

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

6/21/2016

7:00 PM

In order to give as many visitors as possible an opportunity to speak and in the interest of adjourning the meeting by 9:00 p.m., please limit your comments to 5 minutes in length, unless further time is granted by Council. Thank you.

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

Council Attendance (Present): Commissioner Waldack, Commissioner White, Commissioner Vattimo, Commissioner Hosé, Commissioner Olsen, Commissioner Barnett; Mayor Tully

Absent: None

Non-Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca, 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 past meetings, an opportunity will be given for public comments and questions of a general nature. 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 Mayor stated that at the appropriate time the presiding officers will ask if there are any comments from the public. Individuals wishing to speak, should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name. Remarks should be limited to five minutes, and individuals are asked to 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

MIN 2016-6879 — A. Minutes: Council Minutes - June 14, 2016

Motion: Commissioner Olsen, seconded by Commissioner White, moved to approve the minutes as presented.

Mayor Tully declared the motion carried by voice vote.

4. Public Comments

This is the opportunity for public comments.

Lori Abrant, 937 Clyde Avenue, distributed handout materials to the Village Council and made a statement regarding making modifications that she requested in 2015 to the storm water ditch dug in front of her house. This ditch appears unusually deep with a 4:1 slope ratio and she does not understand why it is so steep and deep as there was never standing water in her front yard.

Ms. Abrant said she has been asking for modification since January. She has requested the guidelines for any modifications but never heard from anyone. She noted that the Assistant Director of Public Works and the Engineering Manager came out to view the ditch. They were hesitant to agree to any modifications to the 4:1 slope which is non-standard, even in the construction plans. Recently she said staff is waiting for the contractor to confirm that the ditches were installed with the correct side slopes. She would like to get these modifications approved and done before the plants go in the ground sometime in June.

She said this ditch poses a safety hazard because it is too steep and deep. Passengers are not able to exit a car parked on the shoulder next to this ditch and the ditch cannot be mowed in its present state.

She said many modifications were made to the neighbors' stormwater ditches. There is a significant difference in the level of her storm ditch and the neighbors' next door and across the road. In fact, it is the deepest in the whole Clyde Estates subdivision.

Ms. Abrant asked the Council to recommend that Public Works approve the modifications. She would like to see the depth decreased by installing the culvert extension and covering that with soil to make it shallower, safer, and easier to maintain.

Mayor Tully thanked Mrs. Abrant for sharing the information with the Council and staff. She gave him a copy of her statement and he said this would serve to have staff get back to her as to the next step.

5. Consent Agenda

COR 2016-6869 — A. Claims Ordinance: No. 6163, Payroll, May 27, 2016

BIL 2016-6870 — B. Bills Payable: No. 6270, June 21, 2016

MOT 2016-6866 — C. Motion: Award \$82,790.00 to Alliance Contractors, Woodstock, IL, for the 2016 Right-of-Way Accessibility Improvements

Summary: This awards a contract for the 2016 Right of Way Accessibility Improvements to Alliance Contractors of Woodstock, Illinois in the amount of \$82,790.00.

Motion: Commissioner Olsen moved to approve the Consent Agenda as presented. Commissioner White seconded the motion.

Votes: Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

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Mayor Tully declared the motion carried.

6. Active Agenda

RES 2016-6834 — A. Resolution: Approve the Preliminary Plat of Subdivision with an Exception for 5527-5531 Fairmount Avenue

Summary: This approves the preliminary plat of subdivision for the property located at 5527-5531 Fairmount Avenue.

A RESOLUTION APPROVING THE PRELIMINARY PLAT OF SUBDIVISION WITH EXCEPTIONS FOR 5527-5531 FAIRMOUNT AVENUE

RESOLUTION 2016-35

Motion: Commissioner Olsen moved to adopt "A Resolution Approving the Preliminary Plat of Subdivision with Exceptions for 5527-5531 Fairmount Avenue," as presented. Commissioner White seconded the motion.

Votes: Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

ORD 2016-6843 — B. Ordinance: Amend Traffic Provisions at the Intersection of Lacey and Esplanade Roads

Summary: This amends a section of the Municipal Code concerning a designated all-way STOP control at the intersection of Lacey Road and Esplanade Road.

Motion: Commissioner White moved to adopt "An Ordinance Amending Traffic Provisions at the Intersection of Lacey and Esplanade," as presented. Commissioner Waldack seconded the motion.

Bill Wrobel, 7800 Queens Court, said that he is serving his second term as a commissioner of Transportation and Parking Commission (TAP), and asked that this be tabled. Mr. Wrobel said he watched the discussion last week, and said this was not Workshopped in a proper manner. He feels that this Ordinance is highly out of order. TAP meetings have been suspended due to personnel issues and Nan Newlon has not called meetings in the absence of the Traffic Manager. Only Commissioner Olsen felt that a 4-way stop would be counterproductive. Mr. Wrobel noted that he has championed traffic calming and safety for years and has researched traffic calming issues as well. There are always intersection issues, and this has been occurring for ten years. Mr. Wrobel read a comment made when Mr. Bedalov was involved with economic development. He said his research says a 4-way stop sign is hazardous in this situation because people assume someone else will stop. Mr. Wrobel then quoted the use of roundabouts in situations such as this one. He said that there is a problem with traffic flow at the Esplanade. The solution is to have a roundabout or a circle. He asked that the Council table this and put it before TAP for their review. TAP does not get applications like it used to in the past. Traffic issues have been combined with streets and development and have been usurped by Public Works. If the Commission has no function it should be dissolved.

Mayor Tully thanked Mr. Wrobel for his comments, saying that some Boards and Commissions serve at the direction of the Village Council. The Council does not have to run things through TAP.

Village Manager Dave Fieldman stated that it has been many years since TAP has reviewed warrants for proposed stop signs. Those issues come directly before the Council.

Mayor Tully commented that this was put into place on a temporary basis and was requested by a corporate citizen. The comment regarding the use of TAP is a good point. He's happy to take this up with staff.

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Mr. Wrobel noted that the Council did not get input from the Commissioners, with the exception of Commissioner Olsen last week, which means that they are either not knowledgeable about the issue, didn't want to get involved, or have no personal interest in the issue.

Mayor Tully replied that just because the Council does not speak out doesn't mean they haven't done their homework.

Mr., Wrobel also said that since the Village has issued bonds to redevelop subdivisions, the staff has taken a different attitude towards the public. He has been going to meetings since early 2000, and he thinks the staff has usurped a lot of commission functions.

Commissioner Olsen commented, given what Mr. Wrobel said, if it would be prudent to ask TAP to look at this at their next meeting.

Motion: Commissioner Olsen moved to refer this item to the Transportation and Parking Commission (TAP) for review and a recommendation to Council. Commissioner Barnett seconded the motion.

Commissioner Barnett asked if there were any statutes or IDOT requirements that would prevent the Council from leaving the temporary condition in place for longer. Mr. Fieldman responded that the internal policy is 60 days. The practical issue is that the Esplanade is renting barrels and has asked that this be moved on as quickly as possible due to ongoing costs. Commissioner Barnett said he sees nothing particularly urgent in moving quickly on this, and if TAP is meeting in July he would be willing to wait.

Commissioner Waldack asked why this didn't go through TAP. He appreciates staff's answers to his questions regarding the cost of traffic signalization, and thinks it is a good idea to have this reviewed by TAP.

Commissioner Barnett commented that traffic is a recurring and constant issue. Warrants are probably not understood well by the public, and he sees that as another reason to move it through TAP.

Commissioner White asked if there is anything the Council can or should do to allow the temporary situation to continue if this is tabled. Mr. Fieldman said staff would look into that and follow up with Council.

Mayor Tully commented that this would deviate from Village policy and practice. The petitioner has been asking for this for some time. He said that the Council has field experience and a recommendation from staff. He's not in favor of continuing this at this time and referring it to TAP.

Mayor Tully called for a vote on the motion to refer this matter the TAP.

Votes: Yea: Commissioners Olsen, Barnett, Waldack, Vattimo, José

Nay: Commissioner White; Mayor Tully

Mayor Tully declared the motion carried and said this matter will be referred to TAP.

RES 2016-6783 — C. Resolution: Accept the Comprehensive Annual Financial Report of the Village of Downers Grove for the Fiscal Year January 1, 2015 through December 31, 2015

Summary: This accepts the Comprehensive Annual Report for FY 2015.

A RESOLUTION TO ACCEPT THE COMPREHENSIVE ANNUAL REPORT OF THE VILLAGE OF DOWNERS GROVE FOR THE FISCAL YEAR JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

RESOLUTION 2016-36

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Motion: Commissioner Olsen moved to adopt "A Resolution to Accept the Comprehensive Annual Report of the Village of Downers Grove for the Village of Downers Grove for the Fiscal Year January 1, 2015 through December 31, 2015," as presented. Commissioner White seconded the motion.

Jason Coyle of Baker Tilly, the Village's auditing firm, discussed the management letter and financial statement. He said that the Village continues to issue its Comprehensive Annual Financial Report (CAFR), which is beyond what is required and is a higher level of transparency than required. He noted that Village staff prepares this document, and the Council should be proud of that. The management letter says that data can be relied on. He spoke about the Village's financial health, saying that the fund balances are increasing year over year. The Village is in a good position. It has three pension plans, and the net pension liability is shown on the face of the financial statements as \$82 million. Mr. Coyle went on to say that Baker Tilly also provided information on the controls within the Finance Department, and for each year they have reviewed that information they have found nothing that is inappropriate.

Mayor Tully responded that the Village is proud of its financial reports.

Votes: Yea: Commissioners Olsen, White, Waldack, Vattimo, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

7. First Reading

Mayor Tully questioned the audience and recommended that items D, E, F, and G be discussed first by staff and the petitioner, followed by items A, B, C.

ORD 2016-6852 — D. Ordinance: Rezone Certain Property Located at the Northeast Corner of Main Street and Maple Avenue

Mr. Fieldman said they would discuss items D, E and F, zoning related items, first. He said Director of Community Development Stan Popovich would provide staff's report.

Stan Popovich, Director, Community Development, said this concerns a request for a Special Use, Planned Unit Development (PUD) and rezoning for property located in the vicinity of Main and Maple, which is the southern gateway to the Village. He showed slides depicting the location for a proposed 115-unit apartment building. Mr. Popovich explained that the mixed-use building is comprised of 3,900 square feet of retail space and 115 apartments. It will take up three existing parcels of land including the parking lot on the northeast corner as well as a commercial property to the east along Maple, and the adjacent residential lot. He described the features such as parking, retail, swimming pool, and public improvements. Building height is measured from the flat part of the roof. The proposed building is measured from two facades, with the highest along the Main Street side, at just below 70'. With regard to traffic, the petitioner completed a traffic study that shows an acceptable level of service for the entrance/exit to the site.

Mr. Popovich said the Village purchased the corner property in 1993 with a 1997 plan that called for a park on the site. It was later converted to a parking site which was intended to be temporary in nature. He said that as part of the Comprehensive Plan, the site is shown as Catalyst Site #16 and identified as a "key site for infill." The proposal meets all standards for a Zoning Map Amendment for a PUD Overlay (Section 28.12.030 of the Zoning Ordinance), a Planned Unit Development with deviations (Section 28.12.040 of the Zoning Ordinance) and a Special Use (Section 28.12.050 of the Zoning Ordinance) as shown in staff's report.

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Grady Hamilton of Trammell Crow introduced other members of their project and expressed their staff's appreciation for the Village's assistance. Mr. Hamilton said their team has developed nearly 1000 units over six projects over the past three years for renters seeking amenity-rich, luxurious apartment units that are close to transportation. Their most recent projects are in Park Ridge and Glenview. He spoke about the types of people who might be interested in these apartments, including young professionals, elderly who wish to downsize, or transitional residents temporarily locating to a site while deciding whether to purchase. He explained that the Downers Grove Comprehensive Plan calls for this type of development. Mr. Hamilton said that their staff has paid attention to the concerns of neighbors expressed at the Plan Commission meeting held recently, and Trammell Crow is also concerned about those issues. He showed an architect's drawing of how the site would look. Comments made at the Plan Commission related to traffic safety, congestion and noise. He added that meeting the concerns of the community will determine the success of their project. Their experience in Park Ridge and Glenview positions them to successfully address the concerns expressed by the public. He mentioned that there are other members of their project team present at the meeting to address any questions from the public and the Council.

Mayor Tully said that the Council is aware of the lengthy Plan Commission meeting and the comments made at that time. He then asked for Council questions.

Commissioner Waldack asked if any changes were made to density or other changes to the plan as a result of the Plan Commission meeting. Mr. Hamilton replied that they believe their project meets the intent of the Comprehensive Plan and no changes have been made relative to density, or as a result of the Plan Commission meeting discussion.

Commissioner Olsen commented that this is viewed as a luxury rental facility. Concerns are that rental units go downhill quickly. He asked for comments on the price point and the operations of the property generally.

Mr. Hamilton replied that the multi-family market has evolved since the middle part of the last decade when condo development was more popular. There has been a meaningful shift in rental units by choice. He said there is a greater source of demand for assets like this. These are very amenity-rich and tend to bring in upper bracket renters.

Commissioner Olsen then asked Mr. Hamilton when they looked at the market here as compared to Park Ridge or Glenview, whether there were material differences here that would be positive or negative.

Mr. Hamilton responded that there are a lot of similarities in the underlying initiatives. The assets become meaningful investments for institutional owners, and the attention to maintaining first class products doesn't allow the project to recede. He said that they hire a third party management and leasing firm with on-staff personnel present every day, which is the same firm that operates their Park Ridge and Glenview facilities.

Commissioner Olsen then asked Village staff about the fire safety of the building and access points. Mr. Popovich said that Fire Prevention has reviewed the project and has had no negative comments. The building will be alarmed and sprinklered. There are no issues with ingress or egress.

Mayor Tully opened the floor to public comments at this time asking that speakers limit the time of their comments and that they attempt not to repeat what has already been said.

1. Diane Buck, owner of Spice Merchants at 5225 Main Street, commented regarding the proposed development at Main and Maple. Her store is immediately adjacent to the proposed building site. The parking lot that will be acquired for this development is the lot that over 80% of her customers use on a regular basis. Since the time this proposal was announced, she and her staff have informally asked their customers where they park when visiting the shop. She said she spoke at the Plan Commission meeting on June 6, and that many of her concerns were not addressed. She raised those concerns and questions again, as well as a number of questions that have arisen after reading the proposal and Commission's report in detail.

Regarding parking, the proposed development will provide an additional eight on-street parking spaces, of which two will be designated as loading zones until 11:00 am. There will be a loss of 19 spaces, including business permit and a single handicapped accessible space. Using the Kimley Horn data provided on page 10 of their report, current parking usage during their reported times, all of downtown parking is at approximately 90% saturation when including the 29 spaces on this end of town. If the net loss of 19 spaces is included, saturation increases to 93% during the same timeframe. The timeframe given for the Kimley Horn charts was over two days in April (one weekday and one weekend day) which reported cooler temperatures and cloudy conditions which negatively impact retail traffic. She asked how the Village plans to accommodate the loss of 19 parking spaces on the south end of town. The elimination of this lot will remove the only handicapped accessible spot on the south end of Main Street that isn't in a private lot. She asked further questions about the parking study provided by the developer.

Ms. Buck asked how this plan compares to the previous one that was approved and why the previous developer was not contacted. She asked as to the decision to go with apartments rather than condos. She asked how this is compliance with the Zoning Ordinance given the significant amount of density variance requested. She asked about the comment that parking garage "likely" offsets any loss of public parking. She then asked how it was determined that the new development and improvements will have "no significant effect on future conditions at the nearby intersections."

Ms. Buck noted that both the Marquis and Maple & Main will put additional stress on an already poor intersection. The parking study completed in 2011 has not been updated to reflect the changes to the downtown business make up. She said the Village's parking lot has been in existence for 15 years even though it was only intended to be in service for four to six years following the construction of the parking garage. It is the expectation of the public and the business owners on the south end of town that this parking lot will be available for customers. Loss of this lot will impact retail traffic that can either not locate parking in the garage or on-street, or who have accessibility issues and cannot physically walk from the garage to the south retail shops and restaurants.

Ms. Buck said that business owners were not contacted about the proposed development. The significant reduction of parking and additional traffic does not protect the interests of the business owners at this end of town, as well as the business owners further north on Maple and Curtiss whose customers park here because it is more convenient and available.

She asked as to the statement that the property is underutilized as well as data regarding the claim that the development will provide additional residents who will shop and dine downtown. She asked what retailers the Village is looking to attract to downtown, given that the retail space is at capacity and whether it is intended to push out small, locally owned businesses in favor of major retail chains.

Ms. Buck noted that in 2001 it was stated that the biggest issue that comes up with potential new businesses is a lack of parking. This is still the case now 15 years later.

She then asked questions about the two opened developments by Trammell Crow as well as the decision to build 115 units. She noted that a meeting with the developer and local property owners was held but the local business owners were not invited.

Ms. Buck asked if the Village plans to address the parking issue that exists throughout downtown.

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Ms. Buck asked what the hurry is in the development of this site as it has sat empty for 15 years. She asked how the Village will accommodate a handicapped accessible space as it will be eliminated with the lot.

She asked where visitors will park and how feasible it is to expect each rental to only have one car.

Ms. Buck said she is not anti-development. She believes a robust downtown consists not only of businesses but residents, events, and activities for those in the Village. But she wonders if this is the right project for the Village. She suggested that a more measured approach might be more appropriate.

Ms. Buck closed by saying that she opened her store on August 1, 2013, after buying it from the original family that opened it. On the afternoon of her opening day, she received a visit from Mayor Tully which made a tremendous impact on her. The Mayor mentioned the importance of the small businesses in downtown, and how they were what made us different from other towns. She knew she had made the right decision to have a business in Downers Grove, and would be supported by the community and given a chance, which is all anyone who jumps off the deep end of business ownership can hope for. The loss of this lot without a viable replacement other than the parking garage is a real threat to her. Even parking ¼ mile away will make a difference. She said people feel this will be rubber stamped in approval. She asked the Council to please consider the existing business owners and the impact the loss of parking will have when making a final decision on this development.

Mayor Tully asked Ms. Buck to email her comments to the Council members, as there were many questions he wanted to review. He thanked her for her comments, saying that parking has always been an issue in the downtown area. This community makes a tremendous effort and investment to support the downtown area even though it is not the biggest of economic generators. He said some feel having a parking problem is a good problem to have. He noted that the space in question was never intended to be a parking lot. He said the previous developer she referred to is out of business. As for renters versus condo owners, he said that the study of the type of work force needed is what determined that decision.

Ms. Buck said her concerns as a business owner, and the concerns of some of her customers is that people do not feel they are being listened to or respected. They think it is a done deal, and she questioned whether she should even attend the meeting and speak her opinion. She stated that she cannot survive on downtown foot traffic alone, and this will put her out of business.

Mayor Tully replied that this is not designed to push out small business. The Council tries to focus on land use issues. This is a project the Village asked for, and this project fits what the community asked for. The Village openly advertised for this type of project.

Commissioner White commented that the right answer is to find the “and” solution to the legitimate and appropriate concerns that she raised. Finding appropriate solutions needs to be the high priority. Denying the project forces them into an “either/or” situation, rather than finding solutions to the concerns.

Mayor Tully added that this has not been in a hurry, but has been discussed for decades, and it is an opportunity. He said that they can get answers to some questions.

2. Mary Badke, 5408 Carpenter, expressed her agreement with Ms. Buck’s comments. She said that the proposal is too large and imposing for that location and is overpowering. This will create a canyon along Maple, which is not the way to go. She noted that there are already services such as pet spas in the downtown, and this will not encourage people to use the existing facilities in the downtown. Traffic along Carpenter Street is heavy and fast. She noted that this type of development will not help that. One of her neighbors has already asked whether speed bumps would be made available on Carpenter. In light of other projects planned on Rogers, across from the Post Office, etc. she asked if this is truly needed. The Sievers building adds to the character of Maple Avenue. Just because you can build a building to a total height doesn’t mean you should. Or just because you can jump in the lake, doesn’t mean you should. The average citizens have to jump through hoops to get a variance. She is trying to get a 3’ variance, yet this development has exceptions granted.

Mayor Tully noted that this is a different zoning area.

3. Larry Bejnarowicz, 5329 Main Street, said his concerns are similar to others. Parking is a concern. The proposal has inadequate parking. He said that he circulated a petition among residents at Morningside. They have off-street loading and unloading. The Main and Maple facility will have on-street loading and unloading before 11:00 a.m. The Lincoln Center will be expanded, which will increase activities and increase traffic there. He asked how soon those units will turn over. He anticipates a turnover rate of 16-18 months. If they are talking about 115 renters, even 90% rentals would result in 100 units changing over. His primary concerns are extremely inadequate parking and loading and unloading. He distributed the petition to staff.

4. Christine Martin, 701 Maple, said that she would like to see a Board that would offer guidelines for aesthetics. She knows that the building is going to be built; however, she asked that they would build to the aesthetics of the neighborhood. Character is important. There has to be some committee that says you cannot build a structure that does not add to the character of the community. This building does not fit the aesthetics.

5. Ms. Badke returned to say that half of the people in these buildings will have dogs. She asked where these dogs would be walked. Marquis on Maple will have green space. Her concern is where these dogs will be walked and do their business. It is a valid concern.

Mayor Tully said he was sure they would all be responsible pet owners.

6. Gail Bieschke, 5329 Main Street in Morningside, commented that her building has garbage pickup twice a week. The proposed building is much larger and will need more frequent pickups. She also noted that her building has water and water runoff with standing water. She asked about a plan to address the potential water issue.

Mayor Tully said that is a high concern to the community.

7. Bill Wrobel, 7800 Queens Court, said he has lived in Downers Grove 47 years, and his concern is the Village's historical image. He said that at one time there was a small gas station at this site, then green space, and then a parking lot. He is reluctant to shop downtown and dine because of the parking issues. Trains impact the downtown area as traffic backs up. The lack of parking drives away customers. He further noted that instead of going to the Village Library, he often goes to Woodridge because they have parking. He hopes there will be an impact fee imposed on the development.

Mayor Tully said that impact fees are usually built into every development.

8. Sally Conness has a business downtown. She said that the project sounds fabulous as described by Trammell Crow. Not only will they bring new customers into the downtown according to the developer, but they will be rich customers. Her concerns are with more than one project going on at the same time. She asked that they consider the businesses downtown and preserving the character. While the downtown might not be the economic center of the community, it is what brings people to Downers Grove. The proposed building has no charm. If that's the southern gateway to the Village, she's disappointed with it. She urged the Council to find a way to compromise and preserve the architectural integrity of the downtown. She added that she is not convinced that the building will be rented out.

9. Jon Povlivka, 6016 Washington, referenced a graphic in the Manager's report and the contribution to the TIF. He believes Marquis on Maple will contribute more than this project. He then asked what the liability is to the Village because they pay into the TIF. With regard to parking and traffic, Mr. Povlivka said that one of the studies was marginal at best. Ninety-four trains cross Main Street daily on an average. The development should put in a dedicated right bound lane. He feels people living in the building will use their cars and there will be more traffic due to this. This will change the character of Main and Maple. He commented that the land was intended to be a park, and not a parking lot. He thinks the project is too big for the site.

Mayor Tully said it is not the mission of the Village to operate parks. He noted this is in the downtown and in a TIF district.

Mr. Povlivka said this has nothing to do with previous Councils. He sees this as this Council's legacy issue.

10. Kathy Nybo, 5253 Blodgett, spoke about the price of the lot being \$126,000, saying it is worth more. As a taxpayer she would like the Village to get more money for that property. It seems to her like the Village is giving this property away.

Mayor Tully replied that this is being contributed to a larger project. That has a bigger return than just this lot.

11. Charlotte Loizzi asked why the closing on this is needed before September 9. This is why people believe this is a done deal.

Mayor Tully responded that the Village has been dealing with this for a decade. There are timetables in the Village ordinances that must be met. Ms. Loizzi asked who asked for this development. Mayor Tully replied that this, and prior Councils have proposed this and identified it as a Catalyst Site in the Comprehensive Plan. This specific proposal is new, but a mixed-use development has been talked about for some time.

12. Michael Cassa, President and CEO of the Economic Development Corporation, said he is in support of this project. The Comprehensive Plan is a roadmap for the Village and he shares the Village's Comprehensive Plan with potential developers. The Plan says that the parking lot is a key site for a gateway to the community. Trammell Crow is a well-respected leader in multi-family development. Mr. Cassa said he looks forward to working on leasing the retail space. The biggest reason to support this is it will bring more residents to the downtown with disposable income.

13. Joe Royston, 435 Grant Street, said the general feeling is that the Council does not care about the people. He asked whether this wouldn't be more appropriate for a referendum.

Mayor Tully said that the Village Council does care, and even tonight that was demonstrated. He said this has been a vision for some time. The Village has to focus on its rules but it listens to everything said.

14. Matthew Butts, at 615 Maple Avenue, said he moved into the Village in November 2015. Most of his comments have already been addressed. As an entrance to Maple Avenue, there are beautiful historic homes, as well as remodeled homes that have been built on the architectural style of the other homes. This proposal doesn't fit the aesthetics of Maple Avenue. He said they should preserve the historic gateway to Downers Grove.

Commissioner Olsen commented about the demographics and the demand for this type of construction in the Village. He works in the Loop and takes the train every day. He works with people of a similar age to his, which is 27. He spoke about the experience of a colleague of his who ended up renting in Westmont. Commissioner Olsen said he sees that the demand is there. He is pleased to see the development is responding to that trend and appreciates the concerns expressed. He looks at this project as potentially a benefit to the community, and he appreciates the work done on the Comprehensive Plan. The use of that corner as a parking lot is not optimal.

Commissioner José asked whether they are taking Item G separately. Mr. Fieldman said he would be happy to introduce that.

Commissioner Vattimo commented that she likes the development. It is a great improvement. The concerns are real however. They don't want to put businesses out of business. Parking concerns need to be addressed, as do the aesthetic concerns. Commissioner Vattimo said that she thinks this would be embraced if the parking can stay. She likes the look of the building and thinks it will add to the downtown. She said that they do not want to put the existing businesses out of business and she would like the petitioner to address the concerns.

Commissioner José asked about the garbage pickup.

Johnny Carlson of Trammel Crow said they have a compactor on the site, so there will be less garbage and fewer pickups per day. They are seeing a large number of renewals among their residents. They also see about 2-3 move-ins per month, each of which is generally one truck.

Commissioner José said that he agrees with Commissioner White regarding an "and" solution. Council and staff will continue to work on parking and traffic issues downtown as they have been issues for a long time. He asked about 15-minute parking spots along the stretch on Main Street, and asked that they consider that. He referenced the Grove and Main parcel mentioned in public comments. This is identified in the Comprehensive Plan as Catalyst Site #15 as a redevelopment site. With regard to this petition, the one remaining question is density. He suggested that perhaps this should be revisited in the Zoning Ordinance. The building in scope and size fits what the Village is looking for.

Commissioner Waldack commented that there are a lot of pros and cons with this development and he has not yet made a decision. He is concerned about the loss of a handicapped space. This was never meant to be a Village-owned parking lot and he would consider selling it to the businesses. Regarding the lack of parking he opposes a development that comes in with less parking than is required. If they continue going in this direction, the businesses will want a second parking deck and he does not see that happening. He has a problem with this as a PUD, particularly when the developer doesn't meet the requirements. With regard to a traffic study, when the developer does the traffic study they always seem to show that their development will have a minimal impact on traffic. He said that the Marquis on Main site is also complaining about issues involved with this development. He believes that the notice to property owners within 250' needs to be changed with respect to businesses. As for property values, Commissioner Waldack said that this would improve the value of properties and help taxpayers. He doesn't think this will be an attractive gateway. He'd like to know the questions and the answers to comments made at the Plan Commission meeting as they were not delineated. He would like the project to be smaller, but has made no decision as yet

Commissioner White stated that the redevelopment of this site has been a long-term goal. He thinks the Marquis on Maple is too big. This project is more consistent than the Marquis on Maple. It is not logical to push for a smaller building with the size of the building next door. The character on Maple Avenue will be irrevocably changed with the Marquis on Maple. Every interest expressed by the speakers is legitimate and should be balanced. The Village wants to meet and satisfy the interests, but saying "no" to the petitioner is not the way to address the legitimate concerns expressed. He said they should look at how to mitigate the impact of this building and the Marquis on Maple. This will affect traffic, safety, noise, density, garbage, stormwater, etc. He wants to see a "firewall" of sorts for Main, Maple and Washington for this type of development. He is in favor of this project, with deep concerns. With regard to parking requirements, people will self-select. The developer is providing less than two spaces per unit. Residents may have to self-select themselves out of this building. This redevelopment fulfills the goal to redevelop this area.

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Commissioner Barnett said that the development along Maple Avenue is according to the requirements of the Village's Zoning Ordinance. There are situations where Village zoning does not meet resident expectations. Traffic concerns are real. This is an awesome opportunity for the community, and it is an awesome building. However, it puts a serious burden on the Village as it relates to the ancillary effects, and they need to talk about them and address those issues raised.

Mayor Tully commented that parking is an ongoing challenging issue and the Village has to take action, and will continue to do so. He said that the Council has all agreed that zoning issues will be reviewed.

ORD 2016-6853 — E. Ordinance: Authorize a Special Use for the Northeast Corner of Main Street and Maple Avenue to Permit a Mixed-Use Retail and Multi-Family Residence Building

ORD 2016-6851 — F. Ordinance: Designate the Property at the Northeast Corner of Main Street and Maple Avenue as Planned Unit Development #47 and Authorize Construction of a Mixed-Use Retail and Multi-Family Residence Building

ORD 2016-6874 — G. Ordinance: Authorize a Redevelopment and Land Purchase Agreement with Trammell Crow Chicago Development, Inc.

Mr. Fieldman said that this agreement generates \$1.3 million in revenue to the TIF in the downtown area; \$1.2 million is from property taxes. The sales price for the Village-owned property is \$126,000. Mr. Fieldman addressed the finances on the part of the developer who is buying other high-value properties next door to the parking lot. The Village could charge the market rate, but it would result in no development. Staff looks at the overall value proposition. The development has a much more financial positive impact than the development that came before it in 2006. The idea is not to maximize any one line item but to maximize the overall return.

Mr. Fieldman then noted other key terms of the agreement that include the sale of the land, redevelopment of the land, a timeline for proceeding or purchasing the property back if the timeline is not met.

Commissioner Olsen said he appreciates the overview of looking at the whole picture. He verified through staff that the sale of Village-owned land will go to the TIF. Mr. Fieldman agreed but he said that the land sale is not required to go to the TIF. The property tax generated is required to go to the TIF. If there is extra money in the TIF at its retirement, it is distributed to all the taxing bodies located within the TIF, prorated based on their share of the overall tax rate.

Commissioner José thanked Mr. Fieldman for his explanation of why it would be a fair market value as opposed to what the purchase price is if we exercise the option, but he is not comfortable with it. If the project doesn't go the way it is supposed to go the cost should be \$126,000. Mr. Fieldman replied that it would then be all three parcels as they would have been consolidated into one lot at that time. If five years out, the project has not proceeded that would trigger our ability to come back to them with the option to purchase it and would probably be accompanied with a Request for Proposal for another development.

Commissioner José thanked the Manager for the clarification.

Commissioner José said that the impact on the TIF is tremendous, and is good for the taxpayers of Downers Grove.

Mayor Tully added that if there were a debt due at the expiration of the TIF, it would have to come from the taxpayers.

Commissioner Waldack said that under normal circumstances, this would be voted on next week and then they would have to get the numbers together and a closing date. These dates can be changed. The clause should state that the price could not be lower than \$126,000 and the Village could get the property back.

1. Bill Wrobel, 7800 Queens Court, spoke about Acadia on the Green. It was considered a great investment at the time, and took ten years before the Village got a return on tax dollars. If conditions change, taxpayers will be on the line.

Mayor Tully said that there is no debt taken on in this situation. No one is on the hook.

Commissioner Olsen said that even if nothing happens, they would pay taxes on those properties.

2. John Povlivka, 6016 Washington, said he believes that the price is low. There are implied promises. The Village could ask that if this project is sold within a certain time the developer could be asked to pay a certain amount. He spoke about the Marquis on Main and the Comprehensive Plan. Residents were told that the Comprehensive Plan is merely a guide and we don't have to follow it.

Mayor Tully said that conformance with the Comprehensive Plan is built into the Special Use process.

3. Matthew Butts, 615 Maple, spoke about the schedule and asked what would happen if the development is not completed by July 2018.

Village Attorney Enza Petrarca said that the Village has the option to rent it back at no cost to operate as a parking lot or repurchase it if it goes over five years.

RES 2016-6840 — A. Resolution: Submit a Public Question to the Electors of the Village of Downers Grove Concerning Funding All Stormwater Costs Using a Stormwater Utility Fee Instead of Property Taxes

Mr. Fieldman said that Council has been considering changes to the stormwater utility and directed staff to prepare three advisory referenda questions. The questions have been simplified, and a preamble was also provided. He then read the questions.

1) Shall the Village continue to fund all stormwater costs using a stormwater utility fee instead of property taxes?
 2) Shall the Village fund all stormwater costs using property taxes instead of a stormwater utility fee?
 3) Shall the Village fund stormwater costs using a combination of stormwater utility fees and property taxes?

Mr. Fieldman further noted that a preamble was provided to assure that people answering the questions have some context about the budget of \$3.9 million, and to assure that they know they are answering a series of three questions.

Commissioner Olsen said he likes the questions. In the preamble third sentence he would make sure it is funded "exclusively" through the stormwater utility fee.

Commissioner White suggested the wording be that "currently these costs are primarily funded with a stormwater utility fee."

Commissioner José said people need to know what is spent and how much tax or fee increase would be coming.

Commissioner Barnett said he thinks the preamble is dangerous as an element is missing. Residents may ask what this means long-term. It is not a fixed \$3.9 million. It is an ever-increasing cost.

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Commissioner White said that service levels should not be made part of the referenda.

Commissioner White suggested they eliminate the second sentence.

Mayor Tully commented that the sentence conveys the magnitude.

Commissioner Barnett asked what the harm would be of adding, “expected to continue”?

Mayor Tully suggested adding the word “annually.”

Commissioner Olsen agreed with removing the second sentence.

Mayor Tully suggested “currently, these costs are funded annually with a stormwater fee.” That captures the understanding that it is not a static expense. He suggested leaving everything else the same.

Mr. Fieldman said that the preamble is an effort to provide more facts to clarify the issue, yet that almost defeats the purpose.

Mayor Tully suggested that they go with the modified sentence as follows: “Currently, annual costs are funded with a stormwater utility fee.”

RES 2016-6871 — B. Resolution: Submit a Public Question to the Electors of the Village of Downers Grove Concerning Funding All Stormwater Costs Using Property Taxes Instead of a Stormwater Utility Fee

RES 2016-6872 — C. Resolution: Submit a Public Question to the Electors of the Village of Downers Grove Concerning Funding Stormwater Costs Using a Combination of Stormwater Utility Fees and Property Taxes

8. Mayor's Report

Mayor Tully said there are two days until the Downers Grove GroveF est He said that the Council will have a booth at Main and Burlington.

9. Manager's Report

10. Attorney's Report

Pursuant to Section 2.5 of the Downers Grove Municipal Code, the following are presented for Village Council consideration:

1. An ordinance rezoning certain property located at the northeast corner of Main Street and Maple Avenue
2. An ordinance authorizing a special use for the northeast corner of Main Street and Maple Avenue to permit a mixed-use retail and multi-family residence building

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3. An ordinance designating the property at the northeast corner of Main Street and Maple Avenue as Planned Unit Development #47 and authorizing construction of a mixed-use retail and multi-family residence building
4. An ordinance authorizing a redevelopment and land purchase agreement with Trammell Crow Chicago Development, Inc.

11. Council Member Reports

Commissioner Olsen said that the Downers Grove 5-Miler sponsored by the Park District will be held 7:30 a.m. on Sunday starting at Lincoln Center.

Commissioner Olsen said that the Council will be meeting on June 28 at 7:00 p.m. due to the workload.

Mayor Tully thanked the Council and staff for adding the extra meeting to the calendar.

12. Adjournment

Mayor Tully asked for a motion to adjourn.

Commissioner Olsen moved to adjourn. Commissioner White seconded the motion.

Votes: Yea: Commissioners Olsen, White, Waldack, Vattimo, José, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried and the meeting adjourned at 10:21 p.m.

Respectfully submitted,

April Holden

Village Clerk