



Village of Downers Grove Meeting Minutes Downers Grove Village Council

Civic Center
801 Burlington
Downers Grove, IL 60515
630-434-5500

Tuesday, November 18, 2014

7:00 pm

Council Chambers

1. Call to Order

Mayor Martin Tully called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

Mayor Tully led those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Present: Commissioner Bob Barnett, Commissioner Sean P. Durkin, Commissioner Becky Rheintgen, Commissioner Geoff Neustadt, Commissioner Greg Hosé, Commissioner David S. Olsen and Mayor Martin Tully

Non Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca and Village Clerk April Holden

The Council meeting is broadcast over the local FM radio station, WDGC. In addition, a tape recording and videotape of the meeting are being made using Village owned equipment. The videotape of the meeting will be used for later rebroadcast of the Council meeting over the Village cable television Channel 6.

The Council will follow the rules of conduct for this meeting as provided in Sec. 2.5 of the Downers Grove Municipal Code. These offer the public the opportunity to comment at several points in the meeting. First, immediately following approval of the minutes of the past meetings, an opportunity will be given for public comments and questions of a general matter. If a public hearing is scheduled for this meeting, an opportunity is given for public comments and questions related to the subject of the hearing. Finally, an opportunity is given for public comments and questions on items appearing on the Consent Agenda, the Active Agenda and the First Reading.

The presiding officer will ask, at the appropriate time, if there are any comments from the public. If anyone wishes to speak, the individual should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name and address. Remarks should be limited to five minutes, and asked that individuals refrain from making repetitive statements.

Mayor Tully said there are agendas located on either side of the Council Chambers, and he invited the audience to pick up an agenda and follow the progress of the Council meeting.

3. Minutes of Council Meetings

Executive Session Minutes for Approval Only - November 4, 2014

Council Meeting - November 11, 2014

Mayor Tully asked for a Motion to approve the minutes as submitted.

Commissioner Neustadt moved to approve the minutes as presented. Commissioner Durkin seconded the motion.

The Mayor declared the Motion carried by voice vote.

Small Business Saturday Proclamation

Mayor Tully proclaimed November 29, 2014, as Small Business Saturday in the Village of Downers Grove, and encouraged all residents to support businesses in the Village of Downers Grove throughout the year.

4. Public Comments - General Comments on Matters Not Appearing on Tonight's Agenda

George Swimmer, 4905 Main Street, commented that he has been in the Village for many years. He understood that Commissioner Olsen mentioned that \$50,000 was budgeted about a year ago for a grade separation study in the downtown area. The railroad crossings in the downtown area are extremely dangerous. Mr. Swimmer noted that approximately 1400 rail cars travel each day with oil and many come through Downers Grove. He said that there is constant emergency vehicular traffic going to Good Samaritan Hospital, and a train can delay emergency treatment. Mr. Swimmer said it took approximately ten years to complete the Belmont train station underpass, and the costs kept going up. He said if the Village's wants this, they should do it now. He asked the status of the budgeted money.

Mayor Tully told Mr. Swimmer that the Village appreciates his passion and persistence.

Village Manager Dave Fieldman, replied that staff has reviewed the first draft today and intends to have a public meeting in December on that matter.

Hilary Denk, 433 Wilson, commented about the late hours of some meetings, saying that meetings need to be convenient and going after 10:00 p.m. is not convenient, and it may not be in the best interest of the Village to have meetings continue after 10:00 p.m.

Mayor Tully replied that he does not believe the Council meetings have gone that late since moving to the three meetings per month schedule. It has happened in the Plan Commission, and no one likes it, but it is often a question of timing and scheduling issues and they try to avoid late meetings.

Dr. Gordon Goodman, 5834 Middaugh, commented that at one time the Plan Commission would rearrange their agenda to take into account the people who wanted to speak on a particular issue.

Mayor Tully said that this has been done from time to time, and will be made available to the Committee Chair.

Commissioner Durkin asked whether they could entertain the thought of limiting the time allotted per agenda item.

The Mayor replied that they do try to gauge interest and set the agenda accordingly.

Commissioner José said that staff does divide items up if they see a big agenda. It is made more difficult with the holidays. Staff does a good job of managing the agenda. Late meetings are much more the exception than the rule.

5. Council Member Reports

Commissioner José commented that there are a lot of things going on in Downers Grove, and people should check at www.downtowndg.org for a schedule of upcoming events. He wished everyone a Happy Thanksgiving.

Commissioner Rheintgen said that their local school has a project to gather food for families at Thanksgiving. She said the People's Resource Center is looking for money donations and the FISH pantry is accepting donations.

Commissioner Olsen announced the 5K Bonfield Express to be run on Thanksgiving morning at 8:00 a.m. The proceeds support scholarships.

Commissioner Durkin wished everyone Happy Thanksgiving, and said that there are five weekends left until Christmas. He encouraged everyone to remember to shop in Downers Grove businesses.

Commissioner Neustadt announced that Holiday Happenings begins on November 28 with the tree lighting ceremony and Gingerbread Festival. He noted that the Village website, www.downers.us, has important links for holiday happenings, and general Village events. He wished everyone a Happy Thanksgiving.

Mayor Tully said that on November 29 Muriel Anderson will give a concert at 8:00 p.m. at the Downers Grove North auditorium. Information can be found at murielanderson.com. Mayor Tully then noted that the tree lighting ceremony is scheduled at 4:30 p.m., and asked that everyone be notified as to the actual time frame to avoid the confusion they experienced last year. He wished everyone a safe and Happy Thanksgiving.

6. Public Hearings

7. Consent Agenda

COR 00-05745 A. Claim Ordinance: No. 6081, Payroll, October 31, 2014

Sponsors: Accounting

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

BIL 00-05746 B. List of Bills Payable: No. 6156, November 18, 2014

Sponsors: Accounting

A motion was made to Approve this file on the Consent Agenda.

Indexes: N/A

RES 00-05747 C. Resolution: Amend Village Council Cash Management and Investment Policy

Sponsors: Finance

Summary of Item: A RESOLUTION AMENDING VILLAGE COUNCIL CASH MANAGEMENT AND INVESTMENT POLICY

RESOLUTION 2014-66

A motion was made to Pass this file on the Consent Agenda.

Indexes: Investment Policy

RES 00-05748 D. Resolution: Adopt a Village Council Policy on Police and Fire Pension Funding

Sponsors: Finance

Summary of Item: A RESOLUTION ESTABLISHING A POLICE AND FIRE PENSION FUNDING POLICY

RESOLUTION 2014-67

A motion was made to Pass this file on the Consent Agenda.

Indexes: Police Department, Fire Department, Pension Policy

RES 00-05749 E. Resolution: Amend the Village of Downers Grove Compensation Plan by Adopting a Revised Plan Effective January 1, 2015

Sponsors: Manager's Office

Summary of Item: A RESOLUTION AMENDING THE DOWNERS GROVE COMPENSATION PLAN BY ADOPTING A REVISED PLAN EFFECTIVE JANUARY 1, 2015

RESOLUTION 2014-68

A motion was made to Pass this file on the Consent Agenda.

Indexes: Classification Plan

MOT 00-05751 F. Motion: Authorize the Purchase and Renewal of Property, General Liability, Excess Liability and Workers Compensation Insurance Coverages

Sponsors: Village Attorney

Summary of Item: This authorizes the purchase and renewal of property, general liability, excess liability and workers compensation insurance coverages for the Village through December 31, 2015.

A motion was made to Authorize this file on the Consent Agenda.

Indexes: Insurance - Risk Management

MOT 00-05775 G. Motion: Authorize the Purchase of FH WEB in an Amount Not to Exceed \$30,270.00

Sponsors: Fire Department

A motion was made to Authorize this file on the Consent Agenda.

Indexes: Computers, Finance Department

RES 00-05778 H. Resolution: Authorize an Amendment of the Intergovernmental Agreement relating to the O'Hare Noise Compatibility Commission

Sponsors: Manager's Office

Summary of Item: A RESOLUTION AUTHORIZING AN AMENDMENT OF THE INTERGOVERNMENTAL AGREEMENT RELATING TO THE O'HARE NOISE COMPATIBILITY COMMISSION

RESOLUTION 2014-69

A motion was made to Pass this file on the Consent Agenda.

Indexes: O'Hare Airport

RES 00-05768 I. Resolution: Authorize an Agreement Providing for Automatic Aid with the Darien-Woodridge Fire District

Sponsors: Fire Department

Summary of Item: A RESOLUTION AUTHORIZING AN AGREEMENT PROVIDING FOR AUTOMATIC AID BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE DARIEN-WOODRIDGE FIRE DISTRICT

RESOLUTION 2014-70

A motion was made to Pass this file on the Consent Agenda.

Indexes: Fire Department, Mutual Aid

RES 00-05769 J. Resolution: Authorize an Agreement Providing for Automatic Aid with the Lisle-Woodridge Fire District

Sponsors: Fire Department

Summary of Item: A RESOLUTION AUTHORIZING AN AGREEMENT PROVIDING FOR AUTOMATIC AID BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE LISLE-WOODRIDGE FIRE DISTRICT

RESOLUTION 2014-71

A motion was made to Pass this file on the Consent Agenda.

Indexes: Fire Department, Mutual Aid

RES 00-05770 K. Resolution: Authorize an Agreement Providing for Automatic Aid with the Village of Lombard

Sponsors: Fire Department

Summary of Item: A RESOLUTION AUTHORIZING AN AGREEMENT PROVIDING FOR AUTOMATIC AID BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE VILLAGE OF LOMBARD

RESOLUTION 2014-72

A motion was made to Pass this file on the Consent Agenda.

Indexes: Fire Department, Mutual Aid

RES 00-05771 L. Resolution: Authorize an Agreement Providing for Automatic Aid with the Village of Oak Brook

Sponsors: Fire Department

Summary of Item: A RESOLUTION AUTHORIZING AN AGREEMENT PROVIDING FOR AUTOMATIC AID BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE VILLAGE OF OAK BROOK

RESOLUTION 2014-73

A motion was made to Pass this file on the Consent Agenda.

Indexes: Fire Department, Mutual Aid

RES 00-05772 M. Resolution: Authorize an Agreement Providing for Automatic Aid with the Village of Westmont

Sponsors: Fire Department

Summary of Item: A RESOLUTION AUTHORIZING AN AGREEMENT PROVIDING FOR AUTOMATIC AID BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE VILLAGE OF WESTMONT

RESOLUTION 2014-74

A motion was made to Pass this file on the Consent Agenda.

Indexes: Fire Department, Mutual Aid

Passed The Consent Agenda

A motion was made by Commissioner Neustadt, seconded by Commissioner Durkin, that the consent agenda be passed. The motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

8. Active Agenda

ORD 00-05733 A. Ordinance: Approve a Planned Development Amendment to Planned Development #44, Butterfield Square Shopping Center, to Permit a 990 Square Foot Sign Package at 1021 Butterfield Drive

Sponsors: Community Development and Plan Commission

Summary of Item: This approves an amendment to Planned Development #44 to permit a 990 square foot sign package at 1021 Butterfield Road.

AN ORDINANCE APPROVING A PLANNED DEVELOPMENT AMENDMENT TO PLANNED DEVELOPMENT #44, BUTTERFIELD SQUARE SHOPPING CENTER, TO PERMIT A 990 SQUARE FOOT SIGN PACKAGE AT 1021 BUTTERFIELD ROAD

ORDINANCE NO. 5415

A motion was made by Commissioner Neustadt, seconded by Commissioner Durkin, to Adopt this file. Mayor declared the motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Planned Development #44-Butterfield Square

ORD 00-05774 B. Ordinance: Approve a First Amendment to an Economic Incentive Agreement with Art Van Furniture-Midwest, LLC

Sponsors: Community Development

Summary of Item: This approves a first amendment to an economic incentive agreement with Art Van Furniture.

AN ORDINANCE APPROVING A FIRST AMENDMENT TO AN ECONOMIC INCENTIVE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND ART VAN FURNITURE-MIDWEST, LLC

ORDINANCE NO. 5416

A motion was made by Commissioner Durkin, seconded by Commissioner Neustadt, to Adopt this file. Mayor declared the motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Planned Development #44-Butterfield Square, Economic Incentive - Art Van Furniture Midwest

RES 00-05735 C. Resolution: Authorize a Subdivision Improvement Agreement with Downers Grove TPM Real Estate, LLC

Sponsors: Village Attorney

Summary of Item: This authorizes execution of a subdivision improvement agreement between the Village and Downers Grove TPM Real Estate, LLC for the Nelson Meadow Subdivision.

A RESOLUTION AUTHORIZING EXECUTION OF A SUBDIVISION IMPROVEMENT AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND DOWNERS GROVE TPM REAL ESTATE, LLC (NELSON MEADOW SUBDIVISION)

RESOLUTION 2014-75

Mayor Tully extended his appreciation to the petitioner and staff to address issues raised by the neighbors. This was a good collaborative effort on the part of the neighborhood, the petitioner and staff.

A motion was made by Commissioner Neustadt, seconded by Commissioner Durkin, to Adopt this file. Mayor declared the motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner José, Commissioner Olsen and Mayor Tully

Indexes: Subdivision - Nelson Meadow

ORD 00-05734 D. Ordinance: Proposing Establishment of Special Service Area Number 8 - Nelson Meadow Subdivision

Sponsors: Community Development

Summary of Item: This proposes the establishment of SSA #8 for the Nelson Meadow Subdivision.

AN ORDINANCE PROPOSING THE ESTABLISHMENT OF SPECIAL SERVICE AREA NUMBER 8 IN THE VILLAGE OF DOWNERS GROVE, ILLINOIS AND PROVIDING FOR A PUBLIC HEARING AND OTHER PROCEDURES IN CONNECTION THEREWITH

ORDINANCE NO. 5417

A motion was made by Commissioner Durkin, seconded by Commissioner Neustadt, to Adopt this file. Mayor declared the motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner José, Commissioner Olsen and Mayor Tully

Indexes: Subdivision - Nelson Meadow

ORD 00-05742 E. Ordinance: Establish Special Service Area #7 in the Village of Downers Grove

Sponsors: Community Development

Summary of Item: This adopts SSA #7 for the Dunham Subdivision.

AN ORDINANCE ESTABLISHING SPECIAL SERVICE AREA NUMBER 7 IN THE VILLAGE OF DOWNERS GROVE.

ORDINANCE NO. 5418

A motion was made by Commissioner Neustadt, seconded by Commissioner Durkin, to Adopt this file. Mayor declared the motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner José, Commissioner Olsen and Mayor Tully

Indexes: Special Service Area 7 - Dunham Subdivision

ORD 00-05767 F. Ordinance: Authorize an Addendum to Mutual Aid Box Alarm System Agreement

Sponsors: Fire Department

Summary of Item: This authorizes an addendum to the Mutual Aid Box Alarm System Agreement.

AN ORDINANCE AUTHORIZING AN ADDENDUM TO MUTUAL AID BOX ALARM SYSTEM AGREEMENT

ORDINANCE NO. 5419

A motion was made by Commissioner Durkin, seconded by Commissioner Neustadt, to Adopt this file. Mayor declared the motion carried by the following vote:

Votes: Yea: Commissioner Barnett, Commissioner Durkin, Commissioner Rheintgen, Commissioner Neustadt, Commissioner Hosé, Commissioner Olsen and Mayor Tully

Indexes: Fire Department, Mutual Aid

9. First Reading

ORD 00-05753

A. Ordinance: Authorize a Special Use to Permit a Residential Condominium Development in the Downtown Business Zoning District - 936 and 942 Maple Avenue
Sponsors: Community Development and Plan Commission

Dave Fieldman, Village Manager, said this item is to seek authorization for a special use to permit a residential condominium at 936-942 Maple Avenue. He asked Planning Manager Stan Popovich to make the presentation.

Stan Popovich, Planning Manager, described a Special Use as a use that is allowed in a subject zoning district if it is approved and in compliance with other regulations for that particular district. The approval procedures are intended to provide a transparent, public review process for land uses that, due to their widely varying design and operations characteristics, require case-by-case review in order to determine if they will be compatible with surrounding uses and development patterns. The three standards for review are: 1) the proposed use is expressly authorized as a special use in a zoning district; 2) the proposed use is desirable or necessary to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community; and 3) the proposed use will not be detrimental to the health, safety or general welfare of people within the vicinity. If these standards are met the Special Use is granted. He specified that a Special Use is not a variation or a rezoning. It must meet bulk requirements. In this particular case, there is no proposed zoning map change. It is proposed to be built in a Downtown Business (DB) district, and it will remain a DB district.

Showing an aerial view of the subject site, Mr. Popovich said that the two homes on the subject properties will be replaced by a 55-unit condominium which would include a parking garage and resident amenities on the first floor. It will be clad in brick and concrete panels. He explained that the site plan depicts a loading area off of Maple Avenue, with heavy landscaping, and grilling and seating areas. He described the proposed building which has visual interest, architecture and an awning on the base of the building. The middle floors, 3-5, have windows/openings and towers. The top floor has railing details and a tower with a protruding roof.

With regard to the Village's Comprehensive Plan, Mr. Popovich said that the area calls for high-density transit oriented development near the Metra station. The Plan calls for multi-family near the downtown area, and provides a diversity of housing in terms of sizing and prices. The property is underutilized residential property and has been zoned DB for some time. He pointed out the high quality architectural design of the proposed building, which meets the Village's architectural requirements. Mr. Popovich continued that the proposed building meets all of the Village's bulk requirements and setbacks, as well as minimum and maximum height requirements. Staff has been concerned with potential traffic along Maple Avenue, and the

developer's traffic study shows that during peak periods the property development would increase traffic by 1%. Traffic is expected to increase over time due to improvements along 55th Street.

Mr. Popovich then reviewed the Special Use standards, all of which have been met. The Plan Commission in a recent meeting recommended positively with a vote of 7-0 for approval. He then noted that the developer is present to answer any questions.

Mayor Tully asked if the petitioner wanted to speak now or after comments from the Council and neighbors.

David Sosin, attorney for the petitioner, agreed to let the neighbors speak first and then comment on the issues raised.

The Mayor then called upon the Council for any comments or questions.

Commissioner José noted staff's comment that this was zoned DB for some time, and was zoned B-2 before 2005. He asked if B-2 now includes condos and apartments as permitted uses, and asked if that was the case prior to the change in zoning.

Kenneth Rathje commented that the downtown area was zoned for business in the 1920s. In 1965 the zoning went all the way to Maple Avenue. Multi-family was a permitted use in the very early years of B-2 zoning, but later became a Special Use.

Mayor Tully called upon anyone in the audience who wanted to make a comment.

1. Denise Lazar, 808 Maple, said she has lived at that address for eight years. She is in favor of a more vibrant downtown and is in favor of property rights. This is a high-end development and will help economic development. Ms. Lazar said she favors this development and those who protest it are trying to force an historic district. The ordinance favors this development. No one else has made an offer on this property. There has been no reasonable alternative proposed for this property and no efforts to raise money to move the existing home on the site. She asked the Council to approve this.

Mayor Tully commented that the next Council meeting is December 2, and that is the earliest that the Council would vote on this.

2. Tom Weiler, 709 Maple, said he is in favor of preserving historic properties. He noted that this discussion is more about what is suitable. He opposes this structure looming over all of the other properties on Maple Avenue. It is out of character with the surrounding neighborhood and does not fit in the area. The criteria under the Zoning Ordinance have not been met, especially the second point, which stated that the location is desirable and will contribute to the general welfare. Mr. Weiler said he does not think that the neighbors feel this is desirable for the neighborhood or the community. At the Plan Commission meeting, Mr. Sosin noted that there were not a lot of neighbors present at the meeting; however, Mr. Sosin bears the burden of proving this meets the Zoning Ordinance. He said it is desirable to have more development in appropriate areas, but this is not the appropriate area. There is an unfinished condominium project on the north side of the tracks now. Mr. Weiler referenced the Comprehensive Plan, page 114, Catalyst Sites, regarding appropriate areas. On page 56 of the Comprehensive Plan it states that offices and converted houses provide transition between commercial and residential areas and meet the Comprehensive Plan. However, the proposed structure looms over the neighboring buildings, the Sievers building, and the parking lot structure. Mr. Weiler said that he opposes this structure and believes it should not be approved. He doesn't think the vast majority of people in the Village would be in favor of this structure at the proposed location.

3. Joel Berger, who resides at Washington and Randall, said it is exciting that people are

passionate about their community. He works in the community in commercial real estate. He asked why there is only one design feature submitted, and whether there have been multiple design renderings. He said this is a vanilla building that has no special features. He asked that they be shown more options and mentioned many municipalities that have designs that match the community. He wants to see economic development and tax growth, but wants to see the development embraced by the community.

Mayor Tully said that much of what Mr. Berger is referring to happens when the municipality is a petitioner. There are some things that can be requested.

4. Bob and Linda King, 946 Maple, spoke about the neighborhood, noting they have lived there for more than 50 years. Mr. King is legally blind and Mrs. King spoke on behalf of both of them. She referenced the Sievers building, noting that the difference is in the scale of the building. It is large, but not towering, and fits into the street. It is respectful of the neighborhood. They urged the Council not to allow this development on Maple Avenue because it will dominate the street and will not fit in with the rest of the buildings on Maple Avenue.

5. Dr. Gordon Goodman, 5834 Middaugh, indicated that Ken Lerner, Chair of the Pierce Downer Heritage Alliance (PDHA), had prepared comments for the meeting but was unable to attend the meeting due to a work commitment. Mr. Lerner asked Dr. Goodman to make the presentation for him, and he presented an advance copy of his report to staff.

Dr. Goodman summarized Mr. Lerner's comments. Mr. Lerner's comments included the following: 1) this decision is a judgment call; 2) zoning code policy and criteria; 3) the project is not consistent with the Comprehensive Plan - this will not be a pedestrian-friendly area. He is very unhappy with how staff evaluated this. 4) The project does not meet Special Use criterion #2 - "that the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community." 5) The project does not meet Special Use criterion #3 - "that the proposed use will not, in the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity." Mr. Lerner states that the Edwards house is not dilapidated or rundown. It is in reasonably good shape. It would be a severe loss to Maple Avenue to lose this house and would erode the historic character of the neighborhood. There are redevelopment potentials here. This is a linch pin at an historic area of Maple Avenue. He urged the Council to look more carefully at the Comprehensive Plan.

Upon completing his summary of Mr. Lerner's report, Dr. Goodman said that he had additional comments of his own to make. Mayor Tully and Dr. Goodman agreed that others would be given an opportunity to make their comments first, and Dr. Goodman would return with his personal comments later in the meeting.

6. George Swimmer, 4905 Main Street, said he is part of the downtown business district. The downtown business district is a TIF district. He asked if the real estate taxes that would be paid on the condos would help support the TIF district. He said that condos and downtown business retail do not go together, according to the Lakota Plan. Mr. Swimmer said that to say this project will support the downtown business isn't true. He said that the downtown is almost back to what it was 25 years ago with almost every other business closing. Mr. Swimmer commented that some of the old buildings are priceless. He would like to see property values go up, but he's not sure this will happen.

Mr. Fieldman replied to Mr. Swimmer's comments that the proposed building is in the TIF district.

7. Hilary Denk, 433 Wilson, said that she started a petition on change.org to deny this proposed development. The project does not meet criteria of the Comprehensive Plan or zoning. Over

500 people have signed the petition and they expect more people to support it. She then presented signatures and comments for the record. Many feel this is a detriment to the area and do not support it. Ms. Denk said that this development will loom over the downtown, as it is on a hill and higher elevation. She agrees that this proposal does not meet the criteria of a Special Use, particularly with regard to the loading area on the parkway next to the street and sidewalk. She indicated that this is a safety issue and is detrimental to the area. Two buildings and a tree will be lost. She asked the Council not to approve this proposal. She noted that it is listed as a mixed use, but there is no commercial use shown in the plans. The 3-D rendering was not available at the Plan Commission meeting. She asked if the Plan Commission members saw this. She also asked who is expected to purchase these units and what the market and price point will be. She then asked why there is no commercial use on the first floor. The petition doesn't discuss the historic district at all or the property rights of the owners. She noted that her petition addresses the Special Use permit.

Mayor Tully commented that the petition would be made part of the record.

Commissioner Olsen asked for a copy of the petition.

Mayor Tully then asked about why it's listed as a mixed use. Mr. Fieldman said that the petition was for a Special Use for residential and the Ordinance reflects residential, not mixed use. Mayor Tully commented on the 3-D video that was created and presented at the meeting tonight, saying he didn't know if the Plan Commission saw that video. As for the market price point, the Mayor said that typically it is not a factor in determining a Special Use. He also said he did not know why there is no proposal for commercial use on the first floor. The Mayor then reiterated that all of the petitions would be made part of the record. He replied further that he is only aware of one rendering that was submitted to the Village.

Mr. Fieldman said several renderings were submitted before the application was filed. The petitioner chose the one that was shared this evening and was presented to the Plan Commission. The Mayor said that though there may have been other designs early in the process, no others were brought forward to the Village.

8. Tom Nybo, 5253 Blodgett, read a letter regarding 942 Maple Avenue. He said he was curious about 942 Maple, the Edwards House, being for sale and wanted to know more information about the property and maybe get a chance to see some great pictures of the property. To his dismay he found that it was being listed as vacant land with two out buildings and being marketed as a tear down with two out buildings. He found it very hard to believe that one of the best vintage homes in our town was being listed as a tear down.

After finding this information out, he wanted to see if anyone else cared as much as he did about the home, so he went to the Historical Society to see what could be done about this. They helped with finding historical facts about the house and were concerned with the loss of this home as well. They then teamed up with Ken Lerner and Gordon Goodman from the PDHA. Trying to find more information about the listing, both groups made numerous attempts to reach the realtor and out of state bank that owns the property. Calls were not returned.

He started the Facebook page Help Save 942 Maple in Downers Grove and this helped get more residents involved and also attracted interested buyers. Again, no response from the realtor or bank. This seemed that the out of state bank did not care about our town and our history and did not want to give this home even one chance of survival. Business owners, builders, home preservation companies were very interested in this great home. No one could ever get even a simple returned phone call.

He said they were told by the Village that creating an historic district was the only way to save the house from development. They established a group of concerned residents and thought that they could possibly get an historic district in place to save one of our last original streets from

any further development and preserve what is left of our town's character to protect the Edwards House. Many hours have been dedicated to this and they have had several meetings with experts explaining what a historic district would do for our community and they explained both the positive and negatives of the district. Unfortunately they did not make the numbers that were needed because of the difficult ordinance and will likely address a historical district sometime in the future. However, everyone on both sides of this issue supported saving the Edwards House. Furthermore, they visited on two separate occasions the downtown business district, and found that every business visited did not want to lose the Edwards House and did not think another large condo building would benefit our community. They displayed supportive flyers in their windows and did not want to lose the historic character which brings them business and helps maintain a Norman Rockwell feel to our town.

Mr. Nybo said that the work being done is by volunteers, not highly paid professionals who will present their side about how wonderful this condo building will be. That is their opinion, not a fact. None of them live in Downers Grove. It is their job to make the most money out of this property, it is our job to save a piece of DG history for our children. Once it's gone, it is gone forever. The lawyer of the group said that everyone in Downers Grove wants this kind of project, needs this kind of project, but he asked where and who they are. He wonders who they spoke with because residents have made it clear that they do not support a condo building. To date they have reached 1100 Facebook Likes, and since starting the petition just last week they have over 500 supporters to deny the condo building and support the Edwards House. He said he is a lifelong resident of Downers Grove and has never seen such an outpouring of support to save our Village history. There are many concerned residents that do not want to see a condo that is five-stories high, no setback, taller than the parking garage, and does not fit the architectural character of the neighborhood. Even building around the Edwards House on the side lot and back lots could be done in a character that fits the neighborhood. There are ways to make a new building fit the architectural design of its surrounding neighbors, but this plan is not one of them.

9. Irene Hogstrom, 1232 Gilbert Avenue, read a statement into the record concurring with her neighbors and the Pierce Downer Heritage Alliance in not approving the Special Use permit for the Marquis on Maple, thus preserving the Edwards House.

She applauded the Village for adopting the Historic Preservation Plan. One of the topics that was brought up at that meeting was what a wonderful example of Transit Oriented Development (TOD) the Marquis is.

She said she worked at the Northeastern Illinois Planning Commission, now known as CMAP, in the early 2000's, when we were promoting TODs to local municipalities. The intention was to revitalize "tired" downtowns by building mixed-use buildings (restaurants, shops, housing) to replace surface lots or vacant buildings like the former TCF bank. Transit Oriented Development is not intended to replace buildings of historical significance with new condos.

Historic preservation is equally as important, if not more so, to preserve a community's integrity and character.

It is a tragic loss that the Village of Downers Grove cannot preserve an historically significant building in an Honorary Historic District.

She suggested a win-win solution for everyone. Instead of the Marquis on Maple, she suggested the Fleur de lis on Forest. She said she is tired of looking at that vacant building and lot. The design is much more suitable for that location as there are already buildings of that height adjacent to the lot.

For the bank, list the two homes separately, rather than as a vacant lot. We have an opportunity to have a unique development here, with a home that dates to 1890 fronted by a Bur Oak that

dates to the 1760s. The Village just awarded Tivoli Enterprises a Green Award, with one of the key reasons being their preservation of historic buildings.

She said she understands the office tenants were very happy until they were evicted or leases not renewed. On Facebook, one of the original owners expressed interest in keeping 942 Maple in the family.

There are other conversions that can be done: vintage residential condos. There is not much of this housing stock available west of Forest Park, and it is coveted in places like Lincoln Park, Lakeview, and the Gold Coast. We have a glut of vacant new condos, not to mention new condos that are an abandoned hole in the ground. A vintage condo building like this could command top dollar.

Or a restaurant - she noted that some of her favorite restaurants are in former homes. Charlie Trotter's was in 2 two-flats which did not come with a kitchen suitable for Mr. Trotter. Or, closer to home, Meson Sabika in Naperville is hugely popular. She also suggested shops and noted that the Little Traveler in Geneva has been operating out of a home since 1925.

Ms. Hogstrom said we need to be creative and not just do what is easy for quick money at the loss of our heritage.

10. Dave Gasson, 5320 Benton, said he is not supportive of this project. His concern is scale-it is massive. He feels that this could be similar to 4900 Forest and does not want to see this happen.

11. Christina Martin, 701 Maple, said she is aware of only two residents on Maple who support this project. She asked who wants these condos. She does not want this. Her home was built in 1892 and her home has watched history pass by its doors. She is honored to live on Maple Avenue because of what it is. It is beautiful and thriving with history. It is good for her children to see those homes on their street, and not see McMansions. Maple is an historical street and she would like to see it stay that way. The proposed condo development is enormous and will destroy the beauty of Maple Avenue. It is five stories, goes up to the sidewalk, and the architecture is lifeless with no character. That's how she sees the condos that are already downtown. The condos are owned by an out-of-state bank and designed by an out-of-state architect. The house at 942 Maple was never marketed as a house for sale, but instead as vacant land for sale with two out buildings on it. There are several other areas where condos could be built. She urged the Council not to support building this condominium. She would love to see the house saved. This condo does not belong on Maple Avenue.

12. Karen Crowe, 5408 Fairmount Avenue, is a 16-year resident who chose to live here for its beauty and historical value. She described herself as "just a resident" saying that she and her family walk this route regularly and she feels that transient people will live here who are not vested in the area. She asked the Council to look at the sign behind them on the wall, which depicts Downers Grove - a grove is trees. One of her concerns is that as they walk into the downtown area and enjoy all the special stores and events, these walks will be interrupted with trucks and things blocking the sidewalk. She said that this will be built to the lot line on all sides and that could affect stormwater issues. She thinks there are a lot of opportunities for development in the Village. She thinks everyone with a conscience who sees this design would have a problem with it. She wishes the whole town could get an opportunity to express themselves about this project, because she doesn't think she's said enough to convince the Council to deny it.

13. Tony LaRocco, 533 Davis Street, said he has lived here for 32 years. He noted that the question has been asked frequently as to who would buy those homes. He thinks there is a market for these condos for those who would want to downsize. There are many people who would like to shop in downtown areas if there were vibrant businesses and interesting shops. He

is not interested in subsidizing this property.

14. Skip Muehlhaus, 1868 Grant Street, has lived there for 34 years, and previous to that they lived in the El Sierra neighborhood. He said that some of the Council might have been involved in the fiasco regarding the Aldi property that is still unresolved, and the proposed 75 condos near Ogden Avenue. He said it seems that sometimes they get overloaded with the fact of tax income, which is necessary from a business perspective; however, he also appreciates the concerns of the residents close to where this project will be built, and in particular about the size of the unit, safety issues and traffic congestion which are typically downplayed by the presenter.

Mayor Tully explained that the Village did not initiate this Special Use project. It is a Special Use request that was brought to the Village by the property owners.

15. Kathy Nybo, 5253 Blodgett, said she has lived in the Village for 43 years. She has mobility issues and spoke about the ability to get access to the entire building. Maple Avenue would be blocked when people are moving in and out. She quoted the plan with regard to larger equipment entering the proposed site, such as an ambulance or Fire Department equipment. Three sides of the building will be denied access for their equipment. Ms. Nybo then asked about mixed use, as it is strictly a residential unit with no retail on the first floor. The amenities are available to residents only. She also commented about Station Crossing, which she thinks fits into the environment and has mixed use on the first floor. The proposed site also has a large illuminated sign proposed, and she cannot understand why the Village would make an 80-year-old business take down their building sign facing the railroad tracks, and yet will allow a new place to put up a large illuminated sign with the pretentious name of Marquis on Maple. A "marquis" is a French aristocrat, and she asked what that has to do with Downers Grove. The Village has talked about stormwater issues for some time, and this building will be built to the lot lines on all sides. Ms. Nybo thinks there are a lot of other uses for the existing building, such as a lovely restaurant, or dance school or music school. There are other uses. She and her family never took a walk to look at condos.

16. Kevin Butler, 635 Maple Avenue, said he and his wife chose Downers Grove as it reminds them of their childhood homes and small towns where they grew up. Their big concern is the safety of adding 50-100 additional cars to the traffic on a daily basis. He feels the traffic increase will be significantly higher than 1%.

17. Theresa Kulat, 4440 Saratoga, said that she supports the comments of Ken Lerner and the Pierce Downer Heritage Alliance. The developer had many months to put together a presentation before the Plan Commission, while residents didn't find out about this until several weeks ago. The Plan Commission public hearing started at 9:00 p.m. and was an abuse of the audience. She said that the audience doesn't have the time and resources of the developers. She is disturbed that the Plan Commission was making their decision at 12:30 a.m. She moved to Downers Grove because of the mature trees and its charm. She would like to see that feel maintained, and she fears what will happen to her town.

18. Chris Myers, 806 Maple, said it is a great process to be able to speak before the Council. He said that the Village does need something to keep the downtown area vibrant. He moved into the downtown area last fall. It is an historic house and he loves the downtown area for its character, restaurants and shops. Mr. Myers said he had three comments: 1) the effect on traffic and schools, and asked what the school donation is earmarked for; 2) the demographics of those buying the condos does matter; 3) traffic will be a bit worse. Mr. Myers said he thinks it is a foregone conclusion that this project will be built. However, the development should be designed to be more in character with the neighborhood and the heritage of Downers Grove. He also proposed a condition to move the Edwards House to a location that would honor its

history.

The Mayor said that the school funds dispersal would be up to the school.

19. Dr. Gordon Goodman, 5834 Middaugh, said that 806 Maple is the Lyman House and has been substantially improved since it was proposed for redevelopment a while back. It stands next to a new house on the west side that seems to fit in fairly well. Dr. Goodman noted that the Comprehensive Plan of the Village was adopted by the Village in 2011 and won the Daniel Burnham Award because it balances new development and character.

Dr. Goodman then commented on page 46 of the Comprehensive Plan, which addresses the downtown area as an area of mixed use. He noted the quote on page 46:

"Downtown Downers Grove is surrounded on all sides by established residential neighborhoods. Maintaining an adequate buffer is accomplished through a transition area where appropriate commercial development of a compatible scale and character is permitted."

He said that it is up to the Village Council to carry through on its policies. He maintains that this development is not consistent with the Comprehensive Plan. He supported his comments with a slide presentation.

Dr. Goodman then addressed page 149 of the Comprehensive Plan, which states:

"Continue to revitalize Downtown as the symbolic 'heart' of the community and enhance its role as the Village's primary mixed-use pedestrian environment."

"Zoning for the Downtown should be analyzed and amended if necessary to adequately accommodate appropriate new development and establish the desirable physical form of the Downtown."

Dr. Goodman said that the subject development is pedestrian unfriendly, and it is a stretch to call it mixed-use. As to zoning, Dr. Goodman said that the Village's Zoning Map now identifies historic buildings and 942 Maple is identified as such. He referenced the new Zoning Ordinance recently reviewed, and he suggested a zoning analysis to rezone 13 of the historic properties at the corner of Maple and Washington from DB (business) to DT (transition). That would provide a buffer between the intense business activities of the downtown area and the residential areas surrounding the downtown area. This was a flaw in the downtown zoning designations that were made in 2005. The first step is to deny this Special Use permit, which currently doesn't even satisfy the criteria for business zoning. He would like to see the Council then issue a zoning reanalysis of the area. This project is more appropriate to the internal business district and not on the periphery.

Mark Dietrich, Architect for the developer, said that he found that there was something missing from Downers Grove. He tried to develop a product unique to Downers Grove. He does not reside in Downers Grove, but is from the Midwest. His client and he approached the project to draw empty nesters and young professionals. Mr. Dietrich referenced the term "cradle to cradle" which is used in urban planning, and refers to growing up, or growing old and not moving away. Their development has single-bedroom units as well as larger units. They are providing offerings for all age groups. One of their goals was to work closely with the Village. He commended Stan Popovich and his staff, as they are great to work with. One of the things they wanted to do was make sure they were helping their project as well as the community by realizing the mutual vision that came from the Comprehensive Plan, Downtown Design Guidelines and downtown zoning. The plan and design was one that was felt to be the best one to go with.

Regarding the streetscape, Mr. Dietrich said that this project is in the heart of a block

designated downtown. They have taken advantage of the expanded right-of-way for an extended setback, paved patio, etc. They also looked at the downtown neighborhood as a top amenity to this development. Addressing the architecture, Mr. Dietrich said they looked to develop an architecture that is residential in nature. It is a Type-2 construction and follows and meets the architectural guidelines of the Comprehensive Plan and creates a unique product. He noted that they did meet with the Fire Marshal, and the building is non-combustible, with standpipes and a sprinkler system. As for the sign, the letters on the sign are 18" tall, which is reasonable in size. He explained that the benefits of the project are that they are owner/occupied properties that meet the identified market need, meet the price point, and contain units not readily available in the Village. It will be one of the first buildings to help fulfill the vision of the downtown Comprehensive Plan, and the Downtown Business zoning that has been developed, and will add people to the downtown area to create vitality. He pointed out 1) that the plan meets the Comprehensive Plan; 2) meets the Zoning Ordinance; and 3) meets the Downtown Design Guidelines. They are not asking for any variances.

Commissioner Barnett commented that there are issues with the site, and the Special Use criteria. He said that the Council has seen no alternative designs. The Commissioner asked about the trees, and the large tree in the middle is a concern. Trees are very important and he asked about designs to accommodate trees.

Mr. Dietrich replied that the zoning and design guidelines call for a building that doesn't exceed a 10' setback. It makes it difficult to meet design guidelines, zoning and still preserve the one tree. He said they are trying to balance meeting the requirements and being able to preserve the tree.

Commissioner Neustadt asked for more information regarding the stormwater improvements.

Michael Mondis, the Site Civil Engineer, said that the development proposes underground detention to be discharged into the storm sewer that runs in the alley behind the parking deck.

Commissioner Rheintgen asked about moving trucks and how they will be accommodated.

Mr. Dietrich said that they are talking about 2-3 bedroom units. This would probably be a 17' or 20' moving truck. The loading zone in front of the building is 70'-75', which would accommodate a 26' long truck. He said that more than likely the trucks would go in from the side of the building. There is access for moving trucks, ambulances, etc.

Commissioner Rheintgen then asked about the Type 2 construction.

Mr. Dietrich explained that Type 2 construction is a 15% premium, non-combustible building, sprinklered with steel frame, concrete floors, panels, etc. It is not cheap construction but consists of concrete on the inside with insulation and colored cast concrete on the exterior.

Commissioner Rheintgen then asked about whether consideration was given to constructing a four-story building.

Mr. Dietrich said that the design has always been for a five-story building.

Commissioner Rheintgen then asked for more detail on the greenspace area.

Mr. Dietrich said that the front of the building will be landscaped with a patio/terrace. The side will have seating and a barbeque area. Behind the building there will be greenspace with trees, as well as a green roof in a decorative pattern.

Commissioner Durkin inquired as to the decision not to include retail on the first floor.

Mr. Dietrich said that one of the owners felt that putting retail on Maple versus Main Street would be challenging at this time. At some point in the future someone could lease the fitness room.

Commissioner Durkin then asked whether they could partner with the fitness facility in the downtown area. He feels this is a sticking point for a building in the business district. He also asked whether they can do this project with a four-story building.

Mr. Dietrich replied that he is a designer, and this is a balancing act. The client may not want to pursue a smaller building.

Mr. Sosin, attorney for the developer, said that they looked at the retail issue on Maple and the character of Maple. To put small one or two retail users in there doesn't mean they would easily be leased or be sustainable. He said they would be providing 55 families to use Main Street. With regard to building a four-story building, there are trade-offs. They want to provide a high-quality building, not just a square boxy building. They are balancing the character of the building against the height requirements of the Village. He noted that there are all sorts of plans and designs looked at before the Village sees them. The Village's design standards are very specific. He noted that they are not asking for variations. The design manual has been adhered to in letter and in spirit. The setback requirement here has to be no more than ten feet according to the Village, as that is the vision of the downtown plan.

Commissioner Durkin then asked Mr. Sosin whether the developer has looked at making the first floor residential, and Mr. Sosin said they did not. They need certain amenities such as storage area, as well as a party room and workout room.

Commissioner Durkin questioned whether an impact study of 55 units has been done to specify the economic benefits, and Mr. Sosin said they have not done such a study, as it was not requested. It could be done. Commissioner Durkin said he would be interested in an impact study.

Commissioner Barnett commented that he understands that the existing ordinance is driving the setback; however, he still has challenges with the tree issue, as well as the fact that the picture of the site does not include a loading zone. That should be in that picture.

Mr. Sosin explained that the loading zone was a late change in the engineering plan, and that plan was not designed as a necessary component.

Commissioner Barnett said that the drawing shows a sidewalk basically which is curved.

Mr. Dietrich replied that the Village is requiring three feet more of right-of-way than the survey identified. As part of the project they are dedicating a right-of-way to the Village.

Commissioner Barnett said he lives very near this proposed development. There is a lot about this development to like, and a lot to like about having someone want to do this in Downers Grove; however, it is a balancing act. Public planning documents emphasize walkability. For him it is negative on a community to put a sidewalk on a curb, and it eliminates walkability, and diminishes accessibility. This is particularly in regard to Maple Avenue, especially during the winter. Commissioner Barnett said that there is a diminishment of accessibility for pedestrians in the area.

Mr. Sosin said if the loading zone cutout were a condition of the Special Use they would not object.

Commissioner Neustadt said that the sidewalk as shown is where it is now and the loading zone comes up to it. He said that there are other areas where there are loading zones. Mr. Fieldman

said the Village plows the loading zones and the sidewalks in the SSA which is nearly co-terminus with the TIF district.

Commissioner Barnett added that he is struggling with the parcel to the west of the proposed building not being diminished in terms of its future value. The Sievers building and this building, by Village rules, place that parcel into a cavern of sorts. That makes a bad situation for that particular property.

Mr. Sosin said that, although it sounds simplistic, every district has a beginning and an end. In this situation, the transition includes 13 or 14 properties along Maple and 3 or 4 along Washington that are the end of the downtown district. That strip has been part of a commercial area, and that building referred to as an historic house has not been a house for many years, and has been vacant for many years. This will affect that house. He said that Mrs. King said when her house was built there were nine houses on Maple that people were living in and now there is one. The developer thinks they are planning to implement the Village's vision based on the Village's design code and zoning requirements and Comprehensive Code.

Commissioner Barnett said he does not disagree with Mr. Sosin, but is struggling with the fact that this development would be injurious to the parcel to the west.

Commissioner José said that he sits on the Board of Directors of the PDHA, but has not been a part of their discussion or actions. He referenced portions of the Comprehensive Plan with respect to this development and location. He said it is troubling to lose the historic structure that is currently there. He hopes someone comes forward to move it and save it.

Mr. Sosin responded that the developer has made it clear that they would make the house available to a not-for-profit or anyone who comes up with a viable proposal.

Commissioner José noted that it would have been easy for the developer to pull a demolition permit and knock the house down before any of this discussion took place.

Commissioner Rheintgen asked for an update about other condominium developments near the Tivoli.

Mr. Fieldman said that a renewed building permit was issued a couple of months ago.

Commissioner Rheintgen then asked that Downtown Management provide a statement as to how this development would impact on the downtown, in terms of the stores, shops, and restaurants in the downtown area.

Commissioner Neustadt noted that there are a lot of moving parts here. This brings attention to historic districts, private property rights, etc. The word "balance" has been used frequently, but the Council has to consider the criteria. He believes this has been a great conversation. An individual's view of design is something that is personal. The developer has designed a building that meets the criteria established. This property has been for sale for a long time. He thanked the Plan Commission for their work on this petition, and noted that they are volunteers.

Commissioner Barnett commented that everyone has a lot invested in this project. The Council is considering a Special Use request pursuant to Section 12.050 of the Zoning Ordinance. It is distinct and separate from much of what has been discussed tonight. The Village is not responsible for finding another location for the proposed project, but is asked to look at this specific project.

Commissioner Olsen expressed his appreciation to everyone for their time tonight. He has a number of concerns, and they have heard good information tonight. The economic impact is something he is questioning. For example on the one hand they say that there is minimal impact

on traffic. He asked if adding 55 families will have a significant impact on economic development. Regarding the aesthetics, he said the building looks nice, but it is its size and scale and consistency with what is already there that he will consider. Residents might look at the Zoning Ordinance criteria. He hopes that the Edwards House can be saved, but that is not what they are considering tonight. Commissioner Olsen said he feels the criteria are subjective. This creates something new in this area and he has concerns that maybe there should be a business there.

Commissioner José said they have to look at this property in terms of its zoning for more dense use. This helps to determine the appropriateness of this project. The Zoning Ordinance has contemplated moving in this direction for many years.

Commissioner Neustadt stated more housing stock allows people to stay, grow and move to the Village.

Mayor Tully thanked the residents who spoke and the people they heard from. The earliest this would be voted on is December 2 to either grant or deny the Special Use, or grant the Special Use with conditions.

Mr. Sosin said that they have worked with the staff and will continue to work with the entire Village, within the confines of the plan. They've developed this to the Village's plan.

Mayor Tully thanked everyone again for their participation, and called for a short break before continuing.

ORD 00-05755

B. Ordinance: Rezone 3801 Highland Avenue from R-4, Residential Detached House 4, to INP-2, Campus-Scale Institutional and Public District

Sponsors: Community Development and Plan Commission

Mr. Fieldman said the next three items on the agenda relate to Good Samaritan Hospital. He asked Mr. Popovich to make the staff presentation.

Mr. Popovich said these items concern Planned Development #19 approved in 1978 and amended numerous times for Advocate Good Samaritan Hospital. Specifically the request is to rezone property at 3801 and 3815 Highland and establish an Institutional Master Plan at the NE corner of 31st and Highland. The rezonings are from R-4 to INP-2, Campus-Scale Institutional and Public District.

Mr. Popovich said the Plan Commission found that the proposed rezoning and the Institutional Master Plan are appropriate uses in the neighborhood, are compatible with the Comprehensive Plan and meet all standards for approval of the Zoning Ordinance. The INP-2 zoning district enables large public, civic and institutional uses in campus-like settings to comprehensively plan for site design and development. If approved, the petitioner could apply for a building permit for any development that has been approved through the Institutional Master Plan. The layout of the campus clusters dense development and taller buildings into the center of the campus. He showed the proposed building additions to include a private room bed tower expansion and cancer care expansion. The petitioner has proposed providing more convenient parking. Further, one new sign is proposed.

Mr. Popovich then reviewed the development regulations in terms of building coverage, open space, floor area ratio, interior area building height, parking and total sign allowance.

Dr. Goodman said the Plan Commission recommended approval of these requests and he supports this. He said the long-term protection of the high-quality native vegetation in the Lyman Woods Preserve should be substantially improved when this matter is considered by the addition of a fourth condition to those recommended by the Plan Commission as follows: "The

petitioner shall develop and implement a program to identify and remove invasive species of vegetation from the Do Not Disturb and the Do Not Build zones that border the Lyman Woods Preserve."

Dr. Goodman said maintenance has not been done over the years and he would like to see it corrected in terms of identifying and removing invasive species of vegetation. He showed a map depicting the Do Not Disturb and Do Not Build zone that was authorized in connection with construction of a multi-story deck. He also referred to the west area Consent Decree (west buffer zone) preventing the removal of trees or plants, but he said this does not extend to the Do Not Disturb or Do Not Build zones. Dr. Goodman then asked as to the status of the amendment referenced in the Consent Decree.

Ms. Hogstrom said she would like to go on record as concurring with Dr. Goodman in establishing a management program for the buffer zones that border Lyman Woods. She is a landscape architect and has experience in ecological restoration.

She said currently the predominantly white and red oak forest in the buffer zones has a ground flora of invasive species that include poplar trees, shrubs and herbaceous teasel and reed canary grass. Various studies show that the vegetation has a higher percentage of nitrogen and carbon in soils where buckthorn dominates. This creates a legacy effect that makes restoration of native species far more difficult, as native plants cannot tolerate high levels of nitrogen. The presence of invasive shrubs also prevents the regeneration of oaks. Oaks need sunlight to grow, and a dense layer of buckthorn and honeysuckle prevents sunlight from reaching the forest floor. A dense layer of invasive shrubs also results in more soil erosion and stormwater runoff. Because the buffer is in a Do Not Disturb zone, chain saws and brush cutters cannot be used in removing these invasive species. Removal will have to be done by hand with loppers and hand saws. This work gets very difficult and is much more costly if the vegetation is dense and large. Unless a management program is in place, the problem will only worsen and spread into Lyman Woods. It will make restoration efforts in Lyman Woods much more challenging and costly. She said 20 years has given the invasive plants plenty of time to grow and spread. There is no time like the present to address this issue.

Commissioner Durkin asked as to the number of jobs that will be created with the hospital expansion.

Laura Neiberg, Vice President, Ancillary Services and Community Health, said that based on some preliminary work, they anticipate this will create approximately 50 jobs.

Mayor Tully thanked the representatives of the hospital for their patience. He is glad to see this zoning category being used and he is hopeful that this will allow the hospital to do its planning more efficiently. The Mayor said staff is looking at the issue of the vegetation management program and the Consent Decree.

Tracy Kasson, attorney for the petitioner, said it would not be proper to put Dr. Goodman's suggestion as a condition. It is necessary to look at the Consent Decree and the parties thereto.

Commissioner Olsen asked if the hospital was opposed to vegetation management.

Mr. Kasson said there are many issues and the proposal has not been fully discussed. He would be opposed to managing this area. There is no maintenance agreement.

Indexes: Planned Development #19-Good Samaritan Hospital, Rezone 3801 & 3815 Highland - R-4 to INP-2

- ORD 00-05754** C. Ordinance: Rezone 3815 Highland Avenue, Commonly Known as Advocate Good Samaritan Hospital, from R-4, Residential Detached House 4, to INP-2, Campus-Scale Institutional and Public District
Sponsors: Community Development and Plan Commission
Indexes: Planned Development #19-Good Samaritan Hospital, Rezone 3801 & 3815 Highland - R-4 to INP-2
- ORD 00-05779** D. Ordinance: Adopt an Institutional Master Plan for the Property Located at 3815 Highland Avenue Commonly Known as Advocate Good Samaritan Hospital
Sponsors: Community Development and Plan Commission
Indexes: Planned Development #19-Good Samaritan Hospital
- ORD 00-05776** E. Ordinance: Amend 2015 Water Rates
Sponsors: Manager's Office
Mr. Fieldman said there are no changes to the proposed increases. Water rates are proposed to increase 14% in 2015. Stormwater utility fees are proposed to increase 8.7% in 2015.
Commissioner Durkin asked about monthly vs. a bi-monthly bill.
Mr. Fieldman said staff has considered this but feels the change would result in an increase in the administrative fee.
Commissioner Durkin asked about outsourcing billing. Mr. Fieldman said staff has considered this as well.
Commissioner Durkin then asked about the 14% increase in water rates.
Mr. Fieldman said the increase is a function of the cost of water. It is a pass-through rate.
Commissioner Olsen said it is unfortunate that we have to pay this price. He said there was recently a water main issue on Dunham and it is important to maintain the system.
Indexes: Water Rates
- ORD 00-05777** F. Ordinance: Amend Stormwater Utility Fee Rates
Sponsors: Manager's Office
The Manager said staff is recommending an 8.7% increase in stormwater utility rates.
Commissioner Olsen said he is very concerned about this increase for residents and businesses. He looks forward to discussing this further.
Mayor Tully noted that this is an increase but staff has calculated the cost of projects and has spaced them over time to establish the rate. If there is a proposal for something different, Mayor Tully asked that the Council know about it in advance of the next meeting.
Indexes: Stormwater Utility

10. Mayor's Report

Mayor Tully said the DuPage County Stormwater Management Committee has been conducting surveys and needs assessments. The results have been compiled into a draft report which has been approved for a 30-day comment period beginning November 20, 2014. It identifies three tiers of projects and associated funding.

Materials to be Placed on File

11. Manager's Report

12. Attorney's Report

Village Attorney Enza Petrarca said she was presenting six (6) items to the Council: 1) An ordinance amending stormwater utility fees; 2) An ordinance amending water rates; 3) An ordinance authorizing a special use to permit a residential condominium development at 936-942 Maple Avenue; 4) An ordinance rezoning certain property located at 3801 Highland Avenue; 5) An ordinance rezoning certain property located at 3815 Highland Avenue commonly known as Advocate Good Samaritan Hospital; and 6) An ordinance adopting an institutional master plan for the property located at 3815 Highland Avenue commonly known as Advocat Good Samaritan Hospital.

Future Active Agenda

13. Council Member New Business

14. Adjournment

Mayor Tully asked for a Motion to adjourn.

Commissioner Neustadt moved to adjourn. Commissioner Durkin seconded the Motion.

VOTE: AYE: Commissioners Neustadt, Durkin, José, Olsen, Rheintgen, Barnett; Mayor Tully

Mayor Tully declared the motion carried and the meeting adjourned at 11:28 p.m.