

Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

11/14/2017

7:00 PM

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

1. Call to Order

Mayor Martin Tully called the regular meeting of the Village Council of the Village of Downers Grove to order at 7:00 p.m. in the Council Chambers of the Downers Grove Village Hall.

Pledge of Allegiance to the Flag

Mayor Tully led those present in the Pledge of Allegiance to the Flag.

2. Roll Call

Council Attendance (Present): Commissioner Walus, Commissioner Earl, Commissioner White, Commissioner Hosé, Commissioner Barnett; Mayor Tully

Absent: Commissioner Waldack

Non-Voting: Village Manager David Fieldman, Village Attorney Enza Petrarca, Village Clerk April Holden

The Council meeting is broadcast over the local FM radio station, WDGC. In addition, a tape recording and videotape of the meeting are being made using Village-owned equipment. The videotape of the meeting will be used for later rebroadcast of the Council meeting over the Village cable television Channel 6.

The Council will follow the rules of conduct for this meeting as provided in Sec. 2.5 of the Downers Grove Municipal Code. These offer the public the opportunity to comment at several points in the meeting. First, immediately following approval of the minutes of past meetings, an opportunity will be given for public comments and questions of a general nature. If a public hearing is scheduled for this meeting, an opportunity is given for public comments and questions related to the subject of the hearing. Finally, an opportunity is given for public comments and questions on items appearing on the Consent Agenda, the Active Agenda and the First Reading.

The Mayor stated that at the appropriate time the presiding officers will ask if there are any comments from the public. Individuals wishing to speak, should raise their hand to be recognized and, after acknowledgment from the presiding officer, approach the microphone and state their name. Remarks should be limited to five minutes, and individuals are asked to refrain from making repetitive statements.

Mayor Tully said there are agendas located on either side of the Council Chambers, and he invited the audience to pick up an agenda and follow the progress of the Council meeting.

3. Minutes of Council Meetings

MIN 2017-7583 — A. Minutes: Council Minutes - November 7, 2017

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Summary: Council Minutes - November 7, 2017

Motion: Commissioner White moved to approve the minutes as presented. Commissioner José seconded the motion.

Mayor Tully declared the motion carried by voice vote.

4. Public Comments

This is the opportunity for public comments.

1. Dr. Gordon Goodman, 5834 Middaugh, stated that he and his wife are enjoying the improvements made on Carpenter Street. He asked whether the Village used the same contractor for the repairs.

Village Manager Dave Fieldman said it was a different contractor for street resurfacing. The previous contractor was not qualified to remove the bricks and replace with asphalt.

2. Shanon Tully, 5413 Main Street, and Christine Martin, 701 Maple, informed everyone that they are the new co-chairs of Friends of the Edwards House for the next fiscal year. Ms. Tully noted that the group has its new landmarked homes and buildings calendars for sale and they can be obtained from Friends of the Edwards House.com. The cost is \$12.00 and all proceeds go to support historic preservation in the Village.

3. Byron Holtzen, 5226 Carpenter Street, said their street is wonderful but without the “natural” speed bumps now drivers are speeding down the street. He hoped the Village could do something to make drivers slow down to the 25 mph limit.

5. Consent Agenda

BIL 2017-7578 — A. Bills Payable: No. 6362, November 14, 2017

MOT 2017-7569 — B. Motion: Award \$18,390.00 to Andrews Technology, Wilmington, NC, for Time and Attendance Software

Summary: This authorizes the award of a three-year contract for time and attendance software to Andrews Technology of Wilmington, North Carolina in the amount of \$18,390.00 (\$10,910.00 due upon execution, \$3,740.00 due annually).

RES 2017-7570 — C. Resolution: Authorize a License Agreement with Chicago SMSA Limited Partnership d/b/a Verizon Wireless to Install, Maintain and Operate Antenna Equipment on Village Property Located at 801 Burlington Avenue

Summary: This authorizes a License Agreement with Chicago SMSA Limited Partnership d/b/a Verizon for the continued operation of antenna on Village owned property located at 801 Burlington Avenue.

A RESOLUTION AUTHORIZING EXECUTION OF A LICENSE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND CHICAGO SMSA, LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS TO INSTALL, MAINTAIN AND OPERATE ANTENNA EQUIPMENT ON VILLAGE PROPERTY LOCATED AT 801 BURLINGTON AVENUE

RESOLUTION 2017-89

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RES 2017-7580 — D. Resolution: Authorize a License Agreement with Mobilitie, LLC, for Use of Village Rights-of-Way for Small Cell Telecommunications Facilities

Summary: This authorizes a license agreement with Mobilitie, LLC for the use of the Village's rights-of-way for the installation, operation and maintenance of small cell telecommunications facilities upon ComEd utility poles.

A RESOLUTION AUTHORIZING EXECUTION OF A LICENSE AGREEMENT BETWEEN MOBILITIE, LLC AND THE VILLAGE OF DOWNERS GROVE FOR USE OF VILLAGE RIGHTS-OF-WAY FOR SMALL CELL TELECOMMUNICATIONS FACILITIES

RESOLUTION 2017-90

MOT 2017-7579 — E. Motion: Authorize the Repair of the 2007 Pierce Enforcer Pumper to Cummins NPower at a Not-to-Exceed Cost of \$30,231.33

Summary: This authorizes repair of the Village's 2007 Pierce Enforcer pumper by Cummins NPower of Hodgkins, IL, in the amount of \$30,231.33, which includes a 10% contingency amount.

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

Votes: Yea: Commissioners White, Earl, Walus, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

6. Active Agenda

ORD 2017-7552 — A. Ordinance: Amend Permit and Background Investigation Provisions for Food Truck Vendors

Summary: This amends permit and background investigation provisions for food truck vendors.

AN ORDINANCE AMENDING PERMIT AND BACKGROUND INVESTIGATION PROVISIONS FOR FOOD TRUCK VENDORS

ORDINANCE NO. 5650

Motion: Commissioner White moved to adopt "An Ordinance Amending Permit and Background Investigation Provisions for Food Truck Vendors," as presented. Commissioner Hosé seconded the motion.

Mayor Tully said he appreciates the work that staff has done working with representatives of the business community, as well as his colleagues for working through this issue. He is glad to see that they are making adjustments.

Votes: Yea: Commissioners White, Hosé, Walus, Earl, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

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RES 2017-7560 — B. Resolution: Grant Historic Landmark Designation for 735 Maple Avenue**Summary:** This grants historic landmark designation for 735 Maple Avenue.**A RESOLUTION GRANTING HISTORIC LANDMARK DESIGNATION FOR 735 MAPLE AVENUE****RESOLUTION 2017-91****Motion:** Commissioner White moved to adopt "A Resolution Granting Historic Landmark Designation for 735 Maple Avenue," as presented. Commissioner Earl seconded the motion.

Christine Martin, 701 Maple, said she is thrilled to have helped Mrs. Black through the landmarking process. She also thanked staff and Mrs. Black.

Dr. Gordon Goodman, 5834 Middaugh, said how fine it is that things that represent the character of Maple Avenue are being landmarked and stabilizing that appearance. Mrs. Black's house has the quality of old-time Downers Grove, particularly with the carriage house in the back.

Mrs. Black, owner of the property, said she is very happy her house is becoming a landmarked property.

Mayor Tully thanked Nora Black for landmarking her home. It is a great addition, and will leave a lasting impression on the community.

Votes: Yea: Commissioners White, Earl, Walus, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

Mayor Tully then presented the landmarking certificate to Mrs. Black.

ORD 2017-7534 — C. Ordinance: Authorize a Special Use for 1543 Ogden Avenue to Permit an Automobile Dealership**Summary:** This authorizes a special use for 1543 Ogden Avenue to permit an automobile dealership.**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR 1543 OGDEN AVENUE TO PERMIT AN AUTOMOBILE DEALERSHIP****ORDINANCE NO. 5651****Motion:** Commissioner White moved to adopt "An Ordinance Authorizing a Special Use for 1543 Ogden Avenue to Permit an Automobile Dealership," as presented. Commissioner Earl seconded the motion.

Scott Richards, 1130 Warren Avenue, said he has no issues with the lot itself as it needs improvement and will be a welcome change. He said he wants assurances that the petitioners are aware of two ordinances in town that prohibit parking on or across sidewalks and on the parkway.

Votes: Yea: Commissioners White, Earl, Walus, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

ORD 2017-7553 — D. Ordinance: Amend Certain Traffic Provisions**Summary:** This amends certain traffic provisions.**AN ORDINANCE AMENDING CERTAIN TRAFFIC PROVISIONS****ORDINANCE NO. 5652**

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Motion: Commissioner White moved to adopt "An Ordinance Amending Certain Traffic Provisions," as presented. Commissioner Earl seconded the motion.

Dr. Gordon Goodman, 5834 Middaugh, stated he was pleased to see more stop signs being installed at uncontrolled intersections. Stop signs in his neighborhood have been an improvement and make it much safer to travel through residential neighborhoods.

Votes: Yea: Commissioners White, Earl, Walus, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

MOT 2017-7561 — E. Motion: Estimate 2017 Aggregate Tax Levy for the Village of Downers Grove

Summary: This motion finds and determines that the aggregate levy for the Village of Downers Grove, as defined in the Illinois Truth in Taxation Law, estimated to be necessary to be raised by taxation for 2017 upon the taxable property in Downers Grove is \$27,040,944.76. This amount is based upon an estimated levy of \$3,968,669 for corporate and police; \$2,850,000 for fire; \$3,130,000 for police pension; \$3,400,165 for fire pension; \$5,239,239 for library operating; \$1,045,200 for Central Business District and Fairview Avenue 2009 Series debt service; \$544,700 for Central Business District 2010 Series debt service; \$966,800 for Central Business District 2010B Series debt service; \$1,935,318.76 for Capital Projects 2012 Series debt service; \$1,839,750 for Central Business District 2013A Series debt service; \$791,225 for Refunding Bonds 2014 Series debt service; \$512,250 for Refunding Bonds 2015 Series debt service; \$744,100 for Refunding Bonds 2016 Series debt service; and \$73,528 for Refunding Bonds 2017 Series debt service. The estimated levy for Special Service Area #2, CBD Special Service Area, is \$247,000. The estimated levy for Special Service Area #4, Green Acres Special Service Area, is \$0. The estimated levy for Special Service Area #5, Atwood Special Service Area, is \$0. The estimated levy for Special Service Area #6, Fairview Fire Protection District Special Service Area, is \$84,065. The estimated levy for Special Service Area #7, Dunham Subdivision, is \$0. The estimated levy for Special Service Area #8, Nelson Meadow Subdivision, is \$0. The estimated levy for Special Service Area #9, 35th & Saratoga Subdivision, is \$0. A public hearing will be held on these proposed levies on December 5, 2017, at 7:00 p.m. in the Village Council Chambers. The adoption of the proposed levies will be held on December 12, 2017, at 7:00 p.m. in the Village Council Chambers. Staff is also directed to prepare ordinances to abate certain 2017 tax levies.

Motion: Commissioner White moved to adopt the motion to find and determine the aggregate levy for the Village of Downers Grove, as defined in the Illinois Truth in Taxation Law, estimated to be necessary to be raised by taxation for 2017 upon the taxable property in Downers Grove is \$27,040,944.76, as presented. Commissioner Earl seconded the motion.

Dr. Gordon Goodman, 5834 Middaugh, referenced the table displaying comparisons of property taxes paid on the average home in 20-30 communities. Oak Brook is at the top with no property tax, and Downers Grove is the third lowest community with an average of about \$606 for a home worth about \$300,000. He said the public should realize how carefully the Council is managing the funds of the community. He is very proud to live in Downers Grove and to benefit from the Council's careful stewardship.

Mayor Tully commented that there would be abatements. The levy is the maximum amount the Village can levy, but the Village almost never collects the full amount due to the abatements. He said that the Village has revenue sources to pay the debt service.

Votes: Yea: Commissioners White, Earl, Walus, Hosé, Barnett; Mayor Tully

Nay: None

Mayor Tully declared the motion carried.

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7. First Reading

ORD 2017-7523 — A. Ordinance: Adopt the Fiscal Year 2018 Budget in Lieu of Passage of an Appropriation Ordinance

Mr. Fieldman noted that this is the sixth discussion out of a total of eleven of the budget and tax levy. He said staff has provided four overviews of the budget at previous meetings and there is no additional presentation this evening. He said the summary of the budget as well as the entire budget are available online. Staff hopes to obtain direction from the Village Council regarding any changes they may have.

Mayor Tully said that the Village is exceptional in the number of opportunities it provides for discussion of the budget.

The Mayor referenced the Coffee With the Council edition of the budget presentation. The budget as proposed was not going to be balanced. He does not see a reason for the Village to be out of balance and he asked for options. He noted that staff recommended the following options:

Reallocating funds previously made available for major facilities in the amount of \$200,000;

Transferring \$120,000 from the capital fund, as that amount will cause no ill will.

Secondly, the Mayor said he watched the meeting on his phone last week when Dr. Goodman covered the maintenance necessary for the buffer zone at Lyman Woods. Mayor Tully said he would follow up with the Forest Preserve and the Park District on this. The dollar amount is \$14,000, and the Mayor thinks they should earmark that amount out of the capital budget for this project.

Mr. Fieldman staff would move local gasoline tax revenue and a portion of the telecommunication tax revenue to balance the General Fund. That would increase the capital project fund expenses by \$14,000. No new dollars would be necessary.

Commissioner José said he agrees with both suggestions. He noted that on page 4-29 of the Capital Projects Fund there is a fund balance reflected that indicates there is sufficient funding to take care of the projects that are on tap.

Commissioner Earl said she supports the Lyman Woods buffer allocation and a balanced budget.

Commissioner Barnett clarified that they would be effectively reducing anticipated expenses.

Mr. Fieldman responded that they would be moving revenues.

Commissioner Barnett said there would be lower balances in the funds, while the total revenue would be less than total expenses, only in a different fund. He added that he agrees with the Mayor's activity suggestions. He would prefer reducing expenses or raising revenue, and is a little concerned about the method they are using, which is an accounting method.

Mayor Tully said he would share Commissioner Barnett's concern if it were larger than \$320,000 or more than one time, or if not from the facilities fund. Most would be coming from the Major Buildings Fund, and that is why he is okay with this.

Commissioner Barnett stated that a structural deficiency issue still exists.

Mr. Fieldman said from staff's perspective there is no structural deficit due to things that are happening at a State level. This is a one-time issue, which is why staff has no concerns with the ideas presented tonight.

Commissioner Barnett suggested not to oversell the State, as there's been a huge pattern of wildly irresponsible behavior that likely will negatively affect us in the future.

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8. Mayor's Report

The Mayor announced that registration will be closing soon for the Bonfield Express.

9. Council Member Reports

Commissioner Earl said that Coffee With the Council will be held from 9:00-10:00 a.m. at the Library this Saturday, November 18, 2017.

Commissioner José said he would be absent from next week's meeting and wished everyone a happy, safe Thanksgiving.

Commissioner Walus said registration for the 2017 5k Bonfield Express is almost closed. It closes Thursday November 16. She said people can register on site at Good Samaritan. They can also register at the Tivoli on race day. The race begins at 8:30 a.m. on Thanksgiving morning.

The Mayor asked for a motion to recess to the Committee Room to discuss the Downtown Development Regulatory Framework.

Commissioner White moved to recess to the Committee Room. Commissioner Earl seconded the motion.

The Mayor declared the motion carried by voice vote and the Council recessed at 7:46 p.m.

10. Manager's Report - Committee Room

INF 2017-7567 — A. Information: Discussion of Downtown Development Regulatory Framework

Mayor Tully reconvened the meeting at 7:55 p.m. to discuss the downtown development regulatory framework. He asked Stan Popovich, Director, Community Development, to introduce the topic.

Stan Popovich, Director, Community Development, said this is to continue the discussion from previous Council meetings. Tonight's focus will include a project recap, two proposed map changes, three map areas for further discussion, additional downtown transition uses, and additional public participation.

Mr. Popovich provided a project recap including meetings of the Comprehensive Planning Ad Hoc Committee, Plan Commission, Village Council, and business and property owners. To date they have reviewed the four downtown zoning districts – Downtown Core, Downtown Edge 1, Downtown Edge 2, Downtown Transition (DC, DE-1, DE-2, DT); geographic boundaries, height regulations, density, setbacks, uses, and design guidelines.

Regarding map revisions, Mr. Popovich said there are two areas that are recommended to be changed to a different zoning classification based on recent Council discussions. Area 1 is the southwest corner of Rogers Street and Washington Street. This area has been of concern to some neighbors. The current zoning is DB (Downtown Business). The original zoning recommendation was DT. The proposed change is DE-1 zoning classification. The second area of concern is the southwest corner of Forest Avenue and Gilbert Avenue. There are four small parcels that front Forest Avenue that are currently zoned DB. The original recommendation was to zone this DT; however, after re-evaluating the area, staff recommends designating it as DC zoning classification.

Mr. Popovich then discussed three areas deemed needing further discussion. The first area is the east side of Main Street, between Rogers and Franklin Streets just north of the railroad tracks. It is comprised of single-family homes that have been converted to business uses, and the original recommendation was to designate that area as DT. However, with the increased setback requirements in the DT classification, it would create a tight space for redevelopment, and the recommendation is to designate it as DE-2 zoning.

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Regarding the difference in height, Mr. Popovich replied that the height difference would be from 36' for DT to 60' for DE-2.

He addressed the area along Maple and Washington, at the northwest corner parking lot, which is designated as DE-2. It could be construed as spot zoning as it is just one parcel without any other DE-2 parcels touching it. Staff would like more discussion on that site and whether it should be designated as DE-1, or if other parcels around it should convert to DE-2. That would be a change of 70' in DE-1 to 60' in DE-2.

Another area of concern is the northeast corner of Maple Avenue and Washington Street, which was changed to DT; however, residents expressed concerns about the setbacks and buildable area. Additional Council discussion and direction is needed.

The 5109-5111 Main Street site was then discussed. Mr. Fieldman said this is the Heritage House site. The original zoning designation was DC. The property owners have expressed their concern regarding proposed height allowance. The proposed zoning classification would allow a maximum of three stories. The property owners expressed a desire to be permitted to build up to four stories to match the adjacent Acadia on the Green building.

Mayor Tully provided background on the property, stating the parcel was supposed to be part of the Acadia project. In his mind it should have been four stories anyway. He has no problem with that because had it been acquired, it would have been four stories. He would support this across the street, at the bank, as well.

Commissioner Barnett said he thought they were trying to create a corridor. The question is what are they trying to accomplish as a result of the changes. He thinks there is logic in keeping the corridor smaller. His inclination now is to keep it like this, and asked why the original recommendation was the DC zoning classification.

Mayor Tully said people are moving from concepts to focusing on specifics. It is one thing to talk about a concept, but another thing when you get down to the actual "trenches." He is not surprised by the changes in concept to adapt to practical realities. This is a blend of concepts with reality, property rights and people's livelihood.

Commissioner White asked the heights of Acadia's basic buildings.

Mr. Popovich said it is about 50'.

Mr. Fieldman said the question seems to be where do you draw the line. Right now they are asymmetrical at the corner. If you draw the line one property south it is the same concept. The question is where do you draw the line. This is a policy question.

Commissioner Barnett noted that over the course of these discussions it's been seen that property owners are seeking to preserve flexibility for their property over the long term. They would like to have as little restriction on their property as possible. This is a conflict between what Council wants and what property owners want. So that's one starting point for the conversation, and the second point would be what problem is the Village trying to solve or what vision it is trying to foster.

Mayor Tully said we try to strike a balance the best we can. The economic performance of properties can be beneficial to the community.

Commissioner White said the proposal would be four stories, or 50', the same as Acadia. That would be four 12' stories, losing the opportunity to have 18' on the first floor.

Mr. Fieldman said that what they are looking for is a zoning classification. Where do they want to draw the line between DE-1 and DC?

Commissioner White said they draw the line at how tall they want the Village to be.

Commissioner Walus said she is struggling between what they have been discussing and property rights. Given what they have been talking about in terms of what the area should look like, she is leaning toward less.

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Commissioner White asked historically what height could Acadia have been instead of its 50'.

Mr. Fieldman said that the question is what is the current height limitation in the downtown business district. It is currently 70' but no limitation in terms of the number of stories. That's where the parking ratios and economics came into play. Parking and density drove the size of that building.

Commissioner José said they could change the height restriction in the DC district.

Commissioner White said if you change the Core to 50' and not 40' it would be the same height as Acadia. The point is to avoid an urban canyon effect down Main Street and Curtiss Street.

Mr. Fieldman said staff has heard to keep it at the DC height proposed of 40' or three stories.

Mr. Popovich said regarding the northwest corner of Maple Avenue and Washington Street, a development would need underground parking if the height went to 72'. They would probably need two levels below ground for parking to facilitate a larger development.

Mr. Fieldman noted that because it is a larger parcel there is an increased likelihood that it would go to a maximum height. He added that the option would be to move the DE-2 line further west on Maple.

Mr. Popovich said that DE-2 has a 10' setback, and DE-1 has a 0' setback.

Mr. Fieldman said that would pull DE-2 north and west two properties.

The proposal is to change the property at the northeast corner to DT, which changes the setbacks off both the front and rear property lines.

Commissioner White said he has no problem with DE-2 but the setbacks could limit the availability to develop property.

Commissioner José said he has always viewed Washington as a dividing line, and the east side of Washington is unmistakably residential; the building sizes feel residential. As you proceed east on Maple it is residential. To consider putting in a 60'+ building east of Washington just does not fit.

Commissioner Barnett said one of the concerns is that the setback situation causes problems. They have to figure out a balance that would stop the creep of downtown. He asked what would happen if they changed the DT setbacks.

Mr. Popovich said they would have more buildable areas with less green space.

Commissioner Barnett said he thinks the height issue is a pretty big deal. People would not react as much if a setback is lessened, but they would say, "Look at the size of that building" in relation to its height.

Mr. Popovich said that the current setbacks are 20' in the rear, 20' in the front and 5' on either side.

Mr. Fieldman said that the intent of the DT designation was to try to keep the existing character and allow for a mix of small office, small commercial and residential. He thinks that of all the zoning districts they have discussed, DT would be the closest for that vision.

Commissioner Barnett said he thinks they could alleviate some of the concerns of existing owners by changing the setback requirements. He said he could agree to that for the DT district.

Mr. Fieldman said that staff can take this as general direction and will bring forward a proposal in a few months-time. They will minimize the creation of nonconforming uses and structures. The setbacks would be prepared in ordinance form.

Mr. Popovich said that the proposal regarding the east side of Main between Rogers Street and Franklin Street was to go back to DE-2 for this property instead of the DT originally proposed based on setbacks for those areas.

Commissioner Barnett said he thought DE-2 or DE-1 would be a problem. They would not fit with what they were trying to originally accomplish.

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Commissioner White said changing the DT setbacks would be less burdensome on existing owners.

Mr. Fieldman said three Council members like the idea of changing the DT setback requirements. Mayor Tully added his name to this as well.

Mr. Popovich said the southwest corner of Forest Avenue and Gilbert Avenue concerns four small parcels. Staff suggested a DC designation with a 40' maximum height. There would be no setback on the front property line, and this would fall into office/special shops/commercial use. The Council was fine with designating this as DC zoning.

Mr. Popovich noted that the southwest corner of Washington Street and Rogers Street may be better suited to be designed as DE-1, instead of DT.

Commissioner Barnett said he wants to think this through in terms of setbacks, height, etc. He noted that the DE-1 height is 72' or six stories.

Commissioner José asked about the idea of DE-2 because of the setback. It doesn't limit the height as much but at least buys 10' off the curb.

Mr. Popovich said there is a grade change there of 10'-12'. Warren is higher than Rogers. There are 6-7 parcels at this location. He said that the concern is the grade change, and properties will be surrounded by higher buildings.

Mr. Fieldman said parking and density combined drives the practicality of construction. DE-2 makes sense from staff's perspective.

A resident discussed the northwest corner of Maple and Washington. She owns that parking lot. If her property is limited to DE-2 it becomes difficult because there is a parking garage to the north. She thinks minimizing the height makes it difficult because of the noise emanating from the parking garage. Also she said this is a long-term commercial development there. She asked that they keep the landscape the same at DE-1.

Commissioner White noted that the rear setbacks for DE-1 and DE-2 are both 10'

Mr. Popovich noted that you can't build a building with windows on the back wall up to the rear property line according to the building code. In response to the Manager, he said that if the development rights were maxed out for DE-2, it would be the most similar to the Marquis on Maple, which is 5 stories with a 10' setback.

Commissioner Barnett asked what drives the 10' rear setback.

Mr. Popovich replied it is for easements, stormwater, getting water around and to the building, emergency egress, etc.

Willis Johnson, owner of the Tivoli Building, discussed Rogers and Washington and asked whether they are going back to DE-2, which is 60' and 5 stores, with a 10' front and rear setback and 5' side setback.

A resident expressed dismay to see the direction this is going as the Core seems to be disappearing. Five to six stories so close to the Core is ridiculous, and it sounds like the buildings are getting bigger. It won't help the traffic situation for the downtown, and will change the character too much. It's impossible to get through and impossible to find a place to park. He thinks they should just put a sign up on either end of town that says "downtown for sale." He would like to see some setbacks and greenery.

Mayor Tully said a lot of what they are discussing is less than what is actually allowed currently.

The resident said he would like to see no more than four stories in the downtown area.

Dan McCormack, 5205 Washington, said he owns 5205 Washington Street. Right now it is projected to be DT district, but if you look at the size of the lots along Washington none of the lots is large enough to do what was done on Maple Avenue. He doesn't think it is proper to designate lots as DT. He would be fine with DE-1 or DE-2. He said they should not take away what they already have.

Commissioner White said that the proposal is to decrease the setbacks.

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Commissioner Hosé asked about the impact of going to R-4.

Mr. Popovich said it would impact the uses, which would all become nonconforming, and the setbacks would increase.

Regarding uses, Mr. Popovich described all the uses per each zoning district. He said Council requested staff consider additional uses in the DT area. He identified the following uses and the staff's recommendation. All permitted use and special use recommendations are for a maximum gross floor area of 2,500 square feet except on Main Street where there is no size limit.

Use	Recommendation
Animal Services – grooming	Permitted use
Animal Services – veterinary care	Permitted use
Research Services	Special use
Wine Boutique	Permitted use
Financial Services	Permitted use
Retail Sales – convenience goods	Permitted use
Retail Sales – consumer shopping goods	Permitted use
Artesian Industrial	Not permitted
Drive-Through Use	Not permitted

Mr. Fieldman noted that using categories provides more flexibility. He reiterated that this discussion is limited to the DT area and is subject to 2,500 square feet maximum gross floor area.

Commissioner White said staff has not addressed financial services, etc. in the Downtown Core. He would like to find a way to discourage this on Main Street

Mayor Tully noted it is important to be mindful of sales tax and attracting businesses downtown. There is a need to embrace the new economy.

Commissioner Barnett asked for more information regarding consumer shopping goods. He is concerned about artificially limiting uses because if the environment is discouraging, retailers will go elsewhere.

Mayor Tully suggested that artesian industrial be a special use rather than not permitted. He would like more flexibility.

Todd Paradis asked why it should be a special use.

The Mayor noted that research services is also a special use.

Mr. Popovich then discussed additional public participation. Council members expressed interest in creating additional opportunities for the public to participate in the discussion on downtown development projects earlier in the process than is currently provided. Staff recommends that additional public participation apply to those projects which require Council approval that are located in the DC, DE-1, DE-2 and DT zoning districts. The participation would take the form of an open house held by the developer at Village Hall. Staff would be present at the meeting to observe. The meeting would be held prior to a formal submittal by the developer. Discussion parameters would be to only discuss implementation of the design guidelines. Topics not open to discussion include bulk standards, traffic, parking or uses. The developer would be required to notify property owners within 250 feet of the development and to follow current Village requirements.

Commissioner White discussed the best way to accomplish the goal. He noted that Romeoville has a concept plan approval approach.

Commissioner Hosé noted that he does not want to create too much bureaucracy and he does not want to discourage development or slow down the process.

Commissioner Barnett said he would like to try this but was concerned about expectations on the part of the public that might not be met.

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Commissioner José said open houses could be advertised on social media.

Mr. Fieldman asked to separate this topic for further investigation.

A resident said he wants to see the Village going in this direction toward public participation. He would like to see better communication with the public regarding new developments.

11. Adjournment

There being no further questions or comments, Mayor Tully asked for a motion to adjourn.

Motion: Commissioner White moved to adjourn. Commissioner Earl seconded the motion.

Mayor Tully declared the motion carried by voice vote and the meeting adjourned at 9:51 p.m.

Respectfully submitted,

April Holden

Village Clerk