

APPROVED 8/3/15

VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING  
PUBLIC HEARING

JULY 6, 2015, 7:00 P.M.

Chairman Rickard called the July 6, 2015 meeting of the Downers Grove Plan Commission to order at 7:00 p.m. and led the Plan Commissioners and public in the recital of the Pledge of Allegiance.

**ROLL CALL:**

**PRESENT:** Chairman Rickard, Mr. Cozzo, Ms. Hogstrom, Mr. Thoman, Mr. Webster

**ABSENT:** Mr. Bassler, Mr. Quirk, Mrs. Rabatah (ex-officios Davenport, Menninga, Souter)

**STAFF:** Planning Manager Stan Popovich, AICP; Village Planner Patrick Ainsworth, AICP

**VISITORS:** Drew Mitchell 544 W. 7<sup>th</sup> Street, Hinsdale; Jeffrey Schwab, 190 S. LaSalle St. #1500, Chicago; Mike O'Conner with Holladay Properties; Doug Worth, 519 N. President Street, Wheaton; Javier Millan, with KLOA Consulting; Rosa Hudson, 5112 Forest Ave., Downers Grove; Bill and Therese Meike, 1103 Gilbert, Downers Grove; Scott Richards, 1130 Warren Ave., #401W, Downers Grove; Joe Scal; Bill Wrobel, 4729 Seely Ave., Downers Grove; Gordon Goodman, 5834 Middaugh, Downers Grove; Mike Davenport, 6636 Blackstone Dr., Downers Grove; Todd \_\_\_\_, 417 67<sup>th</sup> Court, Downers Grove; Bob Peterson, 6861 Camden Road, Downers Grove; Tim Penovick, 5512 Fairhaven Court, Downers Grove; Phillip Shaw, 5117 Brookbank Road, Downers Grove; Peggy DeLaney, 1431 Gilbert Ave., Downers Grove; Scott Curtis, 417 67<sup>th</sup> Court, Downers Grove; and Bill Challberg, 1132 Curtis, Downers Grove

Chairman Rickard led the commission in the recital of the Pledge of Allegiance and explained the protocol for the meeting. New commissioners, Irene Hogstrom and Mark Thoman were introduced and welcomed.

**APPROVAL OF MAY 4, 2015 MINUTES**

**MINUTES OF THE MAY 4, 2015 MEETING WERE APPROVED ON MOTION BY MR. WEBSTER, SECONDED BY MS. HOGSTROM. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 5-0.**

**PUBLIC HEARINGS:**

Chairman Rickard explained the protocol for the public hearing portion of the meeting and swore in those individuals that would be speaking on the following petitions:

**FILE 15-PLC-0017:** A petition seeking approval of a Special Use for a fueling station to redevelop the existing gas station. The subject property is zoned B-3, General Services and

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Highway Business. The property is located on the west side of Finley Road between Ogden Avenue and Warrenville Road, commonly known as 2212 Ogden Avenue, Downers Grove, IL (08-01-402-006, -007, -008). Ambrose Design Group, LLC, Petitioner; TrueNorth Energy, LLC, Owner.

Per Planning Manager Popovich, the petitioner requested a continuance of this hearing to August 3, 2015 due to making some revisions to the plan and following up with staff's request. Staff supported the continuation.

**WITH RESPECT TO FILE 15-PLC-0017, MR. COZZO MADE A MOTION THAT THE PLAN COMMISSION CONTINUE THE PUBLIC HEARING TO AUGUST 3, 2015.**

**SECONDED BY MR. THOMAN.**

**MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 5-0.**

**FILE 15-PLC-0021:** A petition seeking approval of a Final Plat of Subdivision to subdivide the existing property into two lots. The property is currently zoned O-R-M, Office-Research-Manufacturing. The subject property is located at the southeast corner of Ogden and Walnut Avenues, commonly known as 2801 Ogden Avenue, Downers Grove, IL (08-01-304-002, -003, -022, -028 and 08-01-307-001, -002, and -003). The Alter Group, Petitioner and Owner.

Per the chairman, the petitioner requested to continue this hearing to August 3, 2015. Staff recommended the Plan Commission honor the petitioner's request to continue the hearing to August 3, 2015.

**WITH RESPECT TO FILE 15-PLC-0021, MR. COZZO MADE A MOTION THAT THE PLAN COMMISSION CONTINUE THE PUBLIC HEARING TO AUGUST 3, 2015.**

**SECONDED BY MS. HOGSTROM.**

**MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 5-0.**

**FILE 15-PLC-0019:** A petition seeking approval of a Planned Unit Development and Special Use to permit the construction of a multiple family residential structure. The property is currently zoned DB, Downtown Business. The property is located at the northwest corner of Gilbert and Forest Avenues, commonly known as 5100 Forest Avenue, Downers Grove, IL (09-08-126-005). DG Burlington Partners, LP, Petitioner and Owner.

Planner Ainsworth summarized that the petitioner was seeking approval for a planned unit development with a special use for the property. He located the parcel on the overhead and noted the site sat within the DB, Downtown Business zoning district. The parcels to the north, east and south were located in DB, Downtown Business and to the west is DT, Downtown Transition. Currently a one-story bank building sits on the site which has been vacant for many years and included an asphalt parking lot and a drive-through bank canopy. Curb-cut access was noted.

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Proposed was a multi-story, multi-family structure in the Downtown Business District which is an allowable special use. The proposed structure would be five-stories, include 89 units, include 102 enclosed parking spaces and include a number of amenities. The site plan was referenced on the overhead. Details followed. Mr. Ainsworth explained the petitioner was requesting four (4) deviations from the ordinance which required a planned unit development under the code. The four deviations were as follows: 1) a deviation from Zoning Ordinance Section 4.010 – minimum lot area per dwelling unit; 2) a deviation from Zoning Ordinance Section 7.030 – minimum motor vehicle parking; 3) a deviation from Zoning Ordinance Section 7.7.140 – off-street loading; and 4) a deviation from Zoning Ordinance Section 14.110.C – corner lot build-to-zone requirement. Elevations, height, and square footage were reviewed. The proposed building was under the maximum height allowed.

According to the three “build-to” requirements, the ordinance required 80% of primary facade along Forest Avenue to be between 0 and 10 feet from the property line. Currently, Mr. Ainsworth reported that 89% percent of the building’s façade is within the build-to zone which meets that requirement. The proposal met the secondary setback/façade requirement of 59% where 30% is required. To assist in the transition there will be extensive landscaping around the site. Further explanation followed on how staff used the PUD process to get a better designed building, additional public amenities and benefits in lieu of zoning deviations for the structure. Since the proposed building would sit on a corner lot in the downtown business district and “hold” the corner with an architectural statement/appeal, Mr. Ainsworth explained the third “build-to” requirement which would require 100% of the first 25 feet on both the Forest side and the Gilbert side to be within the 0 to 10 foot requirement. The petitioner was requesting 68% which was one of the deviations. However, staff did find that the 68% did meet the intent of zoning ordinance requirement and supported it as the design of the building provided significant detailing at the corner. Referenced was the proposal’s similarity to the building located at 5101 Main Street.

Mr. Ainsworth reported the petitioner is requesting to construct a building with 89 apartment units while only 60 is allowed. Density was being increased which would allow the petitioner to increase public amenities including connecting Parking Lot D to Forest Avenue via a sidewalk. Public amenities included the public connection, more landscaping, and adding a four-foot fence to the north property line to protect the public from the nearby railroad tracks.

An overlay of the building position on the lot was presented and depicted possible field of vision scenarios at the Forest and Gilbert Avenues corner. Mr. Ainsworth shared that the petitioner was proposing 102 parking spaces. Five spaces were for handicap accessible and 22 spaces were for compact cars. Continuing, Mr. Ainsworth said the petitioner is proposing two temporary on-street loading areas which would be constructed by the petitioner – one located on Forest and one on Gilbert. Staff supported the on-street loading areas.

Concerns from the neighborhood meeting included overnight and visitor parking. Staff noted that overnight and off-street parking were already available in the downtown in excess to the off-street parking that was being provided by the petitioner.

Mr. Ainsworth explained how the proposal met the village’s comprehensive plan, met the requirements of a catalyst site in the downtown business district, and elaborated on how the proposal enhanced the area in general. Public benefits of the proposal included: the connector sidewalk to Parking Lot D and Forest Avenue, enhanced landscaping, off-street loading spaces, and

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an enhanced sidewalk and plaza. Staff also explained how the proposal met the intent of the village's Design Guidelines. Photographs and a video followed. Per Mr. Ainsworth, traffic generation and parking were reviewed by Public Works while Fire Prevention, and engineering and building reviews from Community Development were completed to ensure conceptual compliance with applicable Village codes. Additional conditions in staff's report would be required of the petitioner.

Commissioner questions followed as to where the four utility boxes would be relocated; where the trash pickup would take place (inside); what other similar density deviations existed in the village, if any (Acadia on the Green); and how the Capri build-to-zone compared to the proposed building. Further questions followed if there were any other higher density apartment buildings that had a similar type of reduction in parking spaces (staff could not recall at this time), and what was meant by multi-modal, i.e., multiple modes of access. Discussion then followed regarding overnight parking.

Petitioner, Mr. Drew Mitchell 544 W. 7<sup>th</sup> Street, Hinsdale, Illinois introduced his team: Mr. Mike O'Connor with Holladay Properties; Mr. Doug Worth with BSB (architect); Civil Engineer Mr. Chris LaVoie and Mr. Javiar Millan with KLOA. Mr. Mitchell reviewed the site noting it was not only a corner property but a challenging property and was part of a transition area that traveled from the downtown area into a residential neighborhood. He described how he reviewed the village's comprehensive plan numerous times to envision the village's goal for the area. He also used real estate and marketing research firm Tracy Cross & Associates who determined there was a strong demand for higher-end rental housing near the trains, especially among the Millennials and empty nesters. Mr. Mitchell went on to explain how the proposal met the goals of the village's comprehensive plan/catalytic site.

Mr. Doug Worth, 519 N. President Street, Wheaton, the architect for the project, shared how the building was designed, keeping the terminating vista in mind and working with the grade change from east to west. Elevations, the amenity deck and roof mechanicals were described, noting the roof mechanicals would be screened from view by a parapet wall. Materials included two shades of brick, a panelized fiber cement system, and architectural metals. Floor plans and easements were explained. Additional amenities included a fitness facility, a computer room, a business center and a community room. A description of unit amenities followed.

Turning to parking, Mr. Mitchell stated the proposed parking ratio is 1.15 spaces while the village's ordinance requires 1.4 spaces. Mr. Javier Millan, traffic consultant with KLOA, explained how the site was considered as a transit-oriented design ("TOD"), meaning there was less reliance on a car and more reliance on nearby trains, buses, bikes and pedestrian movement. He indicated that other TOD communities were considered in the parking study. Presently, 102 parking spaces were being proposed and he believed the 1.15 ratio would sufficiently meet the demand, considering the census data. Daily trip generation was also reviewed.

Mr. Millan explained that the drop off/pick up zone on Forest Avenue will be for pedestrians and short-term deliveries. The flex parking/loading area on Gilbert Streets will be for deliveries, appliance service calls and/or tenants moving in/out. As to the parking on Gilbert Avenue, the idea was to provide shared parking spaces there, possibly using zip cars, but Mr. Millan felt more review of that area would be necessary so that the area was not blocked for deliveries. He conveyed that management would have to manage those spaces, possibly using signage with time limits. Further

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dialog followed from Mr. Mitchell that these were the general considerations for a building located in a downtown setting. He reminded the commissioners that there would be a trial/error period regarding the parking. As to adding the crosswalk to parking Lot D and concerns about vehicles backing up onto the tracks, Mr. Worth pointed out a landscaped area that will direct the vehicles down and away from the tracks. Pedestrians would also be in a safer location.

Mr. Cozzo asked about exterior lights on this building to which Mr. Worth stated there was pedestrian-scaled lighting -- repetitive wall sconces -- which were shown on the overhead. The west elevation would not have lighting due to it being a different property and the petitioner did not want to "pollute" the nearby residences with light. Per a question, the exterior doors on the building would be for the convenience of the tenants but also function as emergency exits.

Chairman Rickard opened up the meeting to public comment.

Mr. Bob Peterson, 6861 Camden Road, Downers Grove, stated he owns a moving/storage company in the village and voiced concern about parking and moving residents in and out of the building, especially out of state tenants. He explained the challenges of having an 80 to 90 foot semi truck blocking the parking for 3 to 4 hours for a one-bedroom move. He queried how many elevators were needed for this size of a building and asked what happens during rush hour while the move is taking place. He inquired about the removal of trash using the internal access, consideration for higher elevator ceilings, and constructing wide doors for larger pieces of furniture.

Ms. Rosa Hudson, 5112 Forest Avenue, resided south of the project and while the building and amenities were a positive she voiced concern about traffic and constructing a building with enough parking. She cited that visitors do not want to park at the parking deck because it is an inconvenience. She discussed the extra traffic that will be generated.

Mr. Tim Penovic, 5512 Fairhaven Court, Downers Grove asked if there was a study done to support the growth and need for this number of renters because most of the other buildings in the area were 20 to 36 units. He pointed out that the comprehensive plan talks about retail or shops on the ground floors with residential above and did not see it in this proposal.

Mr. Phillip Shaw, 5117 Brookbank Road, Downers Grove, says he frequents Gilbert Avenue and voiced concern whether the garbage trucks will have enough room to pick up the trash. He asked whether enough parking will be provided for the various white service trucks that work in the area, since it will also affect the residents in the area. He believed the building covered too much of the site and suggested constructing a taller building instead. He did not see the building as inspiring and believed the building should be well planned.

Mr. Scott Richards, 1130 Warren Avenue (Oak Tree Towers), believed the building was beautiful but was "too much" and the site was not a suitable location for the building. He had hoped the site would have been used for a grocery store, which was well need for the condo and rental residents. He voiced concerns about parking and the fact that people would not park 3 or 4 blocks from the site. He voiced surprise that a building this size would be located next to railroad tracks given the amount of trains and the noise they make and asked that sound-proofing be considered.

Ms. Peggy DeLaney, 1431 Gilbert Ave., Downers Grove, as a former city dweller, liked the proposal and stated that many of her employees look for this type of housing in a great community

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such as Dowers Grove. She shared how her family was very pedestrian-oriented, walked everywhere and owned only one car. She supported the proposal.

Mr. Gordon Goodman, 5834 Middaugh, Downers Grove, was sworn in and pointed out the zoning for the proposal was Downtown Business and not Downtown Transition and the goal in the comprehensive plan was to have business/retail function on the first floor combined with a residential function and understood this building did not. He agreed with the previous speaker's comments that it would be helpful to have a use at the site where people can walk and shop but at the same time, he said the village had to recognize how it is going to promote mixed uses in the downtown area, citing the precedent (single use/no retail) that the Marquee development had already set on Maple Avenue. He suggested that the commissioners and planners to consider the mixed use in the proposal but at the same time also revisit how to preserve the downtown business zoning areas for mixed use. He questioned why developments were not being included in the mixed use concept from the comprehensive plan.

Ms. Therese Meike, 1103 Gilbert, Downers Grove, lives in the nearby townhomes and is about the closest unit to the proposal. She supported the proposal as compared to the former bank building, noting there has been vandalism there and she would love to sit on her patio looking at the new building.

Mr. Scott Curtis, 417 67<sup>th</sup> Court, Downers Grove, believed the proposal will be a benefit to the area, given that the bank has been an eyesore. He believed operational issues existed but the petitioner would "figure it out" since a significant amount of money was being spent on the project.

Mr. Bill Challberg, 1132 Curtis, Downers Grove, supported the project.

No further public comments followed.

In response to the concerns raised, Mr. Mitchell explained that the typical truck length for a 1 to 2 bedroom is 15 feet and a 2 to 3 bedroom was 17 feet and management would not allow using a 90-foot moving truck. While 3 to 4 hours may be typical for a 4 bedroom home, he stated it was not typical for apartment buildings. The doorway widths were already addressed by the architect and village planners. He hoped to bring additional customers to Rose's business that did not need parking spaces.

Regarding retail at the site, Mr. Mitchell stated he marketed the site nationally for retail use for about 18 months with only a handful of interested companies, only to tell him that due to the 80% frontage required for Forest Avenue, they could not park vehicles in front of the building.

Mr. Mitchell explained that there was a previous proposal for an "L" shaped building in the rear that parked 40 vehicles in front, however, the reason municipalities were building so close was that they wanted that presence on the street and the urban feel. This proposal, he shared, was basically a response to the village's comprehensive plan and the changes in the code.

Changes in demographics were talked about and the fact that some of the best firms were brought in to create the proposal before the commission. Mr. Mitchell stated he would do his best to save the red Maple tree. As for having other examples of transit oriented, rental developments in Downers Grove, Mr. Mitchell stated there were none, which was why other municipalities were researched.

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At the same time, he pointed out the residents of the proposal would be of a higher residual income and would be spending their dollars locally.

Regarding the grade entering/exiting the garage, Mr. Chris Lavoie stated there was a 2% grade down from Gilbert Avenue to the lower level elevation to get into the parking deck. As to the locations of the transformers, he stated they will remain in their current location and the area from Gilbert to the railroad tracks will be green space. He noted at the northwest corner of the site the sidewalk will extend down with a grade transition where the sidewalk connects to Lot D. Final engineering will determine the exact transition of the sidewalk.

Because the additional green space on the site has been increased, Mr. Lavoie stated the proposal was below the threshold for providing stormwater detention and had less impervious area than the bank site. Best management practices would be used; however, as Mr. Lavoie explained, he may revise (for the better) the mechanical system as he gets to the final engineering phase. No restrictors or discharges would be used; only water quality issues would be addressed in the plan. Ms. Hogstrom notified the petitioner had English Ivy, an invasive plant, in the landscaping plan and she asked Mr. Lavoie how the garbage removal would be addressed. As to the question about the elevator size, Mr. Worth clarified that two elevators were planned for the building. The pedestrian elevator had a 2,500 pound capacity while the freight elevator had a 3,500 pound capacity.

Mr. Webster referenced two letters in the commissioners' packets, specifically one letter from the Downtown Management Corporation and one letter from Jones Lang LaSalle and asked for the petitioner's opinion of them. Mr. Mitchell returned and summarized the history behind the site and the fact that he encountered many challenges from a retail standpoint in that potential parties did not want to be "a block off of Main Street" and the rents were not strong enough to pay for the tenant improvements to make it enticing enough to retailers. What was attractive, however, was the onsite parking. Secondly, he explained that if more than 66% of a building was rehabbed, an applicant was required to follow the village's new ordinance. Challenges of that followed. Mr. Mitchell further emphasized that he tried to place the common amenities for the building onto the terminating vista right where Burlington Road terminates. He explained that the building would look active along Forest Avenue, people would be on the fitness machines, and the leasing office would be lighted to make the building look as if it is participating in the active downtown area. The common elevator lobby on the upper floors are located within the terminating vista, providing lighted windows within the terminating vista. He interpreted the letter from Jones, Lang, LaSalle as the agent trying his hardest to market the site and he was not successful.

Per the chairman's question, Manager Popovich and Planner Ainsworth addressed how mixed use/retail on the first floor were addressed in the comprehensive plan and the zoning district. Mixed-use in the comprehensive plan refers to a building, a set of buildings, area or neighborhood that is comprised of a range of land uses serving more than one purpose. The proposal contributes to the mixed-use downtown.

Mr. Mitchell closed by stating he believed the project would be great for the downtown area and hoped the commissioners appreciated the level of effort that went into the proposal.

Chairman Rickard closed the public comment portion of the meeting and invited comments from the commissioners.

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Comments followed that there was a reason the property sat for as long as it did and that it was a difficult piece of property to develop. Mr. Cozzo stated that a prior development proposal was more denser than what was being proposed. He was not thoroughly comfortable with the parking on Gilbert Avenue and stated that issue needed to be addressed. He supported the proposal, however.

Mr. Thoman expressed concerns about parking, stating the reason for the 1.4 parking ratio in the village was to accommodate visitors to a facility. Additionally, he believed Millennials' largest purchase will be a vehicle. He then compared the transportation amenities available to the village's residents as compared to downtown Chicago, noting there was no mobility for the Millennials or seniors in Downers Grove and the bus routes were basically commuter bus routes to the train station and nothing more, but which were a benefit to the immediate area. He compared other nearby rental properties to the proposal, noting many were senior housing units. The blue-collar rental units, more than likely, would use their bikes to the train station. Mr. Thoman still voiced concern about unit density and parking, pointing out the village's code required a parking space of 12 feet in width and 35 feet in length off public property which was not accounted for in the proposal. He envisioned many move-ins and move-outs and shared examples from his own experience. He believed that function as well, as well as the garbage collection function, needed to be moved off the street, which was a public nuisance. He also asked that train noise be addressed now versus later, which was not mentioned. He would not recommend a supportive recommendation at this time. Ms. Hogstrom reiterated Mr. Thoman's comments and her comments about the pedestrian crosswalk and ensuring vehicles are not backed up on the tracks.

Mr. Webster shared his views on how public transportation has changed over the years and his expectation of it increasing in future years because of the demand. He explained that he relies on consultants who rely on market research but agreed that the plan needed to be "tweaked." He also reminded the commissioners that the petitioner had to build a project that was profitable. However, he did not believe it was necessary to see the project again.

Discussion among the commissioners followed that the proposal was "almost there" but needed to address the concerns raised about trash collection, noise elimination, parking issues, etc. and return to the commission for review. However, Mr. Cozzo felt that no project would completely meet all of the requirements and believed there may be ways for the village to assist with the parking issue.

**WITH RESPECT TO FILE 15-PLC-0019, MR. COZZO MADE A MOTION TO FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, SUBJECT TO STAFF'S CONDITION NOS. 1 THRU 15 IN ITS REPORTS AND THAT THE PETITIONER ADDRESS GARBAGE DISPOSAL TO DISCOURAGE A RIGHT-OF-WAY CONFLICT AND ADDRESS ADDITIONAL PARKING OPTIONS OFF-SITE, PRIOR TO FORWARDING THE PROPOSAL TO VILLAGE COUNCIL.**

**SECONDED BY MR. WEBSTER. ROLL CALL:**

**AYE: MR. COZZO, MR. WEBSTER, MS. HOGSTROM, CHAIRMAN RICKARD**

**NAY: MR. THOMAN**

**MOTION CARRIED. VOTE: 4-1**



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(The commission took a five minute break at 9:55 p.m. and returned at 10:00 p.m.)

**FILE 15-PLC-0018:** A petition seeking approval of multiple text amendments to: 1) Article 4, Institutional and Public Districts and also Planned Unit Developments; 2) Article 9, Signs; 3) Article 12, Zoning Ordinance Text Amendments and also Planned Unit Developments; and 4) Article 15, Definitions. Village of Downers Grove, Petitioner.

Planning Manager Popovich, on behalf of the village, summarized that the first request under Article 4 focuses on future institutional master plans and the proposal is to address more flexibility in the village's requirements for current and future master plans and for better flexibility by staff. The second portion of Article 4, addresses better clarity on the treatment of existing planned unit developments ("PUDs"), specifically whether staff needs to interpret if the PUD requires or does not require a rezoning at the time of a PUD amendment. Examples followed. Regarding Article 9, Signage, Mr. Popovich explained the proposal was to prohibit painted wall, roof or fence signs throughout the entire village as there are inconsistencies within the ordinance. Examples followed with Mr. Popovich stating that this amendment, to prohibit painted wall signs, is common in many municipalities throughout the area. The amendment will provide a uniformity to the village. The negatives of painted walls followed.

Regarding signs along the Burlington Northern Santa Fe Railroad ("BNSF") line, which is not a public roadway, Mr. Popovich explained what was allowed currently, noting that the village was proposing for any owner with frontage along the line to be allowed to install one wall sign on the facade facing the railway. Square footage calculations followed, noting it provided staff with some flexibility for properties along the railroad right-of-way and furthers the purposes of the sign ordinance.

Next, Mr. Popovich discussed the village's proposal to streamline the initiation process for text amendments. He explained that currently the village council initiates text amendments (as adopted in the 2014 zoning ordinance) and discussed them at two meetings, the amendment is forward to the Plan Commission and then back to village council for a formal vote which is two meetings. To streamline the process, the village was proposing to return to the former process (prior to the June 2014 adoption).

The next request, Mr. Popovich explained, was to clarify the zoning map amendment requirements in a PUD development plan, noting that the requirements only need to be addressed when a new rezoning associated with a PUD is proposed.

Lastly, regarding the Definitions revision, Mr. Popovich said it was to redefine the term "Tenant Frontage", as discussed earlier tonight, and for consistency purposes in the zoning ordinance.

Mr. Popovich reported there was no public comment received on this petition. He presented the findings of fact on the overhead. Per staff, both the findings of fact and the standards of approval were met regarding the above seven changes, along with meeting the village's Comprehensive Plan. Mr. Popovich recommended that the Plan Commission forward a positive recommendation to the village council.

Per commissioner questions, Mr. Popovich provided other examples of potential institutional master plans -- the two high schools, park district land -- those sites with over four acres. He clarified the

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goal of this amendment is that the village will have discretion in ensuring that the plan complies with current village standards. Also, an applicant will not have to return to provide sheets for an already-established plan; just for the new changes.

Mr. Thoman asked that the Plan Commission consider each of the seven items above individually, followed by requesting to consider Request No. 5 – the Zoning Ordinance Text Amendment – separately because he had been on the Comprehensive Plan Ad hoc Committee and it had taken a few years to get the ordinance adopted. He explained the intent of the change was to slow down the process and to give the village council the first opportunity to set the parameters for the (policy) discussion. He explained how the process was prior to the change and then the benefits of slowing down the process after the change was made to the ordinance. However, Mr. Popovich pointed out that council members wanted more of a concrete description of what the text amendment would be during their initial discussion. Examples of the challenges followed. Asked how the process was going presently, Mr. Popovich stated that the village council directed staff to modify the change.

After discussing the matter, the commissioners decided to vote separately on revision 5.

Per Ms. Hogstrom's question as to why the words "at the discretion of the community development director" were being recommended for the Institutional Master Plans, Mr. Popovich explained it was to give staff some flexibility in determining whether certain required items in the institutional plan were needed or not.

The chairman opened up the meeting to public comment.

Mr. Jeffery Schwab, 1338 W. Nelson, Chicago, an attorney with the Liberty Justice Center which represents Leibundguth Storage & Van Service, regarding a federal lawsuit filed against the Village of Downers Grove, described that Leibundguth has four wall signs on its property, two of which are hand-painted and one of which faces the BNSF rail line. He stated that should the village adopt the two revisions to the sign ordinance, it will not allow Mr. Peterson to keep those signs and it will not resolve the lawsuit. He believes the sign ordinance will remain unconstitutional under the First Amendment.

Mr. Todd Paradis, 417 67<sup>th</sup> Court, Downers Grove, referring to the verbiage "at the direction of the community development director", understood that there was no community development director for the village currently. (Mr. Popovich explained otherwise). Mr. Paradis also pointed out that staff addresses only the negative points about signage and not the positives, i.e., advertising. He also stated that ivy grows on buildings and penetrates buildings too.

Mr. Bob Peterson, 6861 Camden Road, Downers Grove, owner of Leibundguth Storage, reminded the commissioners that the small businesses make up the Village of Downers Grove and are the backbone of this country. He stated he is a small business and was trying to keep his business alive. To remove the signage, he would lose anywhere from \$30,000 to \$60,000 in business. He pointed out the code adopted by the community of Riverside-Brookfield, which he supported, and further stated that the Village of Downers Grove was not working with its small businesses on this aspect. He compared the worries of a small business owner versus a council member. He explained the importance of the signs located on the rail line face and their size. He reviewed a list of signs that either were reduced in size or removed in the village which resulted in financial losses to the businesses. He believed more thought should have gone into staff's discussions about signage and staff should have met with the business owners before recommending changes to the sign

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ordinance. He believed that restricting the sign that faces the BNSF up to 300 square feet should be based on the size of the building.

Hearing no further comment, the public comment portion of the meeting was closed.

**WITH RESPECT TO FILE 15-PLC-0018, MR. THOMAN MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL TO APPROVE ITEMS 1, 2, 3, 4, 6 AND 7.**

**SECONDED BY MS. HOGSTROM. ROLL CALL:**

**AYE: MR THOMAN, MS. HOGSTROM, MR. COZZO, MR WEBSTER, CHAIRMAN RICHARD**

**NAY: NONE**

**MOTION CARRIED. VOTE: 5-0**

**WITH RESPECT TO FILE 15-PLC-0018, MS. HOGSTROM MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL TO APPROVE ITEM 5, AS WRITTEN.**

**SECONDED BY MR. WEBSTER. ROLL CALL:**

**AYE: MS. HOGSTROM, MR. WEBSTER, MR. COZZO, CHAIRMAN RICHARD**

**NAY: MR. THOMAN**

**MOTION CARRIED. VOTE: 4-1**

**FILE 15-PLC-0020:** A petition seeking approval of an amendment to the Comprehensive Plan to amend a single sentence of the Purpose of the Comprehensive Plan. Village of Downers Grove, Petitioner.

Mr. Popovich summarized that the Village Council requested the Plan Commission consider an amendment to the Comprehensive Plan, which is a heavily used plan. He pointed out the one revision to the "Purpose" section of the plan is to modify the sentence to read, "The Comprehensive Plan seeks to articulate our community's vision for the desired physical, social and economic characteristics of the village for the next 15 to 20 years as well as provide for the encouragement of civil engagement." Staff believes the revision is consistent with the desire of the plan and to keep the plan current and to move forward in time. He recommended a positive recommendation.

Chairman Rickard asked for staff to clarify what triggered the revision, wherein Mr. Popovich believed that the word "social" was left out from earlier drafts of the plan and the words "to encourage civic engagement" were then added. Mr. Cozzo suggested a minor revision to make the sentence read better.

Chairman Rickard opened up the meeting to public comment.

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Mr. Mark Ragan, 1232 Gilbert Avenue, Downers Grove, was sworn in. He questioned what was meant by the “social” characteristics of the village, wherein Mr. Popovich explained social planning can focus on issues such as housing, sustainability, and homelessness for example.

Mr. Popovich stated that staff was supportive of the request, as written.

Chairman Rickard closed the public hearing and asked for commissioner input. Mr. Thoman was pleased to see that the term was returned to the comprehensive plan.

**WITH RESPECT TO FILE 15-PLC-0020, MR. COZZO MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL.**

**SECONDED BY MR. THOMAN. ROLL CALL:**

**AYE: MR COZZO, MR. THOMAN, MS. HOGSTROM, MR WEBSTER, CHAIRMAN RICHARD**

**NAY: NONE**

**MOTION CARRIED. VOTE: 5-0**

**NEW BUSINESS**

New commissioners, Ms. Hogstrom and Mr. Thoman were welcomed by staff and the commissioners. One vacancy still exists. Mr. Popovich announced that a few items will be on the August agenda.

**THE MEETING WAS ADJOURNED AT 10:56 P.M. ON MOTION BY MR. COZZO, SECONDED BY MR. WEBSTER. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 5-0.**

/s/ Celeste K. Weilandt

Celeste K. Weilandt

(As transcribed by MP-3 audio)