

APPROVED 9-9-19

**VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MINUTES
AUGUST 5, 2019**

CALL TO ORDER:

Chairman Rickard called the August 5, 2019 meeting of the Plan Commission to order at 7:00 PM and led in reciting the Pledge of Allegiance.

ROLL CALL:

PRESENT: Ms. Gassen, Ms. Johnson, Mr. Maurer, Mr. Quirk, Ms. Rollins,
Ch. Rickard

ABSENT: Mr. Boyle, Ms. Majauskas, Ex. Officio Members Davenport, Livorsi &
Menninga

A quorum was established.

Ch. Rickard 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.

STAFF: Jason Zawila, Planning Manager
Flora Ramirez, Development Planner
Gabiella Baldassari, Development Planner

VISITORS: Zach Holland, Steve Holland, Beach for Dogs, 2151 E. 63rd St.,
Downers Grove, IL
Margaret Robinson, 2149 Midhurst Rd., Downers Grove, IL
Eric Jacobson, 477 Elm Place, Highland Park, IL

APPROVAL OF MINUTES: July 1, 2019 meeting

Ms. Gassen moved, seconded by Ms. Rollins to approve the minutes for the July 1, 2019 meeting.

The Motion to approve the minutes passed by Voice Vote with an abstention by Ms. Johnson.

Ch. Rickard reviewed the procedures to be followed for the one scheduled public hearing, explaining that the Plan Commission is strictly a recommending body. The purpose of the meeting is to gather facts, information and testimony on items on the Agenda. The Plan Commission's decision is not final, but is strictly a recommendation to the Village Council for the Council's final decision. He said a report would be forwarded to the Council with a Motion to recommend approval, recommend approval with refinements, or recommend denial of the petition. The Village Council makes all final decisions.

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Meeting procedures are as follows:

The Petitioner will present its case to the Plan Commission, followed by questions to the Petitioner by Commission members.

The Public will then have an opportunity to make comments before the Commission regarding the case under consideration. Chairman Rickard asked that each speaker provide his or her name and address for the record.

Following presentations by the Public, a member of the Community Development Department will present Staff's report.

Upon completion of presentations by the Staff and the Public, the Petitioner will have the opportunity to question statements made or provide a closing statement.

The Chairman will then close the public hearing portion of the meeting, and the Commission will review the information provided and ask questions of the speakers.

Upon completion of the Plan Commission's deliberation, a Motion will be made containing a recommendation to the Village Council regarding the case.

Ch. Rickard then asked everyone who intended to speak on the petition before the Commission to rise and be sworn in.

PUBLIC HEARINGS

19-PLC-0020: A petition seeking Special Use approval to operate an animal boarding business. The property is currently zoned B-2, General Retail Business. The property is located directly northeast of the intersection of 64th Street and Belmont Road. (PIN 08-24-202-005). Steve Holland, Beach for Dogs, Petitioner and Frontline, LLC, Owner.

Petitioner's Presentation:

Mr. Steve Holland, who resides in Batavia, said that their business address is 2151 E. 63rd Street in Downers Grove. He said he grew up in Woodridge near the Meadowbrook Shopping Center. A short video (without commentary) was shown as part of their presentation to the Plan Commission. Mr. Holland introduced his son Zach, saying they began their business in Wheaton in 2015 believing they could do better and wanted to raise the level of professionalism in their work. They want to raise the bar in the dog industry. They are committed to providing quality training results throughout the life of the dog and guarantee the training results for life. If there are any issues, they will fix it for free. It is a stress free environment for the animals, staff and dog owners. BEACH stands for "behavioral, educational and coaching health for dogs." They are an educational facility and intend to teach parents how to raise their dogs properly. Their services include boarding, day care, dog training, grooming, and vet care. Their intent is to minimize problems of aggressive dogs by reaching out to the police department, the

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community, complaining customers, neighbors with aggressive dogs in their area, etc. They attempt to fix the problem rather than have dogs euthanized. There will be access to the facility twenty-four hours a day for 365 days a year. He said when you deal with intelligent dogs you have to be able to provide bar handles for the dogs for safety precautions. For that reason they are requesting that the doors at the back of the facility be fenced in and that the trash containers also be fenced in. The approximate size of the fence at the back will be 12'x24'. They offer superior dog training, quality grooming, doggie day care and exercise. He indicated that the back of the building jogs somewhat like a stairwell. They will not extend into either the public's right-of-way.

In response to a question raised, Mr. Holland said the dogs will be outside and inside, and if they are outside they are not allowed to bark. The facility will be staffed depending upon the number of dogs present. If the dogs are outside there will be a staff member outside with them. He noted also that sometimes customers provide the dog's own personal crate to make them more comfortable. As to how long they are in the outer area, Mr. Holland said it is usually about 15 minutes per day. There will not be more than five dogs outside at any given time. Their hours of operation are 7:00 AM until 5:30 PM. In further response, the back area is used as a training area, and not a dog run. As for elimination, there will be no accumulation as any urine or feces will be flushed.

Ch. Rickard called upon any members of the public who wished to speak at this time.

1. An unidentified woman asked where the outdoor dog area would be. She said she has no problem with this proposal, but asked whether it goes along with the long-range plans for the 63rd Street long-range plans and if there are any for that shopping center. Ch. Rickard said he would have the petitioner provide further response later.

Jason Zawila said that a representative of the owner of the mall is present to discuss more immediate plans regarding uses and special uses for that area. That representative will discuss plans for the specific facility as well as other plans for the center.

The woman said the whole area has been in disrepair for quite a while and she asked why that is allowed, and why there are no rules. It looks horrible and brings property values down in that area.

2. Margaret Robinson of 2149 Midhurst Road in Downers Grove asked exactly where this facility will be located within the shopping mall area. She was informed that it is the last three small tenant storefronts on the west end of the mall. Ms. Robinson said her concerns are the same as the previous speaker. She attended a meeting within the last two years where there were schematics and promises with Walgreen's coming in; however, none of the discussion from that meeting took place other than deterioration. She hates that everything is a complaint situation. She noted that she called the police department on July 4th asking that people be informed that fireworks are illegal, as it is a terrible situation in her neighborhood. The police listened and were present. Ms. Robinson said she doesn't like to complain. She asked what happened to Walgreen's and what happened with fixing the deterioration. She said the Fire Department was at

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the Roundhouse location recently, but no information has been given to the citizens in that neighborhood. Rumors are abound. She learned from this meeting that the Plan Commission doesn't make the plans but just approves plans. She's glad that a representative of the Meadowbrook shopping mall is present at this meeting. When she moved into the neighborhood there was a Tivoli theater in the center as well as other stores that citizens could use including a grocery store. She now feels as though the people in that part of Downers Grove are merely the stepchildren of the Village. She asked if the Plan Commission could inform her of what happened to Walgreens, and Ch. Rickard said he would provide what he believed to be an accurate and quick answer.

Ch. Rickard said he understands that Walgreens renewed their lease at their current location so that project is not going to happen. The owner of the shopping center is now trying to regroup, find other tenants and do something to that shopping mall. He said they are now back to square one and Ms. Robinson replied that square one has deteriorated even more.

Ms. Robinson was asked whether she saw this particular project as a pro or a con, and Ms. Robinson responded that her family has St. Bernard's. She worries about the facility having enough space in back to run outside. Her dogs love to run out in the snow. She said she thinks this is a wonderful idea if it brings with it better occupancy and upkeep.

There being no further comments from the public Ch. Rickard called upon Staff to make its presentation.

Staff Report

Flora Ramirez, Developmental Planner for the Village, stated that the petition before the Commission is for 2149, 2151 and 2153 63rd Street, in what is known as the Meadowbrook Shopping Center. She said the area is zoned B-2/PUD. She said she provided a location map for the Commission's reference, a view of the existing site on Belmont looking southwest, as well as the three tenant spaces proposed for remodeling. She said the proposal includes a welcome area, training room, play room, a cage room, and grooming area. Ms. Ramirez noted that Staff has provided the Commission with a report on the Special Use Criteria for Animal Service, Boarding Use in the subject zoning district.

Ms. Ramirez said that Staff finds that the Standards for Approval are met by the petitioner and recommends approval. If the Commission agrees with Staff's findings, they have provided a draft motion on page four of Staff's report dated August 5, 2019.

There were no questions from the Plan Commission for Staff. Ch. Rickard then gave the petitioner the opportunity to make a closing statement.

Mr. Holland referenced the question about the fence in the back, noting the space shown on the right in the sheets provided to the Commission by Staff, saying that there is a small sidewalk behind the cage room and that line is almost a fence line. They will

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put in a diagonal fence line in that location. It will not be a large space, as they will only allow a few dogs out at a time.

Ms. Gassen thought it would be helpful if the representative of the center provided information to the residents present as to the status of the center and any potential plans.

Mr. Maurer noted that it is his impression, based on the proposal made two years ago for Walgreens, that a condition of the approval of the amended PUD at that time was improvements to the façade of the building, as well as general landscaping improvements to the area. That has not taken place.

Ch. Rickard said since the public raised some questions as to the condition of the property, this would be a good time to address those questions. He asked the shopping center representative to address the issues raised.

Mr. Eric Jacobson works for the property owner/property managers of Meadowbrook Shopping Center. What was planned twenty-four months ago is no longer happening and Walgreen's is remaining at their existing location. He said that his firm bought the shopping center out of bankruptcy, and it was in very poor condition. They spent a significant amount of money on the property and much of that has been spent in areas where it cannot be seen. He said they take pride in owning the shopping center. The roofs of the buildings were in poor condition, the fire alarm system needed upgrading, money was put into the HVAC system, and much of that cannot be seen. But it is important from a safety standpoint and to attract new businesses. The tenant appearing before the Commission tonight for a Special Use has received a financial commitment from the landowner that the landowner is working with the Village to meet the needs of this tenant. The commitment includes repaving the portion of the parking lot directly in front of the west end of the center, the installation of four landscaped islands in that general area, repainting of the soffit beneath the canopy where the subject store fronts are located, replacing the deteriorated wooden columns, and repainting that entire area. The landowners view this as one step in a larger project connected to owning this property. Having this tenant move in to occupy three spaces will bring new life to the center, and will enhance the condition of the center. Mr. Jacobson said there is a lot to do in that shopping center, and they believe this is a step in the right direction.

In response to a question from the public, Mr. Jacobson said that the wood was rotted and needed replacing. That portion of the center looks better already. He said they are committed to doing the work needed to improve that shopping center.

Ch. Rickard inquired of Staff whether commitments made under the previous application two years ago have died. Mr. Zawila replied that those commitments from the previous proposal were contingent with Walgreen's receiving final occupancy to the site. Ch. Rickard said that Walgreen's was not directly responsible for the improvements to the shopping center. The proposal was that because of Walgreen's moving into that center the added income would allow the property owner to make specific improvements to the area.

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It was clarified that the proposed tenant will not receive their occupancy permit until all conditions of the Special Use are met.

There being no further discussion, Ch. Rickard closed the opportunity for further public comment.

Commission Deliberation:

Ch. Rickard asked if the Commissioners had any comments regarding this proposal.

Ms. Johnson said she saw this as a great opportunity for a shopping center that has struggled, and she is happy to see potential improvements to the area.

Mr. Quirk said this is a unique Special Use, and since it is a dog boarding facility, they have to make sure that concerns of the public regarding hours of operation are upheld. He has no problem with the request, and is glad to see some movement and improvement taking place in that shopping center.

Ms. Gassen is concerned that they establish a Special Use that is desirable for the community.

Ms. Rollins said in general they have to appreciate where this owner is coming from. He bought a facility that was in bankruptcy and had a substantial amount of issues to address. They have already made some substantial improvements to draw tenants, although those improvements may not be visible to the public at this time. The owner taking small steps to repair the center is better than having nothing happening in that location.

Ms. Robinson said that communication with the community is important and people should have been informed that the previously approved plan did not go through. Ch. Rickard said that thought should be shared with the Village Council, as the Plan Commission does not communicate with the public outside of this room. He recommended she attend the regular scheduled Village Council meetings.

Mr. Quirk said that based on the petitioner's submittal, the staff report, and the testimony presented, he finds that the petitioner has met the standards of approval for a Special Use as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, he moved that the Plan Commission recommend to the Village Council approval of 19-PLC-0020, subject to the following conditions:

- 1. The Special Use shall substantially conform to the staff report; floor plan drawings received on July 5, 2019, except as such plans may be modified to conform to the Village codes and ordinances.**
- 2. The applicant shall apply for all signage under separate permit and shall comply with the Sign Ordinance.**
- 3. The building shall be equipped with an automatic suppression system and an automatic and manual fire alarm system.**

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4. Prior to the issuance of any Certificate of Occupancy for Beach for the Dogs, the property owner shall:

a. Install four new curbed and landscaped islands with shade trees and plantings in groups of three directly north of the three subject tenants spaces, as depicted in the attached drawings.

b. Replace the five posts and fascia/ceiling in front of the three tenant spaces, as depicted in the attached drawing, and

c. Mill and resurface the parking lot in front of the proposed use as depicted in the attached drawings.

Ms. Gassen seconded the Motion.

AYES: Mr. Quirk, Ms. Gassen, Ms. Johnson, Mr. Maurer, Ms. Rollins, Ch. Rickard

NAYS: None

The Motion passed unanimously.

Mr. Zawila then provided updates on previous Plan Commission cases.

There being no further discussion, Ch. Rickard called for a Motion to Adjourn.

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

Ch. Rickard adjourned the meeting at 7:46 PM.

Respectfully submitted,

Tonie Harrington,
Recording Secretary
(transcribed from mp3 recording)

APPROVED 8-28-2019

**VILLAGE OF DOWNERS GROVE
ZONING BOARD OF APPEALS MINUTES
May 22, 2019**

CALL TO ORDER:

Chairperson (Ch.) Michael McCann called the meeting to order at 7:00 PM.

ROLL CALL:

Present: Ms. Eberhardt, Mr. Frost, Mr. Maier, Mr. Steffes, Mr. Foernssler,
Ch. McCann

Absent: Mr. Werner

A quorum was established.

Staff: Jason Zawila, Planning Manager
Flora Ramirez, Development Planner
Gabriella Baldassari, Development Planner
Devin Kamperschroer, Planning Intern

Also present: Wayne Cerne, 1134 Franklin Street, Downers Grove
James Patterson, 4835 Saratoga Avenue, Downers Grove
Mr. Kevin O'Reilly, 4224 Elm Street, Downers Grove

MEETING PROCEDURES:

Ch. McCann asked those in attendance to silence their phones for the duration of the meeting. He reviewed the procedures to be followed during the public hearing, noting that there were two petitions before the Board for consideration. He verified with staff that the proper notifications had been made regarding posting of the petitions, and noted that members of the Zoning Board of Appeals have had an opportunity to review the materials provided by staff and in some cases have visited the sites in question. He explained that in order for a requested variation to be approved there must be a majority of four votes in favor of approval. Ch. McCann called upon anyone intending to speak before the Board on the Agenda item to be sworn in, as the public information portion of the meeting is an evidentiary hearing and comments made during this portion of the meeting are considered testimony. He explained that staff would make its presentation first, followed by comments by the Petitioner. If anyone in the audience wishes to speak either in favor of or in opposition to the petition, they would have the opportunity to do so following the Petitioner's presentation. When the public participation portion of the meeting is closed, the Board will deliberate on the information provided and vote to either approve or deny the petition.

APPROVAL OF MINUTES – January 23, 2019

A Motion was made by Mr. Maier and seconded by Mr. Steffes to accept the minutes as presented.

AYES: Mr. Maier, Mr. Steffes, Ms. Eberhardt, Mr. Frost, Mr. Foernssler,
Ch. McCann

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NAYS: None
The Motion carried 6:0.

19-ZBA-0001: A petition seeking a zoning exception for vertically extending a non-conforming wall. The property is located at the northeast intersection of Saratoga Avenue and Franklin Street, commonly known as 4835 Saratoga Avenue, Downers Grove, IL. (PIN 09-08-107-009) James and Juliana Peterson, Petitioners and Owners.

Staff Presentation:

Ms. Flora Ramirez, Development Planner, stated that the petition is for a zoning exception for property located at 4835 Saratoga Avenue, northeast of Franklin and Saratoga. Ms. Ramirez provided a slide presentation showing the location of the property, as well as photos of the home and elevation drawings. The south elevation is the area of the home to be considered, as it is a nonconformity. She said the proposal only affects a 26' vertical extension to the rear of the home. She outlined the front elevation to provide a better understanding of the portion of the property that is nonconforming. Standards of Approval have all been met, the proposal meets all applicable zoning exception regulations and the horizontal length of the existing nonconforming wall is not being extended. The proposed addition meets goals of the Comprehensive Plan as well.

Ms. Ramirez said that based upon the evidence and analysis of the petition, staff believes the standards for granting the vertical exception have been met as indicated in staff's report dated May 22, 2019. She noted that staff's recommendation for approval is subject to one condition noted on Page four of staff's afore-mentioned report.

Petitioner's Statement:

Mr. James Peterson, owner of the property and petitioner, stated he and his wife purchased the property about 3-1/2 months ago with the intention of adding two bedrooms and a bath. In response to the Chairman, he stated that there was a dormer on the second floor, which they removed. He indicated that no neighbors have objected to their plan.

There being no further comments, Ch. McCann closed the public portion of the meeting by voice vote and moved to Board deliberations on a voice vote.

Deliberation:

Ms. Eberhardt said the presentation was clear, and the petition meets the character of the neighborhood. She thought it was a straightforward request.

Ch. McCann said there is a section of the Code passed in 2014 that gives consideration to older housing stock in the Village. He explained that amendment to the Zoning Ordinance, which provides greater discretion to the Zoning Board of Appeals in cases such as this. He commented on the window planned for the addition, noting that it looks over the street and does not look into adjacent homes.

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Mr. Peterson said the addition would not increase the size of the footprint. The house was built in 1894. He said there is a staircase window that faces the other adjacent house however it is conforming.

Ms. Eberhardt asked whether they had considered doing a full second story, and Mr. Peterson replied that the front portion of the house had a porch at one point, and he doesn't think the front part of the house would sustain a second level. Initially they thought to leave the house exactly as it was, but they soon realized that the existing bedroom space for college-aged children was not sufficient.

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

Ms. Eberhardt moved that the Board recommend approval of the requested exception based on Staff's findings and analysis, subject to the following condition listed on page 4 of Staff's report dated May 22, 2019:

- 1. The vertical wall exception shall substantially conform to the Staff Report and architectural drawings prepared by IJM Architects, dated March 27, 2019 except as such plans may be modified to conform to Village Codes and Ordinances.**

Mr. Maier seconded the Motion.

**AYES: Ms. Eberhardt, Mr. Maier, Mr. Frost, Mr. Steffes, Mr. Foernssler,
Ch. McCann**

NAYS: None

Motion carried 6:0

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19-ZBA-0002 – A petition seeking a zoning exception for vertically extending a non-conforming wall. The property is currently zoned R-4, Residential Detached House 4. The property is located approximately 225 feet south of the intersection of Elm Street and 41st Street, commonly known as 4224 Elm Street, Downers Grove, IL (PIN 09-05-120-013) Kevin O'Reilly, Petitioner and Owner.

Staff's Presentation:

Mr. Devin Kamperschroer, Planning Intern, said that the home is located four houses south of 41st Street on the west side of Elm Street and is a one-story home, which the petitioners are seeking to expand vertically. He showed the plat of survey to indicate where the exception will occur. The owners wish to expand the one-story home into a two-story home. He noted the areas that are nonconforming, stating that no windows will be added to the second story. Standards of Approval have been met and the extension will comply with all building regulations, and the horizontal length of the nonconforming wall will not change. The Comprehensive Plan goals for improvement to existing properties are met. Based on analysis of the petition, staff believes the standards and criteria for granting the horizontal exception have been met, and recommends approval subject to the condition stated in Page 4 of Staff's Report dated May 22, 2019.

Ch. McCann asked about the neighbor to the north and whether they have a similar 5.5' setback. Mr. Kamperschroer said that there is a setback of about 5.5' between the homes. The petition is consistent with the neighborhood.

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Petitioner's Presentation:

Mr. Kevin O'Reilly, homeowner, said that they have been residents of the Village for over 13 years and did not want to move. They want to increase bedroom and bathroom space for their family. Their neighbors approve of their plans to expand the home. In response to Ch. McCann he said that the neighbors are aware of the tight space of their existing house, and are excited at the prospect of the improvement to the property. He verified that the wall adjacent to neighbors will have no window. He said he thinks the home was built in 1948.

There being no further comments, Ch. McCann moved to deliberation based on voice vote.

Deliberation:

A comment was made as to the initial thought that this addition would dominate the neighborhood; however, no neighbors appeared to oppose the petition.

Ch. McCann said there are several factors that come to mind, one being that the neighboring property is also a two-story home, and the plan is consistent with the wording of the Village Code. He noted that the nonconformity is less than one foot.

Ch. McCann called for a Motion.

Mr. Maier moved to approve the petitioner's request for a vertical wall exception, subject to the following condition shown on Page 4 of Staff's Report dated May 22, 2019:

1. The vertical wall exception shall substantially conform to the Staff Report and architectural drawings prepared by Brian McNichols Architect, dated May 7, 2019, except as such plans may be modified to conform to the Village Codes and Ordinances.

Mr. Foernssler seconded the Motion.

**AYES: Mr. Maier, Mr. Foernssler, Ms. Eberhardt, Mr. Frost, Mr. Steffes,
Ch. McCann**

NAYS: None

Motion carried 6:0

New Business:

Planning Manager Jason Zawila noted that new Village ID cards were distributed to the Board, and asked if anyone did not receive their card to contact him. He also introduced the recently hired Development Planner, Gabriella Baldassari.

Adjournment

Mr. Frost moved, seconded by Ms. Eberhardt, to adjourn the meeting.

Ch. McCann adjourned the meeting by voice vote at 7:37 PM.

Respectfully submitted,

Tonie Harrington

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Recording Secretary
(transcribed from mp3 recording)