

**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE VILLAGE COUNCIL MEETING  
AUGUST 5, 2014 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Special Use for a 24-hour pharmacy drive through at 1000 Ogden Avenue	✓ Resolution Ordinance Motion Discussion Only	Stanley J. Popovich, AICP Acting Community Development Director

**SYNOPSIS**

A special use ordinance has been prepared for a 24-hour pharmacy drive through at 1000 Ogden Avenue.

**STRATEGIC PLAN ALIGNMENT**

The goals for 2011-2018 include *Strong and Diverse Local Economy*.

**FISCAL IMPACT**

N/A

**UPDATE & RECOMMENDATION**  
 This item was discussed at the July 15, 2014 Village Council meeting. Staff recommends approval on the August 5, 2014 Active Agenda per the Plan Commission’s unanimous recommendation. The Plan Commission found that the proposal is an appropriate use in the corridor, compatible with the Comprehensive Plan and meets all standards for approval of a Special Use found in Section 28.1902.

**BACKGROUND**

The petitioner is requesting Special Use approval to extend the hours of the existing pharmacy drive through to 24-hours at 1000 Ogden Avenue. The 69,500 square foot property is located at the northeast corner of Ogden Avenue and Main Street and is zoned B-3, General Services and Highway Business. The site is improved with a retail building occupied by Walgreens, which is open 24-hours for both the general store and the pharmacy. This location has the only 24-hour pharmacy in Downers Grove and is located less than a mile from Advocate Good Samaritan Hospital.

A Conditional Use (now known as a Special Use) was approved in 1998 for the existing pharmacy drive through with the hours of operation restricted to 9:00 am to 10:00 pm. As a result of neighborhood feedback at the time of the Conditional Use approval, Highland Avenue was subsequently closed to prohibit northbound traffic from the subject site. Although the additional traffic anticipated with the expansion of the pharmacy drive through hours is minimal, any potential increase in traffic will not travel through the residential neighborhood to the north due to the closure of Highland Avenue. Additionally, the petitioner contacted the residential properties within closest proximity to the drive through and received no objections to the petition.

The petitioner is not proposing any changes to the existing drive through or site improvements but is planning a multi-million dollar interior renovation scheduled to start in mid-August. The petitioner would coordinate the approval of this Special Use, if granted, with the start of the interior remodel in order to provide

uninterrupted pharmacy services because the pharmacy will be unavailable from within the store during the renovation.

Compliance with the Zoning Ordinance

The pharmacy drive through is listed as a Special use in the B-3 zoning district. No changes are being proposed that would affect the site or building envelope. Signs will be brought into compliance as part of this petition.

Compliance with the Comprehensive Plan

The proposed 24-hour pharmacy drive through use is consistent with and meets the goals of the Comprehensive Plan as shown below:

<b>Comprehensive Plan Recommendations</b>	<b>How the Proposal is Consistent with the Comprehensive Plan</b>
Corridor Commercial uses should function to serve local residents and provide commercial services to the larger region	<ul style="list-style-type: none"><li>• The proposed 24-hour pharmacy drive through will serve both local and regional residents.</li></ul>
Commercial modernization to replenish, rejuvenate and spur reinvestment in the Village's business sector	<ul style="list-style-type: none"><li>• The proposed 24-hour pharmacy drive through will increase the attractiveness of this location over other 24-hour pharmacies in surrounding municipalities.</li></ul>

Public Comment

There has been no public comment offered on this request.

**ATTACHMENTS**

Aerial Map

Ordinance

Staff Report with attachments dated July 7, 2014

Draft Minutes of the Plan Commission Hearing dated July 7, 2014

**VILLAGE OF DOWNERS GROVE**  
**COUNCIL ACTION SUMMARY**

**INITIATED:** \_\_\_\_\_ Applicant \_\_\_\_\_ **DATE:** August 5, 2014  
(Name)

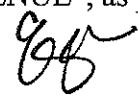
**RECOMMENDATION FROM:** \_\_\_\_\_ **FILE REF:** PC-18-14  
(Board or Department)

**NATURE OF ACTION:**

- Ordinance
- Resolution
- Motion
- Other

**STEPS NEEDED TO IMPLEMENT ACTION:**

Motion to Adopt "AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT A 24 HOUR PHARMACY DRIVE THROUGH AT 1000 OGDEN AVENUE", as presented.



**SUMMARY OF ITEM:**

Adoption of the attached ordinance will authorize a special use for 1000 Ogden Avenue to permit a 24 hour pharmacy drive through at Walgreens.

**RECORD OF ACTION TAKEN:**

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING A SPECIAL USE TO PERMIT  
A 24-HOUR PHARMACY DRIVE THROUGH AT 1000 OGDEN AVENUE**

WHEREAS, the following described property, to wit:

LOTS 12 TO 24 BOTH INCLUSIVE AND THE VACATED PUBLIC ALLEY BETWEEN LOTS 13 AND 23 AND LOTS 14 TO 22 IN BLOCK 7 IN LITTLEFORD'S SUBDIVISION BEING A PART OF THE WEST HALF OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 9, 1925 IN BOOK 12 OF PLATS, PAGE 98 AS DOCUMENT NO. 190965 IN DUPAGE COUNTY, ILLINOIS; EXCEPT FOR THE PARCEL OF LAND IN A CONDEMNATION CASE IN THE CIRCUIT COURT OF DUPAGE COUNTY, ILLINOIS, CASE NO. 96ED42, ALL OF THE ABOVE TO BE TAKEN AS ONE PARCEL AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 24; THENCE NORTH 89° 49' 49" EAST (ON AN ASSUMED BEARING SYSTEM) ALONG THE NORTH LINE OF SAID LOT 12 AND LOT 24, A DISTANCE OF 276.54 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE SOUTH 00° 03' 57" EAST ALONG THE EAST LINE OF SAID LOTS 12, 13 AND 14, A DISTANCE OF 225.30 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET AND A CHORD BEARING OF SOUTH 43° 52' 19" WEST, AN ARC LENGTH OF 38.34 FEET TO A POINT OF TANGENCY ON THE SOUTH LINE OF SAID LOT 14; THENCE SOUTH 87° 48' 34" WEST ALONG THE SOUTH LINE OF SAID LOTS 14 TO 22, A DISTANCE OF 222.87 FEET TO A POINT ON THE EAST LINE OF SAID CONDEMNATION CASE NO. 96ED42; THENCE NORTH 31° 33' 39" WEST ALONG SAID EAST LINE, A DISTANCE OF 57.41 FEET TO A POINT ON THE WEST LINE OF SAID LOT 22; THENCE NORTH 00° 00' 00" EAST ALONG THE WEST LINE OF SAID LOTS 22, 23 AND 24, A DISTANCE OF 209.10 FEET TO THE PLACE OF BEGINNING; CONTAINING 1.595 ACRES OF LAND MORE OR LESS.

Commonly known as 1000 Ogden Avenue, Downers Grove, IL 60515 (PINs 09-05-117-021, -023, -024 & 09-05-301-005, -006, -007)

(hereinafter referred to as the "Property") is presently zoned "*B-3 -General Services and Highway Business District*" under the Comprehensive Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, Ordinance No. 4059, passed and approved on August 24, 1998, authorized a conditional use to permit a drive-up/drive through for the property now known as 1000 Ogden Avenue; and,

WHEREAS, the owner of the Property has filed with the Plan Commission, a written petition conforming to the requirements of the Zoning Ordinance, requesting that a Special Use per Section 28.1902 of the Zoning Ordinance be granted to permit a 24-hour pharmacy drive through at 1000 Ogden Avenue; and,

WHEREAS, such petition was referred to the Plan Commission of the Village of Downers Grove on July 7, 2014, and said Plan Commission has given the required public notice, has conducted a public hearing respecting said petition and has made its findings and recommendations, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and,

WHEREAS, the Plan Commission has recommended approval of the requested Special Use, subject to certain conditions; and,

WHEREAS, the Village Council finds that the evidence presented in support of said petition, as stated in the aforesaid findings and recommendations of the Plan Commission, is such as to establish the following:

1. The proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
2. The proposed use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.
3. The proposed use will comply with the regulations specified in this Zoning Ordinance for the district in which the proposed use is to be located.
4. The proposed use is one of the special uses specifically listed for the district in which it is to be located and, if approved with restrictions as set forth in this ordinance, will comply with the provisions of the Downers Grove Zoning Ordinance regulating this Special Use.

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

SECTION 1. That a Special Use of the Property is hereby granted to permit a 24-hour pharmacy drive through at 1000 Ogden Avenue within the B-3 zoning district.

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

1. The speaker volume on the drive through window must be reduced between the hours of 10:00pm and 9:00am.
2. Prior to commencing the 24-hour operation of the drive through, the property shall be in compliance with all Village sign regulations.
3. The use of the 24-hour drive through shall be limited to prescriptions and over the counter pharmaceutical products.

SECTION 3. The above conditions are hereby made part of the terms under which the Special Use is granted. Violation of any or all of such conditions shall be deemed a violation of the Village of Downers Grove Zoning Ordinance, the penalty for which may include, but is not limited to, a fine and or revocation of the Special Use granted herein.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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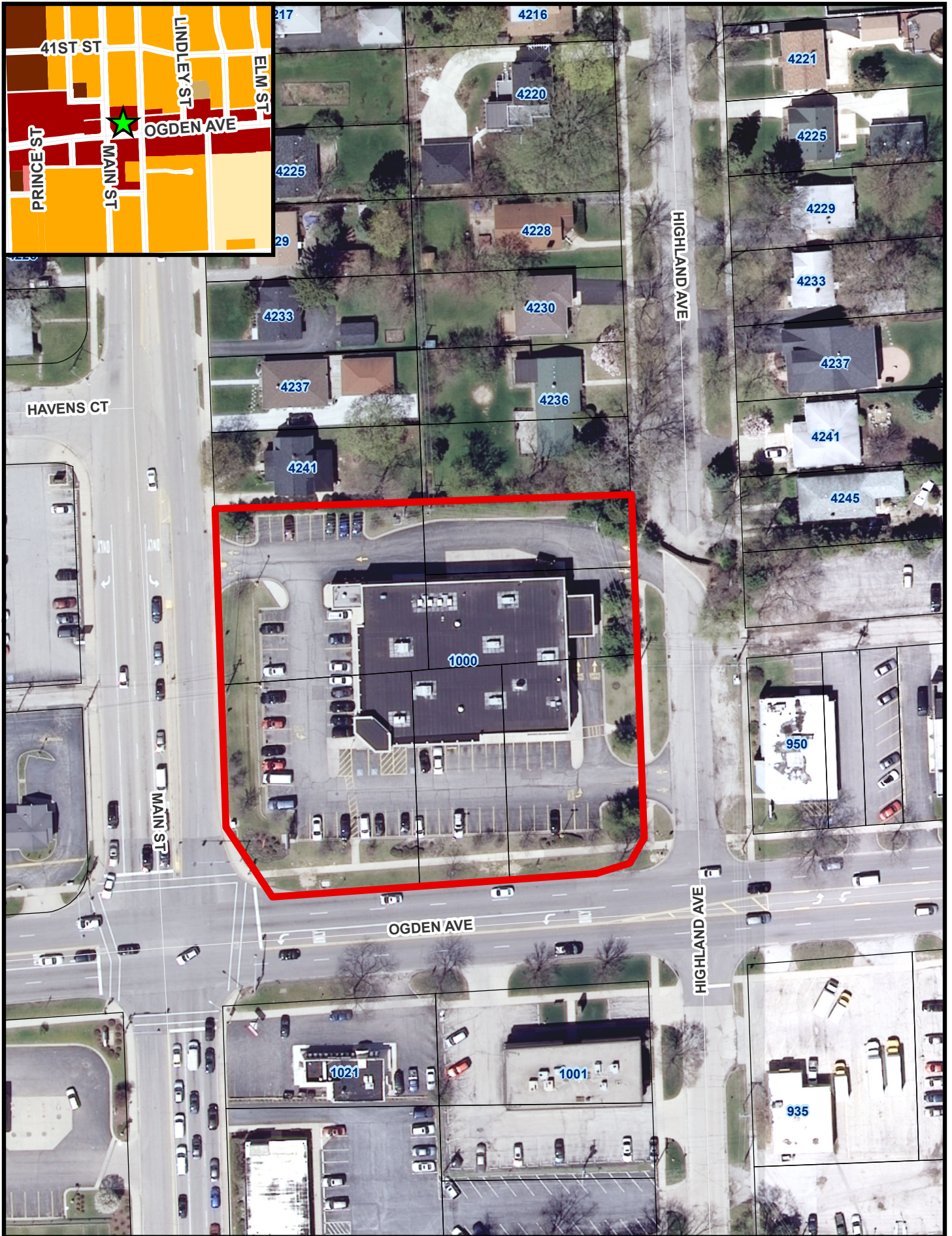
Mayor

Passed:

Published:

Attest: \_\_\_\_\_

Village Clerk



0 20 40 80 Feet

# 1000 Ogden Avenue - Location Map





**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
JULY 7, 2014 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
PC-18-14 1000 Ogden Avenue	Special Use for a 24-hour Pharmacy Drive Through	Kelley Chrissie Planner

**REQUEST**

The petitioner is requesting approval of a Special Use to modify the hours of the existing pharmacy drive through from 9:00 a.m. to 10:00 p.m. to 24-hours for the Walgreens located at 1000 Ogden Avenue.

**NOTICE**

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

**GENERAL INFORMATION**

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**OWNER:** Standard Bank & Trust Company, Trust #1645  
Beneficial Owner: Ogden Main LLC  
8711-B West 95th Street  
Hickory Hills, IL 60563

**APPLICANT:** Bond Drug Company of Illinois (Walgreens)  
Walgreen Realty Resources, LLC  
104 Wilmot Road, 2nd Floor  
Deerfield, IL 60015

**PROPERTY INFORMATION**

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**EXISTING ZONING:** B-3, General Services and Highway Business  
**EXISTING LAND USE:** Drug Store and Pharmacy  
**PROPERTY SIZE:** 1.59 acres (69,478 square feet)  
**PINS:** 09-05-117-021, -023, -024 & 09-05-301-005, -006, -007

**SURROUNDING ZONING AND LAND USES**

	<b>ZONING</b>	<b>FUTURE LAND USE</b>
<b>NORTH:</b>	R-4, Single Family Residence	Single Family Residential
<b>SOUTH:</b>	B-3, General Services and Highway Business	Corridor Commercial
<b>EAST:</b>	B-3, General Services and Highway Business	Corridor Commercial
<b>WEST:</b>	B-3, General Services and Highway Business	Corridor Commercial

## **ANALYSIS**

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### **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. Narrative Statement and Standards for Approval
3. Plat of Survey

### **PROJECT DESCRIPTION**

The petitioner is requesting Special Use approval to expand the hours of the existing Walgreens pharmacy drive through to 24-hours. The subject property is located at the northeast corner of Ogden Avenue and Main Street and is zoned B-3, General Services and Highway Business. The approximately 69,500 square foot property is improved with a retail building occupied by Walgreens, a drug store and pharmacy, and a surface parking lot.

A Conditional Use (now known as a Special Use) was approved for the existing pharmacy drive through in 1998 that restricted the hours of operation from 9:00 a.m. to 10:00 p.m. The full-service store has been open 24-hours for walk-in service, including the pharmacy, for nearly 15 years. The subject property is located less than a mile from Advocate Good Samaritan Hospital and is the only 24-hour pharmacy in Downers Grove. The other nearest 24-hour pharmacies are located in Westmont, Glen Ellyn and Villa Park. The existing drive through window is only available for the transaction of pharmaceutical products, which includes prescriptions and over-the-counter, health-related products. With the restriction of the drive through from 9:00 a.m. to 10:00 p.m, customers in need of pharmacy services outside of these hours have to come into the store to purchase these products.

The petitioner is proposing to extend the drive through hours of operation to 24-hours. No changes to the number of drive through lanes or site layout are proposed. However, a multi-million dollar interior renovation is being planned for mid-August where the pharmacy will be unavailable from within the store. Should the petition be approved prior to construction, the approval will ensure residents' ability to receive uninterrupted 24-hour pharmacy services at this location during construction. Once construction is complete, the pharmacy will be accessible 24-hours per day within the store and through the drive through.

There are two existing drive through lanes located on the east side of the building. Customers entering the site from Main Street circle around the building counter-clockwise to enter the drive through lanes on the east. Alternatively, customers that enter the site from Highland Avenue turn right directly into the drive through lanes. As customers wait for their order, the cars face north into a heavily landscaped area that also has a six foot tall privacy fence to block the headlights for the adjacent residential properties. Cars exiting the drive through can turn right to get back to Highland Avenue or turn left around the building to exit onto Main Street. Cars do not have access to northbound Highland Avenue as Highland Avenue was closed to through traffic with the original proposal in 1998. As such, any increase in traffic would only be seen on Ogden Avenue and Main Street. Each drive through lane can accommodate more than the required three stacking spaces. A speaker system is used for the drive through to communicate with the customers, in which the volume could be adjusted during the overnight hours to reduce the impact on adjacent properties.

Based on data from other 24-hour Walgreens stores in the western suburbs, it is anticipated that there may be approximately 20 to 25 vehicles using the pharmacy drive through between the hours of 10:00 p.m. and 9:00 a.m. If the traffic were evenly distributed, that would equate to approximately two cars per hour using the drive through. However, the current and anticipated peak hours during the overnight hours for the



pharmacy at the subject site are from 7:00 a.m. to 9:00 a.m., where the majority of this current traffic for the 24-hour pharmacy is expected to use the drive through if this petition were approved.

#### **COMPLIANCE WITH THE COMPREHENSIVE PLAN**

This property is designated as Corridor Commercial in the Future Land Use Plan. Corridor Commercial uses include a blend of neighborhood-oriented commercial retail, offices, smaller regional retail, service and multi-family. The Comprehensive Plan calls for neighborhood-oriented commercial retailers, such as Walgreens, to serve local residents and provide goods and services to the larger region. The proposed extension of the pharmacy drive through to 24-hours is consistent with the Corridor Commercial designation.

The Plan also calls for commercial properties to be modernized in order to remain competitive in the marketplace. The planned interior renovation and the expansion of the existing pharmacy drive through to 24-hours increases the attractiveness of this location over the other 24-hour pharmacies in surrounding municipalities.

#### **COMPLIANCE WITH THE ZONING ORDINANCE**

The subject property is zoned B-3, General Services and Highway Business, as are the properties to the east, south and west. Properties to the north of the subject property are zoned R-4, Single Family Residence. The pharmacy drive through is listed as a Special Use for the B-3 zoning district. No changes are being proposed that would affect the site or the building envelope.

A permit application has been submitted to bring the existing wall and monument signs into compliance with the Zoning Ordinance. Staff continues to work with the petitioner to facilitate compliance.

There is minimal traffic impact anticipated as a result of an approval of this petition, particularly due to the requested expansion in hours of operation. As this pharmacy is already open 24-hours, the petitioner has indicated that many customers pull up to the drive through window during the overnight or early morning hours anticipating that the drive through is also open. Therefore, many of the existing 20-25 customers that would have come into the store would use the drive through instead.

#### **ENGINEERING/PUBLIC IMPROVEMENTS**

The petitioner is not proposing any changes to the site that would result in public improvements. All required infrastructure exists and adequately services the property.

#### **PUBLIC SAFETY REQUIREMENTS**

There are no changes to the site that would trigger public safety improvements. However, the interior renovation will be required to comply with all public safety requirements as identified in the Village's Building and Fire Codes.

#### **NEIGHBORHOOD COMMENT**

Notice was provided to all property owners within 250 feet of the subject property in addition to posting a public hearing sign on the subject property and publishing a notice in *Downers Grove Suburban Life*. Staff has not received any inquiries about the petition. The petitioner, however, contacted the three adjacent properties in closest proximity to the drive through window prior to notices being posted and mailed. The residents contacted by the petitioner had no concerns about the petition.

## **FINDINGS OF FACT**

The petitioner is requesting a Special Use to expand the hours of the existing pharmacy drive through to 24-hours. Staff finds the proposal meets the standards for granting a Special Use as outlined below:

### ***Section 28.1902 Standards for Approval of Special Uses***

*The Village Council may authorize a special use by ordinance provided that the proposed Special Use is consistent and in substantial compliance with all Village Council policies and land use plans, including but not limited to the Comprehensive Plan, the Future Land Use Plan and Master Plans and the evidence presented is such as to establish the following:*

- (a) *That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.*

Given the proximity to Advocate Good Samaritan Hospital and the fact that this is the only 24-hour pharmacy in Downers Grove, this proposal to expand the pharmacy drive through hours is in the interest of public convenience. This would be particularly advantageous for parents who would not have to bring their sick child into the store but can receive the pharmaceuticals from the convenience of their own car or for sick individuals who do not want to expose others to their ailment when trying to get medication. A 24-hour pharmacy drive through would provide the residents of Downers Grove a convenient way to access pharmacy services. This standard is met.

- (b) *That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.*

As the pharmacy is already open 24-hours, the expansion of the drive through hours will provide additional convenience. The proposed Special Use will not be detrimental to the health, safety, morals or general welfare of the neighborhood. The existing site is screened from adjacent residential properties with a fence and dense vegetation and traffic is prohibited from heading north on Highland Avenue into the residential neighborhood. Since this is not a new use and the intensity of the use is not anticipated to increase, approval of this petition will not have an impact on property values in the general vicinity. This standard is met.

- (c) *That the proposed use will comply with the regulations specified in this Zoning Ordinance for the district in which the proposed use is to be located or will comply with any variation(s) authorized pursuant to Section 28-1802.*

The petitioner is not requesting any zoning variations, as the proposal does not include any site improvements. The comprehensive interior renovation will meet all applicable code requirements. This standard is met.

- (d) *That it is one of the special uses specifically listed for the district in which it is to be located.*

A drive through use was previously approved by the Village as a Conditional Use in 1998 and is listed in Section 28.609(c) of the Zoning Ordinance as a Special Use in the B-3 zoning district. This standard is met.

## **RECOMMENDATIONS**

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The proposal is consistent and compatible with the Comprehensive Plan, Zoning Ordinance and surrounding zoning and land use classifications. Based on the findings listed above, staff recommends that

the Plan Commission make a positive recommendation to the Village Council regarding PC-18-14 subject to the following conditions:

1. The speaker volume on the drive through window must be reduced during overnight hours.
2. Prior to commencing the 24-hour operation of the drive through, the property shall be in compliance with all Village sign regulations.

Staff Report Approved By:

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Stanley J. Popovich, AICP  
Acting Director of Community Development

SP:kc  
-att

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## NARRATIVE STATEMENT AND STANDARDS FOR APPROVAL

The Subject Property, which is zoned B3-General Services and Highway Business, has been occupied and operated as a full-service, 24-hour Walgreens Store for nearly 15 years. Pursuant to a Conditional Use approved by the Village in 1998,<sup>1</sup> the East side of the Store provides a drive-through window, exclusively for Pharmacy transactions. To date, the Pharmacy drive-through window has been available for customer use only between 9:00 a.m. and 10:00 pm.

Petitioner is currently seeking a Special Use approval so that Pharmacy customers may access the Pharmacy's drive-up window between 10 p.m. on and 9:00 a.m., as well. If approved by the Village, having the Pharmacy window available for 24-hour service will improve community convenience for the longer term and also will provide an immediate, time-sensitive benefit for customer health and wellness in 2014. Petitioner will be undertaking a comprehensive interior renovation of the Store, commencing in mid-August, 2014. (Walgreens has selected a very limited number of its stores, nationwide, for this type of multi-million dollar remodel.) During the associated construction, customers and patients will be unable to access the Pharmacy from the Store's interior. If the associated Special Use is approved in time, Petitioner will be able to maintain continuous Pharmacy services throughout the construction period by operating the Pharmacy window for its transactions.

Petitioner is sensitive to how its operations may potentially impact surrounding properties. Accordingly, regardless of how heavily the drive-through area is currently buffered (see attached photos of fencing and significant, mature landscaping), Petitioner has proactively contacted various residential neighbors, including the three residential properties that are proximate to the Pharmacy window (4240, 4241 and 4245 Highland Avenue), to provide advance notice and receive feedback about the potential change in hours.

### **Section 28.1902. Standards for Approval**

- (a) "That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community." *The proposed Special Use, if granted, will provide residents of Downers Grove with convenience access to pharmacy services on a 24-hour basis.*
- (b) "That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity." *Petitioner is not aware of circumstances where the proposed extension of hours would be detrimental, so long as the existing physical buffers of the Pharmacy window area remain in place. The proposed modification to operational hours for the Pharmacy window will not involve any exterior modifications of buildings, signage, parking, loading, fencing or landscaping.*
- (c) "That the proposed use will comply with the regulations specified in this Zoning Ordinance for the district in which the proposed use is to be located..." *Petitioner acknowledges this standard and believes the proposed hours will not violate any regulation specified in the Zoning Ordinance .*
- (d) "That it is one of the special uses specifically listed for the district in which it is to be located." *The subject drive-through is an allowable special use in the B-3 District per Section 28.609 and was originally approved by the Village as a Conditional Use on August 24, 1998 (Ordinance 4059).*

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<sup>1</sup> For reference, the following is the 1998 narrative statement, per copy provided by Village staff 6-3-2014).

#### **NARRATIVE STATEMENT OF PROPOSED DRIVE-THROUGH**

The Petitioners are requesting a Conditional Use for construction of a drive-up window facility as part of a Walgreen Pharmacy. The drive through facility will be used for pharmaceutical products only and shall be open from 9:00 a.m. until 10:00 p.m. The Walgreen's shall be opened twenty-four hours daily for public use. There will be no liquor sales permitted.

Please note the Store is currently permitted to sell alcoholic beverages pursuant to Village and State of Illinois approvals granted after the original construction of the Store. Regardless of whether operating hours are modified, no purchase of alcoholic beverages (or any other non-Pharmacy product) may occur at any time from the Pharmacy window.

**SITE PHOTOS OF SUBJECT PROPERTY AREAS INVOLVING PHARMACY WINDOW**

East Side of Subject Property, Looking North through Drive-Through Area, from Ogden



Interior of Drive-Through Area



East Side of Subject Property, Looking North, from Ogden, at Highland

1000 US-34, Downers Grove, Illinois, United States  
Address is approximate



**SITE PHOTOS OF SUBJECT PROPERTY AREAS INVOLVING PHARMACY WINDOW**

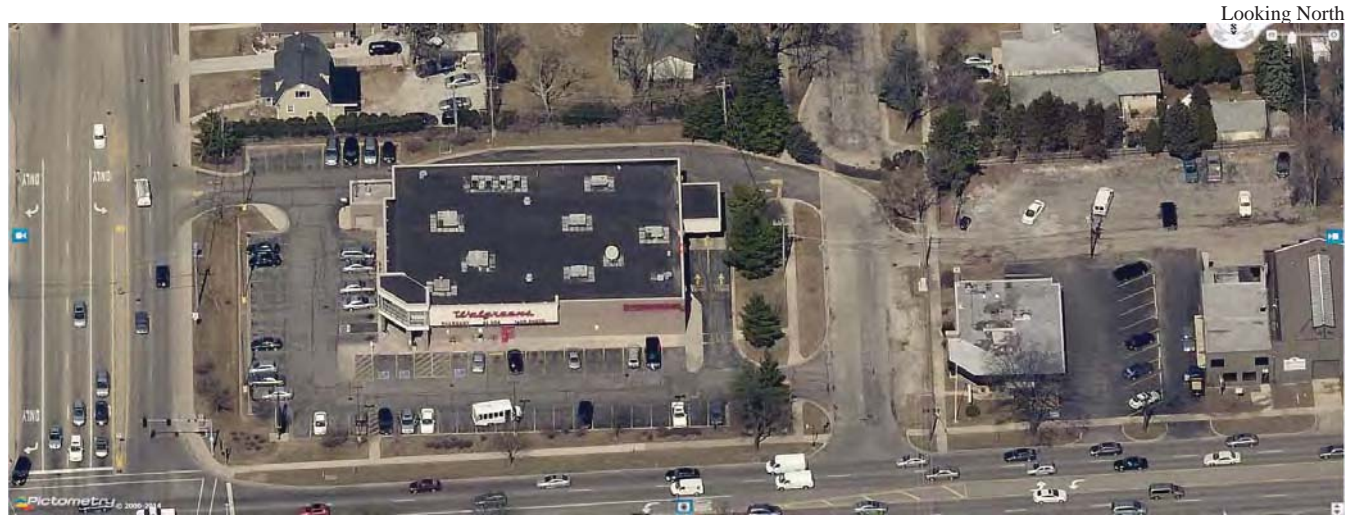
Northeast Corner of Subject Property, Looking Northwest, from Highland



North Side of Subject Property, Looking East Towards Northerly end of Drive-Through, from Main



AERIAL PHOTOS OF SUBJECT PROPERTY

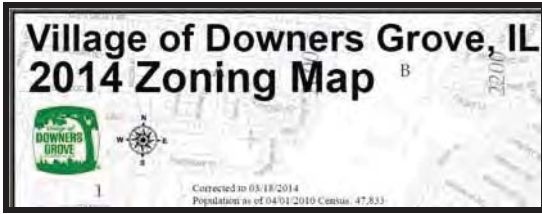


Looking East



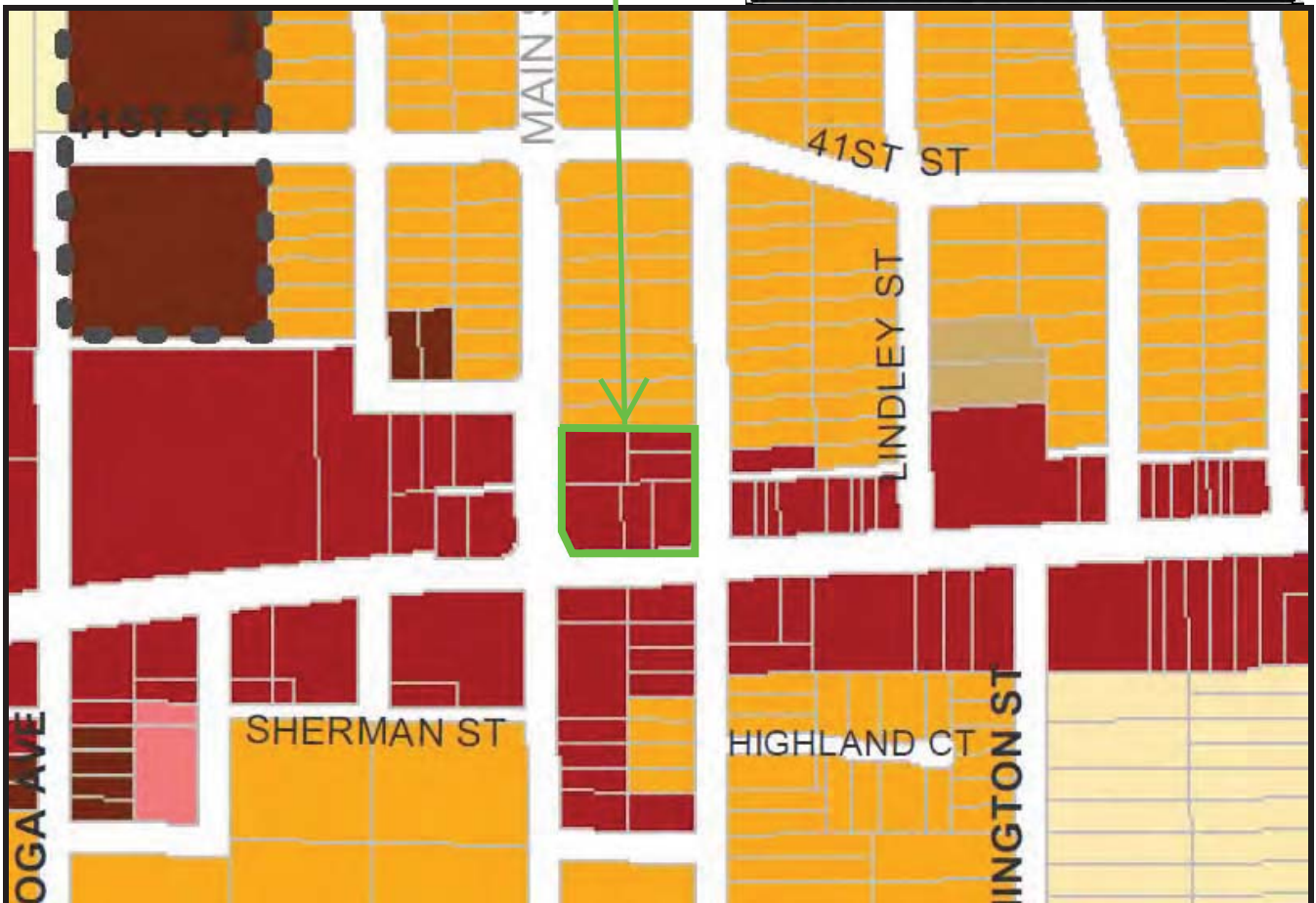
**Excerpts from 2014 Zoning Map**

**Subject Property is zoned B3 - General Services and Highway Business District**



- ⊕ Section Corner
- ⋯ Agreement Boundary
- ▣ Downers Grove Landmark
- ⋯ Planned Development
- ⊞ Unincorporated
- ⊞ Downers Grove
- R1, Single Family Residence (20,000sf/100ft wide)
- R2, Single Family Residence (15,000sf/85ft wide)
- R3, Single Family Residence (10,500sf/75ft wide)
- R4, Single Family Residence (7,500sf/50ft wide)\*
- R5, Two Family Residence
- R5A, Townhouse Residence
- R6, Multiple Family Residence
- B1, Limited Retail Business
- B2, General Retail Business
- B3, General Services and Highway Business
- OR, Office Research
- ORM, Office Research Manufacturing
- M1, Light Manufacturing
- M2, Restricted Manufacturing
- DB, Downtown Business
- DT, Downtown Transition

Subject Property





Conditional Use- 4244 - 4248 Highland Avenue and 4245 Main Street

**ORDINANCE NO. 4059**

**AN ORDINANCE AUTHORIZING CONDITIONAL  
USE TO PERMIT A DRIVE-UP/DRIVE-THROUGH  
FACILITY USING ALTERNATIVE PLANS  
AT 4244 - 4248 HIGHLAND AVENUE AND 4245 MAIN STREET**

WHEREAS, the following described property, to wit:

Lots 12 to 24, all inclusive, in Block 7 in Littleford's Subdivision, being a part of the West Half of Section 5, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat thereof, recorded April 9, 1925 in Book 12 of Plats, Page 98 as Document No. 190965, in DuPage County, Illinois. [commonly known as 4244 - 4248 Highland Avenue and 4245 Main Street; PIN PIN 09-050-117-011, 021, 022 and 09-05-301-001, 002, 003 ]

(hereinafter referred to as the "Property") is presently zoned in the "B-3, General Service & Highway Business District " under the Comprehensive Zoning Ordinance of the Village of Downers Grove, passed and approved April 19, 1965, as heretofore amended (hereinafter referred to as the "Zoning Ordinance"); and

WHEREAS, the owner of the Property has filed with the Secretary of the Zoning Board of Appeals, a written petition conforming to the requirements of the Zoning Ordinance, requesting that a conditional use be granted for the Property to permit a drive-up/drive-through facility; and

WHEREAS, such request was referred to the Zoning Board of Appeals of the Village of Downers Grove, and said Zoning Board has given the required public notice, has conducted a public hearing respecting said petition and has made its findings and recommendations, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and

WHEREAS, the Village Council finds that the evidence presented in support of said petition, as stated in the aforesaid findings and recommendations of the Zoning Board of Appeals, is such as to establish the following:

- 1. That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
- 2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.
- 3. That the proposed use will comply with the regulations specified in this Ordinance for the district in which the proposed use is to be located.
- 4. That it is one of the conditional uses specifically listed for the district in which it is to be located and the proposed use, if approved with restrictions as set forth in this ordinance, will comply with the provisions of the Downers Grove Zoning Ordinance regulating this conditional use.

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

SECTION 1. That a conditional use is hereby authorized for the Property to permit a drive-up/drive-through facility as provided herein.

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

1. The following conditions and recommendations of the Zoning Board of Appeals as set forth in their findings dated July 15, 1998:

a. The drive-up/drive-through facility shall not be operated between the hours of 10:00 p.m. and 9:00 a.m..

b. Deliveries and garbage pick-up shall not occur between the hours of 5:30 p.m. and 7:30 a.m..

2. Statements and promises of the petitioner, if any, as set forth in their application, supporting materials or the minutes of the Zoning Board of Appeals dated June 24, 1998.

3. There shall be no left turn permitted onto Highland Avenue from the Property. Appropriate signs shall be erected and maintained by the owner, prohibiting such movement. The Owner shall enter into an agreement in a form approve by the Village Attorney empowering the Village to regulate and enforce such movement restriction.

4. Substantial compliance with the following plans which are hereby collectively referred to as the Conditional Use Plans:

a. Zoning Site Plan dated 2/20/98, last revised 8/12/98, prepared by Cowhey, Gudmundson Leder, Ltd. of Itasca, Illinois. (Reduced copy attached as Exhibit A)

b. Landscape Planting Plan, dated 6/23/98, last revised 8/13/98, prepared by Rolf C. Campbell & Associates of Lake Bluff, Illinois. (Reduced copy attached as Exhibit B)

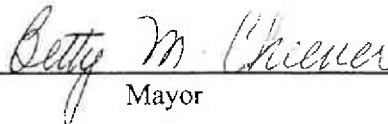
5. In the event the Village Council elects to close Highland Avenue near the north east corner of the Property, the Owner will revise the access and landscape of site in substantial conformance with the following.

a. Zoning Site Plan Alternate 1 dated 2/20/98, last revised 8/12/98, prepared by Cowhey, Gudmundson Leder, Ltd. of Itasca, Illinois. (Reduced copy attached as Exhibit C)

b. Landscape Planting Plan Alternate 1, dated 6/23/98, last revised 8/13/98, prepared by Rolf C. Campbell & Associates of Lake Bluff, Illinois. (Reduced copy attached as Exhibit D)

SECTION 2. That all ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance be and are hereby repealed.

SECTION 3. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

  
 \_\_\_\_\_  
 Mayor

Passed: August 24, 1998

Published: August 25, 1998

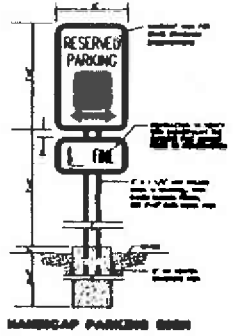
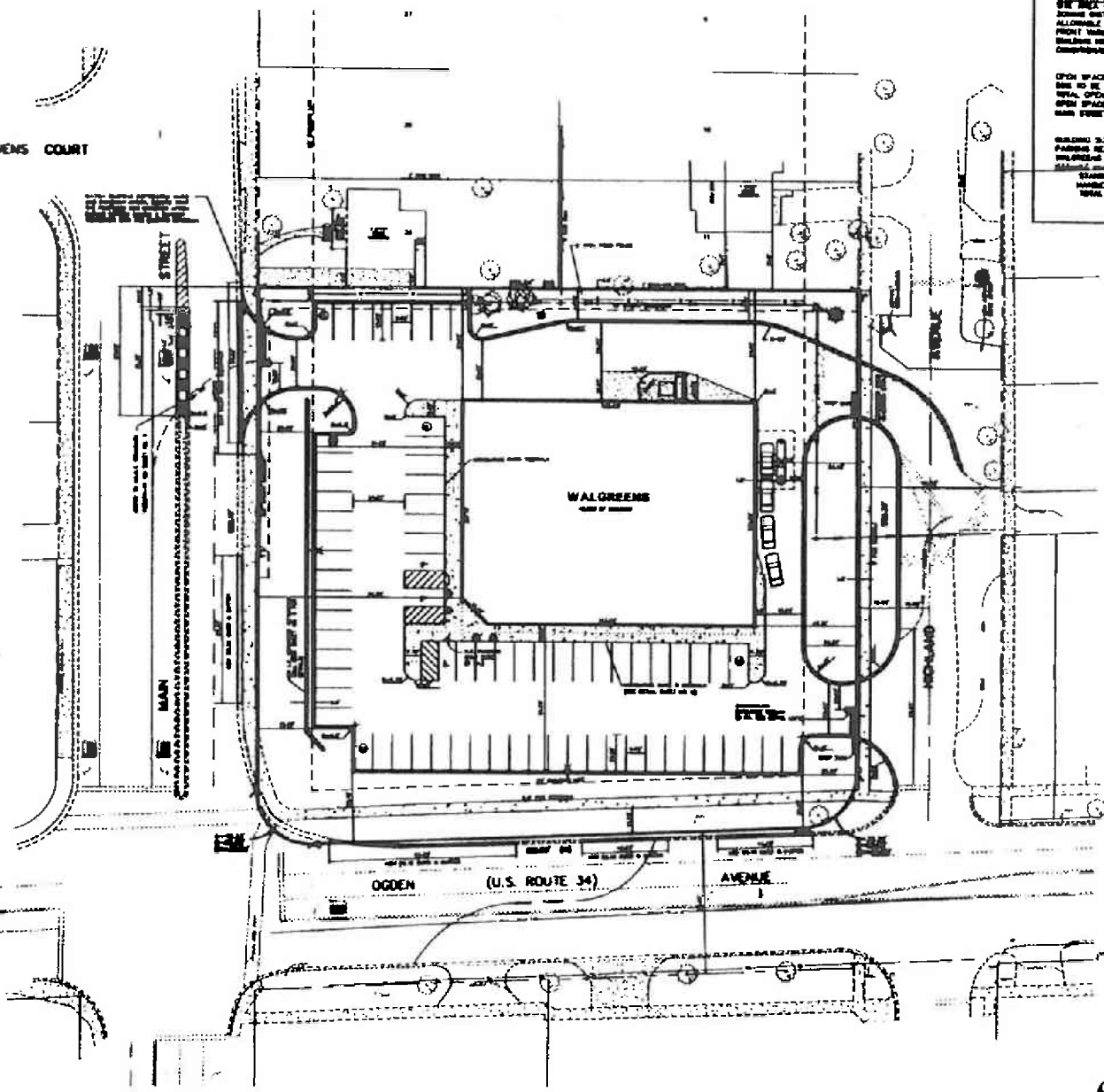
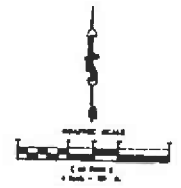
Attest:   
 \_\_\_\_\_  
 Village Clerk

**311-511-2000/1**  
**311-511-2000/2**  
 DISTRICT - 2 - GENERAL SERVICES AND HIGH BUSINESS DISTRICT  
 ALLOWABLE F.A.R. - 0.75 = 32,500 S.F.  
 FRONT YARD SETBACK - 25.0'  
 BUILDING HEIGHT ALLOWABLE - 35.0' MAXIMUM  
 COMPENSATE FOR THE DRIVE UP FACILITY

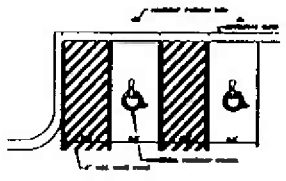
OPEN SPACE REQUIRED - 108 = 4,243 S.F. = 0.16 ACRES  
 TO BE PROVIDED BY THE PREMISES (0.08 ACRES)  
 TOTAL OPEN SPACE PROVIDED = 0.17 ACRES (20,473 S.F.)  
 OPEN SPACE WITHIN THE FRONTIERS (AS MEASURED ALONG OGDEN AVENUE AND  
 MAIN STREET) = 0.20 ACRES (23,412 S.F.)

**LOADING DOCK AND PARKING REQUIREMENTS**  
 PARKING REQUIRED:  
 TWO STOREY BUILDING - 11,833 S.F. (1 SPACE/200 S.F.) = 59 SPACES  
 MAXIMUM MAXIMUM (14' x 16.5' STANDARD AND 14' x 16.5' HANDICAP)  
 STANDARD - 60  
 HANDICAP - 3  
 TOTAL - 63

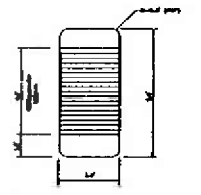
1. All existing structures on the site are to be demolished and the site is to be redeveloped as a Walgreens store.
2. All existing structures on the site are to be demolished and the site is to be redeveloped as a Walgreens store.
3. All existing structures on the site are to be demolished and the site is to be redeveloped as a Walgreens store.
4. All existing structures on the site are to be demolished and the site is to be redeveloped as a Walgreens store.



HANDICAP PARKING SIGN



HANDICAP PAVEMENT STRIPING



CORRUGATED ENTRANCE CURB CUT DETAIL

**COWHEY GUERANDSON LEHR, LTD.**  
 300 PARK BOULEVARD  
 ITASCA, ILLINOIS 60143  
 CONSULTING ENGINEERS (630) 550-8806

REVISIONS	
1.	ISSUED FOR PERMITS
2.	REVISED FOR PERMITS
3.	REVISED FOR PERMITS

**WALGREENS**  
 DOWNERS GROVE, ILLINOIS

**ZONING SITE PLAN**  
 ALTERNATE 1

PROJECT NO.	DATE	SHEET
177	1/27/03	1
SCALE	AS SHOWN	1
DESIGNED BY	EL	1
CHECKED BY	EL	1

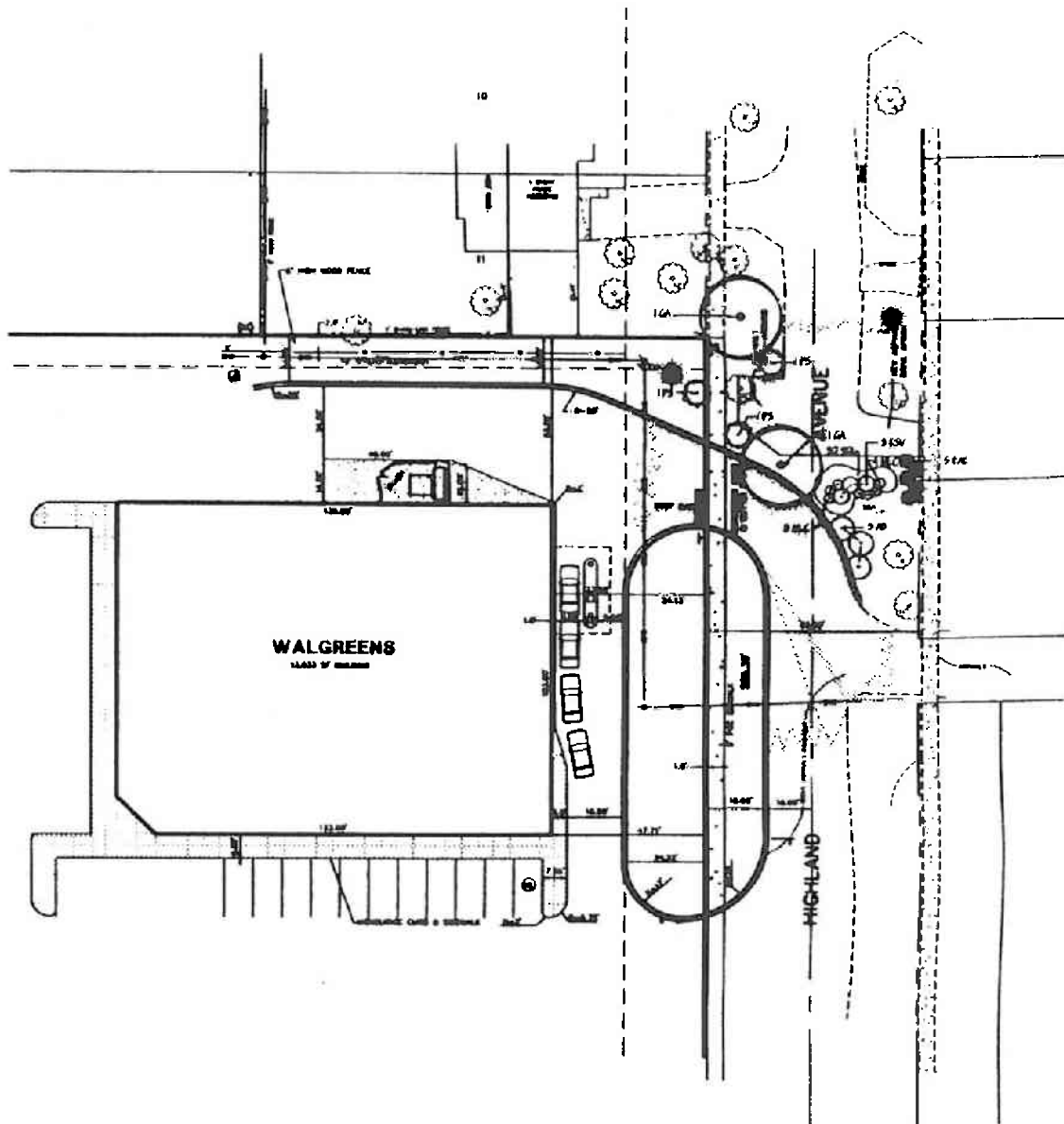
4059  
 4059

**Plant List**

Symbol	Size	# Plants	Scientific Name	Common Name
GA	2" cal.	2	<i>Fragaria virginiana</i> - Maryland	Cupen Herb Maryland An.
AP	2" cal.	5	<i>Androsace spaldingii</i>	Androsace Spaldingii
PS	Ø 1/2"	5	Five stars	Eastern White Pine
M.C.	24"	1	Spring crocus	Major Lily
ER	Ø 1/2"	4	<i>Thymus occidentalis</i> - Lady's	Eastern Asteroid
ESW	30"	5	Whorled cactus	Commoner Whorled
SA	1 gal.	32	Non-succulent 'Sally P. De'	Sally P. De Holly

**Notes & Comments**

1. Verify all dimensions in the field.
2. Before digging locate and identify all utilities in the project area (ALL UTILITIES - Lake County Local by the Excavators) 1-800-892-0025.
3. Always locate positive drainage when grading and placing plant materials.
4. Place a minimum of 4" of shredded bark mulch in planting beds and around all plantings.
5. Protect existing trees on site during construction.
6. Transplant all existing nursery plant materials from areas to be graded to areas not to be graded - verify locations with owner.
7. Verify site conditions and information on drawings. Promptly report any concealed conditions, mistakes, discrepancies or deviations from the information shown in the Contract Documents. The owner is not responsible for uncorrected changes or extra work required to correct unreported discrepancies.
8. Secure and pay for permits, fees and inspections as necessary for the proper execution for this work. Comply with codes applicable to this work. Obtain Landscape Architect's approval of plant layout prior to installation.
9. Do not locate plants within 10' limit of utility street uses. Do not locate plants within 5' horizontally of underground utility lines.
10. Plants and other materials are specified and are not material for the convenience of the owner and professional agencies. Confirm and install sufficient quantities to complete the work as drawn. No additional payments will be made for materials required to complete the work as drawn.

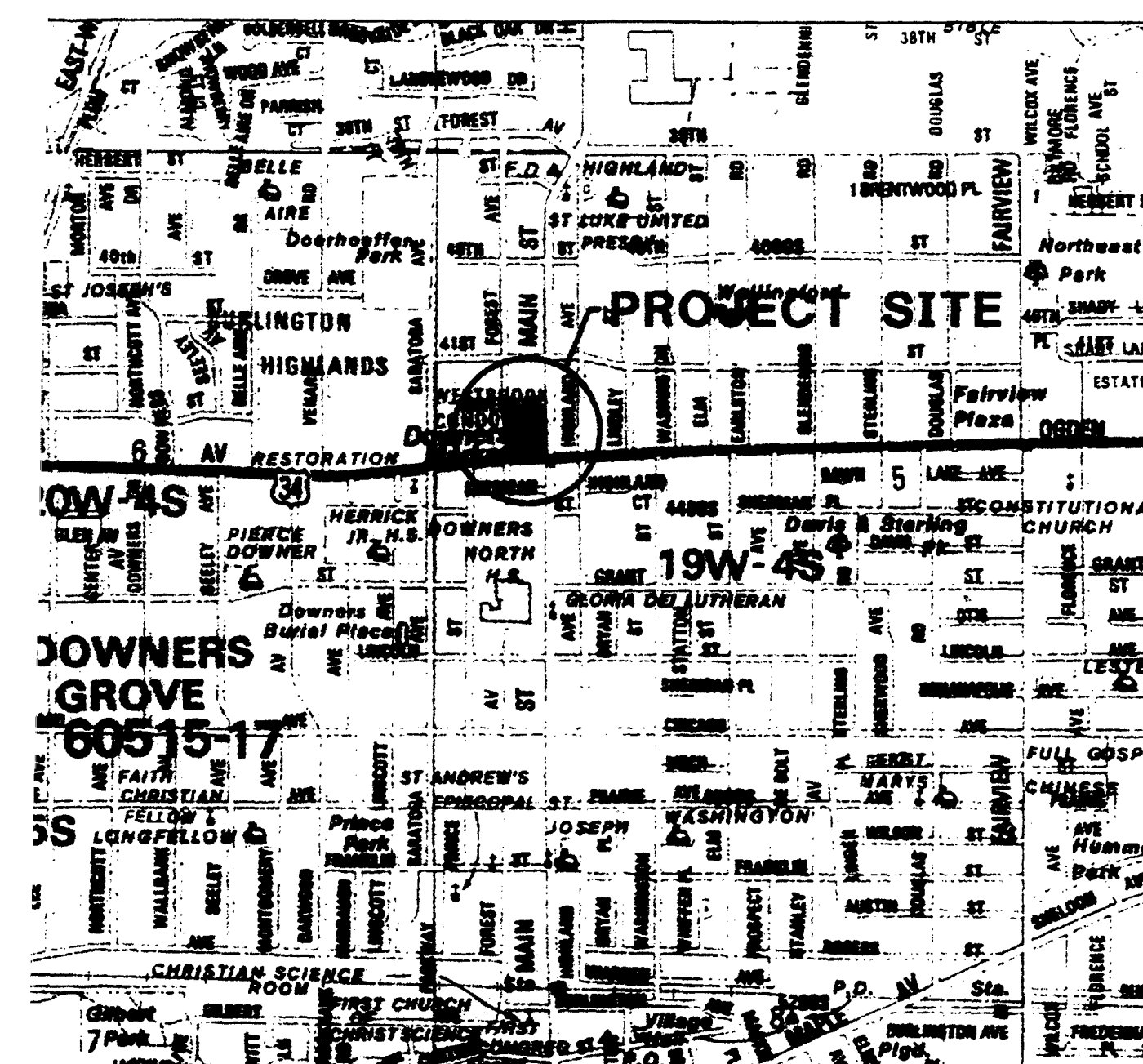


August 30, 1998 1:12:36 pm AutoCAD 14.0  
Drawing: P:\CAD\Yates\307\307.dwg, User: yates, Job: 1126

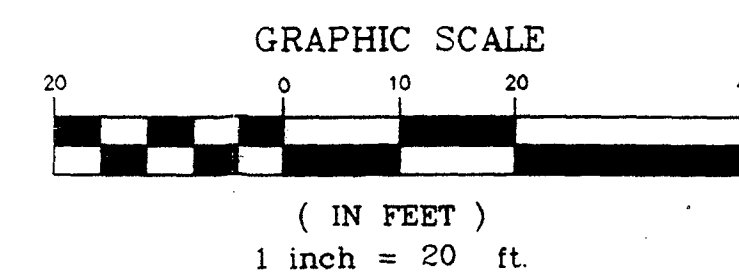
prepared for: Cowhey Gudmundson Leder, LLP. 300 Park Boulevard Itasca, IL 60143 (630) 250-9595	prepared by: Rolf C. Campbell & Associates 101 Waukegan Road, Ste. 1000 Lake Bluff, Illinois (847) 735-1000	Walgreens Downers Grove	LANDSCAPE PLANTING PLAN ALTERNATE 1	Revision Date: 8/15/98 Date: 6/25/98	SCALE 1" = 30' 0" 	EXHIBIT D
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4059

# ALTA / ASCM LAND TITLE SURVEY



VICINITY MAP

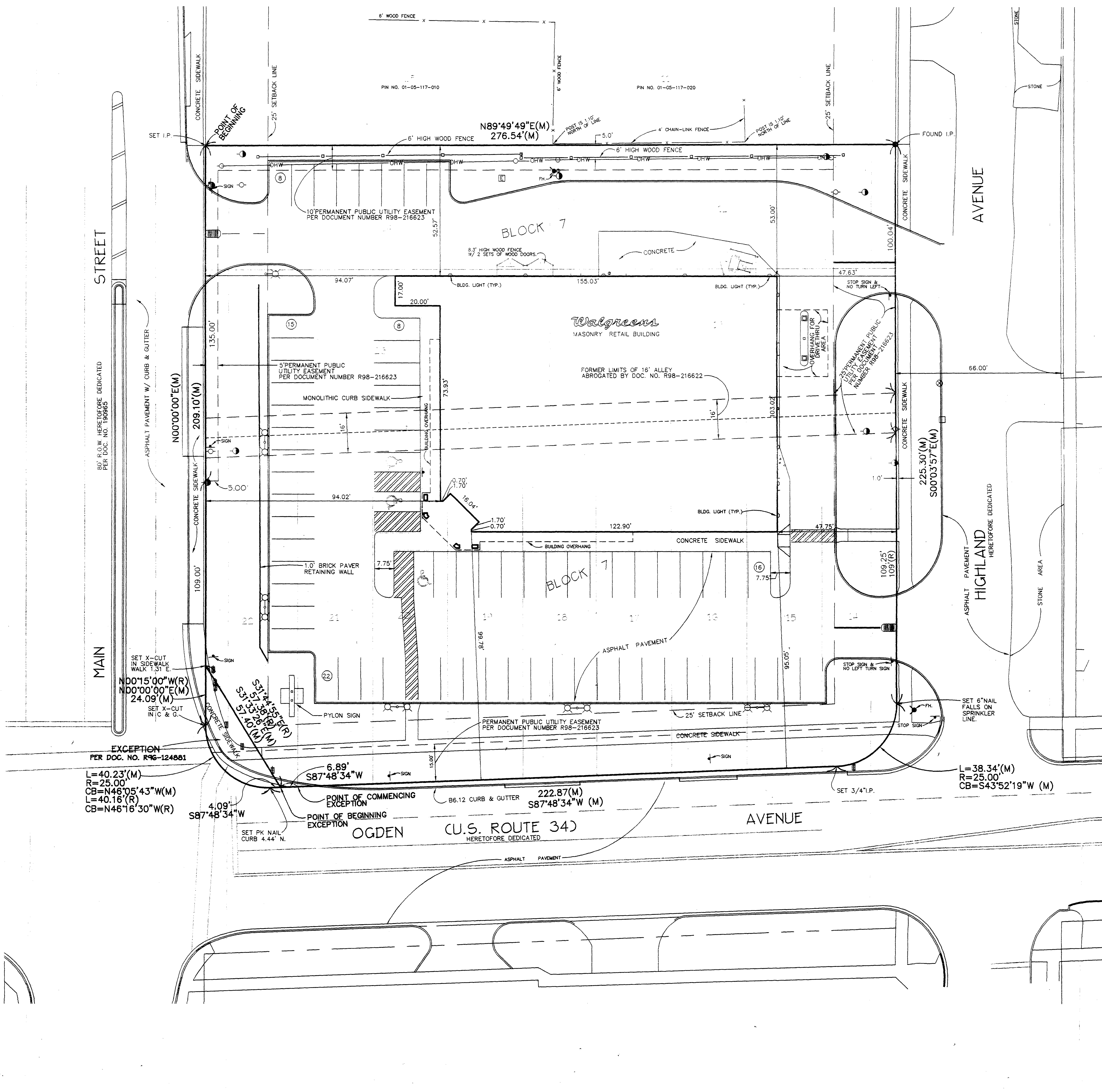


LEGEND

- STORM MANHOLE
- SANITARY MANHOLE
- STORM INLET
- CATCH BASIN
- FLARED END SECTION
- VALVE AND VAULT
- FIRE HYDRANT
- POWER POLE
- STREET SIGN
- TELEPHONE PEDESTAL
- GUY WIRE
- GAS VALVE
- GAS MANHOLE
- GAS METER
- LIGHT POLE
- ELECTRIC PEDESTAL
- ELECTRIC MANHOLE
- TELEPHONE MANHOLE
- B-BOX/WATER VALVE/GATE VALVE/SPRINKLER VALVE
- CONIFEROUS TREE
- DECIDUOUS TREE
- HEADWALL
- WATER MAIN
- ELECTRICAL CABLE
- GUARD RAIL
- SPOT ELEVATION
- CONCRETE MATERIAL
- DEPRESSED CURB
- GAS MAIN
- WIRE FENCE
- GAS MAIN MARKER
- WATER MAIN MARKER
- TELEPHONE CABLE
- TRAFFIC VAULT
- TRAFFIC SIGNAL
- CHAIN LINK FENCE
- SHRUB/BUSH
- SPRINKLER HEAD
- TRAFFIC CONTROL PEDESTAL
- HAND HOLE
- LIFT STATION
- BOX CULVERT
- CABLE TV RISER
- ELECTRIC CABLE MARKER
- TELEPHONE CABLE MARKER
- IRON PIPE
- IRON ROD

LINE LEGEND

- BOUNDARY LINE
- EXISTING EASEMENT LINE
- BUILDING SETBACK LINE
- EXISTING LOT LINE



PARCEL DESCRIPTION  
 LOTS 12 TO 24 BOTH INCLUSIVE AND THE VACATED PUBLIC ALLEY BETWEEN LOTS 13 AND 23 AND LOTS 14 TO 22 IN BLOCK 7 IN LITTLEFORD'S SUBDIVISION BEING A PART OF THE WEST HALF OF SECTION 5, TOWNSHIP 38 NORTH RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 9, 1925 IN BOOK 12 OF PLATS, PAGE 98 AS DOCUMENT NO. 150965 IN DUPAGE COUNTY, ILLINOIS, EXCEPT FOR THE PARCEL OF LAND IN A CONDEMNATION CASE IN THE CIRCUIT COURT OF DUPAGE COUNTY, ILLINOIS, CASE NO. 98E42, ALL OF THE ABOVE TO BE TAKEN AS ONE PARCEL AND DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 24; THENCE NORTH 89° 49' 49" EAST (ON AN ASSUMED BEARING SYSTEM) ALONG THE NORTH LINE OF SAID LOT 12 AND LOT 24, A DISTANCE OF 278.54 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE SOUTH 00° 03' 57" EAST ALONG THE EAST LINE OF SAID LOTS 12, 13 AND 14, A DISTANCE OF 225.30 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET AND A CHORD BEARING OF SOUTH 45° 52' 19" WEST, AN ARC LENGTH OF 38.34 FEET TO A POINT OF TANGENCY ON THE SOUTH LINE OF SAID LOT 14; THENCE SOUTH 87° 48' 24" WEST ALONG THE SOUTH LINE OF SAID LOTS 14 TO 22; A DISTANCE OF 222.87 FEET TO A POINT ON THE EAST LINE OF SAID CONDEMNATION CASE NO. 98E42; THENCE NORTH 31° 33' 39" WEST ALONG SAID EAST LINE, A DISTANCE OF 97.41 FEET TO A POINT ON THE WEST LINE OF SAID LOT 22; THENCE NORTH 00° 00' 00" EAST ALONG THE WEST LINE OF SAID LOTS 22, 23 AND 24, A DISTANCE OF 209.10 FEET TO THE PLACE OF BEGINNING; CONTAINING 1.508 ACRES OF LAND MORE OR LESS.

SURVEYOR'S CERTIFICATE  
 STATE OF ILLINOIS )  
 COUNTY OF DUPAGE )  
 CERTIFY TO:  
 DONALD L. HARTZ & THE WILLIAM OLSICK, JR. REVOC.  
 LIVING TRUST DATED 10-08-98  
 BOND DRUG COMPANY OF ILLINOIS, AN ILLINOIS CORPORATION  
 LAKE MANAMA-CHICAGO- DGI, L.P.  
 FIRST AMERICAN TITLE COMPANY  
 THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE (1) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ASCM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ASCM, AND NSPS IN 1997, AND INCLUDES ITEMS 1, 2, 3, 4, 7A, 8, 9, 10, 11B, 11D, 13, 14, 15 & 16 OF TABLE A THEREOF AND (11) PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY ALTA AND IN EFFECT ON THE DATE OF THIS CERTIFICATION) OF AN URBAN SURVEY. ALL DISTANCES IN FEET AND DECIMAL PARTS THEREOF.  
 GIVEN UNDER MY HAND AND SEAL AT ITASCA, ILLINOIS, THIS 6th DAY OF JANUARY, A.D. 2008.  
 BY: *Donald L. Hartz*  
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3326

NOTES:  
 THE BEARINGS SHOWN ON THIS PLAT ARE NOT RELATED TO ANY SYSTEM BUT INDICATE PLAT ANGULAR RELATIONSHIPS.  
 COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCE AT ONCE.  
 NO STATEMENT IS MADE CONCERNING SUBSURFACE CONDITIONS, OR THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.  
 THE UNDERGROUND UTILITIES HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.  
 ALL UNDERGROUND UTILITIES SHOULD BE STAKED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION BY CALLING JULIE AT 1-800-892-0123.  
 ENVIRONMENTAL AND SUBSURFACE CONDITIONS WERE NOT EXAMINED AS PART OF THIS SURVEY.  
 FOR SETBACK LINES & BUILDING RESTRICTIONS NOT SHOWN HEREON, REFER TO YOUR ABSTRACT, DEED AND GUARANTEE POLICY AND LOCAL ORDINANCES.  
 SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL EMBOSSED SEAL OF SURVEYOR OF RECORD.  
 TITLE COMMITMENT FOR TITLE INSURANCE BY FIRST AMERICAN TITLE INSURANCE COMPANY FILE NUMBER 02195876 WITH AN EFFECTIVE DATE OF NOVEMBER 12, 1999 WAS USED IN THE PREPARATION OF THIS SURVEY.  
 PROJECT SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THE PLAT OF SUBDIVISION OF LITTLEFORD'S SUBDIVISION RECORDED APRIL 9, 1925 AS DOCUMENT 190965.  
 PROPERTY CONTAINS 69 TOTAL PARKING SPACES 3 OF WHICH ARE HANDICAPPED.  
 THE SURVEYOR HAS NO KNOWLEDGE REGARDING THE USAGE OF OVERHEAD WIRES.  
 PROPERTY CONTAINS 69,478 S.F. MORE OR LESS.  
 THE LAND DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION IS IN ZONE C. (AREAS OF MINIMAL FLOODING) AS SHOWN ON THE FLOOD INSURANCE RATE MAP PANEL 4 OF 10, COMMUNITY - PANEL NUMBER 170204 0004 B EFFECTIVE DATE OF APRIL 15, 1981.

REVISIONS

NO.	DATE	DESCRIPTION

**WALGREENS**  
 DOWNERS GROVE, ILLINOIS

ALTA SURVEY

PROJECT NO.	1905	SHEET	1
DATE	12-10-99	SCALE	1" = 20'
DESIGNED BY	DKT	CHECKED BY	MDB
DRAWN BY	DKT		

**GUDMUNDSON LEDER, LTD.**  
 300 PARK BOULEVARD  
 ITASCA, ILLINOIS 60143  
 ENGINEERS (630) 250-9595

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DRAFT

VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING  
PUBLIC HEARING

JULY 7, 2014, 7:00 P.M.

Chairperson Urban called the July 7, 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, Cozzo, Mr. Quirk, Mrs. Rabatah, Mr. Rickard, Mr. Waechtler, Mr. Webster; (ex-officio Ms. Lupescu @ 7:02 p.m.)

**ABSENT:** Mr. Matejczyk (ex-officios Mr. Menninga, Ms. Souter)

**STAFF:** Acting Community Development Director Stan Popovich and Planner Kelley Chrisse

**VISITORS:** Mr. Paul Marszalek, 804 80<sup>th</sup> St., Downers Grove; Mr. Jim Hudson, 8 Trevino Ct., Bolingbrook; Ms. Patricia Sanchez, 4N468 N. Robert Frost, St. Charles; Mr. Mauricio Rodriguez, 3107 W. George St., Apt. 3, Chicago

**APPROVAL OF JUNE 2, 2014 MINUTES**

**MINUTES OF JUNE 2, 2014 WERE APPROVED ON MOTION BY MR. WAECHTLER, SECONDED BY MRS. RABATAH. MOTION CARRIED BY VOICE VOTE OF 7-0.**

**PUBLIC HEARINGS:**

Chairperson Urban reviewed the protocol for the meeting and swore in those individuals that would be speaking on the following petition:

**FILE PC-18-14:** A petition seeking approval of a Special Use to expand the hours for the existing pharmacy drive-through to 24 hours. The property is zoned B-3, General Services and Highway Business. The property is located at the northeast corner of Ogden Avenue and Main Street, commonly known as 1000 Ogden Avenue, Downers Grove, IL (PINs 09-05-117-021, -023, -024 & 09-05-301-005, -006, -007). Bond Drug Company of Illinois (Walgreens), Petitioner; Standard Bank and Trust Company, Trust No. 1645, c/o Ogden Main LLC, Owner.

Village Planner, Kelley Chrisse, reviewed the petition and location of the site, noting the petitioner would like to extend the current hours (9:00 a.m. to 10:00 p.m.) of the of the existing drive-through pharmacy to 24 hours. The current B-3 zoning is the same zoning district as the properties to the east, west and south but the properties to the north are single-family residential. Currently, the existing store and pharmacy are open 24 hours per day for walk-in service. In 1998 the village granted the petitioner a conditional use to operate a drive-through for the pharmacy that limited the hours to 9:00 a.m. to 10:00 p.m. Reviewing a photo on the overhead, Ms. Chrisse pointed out that

## DRAFT

the pharmacy is less than one mile from Advocate Good Samaritan Hospital and is the only 24-hour pharmacy currently operating in Downers Grove. She pointed out other pharmacies that operate 24 hours in different suburbs which all have 24 hour drive-through operations.

The drive-through is located on the east side of the building and there are no plans to expand the existing building envelope or drive-through. However, an interior renovation is planned for mid-August, and, as a result, the walk-in pharmacy will not be available to patrons during the renovation. Should this request be approved, pharmacy operations will be available through the 24-hour drive-through. Vehicle access to the drive-through followed, with staff noting access to the northbound Highland Avenue area was restricted subsequent to the 1998 approval of the conditional use.

Ms. Chrissy pointed out the current maturity of the landscaping and the existing 6-foot privacy fence which buffers the drive-through traffic from the adjacent property to the north. Minimal traffic is expected to be generated from the request, with 20 to 25 vehicles entering the site during overnight hours, or about two cars per hour, if averaged over the entire timeframe. Current peak hours for walk-ins are between 7:00 a.m. and 9:00 a.m.

Per staff, the proposed special use was consistent with the village's comprehensive plan and zoning ordinance. A sign permit application is currently being reviewed to bring the petitioner's current non-conforming signage into compliance, which is a condition of approval required by staff. To date, no neighborhood inquiries have been received by staff; however, the petitioner contacted three residential property owners immediately adjacent to the pharmacy window and no objections were voiced. In general, staff supported the proposal and found that all village standards were met. Ms. Chrissy asked that the Plan Commission forward a positive recommendation to the village council, subject to the two conditions listed in staff's report.

Per questions about the signage, staff reported that currently the petitioner has a sign monument that needs to be reduced in size, landscaping is required, the address on the monument sign needs to be added, and some of the wall signs need to be removed and reduced in size. Staff has been working with the petitioner to bring the signage into compliance. Other questions followed regarding the "overnight hours" and the speaker volume being reduced; the logic behind the intensity of use; and that the traffic being anticipated was based on current traffic that already comes to the store.

Mr. Mauricio Rodriguez, 3107 W. George Street, Chicago, Illinois stated he is an attorney with Vedder Price in Chicago, Illinois, and was representing Walgreens. Due to staff's thorough report, he was available to answer questions. Specifically responding to the question about the pharmacy located in Westmont, he stated it was an Osco pharmacy. Mr. Rodriguez also confirmed that he reached out to three adjacent property owners who did not have concerns about the request. Mr. Rodriguez introduced his team: District Manager, Patricia Sanchez; Pharmacy Supervisor Jim Hudson; and Store Manager, Paul Marszlek.

Asked if the speaker volume was currently being turned down, Mr. Jim Hudson, 8 Trevino Court, Bolingbrook, IL, stated it was not but could be manually turned down or the pharmacist could be asked to lower his voice during the later hours. He stated the drive-through was basically for those customers who had mobility issues and could not get out of their car. Also, there were no plans to remodel the current drive-through equipment. To Mrs. Rabatah's question, currently no liquor products are sold through the drive-through window and the window was restricted only to

DRAFT

prescription items or over-the-counter medicine. Mr. Hudson said he was amenable to having a third condition restrict the drive-through window to prescription or over-the-counter pharmaceutical product sales.

Per the chairwoman's question regarding signage, Mr. Rodriguez confirmed that Walgreens was agreeable to staff's two conditions.

Mr. Waechtler suggested refining condition No. 1 to list the hours that the speaker volume would be reduced, asking for commissioner input. None followed. However, Mr. Rodriguez stated he was agreeable to both conditions.

Chairwoman Urban invited the public to speak. No public comment received. Public comment was closed for the commissioners to deliberate further.

Mr. Rodriguez closed and hoped all questions were answered. Based on what was presented, he asked that the Plan Commission make a positive recommendation to the village council.

Chairwoman Urban noted that based on the staff report and the presentation during the meeting, the standards for approval were met.

**WITH RESPECT TO PC-18-14 MRS. RABATAH MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL REGARDING PC-18-14, SUBJECT TO THE FOLLOWING 3 CONDITIONS:**

- 1. THE SPEAKER VOLUME ON THE DRIVE-THROUGH WINDOW MUST BE REDUCED BETWEEN 10:00 P.M. AND 9:00 A.M.;**
- 2. PRIOR TO COMMENCING THE 24-HOUR OPERATION OF THE DRIVE-THROUGH, THE PROPERTY SHALL BE IN COMPLIANCE WITH ALL VILLAGE SIGN REGULATIONS; AND**
- 3. THE USE OF THE 24 HOUR DRIVE-THROUGH WINDOW SHALL BE RESTRICTED TO ONLY PRESCRIPTION AND OVER-THE-COUNTER PHARMACEUTICAL PRODUCTS.**

**SECONDED BY MR. COZZO.**

**ROLL CALL:**

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

**NAY: NONE**

**MOTION CARRIED: VOTE: 7-0**

**NEW BUSINESS: None.**

**THE MEETING WAS ADJOURNED AT 7:35 P.M. ON MOTION BY MR. WAECHTLER, SECONDED BY MRS. RABATAH. MOTION CARRIED BY VOICE VOTE OF 7-0.**

/s/ Celeste K. Weilandt  
Celeste K. Weilandt



DRAFT

(As transcribed by MP-3 audio)

Conditional Use- 4244 - 4248 Highland Avenue and 4245 Main Street

**ORDINANCE NO. 4059**

**AN ORDINANCE AUTHORIZING CONDITIONAL  
USE TO PERMIT A DRIVE-UP/DRIVE-THROUGH  
FACILITY USING ALTERNATIVE PLANS  
AT 4244 - 4248 HIGHLAND AVENUE AND 4245 MAIN STREET**

WHEREAS, the following described property, to wit:

Lots 12 to 24, all inclusive, in Block 7 in Littleford's Subdivision, being a part of the West Half of Section 5, Township 38 North, Range 11 East of the Third Principal Meridian, according to the plat thereof, recorded April 9, 1925 in Book 12 of Plats, Page 98 as Document No. 190965, in DuPage County, Illinois. [commonly known as 4244 - 4248 Highland Avenue and 4245 Main Street; PIN PIN 09-050-117-011, 021, 022 and 09-05-301-001, 002, 003 ]

(hereinafter referred to as the "Property") is presently zoned in the "B-3, General Service & Highway Business District " under the Comprehensive Zoning Ordinance of the Village of Downers Grove, passed and approved April 19, 1965, as heretofore amended (hereinafter referred to as the "Zoning Ordinance"); and

WHEREAS, the owner of the Property has filed with the Secretary of the Zoning Board of Appeals, a written petition conforming to the requirements of the Zoning Ordinance, requesting that a conditional use be granted for the Property to permit a drive-up/drive-through facility; and

WHEREAS, such request was referred to the Zoning Board of Appeals of the Village of Downers Grove, and said Zoning Board has given the required public notice, has conducted a public hearing respecting said petition and has made its findings and recommendations, all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and

WHEREAS, the Village Council finds that the evidence presented in support of said petition, as stated in the aforesaid findings and recommendations of the Zoning Board of Appeals, is such as to establish the following:

1. That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or injurious to property values or improvements in the vicinity.
3. That the proposed use will comply with the regulations specified in this Ordinance for the district in which the proposed use is to be located.
4. That it is one of the conditional uses specifically listed for the district in which it is to be located and the proposed use, if approved with restrictions as set forth in this ordinance, will comply with the provisions of the Downers Grove Zoning Ordinance regulating this conditional use.

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

SECTION 1. That a conditional use is hereby authorized for the Property to permit a drive-up/drive-through facility as provided herein.

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

1. The following conditions and recommendations of the Zoning Board of Appeals as set forth in their findings dated July 15, 1998:

a. The drive-up/drive-through facility shall not be operated between the hours of 10:00 p.m. and 9:00 a.m..

b. Deliveries and garbage pick-up shall not occur between the hours of 5:30 p.m. and 7:30 a.m..

2. Statements and promises of the petitioner, if any, as set forth in their application, supporting materials or the minutes of the Zoning Board of Appeals dated June 24, 1998.

3. There shall be no left turn permitted onto Highland Avenue from the Property. Appropriate signs shall be erected and maintained by the owner, prohibiting such movement. The Owner shall enter into an agreement in a form approve by the Village Attorney empowering the Village to regulate and enforce such movement restriction.

4. Substantial compliance with the following plans which are hereby collectively referred to as the Conditional Use Plans:

a. Zoning Site Plan dated 2/20/98, last revised 8/12/98, prepared by Cowhey, Gudmundson Leder, Ltd. of Itasca, Illinois. (Reduced copy attached as Exhibit A)

b. Landscape Planting Plan, dated 6/23/98, last revised 8/13/98, prepared by Rolf C. Campbell & Associates of Lake Bluff, Illinois. (Reduced copy attached as Exhibit B)

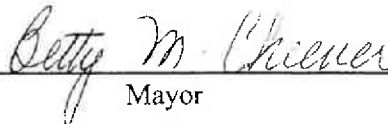
5. In the event the Village Council elects to close Highland Avenue near the north east corner of the Property, the Owner will revise the access and landscape of site in substantial conformance with the following.

a. Zoning Site Plan Alternate 1 dated 2/20/98, last revised 8/12/98, prepared by Cowhey, Gudmundson Leder, Ltd. of Itasca, Illinois. (Reduced copy attached as Exhibit C)

b. Landscape Planting Plan Alternate 1, dated 6/23/98, last revised 8/13/98, prepared by Rolf C. Campbell & Associates of Lake Bluff, Illinois. (Reduced copy attached as Exhibit D)


SECTION 2. That all ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance be and are hereby repealed.

SECTION 3. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

  
 \_\_\_\_\_  
 Mayor

Passed: August 24, 1998

Published: August 25, 1998

Attest:   
 \_\_\_\_\_  
 Village Clerk

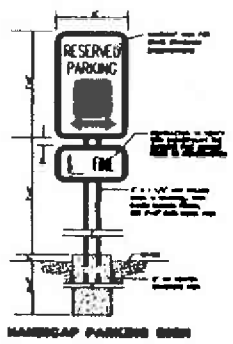
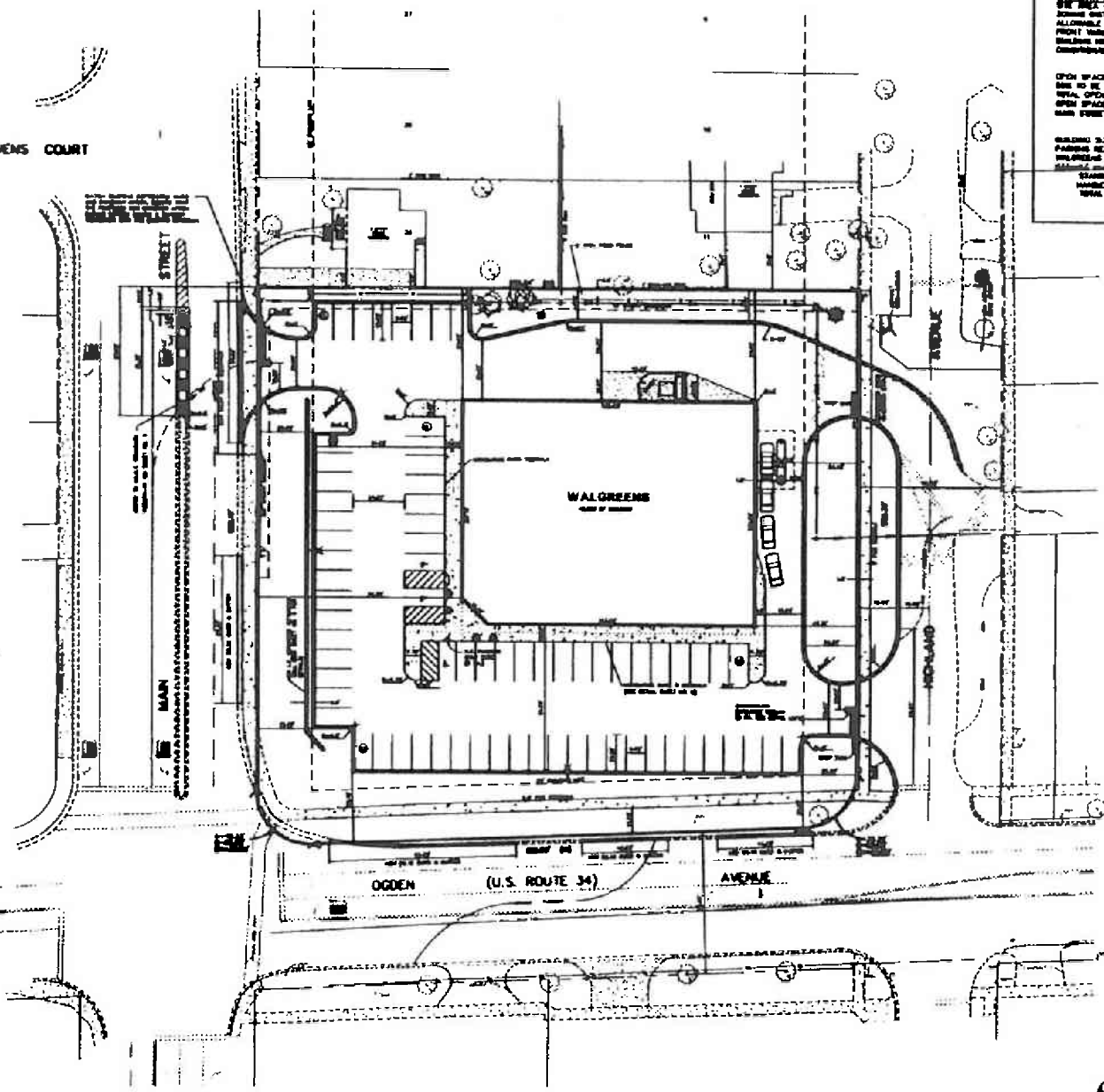
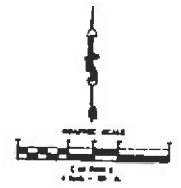
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**311-511-2000/1**  
**311-511-2000/2**  
 DISTRICT - 2 - GENERAL SERVICES AND HIGH BUSINESS DISTRICT  
 ALLOWABLE F.A.R. - 0.75 = 32,500 S.F.  
 FRONT YARD SETBACK - 25.0'  
 BUILDING HEIGHT ALLOWABLE - 35.0' MAXIMUM  
 COMPENSATE FOR TREE REMOVAL FACILITY

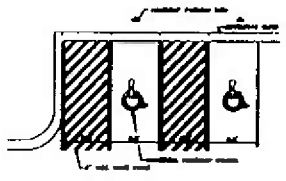
OPEN SPACE REQUIRED - 108 = 4,243 S.F. = 0.16 ACRES  
 TO BE PROVIDED BY THE DEVELOPER (0.08 ACRES)  
 TOTAL OPEN SPACE PROVIDED = 0.17 ACRES (38,473 S.F.)  
 OPEN SPACE WITHIN THE FRONTIERS (AS MEASURED ALONG OGDEN AVENUE AND  
 MAIN STREET) = 0.20 ACRES (45,416 S.F.)

**LOADING DOCK AND PARKING REQUIREMENTS**  
 PARKING REQUIRED:  
 TWO-STORY BUILDING - 11,833 S.F. (1 SPACE/200 S.F.) = 59 SPACES  
 MAXIMUM MAXIMUM (14' x 16.5' STANDARD AND 14' x 16.5' HANDICAP)  
 STANDARD - 60  
 HANDICAP - 3  
 TOTAL - 63

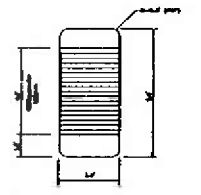
1. All existing trees to be removed shall be replaced with new trees of similar size and species within 180 days of completion of construction.
2. All existing trees to be removed shall be replaced with new trees of similar size and species within 180 days of completion of construction.
3. All existing trees to be removed shall be replaced with new trees of similar size and species within 180 days of completion of construction.
4. All existing trees to be removed shall be replaced with new trees of similar size and species within 180 days of completion of construction.



HANDICAP PARKING SIGN



HANDICAP PAVEMENT STRIPING



CORRUGATED ENTRANCE CURB CUT DETAIL

**COWHEY GUERANDSON LEDER, LTD.**  
 300 PARK BOULEVARD  
 ITASCA, ILLINOIS 60143  
 CONSULTING ENGINEERS (630) 550-8806

REVISIONS	
1.	ISSUED FOR PERMITS
2.	REVISED PER COMMENTS
3.	REVISED PER COMMENTS

**WALGREENS**  
 DOWNERS GROVE, ILLINOIS

**ZONING SITE PLAN  
 ALTERNATE 1**

PROJECT NO.	177
DATE	1/27/03
SCALE	1" = 40'
DESIGNED BY	EL
CHECKED BY	EL
DRAWN BY	EL
SHEET	1
TOTAL SHEETS	1

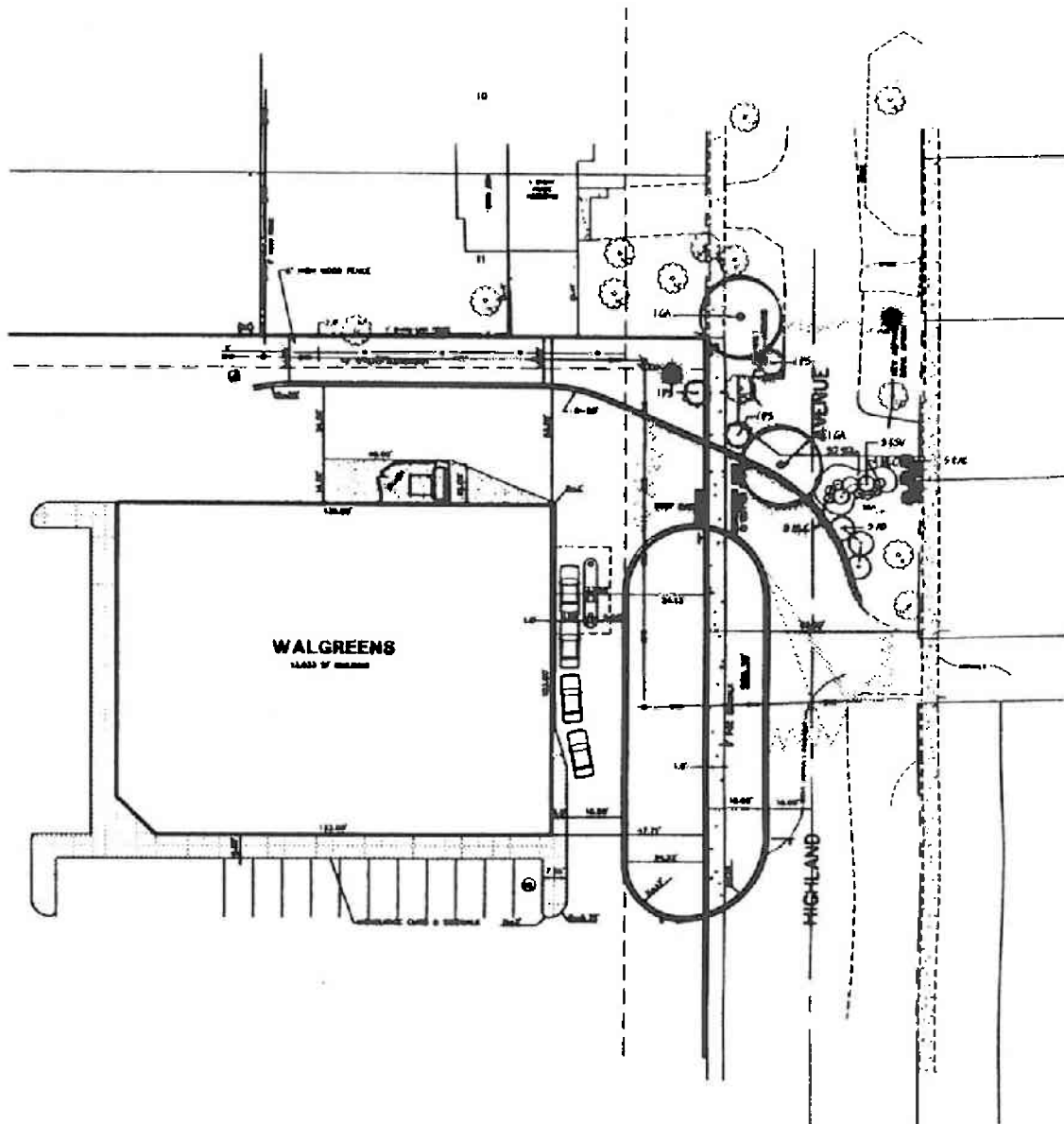
4059  
 4059

**Plant List**

Symbol	Size	# Plants	Scientific Name	Common Name
GA	2" cal.	2	<i>Fragaria virginiana</i> - Maryland	Cupress Mon Maryland Ash
AP	2" cal.	5	<i>Aspidistra</i> - spathulata	Asian Palm Tree
PS	Ø 1/2"	5	Five stars	Eastern White Pine
M.C.	24"	1	Spring emerg	Major Oak
ER	Ø 1/2"	4	Red acanthus - Lady	Eastern Redstart
EW	30"	5	Whimsy column	Common Yellow
SA	1 cal.	32	Non-invasive 'Sally P' Oak	Sally P' Oak Tree

**Notes & Comments**

1. Verify all dimensions in the field.
2. Before digging locate and identify all utilities in the project area (ALL - 1111-1E - Local Utility Location for Excavators) 1-800-892-0025.
3. Always locate positive drainage when grading and placing plant materials.
4. Place a minimum of 4" of shredded bark mulch in planting beds and around all plantings.
5. Protect existing trees on site during construction.
6. Transplant all existing nursery plant materials from areas to be graded to areas not to be graded - verify locations with owner.
7. Verify site conditions and information on drawings. Promptly report any concealed conditions, mistakes, discrepancies or deviations from the information shown in the Contract Documents. The owner is not responsible for uncorrected changes or extra work required to correct unreported discrepancies.
8. Secure and pay for permits, fees and inspections as necessary for the proper execution of this work. Comply with codes applicable to this work. Obtain Landscape Architect's approval of plant layout prior to installation.
9. Do not locate plants within 10' limit of utility street uses. Do not locate plants within 5' horizontally of underground utility lines.
10. Plants and other materials are specified and are not material for the convenience of the owner and professional agencies. Confirm and install sufficient quantities to complete the work as drawn. No additional payments will be made for materials required to complete the work as drawn.



August 30, 1998 1:12:36 pm, AutoCAD 14.0  
Drawing: P:\CAD\Yates\1307\1307.dwg, User: yates, Job: 1307

prepared for: Cowhey Gudmundson Leder, LLP. 300 Park Boulevard Itasca, IL 60143 (630) 250-9595	prepared by: Rolf C. Campbell & Associates 101 Waukegan Road, Ste. 1000 Lake Bluff, Illinois (847) 735-1000	Walgreens Downers Grove	LANDSCAPE PLANTING PLAN ALTERNATE 1	Revision Date: 8/15/98 Date: 6/25/98	SCALE 1" = 30' 0" 	EXHIBIT D
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4059