

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village Council Meeting**  
**3/3/2020**

<b>SUBJECT:</b>	<b>SUBMITTED BY:</b>
7221 - 7451 Lemont Road - PUD Amendment for off-premise electronic message board signs	Stan Popovich, AICP Director of Community Development

### **SYNOPSIS**

The petitioner is requesting approval to permit off-premise electronic message board signs at Downers Park Plaza in Planned Unit Development #18.

### **STRATEGIC PLAN ALIGNMENT**

The goals for 2019-2021 include *Strong and Diverse Local Economy*, *Continual Innovation*, and *Steward of Financial and Environmental Sustainability*.

### **FISCAL IMPACT**

N/A

### **RECOMMENDATION**

Based on the current Sign Ordinance and past policy of the Village, staff does not recommend approval of the petition.

At its February 3, 2020 meeting, the Plan Commission voted 6:3 to recommend approval of the petition. The dissenting Plan Commissioners felt that approval would set a precedent for others to apply for off-premise and were of the opinion that electronic message board signs could be obtrusive and not offer any public convenience. With the positive recommendation, the Plan Commission found that the proposal is compatible with the Comprehensive Plan and meets the standards for approval for an amendment to an approved Planned Unit Development found in Section 28.12.040.C.5.

### **BACKGROUND**

#### *Property Information and Zoning Request*

The petitioner is requesting approval to permit the use of off-premise electronic message board signs at Downers Park Plaza. The shopping center is located at the northeast corner of Lemont Road and 75<sup>th</sup> Street. The property is zoned B-2, General Retail Business, and is designated as Planned Unit Development #18. In 2010, the master sign plan for PUD #18 was modified to allow the installation of four monument signs and additional directional signs within the parking lot. These signs remain on the site.

Currently, the zoning ordinance prohibits signs containing electronic changeable copies/message boards (VoDG.28.9.020.S), and advertising off-premise signs (VoDG.28.9.020.G). In 2019, four electric vehicle charging stations were lawfully installed with a permit, as charging stations are permitted by right as accessory uses per VoDG.28.6.010.E. However, the permit did not clearly identify that off-premise, electronic signage was part of the charging stations. Upon inspection it was identified that the charging stations would utilize

this type of signage. The off-premise electronic signage and the charging stations have not been activated yet as the petitioner proceeds through the entitlement process requesting approval for the proposed off-premise electronic signage.

The purpose of this amendment is to allow the operation of off-premise, electronic signage, in the four electric vehicle charging stations. Two of the off-premise electronic signs are proposed for operation in front of 7241 Lemont Road, currently occupied by Shop and Save Market. The other two are proposed for operation just south of this store, in front of the currently vacant 7305 Lemont Road address. The displays are proposed to change every ten seconds, with every eighth display reserved for governmental sponsored content. At Plan Commission, the petitioner did request that they be allowed to change the signage every 8 seconds, but the Plan Commission recommended 10 seconds for the display time change.

Volta's business model uses the revenue from advertising to provide free vehicle charging to shoppers with electric vehicles. Each charging station has been installed within an existing parking lot landscape island, and is over 125 feet from any right of way. No additional site work is proposed.

#### Compliance with Comprehensive Plan

The Comprehensive Plan emphasizes the importance of continuing to implement guidelines addressing signage clutter. The Comprehensive Plan recognizes that the Village's commercial areas are faced with the uncertainty of aging, and recommends modernization through various mechanisms, including signage. Modernization helps to achieve a balance between the past and the future by providing incremental improvements to existing buildings, properties and parking lots. To promote the identity and image of the Village of Downers Grove, the Comprehensive Plan recommends including the name of the Village on signs when possible.

#### Compliance with the Zoning Ordinance

The petitioner's proposal to amend the master signs plan represents deviations to the zoning ordinance. Electric vehicle charging stations are considered accessory to the parking lot, and are permitted by right. However, off-premise signs and electronic message boards are not permitted and require Village approval.

#### Sign Ordinance History

On May 3, 2005, the Village Council approved amendments to the Sign Ordinance that reduced the size and amount of signage permitted to be installed, required landscaping to be installed around freestanding signs, and prohibited certain types of signs including electronic copy signs. The amendment also established an amortization period that required all signs to comply with current regulations by May 4, 2012, which was later extended to May 5, 2014. In 2014, [a report was presented to the Village Council](#) that provides a summary of the 2005 sign ordinance update and resulting actions by the Village and property owners over the following decade that resulted from the ordinance amendments.

In 2015, the Village [considered a text amendment](#) to permit electronic message board signs in the INP-2 district. The motion to direct staff to prepare ordinances ultimately failed and the text amendment did not proceed.

#### Public Comment

Prior to the Plan Commission meeting, three residents and a business/property owner contacted the Village to understand more about the proposal. One resident shared that they did not want the Village to go backwards in their position on not allowing electronic signs in the community.

At Plan Commission, four residents spoke in support of the proposal and were generally supportive of electronic charging stations. One resident shared that they did not want the Village to go backwards in their position on not allowing electronic signs in the community.

**ATTACHMENTS**

Ordinance

Aerial Map

Staff Report with attachments dated February 3, 2020

Draft Minutes of the Plan Commission Hearing dated February 3, 2020

**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE APPROVING AN  
AMENDMENT TO PLANNED UNIT DEVELOPMENT #18  
TO PERMIT OFF-PREMISE ELECTRONIC MESSAGE BOARD SIGNS  
AT 7221-7451 LEMONT ROAD**

WHEREAS, the Village Council has previously adopted Ordinance No. 2090, on August 1, 1977, designating the property described therein as Planned Unit Development #18 and subsequent amendments thereto; and,

WHEREAS, the Village Council has previously adopted Ordinance No. 5146 on August 10, 2010, approving an amendment to Planned Unit Development #18 to approve the master sign plan; and,

WHEREAS, the Owners have filed a written petition with the Village conforming to the requirements of the Zoning Ordinance and requesting an amendment to Planned Unit Development #18 to permit off-premise electronic message board signs at 7221-7451 Lemont Road; and,

WHEREAS, such request was referred to the Plan Commission of the Village of Downers Grove, and the Plan Commission has given the required public notice, conducted a public hearing for the petition on February 3, 2020, 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, the Plan Commission has recommended approval of the requested petition, subject to certain conditions; and,

WHEREAS, the Village Council has considered the record before the Plan Commission, as well as the recommendations of Plan Commission.

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

SECTION 1. That the provisions of the preamble are incorporated into and made a part of this ordinance as if fully set forth herein.

SECTION 2. That a Planned Unit Development Amendment is hereby authorized to permit off-premise electronic message board signs at 7221-7451 Lemont Road.

SECTION 3. That approval set forth in Section 2 of this ordinance is subject to the findings and recommendations of the Downers Grove Plan Commission regarding File 20-PLC-0001 as set forth in the minutes of their February 3, 2020 meeting.

SECTION 4. The approval set forth in Section 2 of this ordinance is subject to the following conditions:

1. The Planned Unit Development amendment shall substantially conform to the staff report dated February 3, 2020 and engineering plans dated May 3, 2019 except as such plans may be modified to conform to the Village codes and ordinances.
2. Display screens shall be at least one hundred twenty five feet (125') from any right-of-way.

3. Display screens shall not rotate displays at a rate faster than ten (10) seconds per display.
4. Video content messages consisting of flashing, animated, chasing or scintillating is prohibited from being displayed.
5. Every eighth turn of Sponsorship Displays shall be reserved for content provided by governmental entities.
6. Only four (4) off-premise electronic signs with the associated charging stations may be placed in the PUD.
7. Each display screen shall be limited to the dimensions of H 48" by W 27".
8. Display screens shall be turned off between 10PM and 5AM, or the operating hours of businesses located in the shopping center, whichever may be more restrictive.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That this ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as provided by law.

\_\_\_\_\_  
Mayor

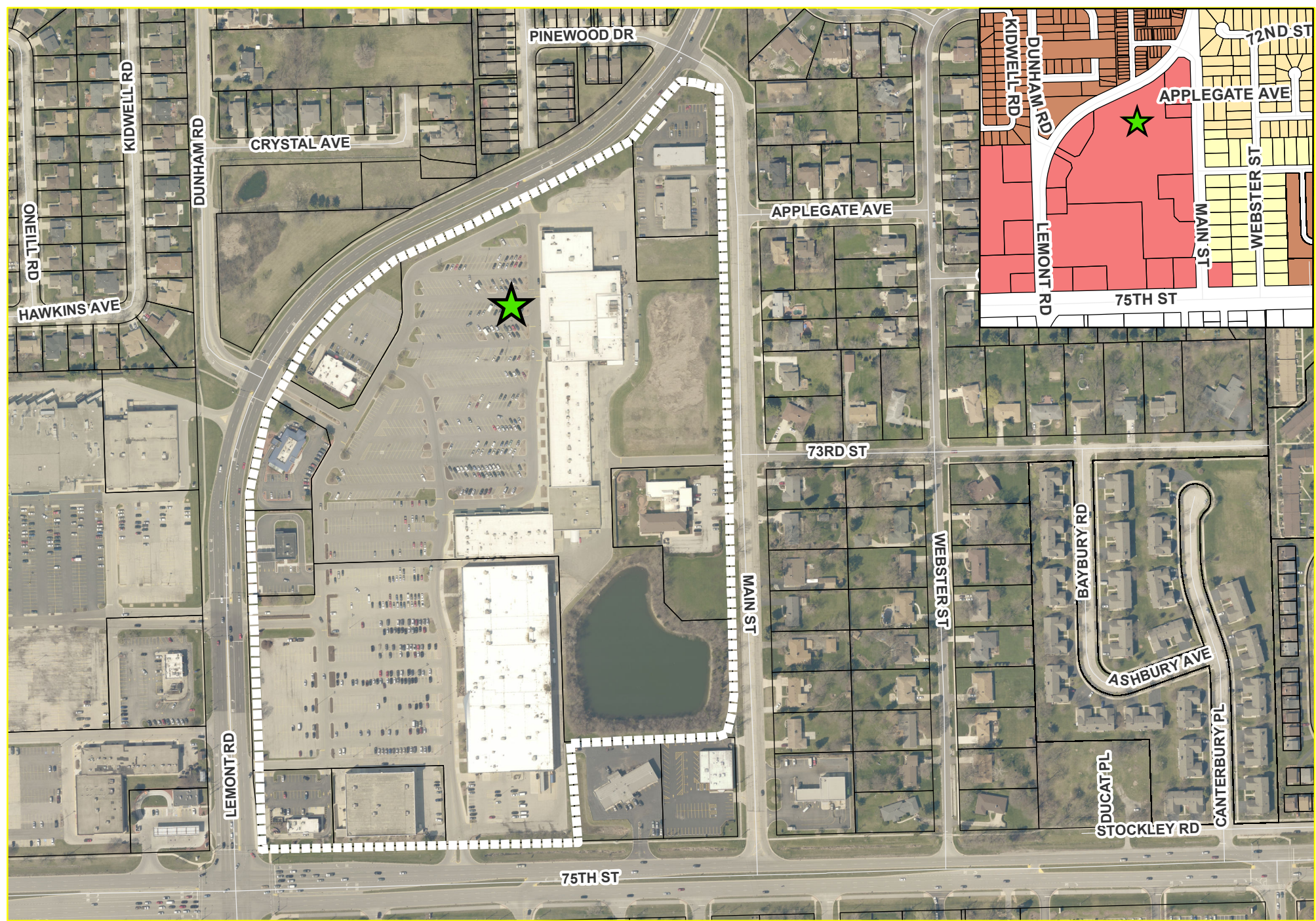
Passed:

Published:

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

Village Clerk







0

385

770

1,540

Feet

7221-7451 Lemont Road - Location Map



Subject Property



Project Location





**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
FEBRUARY 3, 2020 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
20-PLC-0001 7221-7451 Lemont Road	Planned Unit Development Amendment	Gabriella Baldassari Planner

### REQUEST

The petitioner is requesting approval to permit off-premise electronic message board signs at Downers Park Plaza in Planned Unit Development #18.

### NOTICE

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

### GENERAL INFORMATION

**OWNER:** PMAT DPP, LLC  
109 Northpark Blvd, Suite 300  
Covington, LA 70433

**PETITIONER:** Volta Industries, Inc.  
155 De Haro Street  
San Francisco, CA 94103

### PROPERTY INFORMATION

**EXISTING ZONING:** B-2, General Retail Business  
**EXISTING LAND USE:** Retail Businesses  
**PROPERTY SIZE:** 1092.4 square feet (25.1 acres)  
**PINS:** 09-29-110-002 to -008, -013 to -015

### SURROUNDING ZONING AND LAND USES

	<b>ZONING</b>	<b>FUTURE LAND USE</b>
<b>NORTH:</b>	R-5A, Residential Attached House 5A	Single Family Attached, Single Family Detached, Park Open Space
<b>SOUTH:</b>	Woodridge, OSB, Office and Service Business District	N/A
<b>EAST:</b>	Darien, B-3, General Business District R-3, Residential Detached House 3 R-1, Residential Detached House 1	Single Family Detached
<b>WEST:</b>	B-2, General Retail Business	Commercial Corridor

### ANALYSIS

#### SUBMITTALS

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

20-PLC-0001; 7221-7451 Lemont Ave.  
February 3, 2020

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1. Location Map
2. Project Narrative
3. Planned Unit Development Criteria
4. Plat of Survey
5. Engineering Plans
6. Charging Station Specifications

### **PROJECT DESCRIPTION**

The petitioner is requesting approval to permit the use of off-premise electronic message board signs at Downers Park Plaza. The shopping center is located at the northeast corner of Lemont Road and 75<sup>th</sup> Street. The property is zoned B-2, General Retail Business, and is designated as Planned Unit Development #18. The property consists of two main parcels located in the center of the site and eight outlots along the edge. The center is occupied by big-box retailers Best Buy and Home Goods, as well as mid-sized retail including GameStop and Dollar Tree. The outlots are occupied by a variety of retail and service oriented businesses. In 2010, the master sign plan for PUD #18 was modified to allow the installation of four monument signs and additional directional signs within the parking lot. These signs remain on the site.

Currently, the zoning ordinance prohibits signs containing electronic changeable copies/message boards (VoDG.28.9.020.S), and advertising off-premise signs (VoDG.28.9.020.G). In 2019, four electric vehicle charging stations were lawfully installed with a permit, as charging stations are permitted by right as accessory uses per VoDG.28.6.010.E. However, the permit did not clearly identify that off-premise, electronic signage was part of the charging stations. Upon inspection it was identified that the charging stations would utilize this type of signage.

The electronic changeable message boards and advertising off-premise signs requires Village approval. The off-premise electronic signage and the charging stations have not been activated yet as the petitioner proceeds through the entitlement process requesting approval for the proposed off-premise electronic signage.

The purpose of this amendment is to allow the operation of off-premise, electronic signage, in the four electric vehicle charging stations. Two of the off-premise electronic signs are proposed for operation in front of 7241 Lemont Road, currently occupied by Shop and Save Market. The other two are proposed for operation just south of this store, in front of the currently vacant 7305 Lemont Road address.

The displays are proposed to change every ten seconds, with every eighth display reserved for governmental sponsored content. Volta's business model uses the revenue from advertising to provide free vehicle charging to shoppers with electric vehicles. Each charging station has been installed within an existing parking lot landscape island, and is over 125 feet from any right of way. No additional site work is proposed.

This amendment to the master sign plan would allow electronic message boards and off premise signs within PUD #18, subject to the conditions provided below.

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

The Comprehensive Plan emphasizes the importance of continuing to implement guidelines addressing signage clutter. The Comprehensive Plan recognizes that the Village's commercial areas are faced with the uncertainty of aging, and recommends modernization through various mechanisms, including signage. Modernization helps to achieve a balance between the past and the future by providing incremental improvements to existing buildings, properties and parking lots. To promote the identity and image of the Village of Downers Grove, the Comprehensive Plan recommends including the name of the Village on signs when possible.



20-PLC-0001; 7221-7451 Lemont Ave.  
February 3, 2020

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### **COMPLIANCE WITH ZONING ORDINANCE**

Other than the proposed master signage plan, no changes are proposed for the site at this time. The site and uses will continue to be in compliance with the standards for the B-2/PUD General Retail Business District/ Planned Unit Development #18 requirements, as well as parking and landscaping requirements.

The petitioner's proposal to amend the master signs plan represents deviations to the zoning ordinance. Electric vehicle charging stations are considered accessory to the parking lot, and are permitted by right. However, off-premise signs and electronic message boards are not permitted and require Village approval.

#### *Sign Ordinance History*

On May 3, 2005, the Village Council approved amendments to the Sign Ordinance that reduced the size and amount of signage permitted to be installed, required landscaping to be installed around freestanding signs, and prohibited certain types of signs including electronic copy signs. The amendment also established an amortization period that required all signs to comply with current regulations by May 4, 2012, which was later extended to May 5, 2014. In 2014 a report was presented to the Village Council that provides a summary of the 2005 sign ordinance update and resulting actions by the Village and property owners over the following decade that resulted from the ordinance amendments.

In 2015 the Village considered a text amendment to permit electronic message board signs in the INP-2 district. The motion to direct staff to prepare ordinances ultimately failed and the text amendment did not proceed.

### **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 *Daily Herald*. Three residents and a business/property owner contacted the Village to understand more about the proposal. One resident shared that they did not want the signs to be bright and flashy. Another resident shared that they did not want the proposed advertisements to negatively affect existing businesses.

### **STANDARDS OF APPROVAL**

The petitioner is requesting an amendment to Planned Unit Development #18 to update the master sign plan. The review and approval criteria are listed below.

The petitioner has submitted a narrative that attempts to address all the standards of approval. The Plan Commission should consider the petitioner's documentation, the staff report and the discussion at the Plan Commission meeting in determining whether the standards for approval have been met.

#### ***Section 28.12.040.C.5 Review and Approval Criteria***

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

- a. *The zoning map amendment review and approval criteria of Sec. 12.030I in the case of new Planned Unit Development proposals;*
- b. *Whether the proposed PUD development plan and map amendment would be consistent with the comprehensive plan and any other adopted plans for the subject area;*
- c. *Whether PUD development plan complies with the PUD overlay district provisions of Sec. 4.030;*
- d. *Whether the proposed development will result in public benefits that are greater than or at least equal to those that would have resulted from development under conventional zoning regulations; and*

20-PLC-0001; 7221-7451 Lemont Ave.  
February 3, 2020

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

#### **DRAFT MOTION**

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Staff will provide a recommendation at the February 3, 2020 meeting. Should the Plan Commission find that the request meets the standards of approval for a Planned Unit Development, staff has prepared a draft motion that the Plan Commission may make for the recommended approval of 20-PLC-0001:

Based on the petitioner's submittal, the staff report, and the testimony presented, I find that the petitioner has met the standards of approval for a Planned Unit Development as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, I move that the Plan Commission recommend to the Village Council approval of 20-PLC-0001, subject to the following conditions:

1. The Planned Unit Development amendment shall substantially conform to the staff report and engineering plans dated 5-3-19 except as such plans may be modified to conform to the Village codes and ordinances.
2. Display screens shall be at least 125 feet from any right-of-way.
3. Display screens shall not rotate sponsorship displays at a rate faster than 10 seconds per display.
4. Video content messages consisting of flashing, animated, chasing or scintillating is prohibited from being displayed.
5. Every eighth turn of Sponsorship Displays shall be reserved for content provided by governmental entities.
6. Only four charging stations with the associated off-premise electronic signage may be placed in the PUD.
7. Each display screen shall be limited to the dimensions of H 48" by W 27".
8. Display screens shall be turned off between 10PM and 5AM.

Staff Report Approved By:



Stanley J. Popovich, AICP  
Director of Community Development



0 385 770 1,540  
Feet

7221-7451 Lemont Road - Location Map

**Project Narrative**

Downers Park Plaza

Proposed Amendment to PD 18

Volta installs and maintains electric vehicle charging stations ("EV Charging Stations"), often at retail destinations. Rather than imposing a cost for charging electric vehicles ("EV"s) on the user, Volta generates revenue via sponsored content displayed on illuminated screens on their charging stations to allow EV users to charge their vehicles at no cost.

Volta's EV Charging Stations are approximately 7.0 feet, 2.0 inches in height, approximately 2.0 feet, 8.4 feet wide and approximately 1 foot deep. They include two screens, one on each side measuring approximately 2 feet, 3 inches by 4.0 feet (please see attached plans for greater detail). Each station is secured within a concrete footing and is designed to withstand the elements, even harsh winter weather. Volta is committed to servicing and maintaining each unit to serve the community. The condition of each unit is monitored remotely, and local technicians are on hand to make repairs and upgrades as needed.

Unlike traditional off-premise advertising, like billboards, for which the goal of advertising/signage is to generate revenue, in this instance, the purpose of the sponsored content on Volta's charging stations is to support the installation, operation and maintenance of the electric charging infrastructure – a public amenity. These unique EV Charging stations are designed to provide a free amenity to Village residents and visiting shoppers, while helping the Village to develop and promote sustainable transportation options and reduce greenhouse gas emissions from gasoline powered automobiles. Finally, by providing free vehicle charging in retail centers, Volta also hopes to draw shoppers to Village retail destinations like Downers Park Plaza through their mobile application, which informs users where free EV charging is available.

Volta requests the Village's consideration of a proposed amendment to PD 18, at Downers Park Plaza (the "Amendment") to permit the operation and maintenance of two (2) EV Charging Stations, which Volta installed there in May of 2019. The Amendment would also permit the use of off-premise advertising in Downers Park Plaza, limited to such EV Charging Stations, so long as they provide free charging for residents of and visitors to Downers Grove. Related signage will not target pedestrians or motorists in the public right of way, and is not intended to be seen, or read from the public right of way.

Volta proposes the following definitions to inform the discussion of its proposal and for integration into the ordinance adopted, should this request be approved:

**Definitions:**

***EV Charging Stations:*** Devices that supply electricity to charge Electric Vehicles.

***EV Equipment:*** Related equipment and appurtenances to support the installation, operation, use and maintenance of EV Charging Stations.

***Charging Station:*** An individual EV Charging Station (a) will not exceed a maximum size of eight (8) feet tall, four (4) feet wide and four (4) feet deep; and (b) may include digital and static media elements that facilitate the delivery of Sponsorship Displays.



**Display Screen:** An illuminated screen, not to exceed 27 inches in width, 48 inches in height or 41 foot candles of illumination at four (4) feet from such Display Screen, and frames on such Display Screen shall not rotate more than eight times every 64 seconds.

**Sponsorship Display:** Content of, concerning or provided by a Sponsor which content is capable of being posted or displayed on a **Charging Station** for a limited period, through physical, electronic or other means, including, but not limited to, text, logos, graphics, images, diagrams, and other content in any color and any form.

**Community Content:** Content of, concerning or provided by the Village.

Volta requests the Village's consideration of a proposed amendment to PD 18, at Downers Park Plaza (the "Amendment") to permit the operation and maintenance of two (2) EV Charging Stations, each having two (2) display screens for projecting electronic, changeable, static image advertising. Approval would permit the operation of the four Display Screens, which were installed along with the EV Charging Stations in May of 2019, but have not displayed signage since their installation. The Amendment would also permit the use of off-premise advertising in Downers Park Plaza, limited to such EV Charging Stations, so long as they provide free charging for residents of and visitors to Downers Grove. Related signage will not target pedestrians or motorists in the public right of way, and is not intended to be seen, or read from the public right of way.

Although the sign ordinance in the Village of Downers Grove currently prohibits off-premise advertising signs as well as LED lit signs and signs containing electronic and changeable copy, the unique character of Volta's sponsored content merits unique treatment within PD 18.

The Village Sign Ordinance is intended to regulate signs that are, "potentially harmful to motorized and non-motorized traffic safety, property values, business opportunities and community appearance". (Section 9.010(A) of the Village of Downers Grove Zoning Ordinance). Volta's proposed EV Charging Stations do not pose any of these risks, as they are located within a screened commercial center.

Furthermore, Volta prides itself in its seamless service to retailers to help support commercial activity in retail centers. EV Charging Stations are constructed in Aurora, Illinois and tested to ensure units are durable and can withstand the elements. Each unit complies with applicable accessibility standards. Volta installs and provides continued repair and maintenance to their units both remotely and on-site to limit service interruptions. Finally, the company is committed to limiting advertising content to exclude political, religious, or obscene content. This commitment will help enhance the value of the Property by enhancing the retail experience there.

Volta hopes to become a partner in furthering the Village's mission of sustainability, made clear by the prevalence of municipal vehicles that use alternative fuel sources. As major automakers ramp up their production of electric vehicles in the coming years, Volta can also help the Village prepare for the future of automobile usage and travel.

Although the sign ordinance in the Village of Downers Grove currently prohibits off-premise advertising signs as well as LED lit signs and signs containing electronic and changeable copy, the unique character of Volta's sponsored content merits unique treatment within PD 18.



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Volta hopes to become a partner in furthering the Village's mission of sustainability, made clear by the prevalence of municipal vehicles that use alternative fuel sources. As major automakers ramp up their production of electric vehicles in the coming years, Volta can also help the Village prepare for the future of automobile usage and travel.

Standards for Planned Unit Developments  
Downers Grove  
PD 18: Downers Park Plaza (7231 Lemont Road)

1. **Whether the proposed PUD development plan and map amendment would be consistent with the Comprehensive Plan and any other adopted plans for the subject area.**

The proposed amendment to Planned Unit Development No. 18 is compatible with the goals of the Village of Downers Grove Comprehensive Plan (the "Comprehensive Plan").

Section 2 of the Comprehensive Plan, entitled "A Vision for the Future" specifically makes achieving diverse and sustainable economic opportunities (Comprehensive Plan, page 20) and providing sustainable services and products (page 21) a goal of the Village. The proposed amendment will permit the installation of electric vehicle charging stations, which are a sustainable alternative to fossil fuels. They will also be necessary for fueling the cars of the very near future – with many major car makers currently increasing their electric vehicle production. This will not only help encourage electric vehicle usage, but it will also help the Village keep up with the rapidly changing auto industry and encourage shoppers from the region to choose Downers Grove's shopping centers, where they can refuel their automobiles at no cost while shopping locally.

Whereas the Village Comprehensive Plan is concerned with signage that creates visual clutter (page 48), the proposed amendment would require that signage be limited by appropriate standards including a requirement that signage shall not target or be directed toward the public right of way. It is also important to note that the amenity would be economically unsustainable if signage were eliminated and a cost was imposed on the motorist for charging, since evidence of business models that pass on the cost of electricity to the driver have proven largely unsuccessful.

The Village's Comprehensive Plan also specifically enumerates the encouragement of sustainable energy usage in the Village's commercial areas (page 53) and the adaptation of sustainable technologies (page 153). By providing electric charging stations in Downers Park Plaza, the Village will move one step closer to achieving this goal.

2. **Whether PUD development plan complies with the PUD overlay district provisions of Sec. 4.030.**

Section 4.030 identifies the following goals:

- a. Energy Conservation and Sustainability

The proposal will provide an opportunity for the Village to limit emissions from burning fossil fuels – which are an unsustainable fuel source. Electric charging stations, that provide free charging, will help to incentivize electric vehicle usage, which are fueled by a much more sustainable fuel source than gasoline.

- b. Comprehensive Plan

As stated in our response to Item 1, the proposed amendment is consistent with the Comprehensive Plan.

Furthermore the proposal will help meet many of the PUD objectives. For example, it will provide the Village to pursue “flexibility and creativity in responding to changing social, economic, and market conditions allowing greater public benefits than could be achieved using conventional zoning and development regulations”. Although the proposed PD amendment does not follow the letter of the signage ordinance, the PUD process provides an opportunity for the Village to have free electric vehicle charging infrastructure. This will help to address the imminent need to service electric vehicles on the go, and will help to support local retail through the PUD in a way that is not available if only conventional zoning regulations were applied.

In addition, it will help with the “incorporation of sustainable development features including green infrastructure”.

In these ways the proposed amendment will help to achieve the Village’s goals as articulated in the PUD Overlay District provisions in section 4.030 of the Zoning Ordinance.

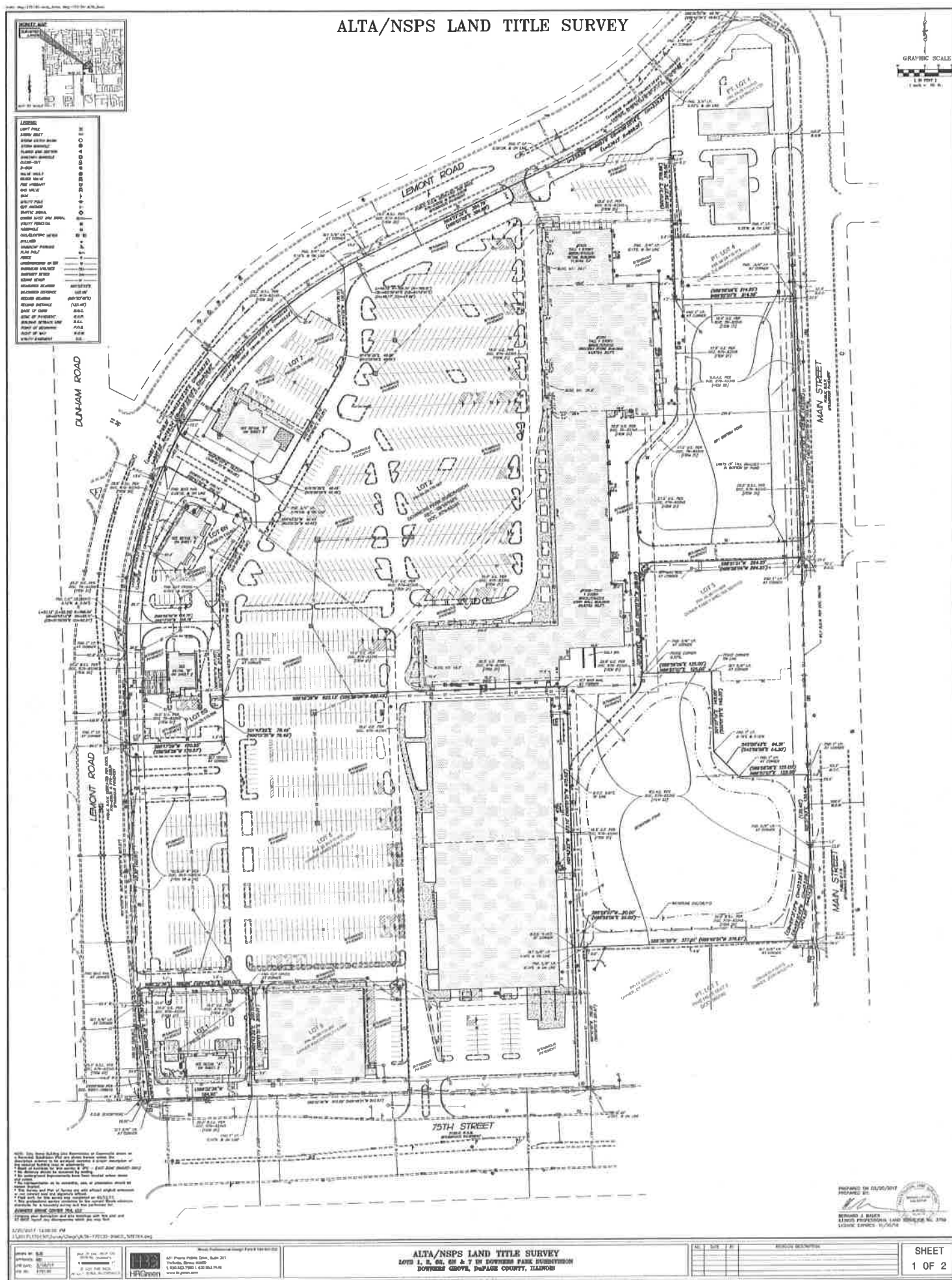
3. **Whether the proposed development will result in public benefits that are greater than or at least equal to those that would have resulted from development under conventional zoning regulations.**

The proposed amendment will help result in free charging for electric vehicles, which, in and of itself is a public benefit. But it will also help to attract drivers of electric cars to shop in Downers Grove, where they can refuel while they shop. This will help boost sales tax revenue by drawing shoppers to the retail establishments within the PUD and will provide a further public benefit to the community.

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

The limitations indicated in the draft ordinance proposed are meant specifically to address concerns surrounding electronic, changeable, and off premise advertising. First, the signage will be appropriately screened from the right of way and will not target motorists. Second, messaging turns will remain static for eight seconds so as not to distract motorists, and, as a benefit to the community, the operator will allow the Village to use the messaging infrastructure to project Village announcements. Finally, lighting will be dimmed in the evening hours and video content will be forbidden to help mitigate any adverse impact on the Village.

These conditions help to better conform the proposed stations to achieve the goals and objectives of both the zoning ordinance as well as the Comprehensive Plan.



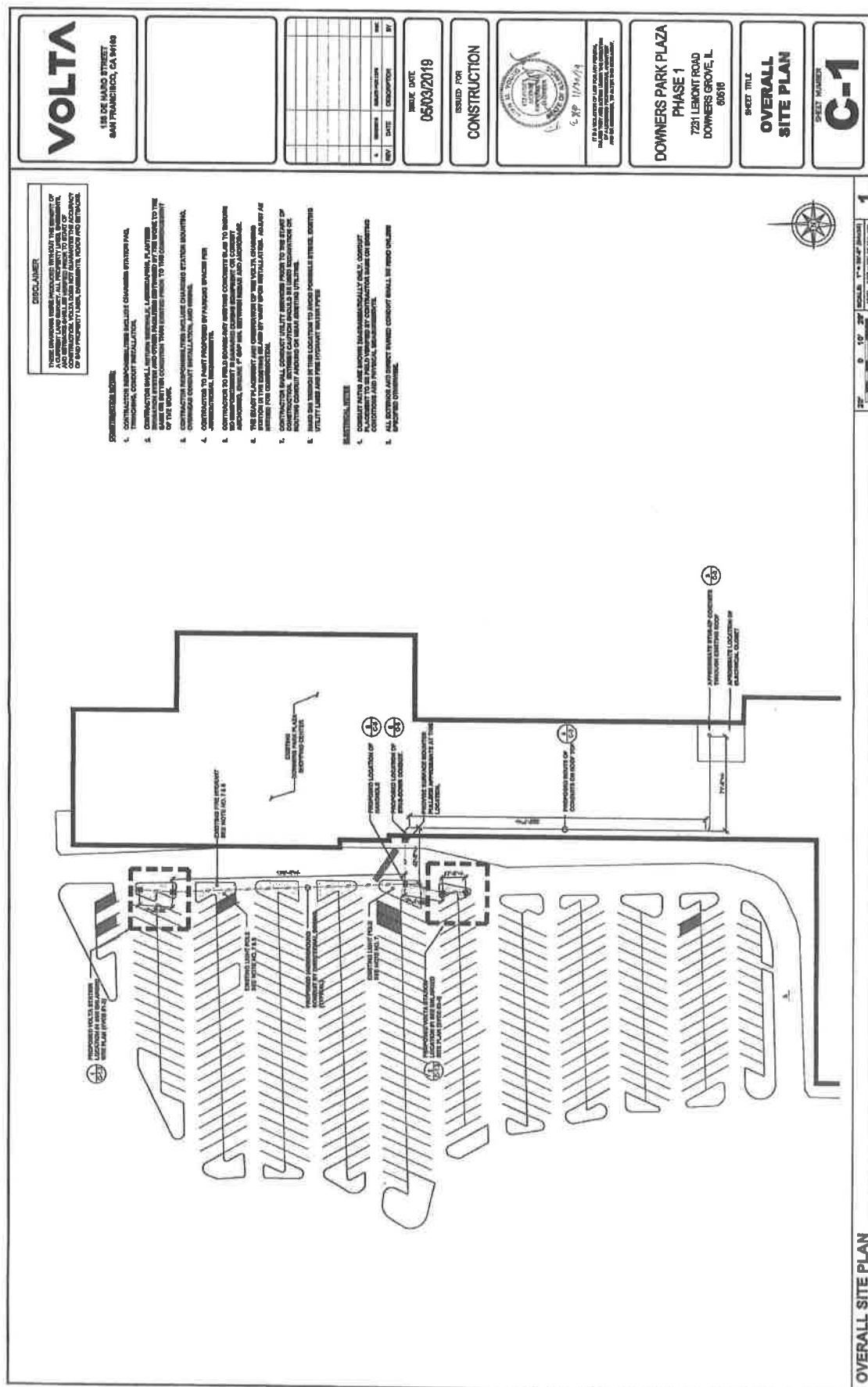
## ALTA/NSPS LAND TITLE SURVEY

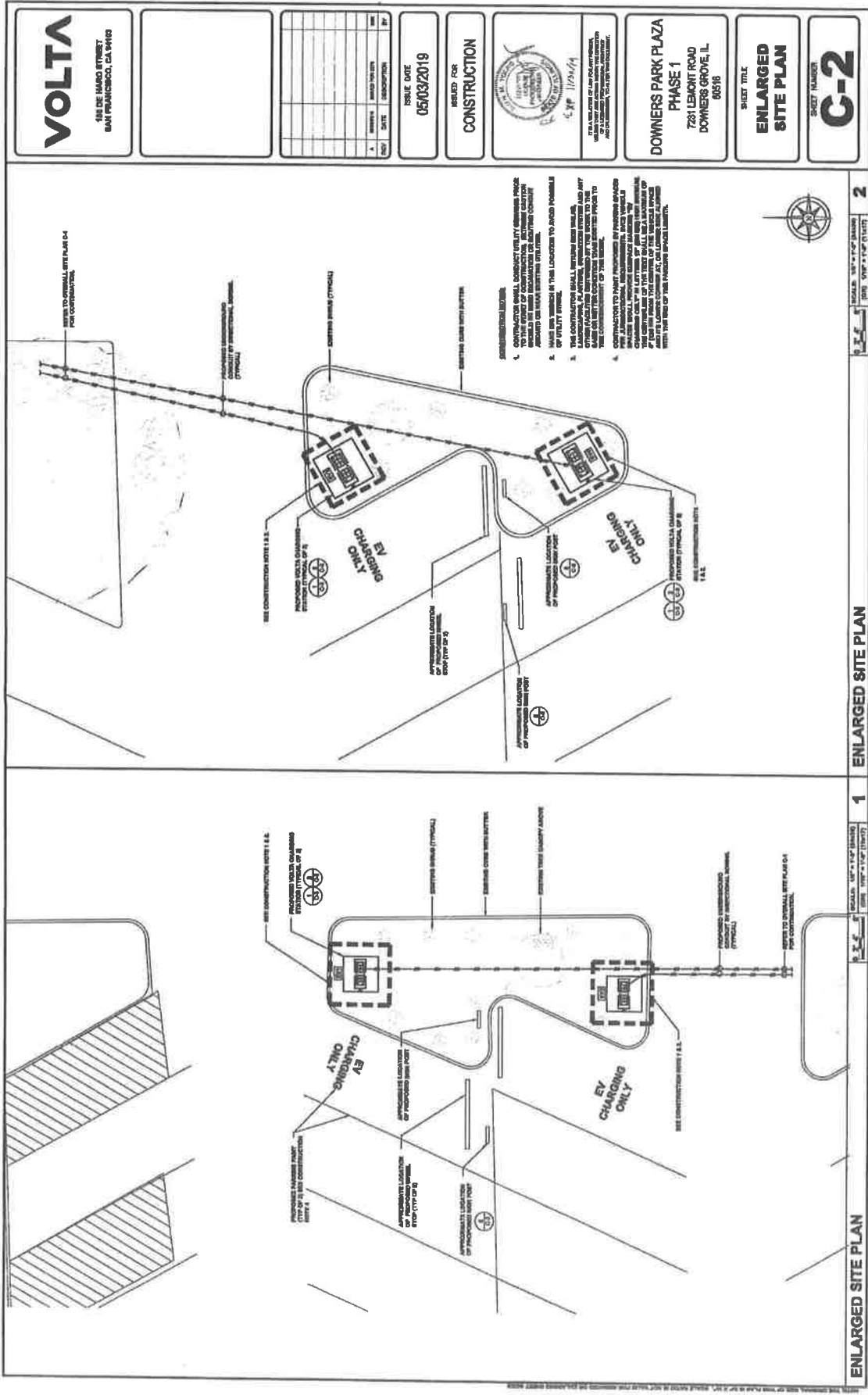
## LEGAL DESCRIPTION

PART 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 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**VOLTA**

416 DE HARO STREET  
SAN FRANCISCO, CA 94103

NO.	REVISION	DATE	DESCRIPTION
1			
2			
3			
4			
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6			
7			
8			
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10			

ISSUE DATE  
05/03/2019

DESIGNED FOR  
CONSTRUCTION



DOWNERS PARK PLAZA  
PHASE 1  
7231 LEBLANC ROAD  
DOWNERS GROVE, IL  
60516

SHEET TITLE  
**ENLARGED  
SITE PLAN**

SHEET NUMBER  
**C-2**

ENLARGED SITE PLAN 1 2

ENLARGED SITE PLAN 1 2

[illegible]





SHEET NUMBER

DRAFT

**VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MINUTES  
FEBRUARY 3, 2020**

**20-PLC-0001: A petition seeking approval for an amendment to Planned Unit Development #18 to amend the master signage plan. The property is currently zoned B-2/PD, General Retail Business/Planned Development. The property is located at the northeast corner of Lemont Road and 75th Street, commonly known as 7221-7451 Lemont Road, Downers Grove, IL (PIN: 09-29-110-002 to -008, -013 to -015). Volta Industries, Inc., Petitioner and PMAT DPP, L.L.C., Owner.**

**Petitioner's Presentation:**

Talar Berberian, Thompson Couburn, provided an overview of the request and then introduced Dawn Zancan. Dawn Zancan, Volta Charging, introduced herself as the Director of Site Development and Site Sales and provided a background of the company and an overview of the Volta's free charging stations, which entered the Chicago market in 2016. She offered various trends and data related to electric charging.

Mr. Maurer inquired if other communities are using the same model and if the charging stations utilize a universal application of connections for vehicles. In response it was offered that the stations would have a universal charging and the communities that have Volta stations are using the same model.

Mr. Dmytryszyn inquired if the stations will utilize signage on the front and back. Ms. Zancan stated yes and further provided a description of the components of the charging stations. Ch. Rickard noted that there was a discrepancy between the sizes provided in the applicant's submittal. The size was clarified.

Mr. Robert Lederer, introduced himself as the President/Owner at Apollo Commercial Maintenance, the property maintenance company for property ownership. He stated that have the charging stations at the shopping center would be a "win/win" as it would attract shoppers to the center and would provide free charging to customers.

Ms. Berberian returned to the podium and provided an overview of how the request met the standard for an amendment to the PUD. She knows that the request is for the proposed signage, but Volta's business model is tied the charging stations themselves. She stated that the proposed amendment to the PD is consistent with the Comprehensive Plan and other adopted plans for the subject because the stations help achieve diverse and sustainable economic opportunities, the infrastructure for electric vehicles at retail centers draws shoppers and that the stations encourage sustainable energy usage. In regards to whether the proposed complies with the PUD overlay district provisions of Section 4.030.D, the stations meet the goals of energy conservation and sustainability, are compatible with the Comprehensive Plan, provide

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flexibility and creativity in responding to changing market conditions and incorporate green infrastructure.

Ms. Berberian further stated in regards to whether the proposed amendment will result in public benefits greater than underlying zoning, that this is accomplished through offering free electric charging for Village residents and visitors, attracts shoppers to Village retail destination and helps the Village meet sustainability goals and protect air quality. Lastly, she stated they are in agreement with the draft conditions, but she further requested that the Plan Commission consider a reduction to the time change to 8 seconds for the displays, instead of the 10 seconds as represented in the staff report

Ch. Rickard asked if there were any additional questions from the Commission for the applicant. None responded. He then asked if there was anyone in the audience that wanted to speak in regards to this public hearing.

### **Public Comment:**

Paul Hussey, 4932 Prospect Avenue, stated that he is an electric vehicle advocate and has used Volta charging stations in other communities. He further clarified that Tesla vehicles come with adapters for charging stations.

Scott Richards, 1130 Warren, stated that he thought that these signs would be gaudy and agreed with statements about not going backwards. He stated that he works for the local TJ Maxx and was interested in understanding if the local businesses get to advertise.

Sonja Kasche, 1011 Pinewood Drive, inquired how this impacts electricity availability in the area and stated concerns that residents would end up paying for this.

Nina Patel, 4932 Prospect Avenue, stated she is in support of the charging stations as there is health benefits related to using electric vehicles. She thinks these screens will be appropriate even for those with sensory sensitivities.

Matt Bolson, of Lisle, noted that he is an electric vehicle advocate and that he is more likely to shop at the store because of the charging convenience.

Ch. Rickard asked if there were any further questions or comments from the audience. None responded. He then asked staff to make a presentation.

### **Staff Presentation:**

Gabby Baldassari, Development Planner, said she is presenting an overview of the amendment request to the PUD to permit off-premise sign and electronic message boards on the electronic vehicle charging stations. It was stated that charging stations are considered accessory to the parking lot and are permitted by right and that the signs

## DRAFT

are subject to the amendment request. Specifically the sign code, prohibits both off-premise signage and electronic changeable copy messages boards.

Ms. Baldassari provided a history of the sign ordinance, noting that the 2005 update had multiple purposes including reducing the number and size of permitted signs and specifically prohibited electronic message board signs. The update provided an amortization period that required all signs to be brought into compliance within 9 years. In 2014 an update was provided to the Village Council that provided a summary of compliance and feedback since the 2005 ordinance was adopted. The study summarized that there was 7 signage plans for PUDs that were permitted deviations to the sign code, but that was only for quantity and size. It was further explained that in 2015 the school district requested that Village Council consider text amendments to permit electronic message board signs. Village Council did not direct staff to prepare the amendment.

Ms. Baldassari stated that based off of the current ordinance and past policy of the Village staff does not recommend approval of the petition. However, if the Plan Commission determines that the request meets the standards of approval for a Planned Development, staff provided a draft motion on page 4 of the staff report.

Ms. Baldassari summarized the conditions of approval provided in the staff report, should the Plan Commission make a positive recommendation, and asked if there were any questions.

Mr. Maurer asked for more specific language to be provided regarding the condition of approval limiting video content on the display screens. Ms. Baldassari clarified that her description of the conditions was a summary, and that video content was clearly defined in the staff report and conditions of approval.

Commissioner Johnson asked why the electronic sign board was not allowed in 2015. Mr. Zawila said that council did not direct staff to move forward with preparing the text amendment, and at the time, Village Council was the only body that could request a text amendment.

Mr. Dmytryszyn asked why staff recommended a 10 second rotation minimum for display screens. Mr. Zawila commented that this was most consistent with surrounding municipalities, and that the Plan Commission could chose to change this to an 8 second minimum, per Volta's request as part of their deliberation.

Mr. Dmytryszyn asked if there were seven other signs currently allowed in the Village. Ms. Baldassari clarified that there had been seven sign plans for PUDs that permitted deviations since the 2005 update to the sign code, but these were not related to off-premise signage or electronic message boards.

Mr. Boyle asked if the proposed signs would be allowed if the rest of the signs were in compliance. Mr. Zawila said they would not be.

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Ch. Rickard asked if there were any further comments. None responded. He then closed the public hearing.

Ms. Johnson asked if surrounding municipalities allowed this type of sign. Mr. Zawila said that most other municipalities do permit electronic message boards, sometimes by right or through a special use process.

Mr. Maurer commented on the size and time limitations listed in the conditions of approval. He said that this could be pointed to as setting a precedent. Mr. Zawila said that a precedent is a matter of opinion and that these regulations are specifically tied to this PUD request. Ms. Johnson believed that this does set a precedent.

Ms. Majauskas said that the property owner did not have a hardship. Ms. Majauskas said everyone will want this type of sign if one is approved.

Mr. Maurer said he doesn't know if the petitioner made a mistake in not including the screen details, or if it was overlooked in the permitting process. Mr. Zawila stated that the approved permit did not clearly demonstrate that the signage would be installed subject to the request in front of the Plan Commission.

Ms. Rollins said this would not be groundbreaking, as Volta had suggested, that other communities have this technology, and the technology is here to stay. Does this set a precedent in their communities? Mr. Zawila said each community looks at this differently but have mostly permit this type of signage.

Ch. Rickard said that they are providing a service for free, but funding it with advertising. Residents are interested in the free service. Ms. Rollins said that this is more about aesthetics, which are important to Downers Grove. Ms. Majauskas said that the issue is related to signage, not to charging stations. The benefit is only for the owner, not the population.

Ms. Johnson asked how many charging stations are around Downers Grove. Mr. Zawila shared locations along Ogden and Butterfield, but those do not utilize electronic signage.

Ch. Rickard requested to give the petitioner a chance to offer closing comments.

Ms. Berberian said she believes these conditions are very specific and would not set a precedent for others. She suggested perhaps an additional condition that the signs provide a public amenity to further limit others trying to repeat this signs.

Ms. Zancan commented that removing these signs would be very expensive. Also, these stations will not provide an incentive to people to leave their cars in the spaces long term, as the amount of charging provided is limited. Ads are offered at discounted rates to on site tenants. The Village's allotted screen time can be up to the village and



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changed at a desired frequency. She further added that the range of electric vehicles can be short, especially in the winter, so these stations can make a big difference in providing the opportunity for people to buy electric vehicles. Because electric vehicle drivers must change their habits in order to keep their cars charged, they will be thinking about where they can shop, and are more likely to select stores with charging stations. Lastly she stated that they pay the electrical in a monthly installment to the landlord.

Ms. Berberian thanked the commission and said that they were sensitive to the issue of creating unappealing signage, but this amenity is necessary, and therefore the signage is necessary.

Ch. Rickard closed the public hearing.

### **Plan Commission Discussion:**

Ms. Majauskas said this is giving an added benefit to the owner. Other sign variances were given based off of hardships. This is just a business proposition. A hardship is not caused by the owner, and it didn't pass inspection. This sets a precedent and others will propose similar signs. Others will want lighted signs. The issue is the lighting not the charging station.

Mr. Maurer said if this was a variance, he would not support it, as it is not consistent with the zoning code. He said that significant compromise has been made by the petitioner, and it can be written in such a way that this cannot be repeated easily.

Ms. Majauskas said other businesses will want this. Ms. Majauskas said it isn't allowed. And we have denied sign variances. Mr. Boyle said this is specific to the PUD.

Mr. Dmytryszyn asked if this is something council should decide. Mr. Maurer said that everything that Plan Commission does is reviewed by Council. Ms. Rollins said that it would be nice to talk about this theoretically rather than having it already been built. Ms. Rollins asked if signage is tied to a specific zoning district. Mr. Zawila said that there are different regulations for the downtown area, Fairview business area and all other commercial districts. Ms. Rollins asked if we could permit this in certain zones to help restrict others.

Mr. Maurer said variances have been allowed due to unique conditions, and these are unique conditions. Ch. Rickard said it might be a goal to provide green infrastructure, and maybe it is a priority to accommodate them. The sign issue is clouded by the electric vehicle use.

Ms. Majauskas said this variance is not up to Plan Commission to decide. She would support this if it were restricted to electric vehicle charging. Mr. Zawila pointed out that charging stations are allowed. Also, that this is not a variance request, it is an amendment to the PUD. The standards that should be used for the recommendation are different than for a variance.

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Discussion occurred on responsibility for making this decision, and modifications made to the conditions made in the staff report. It was determined that the term “sponsorship” should be removed from condition 3 and that additional language should be added to condition 8 stating that the operating hours of businesses located in the shopping center, whichever may be more restrictive.

Ch. Rickard asked if there was any further discussion from the Commission. None responded. He then called for a motion for recommendation.

**Plan Commission Recommendation:**

**Mr. Maurer made a motion stating based on the petitioner’s submittal, the staff report, and the testimony presented, I find that the petitioner has met the standards of approval for a Planned Unit Development as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, I move that the Plan Commission recommend to the Village Council approval of 20-PLC-0001, subject to the following conditions:**

- 1. The Planned Unit Development amendment shall substantially conform to the staff report and engineering plans dated 5-3-19 except as such plans may be modified to conform to the Village codes and ordinances.**
- 2. Display screens shall be at least 125 feet from any right-of-way.**
- 3. Display screens shall not rotate displays at a rate faster than 10 seconds per display.**
- 4. Video content messages consisting of flashing, animated, chasing or scintillating is prohibited from being displayed.**
- 5. Every eighth turn of Sponsorship Displays shall be reserved for content provided by governmental entities.**
- 6. Only four charging stations with the associated off-premise electronic signage may be placed in the PUD.**
- 7. Each display screen shall be limited to the dimensions of H 48” by W 27”.**
- 8. Display screens shall be turned off between 10PM and 5AM, or the operating hours of businesses located in the shopping center, whichever may be more restrictive.**

**Motion seconded by Ms. Rollins.**

**AYES: Boyle, Dmytryszyn, Maurer, Patel, Rollins, Toth**

**NAYS: Johnson, Majauskas, Ch. Rickard**

**The Motion passed**