

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
OCTOBER 19, 2010 AGENDA

| SUBJECT: | TYPE: | SUBMITTED BY: |
|--|--|--|
| Lot Consolidation and Special Use for Automobile Repair Facility at 212 Ogden Avenue | <ul style="list-style-type: none"> ✓ Resolution ✓ Ordinance Motion Discussion Only | Tom Dabareiner, AICP Community Development Director |

SYNOPSIS

A resolution and an ordinance have been prepared to consolidate two existing lots into one lot and for the approval of the special use for an automobile repair facility located at 212 Ogden Avenue.

STRATEGIC PLAN ALIGNMENT

The Goals 2013 identified *Strong, Diverse Local Economy*. Supporting this goal are the objectives *More Attractive Commercial Corridors and Upgrade Existing and Aged Commercial Buildings*.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on the November 2, 2010 active agenda.

BACKGROUND

The property is located at the northwest corner of Ogden Avenue and Cumnor Road and is zoned B-3 General Services and Highway Business. The 23,668-square foot property consists of two lots and is improved with two one-story vacant commercial buildings. The petitioner is proposing to demolish the existing buildings and construct a new eight-bay 5,032-square foot automobile service building, surface parking lot, landscaping and other improvements.

The petitioner is requesting approval of the final plat of subdivision to consolidate the two lots into one lot and a special use approval for the proposed automobile repair facility.

Proposed Building and Use

The 5,032 square foot building for Car-X will include eight service bays with approximately 800 square feet devoted to general office, customer waiting area, break room and restrooms. The second floor mezzanine area will be used for storage purposes. All services to the building, including deliveries and trash pick-up, will be conducted during normal business hours. The facility will generally service 10-15 cars per day. The hours of operation will be 7:30 am to 6 pm, Monday through Friday, and 7:30 am to 3:00 pm on Saturday. The facility will be closed on Sundays.

In the past, the property has been occupied by a dry cleaner and an automobile service station, among others. The property has been undergoing the environmental remediation per the requirements of the Illinois Environmental Protection Agency. The underground gasoline storage tanks, pumps and related pipes have

been removed. The petitioner will have to provide a letter from the Illinois Environmental Protection Agency stating that the final step of environmental remediation has been approved prior to issuance of any construction permits from the Village.

Proposed Site Layout

The proposed lot consolidation and special use is consistent with the Future Land Use Plan's commercial designation for the site. The development will meet all zoning requirements of the B-3 District and the Goals of the Ogden Avenue Master Plan. The petitioner will demolish the existing vacant buildings, remove existing curb cuts and replace it with a new building, surface parking lot, new trees and landscaping materials, parkways and public sidewalks along both Ogden Avenue and Cumnor Road. The petitioner is proposing a new code-compliant monument sign along Ogden Avenue and a new shared access driveway in the southwest corner of the lot to be shared between the subject property and the property immediately to the west. The proposed building and site layout meet all zoning requirements as outlined in the table below:

| 212 Ogden Avenue – Car X | Required | Proposed |
|---|---|---|
| Building | | |
| Front Setback (south) | 75 ft from center line of Ogden Avenue | 91 feet from centerline of Ogden Avenue |
| Front Setback (east) | 25 feet | 66.66 feet |
| Side Setback (west) | N/A | 5 feet |
| Transitional Setback (north) | 20 feet | 22 feet |
| Height | 60 feet | 22 feet |
| FAR | .75 (17,751 sq. ft.) | .21 (5,032 sq. ft.) |
| Green space | 10% (2,366.7 sq. ft.) | 11.8 % (2,812 sq. ft.) |
| % of green space required in front yard | 50% (1,283.35 sq. ft.) | 85% (2,394 sq. ft.) |
| Parking | | |
| Front Setback (south) | 50 ft. from center line of Ogden Avenue | 52.5 ft. from center line of Ogden Avenue |
| Front Setback (east) | 8 ft. | 8 ft. |
| Side Setback (west) | N/A | 12 ft. |
| Transitional Setback (north) | 20 ft. | 31 ft. |
| # of parking spaces required | 24 | 27 (including one at each service bay) |

The site is less than 25,000 sq. ft. in area and per stormwater ordinance is not required to provide an on-site detention facility. The property is currently nonconforming with 100% impervious area and with a depressed curb along the entire frontages of Cumnor Road and Ogden Avenue. The petitioner will close all existing curb cuts and create one new access drive to Cumnor Road and one to Ogden Avenue. The proposed development will include 3,485 sq. ft. of landscaped green space and will have to comply with DuPage County's Best Management Practice (BMP) requirements for treatment of the stormwater run-off.

Lot Consolidation

The property consists of two lots of record. As such the petitioner is required to consolidate the two lots prior to the construction of the new building. The new lot will meet all minimum lot dimension requirements per the subdivision ordinance, as outlined in the table below:

| 212 Ogden Avenue Lot Consolidation | Required | Proposed |
|---|-----------------|---------------------------------|
| Lot Area | 10,500 sq. ft. | 23,668 sq. ft. |
| Lot Width | 75 ft. | 115 ft. |
| Lot Depth | 140 ft. | 200 ft. |
| Lot Frontage | 50 ft. | 175 ft. (east) 130 feet (south) |

Staff requested the applicant hold a neighborhood meeting to discuss the project. The applicant met with the neighbors on Wednesday August 18, 2010. The applicant has agreed to install the parking lot curb four feet from the existing fence located on the adjacent property to the north to preserve all existing trees and will replace any trees situated more than 15 feet from the northeast corner of the property that are removed during to construction.

The Plan Commission considered the petition at their September 13, 2010 meeting. One resident from the adjacent townhome community spoke at the meeting and expressed concern about noise and light pollution. In response, Plan Commission recommended including additional conditions in the Special Use Ordinance that would: prohibit the use of a public announcement system on the property and require additional evergreen trees along the north property line. The Plan Commission also requested that the petitioner be required to install an 8-foot high fence along the north property line for additional screening in the event the existing 6-foot high wood fence is ever removed by the townhouse community. Staff believes this condition would be hard to enforce and recommends not to include the condition in the Special Use ordinance. Staff believes the existing and additional landscaping along with the existing six-foot high fence will adequately screen the proposed use from the residential property to the north.

The Plan Commission recommended unanimous approval of the petition. Staff concurs with the Plan Commission recommendation.

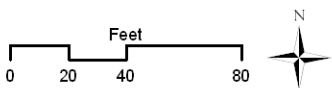
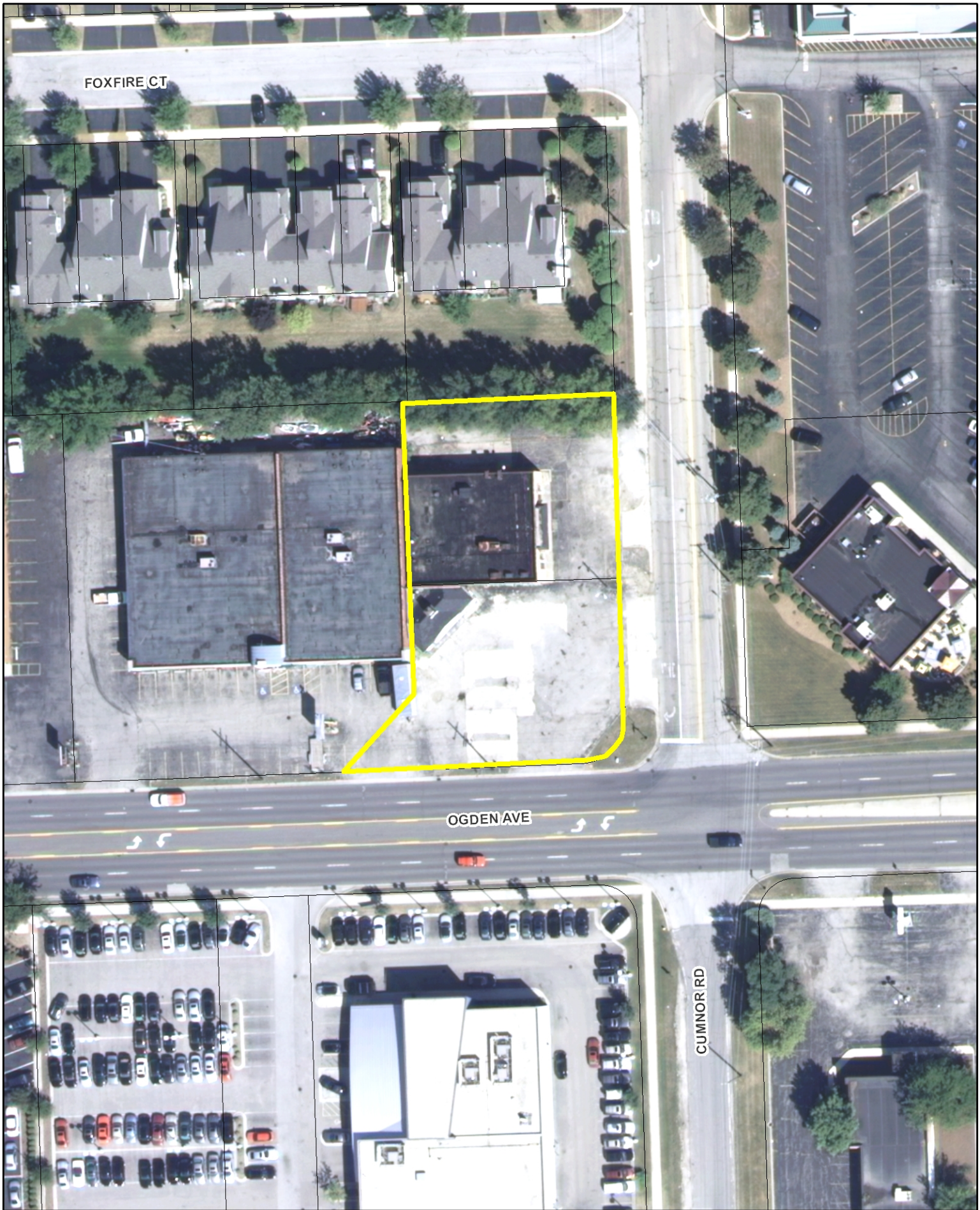
ATTACHMENTS

Aerial Map

Resolution and Ordinance

Staff Report with attachments dated September 13, 2010

Minutes of the Plan Commission Hearing dated September 13, 2010



212 OGDEN AVENUE

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A SPECIAL USE
TO PERMIT AN AUTOMOBILE REPAIR FACILITY AT 212 OGDEN AVENUE**

WHEREAS, the following described property, to wit:

Parcel 1:

That part of Lots 5, 6, 7 and 8 in Block 1 described as follows: beginning at a point in the east line of Lot 5, aforesaid, 100.0 feet south of the northeast corner thereof; thence west parallel with the north lines of Lots 5, 6, 7 and 8, aforesaid, 115.0 feet; thence south parallel with the east line of Lot 5, aforesaid, 60.0 feet to a point 40.0 feet north of the south line of Lot 7, aforesaid, thence southwesterly 56.61 feet to a point in the south line of Lot 8, aforesaid, 155.0 feet west of the east line of Lot 5, aforesaid, extended south; thence east along the south line of Lots 8, 7, 6 and 5, aforesaid, 130.04 feet to a point of curve in the southerly line of Lot 5, aforesaid, thence northeasterly along said curve and said line of Lot 5, 39.23 feet to a point of tangency in the east line of Lot 5, aforesaid; thence north along the east line of Lot 5, aforesaid, 75.04 feet to the point of beginning; all in Arthur T. McIntosh and Company's Third Ogden Avenue subdivision, being a subdivision in the southwest quarter of the northwest quarter of Section 4, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded December 31, 1924 as Document 186703 in Dupage County, Illinois.

Parcel 2:

That part of Lots 5, 6 and 7 in Block 1 described as follows: beginning at a point in the east line of Lot 5, aforesaid, 100 feet south of the northeast corner thereof; thence west parallel with the north lines of Lots 5, 6 and 7, a distance of 115 feet; thence north parallel with the east line of Lot 5, aforesaid, 100 feet to the north line of Lot 7, aforesaid, thence east along the north line of Lots 7, 6 and 5, aforesaid, 115.0 feet to the northeast corner of Lot 5, aforesaid, thence south along the east line of Lot 5, aforesaid, 100 feet to the place of beginning; all in Arthur T. McIntosh and Company's Third Ogden Avenue subdivision, being a subdivision in the southwest quarter of the northwest quarter of Section 4, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded December 31, 1924 as Document 186703 in Dupage County, Illinois.

Commonly known as 212 Ogden Avenue, Downers Grove, Illinois (PIN #'s 09-04-111-024, -025)

(hereinafter referred to as the "Property") is presently zoned "*B-3 - General Services and Highway 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 28.609 of the Zoning Ordinance be granted to allow an automobile repair facility in the B-3 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 an automobile repair facility at 212 Ogden Avenue within the B-3 zoning district.

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

- 1.. The proposed 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 the staff report dated September 13, 2010, 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 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)
6. The building shall be fully equipped with a manual and automatic Fire Alarm system installed by a state of Illinois licensed fire alarm contractor.
7. "No Parking-Fire Lane" signs shall be installed on the north side of the building.
8. 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.
9. Stormwater calculations shall be provided to verify the volume and allowable release rate is in accordance with the Village's stormwater ordinance. The proposal shall fully comply with the Best Management Practices for treatment of stormwater runoff.
10. 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 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.

11. All new regular parking spaces shall be minimum nine feet wide and 18 feet long.
12. A six-foot high solid fence shall be installed around the area designated for trash dumpsters.
13. 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.
14. If the existing 6-foot 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 fence along the north property line.
15. The petitioner shall install more dense evergreen plants along the north property line subject to the approval by the Village Forester.
16. No public announcement system shall be used on the subject property, 212 Ogden Avenue.

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



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
SEPTEMBER 13, 2010 AGENDA**

| SUBJECT: | TYPE: | SUBMITTED BY: |
|------------------------------|---|----------------------------------|
| PC-10-10 212 Ogden Avenue | Final Plat of Subdivision & Special Use for an Automobile Repair Facility | Damir Latinovic, AICP Planner |

REQUEST

The petitioner is requesting approval of a Final Plat of Subdivision to consolidate two lots into one new lot and a Special Use to permit an Automobile Repair facility at 212 Ogden Avenue.

NOTICE

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

GENERAL INFORMATION

OWNER: Michael Eiserman
5333 Birchwood Avenue
Skokie, IL 60007

APPLICANT: Mr. Vince Priest, Partner
West Highland Capital Partners LLP
204 E Chicago Avenue
Westmont, IL 60559

PROPERTY INFORMATION

EXISTING ZONING: B-3, General Services and Highway Business
EXISTING LAND USE: Vacant
PROPERTY SIZE: 23,668 square feet (0.54 acres)
PIN: 09-04-111-024, -025

SURROUNDING ZONING AND LAND USES

| | ZONING | FUTURE LAND USE |
|---------------|--|------------------------|
| North: | R5A, Townhouse Residence | Commercial |
| South: | B-3, General Services and Highway Business | Commercial |
| East: | B-3, General Services and Highway Business | Commercial |
| West: | B-3, General Services and Highway Business | Commercial |

ANALYSIS

SUBMITTALS

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

1. Application/Petition for Public Hearing
2. Project Summary
3. Plat of Survey
4. Plat of Subdivision
5. Architectural Drawings

PROJECT DESCRIPTION

The subject property is located at the northwest corner of Ogden Avenue and Cumnor Road and is zoned B-3 General Services and Highway Business. The 23,668-square foot property consists of two lots and is improved with two one-story vacant commercial buildings. The petitioner is proposing to demolish the existing buildings and construct a new eight-bay 5,032-square foot automobile service building, surface parking lot, landscaping and other improvements. To complete the project, the petitioner is requesting approval of the final plat of subdivision to consolidate the two lots into one new lot and a special use approval for the proposed automobile repair facility.

Lot Consolidation

The property consists of two lots of record. The proposed building will be located across the shared property line on both lots. As such the petitioner is required to consolidate the two lots. The proposal will meet all minimum lot dimension requirements.

Proposed Building and Use

The Automobile Repair facility is listed as a Special Use in the B-3, General Services and Highway Business district. As such, the petitioner is requesting approval of the Special Use. The 5,032 square foot building for Car-X will include eight service bays with approximately 800 square feet devoted to general office, customer waiting area, break room and restrooms. The second floor mezzanine area will be used for storage purposes. All services to the building, including deliveries and trash pick-up will be conducted during normal business hours. Per the petitioner's narrative, the facility will generally service 10-15 cars per day. The hours of operation will be 7:30 am to 6 pm, Monday through Friday, and 7:30 am to 3:00 pm on Saturday. The facility will be closed on Sundays. To assure the hours of operation will not exceed generally permissible construction work hours, staff has included a condition of the approval that 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.

In the past, the property has been occupied by a dry cleaner and an automobile service station, among others. The property has been undergoing the environmental remediation per the requirements of the Illinois Environmental Protection Agency. The underground gasoline storage tanks, pumps and related pipes have been removed. The final phase of the remediation process will likely include the installation of an engineered barrier (stone gravel layer) on top of the existing soil below the proposed building foundation. The petitioner will have to provide a letter from the Illinois Environmental Protection Agency stating that the site has been fully remediated and is ready for future construction prior to issuance of any construction permits from the Village.

Site Design

To accommodate all zoning requirements and omit placing permanent structures in any of the easements, the proposed building is located five feet from the west property line while the surface parking lot is

located on the eastern portion of the site with an eight-foot setback to the east lot line. The building will be located 22 feet from the north property line and 91 feet from the center line of Ogden Avenue, while the parking spaces will be located 31.5 feet and 52.5 feet from the north property line and the center line of Ogden Avenue respectively.

The property includes several easements that restrict the layout and construction on the site. There is a 15-foot wide access easement along the north property line. This easement was created to provide permanent access to Cumnor Road for the property immediately to the west. The second easement was created to preserve full exposure and access at the southwest corner of the lot for the adjacent building west of the site to Ogden Avenue. The third easement is located in the triangular portion of the southwest corner of the property. This easement was created to provide common access to Ogden Avenue for both the subject property and the property immediately to the west.

The entire width of the lot is depressed and allows access to Cumnor Road in an undefined manner. The applicant is proposing to improve this condition and limit the access to the site to two curb cuts: one on Ogden Avenue and one on Cumnor Road. A new driveway will be installed along the north property line on Cumnor Road. The access to the site from Ogden Avenue will be provided via driveway located in the southwest corner, which will be shared with the adjacent property to the west. A new sidewalk with a five-foot wide parkway will be installed along Ogden Avenue. Per staff's recommendation, the petitioner will revise the currently proposed sidewalk layout along Cumnor Road, which runs along the curb, and instead install the sidewalk a minimum of five feet away from the curb to also provide a parkway. The parking lot curb on the north side of the lot will be constructed two feet from the north property line and four feet from the existing fence on the adjacent property to the north to preserve all existing established trees. In the area where shrubs and weeds will be cleared, the petitioner is proposing to install 16 tall grass plants. Staff is recommending the applicant replace the tall grass along the north property line with additional shrubs. Additional landscaping materials and nine new trees will screen the parking lot along Ogden Avenue and Cumnor Road. The Village forester has reviewed the proposed landscape plan and has noted that all proposed plant materials will perform well in tough northern climate.

COMPLIANCE WITH FUTURE LAND USE PLAN

The Future Land Use Plan designates the site as Commercial. The property is surrounded by commercial uses on the east, south and west sides, while a residential development abuts the property to the north. The proposed automobile service facility is compatible with surrounding commercial uses and the current trend of development along Ogden Avenue. The conditions of operation and site screening will allow the automobile service use to co-exist with the residential development to the north. As such, staff believes the proposal is consistent with the Future Land Use Plan.

COMPLIANCE WITH ZONING ORDINANCE

The property is zoned B-3, General Services and Highway Business district. The proposed Automobile Service use is listed as a special use in this district. The proposed building meets all zoning requirements as outlined in the table below:

| 212 Ogden Avenue – Car X | Required | Proposed |
|---------------------------------|--|---|
| Building | | |
| Front Setback (south) | 75 ft from center line of Ogden Avenue | 91 feet from centerline of Ogden Avenue |
| Front Setback (east) | 25 feet | 66.66 feet |
| Side Setback (west) | N/A | 5 feet |
| Transitional Setback (north) | 20 feet | 22 feet |
| Height | 60 feet | 22 feet |

| | | |
|---|---|---|
| FAR | .75 (17,751 sq. ft.) | .25 (5,909 sq. ft.) |
| Green space | 10% (2,366.7 sq. ft.) | 11.8 % (2,812 sq. ft.) |
| % of green space required in front yard | 50% (1,283.35 sq. ft.) | 85% (2,394 sq. ft.) |
| Parking | | |
| Front Setback (south) | 50 ft. from center line of Ogden Avenue | 52.5 ft. from center line of Ogden Avenue |
| Front Setback (east) | 8 ft. | 8 ft. |
| Side Setback (west) | N/A | 12 ft. |
| Transitional Setback (north) | 20 ft. | 31 ft. |
| # of parking spaces required | 24 | 27 (including one at each service bay) |

All parking spaces are required to be minimum nine feet wide by 18 feet long. The proposal will meet all requirements for parking lot screening. New landscaping, including new trees, will be located along both south and east sides of the new parking lot, while the existing trees and fence along the north property line will remain. The petitioner will also add tall grass plants where any existing shrubs are removed.

The petitioner is proposing new parking lot lighting. The proposed 21-foot high light poles are within the permitted maximum of 30 feet. Per Zoning Ordinance, the maximum foot candle readings along the north property line abutting the residential area cannot exceed 0.1 foot candles. The submitted photometric plan indicates that maximum readings at the north property line will not meet the zoning requirement. The petitioner has indicated that the lighting plan will meet Village requirements prior to issuance of any building permits. A revised lighting plan will be submitted prior to the Village Council consideration. The proposed light fixture on the north side of the building will be shielded and directed down onto the parking lot and will not negatively affect the adjacent residential area.

The submitted plans indicate two new building wall signs and a freestanding sign along Ogden Avenue. The freestanding sign is proposed as a single pole sign which is no longer permitted by the Code. The petitioner has indicated that all new signs will meet the Village's Sign Ordinance. A revised sign packet will be submitted prior to Village Council consideration. A separate sign permit is required prior to installation of any signs on the property.

The petitioner will be required to install a six-foot high solid, durable fence around the proposed area for garbage dumpsters northwest of the building to comply with the Zoning Ordinance.

COMPLIANCE WITH SUBDIVISION ORDINANCE

The petitioner is requesting approval of the final plat of subdivision to consolidate the two existing lots into one new lot. The new lot conforms to all aspects of the Subdivision Ordinance, and no exceptions are being requested by the petitioner. The lot dimensions of the new lot are summarized in the table below:

| 212 Ogden Avenue Lot Consolidation | Required | Proposed |
|---|-----------------|--|
| Lot Area | 10,500 sq. ft. | 23,668 sq. ft. |
| Lot Width | 75 ft. | 115 ft. |
| Lot Depth | 140 ft. | 200 ft. |
| Lot Frontage | 50 ft. | 175 ft. along Cumnor Road 130 feet along Ogden Avenue |

No additional public utility and drainage easements are necessary for this property.

COMPLIANCE WITH THE OGDEN AVENUE MASTER PLAN

The proposed development complies with the Ogden Avenue Master Plan as shown in the table below:

| Ogden Avenue Master Plan | Proposal |
|---|---|
| Improve the parkway with new trees, plantings, signage, and sidewalks. | The petitioner will install new landscaping material and three new trees along Ogden Avenue. A new sidewalk and a new code-compliant monument sign will also be installed. |
| Reduce curb cuts along Ogden Avenue. | The entire lot frontage along Ogden Avenue is depressed as a curb cut. The petitioner is proposing to close the entire depressed curb cut and create a new shared access driveway within the required access easement in the southwest corner of the lot to be shared between the subject property and the lot immediately to the west. |
| Improve landscaping in and around parking lots. | The petitioner will install new landscaping materials along Ogden Avenue and Cumnor Road. Staff is recommending the applicant enhance the proposed landscape plan along the north property line with shrubs. |
| Encourage redevelopment of sites with buildings in poor physical condition or whose size/layout makes them inefficient or unusable. | The petitioner will demolish the existing vacant buildings, remove existing curb cuts, and replace it with a new building and a parking lot which will include new landscaping, parkways and public sidewalks. |
| Provide interconnected sidewalks along the entire length of the corridor. | The petitioner will install a new sidewalk along the entire property frontage along both Ogden Avenue and Cumnor Road. |

ENGINEERING/PUBLIC IMPROVEMENTS

The property is currently 100% impervious with a depressed curb along the entire frontages of Cumnor Road and Ogden Avenue. The proposed development will include 3,485 sq. ft. of landscaped green space. There will be only one new curb cut and driveway access at Cumnor Road and Ogden Avenue each. The petitioner will install new parkways with sidewalks along both Cumnor Road and Ogden Avenue. Per staff's recommendation, the petitioner will revise the currently proposed sidewalk layout along Cumnor Road, which runs along the curb and instead install the sidewalk a minimum of five feet away from the curb to also provide a parkway along Cumnor Road.

With 23,668 sq. ft. in area, the site is less than 25,000 sq. ft. and per Stormwater Ordinance is not required to provide an on-site detention facility. With a reduced amount of impervious area, the stormwater run-off will also be reduced. The petitioner, however, is proposing a storm sewer inlet structure in the southwest corner of the site to improve the site drainage and comply with the DuPage County's Best Management Practice (BMP) requirements for treatment of the stormwater run-off.

To further improve the drainage on the property, the proposed site plan will have to be revised to include pervious large stone or gravel material in the five-foot wide area west of the proposed building. A new curb and gutter will also have to be installed around the proposed landscaped island south of the building.

PUBLIC SAFETY REQUIREMENTS

The Fire Prevention Division of the Fire Department has reviewed the proposed plans and has not noted any life-safety concerns. The petitioner will install no parking signs on the north side of the building to assure clear access to the fire department connection on the adjacent building immediately to the west. The proposed building will be fully sprinkled and equipped with a manual and automatic fire alarm system.

NEIGHBORHOOD COMMENT

Staff has not received any written neighborhood comment regarding the proposal at this time. Staff requested the applicant hold a neighborhood meeting to discuss the project. The applicant met with the neighbors on Wednesday August 18, 2010. Per the meeting summary received from the applicant, the applicant has agreed to install the parking lot curb four feet from the existing fence on the adjacent property to the north to preserve all existing trees. The applicant has also agreed to replace any trees situated more than 15 feet from the northeast corner of the property that are removed during to construction in addition to planting tall grass plants between the fence and the curb.

FINDINGS OF FACT

The proposed lot consolidation meets the minimum lot dimension requirements per the Subdivision Ordinance as outlined above. The proposed development will comply with all requirements of the Zoning Ordinance and is also consistent with the Ogden Avenue Master Plan and the Future Land Use Plan to preserve the property for commercial use.

Staff believes the standards for a Special Use, as shown below, have been met. The proposed use will not be detrimental to the health, safety, morals or general welfare. 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 along Ogden Avenue. The proposal will comply with all zoning requirements for the B-3 district. The automobile service facility is listed as a Special Use in the B-3 district.

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 for the automobile service facility and a final plat of subdivision to consolidate the existing lots into one new lot is compatible with surrounding zoning and land use classifications. Based on the findings listed above, staff recommends the Plan Commission make a positive recommendation to the Village Council regarding this petition subject to the following conditions:

1. The 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 this report 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 stormwater ordinance. The proposal shall fully comply with the Best Management Practices for treatment of stormwater 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 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.

Staff Report Approved By:

Tom Dabareiner, AICP
Director of Community Development

TD:dl
-att

P:\P&CD\PROJECTS\PLAN COMMISSION\2010 PC Petition Files\PC-10-10 212 Ogden CAR X\Staff Report PC-10-10.doc

MICHAEL H. EISERMAN
5333 Birchwood Avenue
Skokie, Illinois 60007

August 4, 2010

To: The Village of Downers Grove

Re: 212 Ogden Avenue / 4240 Cammer Road
Downers Grove, Illinois

Dear Village Officials:

This letter will confirm as follows:

1. Title to the above-referenced property is held by Michael H. Eiserman and Judith A. Eiserman, husband and wife, as Joint Tenants.
2. As of August 4, 2010, my wife and I have entered into a Real Estate Sale/Purchase Agreement for the property with West Highland Capital Partners ("Buyer"), which involves a contingency for the Buyer to obtain "governmental approvals" for the construction of an 8-bay automobile service center for ultimate occupancy and use by Car-X.
3. I have seen the proposed plans for the new Car-X facility and am aware of the proposed specifications for the facility.
4. As "owners of record" of the property, my wife and I approve and consent to the Buyer applying for all necessary "governmental approvals" for the construction of a new Car-X facility on the property and hereby confirm our authorization for and consent to such applications.
5. With regard to the environmental status of the property (a former gas station): (a) after the closing of the gas station, the property was used for some period of time as a used car sales lot; (b) subsequently, we caused the removal from the property of the underground gasoline storage tanks, the gasoline pumps and islands and all related pipes which served the former gas station; and (c) we now have filed all applications with the Illinois Environmental Protection Agency (with accompanying Phase II Environmental Reports and a proposal for a "Plan of Action" calling for an engineered barrier above any remaining contaminated soil in the area of the tank holes) and have paid all required application fees which are necessary in order for IL EPA to issue an NFR Letter for the Property.

Very truly yours,



Michael H. Eiserman

Cc: West Highland Capital Partners



defilippis + associates, inc
architecture | design | planning

1000 n. halsted street, suite 205 chicago, il 60642 p. 312.660.0058 f. 312.660.0059

August 10, 2010

Village of Downers Grove
Community Development Department
801 Burlington Ave.,
Downers Grove, IL, 60515

RE: Project Summary/Narrative Letter
Proposed Car-X service center
Ogden Ave & Cumnor
Downers Grove, IL

To: Community Development Staff:

This project entails the construction of a new ground up facility located on the northwest corner of Ogden and Cumnor avenues in the Village of Downers Grove Illinois. Currently on this site there are two existing vacant buildings that will be demolished to accommodate the new facility.

This new facility will be a Car-X auto service facility. This business provides basic auto repairs to the public. The building's dimensions are approximately 120' in length, and about 44' in depth, resulting in a building of approximately 5,000 square feet in floor area.

In general, this facility will serve about 10-15 people/cars per day. The hours of operation will be 7:30 am to 6pm, Monday through Friday, 7:30 am to 3:00 pm on Saturday. The facility is closed on Sundays. All services to the building such as auto parts, trash pickup, and other services will be conducted during normal business hours.

In reviewing the preliminary drawing set, the site plan indicates the location and orientation of the building. The long axis of the building will face east. The parking for the project will be located primarily on the east side of the site. This will allow for the greatest flexibility for site circulation, and will negate the need for pulling cars in and out of the site. The accessible parking is located on the east side of the building to allow disabled customers to easily access the main entrance of the facility.

The building is set 20 feet back from the north property line. This will maintain the required building setback, as well as addressing the Fire Department's request to be able to access the fire department connection located at the building to the west (DGY) In addition, we are creating a 2'-0" wide additional landscaping buffer along the north property line between the site and the neighboring townhouse development.

The bulk of the site's landscaping requirements are met through the incorporation of new planting and landscaping along the east and south property lines. We are also incorporating tree islands along the east property line. As part of the Ogden Avenue improvement plan we are providing sidewalks along Ogden and Cumnor avenues.

The main access onto the property will be via a new curb cut at the northeast corner of the property. Currently there exists an access point onto the site at this location, but it is not a true curb cut. The new curb cut is located at this point on the property to allow customers to enter the site from Cumnor, as well as allowing straight-line access to the rear area of the building for trash pickup, and other entities servicing the building. More importantly, this access point allows easy access by the fire department without any circuitous maneuvering on the site.

Another curb cut (existing) is located on the western part of the property, along Ogden avenue which will remain. All other curb cuts on Ogden or Cumnor will be closed off and abandoned.

The building floor plan is relatively simple. It consists of 8 auto service bays with a customer waiting area, customer service counter, manager's office, employee break room, a public single user accessible restroom, as well as a single user accessible restroom for the employees. The service bay area will also include space for parts storage. Given the type of work being done at this facility, these parts consist mainly of mufflers, suspension parts, exhaust pipes, brake parts, as well as oil filters, and air filters. The building will also house a used oil tank and a new oil tank. These tanks are maintained by an outside service that delivers new oil and removes the waste oil for proper disposal.

Over the restroom, break/manager's office, a small mezzanine will be built to accommodate additional storage for parts inventory. This mezzanine will not be enclosed. It will be accessed via a stair at the west side of the building. Given that the building will be protected by a fire sprinkler system, this sprinkler system will also cover the mezzanine area.

The remaining areas within the building are mostly dedicated to building systems, such as space for electrical panels, incoming gas, water and fire sprinkler mains, service sinks, and other miscellaneous storage areas.

The building elevations are designed to be relatively maintenance free. The main exterior material will be load bearing split faced concrete block with CMU accent bands. The horizontal decorative bands will either project or be recessed from the main building surface to break up the expanse of block and to introduce bit of color and texture to the design of the building.

The roof structure will consist of open web steel bar joists with metal deck. The overhead doors are 10' wide x 12' high. The 2 doors on the north end of the building will be 10' wide x 14' high to allow access and clearances for oversized vehicles. The overhead doors will be segmented glass overhead doors with solid bottom stiles. The storefront system will consist of clear anodized insulated aluminum frames with 1" clear insulating glass.

The signs for the site will be located on the building face on the South and East elevations. There will also be a monument sign located at the corner. All the signs will consist of standard Car-X graphics, colors and materials.

This site, while zoned as B-3 general services and highway businesses, does not currently allow automobile repair as a permitted use. However the zoning ordinance (28.609) does include automobile repair as a special use. An auto repair facility would be allowed once the special use has been granted by the Village. In addition, there currently exists other like uses in the general area along Ogden that have been granted special use by the Village such as Car dealers, tire shops, car washes, and other types of minor auto repair and car care centers.

It is our opinion that this facility will provide a service which is in the interest of public convenience and will contribute to the general welfare of the community. This use will not be detrimental to the health, safety, morals, or general welfare of persons living or working in the vicinity of the proposed project, nor will the construction of this project be a detriment to the property values or improvements in the vicinity.

In closing, the design of the building, along with the site layout, landscaping design, and preliminary engineering plans were created based upon our review of the village codes and ordinances, and to the best of our knowledge, this proposed design conforms to the Village's building and zoning ordinances, and will comply with any variance granted as a result of this process. We will be sure to include any input from the Community development staff in the final design prior to permit submittal.

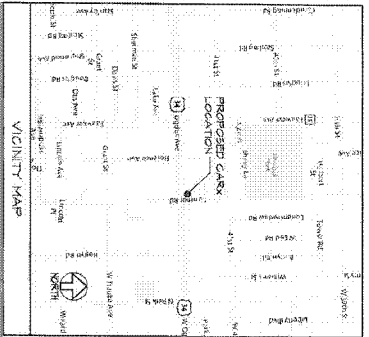
Thank you for the opportunity to present this project, and we look forward to your input.

Respectfully submitted

A handwritten signature in black ink, reading "Joseph A. Defilippis". The signature is fluid and cursive, with the first name "Joseph" and last name "Defilippis" clearly legible.

defilippis + associates, inc
Joseph A. Defilippis
President

Project No.
07273
Group No.
V01.1
SHEET NO.



CARX[®]

AUTOSERVICE

DRAWING INDEX

| | |
|--------|---------------------------------------|
| CS-1 | COVER SHEET & SITE RENDERING |
| SP-1 | SITE PLAN |
| SK-1 | FLOOR PLAN |
| EL-1 | BUILDING ELEVATIONS & SIGN ELEVATIONS |
| PHO-1 | SITE PHOTOGRAPHIC PLAN |
| LD-1 | LANDSCAPE PLAN |
| CE-1 | PRELIMINARY ENGINEERING PLAN |
| AL-1 | ALTIMETER LAND TITLE SURVEY |
| OF 2 | FINAL PLAN OF SUBDIVISION |
| 2 OF 2 | FINAL PLAN OF SUBDIVISION |

CONTACTS

ARCHITECT:
 TIGHEBURN + ASSOCIATES INC.
 1000 N. LAKEVIEW STREET
 CHICAGO, ILLINOIS 60611
 CONTACT: JESSICA A. TIGHEBURN
 PHONE: 312.460.0000

ENGINEERING FIRM:
 WEST HAVENLAND CONSULTING
 PARKERS LANE
 CHICAGO, ILLINOIS 60611
 CONTACT: VINCE PIERCE
 PHONE: 800.868.8820



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© 2010 CARX AUTOSERVICE, LLC
 All Rights Reserved
 11/10/10



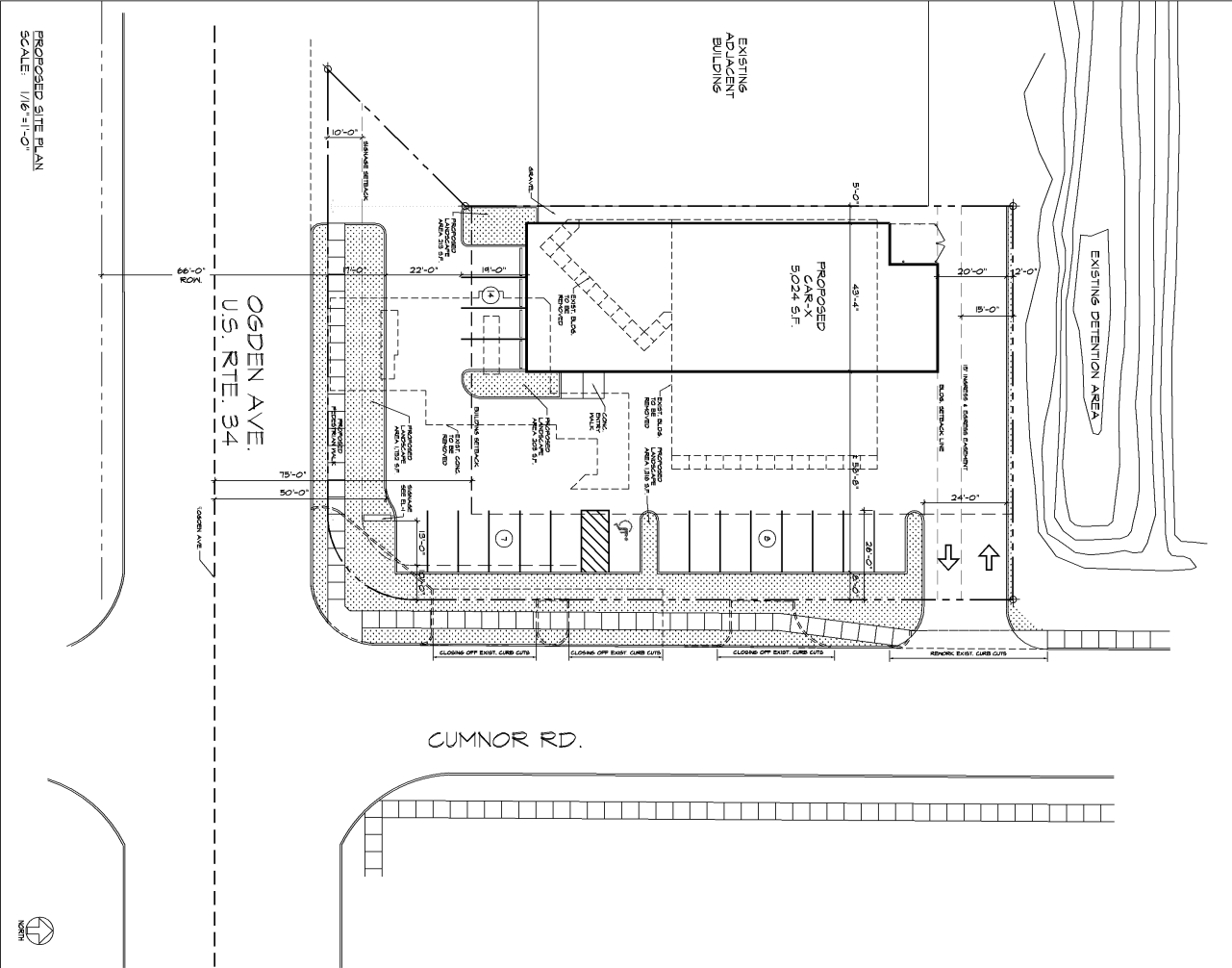
PROPOSED CARX AUTO SERVICE FACILITY
 212 OGDEN AVE, DOWNERS GROVE, ILLINOIS

CAR X
 212 OGDEN AVENUE
 DOWNERS GROVE, ILLINOIS

COVER SHEET

DATE: 11/10/10
 DRAWN BY: JMD
 CHECKED BY: JMD
 SHEET NO.: CS-1

| REV | DATE | DESCRIPTION | BY |
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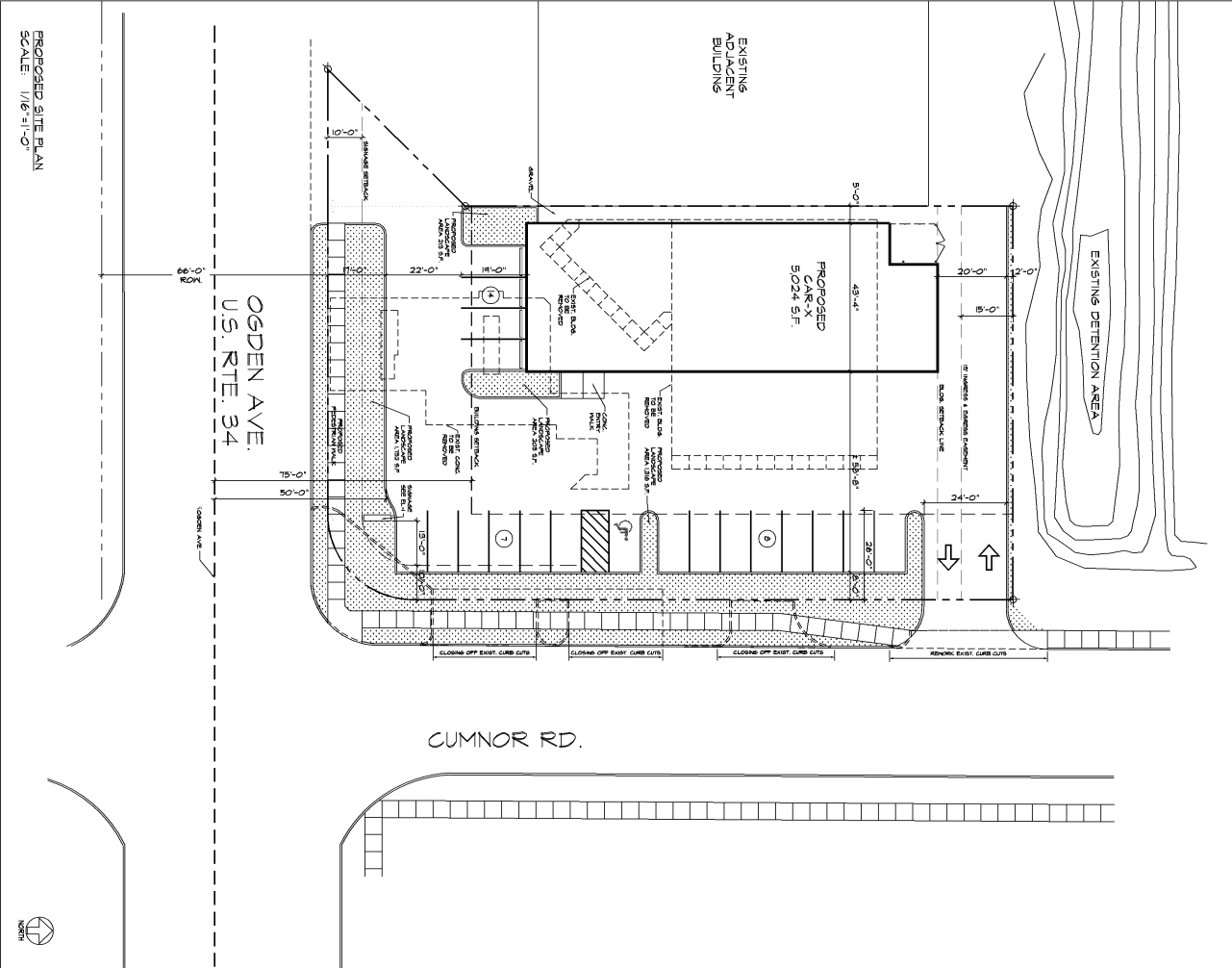


PROPOSED SITE PLAN
SCALE: 1/8"=1'-0"



SITE DATA

| | |
|--|-------------|
| ZONING | |
| B3 - GENERAL SERVICES & HIGHWAY BUSINESS | |
| LOT AREA | 23,666 S.F. |
| TOTAL LOT AREA: | 23,666 S.F. |
| BUILDING AREA | 5,034 S.F. |
| BUILDING AREA RATIO (75 MAX) | 17.751 S.F. |
| ALLOWABLE BUILDING AREA: | 5,032 S.F. |
| PROPOSED BUILDING AREA: | 5,034 S.F. |
| PARKING | |
| PARKING STALLS REQ'D: | 24 STALLS |
| PARKING STALLS PROP. | 21 STALLS |
| LANDSCAPE AREA | |
| LANDSCAPING - 10% OF LOT AREA | |
| LANDSCAPE AREA REQ'D: | 2,367 S.F. |
| LANDSCAPE AREA PROP. | 3,485 S.F. |
| 50% OF LANDSCAPING | |
| REQ'D @ FRONT (MEET OR EXCEED: 1,743 S.F.) | |
| PROPOSED LANDSCAPING | |
| EXCEEDS 50% @ FRONT YARD: | 2,148 S.F. |



PROPOSED SITE PLAN
SCALE: 1/8"=1'-0"



SITE DATA

| | |
|---|-------------|
| ZONING | |
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| PROPOSED LANDSCAPING | |
| EXCEEDS 50% @ FRONT YARD: | 2,148 S.F. |



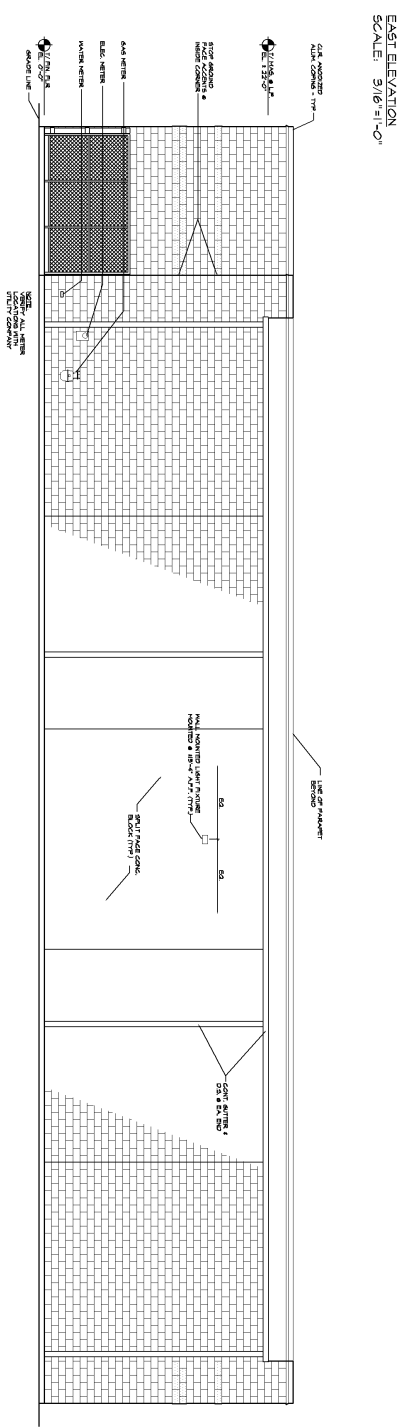
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| REV | DATE | DESCRIPTION | BY |

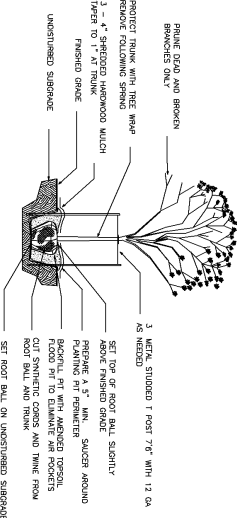
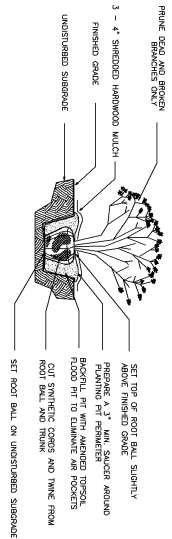
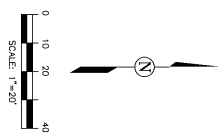
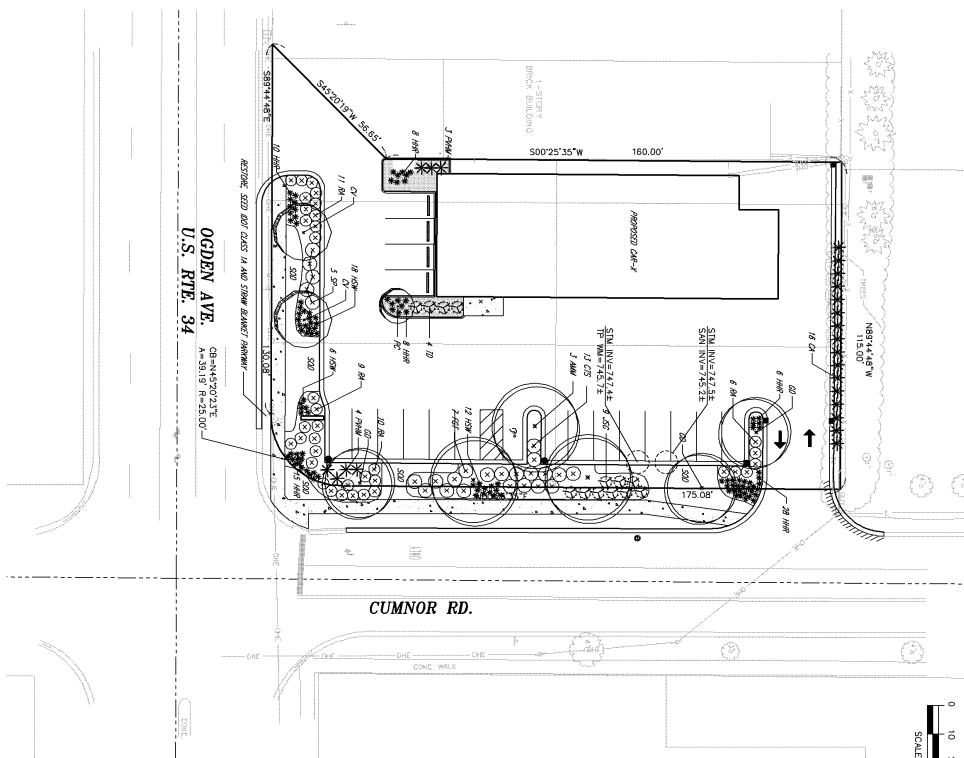
CAR X

212 OGDEN AVENUE
DOWNERS GROVE, ILLINOIS

PROPOSED ELEVATIONS

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| TDK | JAD |
| PROJECT NUMBER 10-037 | |
| DATE ISSUED AUGUST 10, 2010 | |



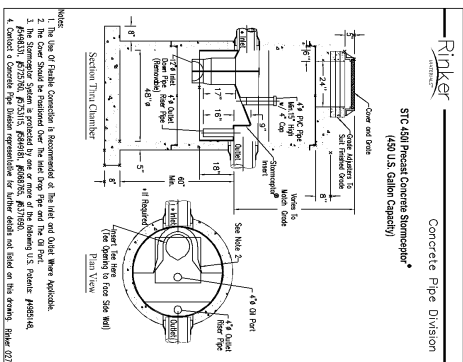
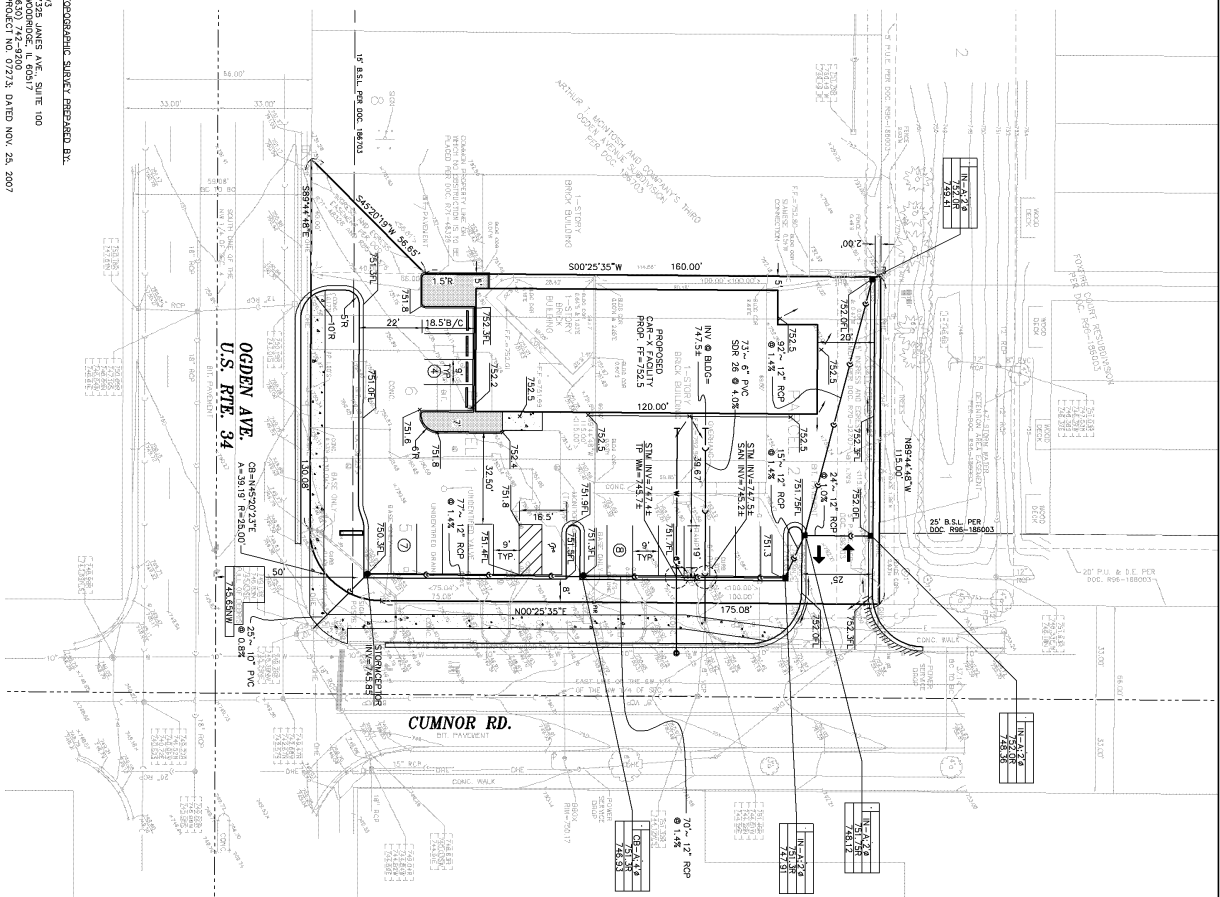


PLANT LIST

| KEY | NAME | BOTANICAL COMMON | SIZE | QUANTITY |
|-----|---|------------------|-------|----------|
| AMM | ACORN HAZEL, WORMY SUCK STREET, HUNG HUNG | | 25" | 3 |
| GO | CHINACLOUS BRIDGES | | 5" | 3 |
| CV | CHINACLOUS BRIDGES, WINTER HUNT WINTER HUNT HARRISON | | 25" | 2 |
| PC | CHINACLOUS, CLEVELAND SELECT | | 3" | 1 |
| OTS | CHINACLOUS, SEVERAL TEXAS SCARLET BLACK CORNERS | | 30" | 13 |
| FET | FORESTHILL, A. BOUL, DIRT GOUL DIRT FORESTHILL | | 3" | 7 |
| RA | BRUS, MICHIGAN, "DRO-LONG" | | 24" | 35 |
| GP | SPIRAL, HILL, "WIS, AM" | | 30" | 5 |
| SO | JANACLOUS, CHINACLOUS, "SA, GOUL" | | 24" | 9 |
| TO | TOWNS, A. MICH, "TESTING" | | 30" | 4 |
| HAR | HARACLOUS, "HARRY, HUNTS" | | 1 OUL | 75 |
| PSM | PSM, "HUNTS, "HUNTS, HUNTS" | | 1 OUL | 35 |
| DA | CHINACLOUS, SEVERAL | | 3 OUL | 15 |
| PHN | PHN, "HUNTS, "HUNTS, HUNTS" | | 3 OUL | 7 |

GENERAL NOTES

- ALL PLANT MATERIAL SHALL BE NORTHERN U.S. NATIVE GROWN TO PLANT MATURITY AND SOIL SUITABILITY. ALL MATERIAL SHALL BE BULKED AND SHIPED PER AMERICAN STANDARD FOR NURSERY STOCK BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC.
- PERENNIAL AND ORNAMENT COVER SHALL BE CONTAINER GROWN.
- ALL BEDS SHALL RECEIVE 3"-4" OF FINELY SHREDED HARDWOOD MULCH GROWN OVER BEDS SHALL BE TREATED WITH TRIFLURALIN HERBICIDE PREVENTER. ALL OTHER BEDS SHALL RECEIVE ONE (1) INCH OF SHALLOW BEDS OF FINELY SHREDED HARDWOOD MULCH. ALL LANDSCAPE STOLLS SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR.
- OWNER SHALL PROVIDE SUFFICIENT WATER PER THE CONTRACTOR TO MAINTAIN THE PLANT MATERIAL, SEED AND SOIL AREAS. CONTRACTOR SHALL WATER SOIL UNTIL THE TURF HAS BECOME ADEQUATELY ESTABLISHED. CONTRACTOR SHALL MAINTAIN ALL MATERIAL AND LABOR FOR A PERIOD OF 12 MONTHS AFTER COMPLETION OF THE PROJECT. CONTRACTOR SHALL OWNER TO PROVIDE ALL SUPPLEMENTAL, WRITING AND PROPER CARE AND MAINTENANCE OF ALL MATERIAL AFTER CONTRACTOR'S INITIAL CARE
- QUANTITY LISTS ARE SUPPLIED AS A CONVENIENCE. THE CONTRACTOR SHALL VERIFY ALL QUANTITIES ON-SITE. THE CONTRACTOR SHALL VERIFY LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO DIGGING.
- PLANTING BEDS SHALL BE ELEVATED SUFFICIENTLY TO INSURE PROPER DRAINAGE. ALL ROOT BALLS OF TREES SHALL BE SLIGHTLY ABOVE FINISHED GRADE. ALL GRADING SHALL PROVIDE SLOPES WHICH ARE SMOOTH, CONTINUOUS AND HAVE POSITIVE DRAINAGE IN ALL AREAS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING TEMPORARY EROSION CONTROL FOR SOIL AREAS DUE TO SLOPE CORRECTIONS. CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL, STRUCTURES, FENCES, DITCH CHECKS AND ERIE PROTECTORS UNTIL ADEQUATE VEGETATION HAS BEEN ESTABLISHED.
- EXCAVATED MATERIALS IN EXCESS OF THOSE NOT REQUIRED OR UNDESIRABLE MATERIALS SHALL BE REMOVED FROM THE SITE. THE CONTRACTOR SHALL REMOVE ALL DEBRIS DAILY AND MAINTAIN THE SITE IN A NEAT AND SAFE CONDITION.
- SOIL TESTS SHALL BE MADE TO DETERMINE THE EXACT REQUIREMENTS FOR FERTILIZATION. FERTILIZATION SHALL BE BASED ON THE ANALYSIS REPORTED BY A GOVERNMENT LABORATORY OR RECOGNIZED COMMERCIAL LABORATORY. FERTILIZATION COSTS AND APPLICATION OF FERTILIZERS OBSERVATIONS RECOMMENDATIONS.
- LANDSCAPE CONTRACTOR SHALL PROVIDE THE OWNER WITH AN EQUIPMENT AND LABOR RATE SCHEDULE. THIS LIST SHALL INCLUDE COST OF GROSS, NET AND LANDSCAPE DEBRIS/SOIL REMOVAL, WITH SQUARE FOOT COSTS FOR TURF RESTORATION AND SEED CONCERN. THE CONTRACTOR SHALL FURNISH ALL MATERIALS AND LABOR FOR THE PROJECT AND ALL OF THE IN AGREED RATES TO INSURE TO EXISTING CONDITIONS.
- LANDSCAPE CONTRACTOR SHALL FOLLOW ALL LOCAL AND MUNICIPAL CODES AND ORDINANCES. THE CONTRACTOR SHALL RECORD FINDINGS AS NECESSARY TO COMPLETE THE SCOPE OF THE JOB.
1. ORNA FERNAN, ILLINOIS REGISTERED LANDSCAPE ARCHITECT, HEREBY CERTIFY THE THE PLAN SHOWN HEREON IS A CORRECT REPRESENTATION OF LANDSCAPE ARCHITECTS TO THE WORD PROVIDED.
- ORNA FERNAN
REGISTERED LANDSCAPE ARCHITECT
WEST CHICAGO, IL



| NO. | DATE | DESCRIPTION | NO. | DATE | DESCRIPTION |
|-----|----------|----------------------|-----|------|-------------|
| A. | 09/27/10 | REV. 100.000.000.000 | | | |

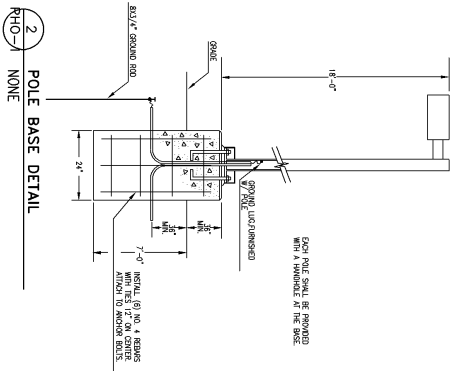
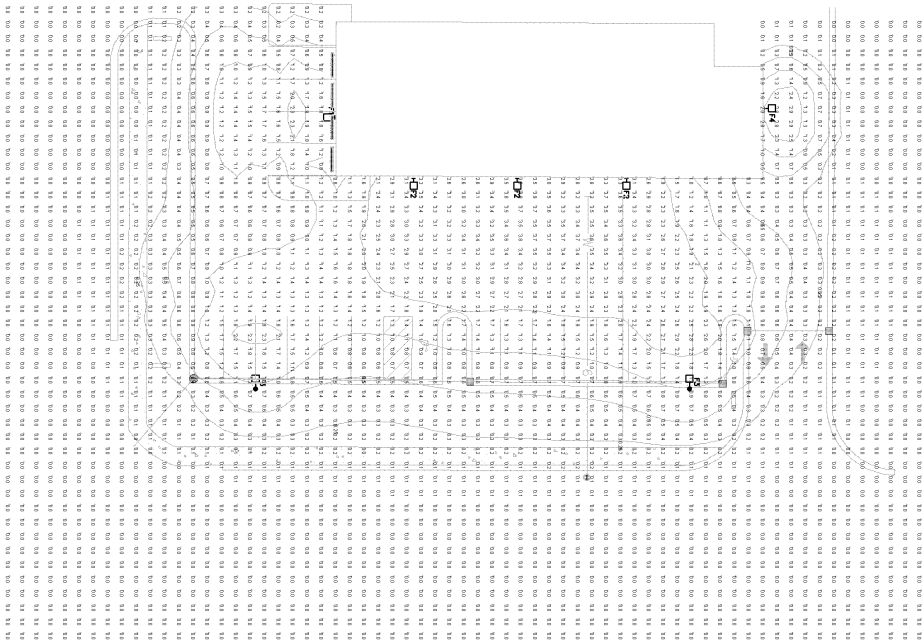
CAR - X - AI OGDEN AVE. & CUMMINS RD., DOWMERS GROVE, IL
 PRELIMINARY ENGINEERING PLAN
 DWN/DOD BY: PMS/CAH
 FILE: 100.000.000.000
 TUL & JTC: BR/ONGERS
 SHEET NO. 1

[illegible]

| Statistics | | | | | |
|-------------|--------|------|------|------|---------|
| Direction | Symbol | Ang | Max | Min | Max/Min |
| Overall | + | 0.61 | 3.96 | 0.06 | N/A |
| Parking Lot | X | 1.96 | 3.96 | 0.06 | 3.61 |

| Symbol | Label | Qty | Calling Number | Description | Lamp | Fits | Lumen | LF | Watts |
|--------|-------|--------|----------------|---------------------------------------|---------------------|------------|-------|------|-------|
| F1 | 1 | LUMINA | KO 1000 MH | ONE CAST SHEETBOX | ONE 100WATT CLEAR-E | 9111601 ES | 8000 | 9.72 | 140 |
| F2 | 3 | LUMINA | KO 2500 MH | AREA LIGHT WITH HIGH PERFORMANCE BRAC | ONE 250WATT CLEAR-E | BRH6-M4 | 20000 | 0.72 | 297 |
| F3 | 2 | LUMINA | KO 1000 MH | ONE CAST CLIP | ONE 100WATT CLEAR-E | 9111602 ES | 8000 | 9.72 | 140 |
| F4 | 1 | LUMINA | KO 1000 MH | ARCHITECTURAL SCENE WITH BEAM | ONE 100WATT CLEAR-E | 9111603 ES | 8000 | 9.72 | 140 |

| Symbol | Label | Qty | Calling Number | Description | Lamp | Fits | Lumen | LF | Watts |
|--------|-------|--------|----------------|---------------------------------------|---------------------|------------|-------|------|-------|
| F1 | 1 | LUMINA | KO 1000 MH | ONE CAST SHEETBOX | ONE 100WATT CLEAR-E | 9111601 ES | 8000 | 9.72 | 140 |
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| F4 | 1 | LUMINA | KO 1000 MH | ARCHITECTURAL SCENE WITH BEAM | ONE 100WATT CLEAR-E | 9111603 ES | 8000 | 9.72 | 140 |



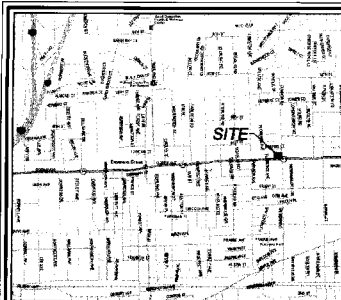
1 SITE PHOTOMETRIC PLAN
RHO-1 1/16\"/>



| REV | DATE | DESCRIPTION | BY |
|-----|---------|-------------------|----|
| 1 | 4-15-10 | ISSUED FOR PERMIT | CL |

CAR X
212 OGDEN AVENUE
DONNERS GROVE, ILLINOIS
SITE PHOTOMETRIC PLAN
DRAWN BY: [Signature]
CHECKED BY: [Signature]
DATE: 4-15-10
SCALE: 1/16\"/>

RHO-1



VICINITY MAP
NOT TO SCALE

FINAL PLAT OF SUBDIVISION OF 212 OGDEN AVENUE DOWNERS GROVE, ILLINOIS

TAX PARCEL NUMBERS (PIN)

09-04-111-024
09-04-111-025

THIS PLAT HAS BEEN SUBMITTED FOR
RECORDING BY AND RETURN TO:
NAME: **DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**
ADDRESS: VILLAGE OF DOWNERS GROVE
801 BURLINGTON AVENUE
DOWNERS GROVE, IL 60515

PARCEL 1:

THAT PART OF LOTS 5, 6, 7 AND 8 IN BLOCK 1 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF LOT 5, AFORESAID, 100.0 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE WEST PARALLEL WITH THE NORTH LINES OF LOTS 5, 6, 7 AND 8, AFORESAID, 115.0 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF LOT 5, AFORESAID, 50.0 FEET TO A POINT 40.0 FEET NORTH OF THE SOUTH LINE OF LOT 7, AFORESAID; THENCE SOUTHWESTERLY 56.81 FEET TO A POINT IN THE SOUTH LINE OF LOT 8, AFORESAID, 155.0 FEET WEST OF THE EAST LINE OF LOT 5, AFORESAID; EXTENDED SOUTH; THENCE EAST ALONG THE SOUTH LINE OF LOTS 8, 7, 6 AND 5, AFORESAID, 100.0 FEET TO A POINT OF CURVE IN THE SOUTHERLY LINE OF LOT 5, AFORESAID; THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID LINE OF LOT 5, AFORESAID, 38.23 FEET TO A POINT OF TANGENCY IN THE EAST LINE OF LOT 5, AFORESAID; THENCE NORTH ALONG THE EAST LINE OF LOT 5, AFORESAID, 75.04 FEET TO THE POINT OF BEGINNING. ALL IN ARTHUR T. MCINTOSH AND COMPANY'S THIRD OGDEN AVENUE SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 11 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 31, 1924 AS DOCUMENT 186703 IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOTS 5, 6, 7 AND 8 IN BLOCK 1 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF LOT 5, AFORESAID, 100 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE WEST PARALLEL WITH THE NORTH LINES OF LOTS 5, 6 AND 7, A DISTANCE OF 115 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF LOT 5, AFORESAID, 100 FEET TO THE NORTH LINE OF LOT 7, AFORESAID; THENCE EAST ALONG THE NORTH LINE OF LOTS 7, 6 AND 5, AFORESAID, 115.0 FEET TO THE NORTHEAST CORNER OF LOT 5, AFORESAID; THENCE SOUTH ALONG THE EAST LINE OF LOT 5, AFORESAID, 100 FEET TO THE PLACE OF BEGINNING. ALL IN ARTHUR T. MCINTOSH AND COMPANY'S THIRD OGDEN AVENUE SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 11 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 31, 1924 AS DOCUMENT 186703 IN DUPAGE COUNTY, ILLINOIS.

AREA

23,667 SQ. FT.
0.5433 ACRES

LEGEND

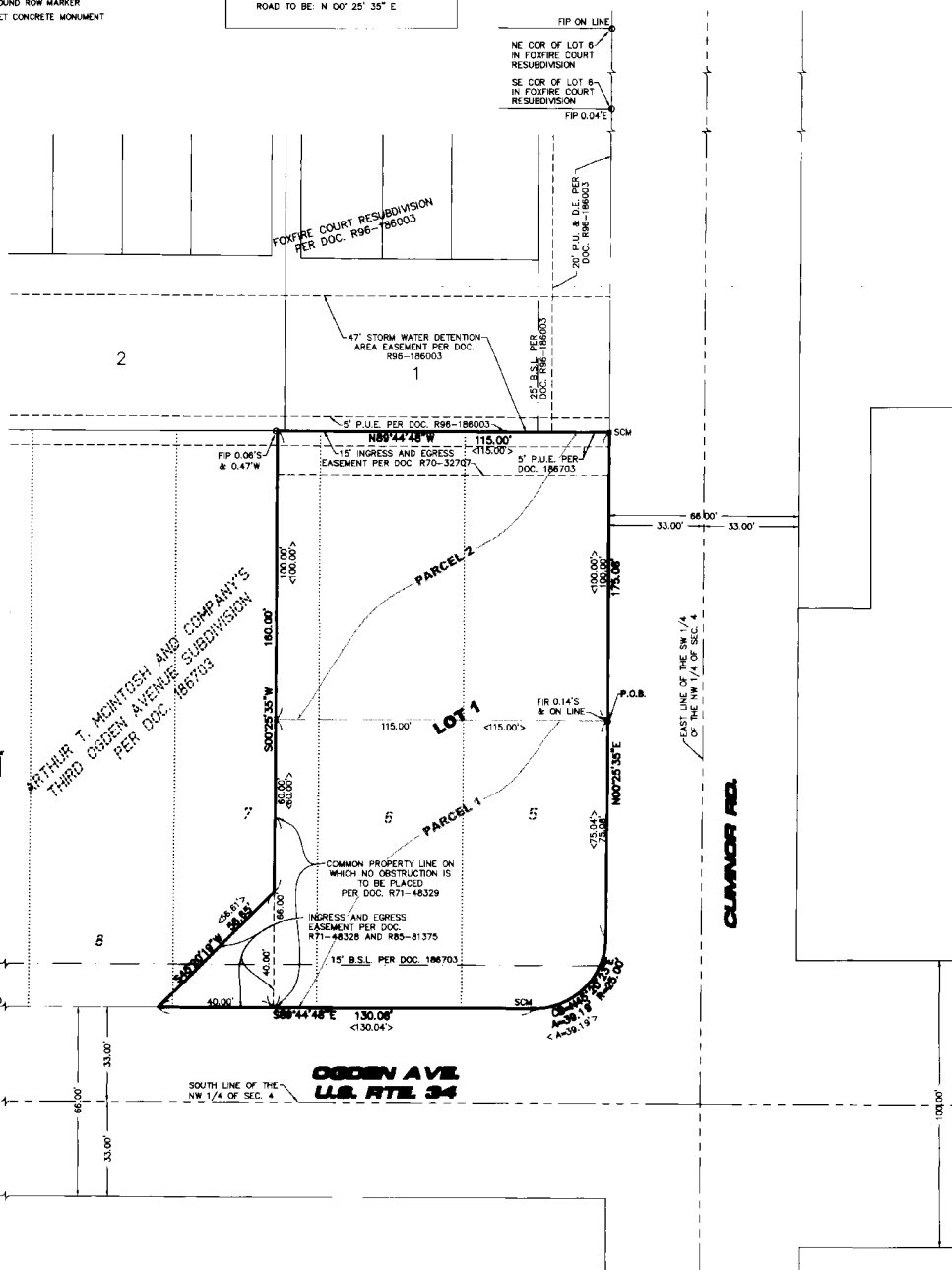
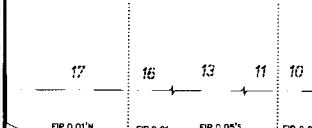
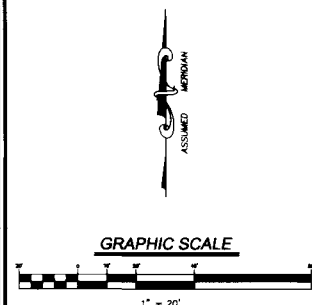
- SECTION CORNER & CENTER OF SECTION
- PROPERTY LINE
- EXISTING RIGHT-OF-WAY LINE
- PROPOSED RIGHT-OF-WAY LINE
- LOT LINE
- CENTERLINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- BUILDING SETBACK LINE
- SECTION LINE
- FOUND IRON ROD
- FOUND RAILROAD SPIKE
- FOUND IRON PIPE
- FOUND IRON BAR
- FOUND BRASS MONUMENT
- FOUND CUT CROSS
- FOUND DISK IN CONCRETE
- FOUND ROW MARKER
- SET CONCRETE MONUMENT

BASIS OF BEARINGS

ASSUMED THE WEST LINE OF CUMMOR ROAD TO BE: N 00° 25' 35" E

ABBREVIATIONS

- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENCY
- U.E. UTILITY EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- P.U.&D.E. PUBLIC UTILITY & DRAINAGE EASEMENT
- E.T.B.E. (EXCEPTION TO BLANKET EASEMENT)
- P.S. PUBLIC SIDEWALKS
- S.D. SIGHT DISTANCE
- T.C.D. TRAFFIC CONTROL DEVICES EASEMENT
- P.S. (500.00') RECORD DATUM
- [500.00'] MEASURED DATUM BETWEEN MONUMENTS
- [500.00'] CALCULATED DATUM
- [500.00'] INFORMATION TAKEN FROM DEED
- E.T.B.E. EXCEPTION TO BLANKET EASEMENT
- N. NORTH
- S. SOUTH
- E. EAST
- W. WEST
- P.O.B. PLACE OF BEGINNING
- R.O.W. RIGHT OF WAY



SURVEYOR

V3 COMPANIES, LTD.
7325 JAMES AVENUE, SUITE 100
WOODRIDGE, ILLINOIS 60517
630.724.9200

PARCEL ADDRESS

212 OGDEN AVENUE
DOWNERS GROVE, IL 60515

FINAL PLAT OF SUBDIVISION
OF
212 OGDEN AVENUE
DOWNERS GROVE, ILLINOIS

TAX PARCEL NUMBERS (PIN)

09-04-111-024
09-04-111-025

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF) SS

THIS IS TO CERTIFY THAT _____ IS THE OWNER OF THE PROPERTY DESCRIBED ABOVE AND AS SUCH OWNER, HAS CAUSED THE SAME TO BE PLATTED AS SHOWN HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH AND AS ALLOWED AND PROVIDED BY STATUTES, AND SAID OWNER, DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE AFORESAID.

DATED AT _____ CITY, ILLINOIS, THIS _____ DAY OF _____ A.D., 20____

BY: _____

ITS: _____

BY: _____

ITS: _____

NOTARY'S CERTIFICATE

STATE OF _____)
COUNTY OF _____) SS

I, _____, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT _____ OWNER, WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH _____ AND _____ RESPECTFULLY APPEARED BEFORE ME THIS DAY IN PERSON AND JOINTLY AND SEVERALLY ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID OWNER FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

THIS _____ DAY OF _____ A.D., 20____

NOTARY PUBLIC SIGNATURE

PRINT NAME

MY COMMISSION EXPIRES ON _____ MONTH _____ DATE _____ 20____

MORTGAGE CERTIFICATE

STATE OF _____)
COUNTY OF _____) SS

THE UNDERSIGNED, AS MORTGAGOR, UNDER THE PROVISIONS OF A CERTAIN MORTGAGE DATED _____ A.D., 20____ AND RECORDED IN THE RECORDER'S OFFICE OF _____ COUNTY, ILLINOIS ON THE _____ DAY OF _____ A.D., 20____ AS DOCUMENT NO. _____ HEREBY CONSENTS TO AND APPROVES THE SUBDIVISION OF THE LAND INTO LOTS AND THE GRANTING OF THE EASEMENT(S) DEPICTED HEREON.

DATED THIS _____ DAY OF _____ A.D., 20____

BY: _____ ATTEST: _____

ITS: _____ ITS: _____

NOTARY'S CERTIFICATE

STATE OF _____)
COUNTY OF _____) SS

THE UNDERSIGNED A NOTARY PUBLIC IN THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT

(NAME) _____ (TITLE) _____

OF _____ AND (NAME) _____

(TITLE) _____ OF _____ WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH

(TITLE) _____ AND (TITLE) _____ RESPECTFULLY APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT

OF SAID PURPOSES THEREIN SET FORTH. AS MORTGAGOR, FOR THE USES AND

GIVEN UNDER MY HAND AND NOTARIAL SEAL

THIS _____ DAY OF _____ A.D., 20____

NOTARY PUBLIC

SCHOOL DISTRICT BOUNDARY STATEMENT

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS/HER OATH DEPOSES AND STATES AS FOLLOWS:

1. THAT _____ IS THE OWNER OF THE PROPERTY LEGALLY DESCRIBED ON THIS PLAT OF SUBDIVISION, WHICH HAS BEEN SUBMITTED TO THE VILLAGE OF DOWNERS GROVE FOR APPROVAL, WHICH LEGAL DESCRIPTION IS INCORPORATED HEREIN BY REFERENCE, AND

2. TO THE BEST OF THE KNOWLEDGE OF THE UNDERSIGNED, THE SCHOOL DISTRICT IN WHICH TRACT, PARCEL, LOT OR BLOCK OF THE PROPOSED SUBDIVISION LIES IS:

COMMUNITY HIGH SCHOOL DISTRICT #9
DOWNERS GROVE GRADE SCHOOL DISTRICT #8

BY: _____ ATTEST: _____

ITS: _____ ITS: _____

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____ A.D., 20____

NOTARY PUBLIC

VILLAGE COLLECTOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

I, _____ COLLECTOR FOR THE VILLAGE OF DOWNERS GROVE, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THIS PLAT.

DATED AT DOWNERS GROVE, ILLINOIS, THIS _____ DAY OF _____ A.D., 20____

VILLAGE COLLECTOR

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

APPROVED THIS _____ DAY OF _____ A.D., 20____ BY THE COUNCIL OF THE VILLAGE OF DOWNERS GROVE:

BY: _____ MAYOR ATTEST: _____ CITY CLERK

DU PAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

THIS INSTRUMENT _____ WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS,

ON THE _____ DAY OF _____ A.D., 20____

AT _____ O'CLOCK _____ M., AND WAS RECORDED IN

BOOK _____ OF PLATS ON PAGE _____

RECORDER OF DEEDS

DU PAGE COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

I, _____ COUNTY CLERK OF DU PAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT.

GIVEN UNDER MY HAND AND SEAL AT WHEATON, DU PAGE COUNTY, ILLINOIS, THIS _____ DAY OF _____ A.D., 20____

COUNTY CLERK

SURVEYORS AUTHORIZATION CERTIFICATE

I, THOMAS F. JEDLIKA, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-002737, DO HEREBY AUTHORIZE THE VILLAGE OF DOWNERS GROVE OR THEIR AGENT TO FILE WITH THE DU PAGE COUNTY RECORDER'S OFFICE THE PLAT OF SUBDIVISION KNOWN AS 212 OGDEN AVENUE BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN DU PAGE COUNTY, ILLINOIS.

THOMAS F. JEDLIKA
THOMAS F. JEDLIKA, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3033
MY LICENSE EXPIRES ON NOVEMBER 30, 2010
V3 COMPANIES, LTD. PROFESSIONAL DESIGN FIRM NO. 184000902
THIS DESIGN FIRM NUMBER EXPIRES APRIL 30, 2011.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

THIS IS TO CERTIFY THAT I, THOMAS F. JEDLIKA, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3033, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

PARCEL 1:

THAT PART OF LOTS 5, 6, 7 AND 8 IN BLOCK 1 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE EAST LINE OF LOT 5, AFORESAID, 100.0 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE WEST PARALLEL WITH THE NORTH LINES OF LOTS 5, 6, 7 AND 8, AFORESAID, 115.0 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF LOT 5, AFORESAID, 80.0 FEET TO A POINT 40.0 FEET NORTH OF THE SOUTH LINE OF LOT 7, AFORESAID, THENCE SOUTHWESTERLY 56.61 FEET TO A POINT IN THE SOUTH LINE OF LOT 8, AFORESAID, 155.0 FEET WEST OF THE EAST LINE OF LOT 5, AFORESAID, EXTENDED SOUTH; THENCE EAST ALONG THE SOUTH LINE OF LOTS 8, 7, 6 AND 5, AFORESAID, 130.04 FEET TO A POINT OF CURVE IN THE SOUTHERLY LINE OF LOT 5, AFORESAID, THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID LINE OF LOT 5, 39.23 FEET TO A POINT OF TANGENCY IN THE EAST LINE OF LOT 5, AFORESAID; THENCE NORTH ALONG THE EAST LINE OF LOT 5, AFORESAID, 75.04 FEET TO THE POINT OF BEGINNING, ALL IN ARTHUR T. MONTOSH AND COMPANY'S THIRD OGDEN AVENUE SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 31, 1924 AS DOCUMENT 186703 IN DU PAGE COUNTY, ILLINOIS.

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I FURTHER CERTIFY THAT THIS LAND IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF DOWNERS GROVE WHICH HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 85 ILCS 5/11-12-8 AS HERETOFORE AND HEREAFTER AMENDED.

I FURTHER CERTIFY THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. IRON PIPES WILL BE SET AT ALL LOT CORNERS, EXCEPT WHERE CONCRETE MONUMENTS ARE INDICATED.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS SURVEYING STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 26TH DAY OF August, A.D., 2010

THOMAS F. JEDLIKA
THOMAS F. JEDLIKA, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3033
MY LICENSE EXPIRES ON NOVEMBER 30, 2010
V3 COMPANIES, LTD. PROFESSIONAL DESIGN FIRM NO. 184000902
THIS DESIGN FIRM NUMBER EXPIRES APRIL 30, 2011.



Engineers
Scientists
Surveyors

1735 James Avenue, Suite 100
Woodridge, IL 60077
800.724.0000 ext. 100
800.724.0084 fax
2000.0007

PREPARED FOR:
ROAKE & ASSOCIATES, INC.
1887 HIGH GROVE LANE
NAPERVILLE, ILLINOIS 60540
630-355-3232

| NO. | | DATE | REVISIONS |
|-----|----------|------------------------------------|-------------|
| 1 | 08-24-10 | PER 08-23-10 VILLAGE REVIEW LETTER | DESCRIPTION |
| | | | |
| | | | |
| | | | |
| | | | |

| FINAL PLAT OF SUBDIVISION | | Project No. |
|--|--|------------------|
| 212 OGDEN AVENUE - DOWNERS GROVE, IL | | 07273.R |
| DRAFTING COMPLETED: 08-02-10 DRAWN BY: PROJECT MANAGER: CDB | | Group No. VP04.1 |
| FIELD WORK COMPLETED: 11/28/07 (CHECKED BY: TV) SCALE: 1" = 1/4" | | SHEET No. 2 of 2 |

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. MATEJCZYK 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 run-off. 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**

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 THE 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)