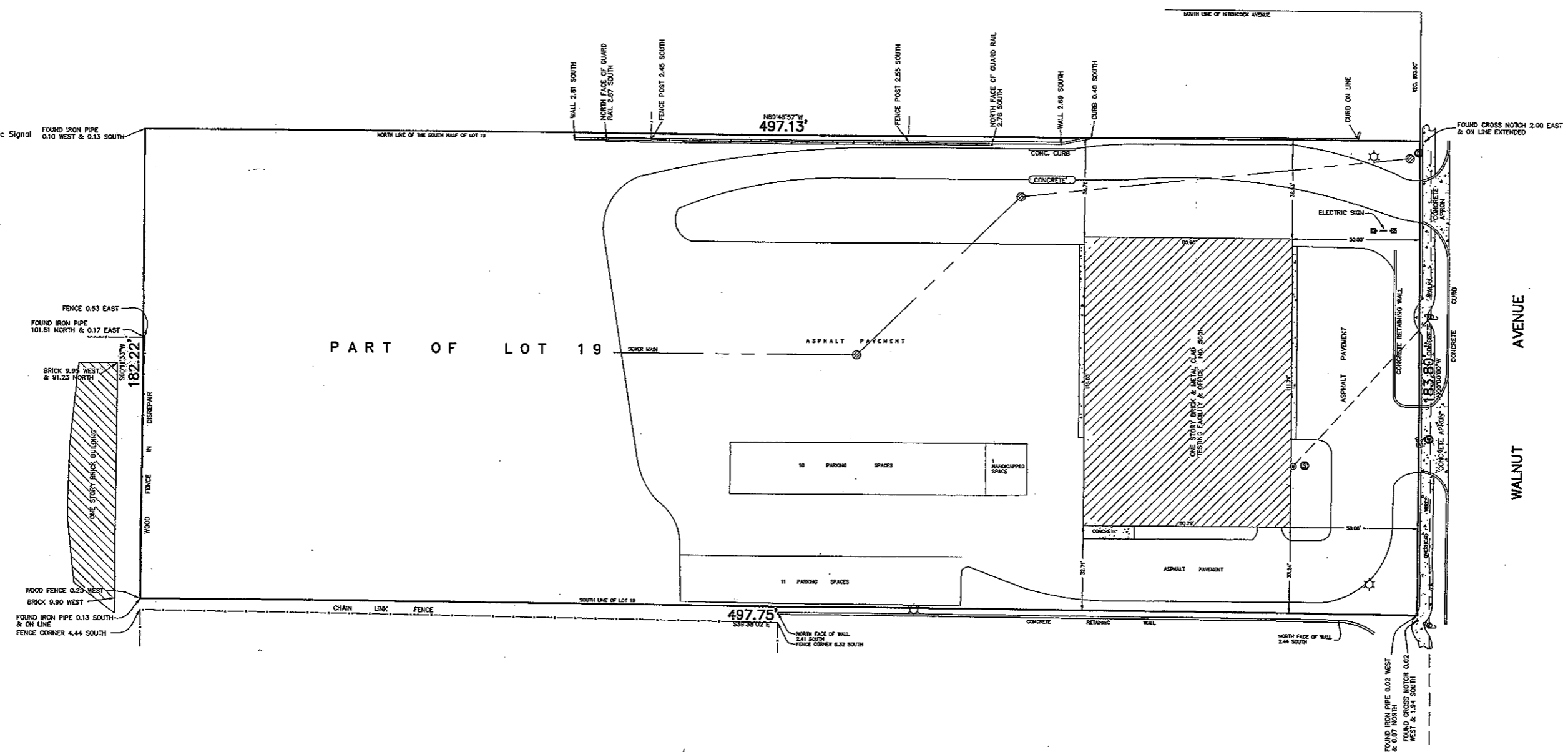
PROFESSIONAL ILLINOIS LAND SURVEYORS

4505 N. Elston Avenue Chicago, Illinois 60630
 Telephone: (773) 685-5102 Fax: (773) 286-4184

Plat of Survey

The South Half of Lot 19 in Arthur T. McIntosh First Addition to Belmont, a subdivision of part of Sections 1, 2, 11 and 12, Township 28 North, Range 10, East of the Third Principal Meridian, in Dupage County Illinois.

- ⊙ Storm MH
- ⊙ Storm CB
- ⊙ Storm Inlet
- ⊙ San MH
- ⊙ San Clean Out
- ⊙ Water Valve Vault
- ⊙ Water MH
- ⊙ Water Buffalo Box
- ⊙ Water Hand Hole
- ⊙ Water Meter
- ⊙ Water Fire Hydrant
- ⊙ Telephone Pole
- ⊙ Telephone MH
- ⊙ Telephone Vault
- ⊙ Telephone Pedestal
- ⊙ Electric Utility Pole
- ⊙ Electric MH
- ⊙ Electric Vault
- ⊙ Electric Meter
- ⊙ Electric Pad
- ⊙ Electric Pedestal
- ⊙ Electric Light Pole
- ⊙ Electric Traffic Signal
- ⊙ Electric Light Pole with Traffic Signal
- ⊙ Electric Traffic Control Box
- ⊙ Gas Valve
- ⊙ Gas MH
- ⊙ Gas Vault
- ⊙ Gas Buffalo Box
- ⊙ Cable TV Pedestal
- ⊙ Tree - Deciduous
- ⊙ Tree - Evergreen
- ⊙ Parking Meter
- ⊙ Sign Post
- ⊙ Mail Box
- ⊙ Bumper Post
- ⊙ Guy Anchor
- ⊙ Soil Boring
- ⊙ Monumentation Found
- ⊙ Monumentation Established
- ⊙ Unclassified Manhole



Checked Drawn
 BB
 ORDER NO. 100107
 SCALE: 1 Inch = 20 Feet
 DATE: FEBRUARY 9, 2000
 ADDRESS: 5106 WALNUT
 ORDERED BY: ENVIROTEST

Distances are marked in feet and decimal parts thereof. Compare all points BEFORE building by same and at once report any differences BEFORE damage is done.
 For easements, building lines and other restrictions not shown on survey plat refer to your abstract, deed, contract, title policy and local building line regulations.
 NO dimensions shall be assumed by scale measurement upon this plat.
 © GREMLEY & BIEDERMANN, INC. 2000 "All Rights Reserved"

State of Illinois
 County of Cook
 We, GREMLEY & BIEDERMANN, INC. hereby certify that we have surveyed the above described property and that the plot hereon drawn is a correct representation of said survey corrected to mean sea level and temperature of 62° Fahrenheit.
 [Signature]
 Professional Illinois Land Surveyor



PROJECT SUMMARY/NARRATIVE LETTER

Petitioner: James W. Briggs

Property Address: 5106 Walnut, Downers Grove, Illinois

1. **INTRODUCTION.** This Petition for the Village of Downers Grove Plan Commission seeks approval of a Special Use for property located at 5106 Walnut Avenue, Downers Grove (the "Property").
2. **Petitioner.** Petitioner is James W. Briggs ("Briggs"), Purchaser under a Purchase Agreement dated April 28th, 2008 with Envirotech Illinois, Inc. as Seller.
3. **Description of Property.** The Property was previously operated as a State of Illinois vehicle testing station for emission testing. The testing station has been shut down and all testing equipment has been removed. The site consists of approximately 89,351 square feet improved with a one story office building with drive through bays of approximately 9,000 Square feet and with a paved surface area of approximately 27,000 Square feet.
4. **Proposed Special Use.** The Special Use that is being requested for this Property is as a "Contractor or construction shops and offices."
5. **Standards for Approval. Standards for approval pursuant to Village of Downers Grove zoning ordinance Section 28.1902 are as follows:**

- a. **Proposed Special Use is consistent and in substantial compliance with all Village Council Policies and land use Plans, including but not limited to the Comprehensive Plan, the Future Land Use Plan, and Master Plans.**

Response: Petitioner has reviewed with Staff the proposed Special Use in connection with current Village Council Policies and current and proposed land use plans, and was advised by staff that the proposed Special Use is consistent and in substantial compliance with said policies and plans.

- b. **That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.**

Response: Petitioner provides construction and paving related services to the Village of Downers Grove as well as other municipalities and provides construction related consulting and services to the surrounding residential and commercial market. This location will allow Petitioner to provide these services more conveniently than from Petitioner's current location in

Bolingbrook. The site is currently unoccupied and is taxable at a lower taxing rate as vacant property than it would be when actively used by Petitioner. Occupancy of the Property will avoid it becoming overgrown with weeds, a site for illegal dumping, vandalism, or other problems inherent in unoccupied buildings and sites.

- c. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.**

Response: Petitioner's proposed use would be in compliance with all applicable environmental, health, and safety regulations at the Federal, State of Illinois, and local levels. The volume of motor vehicle traffic generated by Petitioner's use would be significantly less than that generated by the Property as previously used as a testing facility. Truck traffic generated by petitioner would be limited to parking trucks at the site. In general truck departures would be in the morning and returning traffic at the end of the day. Traffic would also include delivery trucks (2-3 daily) consistent with similar commercial operations. Surrounding area is O-R-M, M-1 and M-2, and vehicle traffic would be similar to vehicle traffic already arriving and departing from surrounding parcels, both in nature of vehicles and volume of traffic. Use of Property under proposed Special Use would not create safety risks or have negative moral impact on surrounding property. The surrounding area is not a residential area. The closest residential use is more than 1,000 feet distant, south on Walnut. Proposed Special use would not negatively impact general welfare of persons residing or working in the vicinity. The use of the Property under the proposed special use is consistent with existing uses of adjacent and surrounding property, including the Downers Grove Municipal Yard, which is immediately across the street from the Property, and would not be injurious to property values or improvements in the vicinity.

- d. That the proposed use will comply with the regulations specified in this Zoning Ordinance for the district in which the proposed use is to be located or will comply with any variation(s) authorized pursuant to Section 28-102.**

Response: Proposed Special use would comply with the Zoning Ordinance. No variances are being requested.

- e. That it is one of the special uses specifically listed for the district in which it is to be located.**

Response: Proposed Special Use has been reviewed with Staff and it has been identified as fitting within Section 28.802-O-R-M District Special Uses of the Village of Downers Grove Zoning Ordinance.

Staff and Petitioner have reviewed the O-R-M Special Uses allowed under 28.802 and believe the proposed Special Use fits within Section 1 of that provision which provides as follows.

- (i) Any other proposed business, manufacturing, assembling, servicing or processing activity, if the Plan Commission finds:
 - (1) Such proposed activity is of the same general character as the uses permitted in Section 28-802:
 - (2) It is reasonably anticipated that such proposed activity will be in compliance with the environmental standards set forth in Article XX. The Plan Commission may in its discretion require that there be furnished favorable certification by a registered professional engineer approved by the Plan Commission covering any one or more of such environmental standards; and
 - (3) Such proposed activity will be in compliance with all applicable provisions of this Zoning Ordinance.

Petitioner and Staff believe that the proposed Special Use is of the same character as uses permitted in Section 28-802. Petitioner represents that the proposed activity to be held on the Property as part of the Use will comply with the environmental standards set forth in Article XX. The proposed Special Use does not involve any reengineering of the site, and any future modifications to the site will remain subject to Petitioner obtaining appropriate Downers Grove approvals.

- f. **Parking Plan.** Attached as Exhibit 1.0 to this Project Summary/Narrative Letter is the Parking Plan. Inventory of vehicles is as follows: Paving, compressors, rollers and related equipment – 19 pieces. Trucks, Pickup and Dump – 19. Trailers – 9. Vans and cars: Parking as required by Village Ordinance is adequate for staff and visitors.
- g. **Fencing Plan.** Attached as Exhibit 2.0 to this Project Summary/Narrative Letter is the Fencing Plan.
- h. **Use of Property in Current Condition.** Petitioner believes site as currently configured can accommodate Petitioner's use. Any future changes by Petitioner will be carried out in compliance with Village and Staff requirements.

- i. Closest Residential Property.** The closest residential property to Property subject to petition is approximately 1,000 feet to the south of the Property and consists of multi unit housing. Property is not visible from this residential site, nor would proposed fencing or parked vehicles and equipment be visible from this residential site.
- j. Access Routes.** Primary access to and from the Property would be via Walnut Street to Maple and Maple to I-355.

Exhibit 1.0

Parking Plan

Petitioner has reviewed its inventory of Equipment, Trailers, Trucks, and Cars for office parking purposes and adequate parking can be accommodated within the existing paved portions of the Property. Attached as is a copy of a proposed Parking Plan. Handicapped parking on the Parking Plan reflects Staff determination of necessary handicapped parking to comply with applicable ADA and Village requirements. Proposed parking areas of approximately 10,000 square feet fits within existing paved area on the Property.

Exhibit 2.0

Fencing Plan

Petitioner is proposing to install a chain link fence on the perimeter of the Property with PVC or other appropriate quality privacy slats. Chain link security gates would be installed along the rear edge of the building along both side drives as necessary to secure Petitioner's equipment and vehicles. Adjacent property immediately to the north of the Property uses chain link fence with privacy slats; Village municipal yard across the street from the Property uses chain link fence with privacy slats; and multiple properties along Hitchcock to west of Walnut use chain link fence with privacy slats. Proposed Fencing Plan is compatible with neighborhood and adjacent property. Petitioner will attempt to coordinate structure of chain link fence on southern border to avoid trapped space between existing chain link fence and new fence to be constructed by Petitioner. Property of Sanitary District approximately one block farther north on Walnut uses exposed chain link fence for boundary purposes without any privacy slats.

Petitioner
James W. Briggs

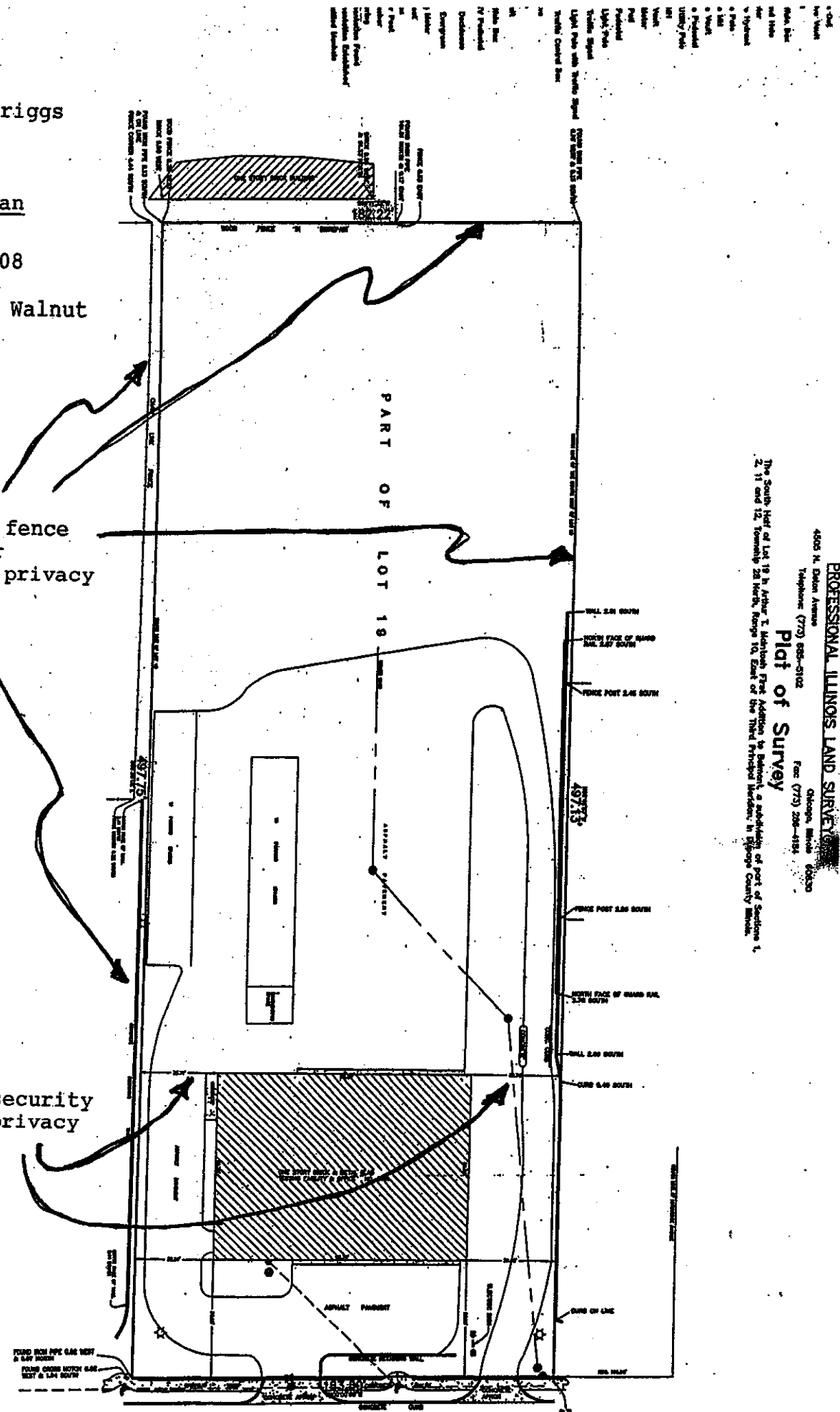
Fencing Plan

May 30, 2008

5106 South Walnut

Chain link fence
with PVC or
equivalent privacy
slats

Chain link security
gates with privacy
slats



PROFESSIONAL ILLINOIS LAND SURVEYOR
4000 N. Daley Avenue
Chicago, Illinois 60630
Telephone: (773) 838-5102 Fax: (773) 258-8104
Plat of Survey
The South Half of Lot 18 in Arthur T. Mathias First Addition to Belmont, a subdivision of part of Section 1,
2, 11 and 12, Township 28 North, Range 10, East of the Third Principal Meridian, in Chicago County, Illinois.

May 30, 2008

Village of Downers Grove
Plan Commission

Re: Letter of Authorization

To Whom It May Concern:

As the owner of the property located at 5106 Walnut Avenue in Downers Grove, IL we are giving our authorization to Construction Management Corporation of Illinois to submit a petition to the Planning Commission for consideration for their intended use of the property.

Sincerely,



Scott Haftmann
Chief Financial Officer
Envirotest Illinois, Inc.

PC-21-08 5106 Walnut Avenue A petition seeking Special Use approval for a Contractor Shop & Office in an O-R-M zoning district for property located at the Northwest corner of Walnut Avenue and Curtiss Street, Downers Grove, commonly known as 5106 Walnut Avenue, Downers Grove, IL (PIN 08-11-408-007); James W. Briggs, Petitioner; Environmental System Products, Owner

Chairman Jirik swore in those individuals who would be speaking on PC-21-08.

Mr. O'Brien located the vacant property on the map, noting it was the old Illinois Auto Emissions testing facility. The site is just over two acres and is zoned O-R-M, Office Research Manufacturing. It includes four (4) auto bay areas and a formal parking lot to the south and a detention basin to the west. The petitioner would like to relocate his contractor business in the existing office, and no changes to the site are proposed. However, the contractor will be storing 19 pieces of equipment on the lot. A formal parking plan was provided by the petition. Mr. O'Brien explained the plan on the overhead map. An 8-foot chain link fence around the property is proposed. Some construction material may be delivered to the site, but mainly it will be delivered to the job sites. Van deliveries, such as Fed-X and UPS, will be made on a regular basis.

Per staff, the property complies with the zoning regulations of the Village except for the front yard green space and complies with the Future Land Use Map. Any improvements to the site will require additional review by this Commission. Staff believes the standards for Special Use have been met and staff recommends approval with the conditions stated in its memo.

Due to Chairman Jirik's concerns, Mr. O'Brien explained that the Zoning Ordinance governs any activities on the site. He noted the property was zoned ORM, not the M-1 zoning district as most of the Ellsworth Park. He stated many of the heavy manufacturing usages were excluded from the ORM district. He indicated the ORM district primarily permits research and development-type manufacturing and passive office uses. It was staff's understanding that this facility would serve primarily as a storage facility for the petitioner's equipment and home office. Per a question about storage of construction materials, Mr. O'Brien would let the petitioner respond but indicated there was adequate space on the site to store the business's equipment.

Attorney Jim Kohlszadt, 2100 Clearwater Drive, Oak Brook, on behalf of Mr. James Briggs, Petitioner, also introduced Mr. Ken Kosakowski, Project Manager, 212 South Craig Place, Lombard, Illinois. Mr. Kohlszadt stated Mr. Briggs was on vacation. He further explained he and his client met with Village Planner Stan Popovich regarding the zoning of the parcel and how to approach the proposal. At that time, staff's preference was a Special Use, which would allow his client's use. Mr. Kohlszadt conveyed that staff has been very helpful and responsive and worked with him regarding the fencing and

creating a parking plan for the equipment. Mr. Kohlszadt offered to respond to questions from the public.

Per a question, Mr. Kohlszadt stated Mr. James Briggs represents Construction Management Corporation and New Concept Construction, and it was in his client's best interest to own the property and then lease back the property to the companies. Normal hours of business would run from 7:00 a.m. to 5:00 a.m. Some of the trucks depicted on the map would not be coming to the location because the drivers own some of the trucks and use them for personal use. Currently, the owner has four businesses in various towns on a month-to-month lease basis, and this property was ideal for Mr. Kohlszadt's client. Repairs for the owner's vehicles are completed at another off-site facility. No manufacturing would take place on the site. Mr. Kohlszadt indicated his client's preference was to have materials delivered to a job site versus this location. Additionally, Village staff conveyed to the owner that if there was to be any stored materials, they must be stored on a hard surface and covered. The current 9,000 square feet is very adequate for his client's business. As to storing a fuel storage tank on the site, Mr. Kosakowski stated that there were no plans to store fuel on the site, as he understands there was another permit process involved.

For truck traffic, Mr. Kosakowski estimated other than pick-up trucks; about two to four vehicles would enter the site a day. He did state trucks would arrive and depart empty but could very well have some materials in their trucks, but it would be minimal. Mr. Waechtler suggested that the drivers use Curtiss Street to Belmont as a courtesy to the residents of Cameo Apartments.

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

No closing statement was received from the petitioner, and no discussion took place among the Commissioners.

WITH RESPECT TO FILE NO. PC-21-08, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION MAKE A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL REGARDING THIS PETITION SUBJECT TO THE FOLLOWING CONDITIONS:

- 1) THE SPECIAL USE SHALL CONFORM TO THE PLANS AND SKETCHES AS ATTACHED TO THE STAFF REPORT.**
- 2) ALL EQUIPMENT, TRAILERS AND VEHICLES SHALL BE PARKED ON A PAVED SURFACE. ANY MATERIAL STORAGE SHALL TAKE PLACE ON A PAVED SURFACE. NO MATERIALS, EQUIPMENT, TRAILERS, VEHICLES OR MATERIAL STORAGE MAY OCCUR WITHIN THE DETENTION BASIN.**
- 3) AN EIGHT-FOOT FENCE SHALL BE INSTALLED AROUND THE SITE TO**

SCREEN THE STORAGE OF EQUIPMENT, TRAILERS, VEHICLES AND MATERIALS.

MR. QUIRK SECONDED THE MOTION.

Chairman Jirik summarized that the overall discussion did encompass the review of the Standards for Special Use and the Findings of Fact, and the development was supportive and met those requirements. Per a question, Mr. O'Brien conveyed the Village would not restrict truck traffic on Walnut Avenue as the area was zoned as an industrial park, which included Village facilities, and the street was designed to handle heavy truck traffic. He noted if there was unusual or loud activity taking place, the residents should call the Village. Mr. Kohlszadt noted the trucks had their names on them, and the residents could call that company if materials fell off the trucks, etc.

ROLL CALL:

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

NAY: NONE

MOTION CARRIED. VOTE: 9-0