

## Minutes

COMMUNITY EVENTS COMMISSION  
Thursday January 20, 2022  
5:30 P.M.  
VILLAGE HALL – COMMITTEE ROOM  
  
801 BURLINGTON AVENUE  
DOWNERS GROVE, IL

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PRESENT: Nicole Szydlowski, John Aguzino, Michael Puzen, DJ Fiore, Erin Venezia-Downtown Management

STAFF: Jennifer Rizzo

ABSENT: Michael Kubes, Soraya Faber

Ms. Szydlowski called the meeting to order at 5:30 p.m.

### I. APPROVAL OF JULY 8TH, 2021 MEETING MINUTES

Mr. Puzen made a motion to approve the minutes from the July 8<sup>th</sup> 2021. The motion was second by Mr. Aguzino

### II. PUBLIC COMMENT

None

### III. NEW BUSINESS

Downtown Management Ice Festival

Ms. Venezia discussed the Downtown Management Ice Festival. Which is Feb 4<sup>th</sup> to the 6<sup>th</sup>. We will have nearly 60 ice sculptures this year, which is the most ever. The previous highest amount was in 2020 with 49. Manly sponsored by downtown business. Those outside of downtown will have displays in front of the cemetery. We have one Downers Grove Family that is participating this year. A live carving will be at the Main Street Depot on Saturday & Sunday from 11 a.m. to 3 p.m. Since there will not be a Friday night carving, the money was used to purchase an ice bench that will be under the ornament arch. Shopping and dining promotion will be ongoing for weekend. The displays will be from Maple to Franklin this year. Ms. Szudlowski asked is this a change to go from Maple to Franklin. Ms. Venezia, said this is, before the farthest we had gone was to Toon Funeral Home. Mr. Fiore asked if there have ever been any complaints. Ms. Venezia replied no, it is a fun winter event. Ms. Venezia explained that public works assists with the setup of the live carvings.

Mr. Puzen made a motion to approve  
Mr. Fiore seconded the motion

IV. STAFF REPORT

Ms. Rizzo, no other applications have been submitted at this time. Planning on resuming normal event session including the 4th of July Parade. Mr. Aguzino asked about the car show. At this time it is possible the Moose Lodge will be planning to handle the car show. Discussion about the car show in how to help the Moose Lodge with the permit. How the Moose Lodge only had the car show once a month. At this time staff has not heard from them.

V. OLD BUSINESS

No old business

VI. ADJOURNMENT

Motion to adjourn By Mr. Puzen, Seconded by Mr. Aguzino.

Meeting ended 5:42 p.m.

APPROVED

**VILLAGE OF DOWNERS GROVE  
ZONING BOARD OF APPEALS MINUTES  
January 26, 2022**

**CALL TO ORDER:**

Chairperson (Ch.) Peter Foernssler called the meeting to order at 7:00 PM.

**ROLL CALL:**

**AYE:** Ms. Eberhardt, Mr. Frost, Mr. Maier, Mr. Schwartzers, Ch. Foernssler  
A quorum was established.

**Staff:** Jason Zawila, Planning Manager  
Gabriella Baldassari, Development Planner

**Also Present:** Jason Lindahl, 3810 Candlewood Drive, Downers Grove  
Samantha Cozzo, 3810 Candlewood Drive, Downers Grove  
Connor Cavanaugh, 1091 Black Oak Drive, Downers Grove  
Kris Bochat, 1161 Candlewood Drive, Downers Grove  
Keith Chada, 1100 Black Oak Drive, Downers Grove

**MEETING PROCEDURES:**

Ch. Foernssler 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.

**APPROVAL OF MINUTES – August 25, 2021**

**A Motion was made by Mr. Maier, seconded by Ms. Eberhardt to accept the minutes as presented.**

**Ch. Foernssler called for a Voice Vote. The Motion carried 5:0.**

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**A request to grant a variation for 22-ZBA-0001, an after-the-fact variation to permit a sports court to remain in the street yard, where they are not permitted, per Section 28.14.100.B of the Municipal Code. The property is located on the west side of Candlewood Drive approximately 250 feet south of the intersection of Candlewood Drive and Black Oak Drive, Commonly known as 3810 Candlewood Drive (PIN 06-32-304-022). Jason Lindahl and Samantha Cozzo, Owners. Jason Lindahl, petitioner.**

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**Staff Presentation:**

Gabriella Baldassari, Development Planner, stated that this request was for a sports court variation for 3810 Candlewood, 22-ZBA-0001, identified the location of the property on the screen, and said that the after the fact variation means the ice rink is already there. She shared the plat of survey and showed the location of the sports court in both street yards. An excerpt from *Inside DG* was shared to illustrate the consistent implementation of the determination that ice rinks are considered sports courts and are not allowed in street yards. The existing ice rink is located within two street yards. Ms. Baldassari shared pictures of the existing ice rink, and detailed the timeline of enforcement activities that had been taken against the property owner regarding this ice rink. Code enforcement has been working to get the ice rink removed since November 16, 2021. She shared the standards of approval that would need to be met for a variation to be supported, and stated that they were not met, citing potential safety, neighborhood character, property values, and the possibility of setting a precedent. She added that neighborhood comment since the staff report was published was mixed, and the new comments were provide on the dioses. Based on the standards, staff did not support approval of the petition.

Mr. Maier asked for a review of the difference between exceptions and variations. Jason Zawila, Planning Manager, said that the set of standards of approval is different for exceptions and variations.

Ch. Foernssler asked what the flyer shown was from. Ms. Baldassari stated it is an *Inside DG* article from 2019. This is a quarterly publication issued to all residents.

**Petitioner's Statement:**

Jason Lindahl, petitioner, said his family with five kids always wanted an ice rink. He asked for permission to keep the ice rink in its current location this year because of a significant slope in the backyard and to keep their kids active during Covid. In the future, he would move the rink to a different location slightly to the west. Mr. Lindahl said that the storage pod and heater mentioned in the neighborhood comment section of the staff report was no longer there. The hardship is covid, and he didn't want to disappoint his kids, so he left the rink up. The corner lot is different from others because of the impossibly sloped back yard. The kids do not play while pedestrians walk by. It is important to have something to do outside. This is a unique situation because of the impossible slope in the backyard, and variations could be issued only in cases of impossible slopes. The rink couldn't go where the trampoline is. The yard isn't somewhat sloped but impossibly sloped. This will not impair air. The sidewalk will stay clear of ice and it is no different from someone else's snowy sidewalk. This is only necessary when slopes are impossible. Mr. Lindahl detailed numerous messages of support from neighbors.

Ch. Foernssler called for any comments from the public.

Connor Cavanaugh, 1901 Black Oak Drive, stated that the neighborhood is a proud one and the petitioner hadn't been there long enough to know the rules. He said that the property is unique, and that the ZBA should look inward to permit this. It is outlandish to state the ice rink is unsafe, and parents not paying attention to their kids might result in kids falling on the ice. He added that this is

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the character of the neighborhood and that the Granato family would have supported this. This will only be eye sores here and there and look into the faces of your own children.

Kris Bochat, 1161 Candlewood Drive, said he lives in the neighborhood and is a dog walker. This is a well-built structure and other neighbors have water flowing toward the front yard which is against ordinance. Some sidewalks in the area have not been repaired. He is not concerned about the ice rink. There is a lot to pick on in the neighborhood. Many kids in the neighborhood are excited about this and it is closer than Doerhoefer Park. Doerhoefer Park is red tagged often. There are extenuating circumstances here, it is expensive to mitigate extreme slopes. The street yard is a questionable location but it is the only possible spot and it is a benefit to the neighborhood.

Keith Chada, 1101 Black Oak Drive, said he is proud of the petitioner for making a professional rink and he likes to see the kids outside playing, which nobody sees anymore. It is clean, and it is a blessing, and would be temporary.

Mr. Lindahl said he understands rules are necessary and he is only asking for the change in the case of his impossible slope. This is important in the Covid era.

Mr. Frost asked if there was a smaller ice rink that could be installed in the back yard. Mr. Lindahl said it was impossible to put it in the backyard.

Mr. Maier asked how many degrees the slope is. Mr. Lindahl said he did not know but that it is significant. Mr. Maier further inquired what due diligence they did when they bought the house, given that they wanted to build the ice rink. Mr. Lindahl said he wasn't sure if he would install one at the time. Lastly, Mr. Maier inquired if he did any investigation into this. Mr. Lindahl said he heard he didn't need a permit so he didn't explore it further.

Ms. Eberhardt asked why he didn't explore it further, did he call the Village at all? Mr. Lindahl said no. Ms. Eberhardt clarified that he did not call the Village but invested how much? Mr. Lindahl said it was up to \$2500 to \$3000 without the water bill.

Mr. Zawila clarified that there are requirements even if a permit is not required. The purpose of providing the newsletter was to show that there is consistency in this interpretation, not to say that the owner would have received this notice. He also added that residents have installed ice rinks in the street yard in past years, and have removed them upon learning that this was not allowed.

Mr. Lindahl said he was not asking for all corner street yards to have ice rinks, and a vote against this means no ice rink for his family.

Mr. Schwartzers asked if a variation could be applied just to one season. Mr. Zawila said that if the motion was to approve this, staff would recommend it would just be for the current year.

Mr. Schwartzers asked what other types of sports courts there were. Mr. Zawila said staff had seen basketball, tennis, and pickleball courts and that these required permits because they were permanent. Mr. Schwartzers asked if there were any clarifications to define the intensity of slopes. Mr. Zawila said no.

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

**Deliberation:**

Ms. Eberhardt said she loved the professional rink and understood the homeowner spent a lot of money on it, and that kids are enjoying it, but it is not the place of the board to look at these issues, but rather the standards of approval. She elaborated that a corner yard and a sloped yard are not unique situations.

Mr. Maier said it was clear there were emotions on both sides, but that is why there are zoning codes.

Ms. Eberhardt said she is surprised by this request as it shows a disregard for the rules. It is in noncompliance. This could set a precedent for others to ignore the rules, then call for a hearing to get special permission.

Mr. Frost added that they had the rink up in November, they could have tried to move it or comply earlier.

Mr. Schwartzers asked if the board should take into consideration hardships of kids since Covid is going on. Mr. Zawila said that a hardship is defined by the nine standards listed in the staff report, and confirmed this checklist was made prior to Covid.

Ms. Eberhardt said the hardship was brought on by the homeowner. This could have been prevented.

Mr. Frost said there were emotions on both sides. This is not the only outdoor activity available to kids.

Ch. Foernssler said he felt that yes, this is considered a sports court, so they wouldn't be allowed. He understands everybody's feelings, but we have zoning ordinances and are trying to create consistency. Approving this could set a precedent.

There being no further deliberation, Ch. Foernssler called for a motion.

**A Motion was made by Mr. Maier seconded by Ms. Eberhardt that based on the petitioner's submittal and analysis presented by staff, the Zoning Board of Appeals approves staff's recommendation to deny the variance request.**

**AYE: Mr. Maier, Ms. Eberhardt, Mr. Frost, Mr. Schwartzers, Ch. Foernssler**

**NAYS: None**

**The Motion to approve carried unanimously, 5:0:0.**

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Mr. Zawila stated there was a meeting scheduled for next month.

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**Adjournment**

**Ch. Foernssler adjourned the meeting by voice vote at 7:57 PM.**

Respectfully submitted,  
Community Development Staff  
(Transcribed from mp3 recording)

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### VILLAGE OF DOWNERS GROVE PLAN COMMISSION MEETING

January 31, 2022, 7:00 P.M.

Chairman Rickard called the January 31, 2022 meeting of the Downers Grove Plan Commission to order at 7:00 p.m. and led the Plan Commissioners and public in the recital of the Pledge of Allegiance.

#### **ROLL CALL:**

**PRESENT:** Chairman Rickard, Commissioners Rector, Boyle, Dmytryszyn, Johnson, Patel, Roche, Toth

**ABSENT:** Commissioners Maurer, Johnson

**STAFF:** Community Development Director Stan Popovich and Planning Manager Jason Zawila

#### **OTHERS**

**PRESENT:** Marshall Schmitt, Terry Mahoney, Julie Brethauer, Richard DeMink, Sarah DeMink, Patricia Grippando, Amy Grippando Robert Smith, Pam Johnson, Roman Gesior, Kim McNulty, Tom Schroder, Mary Braatz, Richard Braatz, Melodee Miller, Chris Weaver, Rhiannon Weaver, Paul Barker, Beth Barker, Dan Apel-Ander, Sharon Apel-Ander, Bridgett Dougherty, John MacManally, Abby MacManally, Laura Fedak, Irene Hogstrom, Troy Hawkins, Doug Wysocki, Joe Leo, Mary Ann Badke, Matthew Clauss, Mary Ann Einarson, David Rose

#### **APPROVAL OF MINUTES**

Chairman Rickard entertained a motion to approve the minutes.

**MINUTES OF THE JANUARY 10, 2022 PLAN COMMISSION MEETING WERE APPROVED ON MOTION BY COMMISSIONER BOYLE, SECOND BY COMMISSIONER TOTH, MOTION PASSED BY VOICE VOTE OF 7-0.**

#### **PUBLIC HEARING**

Chairman Rickard explained the protocol for the public hearing process and swore in those individuals that would be speaking during the public hearing.

**FILE 21-PLC-0028: A PETITION SEEKING MULTIPLE TEXT AMENDMENTS TO VARIOUS ARTICLES WITHIN CHAPTER 28 (ZONING ORDINANCE) OF THE MUNICIPAL CODE. VILLAGE OF DOWNERS GROVE, PETITIONER**

Community Development Director Popovich explained the text amendments were broken into two categories: 1) new regulations including donation drop boxes and 2) minor modifications to the



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zoning ordinance. The text amendments appear in front of the Plan Commission about every 12 to 18 months, with the last time amendments were approved was in September 2020.

Director Popovich then reviewed the proposed text amendments related to donation boxes. Currently, donation boxes are prohibited in the Village. There have been some recent challenges to donation box prohibition, as the courts have found that donation drop boxes are a form of charitable solicitation that are protected under the First Amendment. The proposed amendments allow these donation boxes to be located in various commercial districts and institutional districts. He then highlighted the location requirements and enforcement provisions.

Next, Director Popovich addressed the second category of amendments. Over time and through practice, staff has identified code sections where further clarification and minor adjustments in language would prove useful to both the practitioner and residents. A summary of the proposed amendments and their changes followed which included: clarifying provisions that apply to nonconforming lots; added a definition for buildings that are attached to a principal structure; added provisions limiting one carport per lot in R zoning district; clarified provisions regarding building-mounted solar energy systems; added drive aisles as an exception when paving within setbacks for fueling stations; added provisions for telecommunication tower height in the Downtown and Institutional Zoning Districts; added provisions for electrical vehicle parking; clarified a provision regarding the width of a driveway on the private and public side of the lot line; added a provision regarding nonconforming driveways; added a provision for hammerheads associated with driveways off an arterial road; modified provisions regarding open-design fences; clarified provisions regarding nonconforming lots; clarified provisions regarding nonconforming structures; added provisions referencing compliance with the Downtown Design Guidelines; added provisions referencing compliance with the Downtown Design Guidelines and the Comprehensive Plan; removed setback requirements in the DB and DC districts when it comes to architectural building features, dog house or dog run, steps, retaining walls, and yard features; clarified setback requirements for driveways and uncovered walk; and added provisions for vegetable gardens.

Next, Director Popovich provided additional clarification as it relates to non-conforming lots. As with all other clarifying amendments, the non-conforming lot section can also benefit from clarification. It was noted that the Comprehensive Plan is an aspirational document and the Zoning Ordinance is a regulatory document. The proposed text amendment is applicable to all properties in the Village and consistent application of permitting construction of single detached homes on non-conforming lots. It was further noted that the Zoning Ordinance provides regulations for existing, previously subdivided conforming and non-conforming lots and the Subdivision Ordinance provides regulations for proposed lots. With the Zoning Ordinance a single detached home may be constructed on a residential lot regardless of whether the lot is conforming or non-conforming; consolidation is only required when construction goes over a common lot line and demolition does not trigger consolidation requirement.

Director Popovich continued with further clarification on what may be constructed on non-conforming lot. It was specifically stated that the Village requirement for lot consolidations has been consistently applied in nearly 160 lot consolidation applications since 2014. A vast majority of these cases include a structure over a common property line. It was further referenced that a single detached home may be constructed on a non-conforming lot. A vacant residential lot can also be developed with a single detached house regardless of how long the lot has been vacant. Demolition does not

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trigger the consolidation requirement and the purchase of an adjacent lot and demolition of adjacent structure does not require lot consolidation.

Director Popovich offered two examples on how non-conforming lots are reviewed. The first example included properties located at Sherman and Maple. This example demonstrated that the original private owner owned five lots of record, had a structure on the property and sold it to the Downers Grove Park District. The Downers Grove Park District demolished the structure and used the property for a number of years. The Downers Grove Park District then sold all five lots of record to a private developer. The private developer requested a building permit for a single family home on one of the legal non-conforming lots and the Village issued a permit for one of the legal non-conforming lots. In this example the home was not constructed over the common property line, and therefore a lot consolidation was not required. Director Popovich also pointed out that the Comprehensive Plan's Future Land Use Plan changed for this property based on the uses that were on the property.

Director Popovich then provided an example on the presentation screen for 540 Prairie Avenue. This example demonstrated when a lot consolidation was required, because a new home was proposed to be constructed over the common lot line.

Director Popovich commented that the proposed text amendments met the standards as provided in the Zoning Ordinance and are in conformity with the policy and intent of the Comprehensive Plan and referenced the various applicable Comprehensive Plan recommendations. The proposed text amendments also corrects errors or inconsistencies in the zoning ordinance, or meets the challenge of a changing condition or are necessary to implement established policy. In regards to the clarifying amendments, specifically with non-conforming lots, it was stated under oath that all requests are consistent with how this has been practiced and will not change the current policy and its application and implements an established policy. It was stated that over 160 lot consolidations have been completed, and the text amendment is consistent with the current Village practices. This proposed clarification language to lot consolidations is no different than the other clarifying amendments that were presented tonight. The proposed language is to provide additional clarity in our zoning ordinance. Since 2014, and since 2015 when Director Popovich has been the Community Development Director, the Village has consistently applied this ordinance. He could not state enough that the Village has applied this consistently since 2014. The Village has demonstrated that this is how the regulation has been applied. When this came to the Village's attention that this section of the code could benefit from clarification, staff proposed this clarification. Staff is implementing an established policy with these clarifications. Staff recommended that the Plan Commission provide a positive recommendation to the Village Council and welcomed any questions.

Commissioner Dmytryszyn requested clarifications on the interior setbacks required for the Sherman and Maple example. The setbacks were confirmed by staff.

Commissioner Boyle inquired about the reason that the non-conforming section of the ordinance was being reviewed. He appreciated another look at this, as he was one of the dissenting Plan Commissioners at the last meeting that wanted more time to review. He sought clarification that homes that need lot consolidation are not reviewed by the Plan Commission and must follow the bulk regulations. Director Popovich confirmed his summary was accurate and commented that an additional hearing was being provided as several Plan Commission members did not feel comfortable voting on the text amendments, in addition to allowing additional public comments. Mr. Boyle then

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further inquired if there was a difference with how stormwater management is applied for either lot consolidations or a new subdivision. Director Popovich stated that the stormwater management ordinance is its own ordinance and will remain unaffected with the proposed clarifying language. Lastly, it was Commissioner Boyle's understanding that a landowner retains their rights for the land use, whether it was 10 years or 100 years ago. Staff confirmed that was correct.

Commissioner Toth confirmed that the text amendments related to non-conforming lots matches our interpretation and confirmed with staff that we would still consistently apply the ordinance, even if this amendment was not approved. Staff replied that was correct.

Chairman Rickard opened up the meeting to public discussion.

Marshall Schmitt, 4923 Seeley, provided his understanding of the history of the lot width requirements, stating the Zoning Ordinance updated in 2014 extended lot width to 75 feet for certain districts while others were required to have a 100 foot width. Lots that were less than 75 feet, would be approached differently; the code unequivocally requires that you need to consolidate to meet the zoning requirements. He further stated that there is no language in there about building over a common line. That would be a very narrow, very restrictive ordinance. What this was designed to do was to prevent exactly what's happening at Longfellow and he realized this applies to all lots of all areas of the village. If you owned two properties adjacent to each other the 75 foot rule applies. Referencing, when Village Council discussed this in 2014, members of the Council wanted confirmation that non-conforming provisions would not negatively affect lot consolidations and disincentivise property owners meeting the goals of ordinance to eliminate or reduce. Again the ordinance had nothing to do with building over lot lines. In the concordance of ordinance changes to Village Council, it was stated that the ordinance was drafted to provide flexibility to implement the new lot with requirements, while being fair to property owners. It was a balance between getting wider lots, when you were building on lots that were owned, or that were in common ownership and adjoining. So the notion that the lot was only applied to new plats of subdivisions are false.

Mr. Schmitt went on to further comment that staff identifying that the Comprehensive Plan is not binding and only provides guidance is an admission that the text amendment does not meet the Comprehensive Plan. He claimed that there was a third example that was mentioned at the last meeting that has been dropped entirely. He claimed that it was because the timing of the new ordinance was in place. It's unclear from the timing, whether or not the new or the old ordinance applied. He stated that he specifically asked in a FOIA request, to provide documents regarding all the examples that the staff intended to rely on tonight. He then referred to the 160 consolidations and that the Plan Commission has only seen two examples tonight. He went on to further state that the examples provided are not relevant. He further commented that the planners are not following the ordinance when they do not identify ownership of adjacent lots to non-conforming lots and staff ignoring the ordinance is not a reason to support the proposed text changes. He concluded his presentation stating that the Plan Commission has the power to separate this provision from others. He claimed that the amendment is not correcting ambiguity and confusion and that the Plan Commission should hold the Village Council accountable to the language and intent of the Zoning Ordinance.

Doug Wysocki said he attended the November coffee with the Council and Council stated that the developer for the Longfellow property would need to follow zoning and there is nothing they can do

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about it. He felt the Village was sliding in the change as clarification and that he is concerned about the flooding in the neighborhood.

Pam Johnson, 4833 Montgomery, recommended that the PC vote no and that 540 Prairie example is irrelevant. She further commented that the text amendment was not following the Comprehensive Plan recommendations. If this text amendment passes there will be no hearings for the Longfellow property and additionally provided comments on the historic attributes of the property and the destruction of trees will go unchecked.

Amy Grippando, 4836 Montgomery, indicated that she is on the lowest spot on the block and shared a picture of her flooded backyard. She commented that she has stormwater concerns about the development of the Longfellow property.

Matthew Clauss, 4821 Montgomery, stated he is a 42 year resident and provided a summary of his family history. He commented that he purchased a lot to the north and wanted to place an outdoor fire pit, but was told by the Village that he could not. He then subsequently tried to install one on the lot with his house on it and was not able to because of stormwater concerns. He felt like the Village was using a double standard.

Chairman Rickard stated that he wanted to remind everybody that the public hearing is on the text amendments to the zoning ordinance and understand most people were here because of one affected area.

Paul Barker, 4400 Woodward, stated that just because the Village didn't follow their rules, they should follow them now.

Terry Mahoney, 4832 Montgomery, stated that he appreciates the changes that have occurred in the community, while preserving neighborhoods. The 60 foot wide lots made sense when homes were smaller, but the developer is proposing 4,600 square foot homes. The existing code is clear and what is being proposed is a change. The Plan Commission should also reject the 160 examples of lot consolidations that were mentioned by staff as there was no supporting documentation.. He also commented on concerns about stormwater and that the Plan Commission should reject the proposed text amendment.

Joe Leo, 4820 Montgomery, commented that the Comprehensive Plan is aspirational and that demands Downers Grove achieves a high level of success. He recommends that the community is offered sufficient time to identify how the 75 foot measurement should be interpreted.

Irene Hogstrom, 1232 Gibert agreed with Mr. Schmitt and that not being consistent with ordinance is not a reason to change the ordinance. She further commented her concerns regarding flooding and the proposed text amendment would allow a significant increase in housing density.

Troy Hawkins, 4824 Seeley, agreed with the previous comments and that this is not a text clarification, but a material change. He further commented that he does not believe the stormwater will work for the proposed development and if the developer wanted to request variances for the development there is a process for that.

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Julie Brethauer, 4909 Montgomery, agreed that that is a material change and that the Village should stay true to the Comprehensive Plan.

Mary Ann Einarson, agreed with all that has been said. She commented that more homes on less land will encourage flooding and removal of trees. She further commented that the stormwater issue is something that all residents have to pay for and the proposed amendment only helps developers and not residents.

Robert Smith, 4837 Seeley, commented that the Comprehensive Plan is an aspirational plan, but as Justice Potter Stewart said, when asked about obscenity, you'll know it when you see it. The outcomes that have already been experienced by the residents in the area, and in many, many places in Downers Grove, where stormwater, water retention, and let's face it, shadows cast by neighbors homes, the privacy issues that were mentioned, are all things that don't seem to me aligned with an aspirational vision.. He requested that the Plan Commission vote no on this text amendment.

David Rose concurred with Mr. Schmitt and commented that the Village's failures to uphold the Comprehensive Plan should not be ignored. He further commented that the Village continues to ignore financial considerations, and these discussions should have occurred before District 58 sold the property. He further commented how environmental concerns are not taken into consideration with economic development decisions.

Mary Anne Badke, 5408 Carpenter, concurs with the previous speakers.

Roman Geisler, lives on the 4800 block of Linscott, and more concerned about the process and tried reading the code, but relies on the Plan Commission to protect resident from inappropriate development

Sarah DeMink, 4904 Seeley is concerned about stormwater and when the Zoning Ordinance was put in place in 2014 it was intended to prevent over development.

Director Popovich returned to the podium to offer additional clarification. The proposal in front of the Plan Commission does not change anything in the stormwater ordinance. That is a regulatory ordinance that is reviewed during the building permit process. Any development still must meet the stormwater ordinance. He stated that contrary to what residents say staff still considers that the text amendments related to non-conforming clarifies the language and reflects current practices by staff. This is how we've been practicing since 2014. And since the changes that happened in 2014, there are a lot of recorded lots in town that are not 75 feet wide, that are developable. These are non conforming lots and when they were platted back whenever they were planned, whether it's the 1920s, 1940s, 1960s, or 1970s, they were all conforming at the time. He further clarified that the Park District example was offered because that is a case where a home permit was issued on a non-conforming lot that was adjacent to another non-conforming lot and demonstrates that staff consistently applies the ordinance. He further stated that a reconfiguration occurred with three of the five lots to offer better access onto Sherman. That is an administrative process that did not require Plan Commission approval. The proposed text amendments make it crystal clear in terms of when somebody has to consolidate. A property owner can own one lot that has a house on it and the adjacent lot. If the property owner wanted to come in for a permit to build a house on the adjacent lot, that would not be required to consolidate those lots as long as the permit for that house was on a lot by itself. The

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property owner wanted to demolish their house and build a house across the common lot line, as this example here shows, then we would require consolidation.

Commissioner Roche inquired if a majority of examples like Prairie are what the Village typically sees with lot consolidation requests. Staff stated that is correct.

Commissioner Dmytryszyn clarified why they did not have to consolidate in the Sherman example and why the code was proposed to remove the lot width requirement with non-residential non-conforming lots. Staff stated that there is no minimum lot width requirement with non-residential properties and it was unnecessary. The Sherman example did not have to consolidate because the home did not cross the common property line and is consistent with the Village's practice.

Chairman Rickard then offered the public another opportunity to provide comment on the additional discussion.

Marshall Schmitt returned to comment that the existing ordinance is clear and unambiguous. This is a change and that the language is crystal clear.

David Rose, returned to inquire about the procedure for staff to respond to the comments stated.

Troy Hawkins, returned to state that there are 43 people here who do not want this changed.

Irene Hogstrom, returned to comment why we are even here if this is the way the Village has been operating.

Chairman Rickard noted that the Plan Commission will move into deliberation.

Commissioner Toth commented that members of the community were present this evening about a very specific project and with the petition in front of them he was evaluating how this will affect future development.

Chairman Rickard commented that he has been on the Plan Commission since 2012 and it is his recollection that how staff is presenting the text amendment is how it has always been done. He then referenced that the 75 foot requirement was necessary with newly platted lots, but legally divided properties can be built as long as the zoning requirements are met.

Commissioner Dmytryszyn commented that there has been a lot of discussion, and appreciates the community coming out and staff's work on this. He feels however that the change is more substantial than a clarification.

Commissioner Rector commented that there was a lot of discussion on this and is more in depth than she originally thought.

Marshall Schmitt returned to the podium to state that the Plan Commission has the power to make a recommendation and treat this as a material change.

Discussion followed on breaking up the recommendation into two motions similar to the last meeting.

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**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 ZONING TEXT AMENDMENT AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST AND THEREFORE, DMYTRYSZYN MOVED THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 21-PLC-0028 REGARDING THE PROPOSED AMENDMENTS TO ARTICLES 2, 6, 7, 10, 11, 12, 14 AND 15 OF THE ZONING ORDINANCE, *WITH THE EXCEPTION OF SECTION 28.11.020(b)***

**SECOND BY COMMISSIONER BOYLE. ROLL CALL:**

**AYE: COMMISSIONERS BOYLE, DMYTRYSZYN, JOHNSON, PATEL, ROCHE, TOTH, RECTOR**

**NAY: NONE**

**MOTION PASSED. VOTE: 7-0**

Planning Manager Jason Zawila commented that if the Plan Commission felt that a finding was not met that staff would like an understanding of their vote for the record. Mr. Schmitt returned to the podium and stated that the Plan Commission does not have to offer a reason. Community Development Director Popovich further stated that this is not a requirement, but is consistent with past cases and helps provide a record for the case.

Prior to the vote the Plan Commission offered the following commentary: Commissioners Dymytrysn felt the text amendment changes the intent of the code. Commissioners Rector, Roche, Patel believe that the second standard is not met as the language does not provide enough clarity. Commissioner Boyle and Toth stated that they would vote no because based on the input from residents here today that text amendment was not in the interest of the community.

**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 ZONING TEXT AMENDMENT AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST AND THEREFORE, DMYTRYSZYN MOVED THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 21-PLC-0028 REGARDING THE PROPOSED AMENDMENTS TO SECTION 28.11.020(b) OF THE VILLAGE CODE**

**SECOND BY COMMISSIONER RECTOR. ROLL CALL:**

**AYE: NONE**

**NAY: BOYLE, DMYTRYSZYN, PATEL, ROCHE, RECTOR, TOTH, RICKARD**

**MOTION FAILED. VOTE: 0-7**

Planning Manager Zawila indicated that there were two agenda items scheduled for next Monday night's meeting and that the Village will hold two meetings in March.

## APPROVED MINUTES

**THE MEETING WAS ADJOURNED AT 9:13 P.M. UPON MOTION BY COMMISSIONER RECTOR. SECOND BY COMMISSIONER DMYTRYSZYN. A VOICE VOTE FOLLOWED AND THE MOTION PASSED UNANIMOUSLY.**

/s/           Village Staff            
Recording Secretary  
(As transcribed by MP-3 audio)



**DOWNERS GROVE LIQUOR COMMISSION  
VILLAGE HALL COUNCIL CHAMBERS  
801 BURLINGTON AVENUE  
Thursday, February 3, 2022**

**I. CALL TO ORDER**

Ms. Kuchynka called the February 3, 2022 Liquor Commission meeting to order at 6:35 p.m.

**II. ROLL CALL**

**PRESENT:** Mr. Johnson, Ms. Rutledge, Mr. Shah, Mr. Krusenoski

**ABSENT:** Mr. Meta, Chairman Strelau

**STAFF:** Carol Kuchynka, Liaison to the Liquor Commission, Village Attorney Enza Petrarca

**OTHERS:** Assi Sayegh, Michael Sayegh, Salah Azar, Court Reporter

**III. ELECTRONIC ATTENDANCE**

Ms. Kuchynka requested a motion to allow Commissioner Rutledge participate in this evening's meeting via telephone.

**MR. KRUSENOSKI MOVED TO ALLOW COMMISSIONER RUTLEDGE TO PARTICIPATE ELECTRONICALLY. MR. JOHNSON SECONDED.**

**VOTE:**

**Aye:** Mr. Krusenoski, Mr. Johnson, Mr. Shah, Ms. Rutledge

**Nay:** None

**Abstain:** None

**MOTION CARRIED: 4:0:0**

**IV. APPOINTMENT OF CHAIRMAN PRO TEM**

In the absence of Chairman Strelau, Ms. Kuchynka requested a motion to appoint a Chairman Pro Tem.

**MR. JOHNSON MOVED TO APPOINT COMMISSIONER KRUSENOSKI TO ACT AS CHAIRMAN PRO TEM FOR THE FEBRUARY 3, 2022 MEETING OF THE DOWNERS GROVE LIQUOR COMMISSION. MR. SHAH SECONDED.**

**VOTE:**

**Aye:** Mr. Johnson, Mr. Shah, Ms. Rutledge, Mr. Krusenoski

**Nay:** None

**Abstain:** None

**MOTION CARRIED: 4:0:0**

## V. APPROVAL OF MINUTES

Chairman Pro Tem Krusenoski asked for approval of the minutes for the January 6, 2022 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the January 6, 2022 minutes of the Liquor Commission meeting were approved as written.

Chairman Pro Tem Krusenoski reminded those present that this evening's meeting was being recorded on Village-owned equipment. Staff was present to keep minutes for the record.

## VI. APPLICATION FOR LIQUOR LICENSE

Chairman Pro Tem Krusenoski made the following statements:

"The next order of business is to conduct a public hearing for a liquor license application. For the benefit of all present, I would like to state that this Commission does not determine the granting or denial of the issuance of any license. We may, at the end of each hearing, make a finding or recommendation with respect to the application. If necessary, the Commission may adjourn a hearing to a later date in order to have benefit of further information."

"At the conclusion of the hearing, the Commission will determine any recommendations it wishes to make to the Liquor Commissioner".

"The Liquor Commissioner, who is the Mayor of Downers Grove, will, pursuant to Section 3-12 of the Ordinance, render decisions regarding issuance of available licenses."

"Hearings by this Commission are held according to the following format: 1) reading of information pertinent to the application, 2) comments from the applicant, 3) discussion by the Commission, 4) comments from staff, 5) comments from the public, and 6) motion and finding by the Commission."

### ***Beggar's Pizza – 417 63<sup>rd</sup> Street***

Chairman Pro Tem Krusenoski stated that the next order of business was an application hearing for Family Pizza, Inc. d/b/a Beggar's Pizza located at 417 63<sup>rd</sup> Street. He stated that the applicant is seeking a Class "R-2", beer & wine only on-premise consumption liquor license.

Chairman Pro Tem Krusenoski asked that any individual(s) representing the applicant step forward and be seated. He asked that any individual(s) giving testimony, state and spell their name for the record, indicate their affiliation with the establishment and be sworn in by the court reporter.

Mr. Assi Sayegh, Mr. Michael Sayegh and Mr. Salah Azar were sworn in by the court reporter. Mr. Assi Sayegh introduced himself as part owner of Beggar's Pizza. Mr. Michael Sayegh introduced himself as part owner and liquor manager for Beggar's Pizza. Mr. Azar introduced himself as part owner of Beggar's Pizza.

Assi Sayegh stated that they took over from the previous owner in August 2020. He stated that they did not have dine-in customers until more recently due to Covid. He stated that they were new to the food industry and wanted to operate for a little time before deciding to seek a beer and wine license based on requests by customers.

Mr. Johnson asked what liquor handling experience they have. Assi replied that he and Salah own and operate a grocery/convenience store in the City which sells full alcohol.

Mr. Johnson noted that the application material stated that the license expired in September of 2021. He asked the status of that license. Assi replied that license since has been renewed.

Mr. Johnson asked how many employees they have at Beggars. Assi replied 20-25. Mr. Johnson asked the age of the employees. Assi replied 16-60 years old.

Mr. Johnson asked when the liquor manual is shared with employees. Assi replied if approved for the license they will hold a store meeting and it will be given to employees at that time.

Mr. Johnson stated that the manual was thorough. He asked how often they will meet with employees to discuss guidelines. Assi replied that any time there is a new employee they will reinforce the rules. He stated that they plan to discuss policy monthly, bi-weekly or weekly if necessary. He stated that they will regularly reiterate policy to be sure there are no issues.

Mr. Johnson stated that a floor plan was included with the materials. He asked if the beer/wine cooler will be behind the counter or if it was self-serve. Assi replied that there is a cooler that is behind the counter, unseen by the customer that employees only have access to. He stated that they also have a locking cage in the office where all other beer and wine will be stored.

Mr. Johnson was concerned if the cooler was accessible on the floor or if it was locked. Assi replied that they could put a locking mechanism on it so that only a manager on site would have access. He stated that there are some underage employees that they may wish to restrict access to those coolers. Salah noted that in addition to a manager they have an assistant manager on duty. He noted that there will always be someone over 21 on the premises overlooking the operation.

Mr. Shah stated that the Village conducts controlled buys and reminded them to reinforce with staff the importance of proper liquor service.

Ms. Rutledge had no questions.

Chairman Pro Tem Krusenoski welcomed them to Downers Grove. He asked about their dine-in service. Assi replied that for the first few months they operated they had no dine in service. He stated that they are currently following the current Covid guidelines which allow for 50% capacity. He stated that they have 8-10 tables.

Chairman Pro Tem Krusenoski asked if they have indoor dining now. Assi replied yes.

Chairman Pro Tem Krusenoski referred to their layout. He asked if the cooler was next to the hostess stand. Assi stated that it is next to the front counter, where the POS system is. He noted that there is a wall partition to the right, which the cooler sits, which is behind the counter and is unseen by the customers.

Chairman Pro Tem Krusenoski asked how many of the 20-25 employees will be serving alcohol. Assi replied 4-5.

Chairman Pro Tem Krusenoski stated that the best manuals do not mean anything if someone willingly sells to someone underage. He stated that the Commission offers advice based on experience with disciplinary hearings. He stated that some establishments have failed to create a work culture that

stresses the importance of responsible liquor handling. He stated that there never is a legitimate answer to the question of why an employee sells to someone underage.

Chairman Pro Tem Krusenoski stated their liquor sales will be a disproportionate amount of their income stream which would make it more painful if a fine is incurred for a violation. He stated that when the Village conducts a test, it is only a reflection of a portion of the day to day for this one person to fail.

Chairman Pro Tem Krusenoski noted their experience at their store. He stated that they should establish the importance of proper liquor service in the work culture at Beggar's and reinforce it regularly.

Salah stated that they plan to be very strict and noted that they have come from businesses where weekly training and refreshers are the norm.

Chairman Pro Tem Krusenoski asked staff for recommendations or comments pertinent to this request. Ms. Kuchynka replied that issuance of the license is contingent upon receipt of the annual fee, insurance and employee certifications.

Chairman Pro Tem Krusenoski asked for comments from the public. There were none.

Hearing the testimony given in this case, Chairman Pro Tem Krusenoski asked for a recommendation from the Commission concerning its finding of "qualified" or "not qualified" with respect to the applicant before us with regard to their request for a Class "R-2" liquor license.

**MR. JOHNSON MOVED TO FIND FAMILY PIZZA, INC. D/B/A BEGGAR'S PIZZA LOCATED AT 417 63<sup>RD</sup> STREET QUALIFIED FOR A CLASS "R-2", BEER AND WINE ONLY, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MR. SHAH SECONDED.**

**VOTE:**

**Aye:** Mr. Johnson, Mr. Shah, Ms. Rutledge, Chairman Pro Tem Krusenoski

**Nay:** None

**Abstain:** None

**MOTION CARRIED: 4:0:0**

**VII. NEW BUSINESS**

Chairman Pro Tem Krusenoski asked if there was any discussion, update from staff or comments from the Commission regarding any new business.

Ms. Kuchynka was expecting to receive applications and advised there would be a March 3<sup>rd</sup> meeting.

**VIII. OLD BUSINESS**

Chairman Pro Tem Krusenoski asked if there was any discussion, update from staff or comments from the Commission regarding any old business.

Ms. Kuchynka referred to the month end report for January.

Ms. Kuchynka advised of the Mayor's intent to approve the changes to Corner Pantry operation and ownership.

**IX. COMMENTS FROM THE PUBLIC**

There were none.

**X. ADJOURNMENT**

Concluding business for the evening, Chairman Pro Tem Krusenoski called for a motion to adjourn.

Mr. Johnson moved to adjourn the February 3, 2022 meeting. The meeting was adjourned by acclimation at 6:50 p.m.

## APPROVED MINUTES

**VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING**

**February 7, 2022, 7:00 P.M.**

Chairman Rickard called the February 7th meeting of the Downers Grove Plan Commission to order at 7:00 p.m. and led the Plan Commissioners and public in the recital of the Pledge of Allegiance.

**ROLL CALL:**

**PRESENT:** Chairman Rickard, Commissioners Rector, Dmytryszyn, Johnson, Patel, Roche, Toth

**ABSENT:** Commissioners Boyle, Maurer

**STAFF:** Planning Manager Jason Zawila, Senior Planner Flora Leon, Development Planner Gabriella Baldassari

**OTHERS**

**PRESENT:** Mark Daniel, Chris Pecora, Jim Truesdell, Matt Dill, Zach Blair, Scott Scheiner, James Gray

**APPROVAL OF MINUTES**

None

**PUBLIC HEARING**

Chairman Rickard explained the protocol for the public hearing process and swore in those individuals that would be speaking during the public hearing.

**FILE 22-PLC-0004: A PETITION SEEKING APPROVAL FOR A SPECIAL USE TO OPERATE A PERSONAL VEHICLE REPAIR AND MAINTENANCE BUSINESS. THE PROPERTY IS CURRENTLY ZONED B-2, GENERAL SERVICES AND HIGHWAY BUSINESS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF MAIN STREET AND 75TH STREET, COMMONLY KNOWN AS 1000-1010 75TH STREET, DOWNERS GROVE, IL (PIN 09-29-110-011). OWNER, IDF PROPERTIES, LLC, OWNER AND MARK W. DANIEL, PETITIONER.**

Petitioner, Mark Daniel, Daniel Law Office in Oakbrook Terrace, IL introduced himself. Mr. Daniel noted that the request did not include any new construction to the building. The only changes include a new trash enclosure, newly stripped parking spaces, and a pedestrian connection. Additionally, he shared that the building was divided into two units, one of which is currently occupied by Firestone while the other space is vacant. Then Mr. Daniel noted that the request was for a special use to operate a personal vehicle repair and maintenance facility. He included that future tenants would not be completing any bodywork, painting of vehicles, or commercial vehicle repair. Mr. Daniel also shared that he agreed with staff's condition that local residential streets would not be permitted for test driving vehicles. Additionally, he explained the proposed

## APPROVED MINUTES

landscaping on the site. Mr. Daniel concluded his presentation by introducing the property owner Mr. Chris Pecora and noted that his family had owned the property going back to the eighties and they enjoyed being a part of Downers Grove.

Commissioner Patel thanked the petitioner and asked what the planned hours of operation would be. Mr. Daniel shared that Firestone currently sees activity as early as seven in the morning. Concerning the vacant west unit, he said they were unsure since the future tenant has not been finalized. Mr. Daniel added that all work would be complete inside. He anticipated that cars could be dropped off earlier than 7 A.M. if the future business had a key drop option.

Commissioner Patel asked if the business would operate on the weekends. Mr. Daniel shared that the new business could be opened until midafternoon Saturday and perhaps closed on Sundays.

Commissioner Patel asked if there were intentions to install or maintain any waste oil tanks or waste fluid tanks. Mr. Daniel said there was no intention to do that. If their plans changed he did explained that they would likely need to meet the requirements of the Office of the State Fire Marshal. He then shared that there was some storage currently related to transmission work, but it was not of a volume to pose a risk or a public health risk.

Commissioner Patel asked if there were any plans to store used tires inside or outside for pick up. Mr. Daniel responded that used tires were currently stored in the existing shed.

Commissioner Rector had two questions. The first was if there were any changes to the lighting plan. Mr. Daniel shared the lighting upgrade had recently occurred at this site. That upgrade also included replanting the landscaping base for the exiting monument sign. Commissioner Rector then asked if there would be an exterior microphone system. She noted that this was common in dealerships and it could sometimes be disruptive to neighbors. Mr. Daniel noted that he was not sure if there was an existing microphone system. With future uses he did not anticipate that sound would need to be amplified.

Chairman Rickard invited public comment. No public comment was received. Staff was invited to speak.

Ms. Flora Leon, Senior Planner, summarized the request before the commissioners and presented the existing conditions of the area. She then provided existing photos of the site noting that the public hearing noticing requirements were completed. The proposed site plan was presented along with the proposed landscaping improvements. Next, the special use requirements were provided and Ms. Leon indicated that these were met by the petitioner. Staff found that the petition met the goals of the Zoning Ordinance and recommended the commission formulate a motion to approve the petition.

Commissioner Dmytryszyn asked if there was a special use in place when the business was established. Ms. Leon responded that there was no special use in place.

Chairman Rickard asked to clarify if any fluid interceptors would be reviewed during the building permit. Ms. Leon noted confirmed that was correct.

Commissioners provided positive comments. Chairman Rickard entertained a motion.

## APPROVED MINUTES

WITH RESPECT TO FILE 22-PLC-0004 AND BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, THE TESTIMONY PRESENTED, AND HAVING 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, COMMISSIONER PATEL MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 22-PLC-0004, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE SPECIAL USE SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT, PLANS AND DOCUMENTS ATTACHED TO THIS REPORT EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES;
2. NO VEHICLES MAY BE TEST DRIVEN ON RESIDENTIAL STREETS NEAR THE SUBJECT PROPERTY. ALL TEST DRIVES ARE LIMITED TO ARTERIAL STREETS AS DEFINED IN THE COMPREHENSIVE PLAN. THESE STREETS INCLUDE 75TH STREET, LEMONT ROAD, FAIRVIEW AVENUE AND OTHERS; AND; AND
3. THE USE IS ALLOWED A MAXIMUM OF FIFTEEN TOTAL SERVICE BAYS

SECOND BY COMMISSIONER DMYTRYSZYN. ROLL CALL:

AYE: COMMISSIONERS DMYTRYSZYN, JOHNSON, PATEL, ROCHE, TOTH, RECTOR, CHAIRMAN RICKARD

NAY: NONE

MOTION PASSED. VOTE: 7-0

**FILE 21-PLC-0026:** A PETITION SEEKING APPROVAL OF A FINAL PLAT OF SUBDIVISION TO SUBDIVIDE THE EXISTING PROPERTY INTO SEVEN RESIDENTIAL LOTS AND ONE OUTLOT FOR STORMWATER DETENTION, A MAP AMENDMENT TO REZONE FROM R-1, RESIDENTIAL DETACHED HOUSING 1, TO R-3, RESIDENTIAL DETACHED HOUSING 3, AND A PLAT OF VACATION. THE PROPERTY IS LOCATED ON THE WEST SIDE OF FAIRVIEW AVENUE, APPROXIMATELY 100 FEET NORTH OF 61ST STREET, COMMONLY KNOWN AS 6000-6014 FAIRVIEW AVENUE. (PIN 09-17-405-010). OWNER, DOWNERS GOVE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED 2/16/2006 KNOWN AS TRUST NUMBER 0501, OWNER AND TETON DEVELOPMENT, LLC, PETITIONER.

Petitioner, Jim Truesdell, introduced himself. He showed the location of the subdivision on a map, introduced the development team, and reviewed a few recent developments done by the company. Example elevations were shown. He detailed that they are proposing seven lots, but there will be quite a variety home options. He showed some interior examples. He detailed the request to change from R-1 to R-3 for consistency with the surrounding area, and noted this is consistent with the Village's future land use map. The standards of approval were acknowledged. He further stated that the zoning request is consistent and this should be to the benefit of surrounding property values and is a suitable use. This is appropriate zoning for single-family detached houses and the property has



## APPROVED MINUTES

been how it is now for some time. He further provided an overview of the subdivision layout and stormwater infrastructure. A survey of parkway trees was completed and it was determined they are in poor condition, so they will be removed, and new trees will be paid for by the developer and planted by the Village. The plat of subdivision was shown and it was stated that The site is about 2.9 acres, split into right-of way, residential area, and the stormwater detention outlot. A homeowners association will be set up, as well as a Special Service Area as a backup for the HOA. He provided an example of one residential lot to demonstrate its compliance with the subdivision ordinance, and detailed the easements. Lastly he plat of vacation was shown in addition to where the ten-foot easement will be placed for the proposed storm sewer infrastructure.

Chairman Rickard invited public comment.

James Gray said there are no dead trees in the parkway.

Gabriella Baldassari, Development Planner, introduced this project as a final plat of subdivision, map amendment, and a right of way of vacation. She showed the location of the site on a map. The property is zoned R-1, and the request to rezone to R-3 will be consistent with surrounding zoning. She showed existing conditions of the site. There was a right-of-way in this area that was dedicated to the Village that was used to provide the space for that storm sewer to run through. Right-of-Way is not the right vehicle to reserve rights for a storm sewer. She noted that the storm sewer will be moved, in conjunction with the request to vacate this right-of-way. An easement will cover that location which is more consistent with current planning practices. It was also stated that 33 feet will be dedicated along Fairview as right-of-way for the existing street and the two existing houses will be demolished. She showed a map of the proposed subdivision, seven residential lots and an outlot. She showed the requirements for new subdivisions and stated that the proposed subdivision will meet the area, width, and depth. Following this, she reviewed the stormwater flow and infrastructure placement. Lastly she provided an overview of the tandards of approval for the plat of subdivision and zoning map amendment, stating that staff feels that all of these standards have been met, and should the Planning Commission agree there is a draft motion on page five of the staff report.

Commissioner Rector asked why the lot sizes worked out so well. Baldassari state all of the standards had been met, and background work was done to make sure this would be the case.

Commissioner Rector asked if 60<sup>th</sup> street would potentially connect in the future to Fairview Avenue. Ms. Baldassari stated that there is no right-of-way there.

Commissioner Dmytryszyn asked if the storm sewer connected to anything on the west side. Ms. Baldassari said it did. Commissioner Dmytryszyn asked if the properties around here were zoned R-2 or R-3 because it is a busier thoroughfare. Jason Zawila, Planning Manager, stated that it had more to do with the pattern of development at the time for different neighborhoods.

Jim Truesdell said the quality of the trees in the right-of-way was reported by the landscape architect. He agreed that the subdivision conveniently worked out for seven lots and one outlot, and elaborated on the flow of the stormwater. He thanked the Plan Commission for their consideration.

## APPROVED MINUTES

Chairman Rickard commented that he had seen a Beechen and Dill development in a different community years ago and it was a good project. He asked if any commissioners felt the standards had not been met.

Commissioner Rector commented that this is a better fit than the townhome development that was previously brought to the Plan Commission for this site. She then made a motion.

**WITH RESPECT TO FILE 21-PLC-0026 AND 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 FINAL PLAT OF SUBDIVISION, A MAP AMENDMENT, AND A PLAT OF VACATION AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING AND SUBDIVISION ORDINANCES AND IS IN THE PUBLIC INTEREST AND THEREFORE, RECTOR MOVED THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 21-PLC-0026, SUBJECT TO THE FOLLOWING CONDITIONS:**

1. THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION FOR THE FAIRVIEW RIDGE SUBDIVISION PREPARED BY DESIGNTEK ENGINEERING INC. DATED 11/8/2021 AND LAST REVISED ON 1/13/2022, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.
2. THE RIGHT-OF-WAY VACATION SHALL BE RECORDED PRIOR TO THE FINAL PLAT OF SUBDIVISION.
3. A SPECIAL SERVICE AREA SHALL BE ESTABLISHED AND RECORDED TO ENSURE ADEQUATE MAINTENANCE OF THE STORMWATER DETENTION AREA PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMITS.
4. THE HOMEOWNERS ASSOCIATION DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS DOCUMENT FOR THE SUBDIVISION SHALL BE RECORDED WITH THE PLAT OF SUBDIVISION.
5. THE PETITIONER SHALL PAY \$120,507.20 (\$56,412.95 FOR THE PARK DISTRICT, \$43,621.20 FOR SCHOOL DISTRICT 58 AND \$20,473.05 FOR SCHOOL DISTRICT 99) TO THE VILLAGE PRIOR TO EXECUTING THE FINAL PLAT OF SUBDIVISION.
6. THE STORMWATER REPORT MUST BE UPDATED PER THE REVIEW LETTER COMMENT SET #1 FROM THE VILLAGE OF DOWNERS GROVE DATED 1-26-22 BEFORE ANY STORMWATER OR BUILDING PERMITS CAN BE ISSUED.
7. THE PETITIONER SHALL INSTALL SIDEWALKS FOR THE ENTIRE SUBDIVISION BEFORE THE RELEASE OF THE FIRST HOME SITE BUILDING PERMIT.
8. THE PLAN DOES NOT SHOW ANY PATIOS, DECKS, POOLS. THE ALLOWABLE IMPERVIOUS FOR EACH LOT IN THE FUTURE WILL BE DETERMINED BY THE IMPERVIOUS AREA USED FOR THE SITE RUNOFF STORAGE CALCULATIONS.
9. THE VILLAGE WILL CHARGE \$580 PER PROPOSED TREE IN THE RIGHT-OF-WAY, AND THE VILLAGE WILL PLANT THE TREES. BASED ON VILLAGE CODE SECTION 20.401.A.8, TEN TREES WILL BE REQUIRED. THE PETITIONER SHALL PAY \$5,800 FOR PARKWAY TREES PRIOR TO THE ISSUANCE OF ANY PERMITS.

**SECOND BY COMMISSIONER JOHNSON. ROLL CALL:**

**AYE: COMMISSIONERS RECTOR, JOHNSON, DMYTRYSZYN, PATEL, ROCHE, TOTTH, CHAIRMAN RICKARD**

**NAY: NONE**

## APPROVED MINUTES

**MOTION PASSED. VOTE: 7-0**

**THE MEETING WAS ADJOURNED AT 7:53 P.M. UPON MOTION BY COMMISSIONER TOTH. SECOND BY COMMISSIONER PATEL. A VOICE VOTE FOLLOWED AND THE MOTION PASSED UNANIMOUSLY.**

/s/ Village Staff  
Recording Secretary  
(As transcribed by MP-3 audio)

**Village of Downers Grove  
Human Service Commission**

Village Hall  
801 Burlington Avenue  
February 22, 2022  
Meeting Minutes

Chair Aycock called the meeting to order at 7:06 pm and asked for a roll call.

Members Present

Chair Aycock  
Member Loftus  
Member Nicholson  
Member Skerjan

Members Absent

Member Drabik  
Member Galvez  
Member Silvester

Chair Aycock declared that a quorum was present.

Chair Aycock asked for a motion to approve the minutes of the January 25, 2022 meeting.  
Motion to approve the minutes by Loftus seconded by Skerjan.  
Motion carried unanimously by voice vote.

Chair Aycock called on Manager Fieldman to provide an overview of the Village's Social Services Referral Program.

Manager Fieldman provided the following report. The Village recently publicly launched a social services referral program. This initiative is a Priority Action Item for the Village Council. The Goal of the Social Services Referral Program is to connect individuals in need of services with the agencies that provide these services. The referral program is the product of Village Council direction and recommendations made by the Human Service Ad Hoc Committee. The Council created the Ad Hoc Committee a few years ago and asked them to make recommendations about the Village's role in social services. The top recommendation was to create a social services referral program. In late 2020, the Village Council approved an action plan. The plan called for the engagement of professional staff. In August 2021 Social Worker Heather Lippe re-joined our Village team. The plan also called for the development of the Social Services Referral Program and to identify gaps in service provision and to create strategies to address these gaps. Individuals in need of services are identified by Village staff members as they interact with the public during the course of their normal business. Residents may contact the Village directly using a variety of methods. Finally, service providers sometimes reach out to

Heather seeking referral assistance. In the first six months of this program, and prior to publicly launching this service, over 140 community members have received referrals, with a vast majority of the individuals following up and receiving services. Staff will continue to operate the referral service and work with the Human Service Commission in the coming months to complete the Service Gap Analysis Report.

Chair Aycock said that the program is great. She suggested that the program be marketed through the Village website, printed materials and reaching out to community partners.

Lippe noted that she has produced a Senior Citizen Resource Guide in printed and on-line formats. She will be visiting senior housing developments with members of the Police Department.

Member Nichoson stated that many seniors reside in Downtown condos and apartments and asked how the Village may be reaching these residents.

Lippe said she plans on contacting building management and noted that a local newspaper interviewed her about the program and a few churches have contacted her.

Chair Aycock said that marketing the program will be important. She stated that many services are available in the County and community. The Village program should operate like a concierge service.

Lippe said that to date in February the Village has received 45 requests for referrals. The Social Worker is now included as a prompt in the Village phone system auto attendant.

Chair Aycock suggested that the Village work with other community partners such as the schools, park district and library to increase awareness.

Member Loftus stated that the program is just starting and will be scaling up in the coming months.

Lippe said that she will be working on guides for specific populations including Veterans, persons with disabilities, youth, LGBTQ+ and people experiencing homelessness. Member Loftus noted her support of this approach.

Member Skerjan said that the United Way produces reports on community social service needs and that these reports could be helpful in identifying service gaps.

Chair Aycock asked if the Village has on-line resources for people who do not feel comfortable calling. Lippe showed the Village's on-line resources and links to service providers.

Member Loftus said that service and documents should be translated into other languages. She asked if the Village is trained in LIHEAP intake. Fieldman said that Downers Grove Township operates the program.

Member Skerjan stated that the Village should reach out to large medical groups to help connect people in need of services.

Chair Aycock said that obtaining qualitative data about the effectiveness of the program is important. Member Loftus agreed and said that the Village should ask customers what they liked about the service provided and what the Village could do to improve services. Member Skerjan recommended a satisfaction survey.

Chair Aycock said that this program should shift social service response work away from public safety staff. Lippe said that 33 police officers have received Crisis Intervention Training.

Chair Aycock asked for any public comments. There were no public comments.

Chair Aycock asked for a motion to adjourn.

Motion to adjourn by Skerjan seconded by Loftus.  
Motion carried unanimously by voice vote.

The meeting adjourned at 7:52 pm.

**BOARD OF FIRE AND POLICE COMMISSIONERS  
MINUTES OF OPEN MEETING  
February 24, 2022  
Village Hall  
Ante Room  
4:00 PM**

**PRESENT:** Commissioner Tom Bondi  
Commissioner Jillian Mikrut  
Commissioner Bradley Bloom  
Human Resources Director Lauren Linares  
Police Chief Shanon Gillette  
Management Analyst Amanda Pazdan

**ABSENT:**

The meeting of the Downers Grove Board of Fire and Police Commissioners was called to order at 4:00 PM in the Ante Room at Village Hall. Director Lauren Linares conducted roll call: Commissioner Bondi, Commission Mikrut, and Commissioner Bloom were all present, along with Police Chief Gillette and Management Analyst Amanda Pazdan.

The next order of business at 4:01 PM was to approve the minutes from the Board meeting on December 9, 2021. A motion was made by Commissioner Bondi to approve the minutes, which was seconded by Commissioner Mikrut.

**VOTE:**     **Yea:** Commissioner Mikrut, Commissioner Bondi, and Commissioner Bloom  
**Nay:** None.  
**Motion passed.**

The next order of business at 4:02 PM was to approve the commencement of a promotional process to establish an eligibility list for the position of Police Lieutenant. A motion was made by Commissioner Bloom to approve, which was seconded by Commissioner Mikrut.

**VOTE:**     **Yea:** Commissioner Mikrut, Commissioner Bondi, and Commissioner Bloom  
**Nay:** None.  
**Motion passed.**

The next order of business at 4:05 PM was a motion by Commissioner Bloom to go into executive session pursuant to Section 2 (c) (1) of the Open Meetings Act to conduct oral interviews for three (3) Police Officers for the purpose of determining hiring. The motion was seconded by Commissioner Bondi.

**Meeting of Board of Fire & Police Commissioners**

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**VOTE:**       **Yea:** Commissioner Mikrut, Commissioner Bloom and Commissioner Bondi.  
                  **Nay:** None.  
                  **Motion passed.**

**The meeting returned to open session at 5:09 PM.**

There being no further business, or public comment, a motion was moved at 5:10 PM by Commissioner Bloom to adjourn, and Commissioner Mikrut seconded the motion.

**VOTE:**       **Yea:** Commissioner Bloom, Commissioner Mikrut, and Commissioner Bondi.  
**Nay:**         None.  
                  **Motion passed.**