

APPROVED 12/1/14

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

NOVEMBER 3, 2014, 7:00 P.M.

Chairperson Urban called the November 3, 2014 meeting of the Plan Commission to order at 7:01 p.m. and led the Plan Commissioners and the public in the recital of the Pledge of Allegiance.

ROLL CALL:

PRESENT: Chairperson Urban, Mr. Bassler, Mr. Cozzo, Mr. Matejczyk, Mrs. Rabatah, Mr. Rickard, Mr. Webster (ex-officio Souter)

ABSENT: Mr. Quirk, Mr. Waechtler (ex-officios Menninga, Davenport)

STAFF: Planning Manager Stan Popovich and Planner Kelley Chrissie

VISITORS: Mr. James Dohran, Downers Grove Historical Society, 240 Eighth Street; Ralph and Lynne Pucci, 5329 Main St.; Mike and Marge Belm, 4629 Linscott; David Weinschreider with Advocate Healthcare, 3075 Highland; Ken Rathje, Rathje Planning Services, 412 Chicago Avenue; William Woodward, KLOA, 9757 W. Higgins, Rosemont, IL; Grace Gonzaga, Advocate Healthcare, 3075 Highland, Ste. 600; Greg Heiser, Cannon Design, 225 N. Michigan Ave., Chicago, IL; Mark Thoman, 119 61st Street; Ken Lerner, 4933 Whiffen; Irene Hoqstrom, 1232 Gilbert Ave.; Michael Marts, 5401 Lane Pl.; Laura, resident; Mike Reeves, 615 Maple Ave.; Kim Butler, 635 Maple Ave.; Kathy Nybo, 5253 Blodgett; Wayne Walsh, 5401 Webster; Margaret Knight, 1101 Maple Ave.; Bob and Linda King, 946 Maple; Robert Zoula, 5552 Webster; Gordon Goodman, 5834 Middaugh; Zuily Tremmel, 5324 Florence Ave.; Tom and Sue Weiler, 709 Maple Ave.; Jessica Whiting, 626 Maple Ave.; Barbara Whiting, 5433 Brookbank; Douglas Gilbert, Oak Park; Jim Silvestri, Advocate Health Care, 3815 Highland Ave.; Laura Neiberg, Advocate Health Care, 3815 Highland Ave.; William Heun, Matthei and Colin Associates; Jason Walt, Dan Lambert, 702 Maple Ave.; Doug Porter, 704 Maple Ave.; Margaret Adams, 1300 Turvey Rd.; Douglas Adams, Appraiser, 1300 Turney Rd.; Donna Carey, 5219 Grand; Carol Ruzicti, Griffin & Gallagher, 10001 S. Roberts Road, Palos Hills, IL; John Friedcat, 916 40th St.; Barb & Brian Morrow, 717 Maple Ave.; John Tuffy, 5329 Main St.; Bruce Swanson, 4116 Washington; Hilary Denk, 433 Wilson St.; Resident, 3650 Highland Ave.; Diane Richardson, 4925 Fairview; Cynthia Pavlick, 3650 Highland Ave.; Resident, 1629 71st St.; Resident, 808 Maple Ave.; Barbara Murphy, 309 41st St.; Ms. Kundert, 4617 Cross St.; Elaine & Bob Pagels, 4717 Main St.; Tracy Kasson, Rathje & Woodward, Wheaton, IL; Robert Gudmundson, RWG Engineering, LLC, Wheaton, IL.

APPROVAL OF OCTOBER 6, 2014 MINUTES

MINUTES OF THE OCTOBER 6, 2014 MEETING WERE APPROVED ON MOTION BY

MR. COZZO, SECONDED BY MR. WEBSTER. MOTION CARRIED BY VOICE VOTE OF 7-0 (CHAIRPERSON URBAN ABSTAINS).

PUBLIC HEARINGS:

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

FILE PC32-14: A petition seeking approval of two requests: i) Rezoning from R-4 Residential Detached House 4, to INP-2 Campus-scale Institutional and Public. The property is zoned R-4, Residential Detached House 4. The property is located at the northeast corner of Highland Avenue and 39th Street, commonly known as 3815 Highland Avenue and 3801 Highland Avenue, Downers Grove, IL. Advocate Health and Hospitals Corporation, Petitioner and Owner, and Village of Downers Grove, Owner; and ii) an Institutional Master Plan. The property is zoned R-4, Residential Detached House 4. The property is located at the northeast corner of Highland Avenue and 39th Street, commonly known as 3815 Highland Avenue, Downers Grove, IL. Advocate Health and Hospitals Corporation, Petitioner and Owner.

Planner Kelley Chrisse walked through the zoning requests noting the request for the master plan only applies to the Advocate Good Samaritan Hospital (AGSAM) campus. She reported the Institutional and Public zoning is a new zoning district created with the recent adoption of the zoning ordinance on June 15, 2014. The goal of the zoning district was to align the future land use designation of institutional, public and civic uses. The INP-2 designation related specifically to campus-scale institutional, public developments that recognizes the uniqueness of large development with public, civic and institutional uses. Details of the site were pointed out on the overhead along with surrounding zoning and uses. Because the site has many buildings and uses on it and does not fit neatly into traditional zoning districts, it has to use the planned development process, which is why the site was transitioning into the newly created INP-2 district. A historic detail followed for the site. Per Ms. Chrisse, stated the site included the entire hospital campus as well as many parcels and many uses, including medical/dental offices, retail, housing, a landing area, etc. An aerial photo was provided. The village authorized the petitioner to include the Village's water tower property in the rezoning request to INP-2. No changes are proposed for the Village's water tower site. However, any future changes would require special use approval, as the water tower property is not included in the proposed AGSAM master plan.

A chart of previously approved uses followed. With the rezoning, Ms. Chrisse stated the site will align the current land use with the zoning classification. Details followed on the benefits of having the hospital in the area and it meeting the requirements of the Future Land Use and the village's Comprehensive Plan. Staff noted all standards for rezoning were met and recommended approval of the rezoning of the Village's water tower site and the AGSAM campus.

Turning to the master plan, Ms. Chrisse stated that the Institutional Master Plan is specific to the AGSAM campus. She explained the purposes and benefits of a master plan, noting that should the master plan receive approval by the Village Council, the plan will not come before the commission unless the petitioner seeks changes to the master plan. Ms. Chrisse shared two upcoming projects the hospital was planning as well as some expansion projects anticipated for the future, which was why the hospital is requesting the master plan. She pointed out the transitional areas required under

the master plan are only applicable to new construction. All existing structures are conforming and remain conforming with the approval of the Institutional Master Plan.

For the development within the interior of the site, Ms. Chrisse discussed that the petitioner is proposing to change the maximum height of new buildings to 100 feet versus the old maximum height of 80 feet. The petitioner has noted that not more than 40% of its land area will be covered by buildings. The minimum open space being proposed by the petitioner is 30%. Proposed parking structures were noted as well as current signage and what it was based upon, i.e., their current sign plus a new proposed wall sign. Ms. Chrisse walked through other characteristics of the site, existing conditions, landscaping, lighting plans, signage, engineering, etc.

Staff indicated that two general inquiries were received on the proposal and the petitioner held a neighborhood meeting and provided a report (attached to staff's report). The petitioner met with the DuPage County Forest Preserve and the Downers Grove Park District and no concerns were identified from either entity. After much reporting from staff, Ms. Chrisse stated that the standards for master plan approval were met and recommended approval of the petition.

Mr. Matejczyk found the process very unique and streamlined. Mr. Popovich concurred and explained the benefits of this process. Regarding the water tower property, Ms. Chrisse explained that the parcel size was about .54 acres. As to the size requirement for INP-2 properties, Mr. Cozzo asked if the water tower site should have been rezoned INP-1 or INP-2, wherein Ms. Chrisse explained it had to do with the district area as a whole. A better explanation followed.

Mr. Tracy Kasson, Rathje and Woodward, Wheaton, Illinois, attorney for the petitioner, introduced the Advocate team to respond to questions. He referenced the following exhibits: Application for Map amendment (Ex. 1); INDR response letter (Ex. 2); IHPA response letter (Ex. 3); Downers Grove Sanitary District (Ex. 4); Kane DuPage Soil opinion letter (Ex. 5); Traffic Impact study, dtd. October 3, 2014 with the parking demand study dtd. October 24, 2014 (Ex. 6); and the Institutional Master Plan (Ex. 7).

Mr. Kasson reported that the hospital had been considering the proposed expansions (western bed tower and the cancer care center) for the hospital for some time and the hospital was encouraged by the Village to wait for the adoption of the village's new Zoning Ordinance. After the adoption of the ordinance, the petitioner submitted the rezoning request and proposed master plan.

Ms. Laura Neiburg, with Advocate Healthcare, reviewed AGSAM's master facility planning projects and explained that only two projects anticipated have been funded, which are the private room bed tower addition and the cancer care center expansion. Ms. Nieberg explained the desire for more convenient parking facilities, the existing condition of the helipad and the need for an expanded emergency room. She concluded by stating that the hospital has been an active member of the community since 1976.

Mr. Ken Rathje, with Rathje Planning Services, gave an overview of the proposal, site plan, surrounding zoning, parking, stormwater, etc. followed in more detail. Mr. Rathje reviewed and explained how the proposal met the standards for rezoning and for the master plan.

Chairperson Urban opened the meeting to public comment.

Mr. Gordon Goodman, 5834 Middaugh, Downers Grove, supported both the rezoning and the master plan but suggested commissioners ask the petitioner about internal traffic, improving parking and the re-alignment of roadway, specifically regarding the area east of the traffic signal located on Highland Avenue. He supported the open space being provided but had concerns about the management of the natural areas of the site, specifically with invasive species.

Mr. Jerome Pavlik, 3650 Highland Avenue, Downers Grove, inquired about a sound and visual barrier between his home and the proposed improvements. Specifically, Mr. Pavlik noted that there has been an increase in the noise level in the neighborhood over the years.

Ms. Cynthia Pavlik, 3650 Highland Avenue asked about the height of the proposed parking structure, wherein Ms. Chrissy stated it was proposed to be a one-level structure. Ms. Pavlik also shared her concerns about the noise reverberating to her home.

Responding to questions/concerns, Mr. Kasson described that the internal traffic circulation will remain as is and that if future improvements are made, the hospital will review it at that time. As to the invasive plants issues, he stated the letter from the Forest Preserve was basically to ensure that correct plantings were planted. Regarding the removal of the invasive plantings, Mr. Kasson stated that nothing could be done to disturb such areas due to the consent decree in place. As to noise, he noted that a transitional area existed with the 35 feet height limitation and no additional noise would be generated.

It was pointed out by Ms. Neiberg that the way-finding signage was installed a few years ago but it was something the hospital was working on with its patients. Mr. Robert Gudmundson, RWG Engineering, then addressed the noise reverberating off the retaining wall on Highland Avenue recalling that the wall was built by the county, not the hospital, during the improvements of Highland Avenue to allow the sidewalk to be installed.

Resident, Ms. Cindy Pavlik returned and restated the noise had increased when then retaining wall was installed and she was concerned about the noise increasing with the new buildings being proposed. She asked that some form of plantings be installed to buffer the noise. Mr. Kasson noted there would be over 300 feet of separation from the proposed one-story structure to the residents' home. Also, Highland Avenue was a collector street and not much could be done. [Highland Avenue is a minor arterial.]

Mr. Gudmundson, stated that he worked with the hospital over the years and believed that the retaining wall being discussed was installed by the county. However, he added that the single-level parking deck typically includes a low knee wall near the bottom and then is open above that. The open design of the parking structure would mitigate noise levels.

Mr. Cozzo discussed the traffic at the Highland Avenue exit/entrance and asked if there was a plan to better align the roadway to the south and also a better roadway sign to the parking structure "A". Wherein, Mr. Bill Woodward, with KLOA Traffic indicated that the area was analyzed but no modifications were planned for the intersection. He did notice the queuing issue and explained how the queuing could be improved. Mr. Rathje recalled that the hospital wanted those sharp turns in the roadway specifically to calm traffic entering the hospital.

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Mr. Tracy Kasson, with Rathje and Woodward, closed by stating how the proposed additions to the hospital were to enhance the level of care and convenience for the patients. The two proposals were consistent with the comprehensive plan and all of the required standards. Additionally, only 35,000 square feet was being added to the overall footprint and greenspace was being decreased very minimally.

Hearing no further comments, the public hearing was closed.

Per Mr. Matejczyk's question on who would see the petition should the petitioner make changes to the master plan, Mr. Popovich stated staff would make that determination and explained it in more detail. Significant changes would come back before the commission. Chairperson Urban commended the hospital for providing the parking decks, understanding that they are very expensive to construct. Per Mr. Webster's questions, Ms. Chrissie confirmed that the prior sign banner amendment would be incorporated into the master plan. Mr. Popovich confirmed same, adding that all prior approvals the hospital received were planned development amendments and all current uses are conforming and would, therefore, be incorporated into the Institutional Master Plan.

For the record, Mr. Cozzo stated that the standards for rezoning have been met, the standards for the master plan have been met, and the project is consistent with the village's comprehensive plan.

WITH RESPECT TO FILE PC 32-14, MR. WEBSTER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THE REZONING OF THE HOSPITAL CAMPUS AND VILLAGE WATER TOWER FROM R-4 RESIDENTIAL DETACHED HOUSE 4, TO INP-2 CAMPUS-SCALE INSTITUTIONAL AND PUBLIC.

SECONDED BY MR. RICKARD. ROLL CALL:

AYE: MR WEBSTER, MR. RICKARD, MR. BASSLER, MR. COZZO, MR. MATEJCZYK, MRS. RABATAH, CHAIRPERSON URBAN

NAY: NONE

MOTION CARRIED: VOTE: 7-0

WITH RESPECT TO FILE PC 32-14, MR. WEBSTER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THE INSTITUTIONAL MASTER PLAN SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE INSTITUTIONAL MASTER PLAN SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED NOVEMBER 3, 2014 AND WITH DRAWINGS PREPARED BY RWG ENGINEERING, LLC DATED JULY 3, 2014 AND LAST REVISED OCTOBER 27, 2014 EXCEPT SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
- 2. THE PETITIONER SHALL ESTABLISH A FIRE COMMAND ROOM TO MONITOR THE ENTIRE CAMPUS EXCLUSIVE OF THE HEALTH AND WELLNESS CENTER AS PART OF THE PRIVATE ROOM BED TOWER EXPANSION.**

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- 3. UPON CONSTRUCTION OF THE PARKING STRUCTURE OVER PARKING LOT A, A SIDEWALK SHALL BE REQUIRED TO CONNECT THE PUBLIC RIGHT-OF-WAY TO THE MAIN HOSPITAL ENTRANCE PER THE REQUIREMENTS IN THE ZONING ORDINANCE.**

SECONDED BY MR. MATEJCZYK. ROLL CALL:

AYE: MR WEBSTER, MR. MATEJCZYK, MR. BASSLER, MR. COZZO, MRS. RABATAH, MR. RICKARD, CHAIRPERSON URBAN

NAY: NONE

MOTION CARRIED: VOTE: 7-0

(The commissioners took a recess at 9:00 p.m. and reconvened at 9:07 p.m.)

Chairperson Urban swore in those individuals who would be speaking on the following petition.

FILE PC-33-14: A petition seeking approval of a Special Use to permit a residential condominium development in the Downtown Business (DB) zoning district. The property is located on the north side of Maple Avenue, approximately 285 feet east of Main Street, commonly known as 936 and 942 Maple Avenue, Downers Grove, IL. David B. Sosin, Petitioner; First Merchants Bank, N.A. Owner.

Mr. Stan Popovich walked through the proposal stating the commission is charged to determine whether the 55 unit condo meets the three standards of approval for a special use. He located the site on the overhead and noted the structures currently on the site. The proposed building is five stories with gray precast concrete panels, light and medium gray brick and will include a tower element. Elevations, landscape plan, first level parking deck, and floor plans followed. A loading zone for Fed-Ex or UPS deliveries was discussed including appropriate signage.

Mr. Popovich explained how the proposal meets the goals of the Future Land Use Plan which calls for downtown mixed-use, pedestrian orientated, multi-family transition and redevelopment. Details followed. The proposal also meets the requirements of the village's Zoning Ordinance, including two new requirements, i.e., the build-to zone and building height. Downtown design guidelines and the Subdivision Ordinance were also reviewed by Mr. Popovich who explained how the proposal met them. The Public Works department also reviewed the engineering for the proposal to ensure the proposal met the requirements of the village's ordinance.

Details were provided on the KLOA traffic study that was done which concluded that there will be a 1% traffic increase due to the proposed development along Maple Avenue in a worst case scenario. However, Mr. Popovich pointed out that traffic along Maple Avenue will increase in general, if recommendations from the neighborhood study that was conducted by the village back in 2011 are implemented. He noted the recommendations that came out of that study, i.e., reduce cut-through traffic on 55th Street and Washington Street and 55th Street and Webster Street. Lastly, public safety for the building was addressed, i.e., fire alarms, sprinklers and emergency vehicle access.

Mr. Popovich shared that neighborhood comments included concerns about the structure's height, size, number of units, the increase in traffic, and encroachment of tall buildings into residential

districts. There was concern about the demolition of 942 Maple Avenue which was determined to be a historic building based on the Village's Historic Building Survey completed in 2013. Mr. Popovich confirmed that all three findings of fact were met for Special Use and he proceeded to review the three standards for the special use. He recommended the commission forward a positive recommendation to village council and include the conditions listed in staff's report.

Mr. Webster inquired about the size of the vehicle that would be utilizing the loading zone wherein Mr. Popovich explained that a semi-truck would not be able to use the area. The intent was for the delivery trucks to use the loading zone.

Per questions, Mr. Popovich confirmed that the building height was 59 feet without the tower element. With the tower, it was approximately 70 feet. He further noted the relocation of a fire hydrant. Regarding the 942 Maple Avenue property, Mr. Popovich stated it was considered historical but no landmark nomination existed to date and there were no protections on the property. Lastly he reported that the DB district was created in 2005 and prior to that the property was zoned B2 (since the late 1960's).

Ex-officio Souter inquired about the impact of relocating the fire hydrant to the west wherein Mr. Popovich stated that the fire protection division reviewed the relocation of the hydrant and had no concerns about access or connectivity.

Mr. David Sosin, attorney for the developer and petitioner explained that when the property became available, his team reviewed the village's comprehensive plan. He noted no variations were being requested. He introduced his development team and believed the proposal would be a great addition to the downtown area and contribute to its vibrancy. While he understood the historic significance of the structure among the neighbors, he indicated he was trying to reuse the house and stated his client would work with the village or private developer to use the home, but also added that the home was not in the best shape and a residential use is nonconforming.

Mr. Mark Diedrich, with Kuo-Diedrich, Atlanta, Georgia, architect for the proposal, reported the design team had met with and worked with staff on the proposal. From a design standpoint, the proposal was based off of his company's resort design/high end residential background to create the luxury building. Its location provided opportunities for its residents to walk, shop and continue the vibrancy of the downtown. As to previous questions, the building was a Type-2 building; the loading zone would be 50 feet and could accommodate a good size loading truck; and trash trucks would not be parking along the front entrance sidewalk. He further addressed the one-level green roof area which covered the parking deck. His client was in the process of investigating whether it would be used as an amenity. The parking deck would have a fob security system. Questions followed regarding the parapet, in which the element would be located everywhere on the building but varies in height.

Mr. Webster asked what street level activities would take place at the front of the building to which Mr. Diedrich said a fitness room, lounge, and club room, and open-air seating.

Chairperson Urban opened up the meeting to public comment.

Mr. Robert King and Mrs. Lynda King, 946 Maple Avenue, Downers Grove, stated his property abuts the subject property and he and his wife reside in the last home on that portion of Maple.

Mrs. King read her and her husband's concerns as it related to the three requirements of the special use. She agreed the first standard was met. As to the second standard she and her husband believed that the condominium market was weak, not necessary and not desirable. They found it difficult to believe that the proposal would contribute to the general welfare of the community given that traffic is already an issue, vacant condo units exist on the market, and a half-built condominium structure exists in the downtown area. Mrs. King believed the scale of the structure was an issue and found it hard to believe her property would gain value with the proposal.

Mr. Ken Lerner, 4933 Whiffen Place, Dowers Grove, read his notes as it related to the following: the proposed use was not consistent with the village's comprehensive plan and the proposed use did not meet the criteria for a special use permit because Section 5 of the Comprehensive Plan favored the existing use on the property – office space and converted housing. He stated the plan called for the preservation or adaptive re-use of historic structures and the proposal contradicted that. He reported the 942 address was previously used as office space for a number of entities and stated the petitioner offered no evidence that the building was not useable as is. He believed that downtown redevelopment, as it relates to first floor uses, was misread as to the intent of the Comprehensive Plan. It was for mixed-use development which he did not believe the proposal met. The fitness room, club area, etc. did not represent retail, entertainment and personal service uses serving the public.

Mr. Lerner further pointed out that there has been no evidence that there is a need for condominiums and, in fact, pointed out to the half-completed condo development located on Warren Avenue. Additionally, there was no evidence that 100 new residents would benefit the downtown area. He believed the proposal was detrimental to the neighbors because it was incompatible with the neighborhood, devalued properties, and eroded the historic character of the neighborhood. He asked that commissioners continue the case for another 30 days to allow the commissioners to review his letter, allow additional review of the materials by the residents, to invite input from the park district and church, and to provide evidence that indicates the petitioner is an authorized owner of the property.

Chairperson Urban recognized receipt of Mr. Lerner's written letter and entered it into the public record. Mr. Popovich clarified that staff has on record the authorization for Mr. Sosin to represent the owner and that in prior years staff has not made such information a part of the Plan Commission packet. Chairperson Urban also confirmed that notices were sent to the park district and church about this public hearing.

Ms. Souter, representing the Downers Grove Park District, shared that her staff did review the packet materials, especially as it pertained to the traffic study done on one Thursday and one Saturday only. Park district staff indicated that was very typical and were fine with the counts.

Mr. Mark Thoman, 1109 61st Street, Downers Grove, mentioned he was a member of the Comprehensive Plan Ad hoc Committee that updated the 45 year-old plan. He noted two points specifically: Section 12.050 – The Approval Criteria – that the proposed use is expressly authorized as a special use in the district in which it is located. He stated the language was added in order to maintain certain characteristics (page 46). He reminded the commissioners that council policy is to follow the recommendations of the Comprehensive Plan. Furthermore, Council adopted the Plan in 2011. He pointed out specific language in the plan that states current converted residential properties on Maple Avenue "should remain." Mr. Thoman stated the proposal failed to fit the

character of the area, citing the zero-foot setbacks and bulk standards. He also noted that since the plan was put into place to guide development, there had been remodels, renovations and expansion proposals as recently August 2014 approved by this commission as special uses, thereby maintaining the character of the area. Lastly, Mr. Thoman summarized that the plan has been followed by developers, the Plan Commission, and Village Council and it sets a strong precedent for continuing to follow the plan. The proposal did not meet the first standard. Mr. Thoman proceeded to explain again, how the proposal did not meet the second standard and noted the incomplete and idle developments throughout town – clearly indicating that there was not a demand for more units. He said the proposed development has pitted neighbors against one another regarding the preservation of the Maple Avenue historic building. There was no benefit to the community. Again, Standard No. 3 was discussed. He shared that the building's wall of glass will be giving off reflective glare to drivers during certain times of the day during certain times of the seasons and it was a safety concern. It interfered with other planned village developments and contradicted the stated intent of the Comprehensive Plan. He advised that this commission recommend denial to the village council. Lastly, he pointed out the developer said the current building was a non-conforming use wherein Mr. Thoman pointed out it was “a desired use” in the area. Secondly he stated the traffic study on Washington and 55th was beyond the purview of this project and this commission's approval and should not be considered when reviewing the project by itself.

Mr. Douglas Gilbert, principal of Douglas Gilbert Architects, 220 S. Maple in Oak Park, discussed his background in Oak Park's preservation commission and his involvement in a number of other preservation agencies. He addressed Standard No. 3 of the Special Use standards and referred to Item 2.B on page 4 and 5 of Mr. Lerner's letter. He explained that one of the key concepts for commissioners to consider for downtown development was to include historic preservation to maintain the downtown's unique character. The two historic buildings on Maple could be examples of adaptive re-use. He discussed the importance of historic preservation, the village's creation of historic preservation ordinance/preservation plan, the creation of its Architectural Design Review Board and the fact that the village made a commitment to preserving historic buildings as a goal and objective for the community. Demolition of a significant building would be a negative to the welfare of the community. Mr. Gilbert stated that the 942 Maple Avenue structure was identified as a significant Queen Anne structure with excellent integrity, as identified through a village survey, and was eligible for landmarking and for individual listing on the National Register of Historic Places. He encouraged the owner to do so. As to Standard No. 3, Mr. Gilbert stated that the demolition of such significant structure would be detrimental to the welfare of the community, specifically in a community recognized for its historic character. Additionally, he mentioned that the petitioner did not show how the benefits of the proposal outweighed the planning goals and considerations of the village.

Mr. Tom Weiler, 709 Maple Avenue, Downer Grove, did not support the proposal, citing the above comments. The proposal was out of character for the area and was taller than the nearby parking structure. The structure was not transitional when comparing it to the single-family homes currently on Maple. Evidence had not been produced for the structure only statements. He asked that the commissioners deny the proposal.

Ms. Lillian Moats, 1100 Maple Avenue, Downers Grove, agreed with Ken Lerner's comments. She believed the approach to Downers Grove from the Fairview tracks, along Maple Avenue, was the

loveliest approaches to the town, and while she appreciated the transition area, the proposal would be an interruption to that lovely approach. She hoped it would not happen.

Ms. Margaret Nye, 1101 Maple Avenue, Downers Grove, stated this was “our community” and the development, while a beautiful building, did not belong on Maple Avenue in Downers Grove.

Mr. Bob Peterson, 6861 Camden Road, Downers Grove stated he was born and raised on Maple Avenue and purchased a historic home on Maple Avenue. He discussed childhood memories on Maple Avenue and that destroying Maple Avenue with such a development was like history being destroyed. Also, having his own moving company, he discussed the challenges of moving trucks that are 70 feet long and stated they will park on Maple Avenue causing traffic issues.

Ms. Jessica Whiting, 636 Maple Avenue, Downers Grove, stated she agreed with the above comments and owns a Colonial Revival historic home, according to the village’s architectural survey. She formerly lived in the Acadia Green complex and appreciated what condos had to offer, but she did not believe more luxury condos were needed and they did not relate to the character of the block.

Ms. Carol Ruzicti, lawyer with Griffin and Gallagher, represented the property owner – First Merchants Bank. Ms. Ruzicti stated her client obtained title of the properties in November 2012 after lengthy foreclosure litigation with the owner and former tenants. From the bank’s perspective, the properties had been difficult and did not add value to the surrounding community for some time. Bank appraisers had recommended that the highest and best use of the properties would be demolition and redevelopment. She said repairs to the 942 Maple building were cost-prohibitive and selling the properties would be at a significant lower price, thereby devaluing the area. She and her client supported the petitioner’s plans for redevelopment.

Mr. Gordon Goodman, 5834 Middaugh Avenue, Downers Grove, supported Mr. Ken Lerner’s comments and hoped commissioners would ask the bank if it made efforts to market the property for purposes other than development. He also read the definition of the term “significant” under historical terms. Of the 119 properties surveyed in the area along Maple Avenue surveyed, 15 were defined as “significant” and to lose one of these buildings was to lose a “jewel” of the community. He pointed out that the petitioner says the benefit to the community is that the proposal does not seek a variation but complies with the zoning laws. Mr. Goodman did not see that as a benefit, stating that it would not be a transitional building but a focal building for new development. As such, he believed that the decision to approve this development would precedent-setting for Maple Avenue and the proposal did not represent the public interest.

Mr. Tom Nybo, 5253 Blodgett, Downers Grove, was the person who started the Facebook page to save the 942 home. He shared some of the unique historic information about the home and the unique woodwork and elements that exist in the home as he has seen from photographs. He did not support razing the building and stated there was nothing in town like this home or in other towns. Mr. Nybo stated that numerous attempts by the Pierce Downer’s Heritage Alliance (PDHA) and historic society were made to contact the bank to market the home in a different way but instead it was marketed as vacant land listed with two out buildings. No return phone calls to the historical society or PDHA were ever received.

Ms. Irene Hogstrum, 1232 Gilbert Avenue, Downers Grove, stated she is a landscape architect and concurred with the previous comments and commended the village for creating a historic preservation plan. However, as a resident, she believed it was a tragedy to lose a historic building and the village should honor its plan to preserve the building under discussion. Additionally she pointed out that the burr oak identified on Maple Avenue is about 250 years old, or, as old as the United States. She supported adaptive re-use for the historically significant structure.

Ms. Barbara Murphy, 309 41st Street, Downers Grove, reminded the commission the historical museum was located on Maple Avenue and an original settler's home was relocated to the same site. She pointed out that a Sears home is located on Maple Avenue and historic trolley tours take place as well as Sears home tours within the village. She found it difficult that such a large building would sit on a historical site. She had issues with the traffic study and inquired as to how many trees would be cut down for the development.

Mr. Popovich stated that the village does not require a private tree protection plan.

Ms. Christine Martin, 701 Maple Avenue, Downers Grove, supported preserving the house. The development was fine for the city but not for Maple Avenue. She asked why the bank listed the homes as out-buildings versus listed it as a historic property. She stated she was inside the home and it was not in "bad shape."

Ms. Carol Ruzicti, attorney, returned and explained that every appraisal has indicated the highest and best use of the property was for demolition and redevelopment. She stated she has been inside the home and it was unsafe. The first appraisal indicated that upgrades needed to be made. She could not comment on the marketability but, to date, after six months of being for sale, no other offers had been made.

Ms. Marge Earl, 4724 Florence Avenue, Downers Grove, village zoning board member, stated she did not believe the proposal before the commission met the Special Use criteria. She spent 40 volunteer hours for the village assisting with the historic building survey and if the best the petitioner could do was to state there is no zoning variation being requested, it was a "low hurdle", and that should be required for every development.

Mr. William Gunder, 4617 Cross Street, Downers Grove, agreed with the previous speakers except for the attorney representing First Merchants. While he agreed, from the bank's perspective, that the appraiser will say the best and highest use of the property is to raze the building, he did not believe the residents were present to determine what was best for First Merchants Bank of Orland Park. Mr. Gunder added that from a resident perspective, the proposed structure would be "an absolute disaster" because it would be too tall, too wide and too close to the street and would have a negative impact on the streetscape. The rendering did not show the loading zone and the picture was a bit exaggerated. In this location, the building would be a detriment.

Mr. Doug Porter, 704 Maple Avenue, Downers Grove, discussed the April 2014 rain/flooding event and noted how the village could not even provide adequate infrastructure for the area, let alone add a significant structure to this site which would shed water "ten times" more than his house would. The subject property is an acre in size and the commission needed to review the water issue. However, Chairperson Urban pointed out an underground water detention basin is being provided.

Ms. Irene Hoqstrum, a landscape architect, returned and stated the burr oak that exists absorbs over 7,000 gallons of stormwater yearly and so would other mature trees. The absorption was much more than the green roof. Again, she stated that with the removal of mature trees, one has to wonder why so much flooding occurs.

In response to questions raised, each representative of the petitioner came forward to address the comments/questions raised by the public.

Mr. Dale Klezinski, Associated Property Counselors, 15028 Cicero, Oak Forest, real estate appraiser provided his professional background. Addressing diminution of value for the properties, he reviewed the plans for the site, along with various properties in downtown areas near train stations and compared over 400 sales and resales of single-family attached properties. He did note in other communities that there were similar conditions in that some vacancies did exist or developments were partially completed projects. But in comparing the data, he concluded the market was improving in general and while pockets of oversupply existed, those pockets were being reasonably absorbed in an appropriate period of time. He explained the range of detrimental conditions that properties may have and provided examples for same. He found no evidence that the project would have an adverse effect on the community or adjacent property owners because similar conditions exist in other communities.

Mr. Mark Diedrich, architect for the proposal, responded to the following: as to providing evidence that creating residential density in proximity to downtown commercial areas works, he stated that it is a commonly held principle in planning which is why there was no hard evidence. The reference to the area being “transitional”, he stated that while it may be within the downtown business zoning district, there is a specific transition of zoning as seen on the village’s zoning map (dark brown color) and it is how the petitioner followed the design guidelines. As to the reflection of sunlight from the building, he stated it will have low-e glass to cut down on glare and will not have direct sunlight. If any, it will be coming at a wide angle. Additionally, there are some indentations into the facade and balconies to cut down glare. As to the building not being designed similar to another building on Maple, he stated he was designing a commercial building following the design guidelines which encouraged some creativity. He did not want to compete with the similar red-brick condominium buildings.

As to redeveloping the existing building, he noted a vision was created under the village’s comprehensive plan and he has designed the condominiums to meet that vision. Regarding trucks in the loading zone, Mr. Dietrich stated the loading zone was greater than 50 feet. He agreed tractor-trailers were larger but were not typically what a person would fit a 2- or 3-bedroom condo unit, unless the trailer was moving a few homes at one time. Lastly, to the comment that the development was a negative precedent. In working with the village, he did see the development as a precedent in that it was starting a positive movement toward the comprehensive plan and an example of how the design guidelines can work. Per a resident’s question, it takes about 24 to 30 months to design or construct such a development.

Mr. Michael Mondas, with Spaceco Engineering, Rosemont, Illinois, civil engineer addressed stormwater management and was aware of the village’s stormwater issues, noting much of the infrastructure designed years ago was not designed to take such large storms. However, the proposal was designed to handle the water with oversized storm pipes and include a detention under

the parking desk with release in a controlled rate. He also stated that trees absorb water at a casual rate, but not so when a heavy rains occur and the soil becomes saturated.

Mr. Michael Worthman, KLOA, 9575 W. Higgins, Rosemont, Illinois traffic study engineer explained that his findings have been reviewed by village staff and the park district. He noted the village and park district were in agreement with most of the findings. As to why the study of traffic on Washington Street to Maple was studied, Mr. Worthman stated it was at the request of the village and provided a worst case analysis. He explained the decrease for the level of service was due to the increase in growth of traffic and redistribution of traffic from the 55th and Washington Streets improvements. He corrected the 1% increase in traffic from the proposed development was actually at the intersection of Main and Maple, not along Maple.

Mr. Sosin closed by stating that 49,000 people live in the village but that 20 to 25 people expressed their concerns and negative points at the meeting. He noted he was in the historic building and it was old and in poor condition. If it were to be relocated it could have a use somewhere else. From what he was hearing from the comments, the residents did not like the comprehensive plan and the fact that the proposal was not a transitional use. Instead, the site was at the edge of the downtown area and a common use was multi-family from commercial along Main and north of there. He emphasized the petitioner was constructing a building that met and followed the code and met the trend of development. He found it surprising that a developer reads the village's code, follows the code, and then hears someone who worked on the code state they do not like the code because the code does not state what it says. He believed the code was stated as such and the development was a special use in an area where it was zoned for the purposes. His client wanted to construct an excellent building for the other 49,000 residents of the village and wanted a viable downtown. If the proposed plan was not acceptable, he questioned why the village had a comprehensive plan at all. His client followed the plan. And while he understood the neighbors' concerns he stated that banks, etc. also have property rights.

Public comment was closed by Chairperson Urban.

Mr. Webster supported the project but was sad the historic property was in an unusual geographic location. He reported that similar, less than desirable houses have been moved. Additionally, he recalled the downtown business district was created recently (2005) and change was difficult. He explained that developers do take risks and a recession did take place and eventually those projects will rebound. He stated this portion of Maple is going to change because the comprehensive plan is looking for it to change and the only way the village is going to have people downtown is to have developers take the risks and to follow the comprehensive plan. He reminded the commissioners that the project met all of the comprehensive plan's goals, the design guidelines were followed, and it was unfortunate that the property was a historic piece of property. He hoped someone or a group could relocate the building. He believed the standards were met as stated in staff's report.

Chairperson Urban appreciated the comments, tolerance, and research done for this project. When she looked at the project it was done from the Downtown Business district and not from the Downtown Transitional district. It was set up in the zoning map and comprehensive plan and it was well established before the project was initiated. She noted that while the condominium aspect required a special use, other uses could step in and not even require a public hearing. Because of these reasons, she supported the proposal.

Mr. Rickard supported the project and while one could renovate the current structure there was no one proposing that option currently. He agreed everyone had property rights, including the petitioner and there was no justifiable reason to deny the project. He noted the trends of young people coming to area transit locations and said the project will help the current businesses or even spark more businesses to come to the area.

Mr. Bassler agreed the village was in need of mixed-use developments in the downtown business district but his only concern was that a proposal should provide a facility that is in “the interest of public convenience” and he did not see that public element in this development. Chairperson Urban, however, shared her read of the “public convenience” wording, which, to her, was providing services in a convenient way and in close proximity that supports the uses, i.e., walkability, etc.

Mrs. Rabatah reminded that once the plan’s boundaries are drawn, the commission is charged with ensuring a project fits within the constraints of the code and emotions should not be involved. She believed they fit. Mr. Cozzo also concurred, agreeing there was an emotional piece to the project but once that emotion was removed, the special use criteria and the downtown business district criteria was met. He found no reason to deny the project.

Mr. Matejczyk also concurred but added what drew him to the village was the diversity of the housing offered. He believed the projected encouraged that diversity.

WITH RESPECT PC 33-14, MR. COZZO MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE SPECIAL USE SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT; ARCHITECTURAL AND LANDSCAPE DRAWINGS PREPARED BY KUO DIEDRICH ARCHITECTS DATED SEPTEMBER 26, 2014 AND LAST REVISED ON OCTOBER 27, 2014 AND ENGINEERING DRAWINGS PREPARED BY SPACECO INC. DATED SEPTEMBER 26, 2014 AND LAST REVISED ON OCTOBER 27, 2014, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**
- 2. PRIOR TO APPROVAL OF THE VILLAGE COUNCIL, THE PETITIONER SHALL MAKE PARK AND SCHOOL DONATIONS IN THE AMOUNT OF \$127,811.25 (\$92,503.35 TO THE PARK DISTRICT, \$25,760.00 TO ELEMENTARY SCHOOL DISTRICT 58, AND \$9,547.90 TO HIGH SCHOOL DISTRICT 99).**
- 3. PRIOR TO APPROVAL OF THE VILLAGE COUNCIL, THE PETITIONER SHALL PAY A \$1,000 FEE IN LIEU PAYMENT FOR TWO NEW PARKWAY TREES.**
- 4. THE BUILDING SHALL BE EQUIPPED WITH AN AUTOMATIC SUPPRESSION SYSTEM AND AN AUTOMATIC AND MANUAL FIRE ALARM SYSTEM.**
- 5. THE EXISTING FIRE HYDRANT SHALL BE RELOCATED WITHIN THE MAPLE AVENUE RIGHT-OF-WAY SUCH THAT IT IS NO MORE THAN 100 FEET FROM THE FIRE DEPARTMENT CONNECTION.**
- 6. ALL PROPOSED SIGNS SHALL COMPLY WITH THE VILLAGE’S SIGN ORDINANCE.**
- 7. THE PETITIONER SHALL SUBMIT A PHOTOMETRIC PLAN WHICH IDENTIFIES LIGHT LEVELS THAT ARE COMPLIANT WITH THE VILLAGE’S LIGHTING STANDARDS.**

APPROVED 12/1/14

- 8. THE PROPOSED LOADING ZONE SHALL BE IMPROVED WITH A DEPRESSED CURB AND AN ALTERNATE PAVING MATERIAL TO CLEARLY DISTINGUISH IT FROM MAPLE AVENUE.**

SECONDED BY MR. BASSLER. ROLL CALL:

**AYE: MR. COZZO, MR. BASSLER, MR. MATEJCZYK, MRS. RABATAH,
MR. RICKARD, MR. WEBSTER, CHAIRPERSON URBAN**

NAY: NONE

MOTION CARRIED. VOTE: 7-0

NEW BUSINESS

Mr. Popovich noted there was one agenda item for the December 1, 2014 meeting,

THE MEETING WAS ADJOURNED AT 12:16 A.M. (NOV. 4, 2014) ON MOTION BY MR. COZZO, SECONDED BY MR. RICKARD. MOTION CARRIED BY VOICE VOTE OF 7-0.

/s/ Celeste K. Weilandt

Celeste K. Weilandt

(As transcribed by MP-3 audio)