

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village Council Meeting**  
**12/13/2016**

<b>SUBJECT:</b>	<b>SUBMITTED BY:</b>
Planned Unit Development and Rezoning - 3300 Finley Road	Stan Popovich, AICP Director of Community Development

**SYNOPSIS**

The petitioner is requesting approval of a Planned Unit Development and Zoning Map Amendment from B-3, General Services and Highway Business to B-3/PUD, General Services and Highway Business/Planned Unit Development to permit modifications to the existing sign plan at 3300 Finley Road.

**STRATEGIC PLAN ALIGNMENT**

The goals for 2015-2017 include *Strong and Diverse Local Economy*.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval on the December 20, 2016 active agenda per the Plan Commission's unanimous 6:0 positive recommendation. Staff concurs with the Plan Commission's recommendation. The Plan Commission found that the proposal for the sign plan is appropriate for the property, compatible with the Comprehensive Plan and meets all standards for approval of a Planned Unit Development per Section 28.12.040 and Zoning Map Amendment for a PUD overlay per Section 28.12.030.

**BACKGROUND**

The petitioner is requesting to establish a Planned Unit Development to approve a 915 square foot sign plan for the property. The 16.18 acre property is zoned B-3, General Services and Highway Business, and fronts both Finley Road and I-355 but only has access from Finley Road. Based on the size of the building and the locational challenges of being adjacent to the tollway with access limited only to Finley Road, the petitioner is requesting to establish a Planned Unit Development. The petitioner is also requesting to amend the zoning map for the property from B-3, General Services and Business Highway to B-3/PUD, General Services and Highway/Planned Unit Development.

Currently, Fry's has approximately 1,887 square feet of signage on the property distributed among five wall signs and one monument sign. Fry's shares a second 57 square foot monument sign with X-Sport Fitness; however, the shared monument sign was approved as part of the X-Sport Planned Development #40 and does not count towards Fry's total signage allowance.

Fry's is proposing to remove two existing wall signs (972 square feet total) leaving 915 square feet of signage on the property. Fry's is also proposing to install a code compliant tollway monument sign which is not counted in the total sign area allowance.

#### Compliance with the Zoning Ordinance

The property is zoned B-3, General Services and Highway Business. The proposed Planned Unit Development complies with the bulk standards for the overall development. The maximum signage allowed on the property per the zoning ordinance is 300 square feet. The Planned Unit Development process allows Fry's to reduce their existing non-conformity and bring signage on the property closer to compliance with the sign ordinance. The proposed sign plan proposes to reduce the total signage on the property by approximately 50%. Staff is supportive of the request due to a significant reduction in overall signage.

#### Compliance with the Comprehensive Plan

The property is designated as Regional Commercial in the Comprehensive Plan. Regional Commercial uses include a blend of corporate office, large shopping centers, hotels and big box development. To stay competitive, the Plan calls for reinvestment in the regional commercial areas, specifically "to improve the aesthetics and function of regional commercial uses". The comprehensive plan emphasizes that the signage in the commercial corridor should be updated per the revised ordinance and should be "designed to respect the scale and character of the surrounding development". Fry's is reducing the existing signage on the property consistent with the intent of the revisions of the Sign Ordinance. The proposed improvements are consistent with the Comprehensive Plan.

#### Public Comment

There were no public comments received at the Plan Commission meeting.

#### **ATTACHMENTS**

Ordinance

Aerial Map

Staff Report with attachments dated November 7, 2016

Draft Minutes of the Plan Commission Hearing dated November 7, 2016

Revised elevation drawing

3300 Finley PUD #57  
16-PLC-0044

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

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING  
ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS  
TO DESIGNATE THE PROPERTY AT 3300 FINLEY ROAD  
(LOCATED AT THE SOUTHWEST CORNER OF FINLEY ROAD AND OPUS PLACE)  
AS PLANNED UNIT DEVELOPMENT #57  
TO ALLOW ADDITIONAL SIGNAGE**

WHEREAS, the owner(s) of the property located on the southwest corner of Finley Road and Opus Place, commonly known as 3300 Finley Road, Downers Grove, IL (PIN 06-31-101-017); (hereinafter referred to as the "Property" and legally described below) have requested that such real estate be designated as a Planned Unit Development to be known as "3300 Finley Road Planned Unit Development #57" pursuant to the provisions of the Comprehensive Zoning Ordinance of the Village of Downers Grove, as set forth in Chapter 28 of the Downers Grove Municipal Code (hereinafter referred to as the "Zoning Ordinance"); and

WHEREAS, the owner(s) have also filed a written petition with the Village conforming to the requirements of the Comprehensive Zoning Ordinance and requesting approval of the Fry's plans for construction of a tollway monument sign as provided under the Comprehensive Zoning Ordinance; and,

WHEREAS, the Property is to be zoned B-3/PUD, General Services and Highway Business District with a Planned Unit Development pursuant to the Downers Grove Zoning Ordinance; and,

WHEREAS, the Plan Commission of the Village of Downers Grove has given the required public notice and has conducted a public hearing on November 7, 2016 respecting a final plan for the 3300 Finley Road Planned Unit Development #57 on the Property in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove and has reported its findings and recommendations to the Village Council of the Village of Downers Grove pursuant to the provisions of the Zoning Ordinance; and,

WHEREAS, the Plan Commission recommended that the Property be designated as a Planned Unit Development and authorizing a permitted use, with approval of the 3300 Finley Road planned unit development plans as the documents submitted are consistent with the requirements of the Comprehensive Zoning Ordinance and the character of the planned unit development; and

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

SECTION 1. That the provisions of the preamble are incorporated into this ordinance.

SECTION 2. The following documents are attached hereto and incorporated herein by reference as a part of this ordinance as Group Exhibit A, and are hereafter collectively referred to as the "3300 Finley Road Planned Unit Development #57" plans, all of which are incorporated by reference.

SECTION 3. That the Village Council hereby finds as follows:

(1) That Planned Unit Development #57 meets the requirements of the Zoning Ordinance as follows:

- a. the zoning map amendment review and approval criteria of Sec. 28.12.030.I;
- b. the proposed PUD development plan and map amendment would be consistent with the comprehensive plan and any other adopted plans for the subject area;
- c. the PUD development plan complies with the PUD overlay district provisions of Sec. 28.4.030;
- d. the proposed development will result in public benefits that are greater than or at least equal to those that would have resulted from development under conventional zoning regulations; and
- e. the appropriate terms and conditions have been imposed on the approval to protect the interests of surrounding property owners and residents, existing and future residents of the PUD and the general public.

(2) That the proposed development conforms with the requirements of the Comprehensive Zoning Ordinance.

SECTION 4. The Zoning Ordinance is hereby amended by adding to the Zoning Map the boundaries of the following described real estate and by designating said real estate as a Planned Unit Development under the title and style "3300 Finley Road Planned Unit Development #57" to be stated on the face of said map within the boundaries of the real estate hereinafter described, to wit:

SEE ATTACHED EXHIBIT A

Commonly known as 3300 Finley Road, Downers Grove, IL 60515  
PIN 06-31-101-017

SECTION 5. The 3300 Finley development plans be and are hereby approved to permit a Planned Unit Development to allow additional signage, subject to the conditions and restrictions contained therein, and subject to the following:

1. The proposed Planned Unit Development shall conform to the drawings submitted by the petitioner dated October 26, 2016 and Elevation Drawing dated November 21, 2016.

SECTION 6. That all ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance be and are hereby repealed.

SECTION 7. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:

Published:

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

Village Clerk

## EXHIBIT A

THAT PART OF THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS : COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID NORTHWEST 1/4 WITH THE WEST LINE OF FINLEY ROAD ACCORDING TO THE PLAT OF DEDICATION RECORDED JULY 15, 1959 AS DOCUMENT NO. 931536, SAID WEST LINE OF FINLEY ROAD BEING A LINE 50.00 FEET. AS MEASURED AT RIGHT ANGLES, WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHWEST 1/4 (BEARINGS AND DISTANCES REFERRED TO IN THIS LEGAL DESCRIPTION AS "RECORD" ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM-EAST ZONE AND SHOWN ON PLATS OF SURVEY PREPARED BY THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY); THENCE SOUTH 00 DEGREES 23 MINUTES 16 SECONDS EAST ALONG SAID WEST LINE OF FINLEY ROAD, 514 .02 FEET TO A POINT FOR A PLACE OF BEGINNING: THENCE CONTINUING SOUTH 00 DEGREES 23 MINUTES 16 SECONDS EAST ALONG SAID WEST LINE OF FINLEY ROAD. 1014.96 FEET TO A POINT OF CURVATURE IN SAID WEST LINE; THENCE SOUTHWESTERLY ALONG THE WESTERLY LINE OF SAID FINLEY ROAD, BEING A CURVED LINE CONVEX SOUTHEASTERLY, HAVING A RADIUS OF 2146.85 FEET AND BEING TANGENT TO SAID LAST DESCRIBED LINE AT SAID LAST DESCRIBED POINT, AN ARC DISTANCE OF 755.84 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF THE NORTH-SOUTH TOLLWAY (THE CHORD OF SAID ARC BEARS SOUTH 09 DEGREES 41 MINUTES 54 SECONDS WEST, 751.94 FEET); THE FOLLOWING 8 COURSES ARE ALONG THE EASTERLY LINE OF THE NORTH-SOUTH TOLLWAY; THENCE NORTH 74 DEGREES 14 MINUTES 00 SECONDS WEST, 186.94 FEET (RECORD NORTH 76 DEGREES 24 MINUTES 30 SECONDS WEST, 186.84 FEET) TO A POINT 526.25 FEET EAST OF STATION 1245+58.12 ON THE CENTER LINE OF THE NORTH-SOUTH TOLLWAY, AS MEASURED AT RIGHT ANGLES TO SAID CENTER LINE; THENCE NORTH 62 DEGREES 16 MINUTES 01 SECONDS WEST, 178.70 FEET (RECORD NORTH 64 DEGREES 26 MINUTES 31 SECONDS WEST, 178.71 FEET) TO A POINT 367.92 FEET EAST OF STATION 1246+40.98 ON THE CENTER LINE OF THE NORTH-SOUTH TOLLWAY. AS MEASURED AT RIGHT ANGLES TO SAID CENTER LINE; THENCE NORTH 29 DEGREES 38 MINUTES 25 SECONDS WEST (RECORD NORTH 31 DEGREES 48 MINUTES 55 SECONDS WEST), 268.82 FEET TO A POINT 234.54 FEET EAST OF STATION 1248+74.36 ON THE CENTER LINE OF THE NORTH-SOUTH TOLLWAY, AS MEASURED AT RIGHT ANGLES TO SAID CENTER LINE; THENCE NORTH 11 DEGREES 03 MINUTES 31 SECONDS WEST, 230.01 FEET (RECORD NORTH 13 DEGREES 13 MINUTES 59 SECONDS WEST. 230.00 FEET) TO A POINT 190.00 FEET EAST OF STATION 1251+00 ON THE CENTER LINE OF THE NORTH-SOUTH TOLLWAY, AS MEASURED AT RIGHT ANGLES TO SAID CENTER LINE; THENCE NORTH 02 DEGREES 00 MINUTES 58 SECONDS EAST, 300.18 FEET (RECORD NORTH 00 DEGREES 09 MINUTES 27 SECONDS WEST, 300.19 FEET) TO A POINT 200.00 FEET EAST OF STATION 1254+00 ON THE CENTER LINE OF THE NORTH-SOUTH TOLLWAY, AS MEASURED AT RIGHT ANGLES TO SAID CENTER LINE; THENCE NORTH 01 DEGREES 03 MINUTES 43 SECONDS EAST, 300.06 FEET (RECORD NORTH 01 DEGREES 06 MINUTES 43 SECONDS WEST, 300.07 FEET) TO A POINT 205.00 FEET EAST OF STATION 1257+00 ON THE CENTER LINE OF THE NORTH-SOUTH TOLLWAY, AS MEASURED AT RIGHT ANGLES TO SAID CENTER LINE; THENCE NORTH 03 DEGREES 41 MINUTES 34 SECONDS EAST (RECORD NORTH 01 DEGREES 31 MINUTES 09 SECONDS EAST), 751.51 FEET TO A POINT 252.00 FEET EAST OF STATION 1264+50.00 ON

THE CENTER LINE OF THE NORTH-SOUTH TOLLWAY, AS MEASURED AT RIGHT ANGLES TO SAID CENTER LINE; THENCE NORTH 05 DEGREES 29 MINUTES 54 SECONDS EAST (RECORD NORTH 03 DEGREES 19 MINUTES 34 SECONDS EAST). 58.17 FEET ALONG A STRAIGHT LINE, THE NORTHERLY EXTENSION OF WHICH RUNS TO A POINT ON THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 3 1,283.00 FEET EAST OF THE CENTER LINE OF THE NORTH-SOUTH TOLLWAY, AS MEASURED AT RIGHT ANGLES TO SAID CENTER LINE; THENCE SOUTH 84 DEGREES 30 MINUTES 06 SECONDS EAST, 46.23 FEET; THENCE SOUTH 23 DEGREES 56 MINUTES 52 SECONDS WEST, 26.70 FEET; THENCE SOUTH 00 DEGREES 20 MINUTES 24 SECONDS EAST. 42.11 FEET: THENCE SOUTH 41 DEGREES 10 MINUTES 43 SECONDS EAST. 50.04 FEET; THENCE SOUTH 29 DEGREES 22 MINUTES 44 SECONDS EAST. 79.90 FEET: THENCE SOUTH 38 DEGREES 18 MINUTES 06 SECONDS EAST, 102.90 FEET; THENCE SOUTH 67 DEGREES 40 MINUTES 00 SECONDS EAST, 45.52 FEET; THENCE SOUTH 78 DEGREES 29 MINUTES 35 SECONDS EAST, 67.95 FEET; THENCE SOUTH 88 DEGREES 03 MINUTES 51 SECONDS EAST, 95.54 FEET; THENCE NORTH 83 DEGREES 49 MINUTES 53 SECONDS EAST, 57.95 FEET; THENCE NORTH 77 DEGREES 36 MINUTES 17 SECONDS EAST, 56.30 FEET; THENCE NORTH 73 DEGREES 54 MINUTES 04 SECONDS EAST, 44.32 FEET: THENCE NORTH 62 DEGREES 59 MINUTES 28 SECONDS EAST, 38.32 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS, EXCEPTING

THEREFROM THAT PART CONVEYED BY SPECIAL WARRANTY DEED RECORDED JUNE 28, 2005 AS DOCUMENT R2005-136239 AND RE-RECORDED SEPTEMBER 9, 2005 AS DOCUMENT R2005-199446. DESCRIBED AS FOLLOWS:

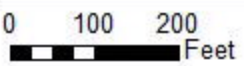
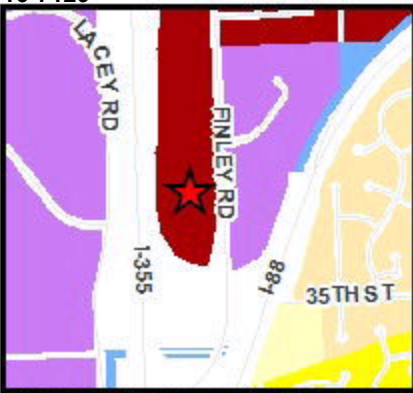
THAT PART OF THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID NORTHWEST 1/4 WITH THE WEST LINE OF FINLEY ROAD ACCORDING TO THE PLAT OF DEDICATION RECORDED JULY 15, 1959 AS DOCUMENT NO. 93 1536, SAID WEST LINE OF FINLEY ROAD BEING A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHWEST 1/4 (BEARINGS AND DISTANCES REFERRED TO IN THIS LEGAL DESCRIPTION AS "RECORD" ARE BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM - EAST ZONE AND SHOWN ON PLATS OF SURVEY PREPARED BY THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY): THENCE SOUTH 00 DEGREES 23 MINUTES 16 SECONDS EAST. ALONG SAID WEST LINE OF FINLEY ROAD, 514.02 FEET TO A POINT FOR A PLACE OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 23 MINUTES 16 SECONDS EAST, ALONG SAID WEST LINE OF FINLEY ROAD, 460.72 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES 43 SECONDS WEST, A DISTANCE OF 92.87 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, ALONG A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 125.00 FEET AND AN ARC LENGTH OF 59.11 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, ALONG A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 125.00 FEET AND AN ARC LENGTH OF 58.78 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89 DEGREES 36 MINUTES 37 SECONDS WEST, A DISTANCE OF 410.23 TO A POINT ON THE EASTERLY LINE OF THE NORTH- SOUTH TOLLWAY; THENCE NORTHEASTERLY, ALONG THE EASTERLY

LINE OF SAID NORTH - SOUTH TOLLWAY FOR THE FOLLOWING 2 COURSES: 1) THENCE NORTH 03 DEGREES 41 DEGREES 34 MINUTES EAST, A DISTANCE OF 679.83 FEET TO A POINT BEING 252.00 FEET EASTERLY OF STATION 1264 + 50.00 ON THE CENTER LINE OF THE NORTH-SOUTH TOLLWAY. AS MEASURED AT RIGHT ANGLES TO SAID CENTER LINE; 2) THENCE NORTH 05 DEGREES 29 MINUTES 54 SECONDS EAST, A DISTANCE OF 58.17 FEET ALONG A STRAIGHT LINE, THE NORTHERLY EXTENSION OF WHICH RUNS TO A POINT ON THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 31 BEING 283.00 FEET EAST OF THE CENTER LINE OF THE NORTH - SOUTH TOLLWAY, AS MEASURED AT RIGHT ANGLES TO SAID CENTER LINE; THENCE SOUTH 84 DEGREES 30 MINUTES 06 SECONDS EAST. A DISTANCE OF 46.23 FEET; THENCE SOUTH 23 DEGREES 56 MINUTES 52 SECONDS WEST, A DISTANCE OF 26.70 FEET; THENCE SOUTH 00 DEGREES 20 MINUTES 24 SECONDS EAST, A DISTANCE OF 42.11 FEET; THENCE SOUTH 41 DEGREES 10 MINUTES 43 SECONDS EAST, A DISTANCE OF 50.04 FEET; THENCE SOUTH 29 DEGREES 22 MINUTES 44 SECONDS EAST, A DISTANCE OF 79.90 FEET; THENCE SOUTH 38 DEGREES 18 MINUTES 06 SECONDS EAST, A DISTANCE OF 102.90 FEET; THENCE SOUTH 67 DEGREES 40 MINUTES 00 SECONDS EAST. A DISTANCE OF 45.52 FEET; THENCE SOUTH 78 DEGREES 29 MINUTES 35 SECONDS EAST, A DISTANCE OF 67.95 FEET; THENCE SOUTH 88 DEGREES 03 MINUTES 51 SECONDS EAST, A DISTANCE OF 95.54 FEET; THENCE NORTH 83 DEGREES 49 MINUTES 53 SECONDS EAST, A DISTANCE OF 57.95 FEET; THENCE NORTH 77 DEGREES 36 MINUTES 17 SECONDS EAST, A DISTANCE OF 56.30 FEET; THENCE NORTH 73 DEGREES 54 MINUTES 04 SECONDS EAST, A DISTANCE OF 44.32 FEET; THENCE NORTH 52 DEGREES 59 MINUTES 28 SECONDS EAST. A DISTANCE OF 38.32 FEET TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 3300 FINLEY ROAD, DOWNERS GROVE, IL 60515

PIN: 06-31-101-017



**3300 Finley Road - Location Map**







**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
NOVEMBER 7, 2016 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
16-PLC-0044 3300 Finley Road	Planned Unit Development & Zoning Map Amendment	Swati Pandey Planner

**REQUEST**

The petitioner is requesting approval of a Planned Unit Development and Zoning Map Amendment to permit changes to the existing attached and freestanding signs at 3300 Finley Road.

**NOTICE**

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

**GENERAL INFORMATION**

**OWNER:** Urbs in Horto, LP  
c/o Fry's Electronics, Inc.  
600 E. Brokaw Road  
San Jose, CA 95112

**APPLICANT:** Graham Grady  
111 E. Wacker Drive, Suite 2800  
Chicago, IL 60601

**PROPERTY INFORMATION**

**EXISTING ZONING:** B-3, General Services and Highway Business  
**EXISTING LAND USE:** Commercial  
**PROPERTY SIZE:** 704,747 square feet (16.18 acres)  
**PIN:** 06-31-101-017

**SURROUNDING ZONING AND LAND USES****ZONING**

**EAST:** O-R-M, Office-Research-Manufacturing  
**WEST:** O-R-M, Office-Research-Manufacturing  
**NORTH:** B-3, General Services and Highway Business  
**SOUTH:** Tollway Right-of-Way

**FUTURE LAND USE**

Office/Corporate Campus  
Office/Corporate Campus  
Regional Commercial  
Tollway Right-of-Way/Single  
Family Residential (beyond)

## ANALYSIS

---

### SUBMITTALS

This report is based on the following documents, which are on file with the Department of Community Development:

1. Application/Petition for Public Hearing
2. Location Map
3. Project Narrative
4. Aerial Site Plan
5. Architectural Elevation
6. Sign Plans

### PROJECT DESCRIPTION

The petitioner is requesting to establish a Planned Unit Development to approve a 915 square foot sign plan and update the building exterior for Fry's Electronics Store located on the southwest corner of Finley Road and Opus Place, east of I-355, commonly known as 3300 Finley Road. The 16.18 acre property, which is zoned B-3, General Services and Highway Business, fronts Finley Road and backs up to I-355. The only access to the subject property is via Finley Road. If the Planned Unit Development is approved, the petitioner is also requesting to amend the zoning map for the property from B-3, General Services and Business Highway to B-3/PUD, General Services and Highway/Planned Unit Development.

Currently, Fry's has an approximate total of 1,887 square feet of signage on the property distributed across five wall signs, one each on the north, south and west facades and two on the east façade, and one monument sign. Fry's shares a second 57 square foot monument sign with the X-Sport Fitness immediately to the north. However, the shared monument sign was approved as part of the X-Sport Planned Development #40 and does not count towards Fry's total signage allowance.

The existing wall signs on the property are legally established non-conforming signs installed under the previous sign ordinance. The sign ordinance was significantly revised in 2005 and required all signs to be in conformance with the ordinance by May 2014. Fry's existing signage is substantially larger than what would be allowed under the revised sign ordinance. In 2014, Fry's requested a sign ordinance variation to allow all 1,887 square feet of signage to remain. The Zoning Board of Appeals denied the request. Fry's is requesting to reduce the signage on the building to come closer into compliance with the current sign ordinance and seeks to establish a Planned Unit Development for additional signage exemptions due to the site's limited visibility and access.

The current sign ordinance for the Village of Downers Grove grants a maximum of 300 square feet of signage for a commercial property including wall signs and single tenant monument sign. Properties fronting along a tollway are allowed an additional monument sign along the tollway which is not counted towards the overall sign allowance. Table 1 below presents the breakdown for all existing signage on the property which is a total of 1,887 square feet. The petitioner is proposing to reduce the total amount of signage by eliminating two wall signs from the east and west façade. This will reduce the total signage on the property by approximately 50% with a remaining total of 915 square feet.

Table 1: Maximum Total Sign Area

Sign Location	Type	Existing Sign Size	Proposed Sign Size
North Façade	Wall Sign	352	352
South Façade	Wall Sign	486	486
East Façade	Wall Sign	486	0
East Façade	Wall Sign (“Mobile Electronics Installation”)	27	27
West Façade	Wall Sign	486	0
Monument Adjacent to Finley Rd	Monument Sign	50	50
<b>TOTAL SIGNAGE</b>	-	<b>1,887</b>	<b>915</b>

In addition to the 915 square feet, the petitioner is proposing a new tollway monument sign, allowed per the sign ordinance for properties abutting the right-of-way of I-88 or I-355. The tollway monument sign is allowed in addition to the maximum 300 square feet of sign for the property and must be a minimum of 30 feet away from any existing tollway signs. The tollway monument sign and the shared monument sign approved through PD #40, are both permitted and provide an additional 273 square feet of signage.

Table 2: Additional Permitted Signs

Sign Location	Type	Existing Sign Size	Proposed Sign Size
Tollway Monument Adjacent to I – 355	Monument Sign	0	216
Shared Monument Sign with XSport Fitness	Monument Sign	57	57
<b>TOTAL SIGNAGE</b>	-	<b>57</b>	<b>273</b>

As part of the PUD petition, the applicant is proposing to upgrade the building exterior. The petitioner proposes to improve Fry’s elevations with a red band within the existing elevation reliefs. The red band will enhance the blank façade and provide architectural delineation to the elevations.

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

The property is designated as Regional Commercial in the Comprehensive Plan. Regional Commercial uses include a blend of corporate office, large shopping centers, hotels and big box development. To stay competitive, the Plan calls for reinvestment in the regional commercial areas, specifically “to improve the aesthetics and function of regional commercial uses”. The comprehensive plan emphasizes that the signage in the commercial corridor should be updated per the revised ordinance and should be “designed to respect the scale and character of the surrounding development”. Fry’s is reducing the existing signage on the property consistent with the intent of the revisions of the Sign Ordinance. The reinvestment on the property with façade improvements further enhances the goals of the Comprehensive Plan. The proposed improvements are consistent with the Comprehensive Plan.

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

The property is zoned B-3, General Services and Highway Business. The electronics store is listed as a permitted use in the B-3 zoning district. The proposed Planned Unit Development complies with the bulk standards for the overall development.

As stated earlier, the maximum signage allowed on the property per the zoning ordinance is 300 square feet. The Planned Unit Development process allows Fry's to reduce their existing non-conformity and bring signage on the property closer to compliance with the sign ordinance approved in 2005. Staff is supportive of the reduction in overall signage on the property. Staff also recognizes the locational challenges for the property. The property is surrounded by interstate highways with limited access from Finley Road. There is limited visibility and in order to ensure continued economic viability of the site, it is reasonable to maintain some additional signage on site. Staff believes that given the proposed reduction in wall signs, and the limited site visibility due to Fry's location, the exemption should be granted to Fry's for additional 615 square feet of signage on the property.

Total Signage	Permitted	Existing	Proposed
Area	300 square feet	1,887 square feet	915 square feet

#### NEIGHBORHOOD COMMENT

Notice was provided to all adjacent property owners in addition to posting the public hearing notice sign and publishing the legal notice in *Downers Grove Suburban Life*. No inquiries have been received to date.

#### FINDINGS OF FACT

##### ***Section 12.040.C.6 Review and Approval Criteria of Planned Unit Developments***

*The decision to amend the zoning map to approve a PUD development plan and to establish a PUD overlay district are matters of legislative discretion that are not controlled by any single standard. In making recommendations and decisions regarding approval of planned unit developments, review and decision-making bodies must consider at least the following factors:*

- a. ***The zoning map amendment review and approval criteria of Sec. 12.030.I.***  
See the analysis of rezoning review and approval criteria below. This criteria is met.
- b. ***Whether the proposed PUD development plan and map amendment would be consistent with the comprehensive plan and any other adopted plans for the subject area.***  
The proposed Planned Unit Development is consistent with the Comprehensive Plan. The Plan encourages the reinvestment in commercial properties within the Butterfield Road corridor. The enhancement to the façade and the reduction of signage in keeping with the scale of development complies with the comprehensive plan requirements. This criteria is met.
- c. ***Whether PUD development plan complies with the PUD overlay district provisions of Sec. 4.030.***  
One of the objectives of a PUD is to incorporate attractive, high-quality lighting, architecture and signage. Currently, the scope of the proposed project is limited to signage and enhancement of the facades with red banding on the existing elevations. The petitioner has indicated that this store serves the regional customer base and with its location along I-355, signage is important for its success. Additionally, the improvements that are proposed will advance the goals in the Comprehensive Plan specific to the Butterfield Road corridor. This criteria is met.
- d. ***Whether the proposed development will result in public benefits that are greater than or at least equal to those that would have resulted from development under conventional zoning regulations.***  
The subject site is designated for Regional Commercial in the Future Land Use Map. Specifically, the site has some complexities due to the frontage on interstate highways and the restricted access and visibility to its location. The Village acknowledges the challenges of using this site for retail and supports the additional signage above the maximum permitted limit, emphasizing at the same time that there will still be reduction from the existing conditions. The petitioner has identified that the proposed use would not be viable without the proposed signage. This criteria is met.

- e. Whether appropriate terms and conditions have been imposed on the approval to protect the interests of surrounding property owners and residents, existing and future residents of the PUD and the general public.*

The Planned Unit Development is limited to a sign package that has been determined by the Village as being necessary to the viability of this site as a retail location and reduces the existing non-conforming signage. The anticipated impact of the proposal on the surrounding property owners and residents, existing and future residents of the PUD and the general public should be positive for two reasons. One, the total signage will be reduced in square footage, and two the façade will be enhanced with the red band detail, improving the image of this commercial property and the area. The surrounding property owners will be protected from additional signage with the condition that no additional signage may be placed on this site. This criteria is met.

***Section 28.12.030.I. Review and Approval Criteria – Zoning Map Amendments (Rezoning)***

*The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any single standard. In making recommendations and decisions about zoning map amendments, review and decision making bodies must consider at least the following factors:*

- (1) The existing uses and zoning of nearby property.***

The subject property is currently zoned B-3, General Services and Highway Business and contains a commercial retail building. The surrounding properties are zoned B-3 and O-R-M, primarily commercial, research, and manufacturing with a mix of uses. The property is bound by I-355 on the west and I-88 to the south. The zoning of the surrounding properties is compatible. This criteria is met.

- (2) The extent to which the particular zoning restrictions affect property values.***

The proposed request, improvements and rezoning will have no negative impact on surrounding property values as it is reducing signage on the property by approximately 50% and updating the facade. This criteria is met.

- (3) The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare.***

The proposed rezoning will not negatively impact property values or the public health, safety and welfare of the community. This criteria is met.

- (4) The suitability of the subject property for the zoned purposes.***

The subject property is B-3, General Services and Highway Business for commercial uses. The use of the property is retail and will not change as a result of this application. This criteria is met.

- (5) The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity.***

The building has not been vacant. The PUD designation will allow the continued retail use of this property. This criteria is met.

- (6) The value to the community of the proposed use.***

Fry's is a regional commercial business serving a very large area. It attracts customers from across the region who visit Downers Grove and may further invest in town as a result of their visit. The proposal will improve the overall aesthetics of the existing development and contribute to the sustained economic vitality of the surrounding area. This criteria is met.

(7) ***The Comprehensive Plan.***

The proposal is consistent with the Comprehensive Plan and the goal of maintaining and investing in regional commercial properties in close proximity to the interstates and providing for both the daily needs of residents as well as providing commercial services to the larger region. This criteria is met.

## **RECOMMENDATION**

---

The proposed Planned Unit Development is compatible with the Comprehensive Plan. Based on the findings listed above, staff recommends the Plan Commission make a positive recommendation to the Village Council regarding this petition subject to the following conditions:

1. The proposed Planned Unit Development shall conform to the drawings submitted by the petitioner dated October 26, 2016; and
2. No additional wall or monument signs shall be permitted for this site that would result in an increase in overall sign area.

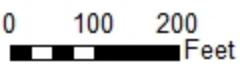
Staff Report Approved By:



---

Stanley J. Popovich, AICP  
Director of Community Development

SP:sp  
-att



**3300 Finley Road - Location Map**



# Taft/

GRAHAM C. GRADY  
312-836-4036  
[ggrady@taftlaw.com](mailto:ggrady@taftlaw.com)

111 East Wacker Drive, Suite 2800 / Chicago, Illinois 60601  
Tel: 312.527.4000 / Fax: 312.527.4011  
[www.taftlaw.com](http://www.taftlaw.com)

IN REFERENCE TO:  
F29316-GN003

October 26, 2016

**VIA E-MAIL and U.S. MAIL**

Don Rickard  
Chairman  
Plan Commission  
Village of Downers Grove  
801 Burlington Ave.  
Downers Grove, IL 60515

***Re: 3300 Finley Rd.  
Fry's Electronics, Inc.***

Dear Chairman Rickard:

On behalf of Fry's Electronics, Inc. ("Fry's"), this letter is the project narrative and description of the application of the proposed project.

**Summary:** Fry's proposes to establish a Planned Unit Development ("PUD") at the subject location in order to bring the existing use into compliance with the recently adopted sign ordinance regulations of the Village. Fry's proposes to remove two of four exterior wall signs thereby reducing by more than 50% the sign area at this retail store.

**Current zoning:** B-3 General Services and Highway Business zoning district

**Sign area:** The current area of the existing signs is 1,887 sq. ft.  
The proposed sign area is 913 sq. ft.

**Narrative description:** In 2004 Fry's Electronics Inc. acquired and redeveloped a former Auto Nation facility which was blighted. Fry's constructed a new, approximate 151,800 sq. ft. building to house a computer and electronics retail store. Fry's is the largest retail store in Downers Grove. With a site measuring 16.9 acres with a perimeter of 3,471 feet, Fry's is the largest single use, privately owned parcel in Downers Grove. The development of the Fry's store utilized as-of-right zoning. The facility contains approximately 829 off-street parking spaces and other amenities. The existing signs at this location were erected pursuant to permits issued by the Village in approximately 2004. There are four signs on the exterior of the building each measuring approximately 487 sq. ft. for a total of 1,887 sq. ft. in area. The adoption of the new sign ordinance regulations rendered the signs at the Fry's store as non-compliant. Fry's now seeks to establish a PUD in order to reduce the number of exterior wall signs at this location by removing the east and west wall signs which together comprise approximately 974 sq. ft. of area.



Chairman Rickard  
Village of Downers Grove  
October 26, 2016  
Page 2

In addition, Fry's seeks approval for construction of a new tollway monument sign to be located near the southwest corner of the existing building. [Note: The tollway monument sign area does not count against the maximum sign area allowed for exterior wall signs.] At the request of staff of the Department of Planning, Fry's has also agreed to improve the appearance of the large, blank exterior walls of the building by adding new red painted borders as depicted on the exhibits to the application. No other changes to the building or the facility are proposed.

Recap: In order to bring the site into compliance with the Downers Grove sign ordinance, Fry's proposes a zoning map amendment to establish a PUD. Fry's proposes to:

- a. maintain the existing north facing sign located over the entry to the store,
- b. maintain the existing south facing sign located at the rear of the store near the western end of the south elevation,
- c. remove the east facing sign,
- d. remove the west facing sign, and
- e. install a monument sign at the southeast corner of the parking lot.

Rationale: Due to the size of the retail store and the large distances from which the signs must be viewed (from Finley Road, I-88 and I-355) large signs are needed in order to make retail at this location viable. With its vast expressway frontage, coupled with the distance of the store from Finley Rd., Fry's needs large signs in order for them to be readable at greater distances. Fry's has the lengthiest expressway frontage of any single retailer in Downers Grove, or even the entire corridor of the Reagan Tollway. Fry's maintains 2,850 feet of total frontage with 1,540 feet along the tollways plus 1,310 feet of frontage on Finley Road. Fry's is a significant employer in Downers Grove and contributes to the sales taxes and real estate property tax base of the Village. Fry's is well-removed from nearby improvements and residential uses and, as a result, the size of the two signs proposed to be maintained will not have a negative impact on surrounding uses and properties. In fact, four signs have been in place at this location for over 12 years; the current proposal calls for the removal of two of the signs.

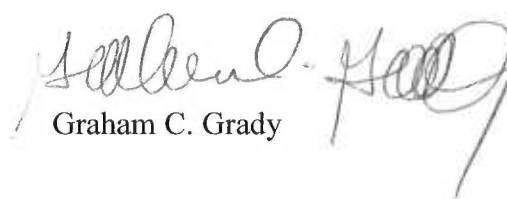
Compliant application: The application is in compliance with the PUD standards of the Downers Grove Zoning Ordinance, the Commercial and Office Areas goals objectives as well as the overlay district. Please see the detailed description of the proposal as contained in the application and exhibits.

Chairman Rickard  
Village of Downers Grove  
October 26, 2016  
Page 3

Please let me know if you need any additional information or if you have any questions, comments or suggestions. Thank you.

Sincerely,

TAFT STETTINIUS & HOLLISTER LLP



Graham C. Grady

GCG/gcg/17538005.3

Copy to: Mr. Stan Popovich, Director of Community Development, Village of Downers  
Grove  
Okrent Kisiel & Associates  
Fry's Electronics, Inc.

O K R E N T   K I S I E L  
A S S O C I A T E S I N C .

M E M O R A N D U M

PAGE |

FRY'S ELECTRONICS, INC.  
3300 FINLEY ROAD  
Downers Grove, Illinois

Evaluation of proposal according to planned unit development standards and criteria.

By: Jason C. Jarrett, AICP  
Senior Associate  
Okrent Kisiel Associates, Inc.



Date: October 2016

## INTRODUCTION AND PURPOSE

I am a certified planner and member of the American Institute of Certified Planners. I am a senior associate with Chicago-based planning firm Okrent Kisiel Associates, where I have been employed for over 20 years.

The purpose of this report is to evaluate the application for a proposed planned unit development at 3300 Finley Road, Downers Grove, Illinois. This evaluation is undertaken on behalf of the applicant, Fry's Electronics, Inc.

My evaluation is based on various factors, including inspection and study of the property, review of various plans, documents and studies, and my knowledge, expertise, judgment and experience in planning, zoning and development.

## SECTION I: DEVELOPER'S STATEMENT OF INTENT

The applicant proposes to remove two (west and east facing) of the four existing wall signs, replacing them with a single tollway monument sign located near the southwest corner of the building. This will bring the total area of wall signage from  $\pm 1,887$  square feet to  $\pm 913$  square feet. The tollway monument sign is not counted toward sign area, per §9.050.B.3 of the zoning ordinance. The proposed monument sign will be no more than 20 feet in height and have a sign area of approximately 216 square feet, within the 20 feet height and 225 square feet area maximums spelled out in the ordinance.

O K R E N T   K I S I E L  
A S S O C I A T E S I N C .

## M E M O R A N D U M

PAGE 2

The zoning ordinance requires all tollway monument signs be set back a minimum of 30 feet from the tollway right-of-way, and have a minimum landscape buffer of 3 feet. The proposed monument sign will be set back  $\pm 38.5$  feet and has a landscape buffer exceeding 3 feet. Additionally, Fry's proposes to architecturally delineate the facades with the addition of red banding. These improvements will help enhance Fry's image at one of the village's most visible commercial locations, while allowing it to maintain adequate identification.

The Fry's store was developed in 2004, and was fully compliant with the zoning ordinance in place at that time. The site is currently zoned B-3 General Services and Highway Business. The development continues to be fully compliant with the current zoning ordinance in terms of FAR (0.75 max, 0.20 actual), street setback (25 feet required, 103 feet actual), side setbacks (0 feet required, 411 feet and 143 feet provided), rear setback (0 feet required, 166 feet provided), and minimum open space (10% required,  $\pm 30\%$  provided). The current ordinance requires a minimum of 531 parking spaces and a maximum of 683 parking spaces. 829 parking spaces currently exist, with four being proposed for removal to create a landscape buffer for the proposed tollway monument sign.

Fry's has the lengthiest expressway frontage of any retailer in Downers Grove, or even the entire corridor of the Reagan Tollway. The site has 1,310 feet of property frontage on Finley Road and 1,540 feet on the tollway system, 2,850 feet of frontage in all, or more than half a mile. Fry's has major highway exposure on three sides, with its fourth side comprising the main entrance of the outlet.

The physical attributes of the context, with high traffic speeds and lengthy site distances, suggest that strict compliance with the ordinance will result in a serious diminution of Fry's identity and ability to attract customers. A failure of Fry's could result in a large, empty commercial building not easily repurposed. Such a situation is precisely what the applicant seeks to avoid by reinvesting in aesthetic improvements to the subject property.

The proposed planned unit development strikes a reasonable balance that will benefit both Fry's and the Village of Downers Grove. Proposed improvements to the Fry's site are intended to ensure the continued economic viability of a key retail component of the Village, strategically located at the interchange of I-88 and I-355. The ability of Fry's to draw customers from as far away as Indiana and Wisconsin increases the likelihood that such customers may visit other businesses in the Butterfield Road commercial district. The continued success of this location allows Fry's to remain competitive and continue its contribution to the community as a significant employer and tax generator in Downers Grove.

Fry's proposal is in compliance with all applicable planned unit development standards of the Downers Grove Zoning Ordinance, and is entirely in keeping with both general and more specific goals of the comprehensive plan, as discussed in more detail in the following sections of this report.

## **SECTION II: EVALUATION OF PROPOSAL ACCORDING TO CRITERIA FOR PLANNED UNIT DEVELOPMENTS (§12.40.C.6)**

### **APPLICABLE STANDARDS, RESPONSES**

#### ***a. the zoning map amendment review and approval criteria of Sec. 12.030I;***

The proposal meets all review and approval criteria of Sec. 12.030.I. See SECTION III for a detailed analysis of the criteria.

#### ***b. whether the proposed PUD development plan and map amendment would be consistent with the comprehensive plan and any other adopted plans for the subject area;***

The proposal is consistent with the comprehensive plan. See PART 7 of SECTION III for a detailed analysis of consistency with the comprehensive plan.

#### ***c. whether PUD development plan complies with the PUD overlay district provisions of Sec. 4.030;***

The proposal will comply with all provisions of Sec. 4.030. See SECTION III and SECTION IV for further analysis of specific criteria.

#### ***d. whether the proposed development will result in public benefits that are greater than or at least equal to those that would have resulted from development under conventional zoning regulations; and***

The proposal will improve the overall aesthetics of the existing development, located at the highly visible interchange of I-88 and I-355, while reducing existing wall signage from ±1,887 square feet to ±913 square feet. Additionally, the proposal will contribute greatly to Fry's continuing economic health, resulting in the sustained economic vitality of the surrounding area and its tax benefit to the Village.

#### ***e. whether appropriate terms and conditions have been imposed on the approval to protect the interests of surrounding property owners and residents, existing and future residents of the PUD and the general public.***

O K R E N T   K I S I E L  
A S S O C I A T E S I N C .

## M E M O R A N D U M

PAGE 4

Fry's is well-removed from nearby improvements by the surrounding expressways, the broad right-of-way of Finley Road, and the vast scale of Fry's own parking lot and, as such, the interests of surrounding property owners and residents should not be negatively impacted. It is unlikely that any additional conditions would be required, as there is no change in land use or traffic patterns, and improvements are primarily aesthetic in nature.

**SECTION III: EVALUATION OF PROPOSAL ACCORDING TO CRITERIA FOR ZONING MAP AMENDMENTS (REZONINGS - §12.030.I)**

## APPLICABLE STANDARDS, RESPONSES

***1. the existing use and zoning of nearby property;***

While no change is proposed to land use or underlying zoning, the current land use of the subject property and proposed improvements are in keeping with surrounding land uses, such as X-Sport Fitness and nearby hotels and office complexes.

The current underlying B-3, General Services and Highway Business zoning district is appropriate for the proposed improvements and is consistent with nearby B-3 and ORM, Office Research Management zoning.

***2. the extent to which the particular zoning restrictions affect property values;***

Fry's is well-removed from nearby improvements by the surrounding expressways, the broad right-of-way of Finley Road, and the vast scale of Fry's own parking lot and, as such, the proposal should result in no diminution of property value. In fact, the proposed aesthetic improvements will serve to enhance the development's overall visual impact and ability to draw consumers from surrounding expressways to nearby commercial areas.

***3. the extent to which any diminution in property value is offset by an increase in the public health, safety and welfare;***

The current ambient light and air supply will be unaffected by the proposal, as will traffic conditions, fire safety, or public safety in general. As no diminution in property value is anticipated by the largely aesthetic changes to the development, the proposal should result in a net-positive effect.

*4. the suitability of the subject property for the zoned purposes;*

No change in land use or underlying zoning is proposed.

*5. the length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity;*

The property is not vacant, and the current development was opened in 2004.

*6. the value to the community of the proposed use; and*

The proposal will improve the overall aesthetics of the existing development, located at the highly visible interchange of I-88 and I-355, while the requested variation will reduce existing wall signage from ±1,887 square feet to ±913 square. Additionally, the proposal will contribute greatly to Fry's continuing economic health, resulting in the sustained economic vitality of the surrounding area and its tax benefit to the Village.

*7. the comprehensive plan.*

Proposed improvements to the Fry's site are intended to enhance the aesthetics of the subject property, while ensuring the continued economic viability of a key retail component of the Village, strategically located at the interchange of I-88 and I-355, which is entirely in keeping with both general and more specific goals of the comprehensive plan.

As stated on page 3 of the comprehensive plan, one of the purposes of the comprehensive plan is "the revitalization of the Village's key commercial areas."

The Commercial Areas Plan (page 43) presents "recommendations that are intended to capitalize on the Village's strong position within the region" and "its excellent access to expressways." Its policies are intended to "enhance the quality and appearance of existing commercial areas." The subject property is located on one of the most visible and accessible sites in the Chicago region and serves a regional market, well beyond nearby and surrounding municipalities, drawing shoppers to Downers Grove from as far away as Indiana, Wisconsin and Michigan.

More specifically, Commercial Areas Policy Recommendations (page 53) state that, "Reinvestment should occur in the Finley Road/Butterfield Road area to improve the aesthetics and function of regional commercial uses."

The Butterfield Key Focus Area (page 108) states that, "its proximity to I-88 and I-355

provides unparalleled access and visibility and is a key gateway into the Village of Downers Grove. This area, more than other parts of the Village, must be aggressive in maintaining its competitiveness in the regional office and retail markets." Recommendations of the focus area include improving "the appearance to the Interstate and maximize the exposure it provides," and suggests seeking "opportunities to complement ... efforts with smaller improvements that can be applied ... to specific sites." It goes on to state that such improvements are "largely aesthetic in nature and are of a smaller scale than redeveloping an entire site."

On Land Use maps within the comprehensive plan, the subject is designated Regional Commercial. On page 47 of the comprehensive plan, it states that for Regional Commercial to "stay competitive and draw from the surrounding region, reinvestment should occur to improve the aesthetics and function of regional commercial uses." Fry's seeks to make just such a reinvestment in its own property.

Page 48 of the comprehensive plan states that, "commercial signage should also be designed to respect the scale and character of the surrounding development. The Fry's proposal seeks to find a common ground between existing sign ordinances and the unique scale and visibility of the subject site.

The proposal furthers Commercial and Office Areas Goal 1 and 2 of the comprehensive plan, while seeking no outside investment.

***Goal 1:** Develop aesthetically pleasing and functionally well-designed retail and commercial shopping areas that are market supportable, maintain a diversified tax base, and serve the needs of the Village's residents and in some areas, a larger regional market.*

### ***Objectives***

- 1. Maintain a range of retail and service commercial activities throughout the Village.*
- 2. Define and designate more specific functional roles for the various commercial areas within the Village distinguished by local-, community-, and regional-serving developments.*
- 3. Ensure that new commercial development and redevelopment is designed in scale with, and complementary to, existing adjacent development.*
- 10. Establish a program to assist businesses and property owners with façade improvements, landscaping, parking improvements, and modernization of aging structures and facilities.*
- 12. Initiate programs to incentivize the improvement and rehabilitation of older commercial*



O K R E N T   K I S I E L  
A S S O C I A T E S I N C .

M E M O R A N D U M

PAGE 7

*buildings and areas which are, or are becoming, functionally obsolete including improvements to facades, signage, streetscaping, landscaping, and parking areas.*

**Goal 2:** *Enhance the economic viability, productivity, appearance and function of the Village's commercial corridors, including Butterfield Road, Ogden Avenue, 63rd Street and 75th Street.*

**Objectives**

*4. Encourage appropriate signage along corridors to ensure safe traffic movements into, out of, and through commercial areas.*

*6. Maximize the exposure and capitalize on the access to I-88 and I-355 by clustering uses and businesses that benefit from, and cater to, a larger regional market and employment base near interchanges and promoting and encouraging better signage and appearances on facades fronting the interstates.*

*7. Review and update signage ordinances being flexible to the desire and necessity of business identification but mindful of its potential to block views, create visual clutter and detract from the appearance of the Village and its commercial areas.*

Additionally, it should be noted that page 50 of the comprehensive plan discusses how the village may deal with large, empty commercial buildings not easily repurposed, by enacting "white elephant ordinances." It claims that a municipality should "draw from a large toolkit to avoid a situation which may encourage blight." Such a situation is precisely what the applicant seeks to avoid by reinvesting in aesthetic improvements to the subject property.

**SECTION IV: EVALUATION OF PROPOSAL ACCORDING TO OBJECTIVES OF PLANNED UNIT DEVELOPMENT (§4.030.A.2)**

**APPLICABLE OBJECTIVES, RESPONSES**

***a. implementation of and consistency with the comprehensive plan and other relevant plans and policies;***

The proposal is consistent with the comprehensive plan. See PART 7 of SECTION III for a detailed analysis of consistency with the comprehensive plan

***b. flexibility and creativity in responding to changing social, economic and market conditions allowing greater public benefits than could be achieved using conventional zoning and development regulations;***

Fry's willingness to commit resources toward aesthetic enhancements to its facility, including the replacement of two wall signs with a new tollway monument sign, speaks to the criticality of expressway visibility to its business model and the need to remain competitive in a changing retail environment. These enhancements will increase the aesthetic appeal of the existing site while simultaneously drawing additional shoppers to the Butterfield Road commercial corridor.

Fry's chose to develop the location on Finley Road due to its proximity to the I-88 and I-355 corridor, as well as to Finley Road and Butterfield Road, which are both busy, commercial thoroughfares with many commercial and retail establishments. The visibility of Fry's signs at this location is extremely important to the success of Fry's business. Fry's signs need to be legible at much greater distances than those of the strip centers on Butterfield Road, to traffic traveling at higher speeds, and to a greater proportion of customers coming from greater distances, many for the first time. The proposal represents a creative and flexible solution that reaches an appropriate compromise between conventional zoning and development regulations and the needs of a regional retail use with more than 2,850 feet of frontage, 1,540 feet of which is located along the tollway.

*c. efficient and economical provision of public facilities and services;*

No changes are proposed as a part of this planned unit development that will negatively impact the provision of public facilities and services.

*d. variety in housing types and sizes to accommodate households of all ages, sizes, incomes and lifestyle choices;*

No housing units are proposed as part of this planned unit development.

*e. compact, mixed-use development patterns where residential, commercial, civic and open spaces are located in close proximity to one another;*

No change of land use is proposed as part of this planned unit development.

*f. a coordinated transportation system that includes an inter-connected hierarchy of facilities for motorized and non-motorized travel;*

No changes are proposed as a part of this planned unit development that will negatively impact the transportation system or facilities for motorized or non-motorized travel.

*g. high-quality buildings and improvements that are compatible with surrounding areas, as determined by their arrangement, massing, form, character and landscaping;*

Fry's proposes to add architectural enhancement to the façade of its existing building through the use of color. These enhancements are compatible with existing commercial uses in the Butterfield Road commercial district, which often employ similar practices to break-up long facades. Fry's sign proposal is in keeping with signs on nearby uses, such as XSport Fitness. No changes are proposed to the existing building massing or form as a part of this planned unit development.

*h. the protection and enhancement of open space amenities and natural resource features;*

No changes are proposed as a part of this planned unit development that will negatively impact existing open space amenities and natural resource features.

*i. the incorporation of sustainable development features including green infrastructure practices in landscapes and parking area, to maximize the aesthetic and water quality benefits of best practices in stormwater management; and*

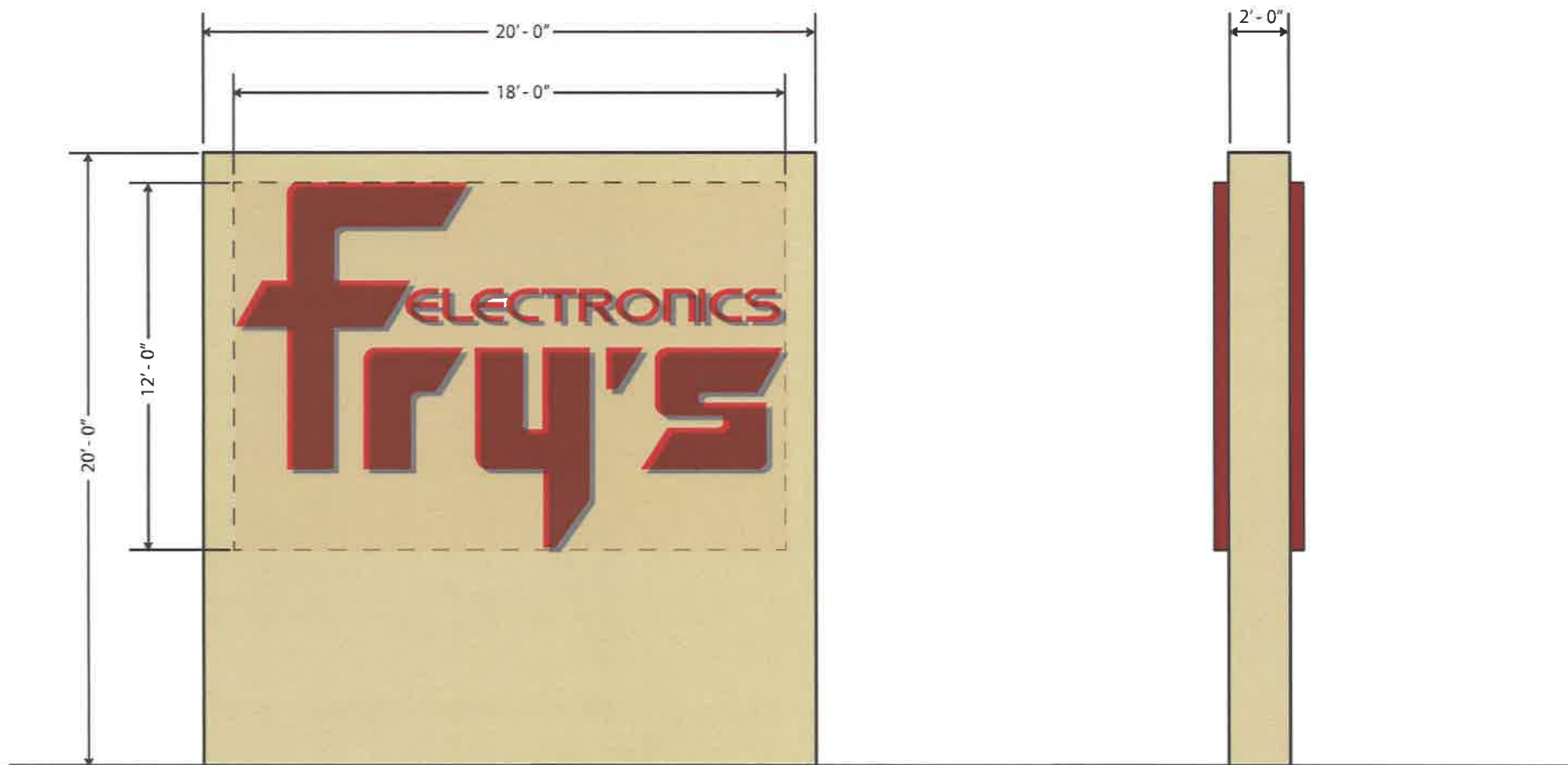
Fry's proposes to remove four parking spaces located in a remote portion of the parking lot and replace them with a landscaped area at the location of the proposed tollway monument sign, thereby removing a small amount of impervious surface from the site and replacing it with appropriate landscaping. No changes are proposed as a part of this planned unit development that will negatively impact stormwater management.

*j. attractive, high-quality landscaping, lighting, architecture and signage, including the use of native landscaping that reflects the unique character of the village and the surrounding area.*

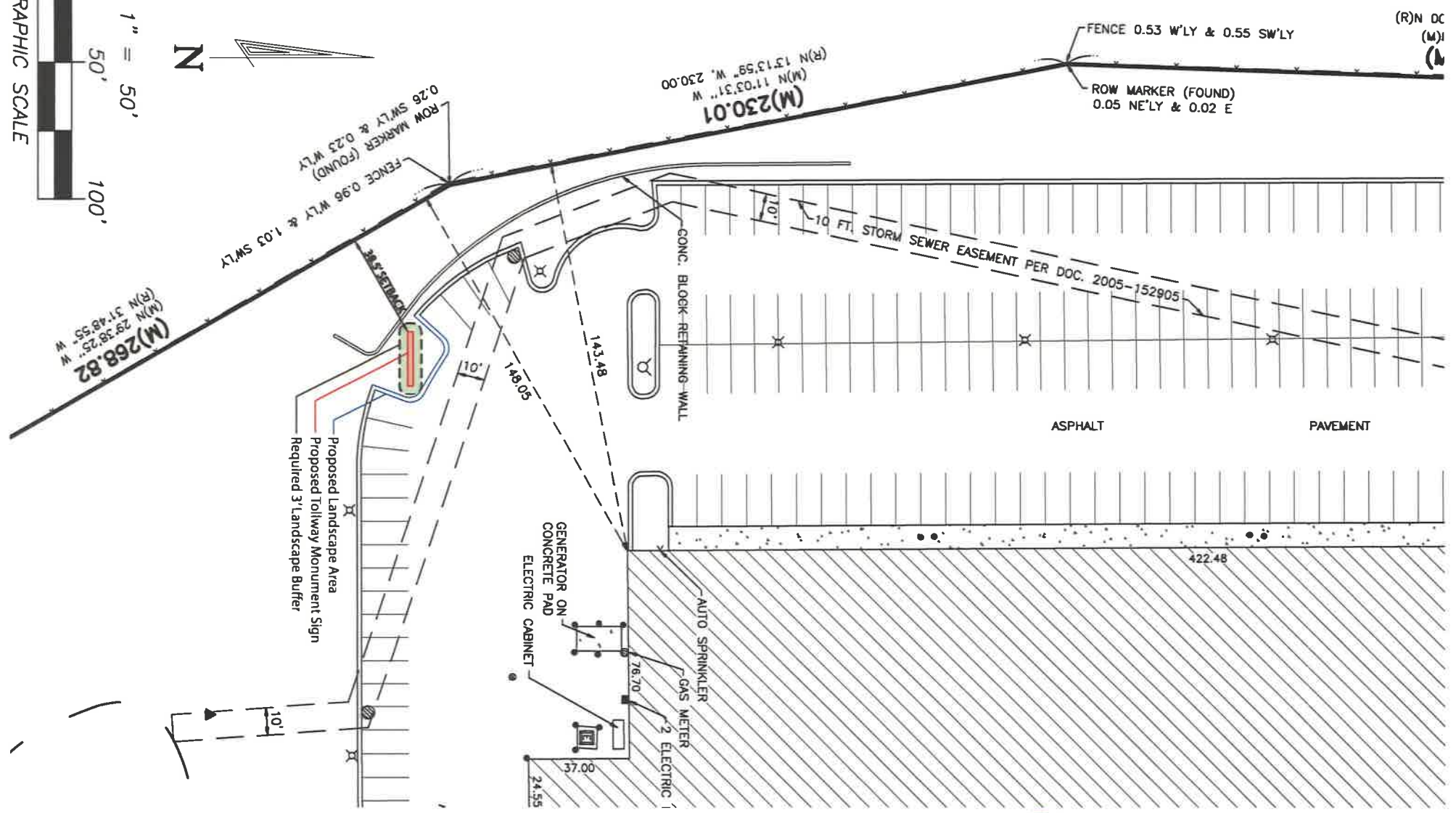
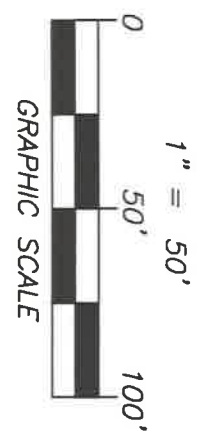
The existing Fry's development includes extensive perimeter landscaping, particularly along its west, south and east property lines, with well-maintained interior parking lot landscaping in place. Landscaping along Finley Road utilizes a combination of low plants, shrubs and trees to positive effect, and similar landscaping would be provided at the base of the proposed tollway monument sign. Existing signage is attractive and well maintained, and the proposed monument sign will be similar to existing signage in terms of style. The addition of red banding within the existing elevation reliefs will provide additional architectural delineation to the building's large, blank facades (in excess of 1,500 feet of total façade length). These improvements will help enhance Fry's image at one of the village's most visible commercial locations. No changes to lighting are proposed as a part of this planned unit development.



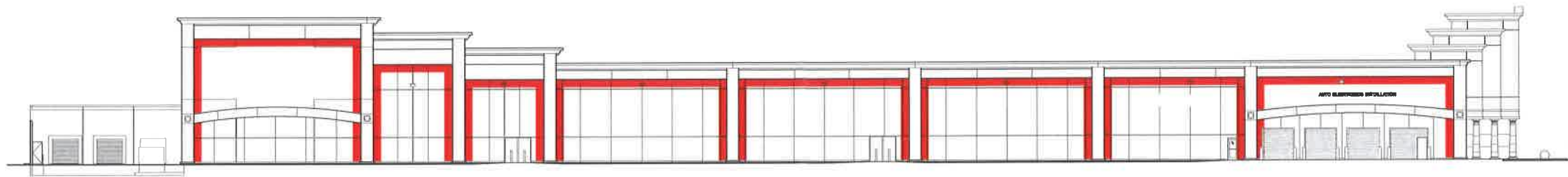
RECEIVED  
OCT 26 2016  
BY: \_\_\_\_\_



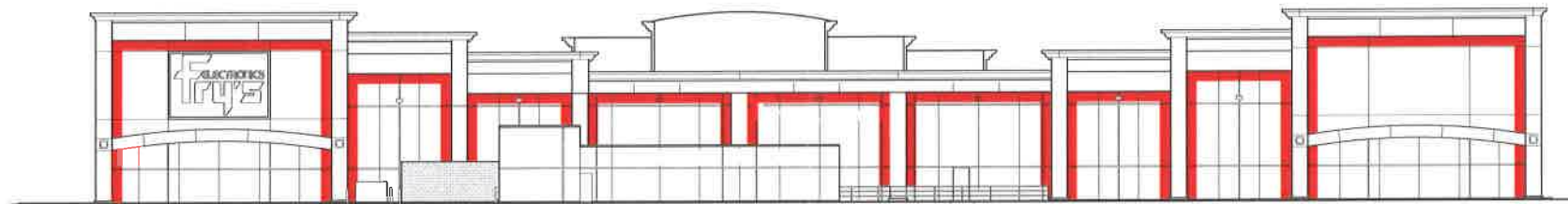
RECEIVED  
OCT 26 2016  
BY: \_\_\_\_\_



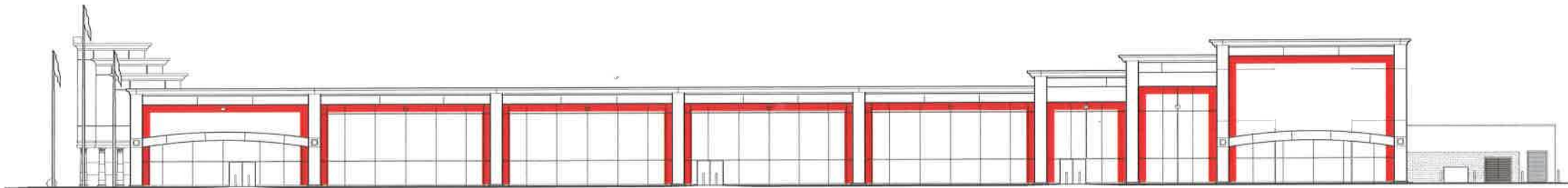
RECEIVED  
OCT 26 2016  
BY: \_\_\_\_\_



EAST ELEVATION



SOUTH ELEVATION

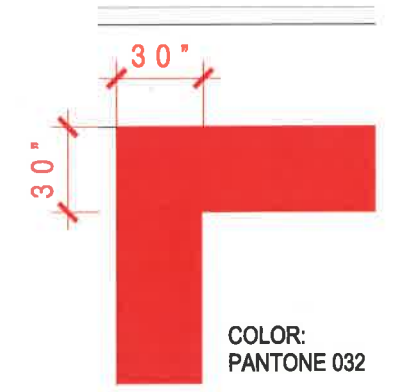


WEST ELEVATION



NORTH ELEVATION

RECEIVED  
 OCT 26 2016  
 BY: \_\_\_\_\_



COLOR:  
 PANTONE 032

PROPOSED ELEVATIONS

DRAFT

VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING  
PUBLIC HEARING

NOVEMBER 7, 2016, 7:00 P.M.

**FILE 16-PLC-0044**: A petition seeking approval of a Planned Unit Development and Zoning Map Amendment, rezoning from B-3 (General Services and Highway Business) to B-3/PUD. The property is located at the southwest corner of Finley Road and Opus Place, east of I-355, commonly known as 3300 Finley Road, Downers Grove, IL (PIN 06-31-101-017). Graham Grady, Petitioner; Urbs in Horto c/o Fry's Electronics, Owner.

Village Planner, Ms. Pandey summarized that the petitioner, Fry's Electronics, would like to create a Planned Unit Development in order to make changes to its existing wall and freestanding signage on the property and to rezone the property from B-3 General Services and Highway Business to B-3/Planned Unit Development. An aerial view of the site was presented to explain the access challenges to the site.

A history of the site's signage from 2004 was explained by Ms. Pandey, noting the petitioner's current signage of 1,187 sq. feet was not in compliance with the village's adoption of its 2005 sign ordinance. Today's sign ordinance would allow the petitioner a total of 300 sq. feet of signage excluding some additional signage which would be discussed below.

Per staff, the petitioner was proposing 915 square feet of signage. The signage on the north and south façades would remain; the signage on Finley Road and Interstate 355 would be removed. A total of three (3) free-standing signs will be allowed for Fry's Electronics, two of which exist currently and one is proposed along the tollway, which is permitted per ordinance. The existing monument signs will remain. As a point of clarification, Ms. Pandey stated the existing four wall signs and the existing monument sign on the property constituted the allowed 300 square feet but with the removal of the wall signage on the east and west sides, the total signage became 915 sq. feet. The shared monument sign and the tollway monument sign is permitted in addition to the maximum allowance of 300 square feet. A red band was planned to be added to all four sides of the building.

Ms. Pandey closed her presentation by explaining how the petitioner's application met the village's Comprehensive Plan and said the signage was better aligned with the village's goals of the sign ordinance. A review of how the petition met the village's Standards for Approval followed. Staff recommended a positive recommendation to the village council subject to staff's conditions listed in its report.

Commissioner questions followed as to the distance of the southern wall signage to Interstate 355 and whether the monument sign was large enough to attract customers to the Fry location, given the speed and distance vehicles travel and given the retailer brought substantial retail tax revenue to the village. Ms. Leitschuh explained that the monument sign would have height issues whereas the wall sign would not. Further discussion followed.



## DRAFT

Mr. Graham Grady with the firm of Taft Law & Hollister, Chicago, Illinois, introduced his team. He discussed that Fry's Electronics was pleased to remove its signs to bring the store into compliance but he also explained that the red band on the building was in response staff's suggestion to enhance the appearance of the building's walls. Further discussion by Mr. Grady followed regarding the signage and the fact that no residences were affected by it.

Mr. Branden Barnes, store manager for Fry's Electronics, emphasized that the store was trying to become more visible and the store contributed significant sales tax revenue to the village, additional signage was essential for the economic viability of the site.

Mr. Jason Jarrett, Okrent Kisiel Associates, Chicago, IL, a certified planner, confirmed he reviewed the proposal with respect to the PUD standards of the zoning ordinance and prepared the statement of compliance that was submitted as part of the application. He explained how he reviewed the proposal in further detail and provided his professional opinion.

Mr. Grady returned and confirmed that Fry's Electronics took over the blighted site in 2004, the sign ordinance passed in 2005, and he went before the Zoning Board but was denied in the area of hardship. Mr. Grady explained what prompted this application originally.

The chairman invited public comment. No comments were received. Public hearing was closed.

Mr. Grady asked the commissioners for a favorable consideration.

Mr. Maurer shared the positives of the building and its regional draw, but he also expressed the challenges of seeing the building from the expressway and applying "one signage ordinance to everything." However, he believed a compromise was being made and it was not harming anyone. Mr. Maurer also recommended not painting the red band because he believed it was extending the signage, costing the applicant, and it offered no benefit to the building.

Mr. Thoman believed what was being proposed was not out of character for a large retailer, noting the land use goal was to generate sale tax revenue for the village. While he stated the sign ordinance was a one size fit all from the start, he believed there were clear differences between 75<sup>th</sup> Street, the Ogden Avenue Corridor, Butterfield Road and other corridors where the sign ordinance did not fit and believed the village would have to address that in the future. He supported staff's recommendations but questions whether the monument sign was large enough to see.

Many of the other commissioners were in agreement with the above comments and also felt that the red band was not necessary. Staff explained to the commissioners how changes could be made to the proposal if desired and Mr. Grady offered to make those changes if the commissioners desired.

The chairman also shared positive comments about the proposal, noting the red band could be optional. He believed the review criteria for the PUD were met as were the zoning map amendment and that staff's recommendations were straightforward. However, he stated Mr. Thoman expressed concern about the sign ordinance changing in the future. He did not see the purpose of staff's second recommendation, however, since the PUD was being granted and the exception was the size, it was recommended by staff that the condition be included but Plan Commission can remove it, if desired.

DRAFT

Ms. Leitschuh stated if the sign ordinance were to change, the petitioner would fall under the new rules of the sign ordinance.

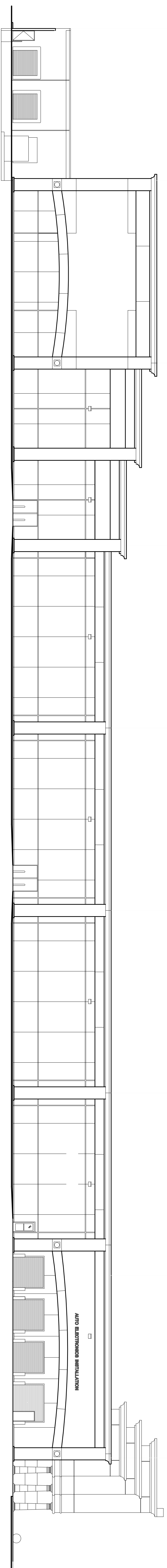
**WITH RESPECT TO FILE 16-PLC-044, MR. THOMAN MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL REGARDING THIS PETITION, SUBJECT TO THE FIRST CONDITION IN STAFF'S REPORT BUT NOT REQUIRE THE RED BAND TO GO ON THE BUILDING.**

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

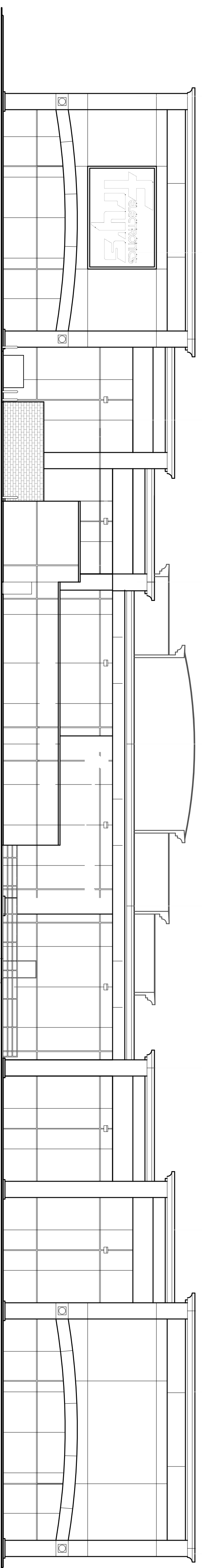
**AYE: MR. THOMAN, MS. GASSEN, MR. BOYLE, MS. HOGSTROM, MR. MAURER,  
CHAIRPERSON RICKARD**

**NAY: NONE**

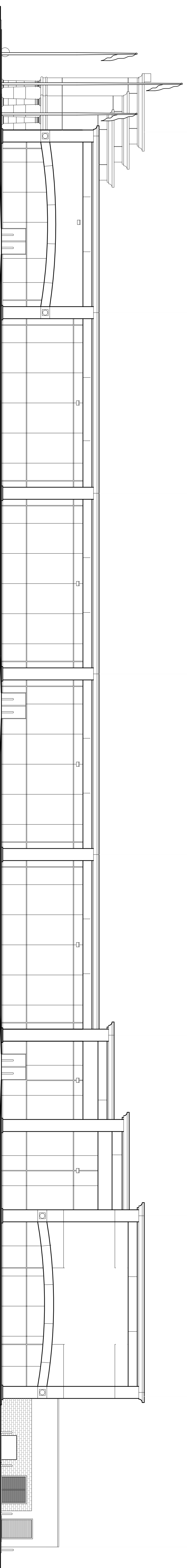
**MOTION PASSED. VOTE: 6-0**



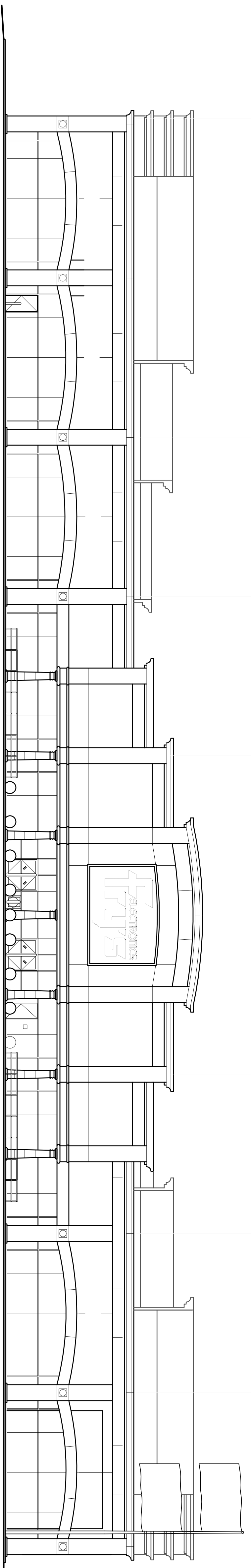
EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION

PROPOSED ELEVATIONS