

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JUNE 1, 2010 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Special Use for a Private Commercial School - 1037-1043 Curtiss Street	Resolution ✓ Ordinance Motion Discussion Only	Tom Dabareiner, AICP Community Development Director

SYNOPSIS

An ordinance has been prepared to grant a special use permit for a private commercial school for 1037-1043 Curtiss Street. The school would offer training for skin care professionals in the existing building.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals identified *Authentic Downtown – the Heart of Our Community*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the May 18, 2010 meeting. Staff recommends approval on the June 1, 2010 active agenda.

BACKGROUND

The petitioner submitted a petition to use the existing building at 1037-1043 Curtiss Street as a private commercial school – the University of Aesthetics. The building is located across the street from the Downers Grove Library and immediately north of Fishel Park. A portion of the building is occupied with office uses. The petitioner is requesting a special use to locate the proposed school in the remainder of the vacant space. Commercial schools are listed as special uses in the DB zoning district.

The school trains students to serve as skin care professionals. As part of the students' training, some spa services will be available to the public. The school will start with approximately 10 students; however, student totals may increase in the future. The school would offer full-time (9:00am – 3:30pm Tuesday – Saturday) and part-time classes (5:30pm – 9:30pm Tuesday – Thursday and 9:00am – 3:30pm Saturday).

Although, parking is not required for this use, staff believes it is practical to address this issue so shopper parking spaces are not filled with University of Aesthetics students. As part of this approval process, the petitioner will be required to provide staff with a student count at the beginning of each year. If the student count exceeds twenty-four (24), the applicant would be required to purchase CBD parking permits to all students commuting by automobile so they may use the Village's Downtown parking system. Twenty-four employees and/or customers would be equivalent to the number of vehicles that would be expected if the vacant space was occupied by professional offices or similar uses.

Staff believes the standards for approval of the special use (Section 28.1902 of the Zoning Ordinance) have been met and the proposed commercial school. Staff believes the use at this location would be consistent with the existing uses on Curtiss Street and would complement the other retail and service uses in the Downtown.

The Plan Commission considered the petition at their May 3, 2010 meeting and found that the request met the standards for approval. The Commission recommended unanimous approval of the special use request. Staff concurs with the Plan Commission's recommendation

ATTACHMENTS

Aerial Map

Ordinance

Staff Report with attachments dated May 3, 2010

Draft Minutes of the Plan Commission Hearing dated May 3, 2010

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Applicant **DATE:** June 1, 2010
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** PC-05-10
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt “AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT A COMMERCIAL SCHOOL AT 1037-1043 CURTISS STREET”, as presented.

SUMMARY OF ITEM:

Adoption of the attached ordinance will authorize a special use to permit a commercial school at 1037-1043 Curtiss Street.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A SPECIAL USE
TO PERMIT A COMMERCIAL SCHOOL AT 1037-1043 CURTISS STREET**

WHEREAS, the following described property, to wit:

That part of Lot 55 of Assessor's Subdivision of Sections 7 and 8, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded October 2, 1871, in Book 2 of Plats, Page 29 and 30, as Document No. 14481, described commencing at the intersection point of West right of way line of Main Street (as now platted and recorded) with the Northerly right of way line of Curtiss Street (as now platted and recorded); thence South 61 degrees 33 minutes West to a point of intersection of the South right of way line of Curtiss Street (as now platted and recorded) with the West line of a 12 foot alley, a distance of 104.7 feet; thence Westerly along the Southerly right of way line of Curtiss Street (as now platted and recorded) a distance of 92.61 feet for a place of beginning; thence Southerly along a line, said line being the center of a party wall (fire wall) of this existing building; and the center of said party wall extended Southerly, a distance of 172.50 feet to a point on the South line of said Lot 55, said point being 196.42 feet Westerly (as measured along said South lot and the South line extended) from the West right of way line of Main Street in the Village of Downers Grove, Illinois; thence Westerly along said South line of Lot 55 a distance of 72.7 feet to iron stake same being 197.94 feet Easterly from the Southwest corner of said Lot 55; thence Northerly a distance of 178.0 feet to a point on the Southerly right of way line of Curtiss Street (as now platted and recorded) said point being 73.79 feet Westerly from the place of beginning; thence Easterly along said Southerly right of way line of Curtiss Street, a distance of 73.79 feet to a place of beginning, all in DuPage County, Illinois (except a strip of land 12 feet wide across the Southerly of said premises).

Commonly known as 1037-1043 Curtiss Street, Downers Grove (PIN 09-08-305-010)

(hereinafter referred to as the "Property") is presently zoned "*DB - Downtown Business 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 28.610(d)(3) of the Zoning Ordinance be granted to allow a commercial school within the DB 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 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 Plan Commission has recommended approval of the requested Special Use, subject to certain conditions; 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 a Special Use of the Property is hereby granted to permit a commercial school at 1037-1043 Curtiss Street within the DB zoning district.

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

- 1 The Special Use shall substantially conform to the staff report dated May 3, 2010, all attachments thereto and the plat of survey submitted to the Plan Commission dated September 15, 2004 prepared by Kabal Surveying Company except as such plans may be modified to conform to Village Codes and Ordinances.
- 2 On January 1st of each year, the petitioner shall be required to provide a count of students enrolled into the school at this location to the Director of Community Development. If enrollment for a single session exceeds twenty-four (24) students, the applicant shall be required to purchase CBD Parking Permits for all students commuting to the University of Aesthetics via automobile.
- 3 The building shall be upgraded to meet all current Downers Grove building and life safety codes. The following items may be required to be installed:
 - a. A fire sprinkler system shall be required throughout the building. The work shall be completed by a licensed Illinois sprinkler contractor.
 - b. An automatic and manual NFPA 72 fire alarm system connected to the Village alarm board shall be installed by a licensed Illinois fire alarm contractor. The contractor must be certified by the Underwriters Laboratory.
 - c. Illuminated exit signs shall be installed over the front and rear exit doors in a manner acceptable to the Fire Prevention Chief.
 - d. A RPZ shall be installed on the incoming water service to account for new use. The RPZ device shall be installed after the water meter in a manner acceptable to the Public Works Department.
4. The brick on the east wall of the building is in poor repair and shall be restored.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use is 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

1\wp8\ord.10\SU-1037-43-Curtiss-Sch-Pc-05-10



Proposed Private School Location
(1037-1043 Curtiss Street)

PC 05-10 Location Map - 1037-1043 Curtiss Street 

March 26, 2010

Mr. Jeff O'Brien, AICP
Planner
Planning and Community Development
801 Burlington Avenue
Downers Grove, IL 60515-4776

Re: Special Use for the University of Aesthetics to be located at 1037-1043 Curtiss Street, Downers Grove, IL 60515

Dear Jeff:

Please accept this letter as the "Project Summary/Narrative Letter" requirement as described in PLAN COMMISSION Application Packet.

History

You may recall that, in 2006, I contemplated the purchase of 1037-1043 Curtiss Street and met with the heads of the pertinent city government; excluding sanitation, and received support from Linda Kunze and Greg Bedalov.

Also in 2006, I pursued a "Special Use Permit." During this process we received Planning Commission approval and I was scheduled for a Public Hearing on 11 September 2006 (File No. PC-41-06).

Unfortunately, my due diligence revealed significant repairs. The seller was unable to provide relief and the purchase and Public Hearing were cancelled. Four years later, I am in a position to purchase the property at a price that properly represents its true value.

Owner

My real estate investment company, K2 Investments LLC will own and manage the property. My expectation is that another of my businesses, The University of Aesthetics, will occupy the building along with other tenants.

Definition of Use

The University of Aesthetics is a nationally accredited and state licensed school that prepares students through course work and practical application to pass the Illinois licensing exam for occupations within the professional beauty industry.

Special Use Requirement

Firstly, I would like to request a Special Use Permit as The University of Aesthetics is a private school and can be considered a commercial school according to Village Code Article IXX, which reads:

28.1900SEC. General Provisions.

(a) The principal objective of this Zoning Ordinance is to provide for an orderly arrangement of compatible building and land uses, and for the proper location of all types of uses required in the social and economic welfare of the Village. To accomplish this objective, each type and kind of use is classified as permitted in one or more of the various districts established by this Ordinance. However, in addition to those uses specifically classified and permitted in each district, there are certain additional uses which it may be necessary to allow because of their unusual characteristics or the service they provide the public. These special uses require particular consideration as to their proper location in relation to adjacent established or intended uses, or to the planned development of the community.

(b) The Village Council shall have authority, after having received the recommendations of the Plan Commission as set forth herein to permit the special uses of land or structures, or both, listed in the district regulations, if the Council finds that the proposed locations and establishment of any such use will be desirable or necessary to the public convenience or welfare and will be harmonious and compatible with other uses adjacent to and in the vicinity of the selected site, or sites, and will not cause undue congestion in the public streets. The Village Council shall also have the authority, after having received the findings and recommendations of the Plan Commission as to the matters referred to in subsections 28-1902 (i) and (ii) to permit, by ordinance, special uses of land or structures in any district or location for public or public utility purposes which it deems reasonably necessary for public convenience and welfare.

(c) The Village Council shall also have the authority, after having received the recommendations of the Plan Commission, to permit conditional uses in the nature of Planned Developments, as set forth in Article VII.

(d) Any use formerly classified as a "conditional use" under the preceding version of this Zoning Ordinance or Zoning Ordinance shall be deemed to be a special use.

Secondly, I would like to address each of the Standards for Approval, as listed below and written in Section 28-1902:

28.1902. Standards for Approval.

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.*

Response. Providing education is a high priority for all communities. Our school regularly achieves approximately 100% employment for our graduates. Additionally, we are nationally accredited; approved to work with US Department of Education Title IV financial aid programs; work with the Illinois Workforce Development offices for job retraining of unemployed individuals; and work with the US Veterans Administration for job training of veterans.

- (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.*

Response. We have been corporate citizens of Downers Grove for over 11 years and are currently located at 1315 Butterfield Road Suite 200 Downers Grove, IL 60515-5602.

- (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.*

Response. The business falls within the use and complies with Section 28-1802.

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

Response. As listed in 28-610B, the business is one of the special uses, whether defined as a commercial or private school, specifically listed for the district in which it is to be located. It is stated:

28.610. DB Downtown Business District.

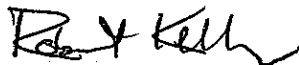
- (d) *Special uses. The following uses are allowed in the DB District as special uses:*

- *Commercial schools.*
- *Private schools.*

In closing, I hope that the government and citizens of Downers Grove understand the opportunities of retaining an existing business that has served the community well for the last eleven years, and, additionally, receiving a new property owner who is committed to seeing the Downtown Downers Grove Business District prosper and attract the highest quality tenants, employees, and revenue that is identified in its Village Code "Purpose and Goals."

Thank you, in advance, for your support.

Very truly yours,



Robert Kelley



KABAL SURVEYING COMPANY

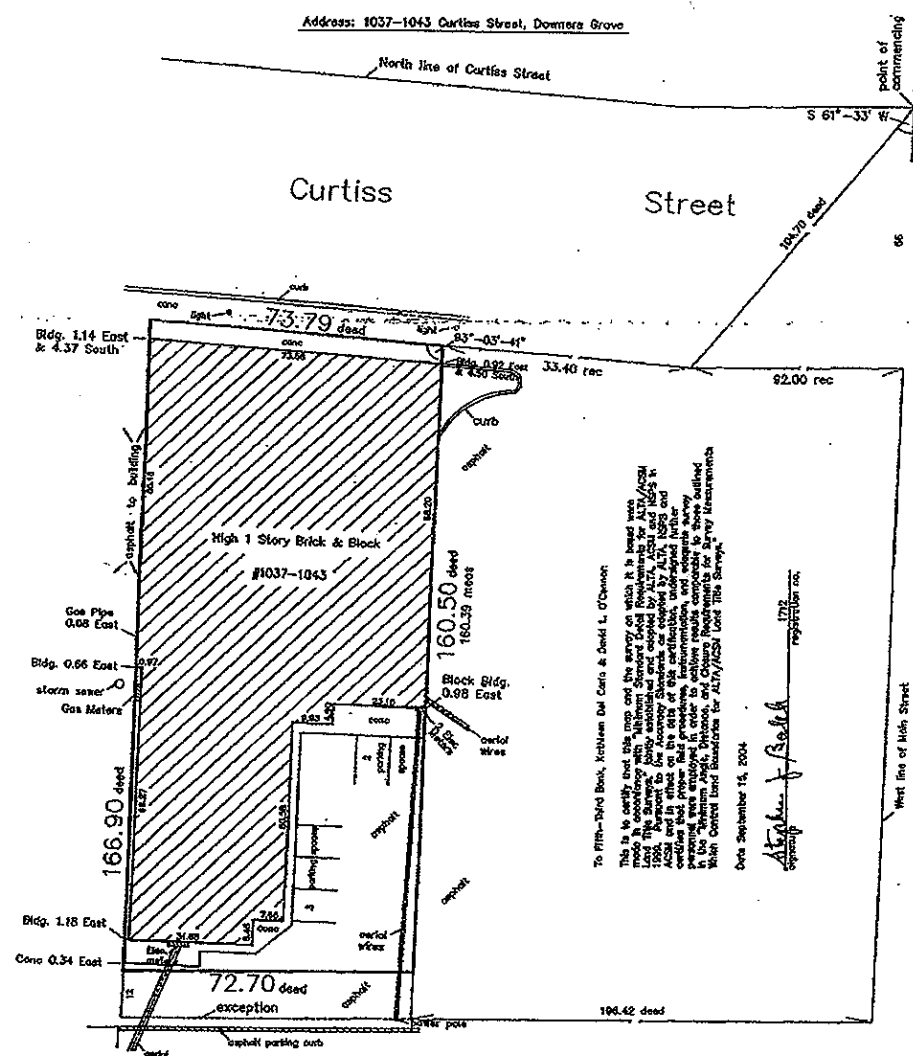
Land Surveying Services

2411 Hawthorne Avenue
Westchester, Illinois
(708) 562-2652

ALTA/ACSM Land Title Survey

That part of Lot 65 of Assessor's Subdivision of Sections 7 and 8, Township 36 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded October 2, 1971, in Book 2 of Plats, Page 29 and 30, as Document No. 14481, described commencing at the intersection point of West R.O.W. of way line of Curtiss Street (as now platted and recorded) with the Northwesterly right of way line of Curtiss Street (as now platted and recorded); thence South 61 degrees 33 minutes West to a point a distance of 104.7 feet; thence West along the Southwesterly right of way line of Curtiss Street (as now platted and recorded) a distance of 92.00 feet to a piece of beginning; thence Southwesterly along a line, said line being the center of a party wall (see plat) a distance of 172.50 feet to the center of said party wall extended Southwesterly a distance of 172.50 feet to a point on the South line of said Lot 65, said point being 196.42 feet Westwesterly (as measured along said South line and the South line extended) from the West right of way line of Moh Street in the Village of Downers Grove, Illinois; thence Westwesterly along said South line of Lot 65 a distance of 72.7 feet to iron stake same being 197.84 feet Easterly from the Southwest corner of said Lot 65; thence Northwesterly a distance of 172.50 feet to a point on the Southwesterly right of way line of Curtiss Street (as now platted and recorded) said point being 73.79 feet Westwesterly from the piece of beginning; thence Southwesterly along said Southwesterly right of way line of Curtiss Street, a distance of 73.79 feet to a piece of beginning, or in DuPage County, Whole (except a strip of land 12 feet wide across the Southwesterly of said premises).

Address: 1037-1043 Curtiss Street, Downers Grove



To Fifth-Third Bank, Kathleen Del Carlo & David L. O'Connor
This is to certify that the map and the survey on which it is based were made by the undersigned on or about September 15, 2004, in accordance with the ALTA/ACSM Land Title Survey Agreement to the Assessor's Subdivision as recorded by ALTA/ACSM in the County of Cook, Illinois, and that the survey was made in accordance with the conditions and terms of the certificate, and that the survey was made in accordance with the provisions of the Illinois Land Surveying Act, Chapter 120, Illinois Compiled Statutes (ILCS) 120/0-0.1, and that the survey was made in accordance with the provisions of the Illinois Land Surveying Act, Chapter 120, Illinois Compiled Statutes (ILCS) 120/0-0.1, and that the survey was made in accordance with the provisions of the Illinois Land Surveying Act, Chapter 120, Illinois Compiled Statutes (ILCS) 120/0-0.1.
Date September 15, 2004

Stephen J. Balex
Professional Land Surveyor No. 1712

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed September 15, 2004
Building Located September 15, 2004

Scale: 1 inch = 30 ft.
Order No. 041824
Ordered By: Novels, Jr., Attorney

STATE OF ILLINOIS }
COUNTY OF COOK }



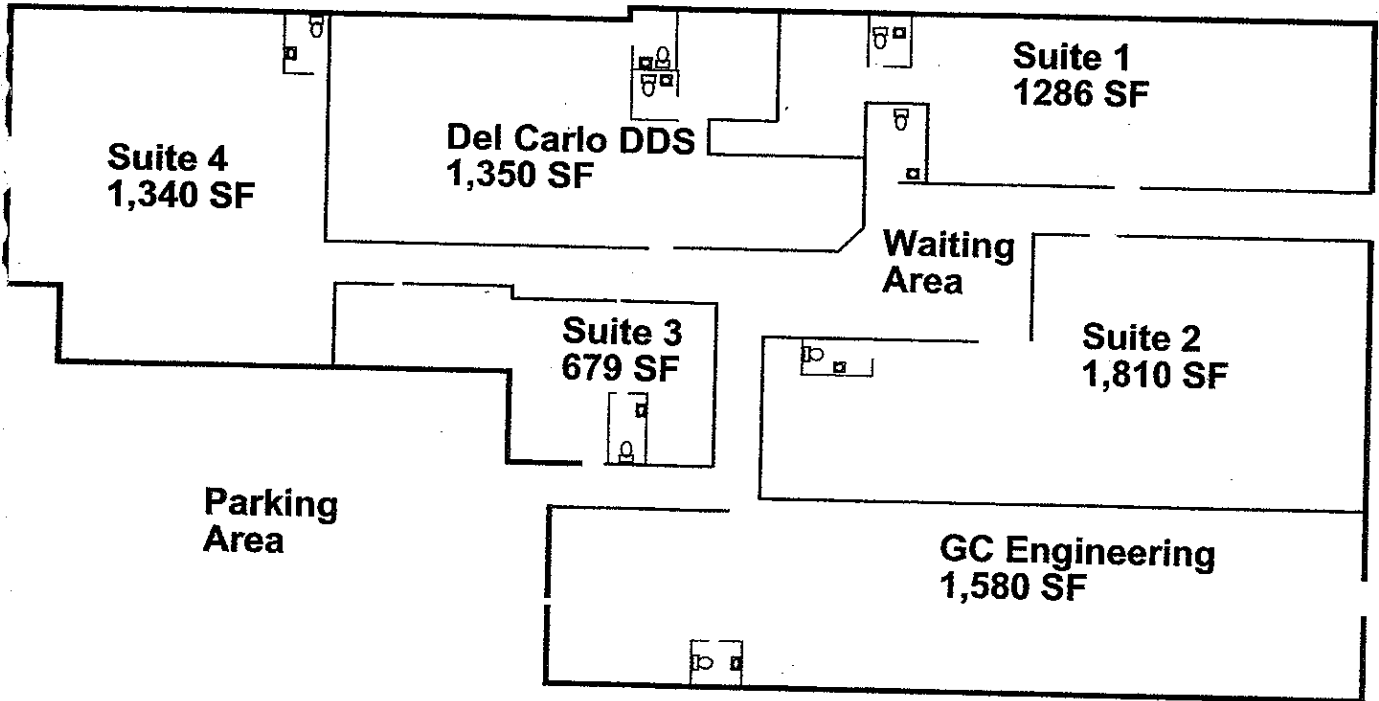
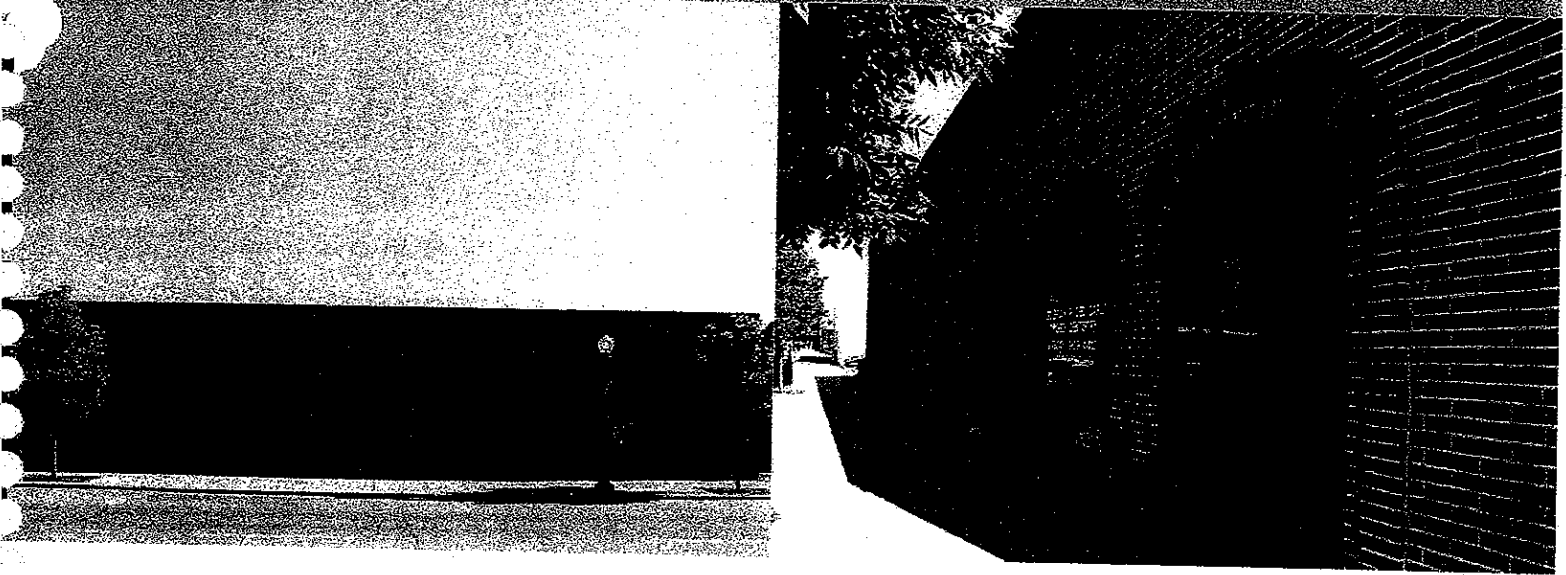
I, STEPHEN J. BALEX, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

Stephen J. Balex
Illinois Professional Land Surveyor No. 1712
My license expires on November 30, 2004

1037-1043 Curtiss Street

Downers Grove, Illinois



8,935 SF - Recently Renovated

The information contained herein was obtained from sources believed reliable; however, Grubb & Ellis Company makes no guarantees, warranties or representations as to the completeness or accuracy thereof. The presentation of this property is submitted subject to errors, omissions, change of price or conditions prior to sale or lease, or withdrawal without notice.

Michael Fortuna

7.655.8442

mike.fortuna@grubb-ellis.com

Brett Ratay

847.655.8401

brett.ratay@grubb-ellis.com



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
MAY 3, 2010 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC 05-10 1037-1043 Curtiss Street	Special Use for Private School	Jeff O'Brien, AICP Planning Manager

REQUEST

The petitioner is requesting approval of a special use to locate a private school in the existing building at 1037-1043 Curtiss Street.

NOTICE

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

GENERAL INFORMATION

APPLICANT: Robert Kelley
The University of Aesthetics
1357 North Milwaukee Avenue, Suite 200
Chicago, IL 60622

OWNER: K2 Investments, Inc.
1357 North Milwaukee Avenue, Suite 200
Chicago, IL 60622

PROPERTY INFORMATION

EXISTING ZONING: DB, Downtown Business District
EXISTING LAND USE: Commercial (Office Building)
PROPERTY SIZE: Approx. 11,899 square feet
PINS: 09-08-305-010

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	DB Downtown Business District	Commercial
SOUTH:	DT Downtown Transition District	Open Space (Fishel Park)
EAST:	DB Downtown Business District	Commercial
WEST:	DB Downtown Business District	Commercial

ANALYSIS

SUBMITTALS

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

1. Petition for Public Hearing
2. Proof of Ownership
3. Project Summary/Cover Letter
4. Plat of Survey
5. Existing Floor Plan

PROJECT DESCRIPTION

The property is zoned DB Downtown Business. Currently there is a one-story commercial building on the property that is being used as an office building. Approximately half of the building is occupied. The subject property is surrounded by the Downers Grove Library on the north, commercial uses on the east and west and Fishel Park on the south. The site also has space for five (5) off-street parking spaces in behind the existing structure. The petitioner is proposing to use the vacant portions of the existing building as a private school that provides education in skin care and aesthetic licensing. There is no exterior site work or physical building expansion proposed at this time; however, modifications to the floor plan and minor façade improvements will be made as part of this project.

The business focuses on providing educational services for skin care and cosmetological professionals. The school will be located mainly in Suites 2-4. The actual classrooms will be located in Suites 3 and 4. Suite 2 will serve as a clinic for students to practice their skills. The petitioner has indicated that these services will be available to the public. A salon or similar service-oriented use will be located in Suite 1. The school will start with 7-8 students; however, student totals may increase in the future. The school would offer full-time (9:00am – 3:30pm Tuesday – Saturday) and part-time classes (5:30pm – 9:30pm Tuesday – Thursday and 9:00am – 3:30pm Saturday).

Although, parking is not required for this use, staff believes it is practical to address this issue so shopper parking spaces are not filled with University of Aesthetics students. As part of this approval process, the petitioner will be required to provide staff with a student count at the beginning of each year. If the student count exceeds twenty-four (24), the applicant would be required to purchase CBD parking permits to all students commuting by automobile so they may use the Village's Downtown parking system. Staff has reviewed the project and believes there is sufficient capacity in the system. Staff's research indicates there are Central Business District ("CBD") parking spaces available during the day. Staff believes there will be parking spaces to accommodate the students as well as the other employers, employees and shoppers using the downtown.

The Plan Commission reviewed a similar proposal from the same applicant in 2006. The Plan Commission recommended approval of that request. This request is substantially the same.

COMPLIANCE WITH FUTURE LAND USE PLAN

According to the Future Land Use Plan, the subject property is designated as Commercial. The property is zoned DB and is located in the heart of the commercial district at Main Street and Curtiss Street. The proposal is consistent with the intent of the Future Land Use Plan and will not diminish the use and enjoyment of the surrounding properties.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned DB. The proposed use, a private school, is a permitted Special Use in this zoning district. Staff believes the proposed use is consistent with the Zoning Ordinance regulations and would compliment the surrounding uses in the downtown. The petitioner is proposing minor improvements to the exterior façade as well as modifications to the existing floor plan. The building and site would continue to conform to the zoning regulations. Any new modifications would be required to conform to the Zoning Ordinance.

As noted above, there is no parking requirement for the proposed use. There are five (5) parking stalls on the south side of the existing building. Staff is requiring the petitioner to provide CBD parking permits to the students if the student count exceeds 24. If any building expansion is proposed in the future, an amendment to the Special Use would be required, and parking requirements would be re-evaluated.

ENGINEERING/PUBLIC IMPROVEMENTS

No exterior site changes are proposed at this time.

PUBLIC SAFETY REQUIREMENTS

There would be some interior modifications to the existing building as part of this project. As such, a fire sprinkler system and some upgrades to the fire alarm system may be required. The property will continue to provide for adequate emergency access.

NEIGHBORHOOD COMMENT

Staff has received several inquiries via telephone about the proposed use. No comments supporting or objecting to the petition have submitted in writing or via conversations with Village staff.

FINDINGS OF FACT

The standards for approval of a Special Use are listed below. The petitioner has addressed the standards for approval in the attached project summary. Staff believes the proposed use is compatible with the surrounding area and will not have an adverse impact on the development or the existing trend of development in the Downtown.

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 the surrounding zoning and land use classifications. Based on the findings listed above, staff recommends that the Plan Commission make a motion recommending approval of a Special Use for a private school at 1037-1043 Curtiss Street subject to the following conditions:

1. The Special Use shall substantially conform to the staff report dated May 3, 2010, all attachments thereto and the plat of survey submitted to the Plan Commission dated September 15, 2004 prepared by Kabal Surveying Company except as such plans may be modified to conform to Village Codes and Ordinances.
2. On January 1st of each year, the petitioner shall be required to provide a count of students enrolled into the school at this location to the Director of Community Development. If enrollment for a single session exceeds twenty-four (24) students, the applicant shall be required to purchase CBD Parking Permits for all students commuting to the University of Aesthetics via automobile.
3. The building shall be upgraded to meet all current Downers Grove building and life safety codes. The following items may be required to be installed:
 - a. A fire sprinkler system shall be required throughout the building. The work shall be completed by a licensed Illinois sprinkler contractor.
 - b. An automatic and manual NFPA 72 fire alarm system connected to the Village alarm board shall be installed by a licensed Illinois fire alarm contractor. The contractor must be certified by the Underwriters Laboratory.
 - c. Illuminated exit signs shall be installed over the front and rear exit doors in a manner acceptable to the Fire Prevention Chief.
 - d. A RPZ shall be installed on the incoming water service to account for new use. The RPZ device shall be installed after the water meter in a manner acceptable to the Public Works Department.
4. The brick on the east wall of the building is in poor repair and shall be restored.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:jwo
-att

PC-05-10 A petition seeking a Special Use to permit a private school in the existing building at 1037-1943 Curtiss Street. The property is located on the south side of Curtiss Street, Approximately 200 feet west of Main Street, Downers Grove, IL commonly known as 1037-1043 Curtiss Street, Downers Grove, IL (PIN 09-08-305-010); University of Aesthetics, Petitioner; K2 Investments LLC, Owner.

Chairman Jirik swore in those individuals who would be speaking on behalf of PC-05-10.

Village Planning Manager, Mr. Jeff O'Brien, reviewed the request and located the property on the overhead. The petitioner is looking to purchase the office building for use as a private school using 9,000 square feet of the building. In 2006, the same applicant came before this commission. The business is a post-secondary skin-care school that provides classes for approximately 10 students and their instructors. Classes run Tuesday through Saturday from 9:00 a.m. to 3:30 p.m. Part-time classes run Tuesday through Thursday from 5:30 p.m. to 9:00 p.m. Some spa services are offered to the public. A floor plan was presented and explained to the Plan Commission.

Staff believes there are several issues with the building as it relates to meeting code. The main concern is that if enrollment reaches 24 students, staff requires that the applicant apply for parking permits. Based on the Special Use Standards, staff feels the proposal is a desirable use for the zoning district and the use will not have any negative impact to the health, safety and welfare of the community. Staff recommended approval of the Special Use with the conditions listed on page four of its report.

Questions followed regarding the parking area and whether enough parking would be provided. Per Mr. O'Brien, staff was looking at site as the standard office use with no required parking in the Downtown Business zoning district, and noted that the students will probably be parking on the street with parking passes. Staff's initiating the requirement above the 24 students is what would be experienced if the building was fully occupied as an office building, which was the reasoning for having the figure and which is why commercial schools are a special use in the downtown district because they can have an impact on parking.

Mr. Beggs voiced concern about the parking spilling over to the nearby church. He asked about the parking limitations north of the library. General questions followed regarding the interior suites, the waiting area, and enforcing the maintenance of the east wall masonry through code enforcement, which will be done prior to occupancy.

Mr. Robert Kelley, with the University of Aesthetics, discussed the deterioration of the masonry wall which will be taken care of because he knows that his schools bring shoppers to the area. He discussed the positives of his school and the fact that he would like to remain in Downers Grove.

Chairman Jirik opened up the meeting to public participation. None received. Public participation was closed. No further discussion followed nor was a closing statement provided.

WITH RESPECT TO PC 05-10, MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE SPECIAL USE SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED MAY 3, 2010, ALL ATTACHMENTS THERETO AND THE PLAT OF SURVEY SUBMITTED TO THE PLAN COMMISSION DATED SEPTEMBER 15, 2004 PREPARED BY KABAL SURVEYING COMPANY EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
- 2. ON JANUARY 1ST OF EACH YEAR, THE PETITIONER SHALL BE REQUIRED TO PROVIDE A COUNT OF STUDENTS ENROLLED INTO THE SCHOOL AT THIS LOCATION TO THE DIRECTOR OF COMMUNITY DEVELOPMENT. IF ENROLLMENT FOR A SINGLE SESSION EXCEEDS TWENTY-FOUR (24) STUDENTS, THE APPLICANT SHALL BE REQUIRED TO PURCHASE CBD PARKING PERMITS FOR ALL STUDENTS COMMUTING TO THE UNIVERSITY OF AESTHETICS VIA AUTOMOBILE.**
- 3. THE BUILDING SHALL BE UPGRADED TO MEET ALL CURRENT DOWNERS GROVE BUILDING AND LIFE SAFETY CODES. THE FOLLOWING ITEMS MAY BE REQUIRED TO BE INSTALLED:**
 - A. A FIRE SPRINKLER SYSTEM SHALL BE REQUIRED THROUGHOUT THE BUILDING. THE WORK SHALL BE COMPLETED BY A LICENSED ILLINOIS SPRINKLER CONTRACTOR.**
 - B. AN AUTOMATIC AND MANUAL NFPA 72 FIRE ALARM SYSTEM CONNECTED TO THE VILLAGE ALARM BOARD SHALL BE INSTALLED BY A LICENSED ILLINOIS FIRE ALARM CONTRACTOR. THE CONTRACTOR MUST BE CERTIFIED BY THE UNDERWRITERS LABORATORY.**
 - C. ILLUMINATED EXIT SIGNS SHALL BE INSTALLED OVER THE FRONT AND REAR EXIT DOORS IN A MANNER ACCEPTABLE TO THE FIRE PREVENTION CHIEF.**
 - D. A RPZ SHALL BE INSTALLED ON THE INCOMING WATER SERVICE TO ACCOUNT FOR NEW USE. THE RPZ DEVICE SHALL BE INSTALLED AFTER THE WATER METER IN A MANNER ACCEPTABLE TO THE PUBLIC WORKS DEPARTMENT.**
- 4. THE BRICK ON THE EAST WALL OF THE BUILDING IS IN POOR REPAIR AND SHALL BE RESTORED.**

SECONDED BY MR. QUIRK.

ROLL CALL:

Per a question, staff explained that the owner is required to report the school's enrollment annually to staff.

AYE: MR. BEGGS, MR. QUIRK, MR. COZZO, MR. MATEJCZYK, MR. WEBSTER, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED. VOTE: 6-0