

APPROVED 12/6/10

VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING  
PUBLIC HEARING

NOVEMBER 1, 2010, 7:00 P.M.

Vice Chairman Webster called the November 1, 2010 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

**PRESENT:** Mr. Beggs, Mr. Matejczyk, Mrs. Rabatah, Mr. Waechtler, Mr. Webster

**ABSENT:** Chairman Jirik, Mr. Cozzo, Mrs. Hamernik, Mr. Quirk

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

**VISITORS:** Mr. Michael McClement, 6092 Chase, Downers Grove; Mr. Joshua Robbins, Duke Realty Corp., 6133 N. River Road, Rosemont, IL; Ms. Marge Earl, 4720 Florence Ave., Downers Grove; Mr. Pete Boroumand, 1906 Concord Drive, Downers Grove

Vice Chairman Webster led the Plan Commissioners in the recital of the Pledge of Allegiance. An explanation of the meeting's protocol followed.

**OCTOBER 4, 2010 MEETING MINUTES - MR. MATEJCZYK MADE A MOTION TO APPROVE THE MINUTES AS PREPARED, SECONDED BY MRS. RABATAH. MOTION CARRIED BY VOICE VOTE OF 5-0.**

Vice Chairman Webster swore in those individuals who would be speaking on File PC-14-10.

**PC-14-10** A petition seeking a Special Use permit a private for-profit educational institution in the ORM zoning district for the property located on the east side of Opus Place, approximately 275 east of the intersection of Opus Place and Finley Road, commonly known as 1431 Opus Place, Downers Grove, Illinois (PIN #06-31-200-038); Joshua I. Robbins, Duke Realty, Petitioner; Duke Realty Limited Partnership, Owner.

Mr. Stan Popovich, Planner for the Village of Downers Grove, discussed that the petitioner is requesting a Special Use to permit a for-profit university to locate its offices, classrooms and staff offices to 1431 Opus Place, which is located in the Office, Research and Manufacturing (ORM) zoning district. The property sits east of the Opus Place and Finley Road intersection. The use is an allowable special use under the ORM zoning district.

The petitioner plans to lease approximately 21,000 square feet of the third floor to Strayer University (the "University"), a private university that provides on-site and on-line learning. While the entire building is approximately 203,000 square feet in size, only 10% will be leased to the University. While floor plans have not been finalized, the University is anticipating about ten to eleven classrooms with additional offices for staff and administrative personnel.

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About 60% of the University's students are on-line students and would not use the facility; therefore, the University expects the on-site population to be between 80 and 100 students within the first 12- to 24-months of operation with 200 students at maturity. Approximately 15 staff will be on-site. It is expected that the existing tenants, primarily offices, will be using the parking garage during normal business hours, while the on-site students will be arriving for classes after 5:30 p.m. As a result, the 700 parking spaces located in a garage to the east of the main building will be sufficient for all building tenants.

Staff believes the proposal is consistent with the Future Land Use Plan since the Plan designates the site as Office, Research and Manufacturing and the proposal is consistent with the Village's Zoning Ordinance. No neighborhood comments have been received. The Village's Fire Prevention division reviewed the proposal and had no concerns.

Lastly, staff believes the Standards for Special Use have been met and believes the University is a desirable use and will contribute to the general welfare of the community and not be detrimental to the health, safety, morals, general welfare or property values of the community. The proposal complies with the regulations of the ORM zoning district. Staff recommends forwarding a positive recommendation to the Village Council.

Questions/concerns followed as to future expansion of the University, the types of classes being offered, whether laboratories will be created or not, and what the occupancy rate was in the current parking garage since the parking was to be shared. Staff was not sure of the exact occupancy rate but envisioned that the office staff would be leaving at about the same time the students were arriving and believed the parking was acceptable due to the overall square footage of the building and the number of parking spaces provided. If the University decided to create any labs, staff stated the petitioner would have to return to the Village and apply for a building permit to create laboratories.

Petitioner, Mr. Josh Robbins, Senior Leasing Representative with Duke Realty Corporation, stated he is responsible for leasing the three buildings on the site. As for the parking, he and staff were comfortable because not all classes would start at 5:30 p.m. The parking is exclusive to the building currently with approximately 80% occupancy. He also explained how vehicles could exit the site. No future labs were planned. Mr. Robbins confirmed if there were, the petitioner would not only have to return to the Village for approval, but also receive approval by his firm. He confirmed the University was a branch office with a number of schools in other states.

Mr. Robbins did not know the curriculum that would be offered but offered to get the information. Mr. Robbins confirmed that notifications were sent out but he did not personally call neighboring properties. Per a question, a security guard is on site Monday through Friday, 8:00 am. to 11:00 p.m. and from 8:00 a.m. to 3:00 p.m. on Saturdays. Current tenants appeared to hold normal business hours. A concern was raised that the security guard was scheduled to leave simultaneously with the students and would not be present for stragglers. Other shared the same concern. Mr. Robbins offered to share the concerns with the University.

Vice Chairman Webster opened up the meeting to public comment. No comments followed. Public comment was closed by the Vice Chairman. The petitioner had no closing statement.

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A question followed on one of the Standards for Approval of Special Uses as it pertains to this petition.

**WITH RESPECT TO FILE PC-14-10, MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL WITH THE STIPULATION THAT ADEQUATE SECURITY BE PROVIDED FOR THE STUDENTS LEAVING THE BUILDING.**

**SECONDED BY MR. MATEJCZYK.**

**ROLL CALL:**

**AYE: MR. BEGGS, MR. MATEJCZYK, MRS. RABATAH, MR. WAECHTLER,  
MR. WEBSTER**

**NAY: NONE**

**MOTION CARRIED. VOTE: 5-0**

**PC-15-10** A petition seeking a rezoning from R1, Single Family Residence to R3, Single Family Residence for the property located on the south side of 61<sup>st</sup> Street 120 feet east of Hillcrest Road, commonly known as 1407 61<sup>st</sup> Street, Downers Grove, Illinois (PIN # 09-18-403-003); Pete Boroumand, Petitioner; Oakland Homes, Inc., Owner.

Vice Chairman Webster swore in those individuals who would be speaking on File PC-15-10.

Village Planner, Damir Latinovic, presented the staff report, reporting that the 7,500-square foot property is located on the south side of 61<sup>st</sup> Street, east of Hillcrest Road and is currently zoned R-1, Single Family Residence. Currently, a single-family residence building is on the site. In 1980, he stated the property was annexed to the Village, but during that time the property owner did not request a specific zoning classification. Therefore, it was automatically zoned R-1 per village requirements. Today, the petitioner is seeking to rezone the property to R-3, Single Family Residence to match surrounding properties. The petitioner is planning to demolish the existing building and eventually construct a new single-family residence on the site in the future.

Per staff, rezoning the property to R-3 zoning would be consistent with the existing uses in the area and with the existing trend of residential development in the area. Mr. Latinovic referenced some changes in the bulk regulations from his report (page 2) that would occur as a result of the new R-3 zoning.

To date, staff has not received any written neighborhood comments; only a few phone calls regarding general inquiries.

Continuing, Mr. Latinovic stated the on-site home has been vacant for approximately six months. The property remains underdeveloped probably due to the large building setbacks under the R-1 zoning and the small 7,500-square foot property. Because the properties to the north, south, and west are zoned R-3 Single-Family Residence, staff believes the proposed R-3 zoning is compatible

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with the surrounding area and would not adversely affect the development in the area. The proposal will also allow the petitioner to improve the property and enhance the neighborhood's value.

Mr. Latinovic stated that the proposal is consistent with the Future Land Use Plan and meets the standards for approval of an amendment to the Zoning Ordinance. He recommended that the Plan Commission forward a positive recommendation to the Village Council.

Per a question, staff pointed out other R-1 zoned properties on the overhead map. Questions followed on the ownership of those R-1 lots.

Petitioner and owner, Mr. Pete Boroumand, 1906 Concord Drive, Downers Grove, IL, stated staff presented his petition very well. He stated he wanted the zoning to be consistent with the other properties in the area. Long-term, Mr. Boroumand plans to develop a single-family home on the site.

Vice Chairman Webster opened up the matter to public comment. No comments followed. Public comment was closed. Mr. Boroumand did not provide a closing statement.

Mrs. Rabatah believed the request was compatible with the surrounding area and the Standards for Approval were met. Other comments followed that there was not much difference between the R-1 zoning and the R-3 zoning. A question followed regarding one of staff's Finding of Fact as it relates to property vacancy.

**WITH RESPECT TO FILE PC-15-10, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL.**

**SECONDED BY MRS. RABATAH.**

**ROLL CALL:**

**AYE: MR. MATEJCZYK, MRS. RABATAH, MR. BEGGS MR. WAECHTLER,  
MR. WEBSTER.**

**NAY: NONE**

**MOTION CARRIED. VOTE: 5-0**

**PC-16-10** A petition seeking a Special Use approval for an accessory structure on a vacant lot for property located on the west side of Chase Avenue approximately 220 feet north of 61<sup>st</sup> Street commonly known as 6092 Chase Avenue, Downers Grove, Illinois (PIN # 08-13-404-018); Michael McClement, Petitioner/Owner.

Chairman Pro tem Webster swore in those individuals who would be speaking on File PC-16-10.

Mr. Latinovic described the location of the R-4 Single-Family (21,780 sq. foot) property, noting it was on the west side of Chase Avenue just north of 61<sup>st</sup> Street. The property, comprising three lots of record and owned by one property owner, currently has on it a single-family residence with

detached garage both located on the middle lot. The north and south lots are used as open space. He stated the petitioner was seeking approval for a Special Use in order to construct a gazebo on the north lot. Mr. Latinovic explained that in order to meet the Zoning Ordinance, the request had to meet the following three conditions:

1. One of the lots must have a principal structure established;
2. The lots must be held in common ownership; and
3. The common lot line must be shared for at least 100 feet or 50% of the lot line, whichever is greater.

Mr. Latinovic confirmed all three conditions are met in this case.

Mr. Latinovic explained that the proposed 13-1/2 foot high gazebo will be located on the northern lot approximately 42 feet from the rear lot line and approximately 21 feet from the north and south lot lines. The accessory structure would complement the residential uses in the area and maintain the property as a residential use. He stated the proposal is consistent with the intent of the Future Land Use Plan and would not diminish the value of the surrounding properties. The gazebo meets all zoning requirements, bulk regulations, and satisfied the above three conditions, as stated. To date, no comments had been received from the neighbors; just general phone call inquiries. Based on staff's findings, the use is compatible with the surrounding area and would not adversely affect the neighborhood or trend of the development. Staff recommended that the Plan Commission forward a positive recommendation to the Village Council subject to the one (1) condition listed in staff's report.

No comments followed from the commissioners.

Mr. Michael McClement, 6092 Chase Avenue, petitioner and owner, stated he was adding a gazebo for his wife. He did not receive comments from any of his neighbors. He currently has a six-foot fence surrounding three sides of the north lot. His wife has a garden and she wanted a place to sit in the shade and rest. He stated that from the sidewalk, no one would be able to see the gazebo due to the six-foot high fence. Per a question, Mr. McClement does plan on running electric to the gazebo for lighting.

Staff confirmed with Mr. Waechtler that if the property was sold, the petitioner did not have to dismantle the gazebo, but Mr. Latinovic stated a condition to do so could be added by the Plan Commission or the Village Council.

Vice Chairman Webster opened up the mater to public comment. No public comments followed. Public comment was closed. Mr. McClement did not have a closing comment.

**WITH RESPECT TO FILE PC-16-10, MRS. RABATAH MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO THE FOLLOWING CONDITION:**

- 1) THE PROPOSED GAZEBO SHALL SUBSTANTIALLY CONFORM TO THE PLANS AND SPECIFICATIONS ATTACHED TO THE STAFF REPORT DATED NOVEMBER 1, 2010 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES, ORDINANCES, AND POLICIES.**

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**SECONDED BY MR. BEGGS.**

**ROLL CALL:**

**AYE: MRS. RABATAH, MR. BEGGS, MR. MATEJCZYK, MR. WAECHTLER,  
MR. WEBSTER**

**NAY: NONE**

**MOTION PASSED. VOTE: 5-0**

Village Planning Manager, Mr. Jeff O'Brien, referenced the 2011 meeting dates in commissioners' packets. He noted the second meeting dates in January and February might be needed due to the Village's draft Comprehensive Plan being discussed in December 2010. He will be sending commissioners an email link to the draft Comprehensive Plan. Details followed on what work has taken place to date on the document. If necessary, he offered to print out a paper copy of the document. Mr. Beggs added his own comments as to the size of the document and that the document looks ahead by 10 to 20 years.

**THE MEETING WAS ADJOURNED AT 8:10 P.M. ON MOTION BY MRS. RABATAH,  
SECONDED BY MR. MATEJCZYK. MOTION CARRIED UNANIMOUSLY.**

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