

VILLAGE OF DOWNERS GROVE
COMPREHENSIVE PLAN COMMITTEE
PUBLIC MEETING

August 24, 2010, 7:00 P.M.

Chairman White called the August 24, 2010 meeting of the Comprehensive Plan Committee to order at 7:00 p.m.:

PRESENT: Chairman White, Mr. Beggs, Mr. Bollow, Mr. Davenport, Mrs. Earl, Mr. Jirik, Mrs. Hamernik, Mrs. Sigerich (at 7:05), Mr. Thoman, Mr. Wendt

ABSENT: Mr. Jacobs

STAFF PRESENT: Tom Dabareiner, Community Development Director; Jeff O'Brien, Planning Manager; John Houseal, Houseal Lavigne Associates & Courtney Owen, Houseal Lavigne Associates

VISITORS: Greg Bedalov, Downers Grove EDC; Tim Meaney, John Schofield & Ron Waetchler

MINUTES:

Chairman White asked if there were any comments or changes regarding the minutes for the June 22 or July 27 meetings. No comments or changes were received. Chairman White declared the minutes from June 22, 2010 and July 27, 2010 approved.

Mr. Houseal explained the purpose of the meeting. He provided a brief preview of the upcoming schedule. He indicated that the Committee would be going over the first four sections of the plan at this meeting. He indicated the revisions to the sub areas and remaining plan sections would be distributed in September.

Mr. Thoman asked if the first section was just background information or if it was intended to be included in the final plan.

Mr. Houseal stated the section would be included as it is the draft first chapter of the comprehensive plan.

Mr. Thoman stated that the comment regarding the tree canopy discussion on page 8 was not accurately captured. He indicated the statement, "less of an issue to others" should be eliminated.

The Committee discussed how they wanted to review the draft plan sections. They determined that they should review the document from the beginning.

Mr. Jirik noted the pictures on the cover should be altered to show a vibrant community and downtown. He noted the existing pictures do not communicate a good image.

The Committee discussed the local and regional landmark maps. They asked the consultant to consider some additions and deletions to the maps. It was determined that Committee members can provide list to Village staff for changes to the landmark maps.

Mr. Houseal indicated the landmark maps would only be included in the document to provide readers with reference points for the Village's location.

The Committee discussed additional stylist and verb tense concerns. Mr. Houseal asked that the Committee focus on the substance of the document. He indicated if Committee members found grammar and/or scrivener's errors, they should provide them to Village staff so the corrections could be made for the final draft.

Mr. Jirik stated the comment regarding the community pool on page 10 should be discussed with the Park District.

Mr. Houseal said that Devin Lavigne and Village staff met with the Park District Administrator earlier in the day to discuss comments relative to the parks and recreation sections. The pool comments were discussed with Mr. Cermak and he provided additional direction for the final draft. He stated the Park District's comments would be incorporated in the next draft.

Mr. Jirik asked about the list of plans. He noted some concerns that the language in the section was not clear as to how the existing plans would work with and against the updated comprehensive plan.

The Committee discussed these concerns and came to a consensus to leave the language regarding the list of plans (page 12) as-is.

Mrs. Earl noted that all of the charts were missing. She asked what information those charts contained. Ms. Owen indicated the charts would be included in the next draft and mainly depicted the demographic data in a visual format.

The Committee began discussing the vision statement. Chairman White reminded the Committee that an email had been received from a resident, Tim Meaney, that suggested changes to the plan's visions.

Mrs. Sigerich asked if more specific language could be provided regarding the character of the Village's neighborhoods. She noted it might be a good idea to provide more specifics about what made Downers Grove's neighborhoods so desirable.

Mr. Davenport said the language should also provide some guidance for change to the neighborhoods.

Mr. Jirik indicated that some of the numbers and dates were inconsistent in the vision. He went on to say that the language regarding vacancies in the Downtown should be strengthened.

The Committee discussed the language regarding Downtown vacancies. They came to consensus that the sentence discussing businesses "flocking" to the remaining vacant spaces should be removed from the vision statement.

Mr. Beggs said that he was concerned the vision does not properly reflect what the Village's downtown is and will be.

Mrs. Hamernik agreed that the vision lacked language regarding small businesses and the Downtown's "home town" feel.

Mr. Jirik stated the vision should be modified to reflect some of the changes discussed in the sub area plans. Specifically, he noted the vision should include statements regarding improvements to the north-south traffic flow in the Downtown and the modifications recommended to the Butterfield-Highland intersection.

Mr. Thoman expressed some concern over residential objective #2. He was concerned that it sounded too accommodating to builders and developers.

The Committee discussed the language and determined that some minor modifications would be beneficial to clarify the meaning.

Mr. Davenport noted that residential objective #6 was too specific. He indicated that he agreed residential redevelopment should be consistent with the size and scale of the existing neighborhoods. He questioned whether the comprehensive plan's objectives should suggest a specific tool.

The Committee discussed this objective and determined that a general objective to ensure new development is consistent with existing neighborhoods would be more beneficial than suggesting specific tools.

Mr. Wendt noted his concern with the proposal that the sidewalk matrix be reassessed. He noted the Village was almost 80% complete with the matrix and that the Transportation and Parking Commission had recognized some areas – such as Denburn Woods – as unique and warranting alternative sidewalk solutions.

The Committee discussed the sidewalk matrix and agreed that there was already a process in place to grant exemptions to unique areas.

Mr. Thoman stated an objective should be added to enhance the public tree canopy.

Mr. Wendt asked that language should be included that encouraged constructing traffic calming solutions during road re-construction projects. Mr. Houseal noted this might fit better in the transportation goals and objectives, but that the language would be added.

Mr. Jirik asked if there were tools for the Village to make sure existing commercial centers were effectively screened from adjacent residential uses. He thought the Village could only encourage existing centers to comply.

Mr. Davenport thought the plan should contain some type of a definition for concepts such as Transit-Oriented Development (TOD). He thought a clear description of these items is important so that readers have a common understanding of the Village's goal.

Mr. Jirik stated an objective regarding finding a solution for improving north-south traffic Downtown should be added to page 26.

Mr. Thoman asked about restricting service-type uses in the industrial parks (Objective #9, page 27). Mr. Houseal explained the concerns with allowing service uses in industrial parks. The Committee discussed this issue and determined the objective is appropriate to maintain the character and industrial nature of the Ellsworth Business Park.

Chairman White asked if an objective regarding a new westbound ramp from Highland/Butterfield to Interstate 88 should be added.

Mr. Dabareiner noted the Committee needed to be careful about including specific solutions because the solution may vary with the land use, however, general statements about improving traffic in this area should be included.

Mr. Houseal agreed. He said they would add an objective to the transportation section that called for improvement to the circulation at the Butterfield-Highland intersection.

Mr. Davenport asked if objective #5 on page 28 was referring to new or existing cul-de-sacs. Mr. Houseal said both.

The Committee discussed this objective and its implications. Mrs. Sigerich suggested that the objective should focus on discouraging cul-de-sacs and dead-end streets as a means to improve traffic circulation.

Mr. Jirik said that objectives 3 and 8 in transportation goal #2 – regarding trail expansion – should include some language about new trails being context sensitive. He was specifically concerned about residents' privacy.

Mr. Wendt pointed out that objective 9 on page 28 should be modified so there was no reference to a new train station to reflect the Committee's previous discussions regarding the sub area plans.

Mr. Davenport pointed out that objective 13 on page 31 only references the LEED standards. He thought adding "or similar" would be important in case there were changes in the field of green building standards.

Chairman White asked for any additional comments regarding the draft plan sections. No additional comments were received. He reminded members to review their materials and provide grammar changes or other thoughts to staff prior to the next meeting.

Mr. Houseal said they will go back and make the changes discussed during the meeting. Those changes would be provided prior the next meeting along with the remaining plan sections. Mr. Houseal indicated the next meeting will start with a discussion of the proposed land use map.

PUBLIC COMMENTS

John Schofield, 1125 Jefferson, asked that a list of the changes to the proposed land use map be provided prior to the next meeting.

Greg Bedalov, President, Downers Grove Economic Development Corporation, noted the EDC was discussing some of the other tools to address the appearance of existing commercial properties and shopping centers. He asked that the plan's section on economic development contain some language regarding these alternative tools. He noted the EDC Board had been specifically discussing the use of Business Improvement Districts, Business Enterprise Zones and other tools.

No additional comments were received. As such, Chairman White declared public comment closed.

Mr. Davenport stated a list of changes to the proposed land use map would be helpful for the next meeting.

The Committee and staff agreed a list would be produced prior to the next meeting.

The meeting adjourned at 9:30 pm.

/s/ Jeff O'Brien, AICP
Jeff O'Brien, AICP
Planning Manager

APPROVED 9/13/2010

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

JULY 12, 2010, 7:00 P.M.

Chairman Jirik called the July 12, 2010 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

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

STAFF

PRESENT: Village Planning Manager Jeff O'Brien; Village Planners Stan Popovich and Damir Latinovic

VISITORS: Jim Pesavento, Concorde Builders, 222 W. Roosevelt Rd., Wheaton, IL; Ed and Nancy Segreti, 4508 Bryan Place, Downers Grove; Pat Rooney, Kimco Realty, 10600 W. Higgins Rd., Rosemont, IL; Greg Bedalov, EDC, 2001 Butterfield, Rd.; Downers Grove; Dan Loftus, Downers Grove Downtown Management Corp., 4704 Main Street; Downers Grove; Kurt Wiesner, 4516 Middaugh, Downers Grove; David Force, 4506 Middaugh; Downers Grove

Chairman Jirik led the Plan Commissioners in the recital of the Pledge of Allegiance.

JUNE 7, 2010 MEETING MINUTES - MR. MATEJCZYK MADE A MOTION TO APPROVE THE MINUTES AS PREPARED, SECONDED BY MRS. RABATAH. MOTION CARRIED BY VOICE VOTE OF 9-0.

A review of the meeting's protocol followed.

PC-06-10 4500 Middaugh Avenue:

PETITION SEEKING FINAL PLAT OF SUBDIVISION APPROVAL TO CONSOLIDATE THREE LOTS INTO TWO LOTS FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF MIDDAUGH AVENUE AND GRANT STREET, COMMONLY KNOWN AS 4450 MIDDAUGH, DOWNERS GROVE, ILLINOIS; JAMES PESAVENTO, CONCORDE BUILDERS, PETITIONER; ED AND NANCY SEGRETI, OWNERS.

Chairman Jirik swore in those individuals who would be speaking on behalf of File PC-06-10.

Mr. Popovich, Village Planner, discussed the petition is a final plat of subdivision to consolidate three lots zoned R-4 into two lots at the southwest corner of Middaugh Avenue and Grant Street. The total land area is 110 feet by 150 feet and the lots are currently platted as two 50-foot wide lots with a 10-foot wide lot (part of Lot 29). One single-family structure sits on the two 50-foot wide lots. The petitioner is seeking to create a plat of subdivision with a 60 ft. x 150 ft. lot on the northern lot and a 50 ft. x 150 ft. lot to the south to provide for two homes.

APPROVED 9/13/2010

The petitioners have provided for the required five-foot public utility easements on the side property lines and for the 10-foot public utility easements on the rear property lines. The Future Land Use Map calls for the site to be Residential (0-6 units per zoning acre). All bulk requirements for the proposed lots are met.

Referring to a report on the dais that discussed Mr. Waechtler's concerns about lot sizes in the area, Mr. Popovich reviewed on the overhead the area in discussion, noting two zoning districts existed: the R-4 District and the R-1 District. A review of the various lots sizes followed. From staff's point of view, the proposed two lots were consistent with the surrounding neighborhood.

No neighborhood comments were received by staff prior to the meeting. Staff believed the proposal was consistent with the Village's Zoning Ordinance, Subdivision Ordinance, and the planning objectives of the Village. Staff recommended that the commission forward a positive recommendation to the Village Council with the single condition listed on page 3 of staff's report.

Per a question, Mr. Popovich recalled the owners purchased the ten-foot wide lot some time ago. Per a question on determining corner setbacks, Mr. Popovich explained that for all corner lots, the lots are afforded a 30-foot wide buildable width for a home. For a 60-foot wide lot, adding together the 30-foot buildable width and a six-foot side yard setback, the setback off of the Grant Street property line is 24 feet. If a 50-foot wide lot existed, a 15-foot setback from the Grant Street property line would be required, due to the five-foot south setback and 30-foot buildable width. By placing the lots in their proposed locations, Mr. Popovich stated the house would be setback further from Grant Street but no additional width is gained for the house itself.

If the petition is not granted, and the owner constructed a home on the northern lot, it would require a 15-foot setback off of Grant Street on a 50-foot lot. Mr. Beggs asked for clarification of staff's condition in its report, which basically explained that the petitioner cannot make any changes to the plat of subdivision after the Commission reviews the petition.

Petitioner, Mr. Jim Pesavento, with Concorde Builders, 222 W. Roosevelt Road, Wheaton, Illinois, on behalf of owners Ed and Nancy Segreti, introduced himself. Mr. Pesavento explained he and the owners were trying to reconfigure the two lots to make them more appealing, fit better within the neighborhood, and to add some space to the corner lot. Mr. Pesavento stated that the sidewalks are already in place.

Chairman Jirik opened up the meeting to public participation.

Mr. Kurt Wiesner, 4516 Middaugh, stated he has resided at his home for 37 years and he had concerns about the setbacks and their relationship to the other homes. He asked for clarification of the setbacks for the lots located on the west side of Middaugh, wherein Mr. Popovich stated that the R-4 District requires a 25-foot front yard setbacks from Middaugh Avenue for both proposed lots. Mr. Popovich could not specifically confirm what the setback was for the majority of the houses on the west side of Middaugh but in reviewing quickly, he believed the five or six homes to the south appeared to be located slightly east of the existing corner house.

Mr. Wiesner voiced concern about the compatibility of the two new parcels and believed the setbacks for a majority of the homes on the west side were greater than 25 feet. He asked that the setbacks be consistent with the neighborhood. Staff, in reviewing the aerials, did not feel

APPROVED 9/13/2010

Mr. Wiesner's setbacks were significantly greater than the proposed 25 feet setback. Mr. Wiesner discussed two other homes on the east side of Middaugh Avenue that were recently built which were not consistent with the area and he asked that the same consistency be assigned to the two lots.

Mr. David Force, 4506 Middaugh, located his home on the overhead. His concern was about stormwater. Mr. Force asked if the 10-foot lot was providing any easement stormwater drainage currently, because the street did fill with water. He asked that a review be done to ensure the 10-foot lot was not providing any stormwater benefit. He also expressed concern that there was a lot of congestion in the area but he was not opposed to a new home.

Mr. Wiesner asked staff to review the height of the proposed homes as compared to the surrounding homes, wherein Mr. Popovich stated the maximum height is measured on the front elevation. In the R-4 District the maximum height is 33 feet from the average grade to the peak of the roof and 23 feet to the highest eave.

Mr. Popovich, using Parcel Navigator, pointed out that it did not appear that the proposed setbacks were much different from the existing setbacks -- calculated roughly from 29 to 31 feet. On the east side of Middaugh, he agreed the homes were set back further due to the homes sitting on deeper lots. Regarding the stormwater concerns, he reported that engineering approval would be required during the building permit phase so as not to create drainage issues.

With no further public comment, Chairman Jirik closed Public Participation.

It was pointed out by staff that if the petitioner did not include the 10-foot lot in the consolidation, the petitioner would not have to come before the Commission to construct the homes on the two 50-foot lots with the same 25-foot setback from Middaugh Avenue.

Petitioner, Mr. Pesavento stated there were no immediate plans for a specific home on either lot currently and the concerns raised would be addressed when applying for a building permit.

Mr. Matejczyk brought to the attention of the commissioners that he lives in the neighborhood and while he has seen others seek the consolidation of lots to create one larger lot, he noted that this petitioner already has two lots and wishes to enhance them. He felt the petition was appropriate. Mrs. Rabatah also concurred, mentioning that the lots were a nice reconfiguration. Chairman Jirik believed that staff addressed the stormwater issue appropriately and used the appropriate technology to quickly obtain setback information, which he believed was consistent. Regarding height, it was not under the Commission's purview currently.

MOTION:

WITH RESPECT TO PC-06-10, MRS. HAMERNIK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THE APPROVAL OF THE FINAL PLAT OF SUBDIVISION TO CONSOLIDATE THREE LOTS INTO TWO LOTS FOR THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF MIDDAUGH AVENUE AND GRANT STREET, INCLUDING THE FOLLOWING CONDITION:

APPROVED 9/13/2010

- 1. THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION PREPARED BY INTECH CONSULTANTS, INC. DATED MAY 24, 2010 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

SECONDED BY MR. MATEJCZYK. ROLL CALL:

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

NAY: NONE

MOTION CARRIED. VOTE: 9-0

PC-07-10 Downers Park Plaza Sign Amendment:

A PETITION SEEKING AN AMENDMENT TO PLANNED DEVELOPMENT NO. 18 FOR A MASTER SIGNAGE PLAN FOR THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF LEMONT ROAD AND 75TH STREET, COMMONLY KNOWN AS 7221 THROUGH 7451 LEMONT ROAD, DOWNERS GROVE; KIMCO REALTY CORP., PETITIONER; KIMCO NORTHERN TRUST 2 AND KRVC CORP., OWNERS.

Chairman Jirik swore in those individuals who would be speaking behalf of File PC-07-10.

Village Planner, Mr. Damir Latinovic summarized that the petitioner would like to develop a master signage plan for the 37-acre Downers Grove Park Plaza Center, located at the northeast corner of Lemont Road and 75th Street. The shopping center is located in the B-2 General Retail Business district and is known as Planned Development No. 18. Nine out-lots are on the site along with two central lots. Overall, the center has approximately 1,500 feet of frontage along Lemont Road. A number of large and mid-size retailers occupy the site. Proposed under the master signage plan is the inclusion of four shopping center monument signs, individual signs for the out lot parcels, and five directional signs inside the parking lot.

A review of the current sign ordinance followed as it relates to monument signs. Currently, four non-conforming monument signs exist on the site. Mr. Latinovic said the petitioner is also proposing four monument signs, two of which will be located along Lemont Road, one on 75th Street, and one at the corner of Lemont Road and 75th Street. All monument signs will be 15 feet tall and 60 square feet in area and all existing signs will be removed. Each out-lot parcel will keep its current signage. While the current Sign Ordinance allows for two directional signs at each of the driveway entrances, the petitioner is proposing five directional signs total located, one located near each entrance. The proposed signs measure six-feet tall with a six square feet area. To date, there are no existing directional signs on the property. Also, five trees along Lemont Road will be removed and staff has requested that ten new trees be planted. The petitioner shall be planting ten trees within the shopping center islands that currently do not have any landscaping.

Per staff, the project meets the requirements of the Future Land Use Plan and the Master Signage Plan is consistent with the commercial designation. There will be no impact to the land use characteristics of the site or neighborhood. Regarding compliance with the Village's Zoning Ordinance, aside from the signage change, there is no other proposed changes and the site would continue to meet the requirements of the B-2 District. However, Mr. Latinovic said the requested amendment to the Planned Development was a slight deviation of what sign code allows. The petitioner is proposing to locate one of the four monument signs on the corner of Lemont and 75th rather than along Main Street. Also, the proposed B-type signs have two tenant panels and a shopping monument sign is defined as having a minimum of three tenant panels. Staff has added a condition in its report stating the B-type signs include three tenant panels. Directional signs would be added since they are allowed but would be six square feet in size. Five directional signs are being requested instead of the maximum of six. The petitioner has also requested that the non-conforming signs for the out-lot parcels be replaced by May 4, 2012 as per the current sign code.

Furthermore, Mr. Latinovic reported that the removal of the five trees along Lemont Road will improve the visibility of the signs and reduce the danger to public safety while still meeting compliance with the zoning ordinance for adequate screening.

To date, there have been several phone calls received on this matter which are of general interest. Staff feels the requested proposal represents a minimal deviation from the code and adequate exposure is necessary for the site. Staff feels there is no adverse affect to the surrounding area and recommends that the Plan Commission support the request with the two conditions as outlined on Page 6 of staff's report.

Regarding the two B-type signs, Mr. Matejczyk voiced concern that the monument sign will contain empty tenant panels. He asked whether the center would be providing tenants to fill the panel space. Clarification followed by Mr. Latinovic that the Code requires a minimum of three panels but no maximum.

Petitioner, Mr. Pat Rooney, Kimco Realty, 10600 W. Higgins Road, Rosemont, Illinois, discussed that the proposal was based on the importance of signage to their retailers at the center. The signs were being brought into conformity, they provided the best visuals for their tenants along 75th and Lemont Road, and the interior directional signs were being introduced.

Regarding the installation of Bradford Pear trees on the interior, Mr. Cozzo suggested working with the Village's Forester on the type of tree, since the Bradford Pear tree did have some splitting issues.

Mr. Rooney was in agreement with staff's recommendation for the three panel signs for the two B-type signs to meet compliance. He believed the interior directional signs were necessary to navigate the vehicles to their destination.

Chairman Jirik opened up the meeting to Public Participation. There being none, Public Participation was closed.

The petitioner provided no closing statement.

APPROVED 9/13/2010

Dialog followed by Mr. Matejczyk that some of the commissioners were involved in creating the Village's Sign Ordinance and he believed it was created to allow for flexibility. Due to the minor revision being requested, Mr. Matejczyk believed the commission needed to be flexible. Mr. Webster commended the petitioner for coming into compliance and appreciated the efforts being made.

MOTION:

WITH RESPECT TO PC-07-10, MR. COZZO MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL RECOMMENDING APPROVAL OF A PETITION SEEKING AN AMENDMENT TO PLANNED DEVELOPMENT NO. 18 FOR A MASTER SIGNAGE PLAN FOR THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF LEMONT ROAD AND 75TH STREET, COMMONLY KNOWN AS 7221 THROUGH 7451 LEMONT ROAD, DOWNERS GROVE, INCLUDING STAFF'S CONDITIONS AS OUTLINED BELOW:

- 1. THE MASTER SIGNAGE PROPOSAL SHALL SUBSTANTIALLY CONFORM TO THE SIGN DRAWINGS PREPARED BY CHICAGO SIGN DATED JUNE 1, 2010 ATTACHED TO THE STAFF REPORT DATED JULY 12, 2010, EXCEPT AS SUCH DRAWINGS MAY BE CHANGED TO CONFORM TO VILLAGE CODES, ORDINANCES, AND POLICIES.**
- 2. THE TWO PROPOSED "B-TYPE" MONUMENT SIGNS SHALL BE REVISED TO INCLUDE A MINIMUM OF THREE DIFFERENT TENANT PANELS.**

SECONDED BY MR. QUIRK. ROLL CALL:

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

NAY: NONE

MOTION CARRIED. VOTE: 9-0

PC-08-10 DB Text Amendment:

A PETITION SEEKING AN AMENDMENT TO SECTION 28.610 OF THE DOWNERS GROVE ZONING ORDINANCE OF THE DOWNTOWN BUSINESS DISTRICT AS IT RELATES TO PERMITTED AND SPECIAL USE LIST; VILLAGE OF DOWNERS GROVE, PETITIONER.

Chairman Jirik swore in those individuals who would be speaking on behalf of File PC-08-10.

Mr. Jeff O'Brien, the Village Planning Manager, explained the proposal before the commissioners is a text amendment that only affects the downtown zoning districts and affects the permitted use list and special use list. The petition was initiated by Village staff after receiving input from the Downtown Management Corporation of uses that were not being covered by the use lists but were desirable by the businesses. Some of those uses included music/dance studios, marshal arts/personal training studios (up to 3,000 sq. feet), and consignments shops (up to 3,000 sq. feet).

APPROVED 9/13/2010

In addition to adding these uses, Mr. O'Brien explained staff is proposing to modify the off-street parking regulations for the DB district. After reviewing the permissions for off-street parking lots, staff believed that classifying all lots as a permitted use is too liberal. He noted all of the Downtown lots were currently associated with a business, a building or were public parking lots. The regulations would allow for private surface parking lots regardless if it was for a specific building or business. Staff was trying to encourage sharing parking lots or using public parking Downtown to protect the pedestrian-friendly nature of the neighborhood. The Village did not want to encourage demolition of buildings or use of vacant lots for private, for-sale parking lots.

Therefore, Mr. O'Brien explained that the text in Section 3 of the former Permitted Use list has been revised from stating "Off-Street Parking and Loading Docks" to now stating "Off-Street Parking Lots and Loading Docks Accessory to a Permitted Use" with the addition of a permitted use entitled, "Governmental Parking Lots and Structures" to allow the Village commuter lots and parking deck to continue to exist as a right. An added special use (Section 28.610.D) "Off-Street Parking Lots and Loading Docks Not Accessory to a Permitted Use or Special Use" was also added. Examples followed.

The ordinance was provided to the Downtown Management Corp. for their review. No objections were received. Mr. O'Brien indicated Downtown Management's board president was also in attendance. He stated staff was recommending approval since the amendment would add three desirable uses to the permitted use list.

Per a commissioner question, the term "consignment shop" was defined. Mr. O'Brien also clarified the term "government parking lots and structure." Mr. Webster further confirmed with staff that there would be a mechanism for a person to operate a for-profit parking structure should the Village run out of parking. Mr. O'Brien noted that a property owner could apply for a special use permit.

Chairman Jirik opened up public participation; there being none, public participation was closed.

No closing statement followed by Mr. O'Brien. No further discussion followed.

MOTION:

WITH RESPECT TO PC-08-10, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL WITH REGARD TO AN AMENDMENT TO SECTION 28.610 OF THE DOWNERS GROVE ZONING ORDINANCE OF THE DOWNTOWN BUSINESS DISTRICT AS IT RELATES TO PERMITTED AND SPECIAL USE LIST.

SECONDED BY MRS. RABATAH. ROLL CALL:

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

NAY: NONE

MOTION CARRIED. VOTE: 9-0.

APPROVED 9/13/2010

Mr. O'Brien did not anticipate any items for the August meeting. Commissioners would be notified of any meeting cancellation.

MRS. HAMERNIK MOVED TO ADJOURN THE MEETING. MR. COZZO SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

THE MEETING WAS ADJOURNED AT 8:20 P.M.

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

APPROVED 10/4/2010

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

SEPTEMBER 13, 2010, 7:00 P.M.

Chairman Jirik called the September 13, 2010 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

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

ABSENT: Mrs. Hamernik, Mr. Webster

STAFF PRESENT: Village Planner Damir Latinovic

VISITORS: Mr. Vince Priest 204 E Chicago Ave, Westmont, IL, Mr. Joe DeFilippis, 1000 N. Halsted St, Chicago, IL; Mr. Paul Fludac, realtor for buyer of 212 Ogden Avenue; Mr. Ryan Bottger, 205 Foxfire Ct., Downers Grove

Chairman Jirik led the Plan Commissioners in the recital of the Pledge of Allegiance.

JULY 12, 2010 MEETING MINUTES - MR. MATEZCZYK MADE A MOTION TO APPROVE THE MINUTES AS PREPARED, SECONDED BY MR. COZZO. MOTION CARRIED BY VOICE VOTE OF 7-0.

An explanation of the meeting's protocol followed.

PC-10-10 A petition seeking: 1) a final plat of subdivision approval to consolidate two lots into one new lot, and 2) a special use approval for an automobile repair facility for the property located at the northwest corner of Ogden Avenue and Cumnor Road, commonly known as 212 Ogden Avenue, Downers Grove, IL (PIN #'s 09-04-111-024, -025); Vince Priest, West Highland Capital partners LLP, Petitioner; Michael Eiserman, Owner.

Chairman Jirik swore in those individuals who would be speaking on Petition File PC 10-10.

Mr. Damir Latinovic, Village Planner, reviewed the property's location for the commissioners, noting the property is 23,668 square feet in size and zoned B-3 General Services and Highway Business District. Two, one-story commercial buildings exist on the site currently, which are vacant. Two lots of record make up the site. The petitioner is proposing to demolish the two buildings and construct an approximately 5,032 sq. foot automotive service building with eight (8) service bays and an adjacent parking lot. The petitioner is seeking final plat of subdivision approval to consolidate the two lots into one new lot and approval of the special use to operate an automobile repair facility.

Mr. Latinovic pointed out the structure's location on the site plan (west side of property) and noted how it crossed the common property line, which was why the petitioner was consolidating the lots. The proposed new lot would meet all requirements of the Subdivision Ordinance.

Hours of operation include Monday through Friday 7:30 AM to 6:00 PM; Saturday 7:30 AM to 3:00 PM; and closed on Sunday. However, Mr. Latinovic stated staff was recommending to include a condition in the Special Use Ordinance that would allow the facility to be open 7:00 AM to 7:00 PM Monday through Saturday, and Sunday 8:00 AM to 3:00 PM in order to be more consistent with the Village's rules and regulations for hours of operation and construction times.

Due to the property being a former gas station, Mr. Latinovic explained that the property was undergoing an environmental clean-up, which the petitioner was aware of. He stated the petitioner submitted a report discussing same, to the Illinois Environmental Protection Agency ("EPA"). Staff suggests adding a condition in the recommendation that the petitioner has to submit a letter from the EPA stating that the clean-up is approved or that clean up has been completed. The letter must be submitted to village staff prior to any building permits being issued.

A review of the three easements on the site were noted. Mr. Latinovic reviewed the setback requirements of the ordinance as well. He noted that 24 parking spaces were required for the site but 27 spaces were being proposed. Additionally, the petitioner was seeking to create new curb cuts along the north property line to Cumnor Road and in the southwest corner to Ogden Avenue with shared access with the property to the west. The curb cuts along the east and south frontages of the property would be eliminated. It was noted that landscaping along the east and south property lines would be provided with 11.8% of the property being landscaped. Because the initial lighting photometric plan submitted in the commissioners' packets did not meet code, staff was proposing to add a condition of the approval that a revised photometric plan must be submitted indicating that the lighting on the site will meet the Code. In the mean time, staff did receive a revised photometric plan, which meets the Code. The petitioner also intends to meet the sign code regulations. As a last condition, a six-foot solid wooden fence will be required around the garbage disposal area at the northwest corner of the building; petitioners have indicated they will comply.

The proposal does meet the goals of the Ogden Avenue Master Plan and because the site is less than 25,000 square feet, the Stormwater Ordinance does not require a detention pond for the site; however, the petitioner will have to comply with Best Management Practices for stormwater runoff. More pervious areas will be added to the site, such as landscaped green space and gravel.

The fire department has reviewed the plans and has requested that No Parking signs be added on the north side of the building to provide clear access for fire protection vehicles. A sprinkler system is required to be installed. The petitioner did meet with the neighbors on August 18, 2010 and as a result from that meeting the proposed curb along the north property line will be installed four feet from the existing fence to preserve all existing trees. No other comments have been received by the neighbors.

In closing and based upon staff's review of the proposal, staff recommended that the Plan Commission provide a positive recommendation to the Village Council subject to staff's conditions on pages seven and eight of its report.

Commissioner questions followed. Mr. Matejczyk inquired about the southwest corner of the

triangular area and whether the adjoining neighbor had legal access to it. Wherein, Mr. Latinovic explained that the existing easement there was created and recorded to allow common access to both properties. Mr. Matejczyk brought up the fact that a nearby detention existed and was there any consideration of connecting the site with that detention area, to which Mr. Latinovic stated the petitioner's engineering plans revealed that the site is pitched to the south and not to the north, where the detention pond was located. Mr. Latinovic believed the current storm water facilities in the streets could handle the site's water drainage. The proposal by the petitioner is to drain the parking lot run-off with an inlet in the southeast corner of the parking lot. Engineering staff will review it again and they apply for a permit. Mr. Latinovic will suggest and discuss this with the engineering staff.

Regarding the proposed gravel area between the buildings and whether drainage was occurring currently, Mr. Latinovic explained the site is currently 100% impervious. The gravel is required to add pervious material so drainage does occur. As to the eight service bays being counted as part of the 27 parking spaces and them being counted as such in the past, Mr. Latinovic said the code did allow this for these types of facilities because cars being worked on and parked in the service bays are in essence customers. As to the reasoning for placing the sidewalk on the east side right next to the curb, Mr. Latinovic explained that one of the conditions of the approval is that the petitioner will have to move the sidewalk to the west to get it off the curb for safety purposes and add a parkway. Revised plans indicating such layout were subsequently submitted and shown on the overhead projector. Dialog followed on the number of curb cuts on Cumnor and the location of the nearby detention pond.

Chairman Jirik asked for confirmation as to whom maintained the fence near the townhomes, wherein Mr. Latinovic stated the townhomes did. Regarding the buffering and screening between a business use and a residential use, Mr. Latinovic confirmed that due to the existing six-foot fence between the two uses, no new fence would be required. With the combination of trees and other landscaping, staff was asked if there was consideration to have the forester review the trees and protection of the trees for the neighbors. Staff stated that the Village forester already reviewed the plans and had no objection to the proposed landscaping materials Mr. Latinovic would ensure that before permits were issued, the forester would review the plans. Chairman Jirik suggested planting evergreens to provide continuous screening during the seasons. Mr. Latinovic said he would speak to the petitioner and forester about changing out the proposed tall green plants for evergreens. Another suggestion was to consider an 8-foot fence for privacy purposes.

Questions concerning the review process for the lighting plan were raised, as were concerns about what would occur if the townhomes decided not to maintain the fence. Mr. Latinovic stated that currently the fence makes the site compliant with the requirement for screening between commercial and residential property, and if the townhome association decided to remove the fence they would create a nonconforming condition. Mr. Latinovic proceeded to read language from the code that clarifies the fence is required to be on the commercial property for screening.

Mr. Joe De Filippis with De Filippis Associates, 1000 N. Halsted, Chicago, IL, and Mr. Vince Priest, 204 E Chicago Ave, Westmont, IL were present. Mr. De Filippis discussed the proposal before them was well summarized by staff. He offered to answer any additional questions. Responding to the drainage question, a plan was placed on the overhead. Asked if the petitioner had to install a fence on the north property line, Mr. Priest responded that the trees were directly on the property line and it would require that the existing trees be removed to install the fence, which is

why keeping the existing fence seemed like a better idea. In speaking with representatives from the townhome association, Mr. Priest said he and the two representatives walked the property lines wherein he conveyed to them that any trees damaged during the project would be replaced. Additionally, he stated the home owners' representatives asked that the petitioner leave the fence as is and instead provide heavier landscaping buffering.

Chairman Jirik, however, cautioned the commissioners about redirecting any water to the detention pond, especially not knowing the pipe size and/or capacity of the detention area. Mr. Waechtler thanked the petitioner for meeting with the homeowners. In response, Mr. Priest said the home owners were very thorough with the project and had similar concerns about the site's lighting. As a result, he said new plans were drafted and no lighting whatsoever would be located along the north property line. Only one shielded light would be on the building's north façade for security. Mr. Priest stated he also met with the neighbor to the west and he had no objections for the project.

Chairman Jirik opened up the meeting to public comment.

Mr. Ryan Bottger, 205 Foxfire Court, Downers Grove, is one of the homeowners and appreciated the commissioners' comments and concerns. However, he did not believe the site, currently, was just an eyesore. He believed it was a "quiet" eyesore. His unit faces the proposal and he is concerned about lighting and cars turning into the site, noise from the site and having someone else's facility drain into the townhome's detention pond. He believed his privacy would be affected by this proposal.

There being no further public comment. Public comment was closed.

Chairman Jirik clarified with staff the reason the hearing on this matter was being held was because it was a B-3 special use proposal and the request for the special use/automobile repair required this overview, and, that any other permitted use would not require a review by this commission. Staff concurred.

Mr. Priest stated he wanted to be a good neighbor but could not guaranty what the noise would be like and he was trying to mitigate any noise issue as best possible. He pointed out the Ogden Avenue Corridor is a business corridor. Mr. DeFilippis asked for clarification of what the village was requiring of him from the EPA prior to receiving final building permits. The chairman understood that the petitioner would need some form of certainty from the EPA that the village is comfortable issuing a permit, understanding that the necessary remediation is completed. The chairman suggested that the property owner work with the village regarding the required letter from the EPA prior to the issuance of the building permits.

Mr. Priest stated he would meet with the neighbor who came to speak regarding his concerns and confirmed that lighting will not be an issue. He apologized for making the eyesore comment.

Positive comments followed regarding the proposal and the petitioner was commended in speaking with the homeowners' association. Commissioners also noted that similar uses and businesses were in the general area of the proposal. As to lighting, Mr. Beggs reminded the commissioners that lighting also works for safety purposes. The chairman reminded the commissioners that the petition was a lower traffic generator than many of the permitted uses. Per a question about the bay doors, Mr. Priest stated they will be closed during the winter months, but during the summer months they

can be open. Commissioners, however, pointed out that the bay doors faced Cumnor.

Mr. Ryan Bottger, 205 Foxfire Court, Downers Grove, stated the noise will bounce off of Panera's and back to his house. Commissioners concurred that the Panera building is far enough to not amplify the noise issue.

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

- 1. THE PROPOSED LOT CONSOLIDATION AND SPECIAL USE REQUEST SHALL SUBSTANTIALLY CONFORM TO THE DEVELOPMENT PLANS FOR CAR-X AUTOMOBILE SERVICE PREPARED AND SUBMITTED BY DEFILIPPIS + ASSOCIATES ON AUGUST 10, 2010 ATTACHED TO STAFF REPORT DATED SEPTEMBER 13, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES, ORDINANCES, AND POLICIES.**
- 2. A LETTER FROM ILEPA WILL HAVE TO BE PROVIDED PRIOR TO ISSUANCE OF THE BUILDING PERMIT STATING THAT THE SITE HAS BEEN FULLY ENVIRONMENTALLY REMEDIATED AND IS READY FOR NEW CONSTRUCTION.**
- 3. THE HOURS OF OPERATION MUST NOT EXCEED 7:00 AM TO 7:00 PM MONDAY THROUGH SATURDAY AND 8:00 AM TO 3:00 PM ON SUNDAY.**
- 4. ALL DELIVERIES SHALL TAKE PLACE DURING REGULAR BUSINESS HOURS; BETWEEN 7:00 AM AND 7:00 PM, MONDAY THROUGH SATURDAY, AND 8:00 AM TO 3:00 PM ON SUNDAY.**
- 5. THE PROPOSED LANDSCAPE PLAN SHALL BE REVISED TO INCLUDE SHRUBS INSTEAD OF TALL GRASS PLANTS ALONG THE NORTH PROPERTY LINE.**
- 6. THE BUILDING SHALL BE FULLY SPRINKLED WITH A NFPA 13 SYSTEM BY A STATE OF ILLINOIS REGISTERED SPRINKLER CONTRACTOR. (2007 NFPA 13 AND IBC TABLE 903)**
- 7. THE BUILDING SHALL BE FULLY EQUIPPED WITH A MANUAL AND AUTOMATIC FIRE ALARM SYSTEM INSTALLED BY A STATE OF ILLINOIS LICENSED AND U.L. CERTIFIED FIRE ALARM CONTRACTOR. (VODG #17-45 #10, 1, AND 2007 NFPA 72)**
- 8. NO PARKING-FIRE LANE SIGNS SHALL BE INSTALLED ON THE NORTH SIDE OF THE BUILDING AND INDICATED ON REVISED PLANS.**
- 9. THE PROPOSED PUBLIC SIDEWALK ALONG CUMNOR ROAD SHALL BE RELOCATED TO THE WEST TO PROVIDE A MINIMUM FIVE-FOOT WIDE GREEN SPACE PARKWAY BETWEEN THE ROADWAY AND THE NEW SIDEWALK.**
- 10. STORMWATER CALCULATIONS SHALL BE PROVIDED TO VERIFY THE VOLUME AND ALLOWABLE RELEASE RATE IS IN ACCORDANCE WITH THE VILLAGE S STORM WATER ORDINANCE. THE PROPOSAL SHALL FULLY COMPLY WITH THE BEST MANAGEMENT PRACTICES FOR TREATMENT OF STORM WATER RUNOFF.**
- 11. A SEPARATE SIGN PERMIT IS REQUIRED PRIOR TO INSTALLATION OF ANY NEW SIGNS ON THE PROPERTY. ALL NEW SIGNAGE WILL HAVE TO COMPLY WITH THE VILLAGE S SIGN ORDINANCE, INCLUDING THE REQUIREMENT FOR A MONUMENT SIGN, THE MINIMUM REQUIRED 10-FOOT SETBACK FROM**

APPROVED 10/4/2010

BOTH FRONT PROPERTY LINES ALONG OGDEN AVENUE AND CUMNOR ROAD AS WELL AS THE MINIMUM 25-FOOT SIDE YARD SETBACK FROM THE WEST PROPERTY LINE.

- 12. ALL NEW REGULAR PARKING SPACES SHALL BE MINIMUM NINE FEET WIDE AND 18 FEET LONG.**
- 13. A SIX-FOOT HIGH SOLID FENCE SHALL BE INSTALLED AROUND THE AREA DESIGNATED FOR TRASH DUMPSTERS.**
- 14. A REVISED PHOTOMETRIC PLAN MUST BE SUBMITTED PRIOR TO ISSUANCE OF THE BUILDING PERMIT INDICATING THAT THE FOOT CANDLE READINGS AT THE NORTH PROPERTY LINE WILL NOT EXCEED 0.1 FOOT CANDLES.**
- 15. A CONCRETE CURB AND GUTTER SHALL BE INSTALLED AROUND THE PARKING LOT ISLAND LOCATED SOUTH OF THE BUILDING.**
- 16. GRAVEL, OR SOME OTHER FORM OF PERVIOUS MATERIAL, SHALL BE INSTALLED BETWEEN THE BUILDING AND THE WEST PROPERTY LINE.**
- 17. IF THE EXISTING 6-FOOT HIGH SOLID FENCE LOCATED ALONG THE NORTH PROPERTY LINE OF THE SUBJECT PROPERTY IS EVER REMOVED, THE OWNER OF THE SUBJECT PROPERTY, 212 OGDEN AVENUE, SHALL BE RESPONSIBLE FOR INSTALLING A NEW SOLID 8-FOOT HIGH SOLID FENCE ALONG THE NORTH PROPERTY LINE.**
- 18. THE PETITIONER SHALL INSTALL MORE DENSE EVERGREEN PLANTS ALONG THE NORTH PROPERTY LINE SUBJECT TO THE APPROVAL BY THY VILLAGE FORESTER.**
- 19. NO PUBLIC ANNOUNCEMENT SYSTEM SHALL BE USED ON THE SUBJECT PROPERTY, 212 OGDEN AVENUE.**

SECONDED BY MR. MATEJCZYK. ROLL CALL:

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

NAY: NONE

MOTION CARRIED. VOTE: 7-0.

Mr. Latinovic announced the October 4, 2010 agenda will have three cases on it.

**THE MEETING WAS ADJOURNED AT 8:34 P.M. ON MOTION BY MRS. RABATAH,
SECONDED BY MR. QUIRK. MOTION CARRIED UNANIMOUSLY.**

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