

Approved 10-01-18

**VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING**

**MINUTES FOR SEPTEMBER 10, 2018**

In the absence of Chairman Rickard, Ms. Gassen served as Chairperson Pro Tem (Ch.) and called the September 10, 2018 meeting of the Plan Commission to order at 7:00 p.m. She led in reciting the Pledge of Allegiance.

**ROLL CALL:**

**PRESENT:** Ms. Gassen, Mr. Kulovany, Mr. Maurer, Mr. Quirk, Ms. Rollins

**ABSENT:** Ch. Rickard, Mr. Boyle, Ms. Johnson, Ms. Majauskas, Ex. Officio members Davenport, Livorsi & Menninga

**STAFF:** Stan Popovich, Director, Community Development  
Scott Williams, Sr. Planner

Ch. Gassen reminded everyone present to silence any electronic devices during the meeting, and noted that copies of the Agenda are available on the shelves at either side of the Chamber.

**VISITORS:** Scott Richards, 1130 Warren, Downers Grove  
Jim Krusenosky, 853 Maple, Downers Grove  
Kathleen Owens, 940 Maple Ave., Downers Grove  
Don Zamborsky, 940 Maple Ave., Downers Grove  
Joe Svoboda, 5147 Main St., Downers Grove  
Mark Mauer, 217 White Fawn Trail, Downers Grove  
Cathy Davidson, 916 Summit, Downers Grove  
Glenn Hoffman, 840 Maple Ave., Downers Grove  
Marilyn & Dave Weiher, 935 Curtiss St., Downers Grove  
Dan McCormick, 5205 S. Washington St., Downers Grove  
Jan Hessler, 2215 Durand Dr., Downers Grove  
Willis Johnson, 603 Rogers, Downers Grove  
Maxine Ekl, 930 Curtiss, Downers Grove  
Diane Crisp, 4624 Highland Ave., Downers Grove  
Stephen A. Frost, 945 Burlington, #405, Downers Grove  
Kevin Beasley, Foto Houze, LLC, 5155 Main St., Downers Grove  
Lydia Forbes, 907 Curtiss, #506, Downers Grove  
Dave Humphreys, First Congregational Ch., 1047 Curtiss, Downers Grove  
Byron Holtzen, 5226 Carpenter St., Downers Grove  
David Gassen, 5320 Benton, Downers Grove

**APPROVAL OF MINUTES: July 23, 2018 meeting**

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**Mr. Kulovany moved, seconded by Ms. Rollins to approve the minutes for the July 23, 2018 meeting.**

**The Motion to approve the minutes passed, with Ch. Gassen abstaining.**

Ch. Gassen reviewed the procedures to be followed for the meeting, explaining that the Plan Commission is a recommending body for the petition on the Agenda. Staff will make its presentation on behalf of the Village, which is the Petitioner in this case. The Commission will raise questions or comment on the petition, and then the public will be given an opportunity to comment. Once the Public Hearing portion of the meeting is closed, the Plan Commission members will deliberate to recommend approval, recommend approval with conditions, or recommend denial of the individual petition. That recommendation will be forwarded to the Village Council with the minutes, exhibits and all documentation from the public hearing on the specific petition. The Village Council will make final decisions at a future date. She reviewed the subject matter of the petition on the Agenda, and then asked all individuals intending to speak during the public hearing to rise and be sworn in.

**18-PLC-0027: A petition seeking a rezoning of 11 parcels from DB, Downtown Business to DT, Downtown Transition and a rezoning of 66 parcels from DB, Downtown Business to DC, Downtown Core. The subject properties are located in various locations throughout the downtown. A map of the proposed rezonings is available online at this location: <http://www.downers.us/downtown-rezoning> Village of Downers Grove, Petitioner; Various Owners.**

Mr. Stan Popovich, Director of Community Development for the Village, made the presentation requesting approval of zoning map amendments in the Village's downtown area. Seventy-seven properties are proposed for rezoning. The petition implements the vision for the downtown area as identified in the June 2017 update to the Village's Comprehensive Plan. There are three subareas in the Comprehensive Plan including the Core, the Edge and the Transition areas. The map amendments center around Main and Curtiss Streets and include the rezoning of 66 properties from Downtown Business to the Downtown Core (DC) zoning district, and 11 properties from Downtown Business to the Downtown Transition (DT) zoning district. He explained that the Village has held 32 meetings to discuss the downtown since 2016. Those meetings included discussions on bulk requirements, land uses, zoning classifications, Comprehensive Plan approvals, downtown regulatory framework, and the Zoning Ordinance update.

Director Popovich explained that currently the downtown has two business zoning districts: Downtown Business (DB) and Downtown Transition (DT). He showed a map displaying the area with the proposed changes in classifications. He noted that Staff's report dated September 10, 2018 states that all standards have been met for rezoning. Those properties proposed for the Transition area are principally homes that have been converted to office uses. The Comprehensive Plan's recommendation to rezone the 77 properties increases the welfare of the community to maintain the downtown as a symbolic heart of the Village and keep it as a focal point of the community as identified in the Comprehensive Plan. The proposed rezonings are based on the recommendations of the Comprehensive Plan's Downtown Focus Area Plan. It envisions the Core to maintain and enhance the vibrancy downtown, while the

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Transition area plays an important part in assisting with the transition from more intense uses to the single family neighborhood surrounding the downtown. Staff recommends a positive recommendation from the Plan Commission to the Village Council.

Mr. Popovich responded to a question stating that the major differences between downtown Core, Business and Transition is density and building height, and the height for the Core area is three stories. He said the bulk standards have already been approved by the Village Council as a Zoning Ordinance Text Amendment and have already been codified.

Regarding public comments received by Staff, Mr. Popovich said that phone calls were received inquiring about the notification sign downtown with regard to the Library and the cemetery. Mr. Popovich said Staff informed those callers about the potential rezonings, and said there was no involvement in either of those two sites. Comments from previous meetings were included in the Plan Commission's packet for tonight's meeting.

Ch. Gassen asked whether neighborhood meetings are required for rezoning. Mr. Popovich said they are required by the Zoning Ordinance, and Staff also wanted to inform the public about the potential zoning classification changes. Mr. Popovich reviewed how property owners were informed of the neighborhood meetings. In further response, Mr. Popovich clarified that the alley to the east of the library is a public right-of-way and would not be rezoned and that the walkway immediately south of Ballydoyle is part of the parking deck lot and would not be rezoned either.

There being no further comments at this time, Ch. Gassen called upon the public for any comments or questions.

1. Scott Richards of 1130 Warren Avenue asked about the cemetery that falls into the rezoning area, and asked whether these changes would make the cemetery vulnerable. He wanted to know if the cemetery could be protected in some way.
2. Willis Johnson of 603 Rogers Street said his concern is the Downtown Transition, and particularly the six lots on Rogers Street being included in the Downtown Transition area. He thinks the setback requirements are unrealistic. The lots are only 100' deep and all of them back up to a concrete wall that is 15' high. It seems unrealistic to use up 30' of a property to satisfy the setback requirements.
3. Dan McCormick said that he and his wife own 5205 S. Washington Street, which is being rezoned to Downtown Transition. He echoed Mr. Johnson's sentiments regarding the setback requirements that are excessive. He asked if the Board has had an opportunity to walk the property on Washington between Maple and Curtiss. Mr. McCormick said that there is no physical way they could ever put a building such as the one on Maple and Main on those parcels. The parcels are too small and irregularly shaped. He has no problem with the height requirement, but he and his neighbors have problems with the setbacks.

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4. Jim Krusenoski of 853 Maple Avenue urged the Commission to continue to move forward with the rezoning of the properties on Washington Street. He has no issue with the setbacks but his concern is with the height restrictions going through on this rezoning.

5. Scott Richards asked about the Core and whether it would be limited to three stories, and if so, would there be exceptions granted. He has seen too many local towns cave in to developers and grant variations in lieu of being sued by the developers. He supports the three story height restrictions. He said none of the residents in the area want to see a repeat of what is being done at Main and Maple. They have to live with that. Mr. Richards said his concern is, if this is passed, that the Village will stick to its guns and not give in to developers. The Core maximum should be three stories.

6. George Swimmer of 4905 Main Street asked what other communities similar to Downers Grove have in terms of height restrictions. He thinks having height restrictions that other communities do not have would result in diminishing the Downers Grove property values. He also commented that he's been coming to these meetings for years. This is the first time he's been asked to take an oath and he felt uncomfortable doing it.

7. Byron Holtzen of 5226 Carpenter Street said he would like to see the Downtown Core extend all the way down to Maple Avenue. He would hate to see another big building go across the street from the Maple and Main building. He asked if that could happen, as he understood that area had a 70' height limitation. He thinks that would be a disaster, as it already is a disaster.

There being no further testimony from the public, Ch. Gassen closed the opportunity for further public comment.

Director Popovich said that the Village owns the cemetery property and the only way to protect it would be to landmark that property or put a permanent easement on it. There are no plans for that property to be sold. With regard to concerns about larger buildings coming in, there is an alignment now between the Comprehensive Plan and the Zoning Ordinance and Zoning Map. Other towns vary their height requirements based on individual community visions for their downtown areas.

Director Popovich was asked to address the question raised by a member of the public concerning how the Zoning Ordinance might restrict property values. He replied that opportunities for reinvestment in those properties are still moving forward. Any diminishment of property values would be offset by the opportunities to redevelop and the welfare of the community. There are still many permitted uses in those areas. None of the zoning changes would prevent someone for applying for a variance. That application would come before the Plan Commission and the Village Council for approval.

Director Popovich then responded to the question regarding the oath, and said he has been with the Village for 12 years and the oath has always been part of testimony for a public hearing. It is a legal statement.

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Mr. Quirk said he supports the Downtown Core and the height limits. He is concerned with the outlying properties going from Business to Transition on Rogers, south on Washington, and he doesn't think it is the Village's place to restrict zoning on those properties. He thinks they should hear from those property owners before levying a major restriction on their parcels. He thinks a lot of rights would be taken away from those property owners.

Mr. Kulovany asked about the thought process for the Rogers property. Director Popovich replied the Comprehensive Plan identified that area as Transition because of the single-family residence proximity to those properties. In further response, Director Popovich said that a petitioner could apply for a variance on setbacks.

Ch. Gassen said the Transition area is a change from higher density use to single-family residential.

Ms. Rollins said any time they are combining lots and doing a larger building, the proposal would have to come before the Commission. Director Popovich said hypothetically they would have to come in and seek approval. All three zoning districts require a Special Use approval for any apartment or condo proposals. If someone wanted to build a detached house, attached house or duplex, that would be a permitted use in the DT zoning district and not require a public hearing. An attached house and duplex are special uses in the DB zoning district. Ms. Rollins noted these transition areas are what was envisioned in the Comprehensive Plan

Mr. Maurer commented on the turnout for the meeting, and thanked the people for expressing their opinions. He also noted the lack of comment on the change in the zoning district around Main and Curtiss, which is the center of the downtown. He asked about some of the comments received earlier. Director Popovich said the Comprehensive Plan fleshed out the desire to maintain the feel of the downtown area and limited the height to three stores. At the August meetings, people asked about the driving force behind the changes and that was the Comprehensive Plan. There were discussions about what happened to allow the construction at Main and Maple, as well as an explanation about the lack of alignment between the Comprehensive Plan and the Zoning Ordinance. Some property owners agreed with the proposed changes and others did not.

Mr. Quirk asked whether any properties in the Downtown Core would not be in compliance with current zoning standards. Director Popovich said none that he is aware of, because the tallest building was the former U.S. Bank Building at the corner of Burlington and Main Street at 40'.

Mr. Kulovany expressed that this has been a two-year exercise covering 32 public meetings. Some people think there should not be higher buildings while others say we need more people to support the businesses. He believes the Comprehensive Plan does a great job at addressing concerns to leave the Central Core at a lower height of 40'. There is the issue of transit-oriented development, attracting people who don't want to drive to work but who want to walk to the train station, shops, restaurants and bars. If the Village allows 70' at the sidewalk it might make businesses happy but single-family

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owners would be opposed to that. The Village doesn't have the luxury of a large footprint for our downtown such as they have in Naperville. He thinks they have to work with the canvas they have, and he thinks the Comprehensive Plan does a good job to meet what exists. He is in favor of supporting the petition.

Ch. Gassen said looking at the approval criteria, and the Comprehensive Plan, the petition is doing what the Plan calls for as far as the vision for the community. She would also support what Staff is proposing.

There being no further comments, Ch. Gassen called for a Motion.

**Mr. Kulovany said based on the Staff report and testimony presented, I find that the proposed rezonings meet the standards of Section 12.030.I of the Zoning Ordinance. Therefore, I move that the Plan Commission recommend that the Village Council approve 18-PLC-0027. Ms. Rollins seconded the Motion.**

**AYES: Mr. Kulovany, Ms. Rollins, Mr. Maurer, Mr. Quirk, Ch. Gassen**

**NAYS: None**

**The Motion carried unanimously.**

Director Popovich said that this will probably go before the Village Council the second meeting in October. Additional information can be found at [www.downers.us](http://www.downers.us). He said there would be no meeting on September 24<sup>th</sup>, and the next Plan Commission meeting will be on October 1, 2018.

Mr. Maurer expressed his appreciation to the public for attending the meeting. He explained that the Plan Commission is a recommending body. The Village Council will still listen to their concerns and they should attend that meeting. The Village Council is the final decision maker.

There being no further business, Ch. Gassen called for a Motion to Adjourn.

**Ms. Rollins moved to adjourn the meeting, seconded by Mr. Kulovany.  
The Motion carried unanimously by voice vote.**

Ch. Gassen adjourned the meeting at 7:40 PM.

Respectfully submitted,

Tonie Harrington,  
Recording Secretary  
(transcribed from mp3 recording)