

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village**  
**9/5/2017**

|                                                              |                                                          |
|--------------------------------------------------------------|----------------------------------------------------------|
| <b>SUBJECT:</b>                                              | <b>SUBMITTED BY:</b>                                     |
| 1723 Ogden Avenue - Special Use for an Automobile Dealership | Stan Popovich, AICP<br>Director of Community Development |

**SYNOPSIS**

The petitioner is requesting approval to rezone a vacant parcel immediately south of 1723 Ogden Avenue from R-1, Residential Detached House 1 to B-3, General Services and Highway Business district and a Special Use amendment to expand a previously approved automobile dealership at 1723 Ogden Avenue.

**STRATEGIC PLAN ALIGNMENT**

The goals for 2015-2017 include *Exceptional Municipal Services*.

**FISCAL IMPACT**

N/A

**UPDATE & RECOMMENDATION**

This item was discussed at the August 8, 2017 Village Council meeting. Staff recommends approval at the September 5, 2017 Village Council meeting.

**BACKGROUND**

Property Information & Zoning Request

There is an existing automobile dealership at the southwest corner of Lee and Ogden Avenues, commonly known as 1723 Ogden Avenue. A Special Use was granted by the Village Council on June 7, 2016 (Ordinance # 5539) to redevelop the properties 1723 and 1731 Ogden Avenue with an automobile use that included the following improvements:

- A building addition to include a new detail bay area, showroom, sales and office area
- A new Ogden Avenue façade and improved east and west facades
- Enlarged and redesigned parking lot for additional customer and display vehicle parking
- Reduction of curb cuts along Ogden Avenue

The applicant is requesting an amendment to the approved Special Use to include the vacant parcel to the south to further expand the parking lot. The vacant parcel is zoned R-1 and requires a zoning map amendment to rezone the property to B-3, General Services and Highway Business. All other elements of the site and building design remain the same since the previous approval.

Compliance with the Comprehensive Plan

The Comprehensive Plan's Future Land Use Map designates this property including the vacant R-1 property as Corridor Commercial. Corridor Commercial uses are defined as automobile related uses that provide services and retail opportunities to the nearby neighborhoods and the surrounding region.

The proposed project advances many other goals of the Comprehensive Plan which include:

- Consolidating commercial properties for increased lot depth
- Expanding and improving a service use which will serve the nearby residents and the larger region
- Renovating the building with high quality materials
- Reducing curb-cuts and improving access management off of Ogden Avenue
- Adding perimeter landscaping and screening

#### Compliance with the Zoning Ordinance

The property is zoned both R-1, Residential Detached House 1 and B-3, General Services and Highway Business. A rezoning from R-1 to B-3 will create a single zoning district for the site. The proposed personal vehicle sales business is an allowable Special Use in the B-3 District per Section 5.010 of the Zoning Ordinance. The existing building and the new addition will be compliant with the required B-3 bulk standards.

#### Public Improvements

Based on the existing impervious area, stormwater detention is not required. However, the petitioner is proposing to use permeable pavers with a thicker than usual stone base to accommodate compensatory storage for two Localized Poorly Drained Areas (LPDAs), Volume Control Best Management Practices (VCBMPs) and Post Construction Best Management Practices (PCBMPs) requirements.

Additional public improvements include a reduction in Ogden Avenue curb cuts, the relocation of the Lee Avenue curb cut, a parking lot connection and cross-access easement to the 1815 Ogden Avenue property, immediately west of this site, and sidewalks along both Lee and Ogden Avenues.

A wetland is located in the far southern portion of the 1731 Ogden property and the residentially zoned parcel. The wetland will not be impacted. A portion of the wetland buffer is proposed to be improved with a landscape island and a permeable paver parking lot. The impact to the wetland buffer and any required mitigation will be addressed during the permitting phase.

#### Public Comment

Two members of the public spoke at the Plan Commission meeting. They emphasized that automobile dealerships in Downers Grove should abide by all Village Ordinances and regulations and that all conditions within the staff report should be closely reviewed including the stormwater management plan at the time of building permit review.

#### **ATTACHMENTS**

Ordinances

Aerial Map

Staff Report with attachments dated July 10, 2017

Draft Minutes of the Plan Commission Hearing dated July 10, 2017

Test Drive Route Exhibit



**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE REZONING CERTAIN PROPERTY  
LOCATED IMMEDIATELY SOUTH OF 1723 OGDEN AVENUE**

WHEREAS, the real estate located immediately south of 1723 Ogden Avenue, hereinafter described has been classified as "R-1, Residential Detached House 1" under the Zoning Ordinance of the Village of Downers Grove; and

WHEREAS, the owner or owners of said real estate have requested that such property be rezoned as hereinafter provided; and

WHEREAS, such petition was referred to the Plan Commission of the Village of Downers Grove, and said Plan Commission has given the required public notice, has conducted a public hearing respecting said petition on July 10, 2017 and has made its findings and recommendations all in accordance with the statutes of the State of Illinois and the ordinances of the Village of Downers Grove; and

WHEREAS, making due allowance for existing conditions, the conservation of property values, the development of the property in conformance to the official Comprehensive Plan of the Village of Downers Grove, and the current uses of the property affected, the Council has determined that the proposed rezoning is for the public good.

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

SECTION 1. The Zoning Map of the Village, pursuant to Section 28.12.030 of the Downers Grove Municipal Code, is hereby further amended by rezoning to "B-3, General Services and Highway Business District" the zoning classification of the following described real estate, to wit:

· THE EAST HALF OF LOT 3 (EXCEPT THE NORTH 238.3 FEET AS MEASURED ON THE EAST AND WEST LINES THEREOF) IN BRANIGAR BROTHERS OGDEN AVENUE FARMS, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED FEBRUARY 15, 1921 AS DOCUMENT 146501, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as: a vacant parcel immediately south of 1723 Ogden Avenue, Downers Grove, IL 60515  
PINs 09-06-304-042

SECTION 2. The official zoning map shall be amended to reflect the change in zoning classification effected by Section 1 of this ordinance, subject to the following conditions:

1. Any changes to the conditions represented by the Petitioner as the basis for this petition, whether those changes occur prior to or after Village approval, shall be promptly reported to the Village. The Village reserves the right to re-open its review process upon receipt of such information; and
2. It is the Petitioner's obligation to maintain compliance with all applicable Federal, State, County and Village laws, ordinances, regulations, and policies.

SECTION 3. That the rezoning meets the requirements of the Zoning Ordinance as follows:

1. The existing use and zoning of nearby property;
2. The extent to which the particular zoning restrictions affect property values;
3. The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare;
4. The suitability of the subject property for the zoned purposes;
5. The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity;
6. The value to the community of the proposed use; and
7. The comprehensive plan.

SECTION 4. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. This ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

\_\_\_\_\_  
Mayor

Passed:

Published:

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

Village Clerk



0 40 80 Feet

# 1723 & 1731 Ogden Avenue Location Map





**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
JULY 10, 2017 AGENDA**

| <b>SUBJECT:</b>                         | <b>TYPE:</b>                                                                    | <b>SUBMITTED BY:</b>    |
|-----------------------------------------|---------------------------------------------------------------------------------|-------------------------|
| 16-PLC-0059<br>1723 & 1731 Ogden Avenue | Special Use Amendment &<br>Zoning Map Amendment for an<br>Automobile Dealership | Swati Pandey<br>Planner |

**REQUEST**

The petitioner is requesting approval of a Special Use Amendment for an automobile dealership and Zoning Map Amendment to rezone a vacant parcel from R-1, Residential Detached House 1 to B-3, General Services and Highway Business District to redevelop an automobile dealership at 1723 and 1731 Ogden Avenue.

**NOTICE**

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

**GENERAL INFORMATION**

**OWNER:** Omar Dweydari  
1723 Ogden Avenue  
Downers Grove, IL 60515

**APPLICANT:** Thomas Buckley  
PO Box 95624  
Hoffman Estates, IL, 60195

**PROPERTY INFORMATION**

**EXISTING ZONING:** B-3, General Services and Highway Business  
R-1, Residential Detached House 1

**EXISTING LAND USE:** Commercial & Vacant

**PROPERTY SIZE:** 188,523 sq ft (4.31 acres)

**PINS:** 09-06-304-015, -016, -017, -041, -042

**SURROUNDING ZONING AND LAND USES**

|               | <b>ZONING</b>                                                                     | <b>FUTURE LAND USE</b> |
|---------------|-----------------------------------------------------------------------------------|------------------------|
| <b>NORTH:</b> | B-3, General Services and Highway Business                                        | Corridor Commercial    |
| <b>SOUTH:</b> | R-1, Residential Detached House 1                                                 | Corridor Commercial    |
| <b>WEST:</b>  | B-3, General Services and Highway Business                                        | Corridor Commercial    |
| <b>EAST:</b>  | B-3, General Services and Highway Business &<br>R-1, Residential Detached House 1 | Corridor Commercial    |

## ANALYSIS

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### SUBMITTALS

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

1. Project Narrative
2. Plats of Survey
3. Engineering Plans
4. Architectural Plans
5. Landscape Plan
6. Photometric Plan
7. Rendering

### PROJECT DESCRIPTION

The owner of the property is proposing to redevelop an existing automobile dealership at the southwest corner of Lee and Ogden Avenues, commonly known as 1723 Ogden Avenue. The proposal includes an expansion of the existing automobile dealership to include the property immediately to the west at 1731 Ogden Avenue and the vacant property south of the existing building. Both properties, at 1723 and 1731 Ogden Avenue are zoned B-3, General Services and Highway Business District and the vacant property is zoned R-1, Residential Detached House 1. An automobile dealership is an allowable Special Use in the B-3 zoning district.

Currently, the 1723 Ogden Avenue property is improved with a one-story commercial building that houses the dealership and a surface parking lot. The 1731 Ogden Avenue site is improved with three vacant buildings and a surface parking lot. The unaddressed parcel to the south is vacant.

A Special Use approval was granted by the Village Council in 2016 (Ordinance # 5539) to redevelop the properties 1723 and 1731 Ogden Avenue with an automobile use. The applicant is requesting an amendment to the approved Special Use to consolidate the vacant parcel to the south in order to further expand the outdoor display area of the parking lot. The vacant parcel is zoned residential and requires a zoning map amendment to rezone the property to B-3, General Services and Highway Business. All other elements of the site and building design remain the same.

### Proposed Development

The petitioner is proposing to expand the existing single story masonry building to increase the showroom and office capacity of the automobile dealership. Currently, the building has a T-shaped footprint at the corner of Lee and Ogden Avenue. The inclusion of 1731 Ogden Avenue allows the expansion of the building to the west. The property will be redeveloped with a rectangular shaped building with a redesigned parking lot, new façade and renovated interiors. The vacant parcel to the south will further expand the parking lot area that will be used for outdoor display of vehicles.

*Site Design:* The one story building will be expanded to the west and will sit in the center of the property with the parking lot wrapped around the building on all sides. The access to the property has been redesigned by eliminating the four existing curb cuts along Ogden Avenue and replacing them with a single curb cut onto Ogden Avenue near the west property line. The curb cut along Lee Avenue will be relocated to facilitate smoother flow of traffic in and out of the property. Traffic from the site onto Lee Avenue will only be permitted to exit and proceed north on Lee Avenue. The design of the curb-cut and a 'no right turn' sign will inhibit traffic from proceeding south. A cross-access easement has been granted to provide a connection to the 1815 Ogden Avenue property immediately west of the subject site to improve connectivity with the adjacent development. The connection will allow vehicles of either development to access Ogden

Avenue through either site. The revised plans show the expansion of the parking lot towards the south-east side of the property. The south-east corner of the expanded parking lot shows an encroachment in the wetland buffer area. The applicant will submit a wetland buffer zone impact mitigation plan at the time of building permit.

*Parking:* The parking lot area has been expanded primarily to the west and south of the property. An expanded outdoor parking area for the display of vehicles has been proposed in the southern portion of the property for additional storage required by the business. The parking area will consist of 182 parking spaces including display vehicles, employee parking, service parking and customer parking.

*Elevations:* Major exterior changes have been proposed to the building elevations. The north elevation wall includes a new high performance storefront glazing with a decorative overhang. Two columns shall be added to the east and west walls to anchor the structure. The new sections of the walls match the existing textured concrete material. The east and the west walls also include a different color concrete material to break the visual monotony of the concrete masonry wall.

*Floor Plans:* The expanded building will be mostly used to accommodate additional display of vehicles. The other uses inside the building include a new detail bay, remodeled service bay and additional sales cubicles and offices. The size of the service area for vehicles remains unchanged.

*Landscaping/Screening:* The petitioner is proposing landscaping around the perimeter of the property, in conformance with the Village requirements. The new parking lot will have the required landscape islands. Landscaping to the south of the parking lot will be provided along with a six-foot tall fence to provide screening for the residents to the south. Other improvements, including a pedestrian connections between the building and Lee and Ogden Avenues will be provided. The new trash area behind the building will be screened with the masonry enclosure and a gate. All roof-top mounted and ground mounted mechanical equipment will be screened per the zoning ordinance.

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

The Comprehensive Plan's Future Land Use Map designates this property including the vacant R-1 property as Corridor Commercial. Corridor Commercial uses are defined as automobile related uses that provide services and retail opportunities to the nearby neighborhoods and the surrounding region. The Comprehensive Plan specifically mentions that the Ogden Avenue corridor continue to contain a range of these type of uses. This site currently operates an automobile sales business and the petitioner is seeking approval to expand the property with the same use. The expansion of this property as an automobile dealership will achieve the aforementioned goals.

The property is located in the *Ogden Avenue - Key Focus Area* per the Comprehensive Plan. The petitioner's proposal to consolidate the commercial properties and increase the lot depth is recommended in the Comprehensive Plan. A redesigned site plan proposes a dumpster enclosure, new parking lot landscape islands and beautification of Ogden Avenue with dense landscaping per the recommendations. A reduction in curb cuts and the cross-access agreement with the adjacent property furthers the goals and intent of the Comprehensive Plan for the development of the commercial properties along Ogden Avenue.

The proposed automobile dealership at this property is consistent with the Comprehensive Plan.

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

The property is zoned both R-1, Residential Detached House 1 and B-3, General Services and Highway Business. A rezoning from R-1 to B-3 will create a single zoning district for the site. The proposed personal vehicle sales business is an allowable Special Use in the B-3 District per Section 5.010 of the Zoning

Ordinance. The existing building and the new addition will be compliant with the required B-3 bulk standards. The table below identifies the required regulations and what is proposed:

| <b>1723 Ogden Avenue</b>                              | <b>Required</b> | <b>Proposed</b>    |
|-------------------------------------------------------|-----------------|--------------------|
| North Setback (Street Yard – Ogden Avenue) - Building | 75 ft           | 102 ft             |
| East Setback (Street Yard – Lee Avenue) - Building    | 25 ft           | 66.58 ft           |
| South Setback (Rear Yard) - Building                  | 30 ft           | 425 ft             |
| West Setback (Side Yard) - Building                   | 0 ft            | 71 ft              |
| East Setback - Parking                                | 8 ft            | 8 ft               |
| North (Ogden) Setback - Parking                       | 50 ft           | 52.31 ft           |
| Landscaped Open Space                                 | 18,745 sf (10%) | 69,973 sf (37.33%) |
| Street yard landscaped open space                     | 9,373 sf        | 11,001 sf          |
| Floor Area Ratio                                      | 0.75 (max)      | 0.08               |
| Building Height                                       | 60 ft (max)     | 28' 8"             |
| Parking Spaces                                        | 65              | 182                |
| Building Coverage                                     | n/a             | 8.7%               |

The proposed use and site is consistent with the Zoning Ordinance.

#### **ENGINEERING/PUBLIC IMPROVEMENTS**

Based on the existing impervious area on the overall site and the proposed impervious area, stormwater detention is not required for the proposed development. However, the petitioner will be required to provide compensatory storage for the two Localized Poorly Drained Areas (LPDAs), Volume Control Best Management Practices (VCBMPs) and Post Construction Best Management Practices (PCBMPs). To address each of these items, the petitioner has proposed to construct the entire parking area with permeable pavers with a thicker than normal stone base. The installation of a thicker stone base will provide the required compensatory storage, VCBMPs and PCBMPs.

A wetland is located in the far southern portion of the 1731 Ogden property and the residentially zoned parcel. A portion of the wetland buffer area is proposed to be improved with a landscape island and a permeable paver parking lot. The petitioner is required to submit a wetland buffer mitigation plan addressing all requirements to mitigate any negative impact to the buffer zone.

The existing water service from Lee Avenue will be removed and replaced with a new larger water service from Lee Avenue. The existing building has a sanitary sewer connection that runs from the northeast corner of the building to the northeast corner of the Lee and Ogden Avenue intersection. The Sanitary District has requested a 15-foot wide easement along the west property line to provide space for any future Sanitary District improvements in the area. The petitioner has agreed to grant this easement and will provide this on the required administrative lot consolidation. The Sanitary District provided conceptual approval for the proposed expansion.

The petitioner is proposing changes to the existing curb cuts. Currently the 1723 Ogden Avenue property has one curb cut onto Ogden Avenue while the 1731 Ogden property has three curb cuts that act as one

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typical curb cut and one larger than normal curb cut. The petitioner is proposing to consolidate these curb cuts into a single curb cut at the far west side of the property. The property currently has one curb cut onto Lee Avenue that is located near the intersection of Lee and Ogden Avenues. The petitioner is proposing to close this curb cut and install a new curb cut further south on Lee Avenue behind the existing building. By relocating and consolidating curb cuts, vehicle deliveries will be able to occur on site as car carriers can enter the site via either Lee or Ogden Avenue, traverse around the south and west of the building and exit onto either Ogden or Lee Avenue. All vehicles exiting out onto Lee Avenue will be restricted to northbound traffic only and a sign will be installed at this location noting this requirement. Additionally, no vehicle deliveries or other business activities will be permitted to take place on any adjacent roadway.

The petitioner is proposing a parking lot connection to the development west of 1731 Ogden Avenue. The proposed connection would connect this proposed development with the development that is to the west. The connection would include an access easement on both properties that would permit customers of either development to access Ogden Avenue from either site.

The existing sidewalk along Lee Avenue will be maintained as will the existing sidewalk along Ogden Avenue in front of 1723 Ogden Avenue. The Ogden Avenue sidewalk will be extended to the west through the 1731 Ogden Avenue property and south along Lee Avenue, parallel to the full extent of the vacant property.

#### **PUBLIC SAFETY REQUIREMENTS**

The Fire Prevention Division has reviewed the proposed plans and will require the building include a fire alarm and sprinkler system that meet the Village's code requirements. A fire department connection is also required along the Ogden Avenue façade.

The Fire Prevention Division has also determined that the proposed development provides sufficient access for emergency vehicles. The site layout permits Fire Department apparatus the opportunity to enter and exit the site from both the Ogden and Lee Avenue curb cuts. The loop around the building provides good access around the building and property as needed.

#### **NEIGHBORHOOD COMMENT**

Notice was provided to all property owners 250 feet or less from the property in addition to posting public hearing notice signs and publishing the legal notice in the *Downers Grove Suburban Life*. Staff has received no inquiries or public comment.

#### **FINDINGS OF FACT**

The petitioner is requesting a Special Use and zoning map amendment to construct an automobile dealership at 1723 and 1731 Ogden Avenue. Staff finds that the proposal meets the standards for granting a Special Use and zoning map amendment as outlined below:

##### ***Section 28.12.030.I. Review and Approval Criteria for Zoning Map Amendments***

*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 B-3 zoning district is intended for large retail and service establishments, auto-oriented uses and high impact commercial. The automobile sales business is within the intended scope of the district. The R-1 property is currently vacant and mostly part of a wetland. It is unlikely that the property would be developed with a single family home. The R-1 zoned properties to the east of Lee Avenue

were purchased by the Village as part of the Village's stormwater mitigation program. The property is bordered by B-3 zoned commercial properties on all sides with the exception to the south. This standard has been met.

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

The proposed rezoning will not negatively affect property values. By rezoning, the properties will have consistent zoning across all commercial lots. The subject parcel is vacant and would not be developed independently. This standard has been met.

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

The proposed rezoning will not impact property values or the public health, safety and welfare of the community. The wetlands and the buffer on the vacant lot will be maintained with a minor encroachment into the buffer area. The applicant will address mitigation requirements to offset any impact into the buffer area. This standard has been met.

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

The subject property is currently zoned single family residential and is not suitable for a single family development or for a single-family subdivision. The property owner is proposing to rezone the property to B-3, General Services and Highway Business. As stated earlier, a major part of the lot will always remain vacant due to the presence of the wetland. However, rezoning the property to B-3 is consistent with the surrounding commercial properties and allows the property to the north to fully utilize its commercial potential by providing depth and setbacks on the vacant lot. This standard has been 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 property has been vacant for many years and is located immediately south of the commercial corridor. Other similar properties near the Ogden Avenue corridor have been developed. A significant portion of the property will remain undeveloped due to the presence of the wetland. This standard has been met.

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

The Comprehensive Plan identifies these specific parcels as a corridor commercial use. The petitioner is proposing to redevelop the property with the same existing use. The existing business will be expanded providing economic development and growth to the area. The proposed improvements contribute value to the community because this reduces curb-cuts onto the street and add landscaping/screening to enhance visual appeal along the corridor. This standard has been met.

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

The subject properties are designated for a commercial use in the Comprehensive Plan. This standard has been met.

***Section 28.12.050.H Approval Criteria***

*No special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is constituent with and in substantial compliance with all Village Council policies and plans and that the applicant has presented evidence to support each of the following conclusions:*

- 1. That the proposed use is expressly authorized as a Special Use in the district in which it is to be located;***

The property is located in the B-3, General Service and Highway Business zoning district. Under Section 5.010 of the Zoning Ordinance, an automobile dealership is listed as an allowable Special Use in the B-3 zoning district. The vacant lot is proposed to be rezoned from R-1 to B-3 zoning district. This standard has been met.

2. *That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.*

The proposed plan will allow the petitioner to redevelop an existing automobile dealership on the subject property which in turn will enhance the Ogden Avenue corridor and provide vehicle sales to the local residents, businesses and the larger region. The proposed use is in the interest of the public convenience and will contribute to the general welfare of the area as the petitioner will retain and expand an existing business in the Village providing growth and employment opportunities in the area. The properties at 1731 Ogden are long standing vacant buildings and land, which would be improved with this proposal. The petitioner's proposed use will meet various Comprehensive Plan goals. This standard has been met.

3. *That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.*

The proposed use will not be detrimental to the health, safety or general welfare of persons residing in or working in the vicinity and will not be injurious to property values or improvements in the vicinity. The petitioner will be redeveloping a property with the same existing use. The proposed development will meet all applicable Village regulations including the Stormwater Ordinance. Additionally, specific conditions will be placed on the subject property to ensure that there will be no or minimal secondary impacts to the surrounding properties. These restrictions include no dealership traffic south on Lee Avenue, via the curb cut design to minimize conflict, 'no right turn' signage, and specific test drive location. This standard has been met.

## **RECOMMENDATIONS**

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The proposed Special Use Amendment and Zoning Map Amendment for an automobile dealership at 1723-1731 Ogden Avenue is consistent with the Comprehensive Plan, the Zoning Ordinance and surrounding zoning and land use classifications. Based on the findings listed above, staff recommends the Plan Commission recommend the Village Council **approve** the Special Use and Zoning Map Amendment as requested in case 16-PLC-0059 subject to the following conditions:

1. The Special Use shall substantially conform to the staff report; engineering, architectural and landscape drawings prepared by Damas Consulting Group dated January 20, 2016 and last revised on May 17, 2017 and architectural drawings prepared by Thomas Buckley Architect dated May 17, 2017, except as such plans may be modified to conform to the Village codes and ordinances.
2. No business activities may be conducted on Lee or Ogden Avenues.
3. All test drives are limited to arterial streets as defined in the Comprehensive Plan. Arterial streets include: Ogden Avenue, Belmont Road, Warren Avenue and Main Street.
4. All vehicle deliveries must be completed on private property. Vehicles may not be dropped off or picked up on either Ogden Avenue or Lee Avenue.
5. A "No Right Turn" sign shall be located at the Lee Avenue curb cut. All commercial truck traffic, test drives and business related traffic shall be prohibited south of the site.
6. Dealership employees shall cross Ogden Avenue in the designated crosswalks at the intersection.
7. A pedestrian connection must be provided from the two public right-of-ways to the main building entrance in conformance with the Zoning Ordinance.

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8. The row of parking along the east side of the building shall be reserved for outside display of vehicles only.
9. Landscape screening shall be provided south of the proposed parking lot.
10. The building shall be equipped with an automatic suppression system and an automatic and manual fire alarm system.
11. Stormwater and utility easements shall be granted to the Village at the time of building permit.
12. Any old easements required to be vacated shall be completed prior to the issuance of a building permit.
13. An administrative lot consolidation shall be completed prior to the issuance of a building permit. The lot consolidation shall include an access easement from the property immediately west of 1731 Ogden Avenue to the Ogden Avenue curb cut and a 15-foot sanitary easement along the west property line per the Downers Grove Sanitary District.

Staff Report Approved By:



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Stanley J. Popovich, AICP  
Director of Community Development

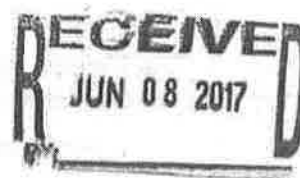
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0 40 80 Feet

1723 & 1731 Ogden Avenue Location Map





PROJECT SUMMARY/NARRATIVE LETTER  
revised May 17, 2017

The current property (parcel 09-06-304-015 square feet) was purchased in 2000. The dealership, Star Motor Werks, was established in 2001. Shortly after, inventory was sold to Luxury Motors, and the property was leased to Luxury Motors under the name of Superior Motor Werks. Luxury Motors eventually suspended their lease, and the current Ownership took possession in 2007.

In 2008, the dealership reopened as Motor Werks Inc., and in 2010, the name was changed to Star Motor Sales; as it is so named today.

In 2015, Ownership purchased adjacent properties (parcels 09-06-304-015, 09-06-304-016, and 09-06-304-017; with total area of 93,938 square feet). More recently, Ownership purchased the property to the south (parcel 09-06-304-042, area 56,171 square feet). Total site area will be approximately 187,641 square feet after consolidation.

An initial Special Use application was filed in 2016. The request included consolidation of 4 lots (parcels identified above) for expansion of an existing automobile dealership. The approval process included public hearings with emphasis on storm water, lighting, exterior elevations, traffic on Lee Ave., truck turning radii, parking and landscaping. The Special Use application was subsequently approved approximately one year ago. This new Special Use application is to consolidate one additional land parcel immediately south of the existing building; currently zoned residential. This request maintains the essence of the previously approved application; i.e. the building addition remains the same. Additional outdoor parking has been added, indicating compliance with storm water, lighting, traffic on Lee Ave., truck turning radii, parking and landscaping.

This Special Use application meets the criteria for Zoning Map Amendment (12.030.I):

1. This request is will consolidate properties into zoning already approved for auto sales.
2. This request will not affect property values as this currently vacant property will be improved.
3. This request will not affect the health, safety, or welfare of adjacent properties; the property is vacant, partially flood plain, and currently unimproved
4. This property is suitable for the new zoning as the adjacent properties are zoned accordingly.
5. The property has been vacant for a number of years. The

previous owner tried unsuccessfully to construct a house on the property but the flood plain and required engineering was an obstacle.

6. Ownership feels that improving the property will improve the community.

7. This zoning is consistent with the comprehensive plan.

This Special Use application meets the criteria for Special Use (12.050.H)::

1. Upon rezoning of the new parcel, the proposed use is expressly authorized as a special use in the district in which it is located.

2. The proposed use at the proposed location is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

3. The proposed use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.

The changes for this new request are site related only; there are no changes to the floor plan or building facade. Parking, landscaping, site lighting and engineering have been modified for the expanded property.

Per Village requirements, a Neighborhood Meeting took place on December 13, 2016 at the Downers Grove Park District, Recreation and Fitness Center, 4500 Belmont Road. There was only one attendee. He attended the previous Plan Commission hearings and asked about outflow to the wetland area; the civil drawings were available for review. He also asked about site lighting and "cut-off" fixtures. The meeting was not contentious and adjourned after about 45 minutes.

This project, Star Motors (1723 Ogden Ave.), is independent of Prestige Classic Auto Sales (1644 Ogden Ave.). Even though both facilities have the same owner, Omar Dweydari, the operations will be distinctly separated, managed by its own team of employees that will not be disruptive to traffic or surrounding businesses. Employees (of 1723 Ogden Ave.) will not cross Ogden Ave. mid-block but at the intersection of Lee Ave. and Ogden Ave. while abiding by all traffic and pedestrian rules.

The main purpose for this expansion is to maximize indoor space for protection of the inventory. The dealership has suffered from vandalism, weather, etc. as a result from outdoor parking. This dealership wishes to continue its "niche" market of high value automobiles with a state of the art indoor showroom.

At the same time, this is the perfect opportunity to showcase the remodeled dealership with strong design and curb appeal.

The dealership currently has approximately 120 parking spaces on-site; this includes 2 indoor spaces, 10 employee parking stalls and the remainder for sales inventory. The expanded site will accommodate 179 exterior parking stalls. The addition will provide additional space for 30 automobiles.

The dealership currently operates 6 days per week, Monday through Thursday 9:00 am to 8:00 pm, Friday 9:00 am to 7:00 pm, and Saturday 9:00 am to 6:00 pm.

The existing building for the dealership, including service, showroom and offices, encompasses approximately 6,104 square feet, of which 1,080 square feet will be removed, and 9,494 square feet will be added, for a proposed total area of 14,518 square feet. The current facility performs service and detailing for inventory only; the size of the service area will remain as existing.

The existing structure is a one story masonry building with a small showroom facing north to Ogden Ave. Access to the service area is on the south side of the building. The northeast wall will be completely rebuilt with new high performance storefront glazing with a decorative overhang. The northwest portion of the existing structure will also be reconstructed with a higher element and a curved façade. The addition to the west will replicate the east side with similar glazing, showcasing the inventory. Taller box structures are added to the far eastern and western facades to anchor the structure.

The entire parking area will be constructed with eco-friendly permeable brick pavers to help lower the high albedo (solar energy reflected back into space). New energy efficient LED lighting will be added to the site, along with trees and shrubbery to highlight the site.

The development team is proud of this submittal and feels strongly that this will enhance the Ogden corridor.

STAR MOTOR SALES | 1723 OGDEN AVENUE | DOWNERS GROVE | ILLINOIS  
EXISTING PHOTO MONTAGE

NORTHEAST ELEVATION



NORTHWEST ELEVATION



EAST ELEVATION



NORTHEAST ELEVATION



STAR MOTOR SALES | 1723 OGDEN AVENUE | DOWNERS GROVE | ILLINOIS  
EXISTING PHOTO MONTAGE

NORTH ELEVATION OF NORTHEAST CORNER



EAST ELEVATION OF NORTHWEST CORNER



NORTH ELEVATION OF NORTHWEST CORNER



WEST ELEVATION



STAR MOTOR SALES | 1723 OGDEN AVENUE | DOWNERS GROVE | ILLINOIS  
EXISTING PHOTO MONTAGE

SOUTH ELEVATION OF SOUTHWEST CORNER



SOUTHEAST ELEVATION OF SOUTHWEST CORNER

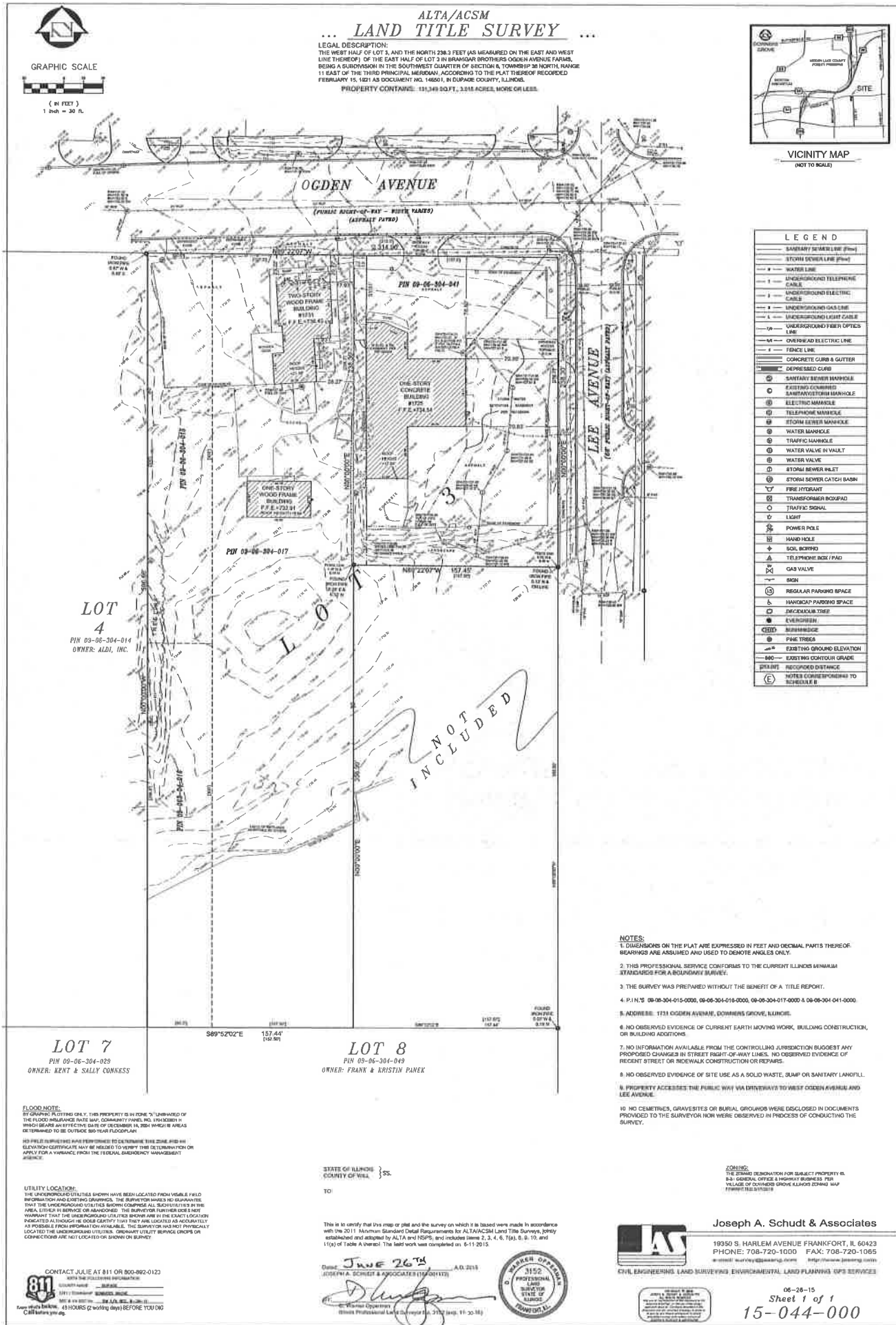


SOUTH ELEVATION OF SOUTHEAST CORNER



EAST ELEVATION





# PLAT OF SURVEY AND TOPOGRAPHIC EXHIBIT

OF  
 THE EAST HALF OF LOT 3 (EXCEPT THE NORTH 238.3 FEET AS MEASURED ON THE EAST AND WEST LINES THEREOF)  
 IN BRANIGAR BROTHERS OGDEN AVENUE FARMS, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 6,  
 TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF,  
 RECORDED FEBRUARY 15, 1921 AS DOCUMENT 146501, IN DUPAGE COUNTY, ILLINOIS.



30 15 0 30  
 SCALE: 1" = 30'

### LEGEND:

- Y— STORM SEWER
- X— COMBINED SEWER
- WM— WATER MAIN
- X— FENCE
- B— BUSH LINE
- T— TREE LINE
- E— EDGE OF WATER
- W— WETLANDS
- MANHOLE (STMH/SAWH)
- CATCH BASIN (CB)
- VALVE VAULT (VV)
- VALVE BOX (VB)
- BUFFALO BOX (BB)
- FIRE HYDRANT (FH)
- FANHOLE (FH)
- POWER POLE (PP)
- SIGN
- DECIDUOUS TREE (SIZE IN INCHES)
- CONIFEROUS TREE (SIZE IN INCHES)
- BUSH
- X—X— CONTOUR LINE
- XX—XX— SPOT ELEVATION
- XXX—XX— PAVEMENT ELEVATION
- TCXX—XX— TOP OF CURB ELEVATION
- WXXX—XX— WALK ELEVATION
- FIR— FOUND IRON ROD
- FIP— FOUND IRON PIPE
- INV— INVERT
- PVC— POLYVINYL CHLORIDE PIPE
- R— RECORD
- RCP— REINFORCED CONCRETE PIPE
- RW— RETAINING WALL
- SAN— SANITARY
- SBM— SITE BENCHMARK
- SIP— SET IRON PIPE
- SIR— SET IRON ROD
- ST— STORM
- STR— STRUCTURE
- T/P— TOP OF PIPE
- HMA— HOT MIX ASPHALT
- M— MEASURED

### NOTES:

1. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.
2. COMPARE DEED DESCRIPTION AND SITE CONDITIONS WITH THE DATA GIVEN ON THIS SURVEY AND REPORT ANY DISCREPANCIES TO THE SURVEYOR AT ONCE.
3. NO DIMENSIONS SHALL BE DERIVED FROM SCALE MEASUREMENTS.
4. CONTACT JULIE AT 1-800-892-0123 FOR EXACT LOCATION OF BURIED UTILITIES PRIOR TO DIGGING.
5. OBSERVABLE ABOVE GROUND UTILITIES AND ABOVE GROUND EVIDENCE OF UNDERGROUND UTILITIES LOCATED AND SHOWN HEREON.
6. SURVEY IS BASED ON FIELD WORK COMPLETED ON 08-02-16 BY AS, AD.

### BENCHMARKS:

- SOURCE BENCHMARK #336 (NGS MONUMENT DK3214); SURVEY DISK STAMPED 0188 2908 - LOCATED IN THE PIER OF A BRIDGE ALONG THE EAST SIDE OF THE OVERPASS OF INTERSTATE 88 AT FINLEY AVENUE. ELEVATION = 771.01
- SITE BENCHMARK #335: NORTHWEST BOLT ON FIRE HYDRANT AT THE SOUTHWEST CORNER OF LEE AVENUE AND JANET STREET. ELEVATION = 748.98
- SITE BENCHMARK #82: NORTHWEST BOLT ON FIRE HYDRANT AT THE NORTHWEST CORNER OF LEE AVENUE AND OGDEN AVENUE (U.S. ROUTE 54). ELEVATION = 743.37



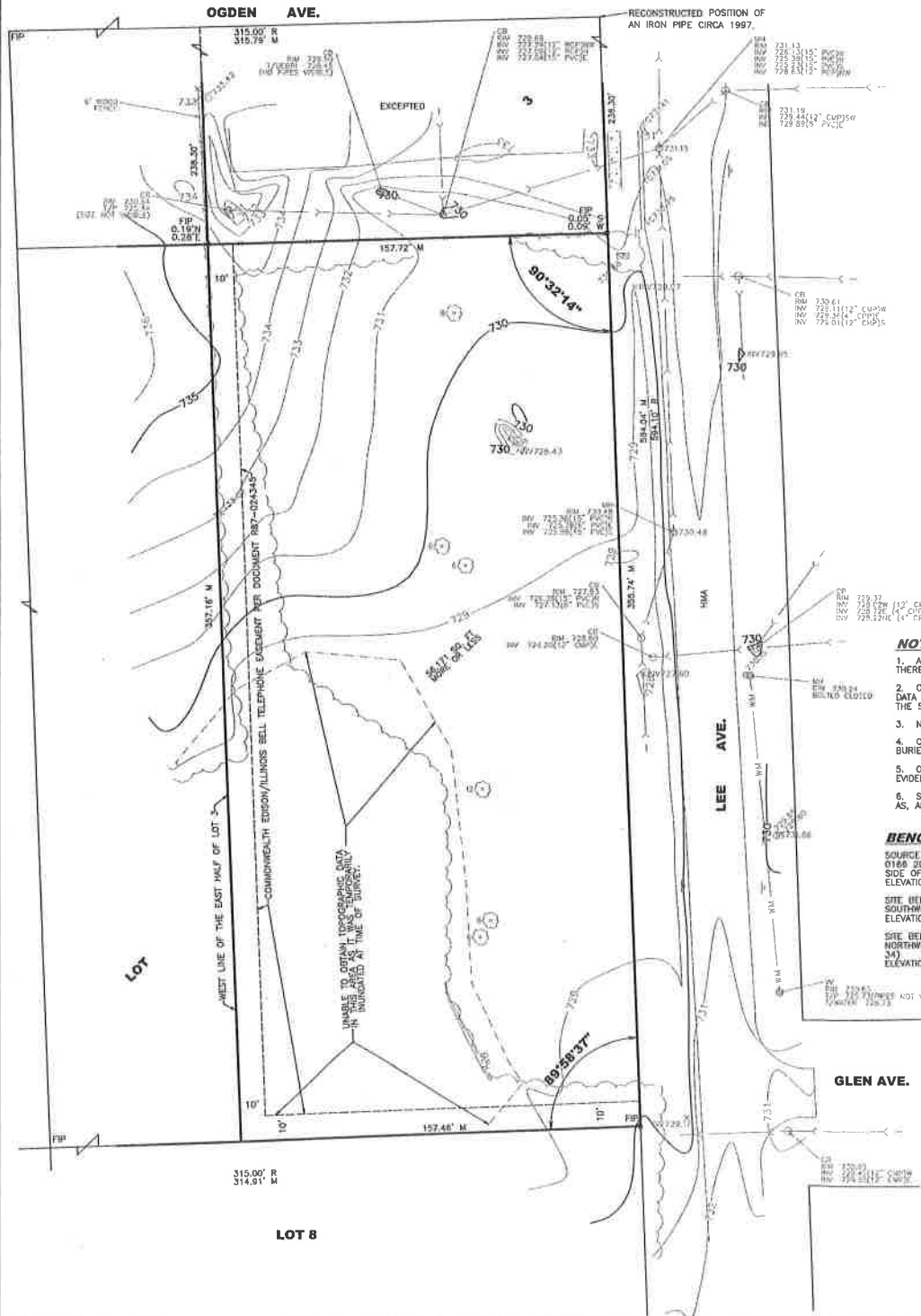
STATE OF ILLINOIS) SS  
 COUNTY OF COOK) SS

WE, MACKIE CONSULTANTS LLC, AN ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-002694, HEREBY CERTIFY THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS PLAT REPRESENTS THE CONDITIONS FOUND AT THE TIME OF SAID SURVEY.

GIVEN UNDER MY HAND AND SEAL THIS 8th DAY OF AUGUST, 2016 in ROSEMONT, ILLINOIS.

MACKIE CONSULTANTS LLC

*Russell P. Ory*  
 RUSSELL P. ORY  
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-002753  
 LICENSE EXPIRES: NOVEMBER 30, 2016



CLIENT:  
**GREAT LAKES LANDSCAPE COMPANY, INC.**  
 434 EAST DEVON AVENUE  
 ELK GROVE VILLAGE  
 ILLINOIS 60007

**6025 LEE AVENUE**  
**DOWNS GROVE, IL**



**Mackie Consultants, LLC**  
 9575 W. Higgins Road, Suite 500  
 Rosemont, IL 60018  
 (847)696-1400  
 www.mackieconsult.com

|          |                         |                                                                  |                               |
|----------|-------------------------|------------------------------------------------------------------|-------------------------------|
| DRAWN    |                         | APR                                                              | SHEET<br><b>1</b> OF <b>1</b> |
| APPROVED |                         | RPO                                                              |                               |
| DATE     | 8-3-16                  | PROJECT NUMBER: 3046                                             |                               |
| SCALE    | 1" = 30'                | MACKIE CONSULTANTS LLC, 2016<br>ILLINOIS FIRM LICENSE 184-002694 |                               |
| DATE     | DESCRIPTION OF REVISION | BY                                                               |                               |

8/8/2016 3:27:09 PM  
 R:\3046\SURVEY\Drawing\3046-Topo2D.dgn





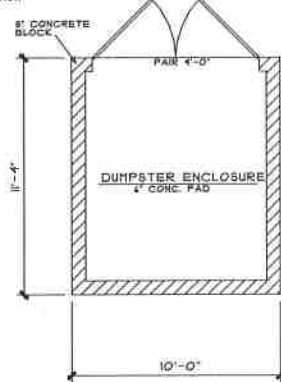




# PROPOSED ADDITION AND ALTERATIONS FOR STAR MOTOR SALES

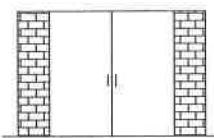
1723 OGDEN AVENUE DOWNERS GROVE, IL

FT 2 x 4 FASTENED TO GALV. STEEL CHAIN LINK FENCE POSTS @ GALV. BOLTS PROVIDE AUTOMATIC GATE CLOSING MECHANISM (SPRING) AND SLIP BOLT TO PROP GATE OPEN IN FULLY OPEN POSITION



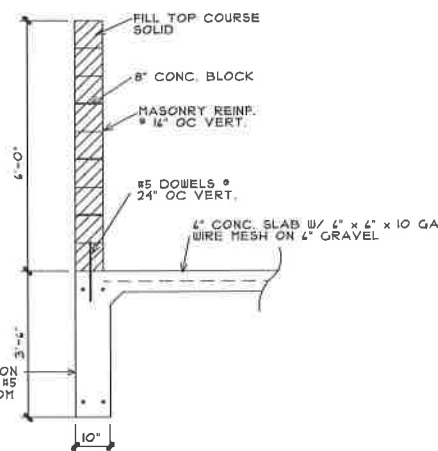
DUMPSTER ENCLOSURE PLAN

SCALE: 1/4" = 1'-0"



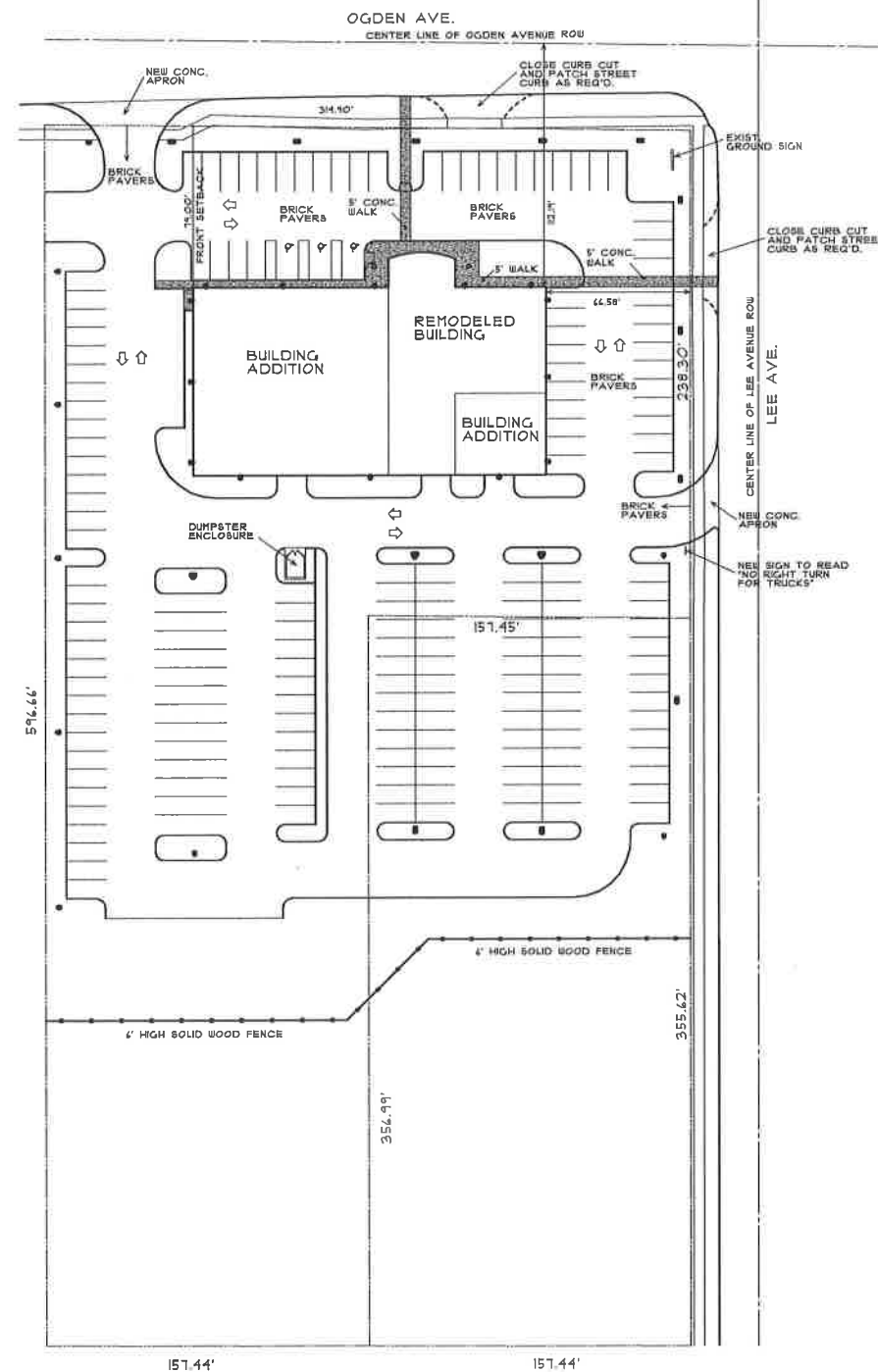
DUMPSTER ENCLOSURE ELEVATION

SCALE: 1/4" = 1'-0"



DUMPSTER ENCLOSURE SECTION

SCALE: 1/2" = 1'-0"



SITE PLAN

SCALE: 1" = 40'-0"

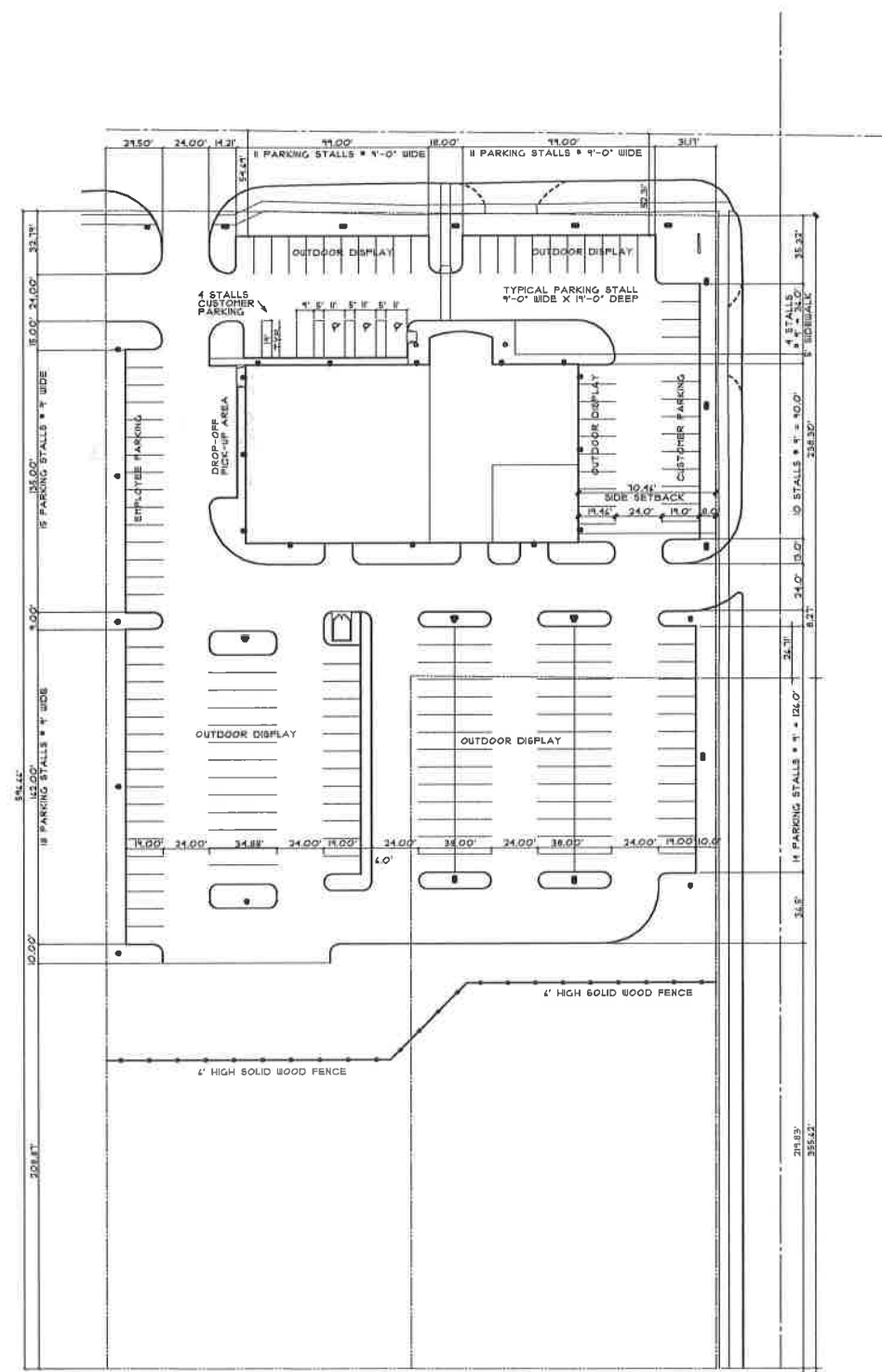


| INDEX OF DRAWINGS |                                        |
|-------------------|----------------------------------------|
| SHEET             | DESCRIPTION                            |
| SP-1              | ARCHITECTURAL SITE PLAN                |
| SP-2              | PARKING PLAN                           |
| L-1               | LANDSCAPING PLAN                       |
| D-1               | DEMOLITION PLAN                        |
| A-1               | CONSTRUCTION PLAN                      |
| A-2               | ROOF PLAN                              |
| A-3               | EXTERIOR ELEVATIONS                    |
| A-4               | WALL SECTIONS                          |
| A-5               | WALL SECTIONS                          |
| A-6               | WALL SECTIONS                          |
| A-7               | WALL SECTIONS                          |
| PE-1              | UTILITY SITE PLAN                      |
| P-1               | PLUMBING FLOOR PLAN                    |
| E-1               | PHOTOMETRIC SITE PLAN                  |
| TR-1              | CARRIER + GARBAGE TRUCK TURNING RADIUS |
| TR-2              | FIRE TRUCK TURNING RADIUS              |

| BULK REGULATIONS         |                              |
|--------------------------|------------------------------|
| DESCRIPTION              | QUANTITY                     |
| LOT AREA                 | 181,459 SF<br>OR 4.303 ACRES |
| MAX. FAR .15 OR 15%      | 98,512 SF                    |
| EXISTING BUILDING AREA   | 5,291 SF                     |
| PROPOSED BUILDING AREA   | 11,011 SF                    |
| TOTAL BUILDING AREA      | 16,308 SF                    |
| PROPOSED FAR             | 0.06195 OR 6.1%              |
| MAXIMUM BUILDING HEIGHT  | 40'-0"                       |
| PROPOSED BUILDING HEIGHT | 28'-1 1/2"                   |

4-24-11 REVISED FLOOR AREA RATIO

|                                                                                                            |                                                                      |                           |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|---------------------------|
| <p>5-11-11 RELEASED FOR SPECIAL USE SUBMITTAL</p>                                                          | <p>PROPOSED ADDITION &amp; ALTERATIONS TO EXIST. AUTO DEALERSHIP</p> | <p>STAR MOTOR SALES</p>   |
| <p>THOMAS BUCKLEY ARCHITECT</p>                                                                            | <p>1723 OGDEN AVENUE<br/>DOWNERS GROVE, IL</p>                       | <p>2014-024<br/>TD JP</p> |
| <p>PO BOX 15124<br/>HOFFMAN ESTATES, IL 60139<br/>TEL: 847-310-1530<br/>tom@thomasbuckleyarchitect.com</p> | <p>3-20-11</p>                                                       | <p>SP-1<br/>OF 14</p>     |



| OUTSIDE PARKING STALLS      |            |
|-----------------------------|------------|
| LOCATION                    | QUANTITY   |
| ACCESSIBLE CUSTOMER PARKING | 3 STALLS   |
| CUSTOMER PARKING            | 18 STALLS  |
| EMPLOYEE PARKING            | 33 STALLS  |
| TOTAL CUSTOMER + EMPLOYEE   | 54 STALLS  |
| OUTDOOR DISPLAY             | 128 STALLS |
| TOTAL PARKING               | 182 STALLS |

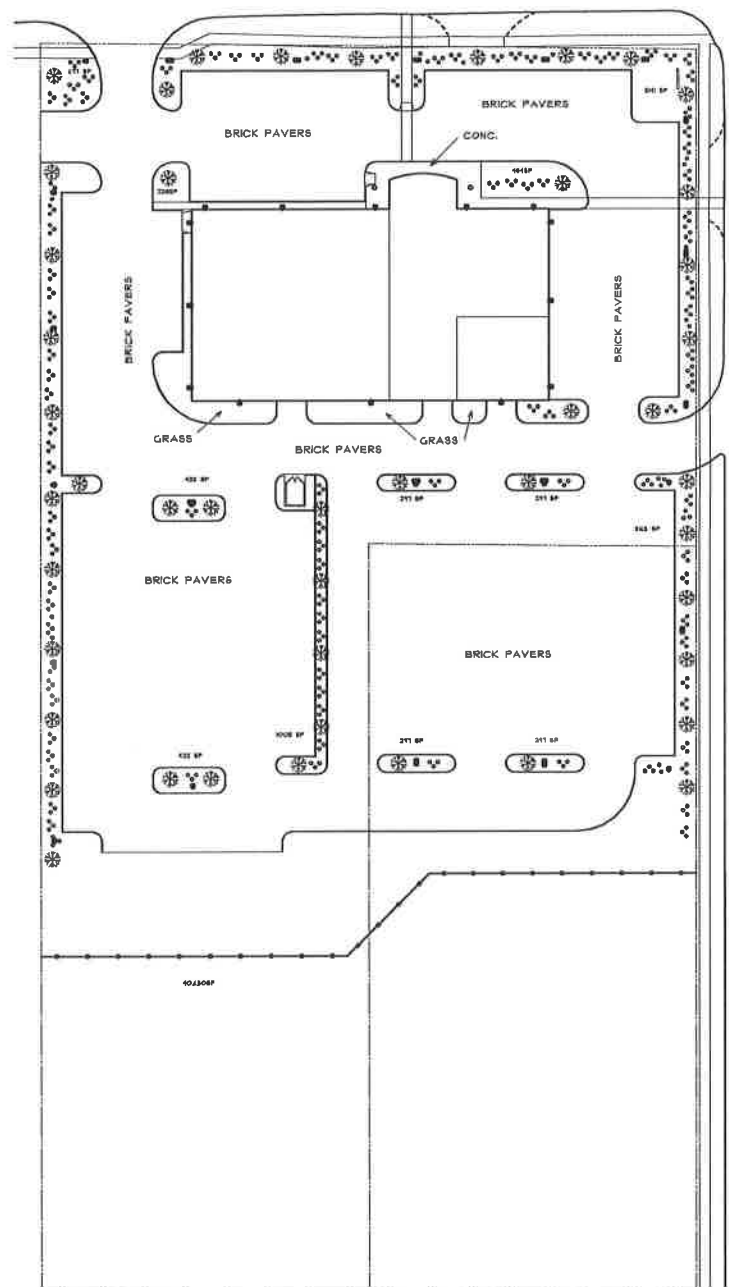
| PARKING                                  |           |
|------------------------------------------|-----------|
| 2-SPACES PER 1000 SF OF SHOWROOM         |           |
| LOCATION                                 | QUANTITY  |
| WEST SALES                               | 1190 SF   |
| EAST SALES                               | 430 SF    |
| INDOOR SHOWROOM                          | 6021 SF   |
| TOTAL PROPOSED SHOWROOM                  | 7641 SF   |
| REQUIRED SPACES FOR SHOWROOM = 16        |           |
| 2 SPACES PER SERVICE BAY                 |           |
| 2 CURRENT PLUS ONE FUTURE SERVICE BAY    |           |
| 5 DETAIL BAYS                            |           |
| 8 BAYS TOTAL                             |           |
| REQUIRED SPACES FOR SERVICE BAYS = 16    |           |
| .4 SPACES PER 1000 SF OF OUTDOOR DISPLAY |           |
| OUTDOOR DISPLAY                          | 40,660 SF |
| REQUIRED SPACES FOR OUTDOOR DISPLAY = 17 |           |

PARKING PLAN  
SCALE 1" = 40'



6-26-11 REVISED  
PARKING STALL TOTALS

|                                               |                                                                                                                                            |                                        |
|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 5-11-11 RELEASED FOR<br>SPECIAL USE SUBMITTAL | PROPOSED ADDITION &<br>ALTERATIONS TO EXIST.<br>AUTO DEALERSHIP                                                                            | STAR MOTOR<br>SALES                    |
|                                               | THOMAS<br>BUCKLEY<br>ARCHITECT<br>PO BOX 18124<br>HOFFMAN ESTATES, IL 60116<br>TEL. 847-310-4530 e-mail:<br>Tom@thomasbuckleyarchitect.com | 1723 OGDEN AVENUE<br>DOWNERS GROVE, IL |
|                                               | 2011-036<br>TB JP                                                                                                                          | SP-2                                   |
|                                               | 3-20-11                                                                                                                                    | OF 16                                  |



LANDSCAPE PLAN  
SCALE 1" = 40'

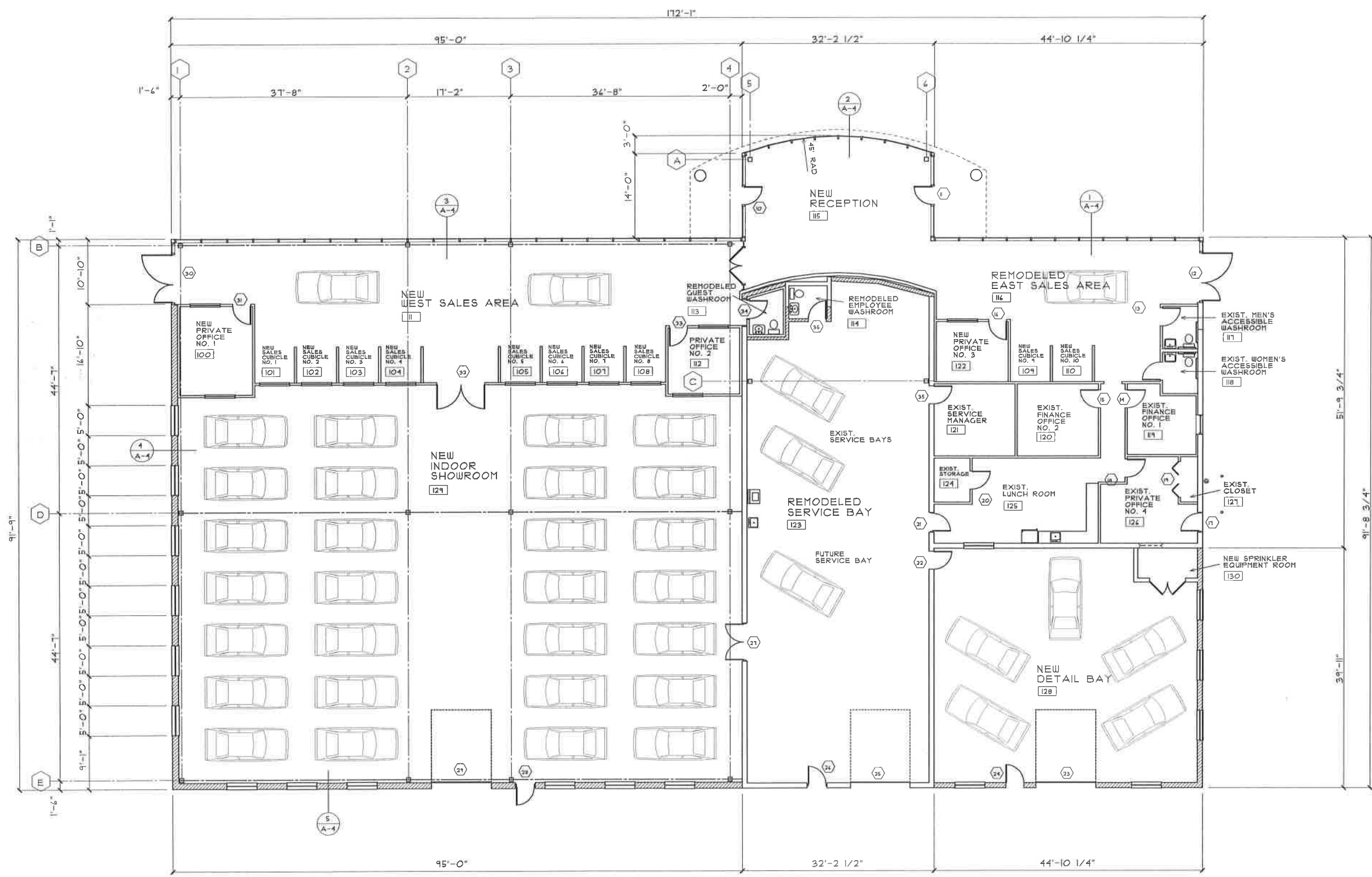


| PLANT SCHEDULE |                  |                            |          |                                                                                  |
|----------------|------------------|----------------------------|----------|----------------------------------------------------------------------------------|
| SYMBOL         | TYPE OF PLANTING | SIZE                       | QUANTITY | NAME                                                                             |
|                | PARKWAY TREE     | MIN. 1 1/2" AT PLANTING    |          | COCKSPUR HAWTHORN GRATAEGUS CRUS-GALLI OR JAPANESE TREE LILAC SYRINGA RETICULATA |
|                | SHRUBS           | MIN. 3/4" HIGH AT MATURITY |          | MIXTURE OF RED AND BLACK CHOKEBERRY ARONIA ARBUTIFOLIA AND ARONIA MELANOCARPA    |
|                | GRASS            |                            |          | OPEN AREAS OF PERIMETER PARKING TO BE SEEDED, INCLUDING ISLANDS                  |
|                |                  |                            |          |                                                                                  |
|                |                  |                            |          |                                                                                  |

| LANDSCAPING                                   |            |
|-----------------------------------------------|------------|
| DESCRIPTION                                   | QUANTITY   |
| LOT AREA                                      | 18,159 SF  |
| MIN. LANDSCAPED OPEN SPACE (10%)              | 18,145 SF  |
| PROPOSED LANDSCAPED OPEN SPACE                | 49,973 SF  |
| MIN. LANDSCAPED OPEN SPACE IN STREET YARD     | 9,312.5 SF |
| PROPOSED LANDSCAPED OPEN SPACE IN STREET YARD | 11,001 SF  |

4-26-11 REVISED  
LANDSCAPED OPEN SPACE  
IN STREET YARD

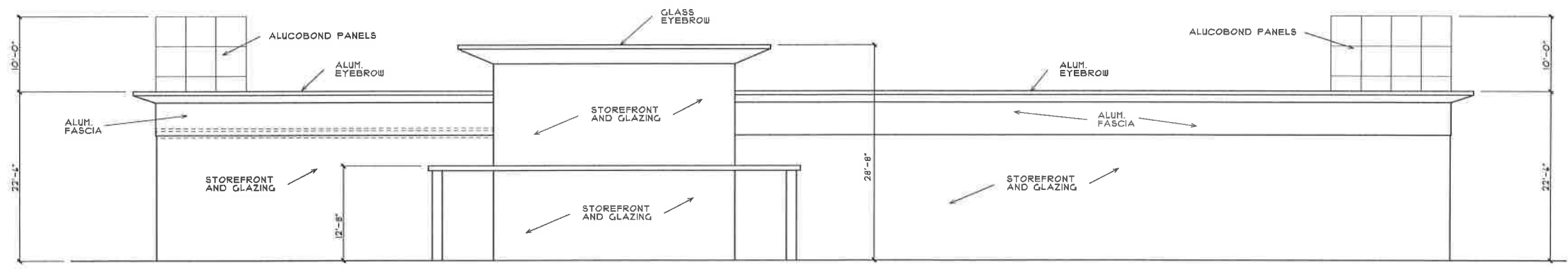
|                                               |                                                                                                                                   |                                                                              |
|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| 5-11-11 RELEASED FOR<br>SPECIAL USE SUBMITTAL | PROPOSED ADDITION &<br>ALTERATIONS TO EXIST.<br>AUTO DEALERSHIP                                                                   | STAR MOTOR<br>SALES                                                          |
|                                               | THOMAS<br>BUCKLEY<br>ARCHITECT<br>PO BOX 15624<br>HOPKIN ESTATES, IL 60146<br>TEL: 847-310-1530<br>ton@thomasbuckleyarchitect.com | 1723 OGDEN AVENUE<br>DOWNERS GROVE, IL<br>2014-034<br>TD JP<br>3-20-11 OF 14 |



CONSTRUCTION PLAN  
 SCALE 1/8" = 1'-0"  
 NORTH ↑

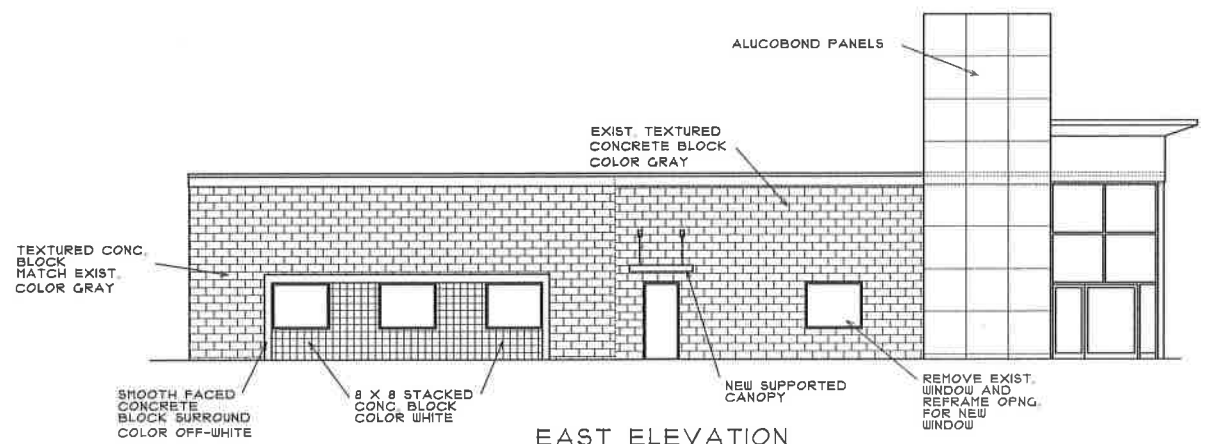
6-2-17 REVISED  
 PHOTOMETRICS

|                                               |                                                                                                        |                                        |
|-----------------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------|
| 5-11-17 RELEASED FOR<br>SPECIAL USE SUBMITTAL | PROPOSED ADDITION &<br>ALTERATIONS TO EXIST.<br>AUTO DEALERSHIP                                        | <b>STAR MOTOR<br/>SALES</b>            |
|                                               | <b>THOMAS<br/>BUCKLEY<br/>ARCHITECT</b>                                                                | 1723 OGDEN AVENUE<br>DOWNERS GROVE, IL |
|                                               | PO BOX 15624<br>HOPKIN ESTATES, IL 60195<br>TEL 641-310-1530 e-mail:<br>tom@thomasbuckleyarchitect.com | 2014-026<br>TB #P<br>3-20-17<br>OF 16  |



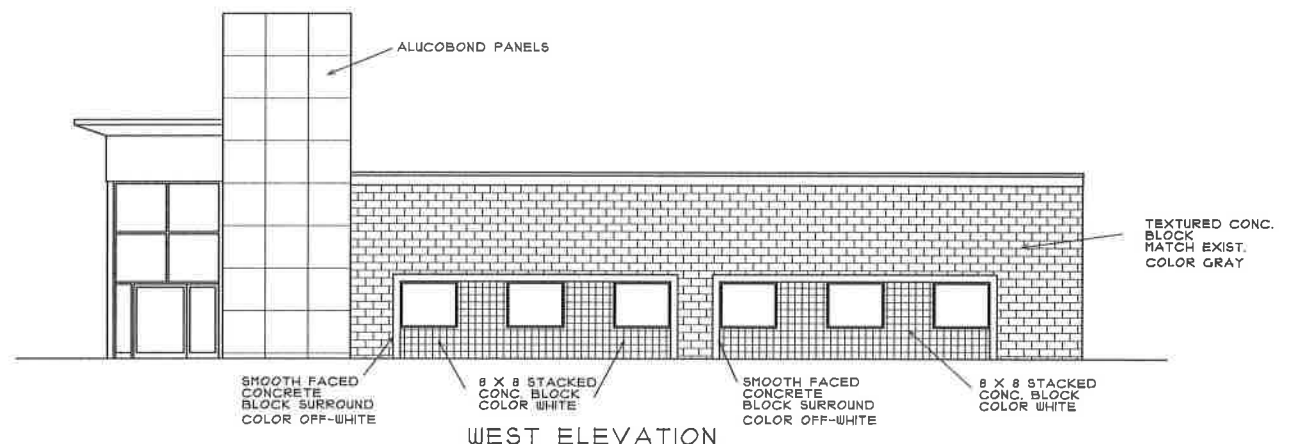
NORTH ELEVATION

SCALE 1/8" = 1'-0"



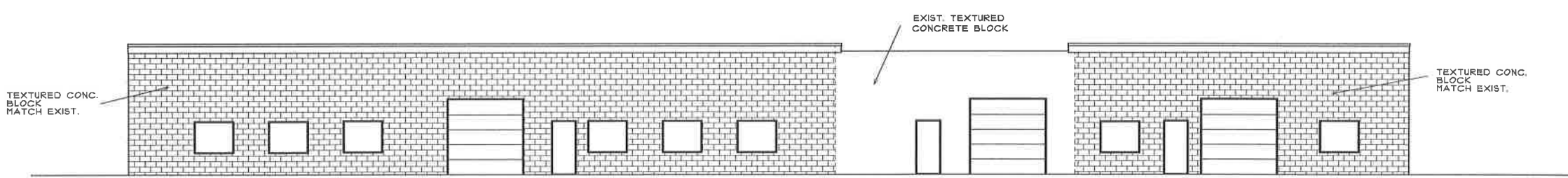
EAST ELEVATION

SCALE 1/8" = 1'-0"



WEST ELEVATION

SCALE 1/8" = 1'-0"



SOUTH ELEVATION

SCALE 1/8" = 1'-0"

4-2-11 REVISED PHOTOMETRICS

|                                            |                                                                                                                                     |                                                                              |
|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| 5-17-11 RELEASED FOR SPECIAL USE SUBMITTAL | PROPOSED ADDITION & ALTERATIONS TO EXIST. AUTO DEALERSHIP                                                                           | <b>STAR MOTOR SALES</b>                                                      |
|                                            | <b>THOMAS BUCKLEY ARCHITECT</b><br>PO BOX 15624<br>HOFFMAN ESTATES, IL 60145<br>TEL: 847-310-1530<br>tom@thomasbuckleyarchitect.com | 1723 OGDEN AVENUE<br>DOWNERS GROVE, IL<br>2014-026<br>TB JP<br>3-20-11 OF 16 |

LUMINAIRE SCHEDULE

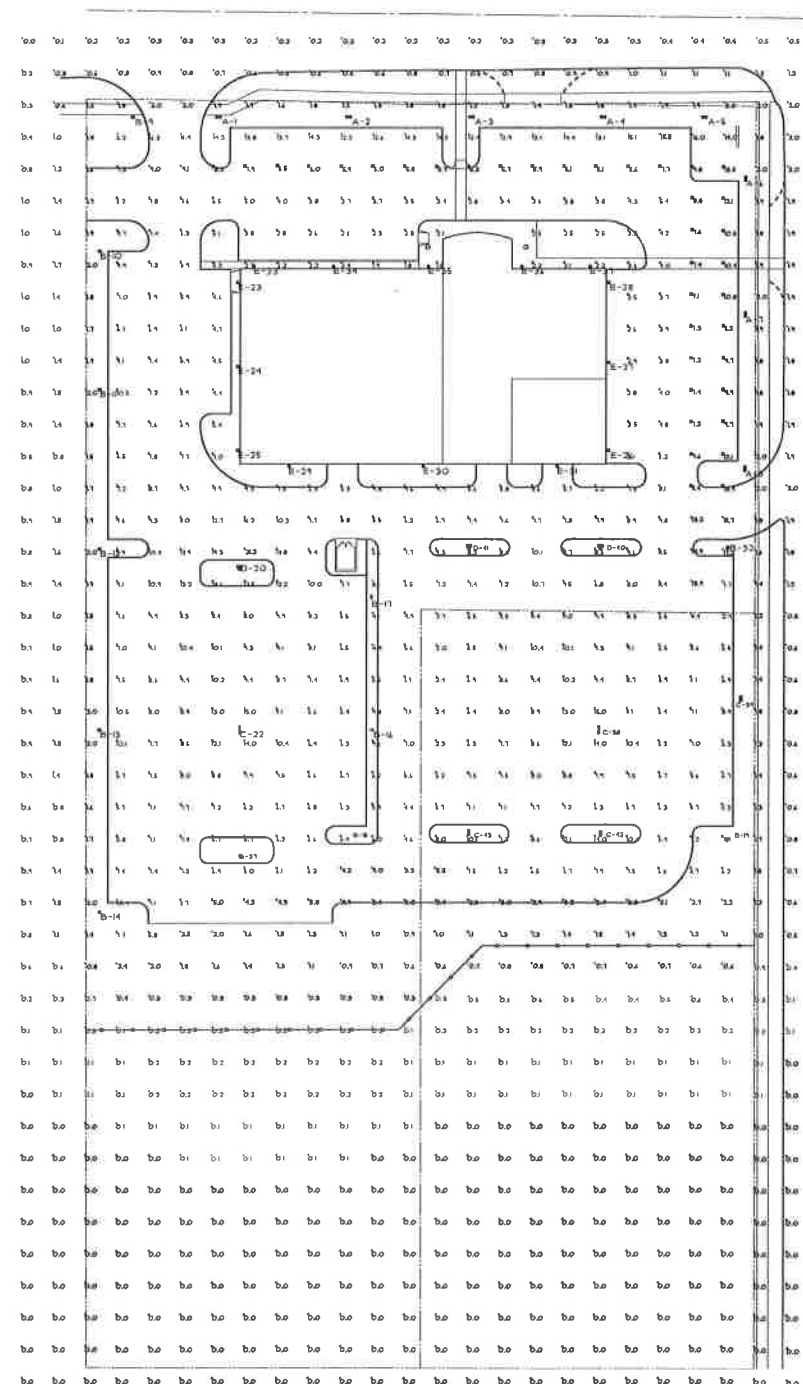
| Symbol | Label | Qty | Catalog Number                          | Description                                                                                         | Lamp | File                                       | Simba   | LLP  | Units |
|--------|-------|-----|-----------------------------------------|-----------------------------------------------------------------------------------------------------|------|--------------------------------------------|---------|------|-------|
| 100    | A     | 8   | DSK2 LED 100 1000 50K T2H HVOLT 140/R10 | DSK2 LED 1/2 1501 LED LIGHT ENGINE, 13 1050A DRIVERS, 8000K LED, TYPE T2H OPTICS LEFT ROTATED       | LED  | DSK2_LED_10                                | Abusite | 0.15 | 140   |
| 101    |       |     | DSK2 LED 100 1000 50K T2H HVOLT R10     | DSK2 LED 1/2 1501 LED LIGHT ENGINE, 13 1050A DRIVERS, 8000K LED, TYPE T2H OPTICS RIGHT ROTATED      | LED  | DSK2_LED_10 C-1000_BOW-T 2H_HVOLT_R 10.ras | Abusite | 0.15 | 140   |
| 102    |       |     | DSK2 LED 100 1000 50K T2H HVOLT L10     | DSK2 LED 1/2 1501 LED LIGHT ENGINE, 13 1050A DRIVERS, 8000K LED, TYPE T2H OPTICS LEFT ROTATED       | LED  | DSK2_LED_10 C-1000_BOW-T 2H_HVOLT_L 10.ras | Abusite | 0.15 | 140   |
| 103    | B     | 8   | DSK2 LED 1000 1000 50K T4H HVOLT        | DSK2 LED 1/2 1501 LED 1 2 1501 LED LIGHT ENGINE, 13 1050A DRIVERS, 8000K LED, TYPE T4H OPTICS       | LED  | DSK2_LED_10 OC-1000_50K_T4H_HVOLT.ras      | Abusite | 0.15 | 168   |
| 104    | C     | 1   | DSK2 LED 1000 1000 50K T4H HVOLT        | DSK2 LED 1/2 1501 LED 1 2 1501 LED LIGHT ENGINE, 13 1050A DRIVERS, 8000K LED, TYPE T4H OPTICS       | LED  | DSK2_LED_10 OC-1000_50K_T4H_HVOLT.ras      | Abusite | 0.15 | 168   |
| 105    | D     | 1   | DSK2 LED 1000 1000 50K T4H HVOLT        | DSK2 LED 1/2 1501 LED 1 2 1501 LED LIGHT ENGINE, 13 1050A DRIVERS, 8000K LED, TYPE T4H OPTICS       | LED  | DSK2_LED_10 OC-1000_50K_T4H_HVOLT.ras      | Abusite | 0.15 | 168   |
| 106    | A     | 8   | DSK2 LED 200 100 50K T4H HVOLT          | DSK2 LED 1/2 1501 LED 1 2 1501 LED LIGHT ENGINE, 20 LED'S, 1050A DRIVER, 8000K LED, TYPE T4H OPTICS | LED  | DSK2_LED_10 OC-1000_50K_T4H_HVOLT.ras      | Abusite | 0.15 | 168   |

STATISTICS

| Description        | Symbol | Avg    | Max     | Min    | Max/Min | Avg/Min |
|--------------------|--------|--------|---------|--------|---------|---------|
| Calc Low Front Row |        | 7.8 fc | 14.1 fc | 12 fc  | 13.4    | 1.1     |
| Enter Calc Zone    |        | 15 fc  | 21.3 fc | 0.0 fc | N/A     | N/A     |
| Parking Area only  |        | 12 fc  | 21.3 fc | 18 fc  | 1.8     | 4.0     |

LUMINAIRE LOCATIONS

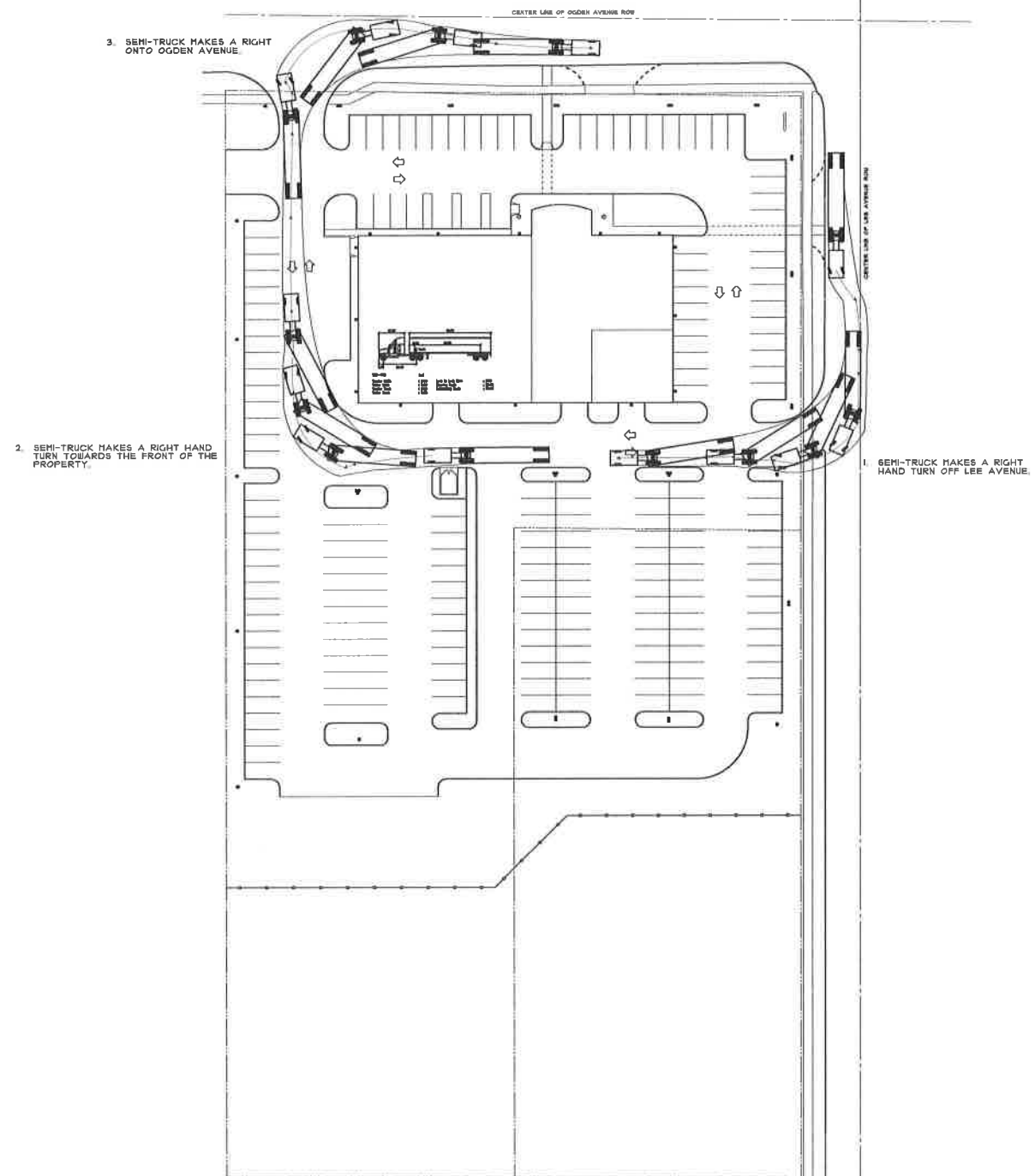
| No. | Label | X       | Y      | HS   | Orientation | TA  |
|-----|-------|---------|--------|------|-------------|-----|
| 1   | A     | -88.3   | -42.5  | 20.0 | 0.0         | 0.0 |
| 2   | A     | -110.3  | -42.5  | 20.0 | 0.0         | 0.0 |
| 3   | A     | -132.4  | -42.5  | 20.0 | 0.0         | 0.0 |
| 4   | A     | -154.4  | -42.5  | 20.0 | 0.0         | 0.0 |
| 5   | A     | -176.4  | -42.5  | 20.0 | 0.0         | 0.0 |
| 6   | A     | -198.3  | -42.5  | 20.0 | 0.0         | 0.0 |
| 7   | A     | -220.3  | -42.5  | 20.0 | 0.0         | 0.0 |
| 8   | A     | -242.3  | -42.5  | 20.0 | 0.0         | 0.0 |
| 9   | B     | -264.1  | -13.1  | 20.0 | 0.0         | 0.0 |
| 10  | B     | -286.1  | -13.1  | 20.0 | 0.0         | 0.0 |
| 11  | B     | -308.1  | -13.1  | 20.0 | 0.0         | 0.0 |
| 12  | B     | -330.1  | -13.1  | 20.0 | 0.0         | 0.0 |
| 13  | B     | -352.1  | -13.1  | 20.0 | 0.0         | 0.0 |
| 14  | B     | -374.1  | -13.1  | 20.0 | 0.0         | 0.0 |
| 15  | B     | -396.1  | -13.1  | 20.0 | 0.0         | 0.0 |
| 16  | B     | -418.1  | -13.1  | 20.0 | 0.0         | 0.0 |
| 17  | B     | -440.1  | -13.1  | 20.0 | 0.0         | 0.0 |
| 18  | B     | -462.1  | -13.1  | 20.0 | 0.0         | 0.0 |
| 19  | B     | -484.1  | -13.1  | 20.0 | 0.0         | 0.0 |
| 20  | B     | -506.1  | -13.1  | 20.0 | 0.0         | 0.0 |
| 21  | C     | -840.1  | -381.1 | 20.0 | 10.0        | 0.0 |
| 22  | C     | -862.0  | -381.1 | 20.0 | 10.0        | 0.0 |
| 23  | C     | -884.0  | -381.1 | 20.0 | 10.0        | 0.0 |
| 24  | C     | -906.0  | -381.1 | 20.0 | 10.0        | 0.0 |
| 25  | C     | -928.0  | -381.1 | 20.0 | 10.0        | 0.0 |
| 26  | C     | -950.0  | -381.1 | 20.0 | 10.0        | 0.0 |
| 27  | C     | -972.0  | -381.1 | 20.0 | 10.0        | 0.0 |
| 28  | C     | -994.0  | -381.1 | 20.0 | 10.0        | 0.0 |
| 29  | C     | -1016.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 30  | C     | -1038.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 31  | C     | -1060.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 32  | C     | -1082.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 33  | C     | -1104.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 34  | C     | -1126.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 35  | C     | -1148.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 36  | C     | -1170.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 37  | C     | -1192.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 38  | C     | -1214.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 39  | C     | -1236.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 40  | C     | -1258.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 41  | C     | -1280.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 42  | C     | -1302.0 | -381.1 | 20.0 | 10.0        | 0.0 |
| 43  | C     | -1324.0 | -381.1 | 20.0 | 10.0        | 0.0 |



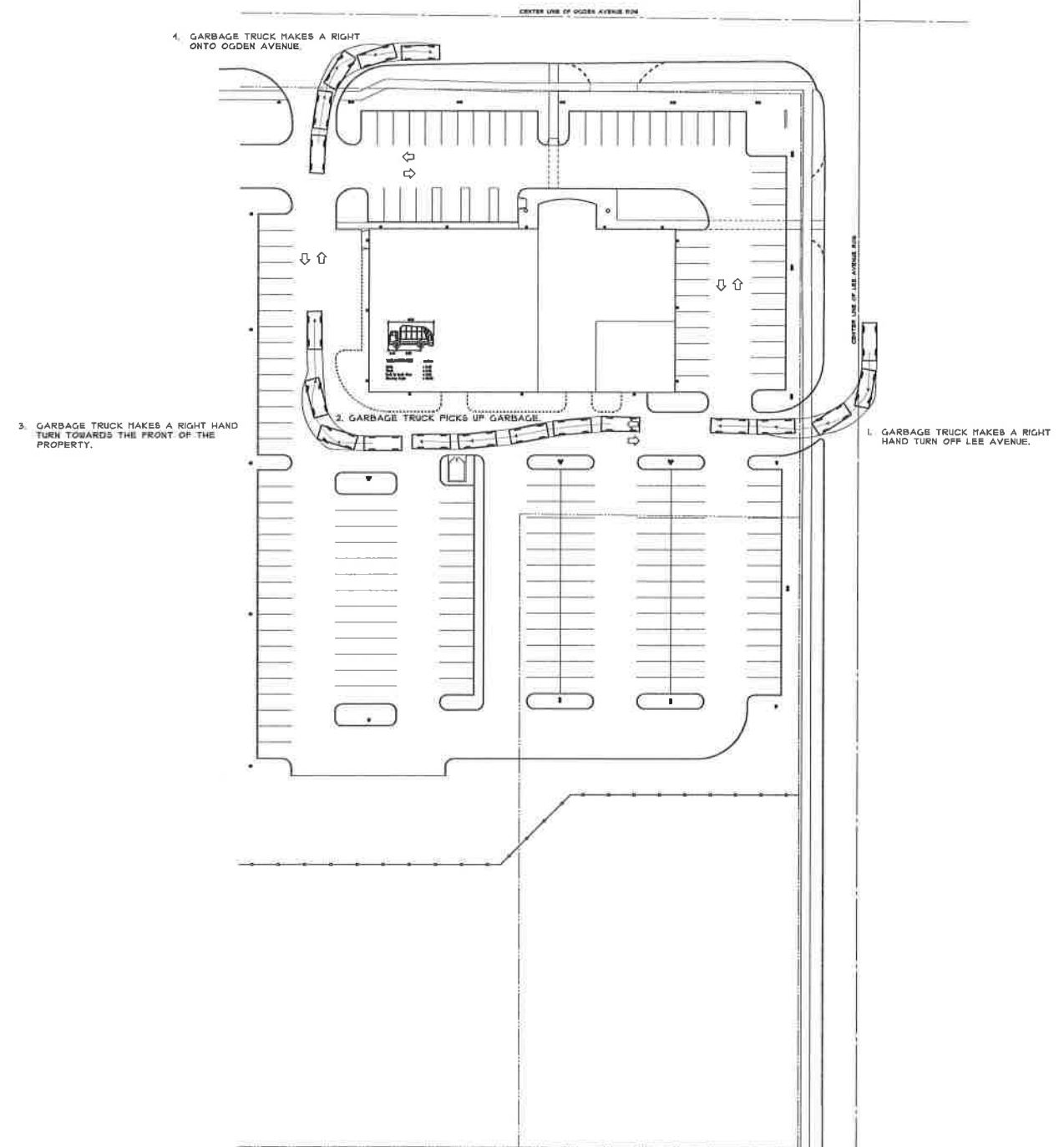
SITE PHOTOMETRIC  
SCALE 1" = 40.0'

4-2-17 REVISED PHOTOMETRICS

|                                            |                                                                                          |                                     |
|--------------------------------------------|------------------------------------------------------------------------------------------|-------------------------------------|
| 5-17-17 RELEASED FOR SPECIAL USE SUBMITTAL | PROPOSED ADDITION & ALTERATIONS TO EXIST. AUTO DEALERSHIP                                | STAR MOTOR SALES                    |
|                                            | THOMAS BUCKLEY ARCHITECT                                                                 | 1723 OGDEN AVENUE DOWNERS GROVE, IL |
|                                            | PO BOX 15624 HOFFMAN ESTATES, IL 60115 TEL: 847-340-1630 tom@thomaskbuckleyarchitect.com | 2014-024 TB JP                      |
|                                            |                                                                                          | 3-20-17 OF 14                       |



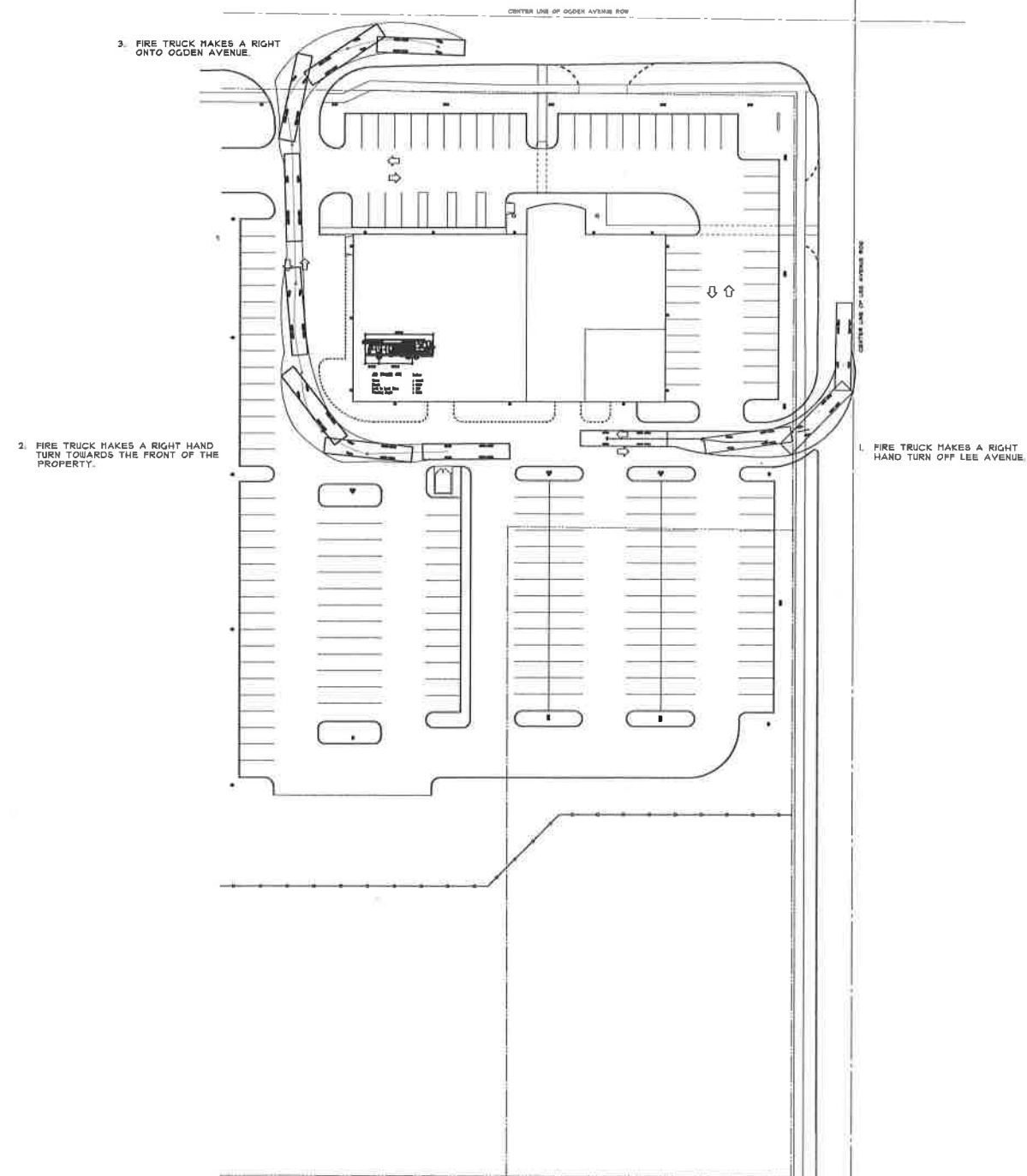
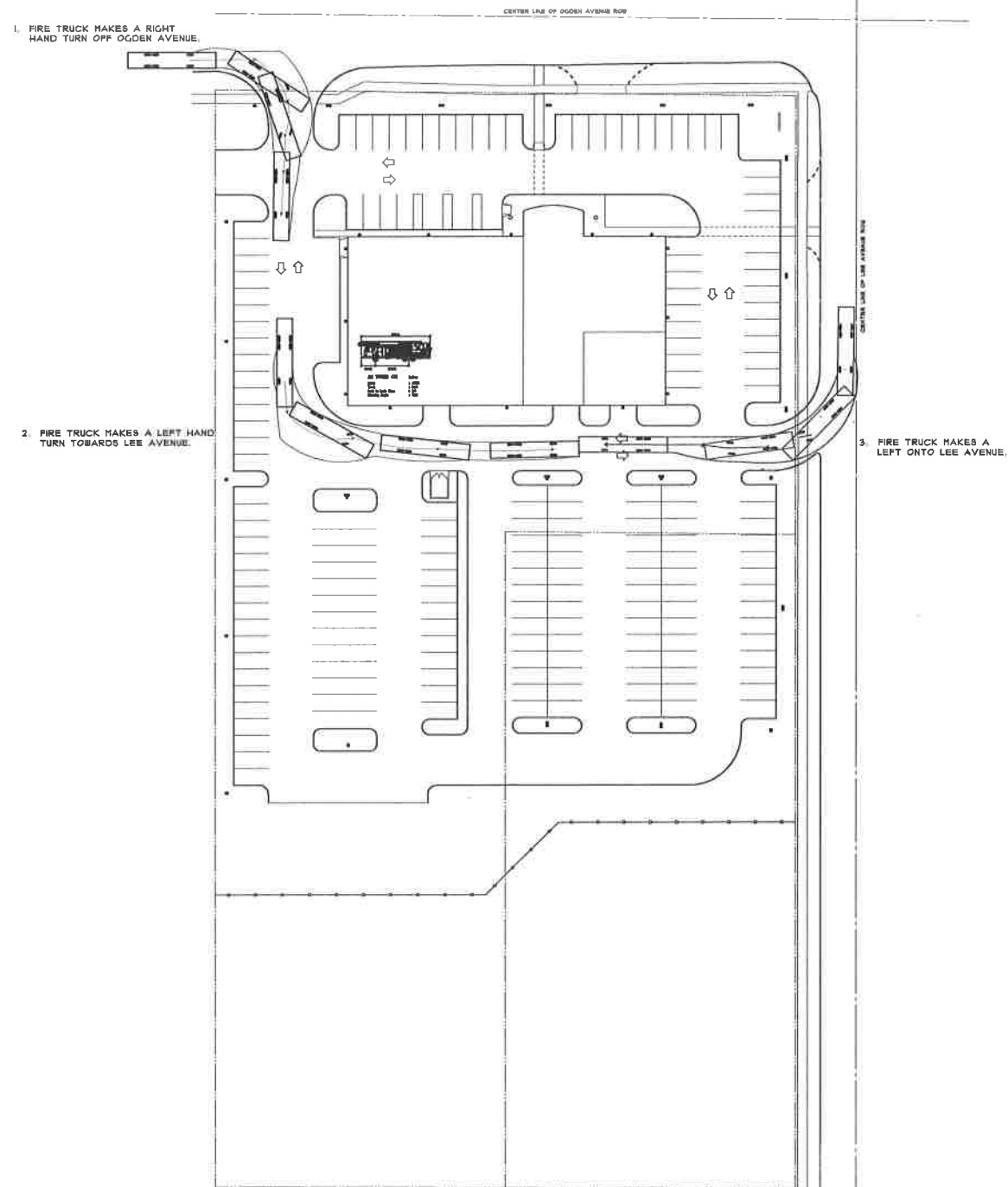
CAR CARRIER - TURNING RADIUS  
 SCALE 1" = 40.0'



GARBAGE TRUCK - TURNING RADIUS  
 SCALE 1" = 40.0'

4-2-17 REVISED  
 PHOTOMETRICS

|                                               |                                                                                                  |                                        |
|-----------------------------------------------|--------------------------------------------------------------------------------------------------|----------------------------------------|
| 5-17-17 RELEASED FOR<br>SPECIAL USE SUBMITTAL | PROPOSED ADDITION &<br>ALTERATIONS TO EXIST.<br>AUTO DEALERSHIP                                  | STAR MOTOR<br>SALES                    |
|                                               | THOMAS<br>BUCKLEY<br>ARCHITECT                                                                   | 1723 OGDEN AVENUE<br>DOWNERS GROVE, IL |
|                                               | PO BOX 15624<br>HOFFMAN ESTATES, IL 60115<br>TEL: 847-360-1530<br>tom@thomasbuckleyarchitect.com | 2014-026<br>TB JP                      |
|                                               |                                                                                                  | TR-1<br>3-20-17 OF 16                  |



4-2-17 REVISED PHOTOMETRICS

|                                            |                                                                                                                                     |                                                                                      |
|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 5-17-17 RELEASED FOR SPECIAL USE SUBMITTAL | PROPOSED ADDITION & ALTERATIONS TO EXIST. AUTO DEALERSHIP                                                                           | STAR MOTOR SALES                                                                     |
|                                            | THOMAS BUCKLEY ARCHITECT<br>PO BOX 15424<br>HOFFMAN ESTATES, IL 60145<br>TEL: 847-310-1830 4-888-<br>tom@thomasbuckleyarchitect.com | 1723 OGDEN AVENUE<br>DOWNERS GROVE, IL<br>2014-024<br>TB JF<br>3-20-17 TR-E<br>OF 14 |

## DRAFT MINUTES

**VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING****MINUTES FOR JULY 10, 2017**

Chairman Rickard called the July 10, 2017 meeting of the Plan Commission to order at 7:02 p.m. and led in reciting the Pledge of Allegiance.

**ROLL CALL:**

**PRESENT:** Chairman Rickard, Mr. Boyle, Ms. Hogstrom, Ms. Johnson, Mr. Kulovany, Ms. Rollins

**ABSENT:** Ms. Gassen, Mr. Maurer, Mr. Quirk, Ex. Officio members Davenport, Livorsi & Menninga

**STAFF:** Village Sr. Planner Rebecca Leitschuh  
Village Planner Swati Pandey  
Village Planner Scott Williams

**VISITORS:** Kent Conness, 1846 Grant St., Downers Grove  
Scott Richards, 1130 Warren, Downers Grove  
Joseph Fara, Thomas Buckley Architects, Hoffman Estates, IL 60195

**APPROVAL OF MINUTES FOR JUNE 5, 2017 MEETING**

**Mr. Kulovany moved, seconded by Ms. Rollins, to approve the minutes for the June 5, 2017 Plan Commission meeting.  
All in favor. The Motion carried.**

Chairman Rickard explained that after discussion on the two cases before the Plan Commission, the Commission will make a recommendation to the Village Council for their final decision. The Public Hearings for this meeting are for a zoning map amendment, and a special use permit. Chairman Rickard reviewed the procedures to be followed for the meeting, explaining that the Plan Commission is a recommending body. He asked anyone who intended to speak during the Public Hearings to rise and be sworn in.

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**16-PLC-0059 Special Use Amendment & Zoning Map Amendment for an Automobile Dealership. Owner: Omar Dweydari, 1723 Ogden Ave., Downers Grove, IL 60515; Applicant: Thomas Buckley, PO Box 95624, Hoffman Estates, IL 60195**

## DRAFT MINUTES

Village Planner Swati Pandey explained the application was for an automobile dealership located at the southwest corner of Ogden Avenue and Lee Avenue. The property at 1723 is an existing automobile use, and the property located at 1731 Ogden Avenue has three vacant buildings on the site. Immediately south of the 1723 commercial building is another parcel which is vacant and zoned R-1. The property at 1723 Ogden Avenue was approved for redevelopment for an automobile dealership in 2016. The applicant is returning with a request to amend the Special Use to consolidate the vacant parcel and allow the expansion of the approved parking lot from 2016. The vacant parcel is zoned R-1 and the applicant is also requesting a zoning map amendment to rezone the vacant property to B-3, General Services and Highway Business.

Ms. Pandey displayed Plats of Survey for 1723 and 1731 Ogden, and a Plat for the vacant parcel. Prior to the issuance of any building permits, a lot consolidation will have to occur. A display of the Future Land Use Map shows the vacant parcel, which is classified, as commercial. The vacant parcels to the east and south are zoned R-1 and have been part of the Village's stormwater mitigation program. They would not be developed in the future.

Ms. Pandey then displayed two site plans, one of which was previously approved in 2016 and shows the proposed building and associated improvements to the parking lot. It excludes the vacant parcel on the southeast corner of the site. The second site plan is the proposed site plan for the property and shows the vacant area as part of the amendment, including parking as well as associated landscape plans. All other elements of the site design remain the same as were approved in 2016.

Ms. Pandey said that the east most curb cut on Ogden Avenue will be removed, and the one on Lee Avenue will be moved further south. She showed the commercial property to the west at 1815 Ogden. Traffic circulation on the site has been reviewed by Staff and approved. A representation of the parking area including customer parking along Lee Avenue, and employee parking on the west side of the site has been reviewed for compliance with the Zoning Ordinance based on all of the uses on the site.

The engineering site plan displays the buffer area showing the northern boundary that will be improved with a permeable parking lot and landscape islands. She noted that the Petitioner has been advised of the wetland mitigation plans and will mitigate any negative impact caused by the redevelopment. The Petitioner has also provided a landscape plan that meets all minimum open space requirements of the Zoning Ordinance along both Ogden Avenue and Lee Avenue,

## DRAFT MINUTES

Photographs of the proposed building at 1723 Ogden Avenue depict improvements of the north façade with a new front and decorative overhang. Two columns are proposed for the east and west walls as anchors for the building. Signage proposed on the building will be reviewed at the time of permitting and is not part of the scope of the Special Use application. Elevation drawings are the same as submitted in 2016 with no changes proposed at this time.

The staff report packet contains the zoning analysis, which meets all the bulk requirements including open space, parking and photometrics. The application meets the goals of the Comprehensive Plan and the properties are identified as part of the Commercial Corridor reinvestment to improve the aesthetics and beautification of Ogden Avenue. There is a reduction in curb cuts proposed. The application also meets the zoning map amendment standards for approval. The existing vacant lot will remain vacant with minor encroachment to the wetland buffer area that is being developed in conjunction with the existing use to the north and consistent with the zoning of the nearby properties.

Ms. Pandey reviewed the Findings of Fact and the Special Use standards for approval criteria as shown in Staff's Report dated July 10, 2017, pages 5-7. The use is not detrimental to the public health, safety and welfare since the petitioner will be redeveloping a property with the same existing use, and the proposed development will be required to meet all applicable Village regulations including the Stormwater Ordinance

Based upon all of the findings Staff recommends that the Plan Commission make a positive recommendation to the Village Council for the approval of the Special Use amendment and Zoning Map amendment applications for 1723 and 1731 Ogden Avenue, subject to the 13 conditions listed on pages 7-8 of Staff's report dated July 10, 2017, 16-PLC-0059, 1723 Ogden Avenue.

Ms. Johnson asked what the buffer zone does for the wetlands, and what percentage of the buffer zone will be converted. Ms. Pandey replied that generally for any runoff to go into the wetland, a buffer zone is provided to filter out any type of debris going into the wetland. These are reviewed by wetland specialists, which will occur at the time of permitting. The improvements are not quantified by land area percentages. It is a water quality issue that the specialists will review. The applicant will provide a plan to determine how much of an improvement they will be providing.

Ms. Leitschuh further responded that the Village has stormwater engineers internally who identify that particular element of the review; however, when it is a larger commercial project, it is contracted out by the Village to wetland specialists.

## DRAFT MINUTES

In response to Mr. Kulovany, Ms. Pandey showed the area on the map where the wetlands are on the site. Mr. Kulovany asked how much of the wetland is on this property versus the property to the south. That information was not known.

Ms. Rollins asked what Condition #2 referenced. Ms. Pandey said the intent is to limit any loading or unloading of vehicles on Lee or Ogden Avenues, and the elimination of test-drives on Lee Avenue.

Ms. Hogstrom said in 2016 another condition was raised regarding the lighting and asked about the cut-off shields. Ms. Pandey replied that at the time of the 2016 meeting, they did not have specification sheets regarding the lighting. With this petition, the lighting has been included as part of the plan.

There being no further questions of Staff at this time, Chairman Rickard called upon the Petitioner to make its presentation.

Mr. Joseph Fara stated he was an associate of Thomas Buckley, the Petitioner, who was out of the country at this time. Mr. Fara said that the present plan is very similar to the one made before the Plan Commission in 2016. He said the building is the same, as are many other elements of the site, with the exception of the southeastern property. He provided some background on the property, which is 37,000 square feet in size in the northeastern section. The site was purchased in 2000, and Star Motor Works was established in 2001. Inventory was then sold to Luxury Motors, which eventually suspended their lease, and the current ownership took possession in 2007. In 2008 the dealership reopened as Motor Works, Inc., and in 2010 the name was changed to Star Motor Sales, as it remains today. Mr. Fara said that in 2015 owners purchased the adjacent properties to the west totaling about 94,000 square feet as part of the original proposal before the Plan Commission in 2016. Presently, the total square footage including the newly acquired vacant area is 187,641 square feet.

Mr. Fara explained that public hearings included expansion of the automobile dealership, stormwater, lighting, exterior elevations, traffic on Lee Avenue, truck-turning radii, parking and landscaping. The present application consolidates an additional vacant property currently zoned R-1. The Petitioner is requesting additional outdoor parking, as well as the items discussed in the previous submittal. The changes are site related, and do not affect floor plans, building façade, etc. It is independent from the 1644 Ogden Avenue proposal, although that site is under the same ownership. The operations will be distinctly separated and managed by their own team of employees. He then said that the dealership has about 182 parking spaces on site for customer, employee and inventory parking. The entire parking area will have eco-friendly permeable brick pavers, and there will be LED lighting

## DRAFT MINUTES

added together with trees and shrubbery. He referenced the landscaping plan noting additional curbs, landscaping buffers, etc.

Regarding the floor plan, Mr. Fara said that it includes a service showroom and offices resulting in about 14,500 square feet of space. The service area size will remain unchanged. Access to service is on the south side of the building. The primary purpose of the expansion is to maximize the indoor space and protect their inventory as they have experienced vandalism and weather damage to their inventory. They will maintain a state-of-the-art indoor showroom. The current façade will be remodeled for curb appeal, and to include a new reception area. He explained that the service bay will be remodeled, and a new detail bay will be added to the corner of the building.

Mr. Fara explained that the photometric plan is being revised to maintain illumination along the perimeter of the site, with a 2.0 maximum illumination on the north, east and west sides. Lighting fixtures will be equipped with cut-off shields. Truck-turning radius plans are basically the same as previously submitted.

Ms. Leitschuh said that there are copies of the photometrics available in Staff's report.

Chairman Rickard asked whether the Petitioner is aware of the 13 conditions recommended by Staff and whether there are any comments or questions regarding them.

Mr. Omar Dweydari, 1723 Ogden Avenue, owner of the dealership, commented on Condition #3 of Staff's report. He has no objection to the "no right turn" signage on Lee Avenue; however, he does have an objection to test drives being limited to arterial streets as defined in the Comprehensive Plan, which include Ogden Avenue, Belmont Road, Warren Avenue and Main Street. Mr. Dweydari said that the dealership cannot be held liable if a customer test-drives on Lee Avenue. Their practice is to have a salesman accompany a customer on the test drive. However, on occasion when there is a couple driving a two-seater, the salesman cannot attend with them, and the customer will drive on roads not allowed, even though they have been given a map of which roads are allowed. If they take a side street, the dealership has no control over that. He has had situations where he has had to go to court on tickets received by customers who have not followed the map. He ended up having to pay the tickets. He said he spoke with Community Development Director Popovich explaining that he would like the Village to place signage on Lee Avenue stating, "no test driving" or "local traffic only." He cannot be held liable for what a customer does when a salesman is not present on the test drive. Mr. Dweydari said he would like to see that condition removed, as he does not believe he should be held responsible for something over which he has no control. He has no problem with the other conditions.

## DRAFT MINUTES

Mr. Boyle asked what type of vehicles they sell, and what type of service they provide. Mr. Dweydari said they sell used cars, and have service for their own vehicles. Their service is not open to the public. They are keeping the same service and are expanding the detail area.

Mr. Boyle then referenced the photometric that was submitted saying the south portion looks to be zero foot-candles. He asked if that will be fenced off or secured in some way. Mr. Dweydari said they have deflectors to keep light from the residential area. The security problems are in the front and not the rear.

Mr. Boyle asked if they have considered extending the parking to the southwest area rather than near the buffer zone. Mr. Fara said that area was for circulation.

Mr. Anas Alkhatib of 5625 Middaugh Avenue, civil engineer for the site, showed on the buffer plan that they are diverting the overflow from one area to another area for drainage. They cannot move the buffer area, which is there to maintain the wetlands. By using permeable pavers they are improving the wetland area. They think this is a reasonable encroachment into the buffer for the location, due to the pavers. He said that this wetland is not high quality or sensitive to changes.

Chairman Rickard then clarified that the buffer area filters the water before it gets to the wetland area. Mr. Alkhatib said that was correct and it improves the situation to filter into the wetland from the buffer area.

Mr. Boyle asked what would prevent future expansion over the buffer. Mr. Alkhatib said they could not expand any further as it is wetland and the Ordinance would prohibit it.

Ms. Hogstrom noted that it is nice to hear they would be improving the quality of the vegetation that presently exists there.

Ms. Leitschuh said that there have been complaints from residents about other dealerships test-driving in the residential area. She said that the condition as specified in this petition is one that the Plan Commission can expect to see more of in future cases involving automobile dealerships.

Mr. Kulovany asked whether that will be by ordinance, or is a special use condition. Ms. Leitschuh said that once Council approves it is in effect an ordinance.

Chairman Rickard asked if this would be a requirement for all car dealerships and Ms. Leitschuh said it would be, and it would also be enforceable.

## DRAFT MINUTES

Chairman Rickard then asked for clarification as to who gets the tickets. Ms. Leitschuh replied that at this time it is the dealership owner who gets the ticket. She explained that the majority of times the dealership has a salesperson in the car with the test driver.

Mr. Kulovany said that begs question as to whether the Village may be creating a situation where there is a moving violation based on the Special Use condition where the party who gets ticketed had nothing to do with the moving violation, as in the case of a two-seater car with no salesperson in the car. Ms. Leitschuh replied that from the complaints they have received from residents in the past, the Village has found that a salesperson has been present in the car. The violation tends to occur along the same streets and the residents are the source of documentation. She added that placing the condition on the special use is an attempt to protect the rights of the residents in the area surrounding the auto dealerships.

Chairman Rickard noted that this is the condition that was put in place a year ago when this came before the Plan Commission, and the Village Council approved it then with the same conditions as exist in this particular case.

There being no further comments from the Commission at this time, Chairman Rickard invited the public to comment.

1. Scott Richard of 1130 Warren Avenue said he lived at 1525 Ogden Avenue for twelve years. He said that car dealerships don't really abide by many of the Village's Ordinances. He wanted to remind the car dealers that there are ordinances in town about using the Village parkways as parking lots for their automobile inventory. He wants to see that dealerships are not able to use the parkways as parking lots, and he wants that law enforced. He said that he saw Ziegler had Jeeps on the parkway and they know they can get away with it.

2. Kent Conness of 1846 Grant Street said he thought the condition about not driving on Lee is a fine condition, and he asked whether Packey Webb is aware of this as they have a much larger dealership opening on Ogden. Ms. Leitschuh said she did not know. Mr. Conness said he's lived in the area for a long time and is concerned about stormwater and encroachment into the wetlands area. He noted that several houses on Lee were purchased by the Village for stormwater management, so the word "encroachment" is cause for concern. He doesn't like that they are allowing construction on wetlands. He also asked if they have a sales tax rebate agreement. Chairman Rickard said that was not the purview of the Plan Commission. Mr. Conness said another concern of his is light pollution, and said Staff should make sure the photometric plan is executed as it's shown on the application.

## DRAFT MINUTES

Chairman Rickard said that the Village's stormwater engineers will review this to make sure it complies with the requirements.

There being no further comments, Chairman Rickard asked the Petitioner for any further comments.

Mr. Alkhatib said the existing property used to have access parking along the building. The proposed site plan improves the imperviousness of the site, creating less water than existed previously. They have planned for a very thick layer of stone to assure proper drainage, and Staff has reviewed their plan.

Mr. Fara said they are sensitive about light pollution, and their intent is to reduce light pollution. The lights will be pointing downward, and will be less reflective.

Mr. Dweydari commented about the test-driving on Lee Avenue, noting that none of his salesmen have been in a car with a customer on Lee Avenue. He said that if a salesperson is in the car when a violation occurs, he will take responsibility for the ticket; however, if a customer is alone, he will not be responsible for the ticket. He would like to see signage placed on Lee Avenue, and if absolutely necessary he will pay for that signage himself. Ogden Avenue is filled with auto dealerships, and when a resident sees a green license plate it does not mean it is Star Motors. Star Motors does not sell Nissan products. To add to the problem, there will be four other dealerships near his dealership. He has no control over what a driver does when a salesman from Star Motors is not in the car with the driver. If his salesman is present, Mr. Dweydari said he will assume responsibility for the ticket.

Mr. Kulovany asked what soil is under the parking area, and Mr. Alkhatib said it is clay.

Ms. Hogstrom asked Mr. Dweydari what occurs when a customer takes a car out on their own and has an accident. Mr. Dweydari said their own insurance will cover the accident; however, if his salesperson is present with them, then the dealerships insurance would cover the accident. He noted that a customer without his own insurance is not allowed to test drive a car. If a customer wants to take a car out overnight, they have to fill out a form for liability. He explained that every customer who comes in and test drives a car has their driving information recorded.

There being no further comments, Chairman Rickard closed the Public Hearing at 8:13 PM, and opened the floor to discussion from the Plan Commission members.

## DRAFT MINUTES

Ms. Johnson asked Staff about submitting a wetland mitigation plan and whether it is part of the permitting process since it's not mentioned in the conditions. Ms. Leitschuh replied that it is part of standard permitting.

Mr. Kulovany said that he believes this petition meets the requirements and is a great improvement to the site. It meets the Comprehensive Plan. Replacing two feet of clay with gravel is a definite improvement as well. He is concerned about forcing a third party to pay for someone else's moving violation. He recommended adding the words "Shall use all reasonable efforts to ensure that" prior to the beginning of Condition #3 on page 7 of Staff's report.

Chairman Rickard asked whether Staff has an opinion about that condition. Ms. Leitschuh said she doesn't know about other dealerships. She said when this information goes to the Village Council they will know that the Plan Commission sees these issues as requiring further review.

Chairman Rickard said if every dealer is being told the same thing then he has no problem with it. Ms. Leitschuh said that over the last two years this has been put into the conditions of petitions during that period; however, it is not retroactive.

Ms. Johnson said if Staff is recommending this condition, she thinks Staff should be notifying other dealerships about this condition.

Ms. Leitschuh said that car dealerships are now permitted as a Special Use, and this is the tool that the Planning Staff is using.

Chairman Rickard questioned whether there is consideration for the Village Council to regulate this by making it a Village Ordinance. Ms. Leitschuh said that the Plan Commission can bring that to Council's attention.

Mr. Kulovany commented that if there is a violation of the Special Use by test drivers, the Village can pull the Special Use for the dealership for something that the dealership has no control over.

Ms. Rollins said that she likes the idea of other options such as placing more signage on the side roads where test drives are prohibited. Ms. Johnson asked where the signage would be placed, because a driver could enter at any point on Lee and not be aware of the signage.

Chairman Rickard asked whether it is a violation for someone to test drive down Warren Avenue and then turn up Lee to return to the lot. Ms. Leitschuh replied that you cannot test drive a car on anything less than an arterial street anywhere in the Village.

## DRAFT MINUTES

**Mr. Kulovany moved to forward a positive recommendation to the Village Council for case 17-PLC-0059 subject to the 13 conditions in Staff's report, and amending Condition #3 by adding the words "Shall use all reasonable efforts to ensure that" to the beginning of that condition. Ms. Rollins seconded that Motion. All in favor. The Motion carried unanimously.**

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