

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
NOVEMBER 4, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Fairview Village - Rezoning and Preliminary Planned Development Amendment (west side of Fairview Avenue)	Resolution ✓ Ordinances Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

A Preliminary Planned Development Amendment to Planned Development #32 has been prepared for the seven parcels of Green Acres Subdivision. An ordinance has been prepared to change the zoning of seven residential parcels within the Green Acres Subdivision from R-3 (Single Family Residential) to R-5A (Townhouse Residential).

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2007-2012 identified *Preservation of the Residential and Neighborhood Character*. Supporting these goals are the objectives *Tolerance of Neighborhood Private Redevelopment* and *Continuing Reinvestment in the Neighborhoods*.

FISCAL IMPACT

N/A.

RECOMMENDATION

This item was discussed at the October 28, 2008 Workshop. During that discussion the Village Council requested further information about the items specified below.

What are the plans for the future of Fairview Avenue?

Fairview, in that area, is a Village street. There are no plans to further improve Fairview.

What was the purpose of the MIT study and who paid for it?

The purpose of the MIT study was to determine the impacts of a mixed-income, large-scale multi-family development on surrounding single family home property values. The study was funded by the MIT Center for Real Estate and the Joseph R. Mullins Company (developed).

Could the proposed development be built on the east side of Fairview Avenue instead of the west?

Fairview Village could explore the development of these units on the east side; however, it would mean a loss of some of the cottages and a portion of its east side expansion. During the course of staff's conversations, Fairview Village indicated that it is trying to offer a slightly different product in the Auxiliary campus. It would be marketed to younger seniors, who have the ability to live on their own but do not want the responsibilities that come with homeownership.

Historically, how often has the Village approved developments that followed and/or did not follow the Future Land Use Map (FLUM)?

On some occasions, the Village has amended the FLUM in conjunction with rezonings where the rezoned land use was inconsistent with the original recommendation of the FLUM. For example, when the Village approved the Villas of Maple Woods development (Maple and Elinor), the Council amended the FLUM from zero to six dwelling units per acre to six to 11 dwelling units per acre. There are some occasions when

the Village did not amend the FLUM when a rezoning conflicted with its recommendation. For example, when the Village approved the townhomes on Fairview Avenue, south of 63rd Street, the FLUM was not amended for consistency. Staff is compiling further information for presentation on Tuesday.

Staff recommends approval on the November 4, 2008 active agenda.

BACKGROUND

Fairview Village proposes to expand its campus to a 2.9 acre parcel surrounding Lynn Gremer Court along Fairview Avenue. The parcel contains seven lots within the eastern portion of the Green Acres Subdivision. The petitioner requests a Preliminary Planned Development Amendment to be included within the existing Planned Development #32 and a rezoning to change the zoning from R-3, Single Family Residential to R-5A, Townhouse Residential to be consistent with the existing Planned Development #32 zoning. The petitioner requests only preliminary approval of the land use and site plan at this time. Final building, engineering and site plans, a Plat of Vacation for Lynn Gremer Court, and a Plat of Subdivision will be required to come back to the Plan Commission and Village Council for approval of a final planned development amendment.

Zoning Table

Zoning Requirements	Required	Proposed (Oct 2007)	Proposed (Aug 2008)
Front Yard Setback (East)	25'	30'	30'
Side Yard Setback (North)	47'	30'	47'
Side Yard Setback (South)	47'	30'	47'
Rear Yard Setback (West)	20'	20'	40'
Building Height	35'	37'-6"	24'-6"
Lot Coverage	32%	29.0%	29%
Lot Area			
3-bedroom unit	3,000 sf / unit	3,959 sf / unit	3,959 sf / unit
Floor Area Ratio	0.8	0.59	0.59
Parking	40	98	96
Open Space	40%	56%	63%

Traffic Table

	Morning Peak Trips	Evening Peak Trips	Trips Per Day	% increase to average daily traffic on Fairview Avenue
Approved Single Family	5	7	67	0.05
Proposed Senior Independent Living	3	4	111	0.08

Site Plan

The petitioner proposes to construct four two-story apartment buildings which would each contain eight independent living units. The existing single family house would be converted into primarily a clubhouse with a small office. The petitioner revised their original August 2007 site plan to increase building setbacks from the adjacent single family residences. The setback from the north and south property lines is 47 feet, while the closest point along the western property line is 40 feet. The proposal meets all the bulk requirements of the Zoning Ordinance for the proposed R-5A district, including building height and setbacks, parking and open green space.

Attached is a process and timeline summary for the development. During that process the Village Council charged the Plan Commission with thoroughly reviewing the project with respect to all aspects of the project, including:

- home values
- appropriate use of the land
- stormwater management
- traffic

These four topics are summarized below:

Property Values

Surrounding neighbors expressed concern about the impact the proposed development would have on surrounding property values. To address this concern, Fairview Village contracted with Tracy Cross & Associates, Inc. (TCA) to prepare a study on how property values would be affected. TCA completed an analysis of the market potential for residential development in February 2008 which provided an assessment of the potential impact of the proposed Auxiliary Campus upon local property values. Staff requested additional information from the petitioner to further clarify the report's findings. TCA provided a second study in August 2008 which more closely examined property values adjacent to senior living facilities and multi-family developments adjacent to single family developments over time. The additional information, submitted in August 2008, confirmed TCA's initial assessment that the rezoning "will not impair or negatively impact single family property values in the immediate vicinity." Both the February and August reports are provided in the attached Staff Report.

To verify the TCA results, staff researched the issue of property values through the American Planning Association (APA). The APA had no report or data relating specifically to the impact of senior living facilities. The APA did have five studies which examined the issue of property values in cases where multi-family residential was constructed in a single-family neighborhood. Only one study from the MIT Center for Real Estate provided background information and data within the available report. The MIT study examined the impact of introducing a large-scale, mixed-income, multi-family rental development with an affordable housing component into a neighborhood of single-family houses over a period of time from 1983 through 2003.¹ The authors found that large, dense, multi-family rental developments with affordable housing components do not negatively impact the sales price of nearby single family homes.² Additional information pertaining to the MIT study can be found in the Staff Report.

Appropriate Use of the Land

The surrounding residents expressed concerns about the proposed multiple-family development encroaching into their single-family neighborhood and whether the proposed encroachment was compatible with the Future Land Use Plan. The Auxiliary Campus property is currently designated as Residential 0-6 dwelling units per acre in the Future Land Use Plan. The proposed development would create a density of 11 dwelling units per acre. The proposal is not consistent with the Future Land Use Plan. However, the proposal is consistent with the multi-family developments currently in-place along Fairview Avenue between 63rd Street and 75th Street. There exists already a townhouse development located at 6308-6316 Fairview Avenue approximately 800 feet north of the proposed project along the same side of the street. The Main Campus across Fairview Avenue is multi-family and apartment buildings and townhouse developments are located on the east side of Fairview Avenue immediately north of the Main Campus. Additionally, a multi-family complex is located at the northwest corner of Fairview Avenue and 75th Street. The pattern suggests a market-based rationale for multiple-family in the vicinity.

Stormwater Management

Stormwater management and how it will be addressed is a topic of concern for the neighbors. Stormwater management will be provided through the existing storm sewers and the installation of new storm sewer structures and lines throughout the site. The stormwater will be conveyed off-site to the two previously approved detention ponds located on the Main Campus. These ponds were designed to provide capacity for both the Auxiliary and Main Campuses. The pond reconfiguration is currently on-going. A preliminary engineering plan is provided in the Staff Report.

¹ Pollakowski, Henry O. et al., *Effects of Mixed-Income Multi-Family Rental Housing Developments on Single-Family Housing Values*. MIT Center for Real Estate, April 2005.

² Ibid.

Traffic Study

The amount of traffic entering and exiting the site and the impact of this additional traffic on the neighborhood and Fairview Avenue is a concern to the neighborhood. To address these concerns, Fairview Village contracted with Gewalt Hamilton Associates, Inc. to complete a traffic study of the Auxiliary Campus. The study found that the traffic generated by the proposed Auxiliary Campus would not create significantly different impacts on the existing roadway system than the approved single family residential development. Levels of Service during both morning and evening peak were acceptable and the slight increase in traffic will not result in service level decreases along Fairview Avenue. Although the number of vehicles entering and exiting the site is more than anticipated for seven single-family properties, the difference results from slightly higher off-peak (mid-day) traffic associated with senior independent living use. The traffic study is provided in the Staff Report.

Findings and Recommendations

Staff believes the standards for approval of an amendment to the Zoning Ordinance and Planned Developments have been met. The adjacent uses contain both single-family and multiple-family uses and the subject property is on the edge of the single-family neighborhood. The impact of the development will not be detrimental to the health, safety, morals or general welfare of persons residing in the vicinity and will not be injurious to property values or improvements in the vicinity as demonstrated by the petitioner's additional home value, market analysis and traffic studies. The proposal makes adequate provisions for stormwater management and utilities, provides adequate control over vehicular traffic and provides open space in the form of landscaping and an interior courtyard. The proposed use would be beneficial to the community as it provides an opportunity for elderly residents to remain in the Village when they decide to downsize their living arrangements.

Plan Commission Recommendation

The Plan Commission conducted a public hearing regarding the Auxiliary Campus on September 8, 2008. During the meeting, many neighborhood residents expressed concerns regarding the proposal. These concerns included neighborhood character, the possible deterioration of surrounding property values, and their desire to delay any decision until the TCD 3 and Comprehensive Plan process concludes.

The Plan Commission recommended approval of the Auxiliary Campus Preliminary Planned Development and rezoning by a vote of 4:3. The majority of Plan Commissioners found that the petition had provided sufficient evidence that the development would not harm neighboring property values, was an appropriate use of the land and would not cause significant stormwater or traffic impacts. The majority found the petition met the standards for approval of an amendment to the Zoning Ordinance and Planned Developments. The three dissenting Plan Commission members did not believe the proposal was consistent with existing uses and zoning of nearby properties and did not conform to the planning objectives of the Village. One commissioner also believed the development would negatively affect neighboring property values, was not suitable for the requested rezoning, departs from the zoning regulations applicable to the property, and did not make adequate provisions for public services.

ATTACHMENTS

Ordinances

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A PRELIMINARY PLANNED
DEVELOPMENT AMENDMENT TO PLANNED DEVELOPMENT #32,
TO PERMIT CONSTRUCTION OF FOUR (4), TWO-STORY
SENIOR CITIZEN APARTMENT BUILDINGS FOR THE PROPERTY LOCATED AT
401-406 LYNN GREMER COURT AND 6568 FAIRVIEW AVENUE**

WHEREAS, the Village Council has previously adopted Ordinance No. 3456 on April 27, 1992, designating the property described therein as Planned Development #32; and,

WHEREAS, the Owners have filed a written petition with the Village conforming to the requirements of the Comprehensive Zoning Ordinance and requesting a preliminary amendment to Planned Development #32 to permit construction of four (4), two-story senior citizen apartment buildings; and,

WHEREAS, such request was referred to the Plan Commission of the Village of Downers Grove, and the Plan Commission has given the required public notice, conducted a public hearings for the petition on October 1, 2007 and on September 8, 2008, and had made its findings and recommendations on September 8, 2008, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, the Plan Commission had recommended approval of the requested petition, subject to certain conditions; and,

WHEREAS, the Village Council has considered the record before the Plan Commission, as well as the recommendations of Plan Commission.

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

SECTION 1. That the provisions of the preamble are incorporated into and made a part of this ordinance as if fully set forth herein.

SECTION 2. That a Preliminary Planned Development Amendment is hereby authorized to approve four (4), two-story senior citizen apartment buildings.

SECTION 3. That approval set forth in Section 2 of this ordinance is subject to the findings and recommendations of the Downers Grove Plan Commission regarding File PC-35-07 as set forth in the minutes of their September 8, 2008 meeting, a copy of which is attached hereto and incorporated herein by reference as Group Exhibit A.

SECTION 4. The approval set forth in Section 2 of this ordinance is subject to the following conditions:

1. The Final Planned Development shall substantially conform to the preliminary architecture plans prepared by A.G. Architecture dated September 10, 2007 and revised on June 27, 2008; the preliminary engineering plan prepared by Gewalt Hamilton Associates, Inc. dated July 2, 2008; and the preliminary landscape plans prepared by 3D Design Studio dated August 31, 2007, except as such plans may be modified to conform to Village Codes and Ordinances.
2. The petitioner shall file a petition for a Final Planned Development Amendment, Plat of Subdivision, Plats of Easement, and a Plat of Vacation for the Lynn Gremer Court right-of-way no later than one (1) year after Village Council approval if said approval is granted. If a petition is not filed within one (1) year, any approvals gained from this petition for a Preliminary Planned Development Amendment shall be null and void. The building elevations and site plan shall substantially conform to any plans approved by the Village Council and Plan Commission.
3. Prior to the Plan Commission consideration of the Final Planned Development Amendment, the following comments shall be addressed:
 - a. A revised stormwater grading plan shall be provided that addresses stormwater conveyance for the western portion of Green Acres Subdivision.
 - b. The site shall provide for overland flow routes from Davane Lane through the site and across Fairview Avenue without negative impacts to the site or Fairview Avenue.
 - c. Best Management Practices for stormwater quality shall be implemented on the site.
 - d. All executed utility easements shall be abrogated, and new easements shall be provided over all relocated utilities, stormwater facilities and overland flow routes.
 - e. The Village shall assume ownership of the water main and water appurtenances. As such, easements shall be provided over all water main pipes, valves, fire hydrants and all other water appurtenances.
 - f. A photometric plan shall be submitted.
4. The existing Lynn Gremer Court right-of-way shall be vacated.
5. The four proposed apartment buildings and the existing single-family residence shall have an automatic sprinkler system installed throughout. All areas of each building shall be protected.
6. The four proposed apartment buildings and the existing single-family residence shall have a manual and automatic detection system installed throughout. All detection systems shall be tied into the Downers Grove Alarm Board. All areas of each building shall be protected.
7. A fire hydrant shall be located within 100 feet of each proposed and existing building's fire department connection.
8. Each proposed apartment building shall have one main electrical disconnect or a shunt trip system that cuts power to the entire building.
9. Prior to the issuance of any development permits for development, the petitioner shall pay to the Village a total of \$90,837.34 as school and park donations (\$63,691.89 to Downers Grove Park District, \$20,932.49 to Downers Grove Elementary School District 58, and \$6,212.96 to Community High School District 99) subject to verification by the Department of Community Development.
10. The four proposed apartment buildings shall contain no more than eight apartments each for a total of 32 living units on the site. The existing single-family residence shall be converted only to a

clubhouse and executive office. Any changes to the proposed number of living units shall be approved by the Village through a Planned Development Amendment.

SECTION 5. That the four (4), two-story senior citizen apartment buildings are consistent with and complimentary to the overall planned development site plan and with the requirements of the “*R-5 A, Townhouse Residential*” zoning district.

SECTION 6. That the Mayor and Village Clerk are authorized to sign the above described plans.

SECTION 7. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 8. That this ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING SEPTEMBER 8, 2008, 7:00 P.M.

Chairman Pro Tem Waechtler called the September 8, 2008 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

PRESENT: Chairman Pro Tem Waechtler, Mr. Cozzo, Mrs. Hamernik, Mr. Matejczyk, Mr. Quirk, Mrs. Rabatah, Mr. Webster

ABSENT: Mr. Beggs, Chairman Jirik

STAFF PRESENT: Mr. Jeff O'Brien, Sr. Village Planner; Mr. Stan Popovich, Village Planner;

VISITORS: Steve Stewart, Fairview Village, 210 Village Drive, Downers Grove*; Don Vandevander, Fairview Village, 210 Village Drive, Downers Grove*; Doug Thaxton, Fairview Village, 210 Village Drive, Downers Grove*; John Martin, 1755 Naperville Road, Wheaton; Andrea VanBuren, 6576 Fairview, Downers Grove*; John & Simone Kapovich, 6416 Blodgett Court, Downers Grove; Marc Pietrzak, 6430 Blodgett Court, Downers Grove; Dana Rennie, 613 65th Street, Downers Grove; Bill Myers, Fairview Village, 210 Village Drive, Downers Grove; Mary Spencer, 6332 Blodgett Court, Downers Grove; Frank Muraca, ARCH Consultants, 250 Parkway Drive; Kerry & Peggy Richmond, 6575 Davane Lane, Downers Grove; Anne Hizon, 661 61st Street, Downers Grove; Walter & Doreen Lenckas, 6357 Davane Court, Downers Grove; Dan & Sue Gross, 6407 Davane Court, Downers Grove; Bob Scelze, 6642 St. James Court, Downers Grove; Larry Rosol, 6556 Berrywood, Downers Grove; Jeanette Howard, 6443 Davane Court, Downers Grove; Daniel C. Carlson, 6336 Davane Court, Downers Grove; Rick & Nene Bailey 6413 Blodgett Court, Downers Grove; Carmela Zinnecker, 6345 Davane Court, Downers Grove*; Janet Cerny, 412 66th St., Downers Grove; David & May Tsui, 6407 Blodgett Court, Downers Grove; Carol Rochter, 6600 St. James Court, Downers Grove; Anthony DiSalvo, 6339 Davane Court, Downers Grove*; Lauren & Quinton Ford*, 415 66th Street, Downers Grove; Carol & Bob Nield, 6326 Fairview Avenue, Downers Grove; Valeria & Evelyn Giralda, 532 66th Street, Downers Grove; Joy & Ron Detmer*, 6580 Davane Lane, Downers Grove; Jason Mitchell, 6572 Fairview Avenue, Downers Grove*; Simon & Clara Liu, 6436 Davane Court, Downers Grove; Natasha Buh, 6412 Davane Lane, Downers Grove; Sandra & Ray Konrath, 6637 Saint James Court, Downers Grove; Fred Foss, 6579 Davane Lane, Downers Grove; Marge Earl, 4720 Florence Avenue, Downers Grove*; C. Wei, 6440 Fairview Avenue, Downers Grove; Betty C. Lewis, 6431 Davane Court, Downers Grove; Theresa Stewart, 6413 Davane Court, Downers Grove; Tariq Khan, 6450 Fairview Avenue, Downers Grove*; Mary & Walter Sobat, 404 66th Street, Downers Grove; Arlene & Benjamin Widrevitz, 7136 Blackburn, Downers Grove; G. Tracy Cross, Tracy Cross & Associates, 1920 N. Thoreau Drive #150, Schaumburg*; Mike Carey, Powermart, 1301 W. 22nd Street, Oak Brook*; James F. Russ, Jr., Attorney, 4915 Main Street, Downers Grove*; Ed Rickert, 6563 Berrywood, Downers Grove*; Jon Povlivka, 6016 Washington, Downers Grove*; William White, Attorney, 5530 Main Street, Downers Grove*; Luke Casson,

Kensington Real Estate Consultants, Inc., P. O. Box 39, Lemont, IL*; Suli Gasafer (phonetic spelling), Plainfield, IL (*Spoke at Meeting)

Chairman Pro Tem Waechtler led the plan commissioners in the recital of the Pledge of Allegiance.

Minutes of the August 4, 2008 Meeting - Mr. Matejczyk made a motion to approve the minutes as presented, seconded by Mr. Cozzo. Motion carried by voice vote of 7-0.

Chairman Pro Tem Waechtler reviewed the meeting's protocol for the public and petitioners and for those petitioners that would be speaking on the following two petitions:

FILE NO. PC-35-07 (Continued from 08-04-08) A petition seeking approval of a Preliminary Planned Development Amendment to expand Planned Development #32 Fairview Village for the construction of four multi-family buildings and to rezone such property from R-3, Single Family Residential to R-5A, Townhouse Residential for the property located on the West side of Fairview Avenue at the intersection of Fairview Avenue and Lynn Gremer Court, Downers Grove, IL (PIN's 09-20-213-013,-014,-015,-016,-017,-018,-019); Steve Stewart, Petitioner; Fairview Ministries, Owner

Turning to the overhead screen, Village Planner Stan Popovich reviewed the petition explaining the petitioner is requesting a Preliminary Planned Development Amendment to Planned Development #32 and rezoning from R-3 Single Family Residential to R-5A Townhouse Residential in order to construct four (4), two-story senior citizen apartment buildings on a 2.9 acre parcel surrounding Lynn Gremer Court.

Reviewing some of the project's history, he discussed that on October 1, 2007, the petition received a positive recommendation from the Plan Commission for the Main Campus and for the proposed Auxiliary Campus on the west side of Fairview Avenue. The Village Council approved the Main Campus proposal on November 6, 2007, and subsequent construction began on the Main Campus. However, per the petitioner's request, the Village Council tabled the Auxiliary Campus proposal so the petitioner could examine surrounding home values, the appropriate use of the land, rezoning, stormwater management and traffic. In May 2008, Fairview Village returned to the Village Council with the petitioner having a prepared market analysis. Because the site plan changed, staff recommended returning the petition back to the Plan Commission. In June 2008, the Village Council returned the petition to the Plan Commission and charged the Plan Commission to review the project and consider four aspects of the project: home values, appropriate use of the land, stormwater management, and traffic.

The petition was scheduled for the August 4, 2008 Plan Commission meeting, but the petitioner requested the Plan Commission to continue the petition so they could provide additional information to staff. The petitioner submitted additional property value data to staff in late August 2008. Currently, the petitioner is requesting preliminary approval of the land use and preliminary site plan approval. Final building, engineering and site plans, a Plat of Vacation for Lynn Gremer Court and a Plat of Subdivision will be required to come back to the Plan Commission and Village Council for approval of a final planned development amendment. Tonight's discussion will focus on the four following points: home values, appropriate use of the land, stormwater management, and traffic.

Per Mr. Popovich, the proposal includes the construction of four (4) two-story units and converting the existing house into a clubhouse and executive office. Three of the buildings surround a courtyard and the remaining building sits in the northwest corner of the property. The proposal has been revised, and the setbacks from the north, west and south property lines are 47 feet, as opposed to the 20 to 30 feet previously noted. Each building would have underground parking for its residents. The access drive will be no closer than 68 feet from the west property line, compared to 25 feet in the previous proposal. All vehicles will be entering and exiting at Fairview Avenue. The site provides 96 parking spaces, 20 underground spaces for each apartment and 16 spaces at grade. Approximately 80,000 square feet of green space is being proposed with landscape buffers to the north, west, south, and landscaping along Fairview Avenue. A floor plan was shown. Four units per floor are planned. Renderings and elevations were presented. Bulk regulations and height regulations were being met by the petitioner.

Mr. Popovich stated Gewalt Hamilton Associates, Inc. completed a traffic study of the Auxiliary Campus, which found that the traffic generated from the senior living development would not create a significantly different impact on the existing roadway system than the previously approved single-family development. The study found single-family residences would generate five trips during the morning peak hour and seven trips during the evening peak hour for 12 total peak trips. Overall, the single-family residences would produce 67 total trips per day. The proposed senior independent living units would produce three trips during the morning peak and four during the evening peak for a total of seven peak trips. Overall, the proposed development would produce 111 trips per day. The difference results from slightly higher off-peak (mid-day) traffic associated with the senior independent living use. Seniors would make more trips during daytime off-peak hours.

Staff's data reflects that Fairview Avenue between 63rd Street and 75th Street has an average daily traffic count of 14,000 vehicles. A single-family development would result in a 0.05% increase in traffic, wherein the proposed senior community would result in a 0.08% increase.

The traffic study identifies the level of service for the intersection of the access roads with Fairview Avenue as a Level of Service B for weekday morning peak hours and Level of Service C for weekday evening peak hours for movements into and out of the Auxiliary Campus. Levels of Service are rated A through F, with A being the best, D being the lower threshold of acceptable waiting times. Levels E and F are unacceptable. The anticipated Levels of Service would be acceptable even with the additional trips. The Village's Public Works Department reviewed the traffic study and found the increase in traffic would not result in significant service level decreases along Fairview Avenue. Staff believes the residents of the site who have to enter and exit the site will feel the largest impact. Staff believes the petitioner has addressed this matter.

Regarding the home value study, consultant Tracy Cross & Associates, Inc. completed a market analysis in February 2008, which concluded that the proposed Auxiliary Campus would have no detrimental impact on surrounding home values. The report found that in six cases out of eleven the local annual percent change in home values was higher than for the host municipality. In the other five cases, the local area annual percent change in home values was lower than the host municipality. Staff requested additional information to further clarify the analysis's findings since they were inconclusive.

In August 2008, the consultant examined three cases where municipalities rezoned from single-family residential to multi-family residential and the impact the rezoning had on property values.

The study found that multi-family developments expanding into single-family neighborhoods did not impact single-family home values. Mr. Popovich explained the study also reviewed three cases of single-family residential being located adjacent to senior living facilities: one in Downers Grove, one in Burr Ridge, and one in Barrington and found that the home values immediately adjacent to the developments were similar to home values further away from the senior living facility. The study of these six developments appears to support the assertion that multi-family developments did not affect the property values immediately adjacent to single-family houses whether the development existed or following a rezoning. The consultant will provide further details.

Mr. Popovich also explained that staff conducted its own research through the American Planning Association archives. A Massachusetts Institute of Technology (MIT) Center for Real Estate study completed in 2005 examined the impact of large-scale, mixed-income, multi-family rental development with an affordable housing component into single-family neighborhoods from 1983 through 2003. Mr. Popovich pointed out Fairview was not affordable housing. The MIT study examined seven cases over a period of 20 years. The study looked at the immediate area and the larger municipality with regard to property values. The research found that the multi-family rental developments with affordable housing did not negatively affect the sales price of nearby single-family homes. Mr. Popovich further explained the study looked at the worse case scenarios over a short-term time period and a long-term time period and concluded that the developments did not have a negative impact. Staff believes the study is relevant as the density of the studied cases is comparable to the proposed densities of this proposal. Based on the Tracy Cross and MIT studies, staff believes the proposed Fairview Village project would not have a negative impact on neighboring property values.

As to the appropriate use of the land, Mr. Popovich conveyed the site is not in line with the Future Land Use Plan since the plan designates the area as Residential 0-6 dwelling units per acre. The development is for 11 dwelling units per acre. While the proposal is not consistent with the Future Land Use Plan, it is consistent with the multi-family developments in place along Fairview Avenue between 63rd Street and 75th Street. He noted a nearby townhouse development located north on Fairview Avenue; the Main Campus across Fairview Avenue being multi-family; and apartment buildings and townhouse developments being located on the east side of Fairview Avenue immediately north of the Main Campus. Lastly, a multi-family complex was located at the northwest corner of Fairview Avenue and 75th Street. Staff agreed the proposal had merit since multi-family zoning along Fairview Avenue already existed.

In addressing the stormwater management issue, the proposal provides a preliminary engineering plan, which will take existing stormwater and pipe it underground to the two new improved ponds located on the main campus. A couple of the storm sewers may have to be removed or replaced in order to meet new requirements and layouts. The ponds were designed to provide capacity for both the Auxiliary and Main Campuses. The pond reconfiguration is currently on going.

Mr. Popovich stated public improvements would include a vacation of Lynn Gremer Court with a new entrance drive on Fairview Avenue. Any existing utilities would be re-used as much as possible. The proposal meets the R-5A bulk regulations for setbacks, height and open space. A plat of subdivision will be required to be filed for final planned development approval. School and park donations will also be required. Fire Prevention has reviewed the revised plans and believes there is adequate access in the drive aisles and separation between the buildings.

In addition, neighborhood comment has been extensive with meetings held in September 2007 and April 2008. The neighbors have hired Counsel, and staff has been corresponding with the attorney and the neighbors. A memo from the attorney was on the dais for commissioners to review.

Mr. Popovich stated that staff believes the four Village Council issues have been addressed as stated in staff's report, and the standards for approval for an amendment to the Zoning Ordinance have been met as well as other multi-family uses exist on Fairview Avenue. The Tracy Cross and MIT study also support the findings of no detrimental impact to surrounding single-family property values. The planned development standards have been met, and the proposal complies with the Zoning Ordinance, adequate provisions have been made for sewer, traffic and open space. Staff believes the property is suitable for the proposed use, and the project is not detrimental to the general health, safety and general welfare or surrounding property values. The proposed development meets the zoning requirements of the R-5A district.

Staff asked the Plan Commission to recommend approval of the petition with staff's conditions on page 11 of its report. Mr. Popovich offered to answer questions.

Per Mr. Matejczyk's question about the Village Stormwater Department being concerned about the stormwater plan provided by the petitioner, Mr. Popovich confirmed there were no concerns, noting it was a preliminary plan. Staff and stormwater staff were fine with the plan being proposed. Regarding the various studies inside and outside of the Chicagoland area, he asked if the studies indicated a negative impact on home values in the area of the development or even a neutral impact, Mr. Popovich stated home values continued to rise. The only changes seen were in the percent change in increase.

On behalf of the petitioner, Mr. Steve Stewart, Executive Vice President of Fairview Village, thanked the Commissioners in postponing the presentation due to additional work with Tracy Cross. Mr. Stewart stated the agency has been in Downers Grove since 1973 and has expanded the campus to be a full, continuing care retirement facility with 450 to 500 seniors living on the campus. A history of the project through the Village process followed. He noted the proposal does meet the requirements of the bulk standards and confirmed the proposal was seeking a change in zoning from R-3 to R-5A to match what was across the street. For the expansion of the main campus, Mr. Stewart said starting the ponds was probably a year premature, but he wanted to show a good faith to the neighbors in starting that expansion.

Mr. Stewart stated he believes the project will be an asset to the community and wants to continue to have a flagship campus in the Village. In addition, the failed single-family home project across the street was an opportunity to expand the project, since there was a wait list in the community.

He noted the plan has been reworked to have the building setback within the requirements of the current zoning. "Before" and "after" slides were presented. He confirmed the bulk standards for the proposal were in compliance. Two parking spaces are reserved for each unit. Regarding the pond construction, about 80% of the pond is completed and should be completed this fall. Because neighborhood suggestions have been taken into account and have enhanced the proposal, the proposal sits as currently presented. The four buildings will total 32 units at approximately 1,650 square feet per apartment. Entry costs are approximately \$500,000 to \$600,000. Renderings of the buildings were presented. He thanked the neighbors for some of their comments. Mr. Stewart closed by stating the petitioner not only purchased the seven lots on the west side of Fairview

Avenue but also was required to purchase the five remaining lots within Green Acres Subdivision. However, the proposal tonight was for only the seven lots surrounding the cul-de-sac. The five remaining lots are still for sale as single-family lots.

Mr. Cozzo inquired about the mention of “berming” from the neighborhood minutes wherein Mr. Stewart stated there have been discussions about berming, and it will have to be worked out in the final presentation. He preferred to install some berming but would work with staff on their input. Chairman Pro Tem Waechtler inquired about the landscaping on the west side of the townhomes to screen from the residents, wherein Mr. Stewart stated the screening has been considered and he will have a landscape architect work further on that issue. He reiterated the petitioner wanted to have a good relationship with the neighbors. Per a question, Mr. Stewart advised about 50 individuals were on the wait list.

Mr. Tracy Cross with Tracy Cross & Associates, Schaumburg, Illinois, discussed his scope of business focuses on marketing analysis and market research. He reminded commissioners the focus of his study was to analyze the housing values around senior citizen facilities that were in a half-mile radius and compare those values to a host community. Initially, the study was inclusive in that the radius was either too large or the senior facility was an isolated campus and did not reflect the respective zoning change or show what happens when homes directly abut such a facility. Mr. Cross walked through his presentation in detail discussing various rezoning examples to multi-family zoning near single-family zoning and the fact that the rezoning had no impact to the housing value. In reviewing home values in single-family developments adjacent to senior facilities, he noted home values have either increased or increased at the same rate as the single-family developments. There has been no impact in the examples presented. Mr. Cross reiterated the proposal adds value or will protect values to a certain degree.

Mr. Cross stated his examples were randomly chosen within DuPage County dating back to 1999. No properties prior to 1999 were reviewed. Chairman Pro Tem Waechtler pointed out during this period it was a time when real estate values increased. He thanked Mr. Cross for his presentation. Per a question, Senior Village Planner, Mr. O’Brien, stated he was familiar with the development in Barrington but not the other developments.

Attorney Jim Russ, 4915 Main Street, Downers Grove, informed the Commission he was the attorney for Siever’s and Stevens Construction, which was the developer of the townhomes south of the Family Video building. Mr. Russ reviewed the history of that project’s rezoning ultimately to the R-5A zoning district, which was approved by Village Council. Reviewing prior minutes and workshop minutes, the concern was whether the townhome development was an appropriate buffer from the commercial to the residential area. The Council felt it was an appropriate buffer. He did not see any reference to any “promise” that there would not be further development along Fairview Avenue. Instead, he found reference to any further development along Fairview Avenue would have to be reviewed on an individual bases, as referenced by Mr. Rathje, the prior Village Community Development Director, and the development would probably come before the Plan Commission as a planned unit development for multi-family use.

Mr. Stewart asked to have two residents of Fairview Village speak to the Commission.

Mr. Donald Vandevander, 200 Village Drive, Downers Grove, and Mr. Douglas Thaxton, 200 Village Drive, Downers Grove introduced themselves and presented a signed petition from

residents of the facility who supported the expansion efforts of the Fairview Village on the west side of Fairview Avenue. He presented the petition to Chairman Pro Tem Waechtler.

Mr. Vandevander stated he chose Fairview Village because of what it offers in the way of ministries and various activities it offers. Both men invited the Commissioners to visit the beautiful facility. He stated the site was kept up very well. Mr. Thaxton discussed the volunteer activities offered at the facility.

Chairman Pro Tem Waechtler opened up the meeting to public comment.

Mr. Jason Mitchell, 6572 Fairview, Downers Grove, resides directly south of the vacant lot. He raised concern about the amount of vehicles entering and exiting the driveways, and it being very close to his driveway and had safety concerns for his children. His largest objection was the fact that the proposed development will affect the character of his neighborhood and will affect his view from his home. He stated a study paid by the petitioner could present positive numbers over not so positive numbers. He asked that the commissioners “plan” their projects. He also pointed out the facility could change officials and change the use of the property to apartments.

Mr. Ron Detmer, 6580 Davane Court, Downers Grove, stated much has changed since Fairview Village came before the last Plan Commission meeting. He stated the CEO revealed that Fairview Village plans to extend their apartment building concept and purchase available properties along Fairview Avenue north and south of Lynn Gremer Court. He called attention to the fact that the petitioner has made reference that it owns five lots on Davane Lane, two of which abut the proposed development and he questioned the petitioner’s intention as it relates to those lots. He voiced concern about future development of Fairview Village and the intrusiveness of the proposal into the neighborhood. He summarized some of the comments made at neighborhood meetings contrasted what Fairview Village had previously stated. Mr. Detmer found discrepancies in the Tracy Cross studies, the Village’s Master Plan and the standards of approval for amendments to the Zoning Ordinance as it relates to this proposal.

Commissioners noted some of Mr. Detmer’s comments were also speculative.

Mr. Anthony DiSalvo, 6339 Davane Court, Downers Grove, was sworn in. Mr. DiSalvo stated his neighbors in Green Acres have questioned the actions of this Commission. He reviewed the prior annexation and zoning for the site and discussed what occurred over the past few years; i.e., prior builders mis-timed the housing market. As a result, he stated the petitioner was a buyer who purchased lots that did not meet its needs and was now requesting a change to the zoning. He questioned why the Village should grant the rezoning. Mr. DiSalvo stated the residents would like the Commission continue to maintain the residents’ neighborhood as it has been represented; i.e., single-family homes. Any deviation was against the zoning and was contradictory to prior meetings. Mr. DiSalvo referenced minutes of January 22, 2002 wherein it was conveyed by a Village Council member that the Village did not have control over the property at all, it was not in the Village of Downers Grove, and if it were annexed into the Village, the Village would be able to define what would exist at the site. It went on to discuss future developments and not to focus just on the present.

Per Mr. DiSalvo, at the meeting of April 23, 2002, the same Council member conveyed if the site was within the Village, the decision would be simple because it depicts the area on the Future Land Use Map as residential. Mr. DiSalvo asked that the neighborhood remain residential. He also

stated that if the Commission approves the rezoning of the property, he and his neighbors would come before the Commission to rezone their property to multi-family.

Ms. Andrea VanBuren, 6576 Fairview, Downers Grove, representing herself and her neighbor, Bill Nelson (6624 St. James Court) who could not attend the meeting, discussed that staff uses MIT's study as a basis for justifying that the proposal will not negatively affect surrounding home values. She pointed out that MIT's study appears to justify the Massachusetts Chapter 40.B. of the Anti-Snob Zoning Act which allows developers to obtain state permits to override local zoning regulations if less than 10% of the community's housing stock is defined as "affordable." While staff indicates the density of the study areas of the petitioner's proposal are similar, staff lacks to convey is that the housing stock is very dissimilar. Ms. VanBuren went on to discuss how the housing stock differed in the MIT study, and how some information was dismissed from the study. She believed the MIT study was lending credibility to the Fairview proposal. She discussed in staff's memo, reference is made that the proposal is not consistent with the Village's Future Land Use Map (FLUM), yet staff says the proposal is consistent with the multi-family developments along Fairview Avenue. She found zoning decisions made in Westmont would be a basis for the Village to ignore its own FLUM. There was concern about the Commission rezoning a parcel that was just zoned annexed and rezoned four years earlier. Ms. VanBuren pointed out the subdivision with three buildings on the property has not had time to be successful because it has been discussed at meetings continuously.

She voiced concern about precedent setting and asked that the Commission reject the proposal and adhere to the zoning of its FLUM. She noted the proposal was meeting the setbacks of R-5A zoning and found inconsistencies with the revised Tracy Cross & Associates study. She believed the proposal was an intrusion into an established community.

Mr. Ed Rickert, 6563 Berrywood, Downers Grove, was sworn in. Mr. Rickert noted his home was on the lot directly west of Davane Court. He was not convinced the facility was inappropriate for the area at first. He discussed the concern was not whether it was R-3 zoning versus 5A zoning, but the fact that Fairview was creating a continuum care campus where residents purchase single-family homes, eventually purchase assisted living homes, and then move into the nursing home; i.e., moving a business use into a residential use. It also allowed the petitioner to avail himself to a continuum of care variance and to add beds to an existing property without going through the full Certificate of Need process to show there is a need for nursing home beds in the community. For the above reasons, he opposed the project.

Mr. John Povlivka, 6016 Washington, Downers Grove, was sworn in. He reviewed the zoning the petitioner was seeking, noting the fifth structure, would be an office and clubhouse. He asked if the petitioner was asking for zoning of an office on the property. Mr. O'Brien stated the zoning for the property would be R-5A with a Planned Development overlay with specific uses permitted. In this case, the petitioner requests the existing single-family residence be converted into a small office and clubhouse.

Mr. Bill White, attorney, 5330 Main Street, Downers Grove, has been asked to assist the homeowners. He asked the Commissioners to consider whether the Village's FLUM meant anything given the Village Council recently passed an ordinance to comprehensively review the FLUM. If the Commission was going to deviate from the FLUM, then strong reasons needed to be conveyed. Also, because Fairview Village has openly admitted that it owns other parcels on the

west side of Fairview Avenue, that to rezone this parcel without taking those parcels into account, pre-empts any successful review of the FLUM and places an R-5A zoning in the middle of that piece of property and sets a precedent for future developments. He believed it was inappropriate that this was not conveyed from the very beginning. Personally, Mr. White stated proper planning was looking at Fairview Avenue in its entirety and determining where the parcel should go in the long term and not parcel by parcel. He questioned why the Village would pay a significant amount of money to a consultant to look at proper planning and the Future Land Use Map, especially if the proposal was approved.

Mr. White also questioned whether the MIT study and the Tracy Cross study would find a multi-family project anywhere that would negatively affect single-family home values. He believed it should not be based on one petition but on many and should be considered when the Village's FLUM and Comprehensive Plan was reviewed and be decided upon by the community. In addition, he recalled the word "buffer" being discussed but no promises said. However, he stated the homeowners feel they were promised that single-family would remain. Mr. White asked those residents who were against the petition to stand up or raise their hand for the Commission to see. He reiterated he was not representing the homeowners but merely assisting them to prepare their case. However, he stated their sentiment on this matter was very strong. He pointed out the residents wished to preserve the character of their neighborhood, which could not have a monetary value placed upon it. Again, he asked the Commission what was the compelling reason to deviate from the Future Land Use Map.

Mr. Quinton Ford, 415 66th Street, Downers Grove, discussed the contract he entered into to purchase his current home about three months ago. After finding out about Fairview's purchase of nearby properties, he tried to get out of the contract due to such a development. He stated his point was that based on the law of supply and demand, when a single qualified motivated buyer is not interested in a property because of adjacent activities and property uses, it decreases the property value. He questioned Mr. Cross's statement of "he could not find many examples of rezoning from single-family to multi-family" and why, wherein Mr. Ford surmised that planning commissions realize it is not a good idea to do that because it disrupts the character of single-family neighborhoods.

Mr. Tariq Khan, 6450 Fairview Avenue, Downers Grove, commented when he purchased his home that it had been on the market for two years. He did not believe the residents should be penalized for a failed business decision. He agreed that the area was hurting prior to the purchase of his home. However, he noted when reviewing the east side of Fairview there were many various subdivisions and many homes were older and not rehabbed yet. On the west side, the development was occurring and was encouraging. He believed the proposal was going to hinder further development. He did not trust the petitioner because some of their townhomes on the east side of Fairview were already run down for the area.

Ms. Carmella Zinnecker, 6345 Davane Court, Downers Grove, was sworn in, resides directly adjacent to the townhomes, and referenced a comment made by Mr. Stewart regarding Darien Club. She stated those homes were built after Fairview Village, and the residents there have chosen to live there when the development already existed. Wherein, this proposal was something new, and the more recent homeowners including herself bought their property because the lots were there as residential. She stated it was disheartening to see the change. As to the Tracy Cross study, she stated the study had to consider those developments not in the middle of a residential neighborhood

but off to a side, or they were in existence before some of the homes were. She asked that the petitioner and Mr. Cross take into the consideration those items they considered when they purchased their own properties.

Due to no further comments, the public comment portion of the meeting was closed.

No comments were received from the commissioners.

Mr. Stewart closed by stating he was excited about the project and committed to what was being proposed. He did not believe the proposal had a negative impact to the neighborhood and because he paid the consultant for the study, it did not invalidate the study. He thanked Mr. Russ for researching the minutes and clarifying what was said at earlier meetings. Mr. Stewart felt no precedent was being set. The R5A requirements were being met. In addition, he disagreed that the proposal was being characterized as a business use. He asked that the Plan Commission make a positive recommendation to the Village Council.

As to the many references about the Village reviewing the Future Land Use Map and Comprehensive Plan and when it will take place, Mr. O'Brien explained the Village very recently contracted with a consultant to review the Village's Comprehensive Plan, which includes a comprehensive study of the FLUM. He expects it will take until 2010 before the project is completed. Mr. O'Brien stated the FLUM was revised in 2005 for the Siever's project. The map was reviewed in 2002 and 2003 with no formal recommendations adopted by the Village Council. Details followed. The most recent narrative to the map was last approved in 1995.

(The commission took a break at 9:15 p.m.; the commission returned at 9:25 p.m.)

Chairman Pro Tem Waechtler announced that he, Commissioners Beggs and Hamernik were re-appointed for the next three years.

Mr. Matejczyk discussed the difficulty of hearing both sides of the proposal since they both made sense. He also stated spot zoning was very difficult. Another concern was what effect the proposal would have on property values. However, he has heard no data where this type of development is detrimental to property values. Mrs. Rabatah voiced her concern about the upcoming review of the Future Land Use Map when the proposal was before them. While Mr. Cozzo favored the concept of the overall service of the proposal, its architecture, and its attempt to be compatible, he voiced concern about dropping the proposal in the center of a neighborhood. Mr. Matejczyk also clarified this proposal was a residential use versus a residential use, and the issue was the residents' needs in that area versus the needs and benefits of the greater community. He noted the population was aging and would like to remain in the community.

Mr. Webster clarified that this Commission recommends to the Village Council what is appropriate and that staff plans the zoning of the Village. While he understood the opposition of the changes to the fabric along Fairview Avenue, he did not believe it was fair to state the proposal was in the "middle" of a neighborhood, but instead would be contiguous to an existing planned development across the street. He questioned the term "spot zoning", as it was a residential use to another type of residential use. In addition, Mr. Webster stated Fairview Village was an existing part of the community and brought value to the community. The proposal met the standards for planned developments and amendments to the Zoning Ordinance. Mr. Webster supported the project for the

prior reasons stated and left the final decision with the Village Council but did not believe the review of the FLUM had a large bearing on the proposal tonight.

Mrs. Hamernik agreed the standards for planned development were met, but the standards for amendment to zoning were not met. She believed the Tracy Cross study was fair, and the traffic study was valid. The suitability of the site was fine for the zoned purposes, and she believed the length of time the property was vacant was due to current market conditions felt by everyone and not because of the proposed facility. Mrs. Hamernik agreed the value to the community was true. However, her issue was with the existing uses and the zoning of nearby properties. She stated up and down Fairview Avenue was single-family, and she could not support the facility.

Adding to the comments, Mr. Quirk recalled Mr. Beggs brought up some similar situations where uses crossed a street. These expansions do not constitute not meeting the standards under Number 1. Mr. Quirk stated the proposal meets the standards and immediately across the street, the land was zoned at a higher density. He was of the belief that the proposal would improve property values and the Village. The proposal's per square foot cost was also high-end which he believed would bring value to the neighborhood.

Chairman Pro Tem Waechtler reminded the public that the Commission was a fact-finding body and many times had to work between the developers and the development. He recalled residents in this neighborhood purchased their homes with the understanding it would be a single-family neighborhood, but it did not work out. Changing from an R3 to a R5A zoning was significant. He also recalled when the Tracy Cross study was done it was during a time when rising property values were occurring. He disagreed with Mr. Webster that a decision should not be left up to the Village Council. Rather, this commission needed to stand by its decision. Mr. Matejczyk clarified his understanding of the Tracy Cross study and the fact that there were no studies that showed the property values decreased when such a facility was constructed near single-family. The fact that a large number of residents appeared at the meeting reflected positively on the sense of community in the immediate area and within the Village.

Mr. Webster agreed a recommendation from the Commission was necessary, but the irony was that the project was recommended previously and it was a very decisive project. Ultimately, the Council approves or denies the project.

Chairman Pro Tem Waechtler reminded the four key findings of fact were discussed tonight.

WITH RESPECT TO FILE NO. PC-35-07, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND A POSITIVE APPROVAL OF A PRELIMINARY PLANNED DEVELOPMENT AMENDMENT TO FAIRVIEW BAPTIST HOME PLANNED DEVELOPMENT #32 AND REZONING OF THE SUBJECT PROPERTIES SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE FINAL PLANNED DEVELOPMENT SHALL SUBSTANTIALLY CONFORM TO THE PRELIMINARY ARCHITECTURE PLANS PREPARED BY A.G. ARCHITECTURE DATED SEPTEMBER 10, 2007 AND REVISED ON JUNE 27, 2008; THE PRELIMINARY ENGINEERING PLAN PREPARED BY GEWALT HAMILTON ASSOCIATES, INC. DATED JULY 2, 2008; AND THE PRELIMINARY LANDSCAPE PLANS PREPARED BY 3D DESIGN STUDIO**

DATED AUGUST 31, 2007, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.

2. THE PETITIONER SHALL FILE A PETITION FOR A FINAL PLANNED DEVELOPMENT AMENDMENT, PLAT OF SUBDIVISION, PLATS OF EASEMENT, AND A PLAT OF VACATION FOR THE LYNN GREMER COURT RIGHT-OF-WAY NO LATER THAN ONE (1) YEAR AFTER VILLAGE COUNCIL APPROVAL IF SAID APPROVAL IS GRANTED. IF A PETITION IS NOT FILED WITHIN ONE (1) YEAR, ANY APPROVALS GAINED FROM THIS PETITION FOR A PRELIMINARY PLANNED DEVELOPMENT AMENDMENT SHALL BE NULL AND VOID. THE BUILDING ELEVATIONS AND SITE PLAN SHALL SUBSTANTIALLY CONFORM TO ANY PLANS APPROVED BY THE VILLAGE COUNCIL AND PLAN COMMISSION.
3. PRIOR TO THE PLAN COMMISSION CONSIDERATION OF THE FINAL PLANNED DEVELOPMENT AMENDMENT, THE FOLLOWING COMMENTS SHALL BE ADDRESSED:
 - a. A REVISED STORMWATER GRADING PLAN SHALL BE PROVIDED THAT ADDRESSES STORMWATER CONVEYANCE FOR THE WESTERN PORTION OF THE GREEN ACRES SUBDIVISION.
 - b. THE SITE SHALL PROVIDE FOR OVERLAND FLOW ROUTES FROM DAVANE LANE THROUGH THE SITE AND ACROSS FAIRVIEW AVENUE WITHOUT NEGATIVE IMPACTS TO THE SITE OR FAIRVIEW AVENUE.
 - c. BEST MANAGEMENT PRACTICES FOR STORMWATER QUALITY SHALL BE IMPLEMENTED ON THE SITE.
 - d. ALL EXECUTED UTILITY EASEMENTS SHALL BE ABROGATED, AND NEW EASEMENTS SHALL BE PROVIDED OVER ALL RELOCATED UTILITIES, STORMWATER FACILITIES AND OVERLAND FLOW ROUTES.
 - e. THE VILLAGE SHALL ASSUME OWNERSHIP OF THE WATER MAIN AND WATER APPURTENANCES. AS SUCH, EASEMENTS SHALL BE PROVIDED OVER ALL WATER MAIN PIPES, VALVES, FIRE HYDRANTS AND ALL OTHER WATER APPURTENANCES.
 - f. A PHOTOMETRIC PLAN SHALL BE SUBMITTED.
4. THE EXISTING LYNN GREMER COURT RIGHT-OF-WAY SHALL BE VACATED.
5. THE FOUR PROPOSED APARTMENT BUILDINGS AND THE EXISTING SINGLE-FAMILY RESIDENCE SHALL HAVE AN AUTOMATIC SPRINKLER SYSTEM INSTALLED THROUGHOUT. ALL AREAS OF EACH BUILDING SHALL BE PROTECTED.
6. THE FOUR PROPOSED APARTMENT BUILDINGS AND THE EXISTING SINGLE-FAMILY RESIDENCE SHALL HAVE A MANUAL AND AUTOMATIC DETECTION SYSTEM INSTALLED THROUGHOUT. ALL DETECTION SYSTEMS SHALL BE TIED INTO THE DOWNERS GROVE ALARM BOARD. ALL AREAS OF EACH BUILDING SHALL BE PROTECTED.
7. A FIRE HYDRANT SHALL BE LOCATED WITHIN 100 FEET OF EACH PROPOSED AND EXISTING BUILDING'S FIRE DEPARTMENT CONNECTION.

8. **EACH PROPOSED APARTMENT BUILDING SHALL HAVE ONE MAIN ELECTRICAL DISCONNECT OR A SHUNT TRIP SYSTEM THAT CUTS POWER TO THE ENTIRE BUILDING.**
9. **PRIOR TO THE ISSUANCE OF ANY DEVELOPMENT PERMITS FOR THE AUXILIARY CAMPUS DEVELOPMENT, THE PETITIONER SHALL PAY TO THE VILLAGE A TOTAL OF \$90,837.34 AS SCHOOL AND PARK DONATIONS (\$63,691.89 TO DOWNERS GROVE PARK DISTRICT, \$20,932.49 TO DOWNERS GROVE ELEMENTARY SCHOOL DISTRICT 58, AND \$6,212.96 TO COMMUNITY HIGH SCHOOL DISTRICT 99) SUBJECT TO VERIFICATION BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT.**

MR. QUIRK SECONDED THE MOTION.

ROLL CALL:

Per a question, Mr. Popovich stated the current request is for a Preliminary Planned Development Amendment. The petitioner will have to return with a final plan and final plat of subdivision in order to obtain final planned development approval.

AYE: MR. MATEJCZYK, MR. QUIRK, MRS. RABATAH, MR. WEBSTER

NAY: MR. COZZO, MRS. HAMERNIK, CHAIRMAN PRO TEM WAECHTLER

MOTION CARRIED. VOTE: 4-3

Mrs. Rabatah asked that the Village Council be made aware that she is uncomfortable with the rezoning but does understand this is a preliminary plan.

Mr. Cozzo said he voted Nay because on page 8 he is uncomfortable with the impact to home values and was not comfortable with the appropriate use of the land in the rezoning; i.e., Zoning Amendment Standard Nos. 1 and 4. Mrs. Hamernik voted Nay because the proposal deviated from Zoning Amendment Standard No. 1. Chairman Pro Tem Waechtler voted Nay because the proposal did not meet Zoning Amendment Standard Nos. 1, 2 and 4. As to Standards for Approval for Planned Development Nos. 2, 3 and 4, he disagreed with them.

FILE NO. PC-24-08 A petition seeking approval for Special Uses for a drive-through and a car wash for the property located on the Southeast corner of Ogden Avenue and Belmont Road, commonly known as 2125 Ogden Avenue, Downers Grove, IL (PIN 08-01-405-042); Power Mart Corporation Petitioner; Power Mart Real Estate Corporation, Owner

Chairman Pro Tem Waechtler swore in those individual who would be speaking on File No. PC-24-08.

Mr. Popovich explained the petitioner was requesting Special Use approval to 1) construct a drive-through convenience store and 2) to re-establish a car wash at 2125 Ogden Avenue. The property is located at the southeast corner of Belmont Road and Ogden Avenue. The site is zoned B-3 and both Special Uses are permitted. The site is 37,200 square feet with approximately 150 feet of frontage