

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
JULY 8, 2014 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Zoning Ordinance Map Amendment 2020 Ogden Avenue	✓ Resolution Ordinance Motion Discussion Only	Stanley J. Popovich, AICP Acting Community Development Director

SYNOPSIS

An ordinance has been prepared to amend the zoning ordinance map to rezone the property at 2020 Ogden Avenue from M-1, Light Manufacturing District, to B-3, General Services and Highway Business District.

STRATEGIC PLAN ALIGNMENT

The goals for 2011-2018 include *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the July 1, 2014 Village Council meeting. Staff recommends approval on the July 8, 2014 Active Agenda per the Plan Commission's unanimous recommendation. The Plan Commission found that the proposed rezoning of the property is compatible with the Comprehensive Plan and surrounding zoning and land use classifications and meets all standards for approval of a Zoning Ordinance Map Amendment found in Section 28.1702.

BACKGROUND

The petitioner is requesting a Zoning Ordinance Map Amendment to rezone the subject property from M-1, Light Manufacturing District, to B-3, General Services and Highway Business District. The property is currently improved with a Pugi Volkswagen automobile dealership. The petitioner is not proposing any redevelopment or change to the property at this time. The intention of the rezoning request is to bring their existing signage into compliance and to have the land use align with other commercial properties along Ogden Avenue.

Compliance with the Zoning Ordinance

Based on the bulk requirements, the proposed B-3, General Services and Highway Business, zoning classification is appropriate for this property and is consistent with properties in the area. The bulk requirements for the M-1 and B-3 zoning districts are compared below:

2020 Ogden Avenue	Existing Site Conditions	M-1 District Bulk Requirements	B-3 District Bulk Requirements
Lot Area	186,552 square feet	20,000 square feet	10,500 square feet
Lot Width	304 feet	No minimum	No minimum
Front Setback – South property line	86 feet	35 feet	25 feet
Side Setback – East property line	100 feet	35 feet	25 feet
Side Setback – West property line	95 feet	10 feet	No minimum
Rear Setback - North property line	367 feet	10 feet	No minimum
Height	24 feet	35 feet	60 feet
Lot Coverage	(8%) 14,544 square feet	60% (111,931 sq ft)	No maximum
Floor Area Ratio	0.08	1.0	0.75
Open Green Space	9% (16,161) sq ft	15% (27,982 sq ft)	10% (18,655 sq ft)

Compliance with the Comprehensive Plan

The Comprehensive Plan designates this property as corridor commercial. Corridor commercial uses have a dual role to serve both the daily needs of local residents while providing commercial goods and services to the larger region. The B-3 zoning classification is the appropriate zoning designation for corridor commercial uses. The proposed rezoning of the property from M-1 to B-3 is consistent with the Comprehensive Plan.

Public Comment

No public comments were provided at the public hearing.

ATTACHMENTS

Aerial Map

Ordinance

Staff Report with attachments dated June 2, 2014

Draft Minutes of the Plan Commission Hearing dated June 2, 2014

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Petitioner **DATE:** July 8, 2014
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** PC-13-14
(Board or Department)

NATURE OF ACTION:

- ☒ Ordinance
☐ Resolution
☐ Motion
☐ Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt “AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE, AS AMENDED TO REZONE PROPERTY LOCATED AT 2020 OGDEN AVENUE”, as presented.

SUMMARY OF ITEM:

Adoption of the attached ordinance shall rezone 2020 Ogden Avenue from “M-1 Light Manufacturing” to “B-3” General Services and Highway Business District”.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE
OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS
CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE, AS AMENDED
TO REZONE THE PROPERTY LOCATED AT 2020 OGDEN AVENUE**

WHEREAS, the real estate located at 2020 Ogden Avenue, on the north side of Ogden Avenue, approximately 830 feet east of Finley Road, hereinafter described has been classified as "M-1, Light Manufacturing" under the Comprehensive Zoning Ordinance of the Village of Downers Grove; and,

WHEREAS, the owner or owners of said real estate have requested that such property be rezoned as hereinafter provided; and

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 on June 2, 2014 and has made its findings and recommendations respecting said requested rezoning in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, making due allowance for existing conditions, the conservation of property values, the development of the property in conformance to the official Comprehensive Plan of the Village of Downers Grove, and the current uses of the property affected, the Council has determined that the proposed rezoning is for the public good.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows:

SECTION 1. The Comprehensive Zoning Ordinance of the Village of Downers Grove, Illinois, codified as Chapter 28 of the Downers Grove Municipal Code (which ordinance as heretofore amended, is hereinafter referred to as the "Zoning Ordinance"), is hereby further amended by changing to "B-3, General Services and Highway Business District" the zoning classification of the following described real estate, to wit:

THAT PART OF LOT 2 IN ASSESSMENT PLAT NO. 3, LANDS BELONGING TO TRUSTEES UNDER THE WILL OF JOY MORTON DECEASED, IN MILTON AND LISLE TOWNSHIPS BEING A PART OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 10, AND PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID ASSESSMENT PLAT NO. 3, RECORDED MARCH 30, 1935 AS DOCUMENT NO. 357009, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2, SAID SOUTHEAST CORNER BEING IN THE CENTER LINE OF OGDEN AVENUE; THENCE SOUTH 77 DEGREES, 40 MINUTES WEST, ON THE SOUTH LINE OF SAID LOT 2 AND THE CENTER LINE OF SAID OGDEN AVENUE A DISTANCE OF 341.36 FEET; THENCE NORTH 6 DEGREES 10 MINUTES WEST, ON A LINE PARALLEL WITH THE EAST LINE OF SAID LOT 2, A DISTANCE OF 554.14 FEET TO THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE NORTHERN ILLINOIS GAS COMPANY IN SECTION 1; THENCE EASTERLY ON SAID RIGHT-OF-WAY LINE BEING A CURVED LINE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 3,072.29 FEET A CHORD DISTANCE OF 341.36 TO THE EAST LINE OF SAID LOT 2; THENCE SOUTH 6

DEGREES, 10 MINUTES EAST ALONG SAID EAST LINE OF SAID LOT 2, A DISTANCE OF 551.91 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as: 2020 Ogden Avenue, Downers Grove, IL 60515
PINs: 08-01-204-001, 08-01-401-004, -005

SECTION 2. The official zoning map shall be amended to reflect the change in zoning classification effected by Section 1 of this ordinance, subject to the following conditions:

1. Any changes to the conditions represented by the Petitioner as the basis for this petition, whether those changes occur prior to or after Village approval, shall be promptly reported to the Village. The Village reserves the right to re-open its review process upon receipt of such information; and
2. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, County and Village laws, ordinances, regulations, and policies.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

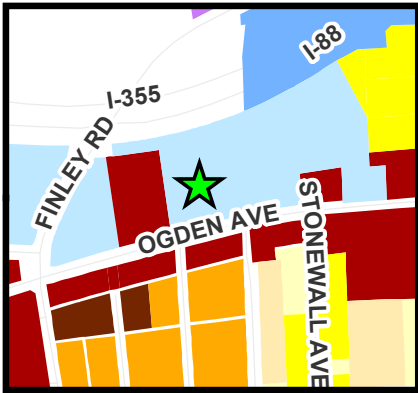
Mayor

Passed:

Published:

Attest: _____

Village Clerk



0 20 40 80
Feet

2020 Ogden Avenue - Location Map





**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
JUNE 2, 2014 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
PC-13-14 2020 Ogden Avenue	Zoning Ordinance Map Amendment	Patrick Ainsworth Planner

REQUEST

The petitioner is requesting a Zoning Ordinance Map Amendment to rezone the subject property from M-1, Light Manufacturing to B-3, General Services and Highway Business district.

NOTICE

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

GENERAL INFORMATION

OWNER: S.P.C. Equity Investments, LTD
2020 Ogden Avenue
Downers Grove, IL 60515

APPLICANT: Dominic Pugliani
2020 Ogden Avenue
Downers Grove, IL 60515

PROPERTY INFORMATION

EXISTING ZONING: M-1, Light Manufacturing
EXISTING LAND USE: Commercial (Automobile Dealership)
PROPERTY SIZE: 4.28 acres
PINS: 08-01-401-004, -005 and 08-01-204-001

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	M-1, Light Manufacturing	Corridor Commercial
SOUTH:	B-3 General Services and Highway Business	Corridor Commercial
EAST:	M-1, Light Manufacturing	Corridor Commercial
WEST:	B-3 General Services and Highway Business	Corridor 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. Zoning Map and Ordinance
3. Proposal Narrative
4. Plat of Survey

DESCRIPTION

The 4.28 acre property, commonly known as 2020 Ogden Avenue, is located on the north side of Ogden Avenue approximately 830 feet east of Finley Road. The property is zoned M-1 Light Manufacturing and is currently occupied by the Pugi Volkswagen automobile dealership. The petitioner is requesting to rezone the property to B-3 General Services and Highway Business to be consistent with the existing use on the property and the commercial trend of development along Ogden Avenue. The other intention of the applicant is to rezone the property to have the existing signage come into compliance with the Sign Ordinance.

The petitioner is not proposing any new development or changes to the existing building, use or the layout of the site at this time.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Commercial Area Plan section of the Comprehensive Plan shows the property located within the corridor commercial area. Corridor commercial uses include a blend of neighborhood-oriented commercial retail, offices, smaller regional commercial retail, service uses and multi-family uses. The existing automobile dealership provides a service to both local residents and to a larger region. The Comprehensive Plan specifically identifies the west end of Ogden Avenue as a strategic location for regional commerce and should be reserved for uses that capture customers from Downers Grove and from outside the community. The existing dealership meets these requirements. The proposed rezoning of the property from M-1 to B-3 is consistent with the Comprehensive Plan.

COMPLIANCE WITH THE ZONING ORDINANCE

The petitioner is proposing to rezone the property from M-1, Light Manufacturing to B-3 General Services and Highway Business District. According to Zoning Ordinance Section 28.405, the minimum area for a B-3 zoning district is four acres. The 4.28 acre subject property meets this requirement. Additionally, the subject property is contiguous to the requested B-3 zoning district to the west and south. All pertinent zoning regulations for the subject property and the subject zoning districts are presented in the table below:

2020 Ogden Avenue	Existing Site Conditions	M-1 District Bulk Requirements	B-3 District Bulk Requirements
Lot Area	186,552 square feet	20,000 square feet	10,500 square feet
Lot Width	304 feet	No minimum	No minimum
Front Setback – South property line	86 feet	35 feet	25 feet
Side Setback – East property line	100 feet	35 feet	25 feet
Side Setback – West property line	95 feet	10 feet	No minimum
Rear Setback - North property line	367 feet	10 feet	No minimum
Height	24 feet	35 feet	60 feet
Lot Coverage	14,544 square feet	60% (111,931 sq ft)	No maximum
Floor Area Ratio	0.08	1.0	0.75
Open Green Space	9% (16,161) sq ft	15% (27,982 sq ft)	10% (18,655 sq ft)

The current use of this property is an automobile dealership which was established in the 1960s. The use is considered to be a lawful special use per Section 28.1202(f) of the Zoning Ordinance. At this time, the petitioner has not proposed any development or redevelopment on the site. Any future development will be required to fully comply with all requirements of the Zoning Ordinance. The proposed rezoning of the property from M-1 to B-3 is consistent with the Zoning Ordinance.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners 250 feet or less from the property in addition to posting the public hearing notice sign and publishing the legal notice in the *Downers Grove Suburban Life*. At this time, staff has not received any comments regarding this petition.

FINDINGS OF FACT

Section 28.1702 Standards for Approval of Amendments to the Zoning Ordinance

Village Council and Plan Commission consideration and approval of any amendment, whether text or map, is a matter of legislative discretion that is not controlled by any one standard. However, in making its decisions and recommendations regarding map amendments, the Village Council and Plan Commission shall consider the following factors:

(1) *The existing uses and zoning of nearby property.*

The subject property is located in a commercial area which includes regional automobile dealerships, smaller multi-tenant retail buildings and other auto-oriented business. The surrounding area includes B-3 and M-1 zoning classifications. The property to the west is also improved with an existing automobile dealership and successfully went through a similar rezoning request in 2010. A change to the B-3 zoning district would be consistent with other uses and similarly sized parcels in the area. This standard has been met.

(2) *The extent to which the particular zoning restrictions affect property values.*

The zoning restrictions will not negatively affect property values. The rezoning from M-1 to B-3 may enhance the value of the subject property as future developments will contain more flexibility with bulk regulations and land uses associated with the B-3 zoning district. Parcels zoned B-3 are better suited for the Ogden Avenue corridor as compared to the M-1 zoning district. The rezoning will have no negative impact on surrounding property values as the automobile dealership use will remain. This standard has been met.

(3) ***The extent to which any determination in property value is offset by an increase in the public health, safety and welfare.***

The proposed rezoning will not impact property values or the public health, safety and welfare of the community or neighborhood. The use of the property will remain the same if the rezoning takes place. This standard has been met.

(4) ***The suitability of the subject property for the zoned purposes.***

The property is currently zoned M-1, Light Manufacturing. If the subject property were to remain M-1, it would not be consistent with the goals and intent of the Comprehensive Plan. The Comprehensive Plan calls for corridor commercial uses on Ogden Avenue. The B-3 designation is more appropriate for this parcel. This standard has been met.

(5) ***The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity.***

An automobile dealership has been in operation at this property since the 1960s. The surrounding area consists of larger B-3 properties that serve the same regional customer base. The rezoning would place the subject site in the same zoning classification as other similarly sized properties in the area. This standard has been met.

(6) ***The value to the community of the proposed use.***

The automobile dealership provides value to the community by providing a service to both local and regional residents. The Comprehensive Plan notes that corridor commercial areas should continue to meet the daily needs of local residents as well as provide commercial services to the larger region. This standard has been met.

(7) ***The standard of care with which the community has undertaken to plan its land use development.***

The Village has carefully considered and planned its land use development as evidenced by the 2011 adoption of the Comprehensive Plan. This standard has been met.

RECOMMENDATIONS

The proposed rezoning of the property is compatible with the Comprehensive Plan and 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.

Staff Report Approved By:

Stanley J. Popovich, AICP
Senior Planner

SP:pa
-att



Phone 630/964-9500
Fax 630/964-0435
Pugi.com

SPC Equity Investments, LTD is the name of the company which owns the real estate upon which Pugi Volkswagen currently resides at 2020 W. Ogden Ave in Downers Grove. SPC is requesting a change in the zoning classifications from M1 to B3 for this property. This zoning reclassification will allow for the existing monument sign on Ogden Ave to be in compliance with the Sign Ordinance. By complying with the Sign Ordinance, it will enable us to receive a permit to reface the existing tollway sign. This sign will be refaced to reflect Pugi Volkswagen rather than Pugi Hyundai.



2020 West Ogden Ave
Downers Grove, IL 60515



1866 West Ogden Ave
Downers Grove, IL 60515



1850 West Ogden Ave
Downers Grove, IL 60515

LEGAL DESCRIPTION

THAT PART OF LOT 7 IN ASSESSMENT PLAT NO. 5, LANDS BELONGING TO
DECEASED UNDER THE WILL OF JOE MONTON DECEASED, IS CHILTON AND LINDA
TOWNSEND BEING A PART OF SECTION 26, TOWNSHIP 39 NORTH, RANGE 13, AM
PART OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE THIRD
PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID ASSESSMENT PLAT NO.
5, RECORDED MARCH 10, 1975 AS DOCUMENT NO. 872506, DESCRIBED AS
FOLLOWS:

BEACHVIEW AT THE SOUTH EAST CORNER OF SAID LOT 2. SAID S. E. CORNER CORRESPONDS WITH THE CURVE LINE OF OTHER AVENUE. THENCE SOUTH 87° 02' 00" WEST, 40 FEET, 40 MINUTES WEST, ON THE SOUTH LINE OF SAID LOTS 2 AND 3 AND THE CENTER LINE OF SAID GREEN AVENUE A DISTANCE OF 341.18 FEET, THENCE NORTH 5° 16' 00" WEST, 100 FEET, 10 MINUTES WEST, ON A LINE PARALLEL WITH THE EAST LINE OF SAID LOT 2, A DISTANCE OF 100 FEET, 10 MINUTES WEST, TO THE EAST LINE OF SAID LOT 2, THENCE NORTH 89° 00' 00" WEST, 100 FEET, 10 MINUTES WEST, TO THE EAST LINE OF SAID LOT 2, THENCE EASTERLY ON THE RIGHT-OF-WAY LINE BEING A CURVED LINE, CONVERSE 2° 18' 00" NORTH, HAVING A RADIUS OF 672.88 FEET A 180° DISTANCE OF 341.18 FEET TO THE EAST LINE OF SAID LOT 2, THENCE SOUTH 89° 00' 00" WEST, 100 FEET, 10 MINUTES WEST, TO THE EAST LINE OF SAID LOT 2, THENCE SOUTH 89° 00' 00" WEST, 100 FEET, 10 MINUTES WEST, TO THE POINT OF BEGINNING, IN DE PAGE COUNTY, ILLINOIS.



LOCATION MAP
No Scale

THIS PROPERTY LIES ENTIRELY WITHIN ZONE "C" AS SHOWN ON THE FIRM
(FLOOD INSURANCE RATE MAP) VILLAGE OF DOWNERS GROVE, ILLINOIS, DU
PAGE COUNTY, COMMUNITY-PANEL NUMBER 170204 0003B, EFFECTIVE DATE
APRIL 15, 1981. ALSO COMMUNITY-PANEL NUMBER 170204 0003B, MAP
REVISED MARCH 18, 1982.

ZONE "C" IS DEFINED AS "AREA OF MINIMAL FLOODING"

STATE OF ILLINOIS) ss
County of Cook)

1. I, JAMES TREMBLAY, AN INDIAN, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY IN ACCORDANCE WITH OFFICIAL RECORDS AND THAT THE ABOVE PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

2. MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF, AND WHERE NOTED, IN FEET AND INCHES, CORRECTED TO A TEMPERATURE OF 62 DEGREES FAHRENHEIT.

SIGNED THIS 19th DAY OF DECEMBER 1986.

Robert Threlkay
ROBERT TRELKAY, ILLINOIS REGISTERED LAND SURVEYOR NO. 2575

SPACECO 6215 W. TOLUHY
CHICAGO, IL 60648
SITE PLANNING AND CIVIL ENGINEERING CORP.
312/776-1010

EASEMENT AT WILL DATED APRIL 25, 1967, RECORDED AUGUST 5, 1968 AS DOCUMENT NO 34741 GRANTS PERMISSION TO WILLIAM WANNEMAKER TO USE THE DRIVEWAY ON THE EAST SIDE OF THE TOLLGATE NURSERY. THIS DOCUMENT IS NOT PLATTABLE, HOWEVER, IT MAY AFFECT THE PROPERTY IN QUESTION.

THIS SUMMARY REFLECTS QUESTIONS OF TITLE AS SHOWN ON TITLE
COMMITMENT NO. 415162 DATED JANUARY 22, 1970.



A777 Voppe Co Downers Grove



TERRA
CONSULTING GROUP, LTD.
600 Business Highway
Park Ridge, IL 60068
PH 312/833-6600
FAX 312/833-6601

SUBSISTENCE AND REVENUE		
Line	Description	Amount
1	FOOD	10.00
2	BEVERAGES	5.00
3	TOBACCO	2.00
4	ALCOHOL	1.00
5	RENT	100.00
6	UTILITIES	50.00
7	REPAIRS	10.00
8	INSURANCE	20.00
9	TRANSPORTATION	15.00
10	ENTERTAINMENT	5.00
11	HAIR	10.00
12	PERSONAL CARE	5.00
13	HOUSEHOLD SUPPLIES	10.00
14	TRAVEL	50.00
15	OTHER	10.00
16	TOTAL	250.00

**FOR
SITE
IMPROVEMENTS**

**PUGI
VOLKSWAGEN**

2020 W. OGDEN AVE
DOWNERS GROVE, IL
60515

DESIGNED BY:	J.L.B.
DRAWN BY:	J.L.B.
DATE:	10-05-2011
PROJECT #:	1000

Summary

**GEOMETRIC
PLAN**

- NOTES:**

DRAFT

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

JUNE 2, 2014, 7:00 P.M.

Chairperson Urban called the June 2, 2014 meeting of the Plan Commission to order at 7:00 p.m. and led the Plan Commissioners and the public in the recital of the Pledge of Allegiance.

ROLL CALL:

PRESENT: Chairperson Urban, Mr. Matejczyk, Mr. Quirk, Mrs. Rabatah, Mr. Rickard, Mr. Waechtler, Mr. Webster

ABSENT: Mr. Beggs, Mr. Cozzo (ex-officios Ms. Lupescu, Mr. Menninga, Ms. Souter)

STAFF: Acting Community Development Director Stan Popovich, Planners Kelley Chrisse and Patrick Ainsworth

VISITORS: Mr. Dale Turek, 424 36th Street, Downers Grove; Greg Gaus with Midwestern University, 555 31st Street, Downers Grove; Mr. Dean Malone, Midwestern University, 1397 Middleburg Court, Naperville; Mr. Mike Mizwicki, 2020 W. Ogden, Downers Grove; Mr. John Fritz, 2S749 Avenue Orleans, Downers Grove; Mr. Peter Laning, 2S750 Avenue La Tours, Downers Grove; Mr. Dwight Todd, DWL Architects, 2333 N. Central Ave., Phoenix, AZ; Mr. Richard Marsan, 500 36th Street, Downers Grove.

APPROVAL OF APRIL 7, 2014 MINUTES

MINUTES OF APRIL 7, 2014 WERE APPROVED ON MOTION BY MR. MATEJCZYK, SECONDED BY MR. WAECHTLER. MOTION CARRIED BY VOICE VOTE OF 7-0.

PUBLIC HEARINGS:

Chairperson Urban directed the public to the available packet information and reviewed the protocol for the meeting.

Chairperson Urban swore in those individuals that would be speaking on the following hearings:

FILE PC-13-14: A petition seeking approval of a Zoning Ordinance Map Amendment to rezone property from M-1, Light Manufacturing to B-3, General Services and Highway Business District. The property is zoned M-1, Light Manufacturing District. The property is located on the north side of Ogden Avenue, approximately 815 feet east of Finley Road, commonly known as 2020 Ogden Avenue, Downers Grove, IL (PINs 08-01-204-001, 08-01-401-004, -005). S.P.C. Equity Investments, Ltd., Petitioner/Owner.

DRAFT

Village Planner, Patrick Ainsworth, reviewed the 4.28-acre property located at 2020 Ogden Avenue and noted the zoning in the immediate vicinity, pointing out that in 2010 the property to the west went through a successful petition of the same request, i.e., rezoning an automobile dealership from M-1 to B-3. Currently, the land use was an automobile dealership and the petitioner was seeking to rezone the property to B-3 General Services and Highway Business to be consistent with the existing use on the property. A review of the Future Land Use Map followed as well as a list of the bulk requirements for the M-1 and B-3 zoning districts.

Staff supported the request as it met the requirements of the Future Land Use Map, the Comprehensive Plan, and was in conformance with the existing zoning code. Staff proceeded to describe how the site was better suited for B-3 zoning. The petitioner was not proposing any new development or changes to the existing building use or the layout of the site at this time. Staff recommended the Plan Commission forward a positive recommendation to the Village Council.

Discussion from the commission included confirmation that the existing sign on the site was in non-conformance and if the request tonight was denied, the petitioner would have to change the sign; whether a special use would be required for a dealership in a B-3 District (details followed); the fact that the open green space requirement would remain as a legal non-conforming condition; and that there would be some easing of the bulk requirements going to the new zoning classification.

Petitioner, Mr. Mike Mizwicki, 2020 Ogden, Downers Grove, petitioner and general manager of the dealership, explained that he was looking for the same zoning classification done in 2010 to the western neighbor with no desire to change his operation but only to allow the existing sign to come into compliance. Details of the previous signage that was on the property was explained.

As to any future plans for complying with the open green space requirement, Mr. Mizicki stated there were no plans to add landscaping but he would consider it in the future. The challenge was the large amount of pavement on the site. He stated that when the property was initially renovated there was green space added to the western edge of the site as part of the prior approved renovation plan from last year.

Mr. Popovich also confirmed that the amount of green space was consistent with other businesses along Ogden Avenue and the owner was actually decreasing the non-conformity.

Chairperson Urban invited the public to speak. No comments received. Public comment and the public hearing were closed.

WITH RESPECT TO PC-13-14 MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL. SECONDED BY MR. WAECHTLER.

ROLL CALL:

AYE: MR. MATEJCZYK, MR. WAECHTLER, MR. QUIRK, MRS. RABATAH, MR. RICKARD, MR. WEBSTER, CHAIRPERSON URBAN.

NAY: NONE

DRAFT

MOTION CARRIED: VOTE: 7-0

FILE PC- 15-14: A petition seeking approval of a Planned Development Amendment to revise the master plan for Midwestern University. The property is zoned R-1, Single Family Residence District, and is located on the south side of 31st Street, approximately 1,280 feet west of Meyers Road, commonly known as 555 31st Street, Downers Grove, IL (PINs 06-32-200-015, 06-32-400-026). Midwestern University, Petitioner/Owner.

Village Planner, Kelley Chrisse, reviewed the location of the 105-acre site, explaining that the surrounding land uses generally have a mixture of large office buildings, single-family homes, townhomes and forest preserve. In May 2012 the campus was designated as a planned development and a master plan was submitted. Ms. Chrisse reviewed the master plan in more detail, noting that the taller, denser buildings were to be focused in the center of the campus, with the more residentially-scaled buildings placed along the perimeter to minimize the impact on surrounding neighborhoods. Development limitations of the site were also detailed.

Staff proceeded to explain how provisions in the campus master plan differentiated between major (Plan Commission approval) and minor (administrative approval) developments to the master plan and the approval process for each. Tonight's request for a plan development amendment and the master plan amendment was to "clean up" some of the minor developments that received prior village approval and to locate two additional building pads to the master plan for future development.

An explanation of upcoming minor and major developments followed, noting future major developments included the four-unit, 35-foot tall executive apartment building located north of the current administration building. It would include four external parking spaces and four internal parking spaces. A new building pad was being proposed for a new office/classroom building to house the university's four-year optometry program with 100 students expected to be generated. The four-story building was to be no taller than 50 feet in height.

Zoning compliance was reviewed next, with staff noting the bulk requirements, the minor reduction of green space, and the excess of parking space. A virtual tour followed with Ms. Chrisse sharing that the tallest building on the campus was currently 90 feet tall and was adjacent to the newly proposed office/classroom. More photos followed.

Ms. Chrisse proceeded to review the thirteen (13) Standards for Approval in more detail, explaining that the proposal was consistent with the village's planned development and zoning bulk regulations. She stated there were no deviations being requested. The proposal also met the requirements of the village's Comprehensive Plan and the proposed master plan was consistent with the development patterns in the area. Staff recommended that the Plan Commission forward a positive recommendation to the Village Council subject to the conditions in staff's report. She pointed out that many of the conditions listed were conditions for the chapel and the reason why they were listed again was because the new classroom/office building was in the general location of the previously approved chapel.

Commissioner questions followed as to what happens when the petitioner decides to construct higher than the 50 ft. allowance for the classroom/office building, i.e., the petitioner would have to return to the commission; the status of the office/auditorium and its height; the fact that the

DRAFT

executive apartment will house management personnel traveling from the Phoenix campus to this location; and the suggestion to have the Standards for Approval in the village council packets should the petition be approved tonight. Positive comments about Midwestern University followed as well as an explanation by staff regarding the sidewalk reinforcement for fire trucks.

Per staff, previous inquiries from the neighbors included what the University was proposing to do. No other concerns were voiced by the neighbors prior to the meeting.

Petitioner, Mr. Dwight Todd, DWL Architects, 2333 N. Central Ave., Phoenix, AZ, had no further discussion to the summary. He stated that the classroom/office building had not been designed yet but the executive apartments were moving forward and the design would look similar to the neighbors to the east -- a two-story building that would appear like a single-family house with four garage doors in front with steep hipped roofs and possible stone/brick elements. Tentatively, construction on the apartment building was to begin as soon as a building permit was obtained, i.e., soon after Council approval with occupancy anticipated early next year. The office/classroom building needed to be occupied by fall of 2016.

Chairperson Urban opened up the meeting to public comment.

Mr. John Fritz, 2S749 Avenue Orleans, Oak Brook, IL, supported the improvement of the intersection and inquired when construction would begin. He asked that the intersection detail drawing shown in today's presentation be reflected on the village's web site. Lastly, Mr. Fritz asked why he did not receive a notice for this meeting, when, in fact, he received a notice back in 2010 for the chapel. (Staff would follow up). Overall, he supported the proposal.

Mr. Richard Marsan, 500 36th Street, Downers Grove, was sworn in. He supported the proposal but asked if there were certain conditions imposed upon the campus as it related to illumination on adjacent properties wherein Mr. Popovich addressed his concerns, adding that any issues with existing light, even with the new zoning ordinance, would come under code enforcement. Mr. Marsan discussed that during the winter months, when the leaves were not on the trees, the lighting was excessive. Mr. Popovich offered to speak to Mr. Marsan on the side.

Hearing no further comments, and the petitioner waiving his closing statement, Chairperson Urban announced that public comment and the public hearing were closed. She invited deliberation among the commissioners.

Commissioner questions followed on whether the traffic issues were resolved along 31st Street or had to be reviewed, wherein Ms. Chrisse indicated that the 2011 traffic study indicated the need for a signalized intersection due to traffic volume at the peak travel times for Midwestern University and that the proposed signalization would reduce the traffic issues along 31st Street at the university's entrance. Her understanding was that it would begin in the coming months. Mr. Waechtler raised concern about the notification to residents within 250 feet of a proposal and the need for flexibility, wherein Mr. Popovich explained that a provision in the new ordinance does not count right-of-ways as part of the 250 ft. requirement. Some flexibility would be taken into account.

Chairperson Urban confirmed that the Standards for Approval had been met as outlined in staff's report and supplemented by the petitioner in their correspondence in their packet.

DRAFT

WITH RESPECT TO PC 15-14, CHAIRMAN WAECHTLER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL TO APPROVE THE REVISED CAMPUS MASTER PLAN SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE BULK REQUIREMENTS OF THE PROPOSED BUILDINGS SHALL SUBSTANTIALLY CONFORM TO THE CAMPUS MASTER PLAN PREPARED BY DWL ARCHITECTS & PLANNERS, INC. DATED MAY 28, 2014.**
- 2. THE PROPOSED AND RELOCATED BUILDINGS ARE SUBJECT TO MEETING ALL APPLICABLE VILLAGE CODES, ORDINANCES AND POLICIES DURING THE BUILDING PERMIT PROCESS.**
- 3. THE EXISTING SIDEWALK LOCATED IMMEDIATELY SOUTH OF HASPEL/HAMBRICK HALL SHALL BE REINFORCED TO HOLD 82,000 POUNDS.**
- 4. THE EXISTING SIDEWALK TO THE WEST OF HASPEL/HAMBRICK HALL SHALL BE MODIFIED TO ALLOW A FIRE TRUCK THE ABILITY TO TURN ONTO THE SOUTH SIDEWALK.**
- 5. ALL PROPOSED AND RELOCATED BUILDINGS SHALL BE REQUIRED TO LOCATE A FIRE HYDRANT WITHIN 100 FEET OF EACH NEW FIRE DEPARTMENT CONNECTION.**
- 6. THE PROPOSED BUILDINGS SHALL BE EQUIPPED WITH AN AUTOMATIC SUPPRESSION SYSTEM AND AN AUTOMATIC AND MANUAL FIRE ALARM SYSTEM.**

SECONED BY MR. QUIRK.

ROLL CALL:

AYE: MR. WACHTLER, MR. QUIRK, MR MATEJCZYK, MRS. RABATAH, MR. RICKARD, MR. WEBSTER, CHAIRPERSON URBAN

NAY: NONE

MOTION CARRIED. VOTE: 7-0

OTHER BUSINESS:

Mr. Popovich announced the following: 1) Mr. Beggs indicated his desire to resign from the Plan Commission but a formal resignation has not been received; 2) due to the resignation of Community Development Director Tom Dabareiner in May, Mr. Popovich was appointed the acting community development director; and 3) the new zoning ordinance that had been referenced during the meeting was actually approved on May 20, 2014 with an effective date of June 15, 2014. The next Plan Commission meeting is scheduled for July 7, 2014. Mr. Popovich stated he will notify the commissioners if a meeting will be cancelled in light of the summer months.

Mr. Waechtler thanked staff for the new zoning ordinance and stated that Mr. Beggs “will be sorely missed -- great knowledge, great expertise.”

DRAFT

**THE MEETING WAS ADJOURNED AT 8:04 P.M. ON MOTION BY MR. WEBSTER,
SECONDED BY MR. QUIRK. MOTION CARRIED BY VOICE VOTE OF 7-0.**

/s/ Celeste K. Weilandt

Celeste K. Weilandt

(As transcribed by MP-3 audio)