



**MANAGER'S REPORT FOR DECEMBER 30, 2011
GENERAL INFORMATION AND RESPONSES TO MAYOR & COMMISSIONER REQUESTS**

Places to be this Week...

Monday, January 2, 2012 – The Village Hall will be closed for the New Year's Day holiday.

Tuesday, January 3, 2012 – The Village Council meeting will be held in the Village Council Chambers at 7 p.m.

Future Calendar Reminders...

Tuesday, January 10, 2012 – The Village Council meeting will be held in the Village Council Chambers at 7 p.m.

Wednesday, January 11, 2012 – Mayor Tully will present the State of the Village address at the Chamber of Commerce breakfast from 7:30 am to 9:00 am at the DoubleTree.

Wednesday, January 25, 2012 – The DuPage Mayors and Manager's Conference will hold its 2012 Legislative Reception and Dinner at the Hilton Lisle/Naperville from 5:30 pm to 9:00 pm.

Update on Plan Commission case PC-39-11 for Walgreen's Store – Commissioner Barnett asked staff to provide an update on the status of the petition seeking voluntary annexation for a Walgreen's at the northwest corner of 63rd Street and Woodward Ave. At its December 5, 2011 meeting, the Plan Commission considered a petition for voluntary annexation with rezoning to a B-2 General Retail Business, final plat of subdivision and special use approval for a drive-through use for a Walgreen's store. The Commission heard from several residents with concerns including compatibility with the Comprehensive Plan and surrounding land uses, possible effects on traffic and safety, illumination from the site, and stormwater detention. The Petitioner offered to return with additional materials to address resident concerns at the next Plan Commission meeting. The Petitioner will provide the information to staff and the case will be considered at the Plan Commission's January 9, 2012 meeting. The draft minutes from the December 5, 2011 meeting are attached.

Speedway Turn Restrictions – Commissioner Neustadt inquired regarding turn restrictions onto Lindley Street from the newly constructed Speedway located at 898 Ogden Avenue. The Village Council approved the development with a modified access onto Lindley St. This change was recommended by the Plan Commission after receiving public input. The driveway onto Lindley is designed to discourage right turns by extending a straight curb, instead of a flared curb, along the length of the driveway. The driveway is designed to restrict right turns but also allows for the tanker trucks to circulate the site and maintains a safe driveway for cars turning left onto Lindley. In addition to the physical design of the driveway, the no-right-turns regulation is indicated by a sign. This restriction was put in an ordinance when the development was originally approved in the 1980s. The attached photos show the driveway design and the sign.

ATTACHMENTS

Photos of Speedway Site

Plan Commission Draft Minutes



DRAFT

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

DECEMBER 5, 2011, 7:00 P.M.

Chairman Jirik called the December 5, 2011 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. Hose, Mr. Matejczyk, Mrs. Rabatah, Mr. Webster

ABSENT: Mr. Quirk, Mr. Waechtler

STAFF PRESENT: Community Development Director Tom Dabareiner, Planning Manager Jeff O'Brien; Planners Damir Latinovic and Stan Popovich

VISITORS: Jerry Mastalarz, 4111 N. Park, Westmont, IL; David Shaw with Shaw Gussis, 321 N. Clark St., #800, Chicago, IL; Dan Durkin with A.C. Alexander, 5940 W. Touhy, Niles, IL; David Agosto with Draper & Kramer, Inc., 33 W. Monroe St., Chicago, IL; Bill Grieve, Gewalt Hamilton Assoc., 850 Forest Edge Dr., Vernon Hills, IL; Eric Riggs, 2148 63rd St., Downers Grove; Chandratilaka Wijekoon, 6230 Belmont Road; Ron Swiercz, 6210 Woodward; Jennifer & Scott Wanner, 2330 63rd St.; Bill & Kristine Miller, 6255 Puffer Rd.; Tracy Erickson, 5824 Woodward Avenue; Marcelline Ricker, 6120 Woodward Ave; Shirley Klaus, 6296 Woodward; Walter & Karolle Krajewski, 6154 Pershing; Michelle Schelli, 6215 Pershing Avenue; Don & Cathy Weiss, 7050 Newport, Woodridge, IL; D'Anne Gordon, 6237 Pershing Avenue; Marsha Maronic, 6135 Belmont Road; Ricardo Castaneda, 6208 Woodward; Curt & Marsha VanLoon, 6211 Pershing; Richard Ooms, 6218 Pershing Ave.; Arlene & George Novak, 6294 Woodward; Eric Olson, 5721 Pershing; Rick & Karen Britton, 6299 Woodward; Kristin & Bruce Gannaway, 6163 Woodward Avenue; Randy & Pam Owens, 5900 Pershing; Frank Freda, 2140 63rd Street; Liz Chaplin, 5623 Pershing Ave.; Patty & Jerry Gruber, 6216 Pershing Avenue; Oma Selle, 6157 Pershing; and Monika & Slawomir Soja, 6112 Woodward Avenue; Liz & Brian Chaplin, 5623 Pershing Avenue; Jerry Luurs, 6025 Belmont Road; David Mitrius, 6101 Belmont Road; Hilary Denk, 433 Wilson Street; John Shay, 6013 – 6017 Pershing Avenue; Lisa Ferguson, 6220 Puffer Road; Lenore Brom, 6214 Pershing Road; Witold Szyk, 2142 63rd Street; Barbara & Mariusz Klusa, 6122 Sherman Avenue; Paul Noble, 6150 Pershing Avenue; Debra Villalpando, 6116 Leonard Avenue; Mary Mitas, 6213 Woodward Avenue; Mark Newey, 720 Maple Avenue; Tony Combs, 6054 Sherman Avenue; Don & Karen Brown, 6124 Woodward; Janet Pencek, 6116 Woodward Avenue; Alma & Gary Scott; 6104 Woodward Avenue; Frank Ehrhand, 5908 Pershing Avenue; Arion A. Faul, 6135 Pershing Avenue; Carole & Rich Besler, 5820 Pershing Avenue; Matt Gracey, 2151 Blanchard Street; Laura Cassani, 6210 Pershing Avenue; George T. Novak, 6294 Woodward; Zekirisa Memeti, 6200 Pershing Avenue; Juan Perez, 6207 Pershing Avenue; Ed Bednar, 6105 Woodward Avenue; Scott Den Uyl, 6145 Pershing Avenue; Nisrine Karmi, 2244 63rd Street; Scott & Tamara Podjasek, 5719 Pershing

DRAFT

Avenue; M. Herbert, 6211 Belmont Road; Grace Espinosa, 5830 Pershing Avenue;
Ron Smith, 6203 Woodward Avenue; Michael Smith, 709 Crest Lane

Chairman Jirik led the Plan Commissioners in the recital of the Pledge of Allegiance and directed the public's attention to the available informational packets.

APPROVAL OF THE NOVEMBER 7, 2011 MINUTES

**MR. MATEJCZYK MADE A MOTION TO APPROVE THE MINUTES, AS PREPARED.
SECONDED BY MR. HOSE.**

MOTION CARRIED BY VOICE VOTE OF 7-0.

Chairman Jirik reviewed the protocol for the meeting. Due to one person being interested in Agenda Item No. 2, the Chairman asked for any objection in switching the two agenda items. No objections were voiced; a change in the agenda followed:

File PC-40-11 A petition seeking final plat of subdivision approval to consolidate two existing parcels into one lot for the property located on the south side of Sherman Street approximately 160 feet west of Douglas Road, commonly known as 521 Sherman Street, Downers Grove, IL (PIN #'s 09-05-406-008 and -009) Jerry Mastalarz, Petitioner; Owner.

Chairman Jirik swore in those individuals who would be speaking on this matter.

Stan Popovich discussed that the petition was for a final plat of subdivision to consolidate two separate parcels (both 30 feet wide by 120 feet deep lots) into one buildable lot at 521 Sherman Street. The property was zoned R-4 Single Family Residential. No structures currently existed on the properties. The petitioner was proposing to construct a single-family home on the property and has to consolidate the two lots to make the parcel buildable. The property falls in line with other adjacent single family homes with a similar lot size. Staff believed the proposal was consistent with the Village's Comprehensive Plan and complied with the Village's Zoning Ordinance and Subdivision Ordinance. Easements were reviewed.

Mr. Popovich indicated public notice for this property was sent out according to Village requirements and staff had not received any public comments on the proposal. Mr. Popovich stated that staff supported the proposal and recommended that the Plan Commission forward a positive recommendation to the Village Council subject to staff's one condition listed in its staff report.

Commissioners directed no questions to staff.

Petitioner/Owner, Mr. Jerry Mastalarz, 4111 N. Park, Westmont, IL, stated his intention was to construct a single family home.

No commissioner questions were directed to the petitioner. Chairman Jirik opened up the meeting to public comment. None received. The public comment portion was closed.

Mr. Mastalarz waived his right to provide a closing statement.

DRAFT

MR. MATEJCZYK MOVED THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL RECOMMENDING APPROVAL OF A FINAL PLAT OF SUBDIVISION SUBJECT TO THE ONE CONDITION BELOW:

- 1. THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION PREPARED BY RIDGELINE CONSULTANTS, DATED NOVEMBER 16, 2011 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**

SECONDED BY MRS. RABATAH. ROLL CALL:

AYE: MR. MATEJCZYK, MS. RABATAH, MR. BEGGS, MR. COZZO, MR. HOSE, MR. WEBSTER, CHAIRMAN JIRIK

NAY: NONE

MOTION CARRIED. VOTE: 7-0

PC-39-11 A petition seeking a voluntary annexation with rezoning to B-2 General Retail Business, final plat of subdivision approval for lot consolidation and special use approval for a drive-through use for a new Walgreens store, for the properties located at the northwest corner of 63rd Street and Woodward Avenue, commonly known as 2134, 2136, 2138 and 2140 63rd Street and 6298 Woodward Avenue Downers Grove, IL (PIN #'s 08-13-419-044, -054, -043, -042, -041, 053) David Agosto, Petitioner; Patel Trust, Jeremy Youngman, DGNB Trust 97-031, Frank Freda and Weiss Loving Trust, Owners.

Chairman Jirik swore in those individuals who would be speaking on this petition.

Village Planner, Mr. Damir Latinovic, reported on how he was going to present the petition in various steps. Locating the site on the overhead, he summarized that the site consisted of five properties improved with five single-family homes: one home on Woodward Avenue and four homes on 63rd Street. The homes were constructed on six lots of record. He stated the petitioner had an agreement to purchase the properties subject to the Village's approval of the development. The petitioner was requesting annexation, re-zoning the properties to B-2 General Retail Business District, a special use for a drive-through and consolidation of the six lots into one lot of record.

Mr. Latinovic explained that properties are automatically zoned R-1 Single Family Residence upon annexation. If no rezoning is requested, voluntary annexations are reviewed by the Village Council. However, because the petitioner was requesting a rezoning of the property it had to be reviewed by the Plan Commission. Currently the property was zoned R-4 in DuPage County. The properties located north, west, and east of the site were all unincorporated and zoned R-4 Single Family. The property to the south of the site, and located within the Village of Downers Grove, was zoned B-2 General Retail Business and Planned Development #1 (Meadowbrook Shopping Center). The property located at the southeast corner was zoned R-3 and was part of the Planned Development #4, but was approved for commercial use in 1987, to accommodate the trend of commercial development along 63rd Street.

DRAFT

Mr. Latinovic stated the proposed lot would be 1.9 acres and meet all zoning requirements of Sections 28.1103 and 28.1104 of the Zoning Ordinance as well as all minimum lot dimension requirements of the Subdivision Ordinance (see staff report). Five- and ten-foot easements will be platted along the north and west property lines for purposes of utilities. No exceptions were being requested at this time. A more thorough review of the site plan followed, noting the building would be located in the center of the site with parking to the east and south totaling 60 parking spaces (59 required). A single lane drive-through will be located on the north side with a counter-clockwise circulation. The loading dock and garbage trash compacter will be located on the west side of the building. Landscaping and fencing were also noted.

Mr. Latinovic stated staff was requesting that the proposed fence meet the current zoning requirements and that the petitioners reflect that the first 25 feet be a four-foot open design fence. Because a driveway on the adjacent property was within 10 feet, the fence would have to be stopped 15 feet short of the front property line in order to meet sight line requirements. The petitioner had agreed to modify the fence proposal.

Along the north property line, Mr. Latinovic explained that an existing residential driveway encroaches onto the subject property by approximately two to three feet and the petitioner has discussed this with the neighbor. Both parties will have to come to an agreement to either move the driveway or deed off a portion of the property.

Elevations for the proposed building were highlighted. The building's height will be 27.5 feet in height with 40% of the site to be landscaped (mostly along the north and northwest side of the site). Approximately 21% of the landscaping will be within the front yard along 63rd Street, which exceeds the five percent requirement. The building will sit 90 feet from the south and east property lines and 79 feet from the west, and 42 feet from the north lot. All existing curb cuts will be closed but two new access points will be created -- one on Woodward Avenue and one on 63rd Street. For traffic exiting the site, staff was recommending safety modifications to both driveways so that the center left exit lanes be eliminated. The petitioner's traffic study demonstrated that approximately 10 vehicles during the peak rush hour would be exiting the site on Woodward Avenue and traveling northbound. The same modifications would apply to the left exit lane onto 63rd Street since the traffic study found that 40% of the vehicles exiting would be traveling westbound.

Mr. Latinovic explained staff was recommending restricting all trucks to enter and exit the site via 63rd Street. A required "No Trucks Allowed" sign would be posted on the driveway exiting onto Woodward Avenue. Petitioner was aware and agreeable to these requirements. Because the right-of-way on 63rd Street belonged to DuPage County, Mr. Latinovic stated the county had final authorization on the proposed driveway and the petitioner would be required to show approval by the county prior to obtaining a building permit from the Village. Woodward Avenue is under the jurisdiction of Lisle and Downers Grove Townships, but upon annexation, the Village of Downers Grove would take responsibility for the maintenance of Woodward Avenue, adjacent to the site.

A new sidewalk was planned along the east property line along Woodward Avenue but staff was requiring a five-foot parkway between the curbing and sidewalk. The petitioner has agreed. A review of the proposed stormwater detention facility followed, noting it will be located under the southern portion of the parking lot. Details followed. Building signage was noted and a monument sign would be located at the corner of 63rd and Woodward. Staff was requiring that no illuminated signage be installed on the north side of the building due to adjacent residents.

DRAFT

Mr. Latinovic explained the hours of operation would be 8:00 a.m. to 10:00 p.m. seven days a week. Delivery hours would be on Wednesdays, 2:00 p.m. and 8:00 p.m., respectively. Staff was recommending that the operational hours remain the same and the delivery hours be from 2:00 p.m. to 9:00 p.m. seven days a week to allow the operations to continue without any change. Per Staff's condition, the drive-through would be open 8:00 a.m. to 10:00 p.m. seven days a week.

Mr. Latinovic stated the Fire Prevention Bureau reviewed the plans and had no issues, although the petitioner would be adding another fire hydrant to the site. The building will be fully sprinklered and include a fire alarm system. The proposed building would be similar to the Walgreens located at Cass and Ogden Avenues.

Mr. Latinovic stated that staff believes the proposal is consistent with the Village's Comprehensive Plan (the "Plan") in that the recently adopted plan designated the site to be Low Intensity Office, Commercial use, but flexible to accommodate development that was consistent with the overall goals and policies of the plan. Details followed on how this proposal met the Plan along with staff citing an example of how a typical low intensity office use such as a medical use could increase the impact to the site.

Mr. Latinovic noted several neighboring residents have inquired about the proposal and staff has also met with a resident who claims partial ownership in the property (as a trust) located at 6298 Woodward Avenue. Staff has reviewed all documents submitted and found that Village has adequate information to continue processing the petition.

Based on the above findings, Mr. Latinovic believed the Standards for Approval of the amendment to the Zoning Ordinance for the proposed B-2 General Retail Zoning classification were being met; the property was consistent with the Comprehensive Plan; the lot consolidation was consistent with the planning objectives of the Village and the proposal met the minimum lot dimension requirements; the Special Use Standards were being met and the proposed use is a permitted Special Use within the B-2 District; the development would not be detrimental to the health, safety and general welfare of the surrounding area; and adequate space was on the site. Staff supported an approval of the petition subject to the conditions listed in its staff report (pages 8 and 9).

For ease of understanding, Chairman Jirik summarized that the proposal had basically four parts: 1) a request for annexation; 2) a rezoning to B-2 General Retail; 3) a consolidation of existing parcels (plat of subdivision); and 4) a request for a special use for the drive-through. Staff was asked if the amenities on the site plan would be binding, such as in a Planned Unit Development. Mr. Latinovic confirmed the site plan is tied to the special use ordinance upon approval.

Commissioner Cozzo asked for clarification of the two driveways and whether left-hand turns were being restricted entirely, wherein Mr. Latinovic stated left-hand turns were not being eliminated completely, but the driveways would be a simple two-way lane, one in and one out. Asked if staff considered restricting left turns on Woodward.

Mr. Latinovic explained staff considered it but based on the traffic study only 10 cars exiting the site would be traveling northbound on Woodward. He noted most of this traffic would probably be local, which was why staff decided not to restrict the northbound movement completely. Truck traffic restrictions were reviewed again.

DRAFT

Per Mr. Hose's question regarding current truck violators, staff explained the DuPage County police would respond to the area. However, Mr. Latinovic offered to follow up with the county.

Mrs. Rabatah asked for clarification of staff's recommendation number 3 as it related to truck signage and where the information on the 20,000 square foot medical/dental use came from.

Mr. Latinovic explained the data came from the Institute of Traffic Engineers (ITE) trip generation information. ITE publishes traffic information and is compiled information for all kinds of land uses.

Mr. Beggs asked if staff compared the proposed site with the professional building located across from Good Samaritan on Highland Ave.

Mr. Latinovic responded that staff did not review that site specifically.

Regarding the operational hours, Mr. Hose queried staff what the 9:00 p.m. delivery time meant, i.e., the last delivery time or delivery was terminated by that time. Mr. Latinovic stated that at 9:00 p.m. all deliveries should be completed.

Turning attention to the drive-through, Mr. Cozzo asked staff whether there were sound issues anticipated.

Mr. Latinovic said it was discussed but he did not anticipate it given the distance and the landscaping. He noted the Plan Commission placed conditions on previous developments the sound be lowered after certain hours so that the volume level does not interfere with a residential area.

Chairman Jirik, for purposes of the public, briefly discussed the protocol of the meeting, explained how the Plan Commission considers the facts of the petition, asked the public to refrain from making outbursts, and recommended the public to take notes if it disagreed with something said.

David Shaw, Esq., Shaw Gussis, 321 N. Clark Street, Suite 800, Chicago, IL, representing the petitioner, appreciated staff's thorough presentation. Adding to the presentation, he summarized that the developer was Draper & Kramer, whom developed many commercial and residential properties, and was very responsible. He clarified that the developers for this proposal had no relationship to the owners of the existing store located on Belmont Avenue. Walgreens was basically looking to find a new location because the lease was up on the existing store and marketing demands had changed dramatically over the last 20 years, and, there was no drive-through available at the current site.

Mr. Shaw explained that the drive-through for this petition will be active with approximately 30 to 40 cars per day and drive-throughs are a service people come to expect. It represented a benefit to the community. Other amenities of the store followed. Regarding the truck traffic, Mr. Shaw stated four large truck deliveries were standard, occurring two days per week, lasting about 20 minutes. Panel trucks had smaller deliveries, usually through the front door with a hand-cart.

Mr. Shaw introduced Draper & Kramer representatives Messrs. David Agosto and Gene Gaudio; A.C. Alexander (architects/site plan design) representatives, and Traffic Consultant Bill Grieve.

DRAFT

Commissioner Webster asked for confirmation regarding the illumination of lights on the north side of the building, understanding that the lighting would be angled and there was to be no illuminated signage on that side of the building, wherein Mr. Shaw confirmed there would not.

Mr. Dan Durkin, A.C. Alexander, 5940 W. Touhy, Niles, IL, discussing lighting, stated there will be three light fixtures on the north and west sides of the building. The lighting was engineered to have zero spillage off the lot. The drive-through canopy, per staff's recommendation, will not be illuminated. He clarified the lighting underneath the canopy does not project out behind the perimeter of a concrete slab. Mr. Shaw added that the drive-through would only include pick-up/drop-off of prescriptions. He also pointed out that the drive-through was located four-feet below adjacent grade and resulted in a reduction of noise and illumination. Mr. Shaw also added that Walgreens provides information about the noise level which he offered to obtain for staff.

Regarding the noise level information, Chairman Jirik asked Mr. Durkin to forward to staff the noise level information he spoke of in order to see what the noise level was at the fence line. Mr. Durkin added that 28 arborvitaes will be planted along the north fence line and it will be graded upwards for additional privacy and to disburse the noise.

Mr. Beggs asked if there was consideration for locating the Walgreens store on the south side of 63rd Street where commercial buildings were currently located.

Mr. David Agosto, Draper & Kramer, responded that about one year ago, he considered something across the street and did consider the restaurant site. However, he understood that the shopping center was in litigation and was told the Village was not in favor of new outlots. Rather, the Village was in favor of complete redevelopment for the shopping center. He believed the existing center's use had come to an end and was not feasible for today's market. Asked why a Walgreens store was more attractive on the north side of the street, Mr. Agosto explained Walgreens was moving to a very similar site but it was creating a better store than what existed and the fact that what currently existed was 20 years old and the site could not be redeveloped.

Asked to contrast the a Walgreens located in an aging shopping center versus the one being proposed in an existing residential neighborhood, Mr. Agosto stated it was at an intersection but if the location was the southwest corner (currently the restaurant), he said "it would make a difference" but he stated Walgreens could not purchase it. The land the restaurant was located on was owned by the owner of the shopping center. He explained the Village would discourage new outlots for Meadowbrook. He stated Walgreens was trying to improve what it had and improve the site from an overall perspective. Adding to that, Mr. Shaw stated that the site was dictated by Walgreens, which wanted a hard corner. Additionally, it was mentioned that the shopping center was "troubled" which was a red flag. Having a physical corner and a plan that worked, Mr. Shaw saw it as a positive. He explained that the proposed site was ideal and a much cleaner operation in the sense that the other site would have to have a major reconfiguration, it had owner issues, and covenants and cross accesses had to be considered.

Chairman Jirik asked Mr. Shaw if he understood staff's recommendation regarding the hours of operation, to which Mr. Shaw confirmed that he did. However, Mr. Shaw asked that should a demand in the hours of operation arise in the future, he would like to have the opportunity to return to request a modification.

DRAFT

Asked if the driveway on Woodward were posted to exit southbound only, Mr. Bill Grieve, traffic engineer with Gewalt Hamilton & Associates, Vernon Hills, IL, responded that it was important to note that the trips generated in the neighborhood were entering the site if they could return back into the neighborhood. The one outbound lane on Woodward would act as a traffic calming measure for vehicles to return to the neighborhood without attracting additional vehicle trips. Chairman Jirik commented, then, that there would be some incremental increase in trips due to the Walgreens. However, Mr. Grieve explained it was not necessarily true in that if a trip was generated within a neighborhood, the vehicle would still be driving on the neighborhood streets. Where the incremental growth may occur, he states, was if the driveway became too attractive for a driver to change his driving route. He reminded the Chairman that he wanted to ensure those people leaving Walgreens were traveling back to 63rd Street as staff had noted earlier.

Chairman Jirik opened up the meeting to public comment but due to the large number of attendees, asked the public to limit their comments to approximately five minutes. The public was asked to be respectful and refrain from any outbursts. He asked residents to speak first and than non-residents would be allowed to speak regarding the annexation portion of the petition at the latter part of the public comment portion.

Resident Comments:

Mr. Eric Riggs, 2148 63rd Street, Downers Grove, asked what percentage of Walgreens were 24 hour 7 day a week. He believed the proposal was an eyesore in a residential area, given that it was “huge” and the old Walgreens was fine. He stated it was going to generate more traffic and decrease value in area. He believed the area should remain residential since empty commercial properties already existed.

Mr. Chandratilaka Wijekoon, 6230 Belmont Road, summarized his understanding was that the developer refused to do anything for the Village or for the people of the Village and wanted to do what it wanted with minimum expenses. He stated Walgreens could build in the commercial zone because it was already zoned commercial and the Meadowbrook Shopping Center was very large. He pointed out that Walgreens was trying to locate in a residential neighborhood which was the wrong place and it was destroying property values.

Mr. Ron Swiercz, 6210 Woodward, voiced concern about the current drainage issues he encounters during heavy rains and expressed concern about the new paved lot and tying it into the existing sewer system which could not currently handle the drainage during heavy rains. He voiced concern about his basement flooding. In response, Mr. Latinovic reminded the Commission that an underground stormwater detention facility was being created within the parking lot south of the Walgreens to contain the stormwater which would be discharged into the utilities in the 63rd Street right-of-way. Mr. Swiercz asked if the traffic study was actually done at 63rd and Woodward with cars heading northbound, wherein Mr. Latinovic confirmed that the information was based on the traffic count of that intersection. Mr. Swiercz voiced concern about the vehicles traveling in his neighborhood and the safety of himself and his children, as Woodward was being used as a cut-through street now.

Ms. Jennifer Wanner, 2330 63rd Street, Downers Grove, asked what was going to happen to the current Walgreens and questioned whether it would become another vacant building. She was fine with the current Walgreens. She cited the vacant Walgreens at 83rd and James Street and also the

DRAFT

fact that the neighborhood was losing homes and potential homes to insert another business and only to lose another business and create a business that clearly was not supported by the residents. She questioned why the Village did not encourage businesses to stay and enhance things aesthetically.

Mr. Bill Miller, resides on Puffer Street, behind the current Walgreens. He stated there was a lot of noise that comes from that Walgreens. He complains approximately every two to three months regarding the noise, garbage, lighting, and landscaping. However, he was not supportive of relocating the Walgreens and having a vacant building either. He did not believe it made sense.

Chairman Jirik asked that non-residents come forward. He swore in those individuals who wanted to speak on this petition.

Non-Resident Comments:

Ms. Tracy Erickson, 5824 Woodward Avenue, non-resident, asked if this was “a done deal?” Wherein, the Chairman explained the petition process and stated it was only a proposal at this time. Ms. Erickson commented about how the petitioner was speaking, making it sound as if the residents needed a pharmacy at all hours, when she pointed out that other pharmacies existed and she has used them just fine. Regarding the traffic, she stated Woodward was a speeding area, getting her mail was dangerous, and additional traffic would be heading north with drivers looking at their prescriptions after going through the drive-through. The safety of her four children was a concern. Currently, there were no sidewalks and she envisioned residents walking from everywhere to the new Walgreens and littering. She suggested that Walgreens renovate at the Westbrook Center. Regarding the traffic study, she stated that the information presented was “general” information and it looked as if the petitioner did not really observe traffic counts.

Ms. Marcelline Ricker, 6120 Woodward Avenue, noted on the plat at the north end of the proposal where the drive-through comes through, there was a blind hill and many accidents occurred there during the winter. She suggested referring to the County’s and Village’s Police Departments. She stated placing an entrance onto Woodward Avenue was not a good idea. She noted that 11 school buses travel the hill twice a day and may back up the same hill. Woodward was a speed zone and she had concerns for children’s safety, especially since no sidewalks existed.

Ms. Shirley Klaus, 6296 Woodward Avenue, objected to the way the property cut across her driveway and agreed with the previous comments made about the lighting, pollution, trucks, increased traffic, and noise. She stated she has been reassured by Draper & Kramer to resolve her driveway problems and provide additional space near the fence, but said she has not received a written commitment from them. She objected to the proposal.

Mr. Walter Krajewski, 6154 Pershing Avenue, Downers Grove, mentioned that no one has any animosity against Walgreens but the issue was where it was being relocated. He stated the reference made to the site under discussion and with the Walgreens site located at Ogden and Cass Avenues, the two had opposite types of traffic. The building was being relocated into a worse location for traffic. He asked if there were traffic safety studies done on the proposal. He spoke about the traffic exiting the site and “snarling” traffic on 63rd Street. Also, he stated there will be those vehicles that do not want to exit left onto 63rd, due to it already being busy, and will turn right

DRAFT

and travel down Pershing where his children are. Other concerns included more traffic, cut-through traffic, and an inconvenience to the residents.

Ms. Michelle Schelli, 6215 Pershing Avenue, lived within 600 feet of the proposal and said heavy traffic already existed on 63rd Street. After checking the Internet for a five-mile radius of the area, she stated 26 pharmacies existed, 10 of which were Walgreens and 8 with drive-throughs. Two were 24 hours; 3 were located on Cass Avenue. Details followed on the other pharmacies in the vicinity. Within a three mile radius, 16 pharmacies existed, 7 of which were Walgreens. And, she stated, for those children that are sick late at night, chances are, she would travel to Good Samaritan, passing along the way, a 24 hour Walgreens with a drive-through pharmacy.

Mr. Don Weiss, 7050 Newport Drive, Woodridge, IL, stated he has interest in the property located at 6298 Woodward Avenue but it was being contested in court at the current time. He stated he was the sole heir of the property. Regarding the Village's own study, he stated he grew up in the area and constructed many of the homes there. Mr. Weiss discussed the driveway safety hazards entering and exiting Woodward and the challenges of the street, even for his father. He believed relocating a Walgreens to the proposed site would create more issues. He asked if the Village, the developer or the Plan Commission was willing to be liable for someone losing their life or property. He also offered to discuss with the Village some of the litigation issues, if necessary, and stated the developer's traffic study was "a joke". He suggested pushing a couple of the homes on Belmont and Chase and relocate the Walgreens there.

Ms. D'Anne Gordon, 6237 Pershing Avenue, stated the proposal was 250 feet from her kitchen window and she did not want to look at it. It will be an eyesore and will diminish her property value. She noted one block from the intersection was an elementary school and there was no sidewalk on Woodward Avenue or Pershing Avenue, so everyone walked. She discussed the safety concerns with her high school children walking after school and the increased traffic. She said Pershing was a cut-through already. She emphasized the area was residential and residents did not want another commercial building there taking out five homes. She asked for consideration.

Ms. Marsha Maronic, 6135 Belmont Road, stated the existing Walgreens had plenty of traffic already and if a larger facility was constructed with a drive-through, it would bring more traffic to the area. She reported that when vehicles are traveling northbound on Woodward, most of the traffic turns left onto 63rd Street and there were safety concerns there. She envisioned it to be more difficult when drivers exit from the pharmacy, let alone for the residents who live there.

Mr. Ricardo Castaneda, 6208 Woodward Avenue, agreed with what was already being stated. He believed that when something is "needed" is the time when people should come together. He reminded everyone that two prior witnesses gave testimony that there was an abundance of pharmacies that had converted themselves into grocery stores and provided DVD rentals. He stated that anyone could get what they wanted at one of these pharmacies, citing the measurements and observations he took upon himself to measure the distances between the stores. He voiced concern about the light signals, poor traffic movement, and the drainage issues occurring currently on his property. (He resides next to the neighbor that floods.) He stated ever since the Belmont crossing he has seen increased traffic and speeding in front of his house. In fact, he stated he has stood in front of his neighbor's home with a sign that says "Radar Ahead" to slow vehicles down due to the children. He is afraid he will get hit if he walks his dogs at night.

DRAFT

Mr. Curt VanLoon, 6211 Pershing Avenue, Downers Grove, emphasized that the residents have verbalized why the proposal was wrong to them. He had not seen a plat of elevation and voiced concern about the grade. He voiced opposition against the annexation request but understood the long-term plan in Downers Grove was for commercial development on the north side of 63rd Street. However, he believed putting such development there placed the rest of the homes, from the AutoZone to Woodward, in jeopardy. He agreed traffic was concern, as a child was hit by a vehicle in front of his home two years ago from people traveling through the area. He believed the lawyers should be able to work out the issues. He attested to the flooding that has taken place also.

Mr. Rick Ooms, 6218 Pershing Avenue, Downers Grove, expressed concern about the rezoning from residential to business district and the fact that if Draper & Kramer cannot get into Meadowbrook to develop it, he then asked who can. He stated that if the residents present are ignored for reasons of monetary gain, then it was a disgrace to the community.

Ms. Arlene Novak, 6294 Woodward Avenue, stated that the current Walgreens was not 20 years old. She said the photograph presented for the 63rd and Woodward intersection was inaccurate. She stated there were no truck signs on Woodward and emphasized an elementary school was one block away. She invited the petitioner to sit in her driveway from 4:00 pm. to 7:00 p.m. to count cars. She did not support the installation of a drive-through in order to exit out onto Woodward. She further voiced concern about safety in trying to obtain her mail. She and her neighbors did not want to be annexed and did not want the Walgreens.

Mr. Eric Olson, 5721 Pershing Avenue, stated he purchased in the neighborhood because it was residential and not mixed-use. Converting the north side of 63rd Street to become business did not appear right.

Mr. Rick Britton, 6299 Woodward Avenue, summarized that it was difficult for him to get out of his property due to the blind hill, especially between the hours of 4:00 p.m. and 6:00 p.m. and in the morning. He asked the petitioner that should the Walgreens get built, would it have a positive or negative impact on his property value. Referring to Page 2 of the staff report regarding the Future Land Use Plan, he asked if his property was slated to become Low Intensity Office, wherein Chairman Jirik explained that the recently adopted Comprehensive Plan does contain pages on future land use planning and that land within the Village of Downers Grove included zoning. An explanation followed on how the Future Land Use Plan was intended to promote the orderly transition and growth and development of the land. In some cases, the Chairman explained, the current zoning and Future Land Use Plan would be the same and in some cases be different. However, he said the trend of development for best and highest use may want to take the land to a different use category some time in the future. Details followed. If there was a deviation from the Future Land Use Plan and a deviation from the zoning, the Chairman stated it was a very high hurdle and a burden to satisfy to justify the change. Mr. Britton asked whether the Walgreens sign on the corner and the parking lot would be lighted 24 hours a day. Chairman Jirik stated it would have to comply with the village's sign ordinance.

(Mr. Beggs loans Mr. Britton the Comprehensive Plan to review and notes it is on the Village's web site.)

Ms. Kristin Gannaway, 6163 Woodward Avenue, Downers Grove, voiced concern about how things have vacillated between the Village of Downers Grove and the unincorporated areas, much

DRAFT

of which has been bitter over the past 20 years. She stated that if the commission was going to go forward with the proposal that it keep the residents “on the good side of Downers Grove” so that residents could buy into the proposal and see what was being gained in the long run. She asked that the commissioners and petitioner listen to the residents’ comments. She suggested that the petitioner speak to the school district and to have better planning ahead of time so that when the information is presented to the residents, the residents know what to expect. She asked that Walgreens consider helping the Village by installing sidewalks and lights in the area or updating the area for safety purposes. Regarding the traffic studies, she stated to get the facts about how dangerous the street is. She questioned who would monitor the traffic in the area: the Village, the county sheriff, or Lisle Township? She discussed the removal of No Thru Traffic signage that has since been removed by Lisle Township and now the wrong striping was installed.

Because it was unsafe for Ms. Gannaway to pull out onto Belmont or 63rd Street to make a left turn, she said she turns right onto 63rd Street and cuts through the neighborhood the residents reside in. Lastly, she questioned how long before Walgreens would turn into a 24 hour drive-through pharmacy. She preferred that the commission hold off making any decision tonight and consider the concerns raised and to keep a friendly environment between the Village and the County.

As to the drive-through becoming 24/7, Chairman Jirik stated that if it was part of the ordinance, the ordinance would have to be amended and forwarded to the Village Council. Whether it would be referred back to the commission for public hearing, he did not know. Mr. O’Brien clarified a condition of approval would be placed in the Special Use ordinance explaining what the process was. A public hearing would be held again with proper notification.

Mr. Randy Owens, 5900 Pershing Avenue, Downers Grove, asked why there was a limit of public notification to residents within 250 feet when the proposal affected the entire area. He did not agree with the statistics gathered and expressed concern about truck delivery patterns. The Chairman explained the process for public notification, noting a variety of types of notification went out.

Mr. Frank Freda, Jr. 2140 63rd Street, Downers Grove, commented that there was a mention that the houses in the area under discussion were deemed not as good for residential as others. He agreed, as his house was up for sale for almost two years. A majority of the people who went through his home stated the street was too busy and not good for kids. He believed it may not be a good place for residential in general. He commented that he hoped that the prior sanitary sewer system that was installed was large enough to handle Walgreens. He supported the proposal.

Ms. Liz Chaplin, 5623 Pershing Avenue, Downers Grove, stated it appeared to her that the four items that were under discussion were being “steamrolled” into one meeting which was much information for one meeting and for the residents. She said she just received notice yesterday on this matter and it was from her neighbor. She stated the petitioner did not give a real reason as to why the south side of 63rd Street was not considered and she thanked Mr. Beggs for raising that question. Ms. Chaplin reiterated an earlier statement by a resident and she hopes a decision is not made based on profit over what is right for the residents of the area.

Mr. Patty Gruber, 6216 Pershing Avenue, Downers Grove, discussed that there have been four houses constructed in the past three years from Pershing up to the proposed site and now those owners had to worry about property values. She voiced concern about her property value and asked the commission to put themselves in the residents’ place. She stated that future development will

DRAFT

turn the area into another Ogden Avenue and no one will want to purchase the residents' homes. She believed more foot traffic and crime would increase, as well as safety issues, etc.

Ms. Oma Selle, 6157 Pershing Avenue, Downers Grove, resided in her home 32 years and voiced the flooding that had occurred in prior years. She expressed concern about the storage of the underground water and asked where it would flow, as there was standing water still occurring in some of the backyards. Chairman Jirik continued to explain how the stormwater was addressed when a new project occurs. Examples followed. The Chairman stated that the underground storage has been used in the Village with other developments.

Chairman Jirik offered the public one last chance to speak on topics that had not been raised.

Ms. Monika Soja, 6112 Woodward Avenue, Downers Grove, stated that her three small children return on foot from the elementary school daily and cross over the neighbors' yards for safety. As to the changes in zoning, she cautioned that if the zoning is changed, today it could be Walgreens but tomorrow it could be something else. She said the residents lose control on what sits on the corner.

Ms. Marcelline Ricker, 6120 S. Woodward Avenue, Downers Grove, stated that regarding the Walgreens located at 63rd and Belmont, if commissioners checked their previous records, the site developed was also petitioned for a drive-through and it was not allowed because the neighbors did not want a drive-through.

There being no further comments, the Chairman closed public participation.

Chairman Jirik summarized the open issues: turning movements of the semi truck, the size of the vehicle; impact on home values; how many Walgreens are 24/7.

Asked if the commissioners had any follow-up questions to the public, no questions followed. However, the Chairman did allow the following member of the public to speak:

Mr. Ricardo Castaneda, 6208 Woodward Avenue, stated he thought that the majority of the residents present should have the right to find the details of the litigation that was mentioned earlier regarding the shopping center on the south side of 63rd Street. Mr. O'Brien responded he did not know but assumed the litigation would be between the bank and the FDIC. Mr. Castaneda questioned that if the litigation was going on, how did the restaurant get on the property.

Chairman Jirik closed public comment again. He invited the petitioner to respond to the questions/concerns raised.

Mr. David Agosto, Draper & Kramer, citing the list of concerns, asked to add the issue of sound to the list. In general, he agreed much comment was expressed and some exhibits were available, but it was late at night and he offered to continue the matter in order to gather the additional information requested, i.e., truck turning, home values, 24/7 operation, and sound. He stated that his team was probably semi-prepared to answer some of the questions raised but felt more comfortable getting more information.

DRAFT

While the Chairman preferred to move ahead, he offered up the matter to the commissioners. Commissioners appeared to have a consensus to continue the hearing to a date certain to allow additional materials to be prepared by the petitioner. The Chairman reviewed the process that would follow after receiving the appropriate material, noting the public would have a right to comment on any new information presented.

Mr. Beggs offered a suggestion that the Village be very clear in the distinction between commercial area and a low-intensity office area. Mr. Webster understood the way the Village was viewing the use for the site was by its traffic impact and that there was a similarity in this particular use to low intensity office. The Chairman noted it was B-2 zoning, which included a number of various uses which did not resemble low intensity office and if the traffic was being based on a Walgreens but the land was rezoned B-2, the use did not have to be a Walgreens. Chairman Jirik pointed out that the petitioner, not Village staff, had the burden to justify deviating from the Comprehensive Plan.

Mr. Hose asked what kind of traffic calming options existed, if any, for Woodward north of 63rd Avenue, understanding the Village had no jurisdiction in that area. Mr. O'Brien recalled instances where the Village had partnered with Lisle Township on such matters. He offered to look into it.

Residents' concerns were summarized as follows: address sound issues; truck turning patterns; home values; 24/7 hour operation; sight distance relative to the traffic movements; safety issues posed by ingress/egress on a sloping part of the hill relative to introducing turning movements; cross movements on the hill; the audibility of a discrete prominent tone and its audible nature at a residence during late evening under stable atmospheric conditions; safety issues posed; any ideas on how the petitioner plans to keep vehicles out of the neighborhood; consideration by the petitioner to not have any ingress/egress on Woodward; justify what the commission believes may be a significant deviation from the Comprehensive Plan; illumination spillage from the sign and how much would affect a resident across Woodward Avenue; and include the solution for the neighbor immediately located to the north, regarding the driveway.

Village staff stated it would follow up with the volume of the detention basin, where it releases, and where the receiving system ends up. The Chairman also asked staff to address the uses available in the B-2 zoning district.

MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION CONTINUE THE PUBLIC HEARING TO A DATE CERTAIN, THAT DATE BEING JANUARY 9, 2012. SECONDED BY MR. MATEJCZYK.

ROLL CALL:

**AYE: MR. BEGGS, MR. MATEJCZYK, MR. COZZO, MR. HOSE, MRS. RABATAH,
MR. WEBSTER, CHAIRMAN JIRIK**

NAY: NONE

MOTOIN CARRIED. VOTE: 7-0

Mr. Frank Ehrhand, 5908 Pershing Avenue, commented afterwards that the Village's sound system was not very good.

DRAFT

Mr. O'Brien updated the commissioners on next month's agenda. Village Council has asked staff to review the level of sign compliance, of which two-thirds is approximately done. Council is considering an extension of the amortization deadline that would require an amendment to the sign ordinance. Depending on what Council decides, Mr. O'Brien said there may or may not be a text amendment on the agenda next month. The Chairman raised the point that there will need to be a policy consideration for the economic disadvantage of those who chose to comply relative to the economic advantage of those who chose not to. Staff concurred.

Commissioners were wished a Merry Christmas and a Happy New Year by the Chairman.

THE MEETING WAS ADJOURNED AT 10:30 P.M. ON MOTION BY MR. WEBSTER, SECONDED BY MRS. RABATAH. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 7-0.

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