

APPROVED

**VILLAGE OF DOWNERS GROVE  
ZONING BOARD OF APPEALS MINUTES  
February 23, 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, Ms. Ehlers, Mr. Schwartzers,  
Ch. Foernssler  
A quorum was established.

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

**Also Present:** Sarah Diehl, 4908 Cornell Avenue Downers Grove, IL

**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 – January 26, 2022**

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

**Ch. Foernssler called for a Voice Vote. The Motion carried 6:0.**

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**22-ZBA-0002: a petition seeking a zoning exception to horizontally extend a non-conforming wall. The property is currently zoned R-3, Residential Detached House 3. The property is located on the west side of Cornell Avenue, approximately 600 feet south of Prairie Avenue, commonly known as 4908 Cornell Avenue (PIN 09-07-106-031). David and Sarah Diehl, Petitioner and Owner.**

**Staff Presentation:**

Gabriella Baldassari, Development Planner, stated that this request was for a horizontal zoning exception for 4908 Cornell Avenue, 22-ZBA-0002. Ms. Baldassari presented slides demonstrating elevations and a site plan depicting the non-conforming walls and their proposed extensions.

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The proposal includes a horizontal zoning exception to allow for a 10-foot building wall extension on an existing house to be 5.2 feet from the north property line where a 6-foot setback is required per Section 28.2.030 of the Zoning Ordinance. The extension will include newly proposed windows which will be on the rear of the home and will not directly overlook an abutting lot. Staff supported the petition and found that it meets the standards.

Mr. Schwartzers asked when the setback changed from a five to a six foot side interior setback for that lot.

Ms. Baldassari explained that the setback likely did not change. Instead she noted that it is possible that this structure could have been built prior to this parcel being annexed into the Village of Downers Grove. Mr. Zawila also noted that different neighborhoods have different densities and so the setbacks can vary based off of that. Additionally, he noted that the horizontal exception process allows for minor extension of nonconforming walls, as outlined in the Zoning Ordinance, as opposed to a straight variance.

Ch. Foernssler agreed that he had the same question considering the home looked like it was recently built.

Ms. Eberhardt asked what year the home was built. Ms. Diehl, the property owner, added that the home was built in 1992 and that they moved there in 2002.

Ms. Eberhardt asked if the property owner had received any feedback from their neighbors. Ms. Diehl stated that her neighbors asked about the sign on the lawn and what they were proposing to construct. Ms. Baldassari explained that no one had contacted staff with any comments regarding the petition.

Mr. Schwartzers asked if the proposed work was a two-story addition. Ms. Diehl explained that the addition was limited to the rear and it was a one-story addition.

Mr. Schwartzers asked if only the small yellow section of the horizontal extension was what was being reviewed tonight. Ms. Baldassari confirmed that was correct.

Mr. Schwartzers asked if there were any stormwater drainage concerns. Ms. Baldassari explained that when the plans are formally reviewed for a building permit, the development engineers would review the proposal to ensure it is compliant with the Stormwater Ordinance.

Mr. Maier asked if an additional variance would be required for the existing building wall and newly proposed windows on that wall considering that wall was nonconforming and the windows proposed were not transom windows. Mr. Zawila explained that the transom requirements only apply to an extension of a nonconforming wall. Mr. Maier asked if because the wall was already there that meant that windows could be replaced on that nonconforming wall. Mr. Zawila confirmed that was correct.

### **Petitioner's Statement:**

Ms. Diehl explained that the reason for the petition was because they had lived in this home since 2002. At the moment their family included three children. They considered moving but they enjoyed

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living on that street and did not want to leave the neighborhood. The hope for the addition was that they would be able to have an enclosed courtyard that would allow for some privacy.

Ch. Foernssler called for any comments from the public. Hearing none, he closed the public comment period.

**Deliberation:**

Mr. Maier explained that the board had seen very similar petitions in the past and noted that all of the criteria that is normally reviewed was met. As such, he concluded that it was a very straightforward case.

Ms. Eberhardt said that the petition was a fabulous example of keeping people in the neighborhood and improving what was there and so the proposal fit with the Comprehensive Plan.

Ch. Foernssler agreed that the proposal was a fine improvement and example of what was seen in the past.

Ms. Ehlers thanked staff for their hard work with the petition.

Mr. Zawila credited the effort to Ms. Baldassari.

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

A Motion was made by Mr. Frost seconded by Ms. Schwartzers 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: Ms. Eberhardt, Mr. Frost, Mr. Maier, Ms. Ehlers, Mr. Schwartzers,  
Ch. Foernssler**

**NAYS: None**

**The Motion to approve carried unanimously, 6:0:0.**

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**Adjournment**

**Ch. Foernssler adjourned the meeting by voice vote at 7:18 PM.**

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

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

**I. CALL TO ORDER**

Chairman Strelau called the February 3, 2022 Liquor Commission meeting to order at 6:30 p.m.

**II. ROLL CALL**

**PRESENT:** Mr. Krusenoski, Mr. Meta, Ms. Rutledge, Mr. Shah, Chairman Strelau

**ABSENT:** Mr. Johnson

**STAFF:** Carol Kuchynka, Liaison to the Liquor Commission, Assistant Village Attorney Dawn Didier

**OTHERS:** Caroline Brannan, Jeff Stajduhar, Dan Coudreaut, Kimberley Coudreaut, Harsh Nanavati, Abhishek Jariwala, Court Reporter

**III. APPROVAL OF MINUTES**

Chairman Strelau asked for approval of the minutes for the February 3, 2022 Liquor Commission meeting and asked members if there were any corrections, changes or additions.

Hearing no changes, corrections or additions, the February 3, 2022 minutes of the Liquor Commission meeting were approved as written.

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

**IV. APPLICATION FOR LIQUOR LICENSE**

Chairman Strelau made the following statements:

"The next order of business is to conduct a public hearing for liquor license applications. 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."

*Honey Jam Café – 401 75<sup>th</sup> Street*

Chairman Strelau stated that the next order of business was Honey Jam Café, LLC d/b/a Honey Jam Café located at 401 75<sup>th</sup> Street. She stated that the applicant is seeking a Class “R-1”, full alcohol on-premise consumption liquor license and a Class “O” outdoor liquor license.

Chairman Strelau asked that any individual(s) representing the applicant step forward and be seated. She 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.

Caroline Brannan and Jeff Stajduhar were sworn in by the court reporter.

Chairman Strelau asked the applicant to present its case.

Ms. Brannan stated that they have a current location in Downers Grove on Oak Grove Road. She stated that they have an agreement to purchase 401 75<sup>th</sup> and plan to operate it as another Honey Jam. She stated that they are seeking a liquor license which will include cocktails, mimosas and Bloody Mary’s. She stated that liquor is a nice addition to the menu but a small proportion of their sales, with liquor representing 2-3% in total sales. She stated that liquor service is minimal but a nice thing to offer their customers.

Chairman Strelau requested questions from the Commission.

Mr. Shah asked if any servers are under 21. Ms. Brannan replied that she was unsure as they have not taken over ownership. She stated that they plan to keep the staff for the establishment that has been in operation for over 25 years and believed that the current staff was older. She stated that most of their employees are over 21. She added that those servers who are at least 19 years of age must have the carding done and approval given to serve liquor by a manager or another coworker who is over 21.

Ms. Rutledge asked for them to share information on their training program. Mr. Stajduhar replied that staff is required to obtain a food handler and BASSET certification. He stated that they are buddied up with veteran servers.

Mr. Stajduhar stated that they are experiencing issues with driver’s licenses. He noted that DMV locations have been closed and some customers have presented them with expired licenses. He stated that if there is any question about the ID, they will refuse the sale.

Mr. Meta asked if they have had violations for selling to a minor at any of their other location. Mr. Stajduhar replied no.

Mr. Meta asked what the consequences were to a server if they sell to a minor. Ms. Brannan replied that they have a zero tolerance policy set forth in their manual. She added anyone knowingly selling to a minor would be terminated.

Mr. Krusenoski asked if the location was the Downers Delight restaurant site. Ms. Brannan replied yes.

Mr. Krusenoski asked if they plan to purchase the location and convert it into another Honey Jam. Ms. Brannan replied yes.

Mr. Krusenoski asked about the other Honey Jam locations listed in the application materials. Ms. Brannan replied that they own them all. She stated that all but two are still under the Butterfield name. Mr. Krusenoski asked if there were violations at any of these other locations. Ms. Brannan replied no.

Mr. Krusenoski asked Mr. Stajduhar about his role with the company. Mr. Stajduhar replied he is the Director of Operations.

Mr. Krusenoski asked if Kristina Kummerow will be the liquor manger and asked about her current role with the organization. Ms. Brannan replied yes and that she is the current manager at the Bolingbrook location. Mr. Krusenoski asked if she will oversee the Downers Grove location. Ms. Brannan replied yes.

Mr. Krusenoski noted that they will not accept licenses that do not look right. He asked if they meant vertical. Mr. Stajduhar replied that if there is any damage to the license they will not accept it. He also noted that some customers try to use a picture of their license on their phone – which they do not accept. Mr. Stajduhar noted that they also do not accept the vertical license.

Mr. Krusenoski stated that non-acceptance of the vertical license does away with any guesswork about having to calculate a date.

Mr. Krusenoski asked Ms. Brannan if they would terminate anyone knowingly selling to a minor. Ms. Brannan noted that in some instances they would not sell knowingly if it were a good looking fake ID. Mr. Stajduhar noted it would be cause for termination if they do not request to ask to see an ID.

Mr. Stajduhar stated that they talk in depth about carding and stings. He stated that as a manager, he regularly gets asked to look at and validate an ID. He stated that if servers have any doubt, they are encouraged to have a manager look at an ID.

Mr. Krusenoski stated that he liked the term controlled buy vs. sting. He stated that licensees are advised of the program and there is no deception when the agent shows their real under 21 ID.

Mr. Krusenoski noted that they have done an excellent job in that there have been no violations. He stated that with the small amount of revenue they receive would be disproportionate to violation fines and fees they would face if they fail. Ms. Brannan agreed.

Mr. Krusenoski stated that they must be vigilant day in and day out and never let their guard down. He stated that management sets the tone and whether or not they will tolerate non-compliance.

Chairman Strelau thanked them for opening a second location. She asked if Honey Jam was originally owned by Portillo's. Ms. Brannan replied yes, back in 2010 and noted that she is the second purchaser of it and has owned it since 2016. Ms. Brannan noted that the name was derived when he called his wife "honey" and J A M are the initials of his sons.

Chairman Strelau stated that they will now be operating seven restaurants. She asked Ms. Brannan if they are comfortable being able to keep track of all of the locations. She stated that they will need to rely on having good staff that are well trained and who will do the right thing every day.

Ms. Brannan stated that she relies on their leadership team. She added that they grow from within where servers have worked their way up to management. She stated that they have a very loyal, long term staff who are passionate and take pride in their work and take things seriously as the owners.

Ms. Brannan noted that Jeff is very hands on and is in every store all the time. She stated that district managers are also in the stores that help with training. She stated that they would not keep growing if they did not have such a good leadership team.

Chairman Strelau asked about their hours of operation. Mr. Stajduhar replied they are open from 6:30 AM to 2:30PM during the week and 6AM-3PM on Saturdays and Sundays.

Chairman Strelau asked how they manage liquor sales during off hours. Ms. Brannan replied that their point of sale cash register machine can lock out liquor sales and will not let employees ring up the items.

Chairman Strelau asked staff for recommendations or comments pertinent to this request. Ms. Kuchynka replied that issuance of the license is contingent upon receipt of a Certificate of Occupancy, dram shop insurance, annual fee, satisfactory background checks and employee certifications.

Chairman Strelau asked for comments from the public. There were none.

Hearing the testimony given in this case, Chairman Strelau asked for a recommendation from the Commission concerning its finding of “qualified” or “not qualified” with respect to their request for a Class R-1 liquor license.

**MR. KRUSENOSKI MOVED TO FIND HONEY JAM CAFÉ, LLC D/B/A HONEY JAM CAFE LOCATED AT 401 75<sup>TH</sup> STREET, QUALIFIED FOR A CLASS R-1, FULL ALCOHOL, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MR. SHAH SECONDED.**

**VOTE:**

**Aye:** Mr. Krusenoski, Mr. Shah, Mr. Meta, Ms. Rutledge, Chairman Strelau

**Nay:** None

**Abstain:** None

**MOTION CARRIED: 5:0:0**

Hearing the testimony given in this case, Chairman Strelau 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 “O” liquor license.

**MR. META MOVED TO FIND HONEY JAM CAFÉ, LLC D/B/A HONEY JAM CAFE LOCATED AT 401 75<sup>TH</sup> STREET, QUALIFIED FOR A CLASS O, OUTDOOR LIQUOR LICENSE. MR. KRUSENOSKI SECONDED**

**VOTE:**

**Aye:** Mr. Meta, Mr. Krusenoski, Ms. Rutledge, Mr. Shah, Chairman Strelau

**Nay:** None

**Abstain:** None

**MOTION CARRIED: 5:0:0**

**Lantern Pizza Co. – 1420 Ogden**

Chairman Strelau stated that the next order of business is Flaming Lantern Pizza Co., LLC d/b/a Lantern Pizza Co. located at 1420 Ogden Avenue. She stated that the applicant is seeking a Class “R-2”, beer & wine only on-premise consumption liquor license and a Class “O” outdoor liquor license.

Chairman Strelau asked that any individual(s) representing the applicant step forward and be seated. She 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.

Chairman Strelau asked the applicant to present its case.

Dan Coudreaut and Kimberly Coudreaut were sworn in by the court reporter. Mr. Coudreaut introduced himself as the President of the corporation and Kimberly as the Managing Director.

Mr. Coudreaut stated that he and his wife have 50 years of combined experience, in the restaurant hospitality industry. He stated that it has been a long standing dream to open a restaurant of their own and wanted to leave a legacy. He stated their vision is to deliver great hospitality with memorable food. He stated that concept is a fast casual artisan/Neapolitan style pizza. He stated that he is a classical trained chef that studied in Naples. He stated that they have a targeted/simplistic menu where everything is made from scratch in house. He stated that they hope to serve national regular, light and micro brewed beers and white, red and sparkling wines by the glass.

Chairman Strelau requested questions from the Commission.

Mr. Krusenoski asked if this was the old Taco Bell location. Mr. Coudreaut replied yes.

Mr. Krusenoski asked when they plan to open. Ms. Coudreaut replied early June.

Mr. Krusenoski asked if the fast casual theme is similar to Blaze Pizza where customers indicated what they want on their pizza. Mr. Coudreaut replied no. He stated that it will be fast casual in service mode with no buffet service but where customers will order from the menu, get their drink, get their order ticket, be seated and staff will bring food out. He stated that customers can build a pizza if they like to. He stated that there are seats where customers can sit to see their pizza being hand tossed and made in front of them.

Mr. Krusenoski asked if the beer and wine will be behind the service counter. Mr. Coudreaut replied yes.

Mr. Krusenoski asked if they are only selling wine by the glass. Mr. Coudreaut replied yes.

Mr. Krusenoski stated that there are a number of area micro-brewed beer options that local people would like offered. Mr. Coudreaut agreed that they want to embrace the community. He stated that they believe shopping locally is important.

Mr. Krusenoski asked about the outdoor dining. Ms. Coudreaut replied that there is more outdoor dining than there is indoor dining. She stated that there is a fenced in pergola.

Ms. Coudreaut stated that with the fast casual theme, they will have ambassadors who will help customers throughout the dining experience.



Mr. Krusenoski stated that liquor sales will be a small proportion of their sales and stated that if something goes wrong with improper liquor sales, it can be quite costly. He stated that it is up to management to set the culture for employees that under no circumstance should someone underage be served liquor. He stated that they must send the message daily to be careful and diligent when selling liquor.

Ms. Coudreaut noted that they are not interested in being a bar and stated that it will be served as hospitality. She stated that if there is any question about an ID, the sale will be refused. Mr. Coudreaut added that they will card anyone who appears under the age of 30.

Mr. Krusenoski stated that reminders must be given day in and day out so that they never forget the policy. Mr. Coudreaut noted that training is critical. He stated that training is every day and reinforcement of policy is constant.

Mr. Krusenoski noted that they do not have late hours and are selling by the glass and felt that nobody would consume large amount without raising questions.

Mr. Meta asked when a customer comes in, if they place their order at the counter from an employee who will also be selling drinks. Mr. Coudreaut replied yes, typically a manager. Mr. Meta asked if that staff person will be handing the liquor to the customer at that point or will the drink be delivered to the table. Mr. Coudreaut replied that drinks will be given at the counter. Mr. Meta felt comfortable that was a spot of control. Mr. Coudreaut stated that someone 21+ will be on staff.

Mr. Meta stated that the site looks as though they are putting a tremendous investment into the site. He congratulated them for finally making their dream come true and wished them the best.

Ms. Rutledge extended congratulations to them. She felt that their message was clear and consistent and she had no doubts that they would communicate their expectations effectively to employees.

Ms. Rutledge stated that their overview speaks to the character and heart that they are putting into their restaurant.

Ms. Rutledge asked why they talked themselves out of opening for so many years and talked about leaving a legacy and asked them to explain. Mr. Coudreaut replied that they have seen the statistics with restaurants going out of business in a very short period of time and they decided to take a predictable path and worked for stable hotels and restaurants. He stated that while in the midst of Covid, they felt that pizza did well and the global appeal to it was what drove them to this concept. He stated that they focused on a small menu with ingredients made in-house.

Ms. Coudreaut stated that they were finally ready to proceed when Dan left McDonald's and decided to go to Italy for 30 days and studied pizza. She stated that it took 4 years to open, as they originally planned to open before Covid. She noted that three days before Covid, they were ready to sign a lease in Lisle, but walked away after they felt it would be better to own. She stated that they purchased the Downers Grove location.

Mr. Coudreaut stated that concerning the legacy, they want to grow and work with key employees and help them to have a path to ownership.

Mr. Coudreaut stated that they want their employees to smile. He stated that both of them worked at the Four Seasons and learned hospitality. He stated that he learned a lot about training, consistency and shift huddles at McDonald's.

Ms. Coudreaut noted that they are passionate about having young people learn hospitality. She felt youngsters today are looking at their phones rather than looking at people.

Mr. Shah asked that they work with the local high schools for employees. Mr. Coudreaut replied that he got his start as a dishwasher at the age of 14 and want to offer opportunities for future generations.

Mr. Shah asked if they bought the building. The Coudreaut's replied yes.

Chairman Strelau wondered if they were going to offer cooking classes. Mr. Coudreaut replied that he loves to train and have kicked around ideas between 2-5 pm to invite people in to see the processes. He added that he worked pro start which works with high school culinary students and would like to have them come into the restaurant to teach.

Chairman Strelau noted that they are clearly passionate, which will be critical to the business. She stated that it helped her feel confident that they will express the importance of the business running right.

Chairman Strelau noted that the outdoor area may be of issue. She stated that without wait staff going throughout the area to ensure that drinks are not being passed. She cautioned them to monitor customers that pick up their own drinks and take them to the outdoor area.

Chairman Strelau 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, Certificate of Occupancy, insurance, satisfactory background checks and employee certifications.

Chairman Strelau asked for comments from the public. There were none.

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

**MS. RUTLEDGE MOVED TO FIND FLAMING LANTERN PIZZA CO., LLC D/B/A LANTERN PIZZA CO. LOCATED AT 1420 OGDEN AVENUE, QUALIFIED FOR A CLASS R-2, BEER & WINE ONLY, ON-PREMISE CONSUMPTION LIQUOR LICENSE. MR. SHAH SECONDED.**

**VOTE:**

**Aye:** Ms. Rutledge, Mr. Shah, Mr. Meta, Mr. Krusenoski, Chairman Strelau

**Nay:** None

**Abstain:** None

**MOTION CARRIED: 5:0:0**

Hearing the testimony given in this case, Chairman Strelau asked for a recommendation from the Commission concerning its finding of "qualified" or "not qualified" with respect to their request for a Class "O" liquor license.

**MR. KRUSENOSKI MOVED TO FIND FLAMING LANTERN PIZZA CO. D/B/A LANTERN PIZZA CO. LOCATED AT 1420 OGDEN AVENUE, QUALIFIED FOR A CLASS O, OUTDOOR LIQUOR LICENSE. MR. SHAH SECONDED.**

**VOTE:**

**Aye:** Mr. Krusenoski, Mr. Shah, Ms. Rutledge, Mr. Meta, Chairman Strelau

**Nay:** None

**Abstain:** None

**MOTION CARRIED: 5:0:0****Save Max Food & Liquors – 1728 Ogden**

Chairman Strelau stated that the next order of business is Jay Kesari, LLC d/b/a Save Max Food & Liquors located at 1728 Ogden Avenue. She stated that the applicant is seeking a Class “P-1”, full alcohol, off-premise consumption liquor license.

Chairman Strelau asked that any individual(s) representing the applicant step forward and be seated. She 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. Harsh Nanavati and Mr. Abhishek Jariwala were sworn in by the court reporter.

Chairman Strelau asked the applicant to present its case.

Mr. Jariwala stated that they are planning to expand the family business. He stated that they currently operate Dairen Pantry. He stated that they are planning to purchase the existing Save Max Food & Liquors.

Chairman Strelau requested questions from the Commission.

Mr. Shah asked if they have had any issue operating the Darien location. Mr. Jariwala replied no. Mr. Nanavati stated that they are sure to always ask for identification.

Mr. Shah asked if they plan to purchase the Save Max location. Mr. Jariwala replied that they plan to purchase the business but lease the building.

Ms. Rutledge asked for an explanation of the floor layout. Mr. Abhishek replied that customers enter the front door, on the right will have a cigar case and a few coolers. He stated that along the wall is a large walk-in cooler with 20 doors. He stated that down the middle of the store are shelving units and the register counter is at the right. He added that at the rear of the store is a storage garage.

Ms. Rutledge asked if the walk-in cooler was one-way in. Mr. Jariwala replied that it is a two-way entry.

Ms. Rutledge asked if customers will be able to enter and exit the cooler. Mr. Jariwala replied no and stated that the walk-in cooler will be for employees. He stated that customers can access product through the cooler doors.

Mr. Meta asked if the diagram is the current layout of the existing store. Mr. Jariwala replied yes.

Mr. Meta asked Mr. Nanavati and Mr. Jariwala if they were both currently working in the Darien store. Mr. Jariwala replied that both are working there part time.

Mr. Meta stated that he noticed that their BASSET certification was recently issued. He asked if Darien did not require it. They replied no. Mr. Nanavati stated that his father mainly runs the Darien store.

Mr. Meta asked if they have a point of sale system in the store. Mr. Jariwala replied yes.

Mr. Meta asked if that POS system has the capability to scan IDs. Mr. Jariwala replied yes and that they planned to get the same system in Darien for the new store.

Mr. Meta asked if it is currently family that runs the Darien store. Mr. Jariwala replied yes.

Mr. Meta asked if they plan to hire. Mr. Nanavati replied that he has a 9 to 5 job. Mr. Jariwala replied that he will be at the store full time. He stated that they both will mainly operate the store with family working on the side.

Mr. Meta encouraged them to train employees properly and do not assume that just because they hire family or someone that they know that they still need to train.

Mr. Krusenoski asked what the name is of the current business. Mr. Jariwala replied Save Max. Mr. Krusenoski asked if they plan to change the name. Mr. Nanavati replied no and that they could not come up with a good name.

Mr. Krusenoski stated that the layout is similar to that of Liquor 2 Go.

Mr. Krusenoski stated that the fact that they are operating as a liquor store may make it easier on them as they will be hyper vigilant concerning every single transaction. He stated that even though they have a point of sale system, the greatest system can be defeated by an employee who can bypass it if they want to.

Mr. Krusenoski recalled a control buy violation where a family run business got caught selling to a minor when they had a family member man the register. He stated that they cannot just throw someone in if they need help from a family member to staff the store. He stated that they must impose upon any staff to keep vigilant on every single transaction.

Chairman Strelau stated that she recalled a liquor store that just opened fail a control buy on the very first day. She stated that they have a great opportunity to branch out. She stated that it will be necessary to instill into every employee to care.

Chairman Strelau 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, dram shop insurance, satisfactory background checks and receipt of employee certifications.

Chairman Strelau asked for comments from the public. There were none.

Hearing the testimony given in this case, Chairman Strelau asked for a recommendation from the Commission concerning its finding of “qualified” or “not qualified” with respect to their request for a Class “P-1” liquor license.

**MR. META MOVED TO FIND JAY KESARI, LLC D/B/A SAVE MAX FOOD & LIQUORS LOCATED AT 1728 OGDEN AVENUE, QUALIFIED FOR A CLASS P-1, FULL ALCOHOL, OFF-PREMISE CONSUMPTION LIQUOR LICENSE. MR. SHAH SECONDED.**

**VOTE:**

**Aye:** Mr. Meta, Mr. Shah, Mr. Krusenoski, Ms. Rutledge, Mr. Meta, Chairman Strelau

**Nay:** None

**Abstain:** None

**MOTION CARRIED: 5:0:0**

**V. NEW BUSINESS**

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

Ms. Kuchynka was uncertain of an April meeting and would let the Commission know.

**VI. OLD BUSINESS**

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

Ms. Kuchynka referred to the past month end report for February.

Ms. Kuchynka advised of the Mayor's intent to issue a license to Beggar's Pizza.

Ms. Kuchynka stated that she included information about outdoor dining regulations that was presented to the Village Council on March 1<sup>st</sup>.

Ms. Kuchynka advised that the Council approved changes to outdoor dining that resulted from Covid restrictions. She stated that there have been some further updates to the ordinance.

Mr. Krusenoski asked if outdoor dining will be allowed in the street. Ms. Kuchynka replied yes. She stated that outdoor street dining will be allowed if an applicant requests it. She stated that there may be more costs involved versus sidewalk dining as the Village will need to install barricades.

Ms. Kuchynka stated that rules have changed for those who did not have a Class O outdoor liquor license pre-Covid. She stated that four establishments will have to apply for those, which can be expedited. She stated that Orange & Brew, The Fox Tail, Goldfinger and Carnivore and the Queen will be allowed to have the application placed on file for two weeks and barring any objections, staff can issue the outdoor license administratively.

Ms. Kuchynka advised that since Covid restrictions have been lifted, new regulations will apply such that outdoor seating may not exceed indoor seating, cafes will be a bit more regulated and monitored.

Mr. Shah asked if the Goldfinger café was located in their parking lot. Ms. Kuchynka replied yes.

Mr. Shah asked about the Goldfinger Oktoberfest. Ms. Kuchynka replied that a temporary use is required for both the café and the Oktoberfest event, both due to the fact that the space they utilize for the event is actually parking for the business. She stated that festivals, events, parties and activities done outside of the day to day operation need permits and special event liquor licenses.

Ms. Kuchynka noted that license agreements will be drafted for the use of any public property. She stated that public rights-of way will have maintenance, insurance and detailed requirements. She noted that license agreements were not required for the 2020 and 2021 season and were much more relaxed due to Covid.

Ms. Kuchynka stated that the Commission previously discussed removing the enclosure requirement, which has been updated in the Code. She stated that will allow licensees more room and flexibility to devote to the café areas. She stated that the area will need to be monitored and regularly cleaned so that alcohol is not taken off tables by passersby.

Ms. Kuchynka stated that there were not many issues however the license agreement provides for regular cleaning and standards of operation. She noted that ADA requires 4 feet of free and clear sidewalk access for pedestrian traffic.

Ms. Kuchynka stated that most ordinance changes originally dealt with those cafes operating on public property. She stated that Council directed staff to further discuss activities on private property. She noted that the Council will vote on those matters at a future Council meeting. She stated that driveway space use and tents/temporary structures will be addressed. She advised that the Commission can check the status of the Council discussion on the Village's website for more information.

Mr. Krusenoski noted that the original ordinance would not allow cafes to displace any parking spaces. Ms. Kuchynka replied yes. Ms. Didier stated that parking spaces are required per the Zoning Ordinance. She noted that some establishments have more than enough parking than is required. She stated that a formula is used to determine the minimum amount of parking for an establishment. Ms. Kuchynka stated that the downtown is exempt from parking requirements under the Zoning Ordinance.

Mr. Krusenoski noted the amount of outdoor seating vs. indoor seating at Lantern Pizza. Ms. Kuchynka noted that outdoor seating cannot exceed indoor seating on public property.

Ms. Kuchynka noted that since Covid restrictions have been lifted, staff discussed the size of cafes. She noted outdoor dining has brought vitality to the downtown, and while wishing to offer cafes, the street continues to be needed for driving purposes and the sidewalks clear for pedestrian access. She stated these regulations set a framework for the operation and maintenance of the cafés.

Mr. Krusenoski noted that use of tents are prohibited. Ms. Kuchynka replied yes and noted that Council tabled the item at the meeting of March 1<sup>st</sup> in order to have the benefit of further discussion on that issue.

Chairman Strelau noted that these are positive changes to the outdoor dining requirements.

Mr. Meta hoped that the music in the park would also continue. Ms. Kuchynka advised that the Village did get a special event liquor license application for the Tuesday night concert series from the Park District and was presented to the Mayor for his approval.

Ms. Kuchynka stated that she expects more special event liquor applications now that Covid restrictions have been lifted. She advised that the month end report will list those requests and approvals each month.

Ms. Kuchynka noted that she received an application for the Wine Walk. Mr. Meta asked if the event will be downtown. Ms. Kuchynka replied yes and noted that the Downtown Management Corporation

puts on the event. She stated that a number of stores participate in the wine walk. She added that participating stores may offer wine. She stated that attendees will get a punch card limited to 15 samples of wine.

Mr. Meta asked if a special event could be obtained for the auto show. Ms. Kuchynka stated that she believed that the Downtown Management Organization stopped sponsoring the car show but she anticipated a temporary use application from the Moose Lodge. Ms. Kuchynka stated that cafes are now taking up spaces on the street where car show attendees once parked.

Mr. Meta asked what if the car show event could be relocated to the new commuter lot. Ms. Kuchynka replied that she believed the Moose would host the event in Lot A north of the tracks which is in front of their lodge on Warren Avenue.

Ms. Kuchynka noted that while the car show requested a liquor license, they only operated under a temporary use permit.

## **VII. COMMENTS FROM THE PUBLIC**

There were none.

## **VIII. ADJOURNMENT**

Concluding business for the evening, Chairman Strelau called for a motion to adjourn.

Mr. Krusenoski moved to adjourn the March 3, 2022 meeting. The meeting was adjourned by acclamation at 7:45 p.m.

APPROVED

**VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING**

**April 4, 2022, 7:00 P.M.**

Chairman Rickard called the April 4<sup>th</sup>, 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, Dmytryszyn, Boyle, Maurer, Toth

**ABSENT:** Commissioners Roche, Johnson, and Patel

**STAFF:** Director of Community Development Stan Popovich, Planning Manager Jason Zawila, Senior Planner Flora Leon

**OTHERS**

**PRESENT:** Ron Olson, Matt McDonald, Muhammad Starks, Nancy Gazelle, Liz Chalberg, Bill Chalberg, Brian Meade, David Yandel, Michael Werthman, Andy Sikich, Police Chief Shanon Gillette, and Fire Chief Scott Spinazola.

**APPROVAL OF MINUTES**

Chairman Rickard entertained a motion to approve the minutes.

**MINUTES OF THE MARCH 7, 2022 PLAN COMMISSION MEETING WERE APPROVED ON MOTION BY COMMISSIONER RECTOR, SECOND BY COMMISSIONER DMYTRYSZYN, MOTION PASSED BY VOICE VOTE OF 6-0.**

**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 22-PLC-0007: A PETITION SEEKING APPROVAL FOR A PLANNED UNIT DEVELOPMENT, A REZONING FROM DT TO DT/PUD, RIGHT-OF-WAY VACATION, FINAL PLAT OF SUBDIVISION AND A SPECIAL USE TO CONSTRUCT A WIRELESS TELECOMMUNICATIONS FACILITY. THE PETITIONER IS PROPOSING TO CONSTRUCT THE DOWNERS GROVE CIVIC CENTER BUILDING THAT WILL HOUSE THE OFFICES OF VILLAGE HALL, POLICE STATION AND SCHOOL DISTRICT 58, IN ADDITION TO REMOVING THE EXISTING TELECOMMUNICATION TOWER AND CONSTRUCTING A NEW TELECOMMUNICATION TOWER.**

**THE PROPERTY IS CURRENTLY ZONED DT, DOWNTOWN TRANSITION. THE PROPERTY IS LOCATED DIRECTLY EAST OF THE INTERSECTION OF**



## APPROVED

**WASHINGTON STREET AND BURLINGTON AVENUE, COMMONLY KNOWN AS 700 BURLINGTON AVENUE, 801 BURLINGTON AVENUE, 825 BURLINGTON AVENUE, AND 842 CURTISS STREET (PINS 09-08-131-018, 09-08-813-019, 09-08-211-001, 09-08-211-002, 09-08-211-003, 09-08-211-014, 09-08-211-015, 09-08-211-016, 09-08-211-001, 09-08-304-008). VILLAGE OF DOWNERS GROVE, OWNER AND PETITIONER.**

Petitioner, Mike Baker Deputy Village Manager for the Village of Downers Grove introduced himself as the Project Manager for the new Civic Center Facility Design and Construction. He then introduced the team that would partake in the petitioner's presentation.

Mr. Baker then thanked the public and board for their consideration of the petition. He then explained that the request from the Plan Commission was for a positive recommendation on the items listed on the screen, including: (1) plat of vacation; (2) final plat of subdivision; (3) final planned unit development; (4) map amendment from Downtown Transition to Transition/Planned Unit Development and a (5) special use.

Mr. Baker explained that the approvals would permit the construction of the new Downers Grove Civic Center, a new facility that would provide space for the Police Department, Village Hall and District 58 administrative offices. This would allow combining facilities that are currently in three separate buildings, into one and providing substantially more modern and efficient features and spaces to serve public safety, administrative and educational needs of this community for decades to come. These approvals would also allow for the construction of a new telecommunications tower, along with the removal of the existing tower.

Mr. Baker then noted that the subject property was located at the southeast corner of Burlington Avenue and Washington Street, commonly known as 700 Burlington Avenue, 801 Burlington Avenue, 825 Burlington Avenue and 842 Curtiss Street. As an overview of this project, he shared a three-minute video produced by the Village's Communications Department. He added at the end of the video that the neighborhood meeting mentioned occurred on March 21, 2022 and included approximately 50 residents in attendance.

Mr. Baker explained that his presentation would focus on three elements, the petition's (1) compliance with the recently adopted Downtown Design Guidelines, (2) compliance with the Comprehensive Plan; and (3) compliance with the Zoning Ordinance and how it meets the review and approval criteria for the planned unit development, zoning map amendment, and special use.

Mr. Baker then provided an overview on how the petition met the requirements of each entitlement request. As part of the presentation, Mr. Baker provided further explanation for the special use request related to the proposed telecommunications tower. He explained that after an evaluation of potential tower sites was conducted, this revealed that only a small area on the Civic Center site could serve as the future space for the telecommunications tower. Mr. Baker also provided photo renderings of the proposed new tower site compared to the existing tower site.

Mr. Baker then spoke about the improvements related to the Washington Crossing. He noted that the project would eliminate the eastern leg of Burlington Avenue and Washington Street intersection. Mr. Baker added that this option was reviewed thoroughly and that the Village Council considered and supported the configuration. He listed several benefits with the proposed

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configuration and noted that the improvements at the crossing represented just one of the many community benefits offered by the project. He added that the project provided environmentally sustainable features, consolidates existing public facilities, provides spaces that support modern work environments and improved customer interactions, along with landscaped paths and public plazas. Mr. Baker concluded his presentation by thanking the Plan Commission for their time and consideration.

Chairman Rickard invited public comment.

Mr. Ron Olson, 704 Maple Avenue, explained that his home would be directly backing up to the proposed tower. He noted that when they purchased their home the antenna was not right behind their house. Mr. Olson expressed his concern over the potential decrease in property values due to this proposal. As such, he suggested that there might be consideration for a real estate credit for the homes that would now have to bear the cost of the proposed tower. Mr. Olson asked about the required fall radius and how his research led him to believe the fall zone had to equal 300% of the height. Additionally, he requested additional screening to be provided in the form of a 12-foot fence and more landscaping. Finally, he expressed concern over the increase in height of the tower and the increased proximity the new tower would have with adjacent residential properties. To conclude, Mr. Olson expressed that the proposal appeared to give future residents of Downers Grove preference over existing residents considering the TIF district would only work if the future multi-family development on Lot 2 was not close to the tower.

Mr. Matt McDonald, 710 Maple Avenue, agreed with Mr. Olson's previous comments. He added that their properties were within the required setback for a new telecommunication tower. Specifically he noted that the requested relief would allow the tower four times closer than what would typically be allowed. Mr. McDonald then noted that the plans did not include any proposed landscaping. He added that additional buffer would make sense between the Public Works property and their backyards. He concluded by stating that the proposal did not preserve their property values or the pleasantness of their backyards.

Mr. Muhammad Starks, 706 Maple Avenue, asked what the future of the third parcel would be. He noted that in the past, this area has been used for a number of different purposes and now it seemed that with the tower the parcel appeared more industrial. As such, Mr. Starks asked if the tower was placed back there what the future for that property would be. Mr. Starks, concluded by stating that he had previously attended a Village Council meeting when they were considering development options for that property. He then decided he would invest in his property and now he wanted to confirm what the future plans were for this parcel. Mr. Starks also noted that he agreed with Mr. Olson and Mr. McDonald's previous comments.

Ms. Nancy Gazelle, introduced herself and noted that she was not an adjacent neighbor to the proposed site. Instead, she explained that she lived on the other side of town but commuted through the area frequently. Specifically Ms. Gazelle explained that she used the designated bike path and believed that rerouting the Washington Street intersection did not adequately take into consideration southbound cyclist traffic. She concluded by stating that routing all of the traffic through the Burlington and Washington intersection was dangerous for cars, pedestrians, and cyclists.

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Chairman Rickard invited for any additional public comment. No additional public comment was received. Staff was invited to present.

Mr. Jason Zawila, Planning Manager, showed the location of the site on a map and noted that the property was zoned Downtown Transition (DT) was currently improved with Village Hall, the Village's Police Station, and a converted single family house that sits on the southwest corner of the subject property. He explained that the site also included the Village's fleet management facility and a telecommunication tower located immediately east of Village Hall. Mr. Zawila also explained that notice was properly provided to all property owners 250 feet from the property in addition to publishing a legal notice and posting the public hearing signs as shown on the screen. Additionally, he noted that as required by the Zoning Ordinance and highlighted with the first presentation, the petitioner held a neighborhood meeting, which was summarized in the packet and earlier in the evening.

Mr. Zawila shared that the Village of Downers Grove, as the petitioner, was requesting approval for a planned unit development, a rezoning from DT to DT/PUD, right-of-way vacation, final plat of subdivision and a special use to construct a wireless telecommunications facility. He then noted that the approvals would permit the construction of a combined Village Hall and Police Station facility and relocation of a telecommunication tower.

Mr. Zawila provided a slide showing the proposed subdivision. He explained that the proposal included vacating part of the Burlington Avenue right-of-way. Additionally, he shared that on Lot 1 the Village was proposing the construction of the Downers Grove Civic Center, which would meet the Downtown Design Guidelines. Lot 2 would remain vacant and any future private development proposal would be required to go through the complete public process. Finally, Mr. Zawila noted that Lot 3 would be designated for the newly proposed monopole communications tower.

Mr. Zawila moved on to describe the two sets of requested relief associated with the petition. The first included the parking lot. To maximize the parking on site, the setback would be reduced along the northern property line. The other relief requested was associated with the relocation of the telecommunications tower. He highlighted that the existing tower was a critical part of the emergency services response network used by DU-COMM, the Village, and adjacent communities. Staff found that the petition met the goals of the Zoning Ordinance, Downtown Design Guidelines, and Comprehensive Plan. As such, he recommended that the commission formulate a motion to approve the petition based on the draft motion provided on page eleven of the staff report.

Chairman Rickard asked if staff could talk more about the telecommunications tower. Perhaps noting how far it is moving and what physically would be different from what is there now. Additionally he asked about any other immediate construction plans for Lot 3. Mr. Zawila stated the petitioner would respond to the operation functions of the tower when they came back up to respond. Commissioner Rector asked for clarification on the required 300% setback. Mr. Zawila explained that it is an additional buffer. The first requirement of 200 feet is to clear the fall zone. He added that in this case the petition was requesting relief from the setback because there was not one physical location that would meet that setback on the site without that relief.

Chairman Rickard asked if there was any current relief given for the tower. Mr. Zawila said that he did not believe so.

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Commissioner Boyle asked if there was a surplus of commuter parking. Additionally, he asked if this became an issue later on if there was a plan to address this. Mr. Zawila noted that it appeared that there were other parking options in the current network that would make up for the loss of commuter parking. Commissioner Boyle asked if that ended up not being the case does the Comprehensive Plan have other options to explore if parking becomes an issue in the future. Mr. Zawila shared that there were a multitude of options available as it related to downtown parking. The Village has worked on reviewing this in the past and will continue to work on this as situations arise.

Commissioner Boyle asked for clarification on the proposed Washington intersection. Mr. Zawila indicated that it would be more appropriate for the petitioner to address this question in more detail when they came back up to the podium.

Commissioner Maurer asked why if there were only 164 spaces required a total 252 spaces proposed. He asked if a nice green space could have been proposed instead. Mr. Zawila explained that there were portions of the parking designated as secured and the provided spaces are required for Village Hall and the School District operations.

Commissioner Maurer asked about the available locations for the tower. He asked what made that area the available location. Mr. Zawila noted that the petitioner would speak in more detail on that.

Commissioner Maurer asked if Lot 2 were proposed as private development, if this would push vehicular Village traffic between Lot 1 and Lot 3 onto Curtis Street. Mr. Zawila confirmed that was correct.

Commissioner Maurer asked if Lot 2 was supposed to take advantage of transit-oriented development features why the building was oriented in the opposite direction. Additionally with the primary entrance, facing east and no sidewalk connection along the train tracks there is no access to easily get to the train station. Mr. Zawila stated that there was no final plan for Lot 2. The image for review is only a diagram. However, there was a potential entrance shown on the plans that could also lead to the existing sidewalk network.

Commissioner Maurer asked if the 4.4 feet would not be intended to include a sidewalk. Mr. Zawila said no a sidewalk along the northern lot line would not be included due to the location of the proposed secured parking area.

Commissioner Toth asked what the proposed square footage building as compared to the existing facilities. Mr. Zawila noted that the petitioner would speak to those square footage difference.

Chairman Rickard asked if the location of Lot 2 came about based on the phasing for the construction of this project. Mr. Zawila confirmed that was correct.

Chairman Rickard invited the petitioner to speak to some of the questions that came up.

Mr. Baker acknowledged that the comments that were expressed by the residents were very understandable, given the proximity of their homes to the construction of the new tower. He noted that there were some suggestions that were made and the Village would be open to enhancing buffering between the Village property and rear yard of residential properties. With the proposed

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use of Lot 3, Village staff and customers would be using the space to park during the construction. Mr. Baker noted that the comments received presented an opportunity to explore how the space could be used in the future.

Chairman Rickard asked if in general the property moving forward would function as it has in the past. Mr. Baker confirmed that was correct. He did add that the existing garage, currently used for salt storage would be demolished to accommodate space for the proposed telecommunications tower.

Commissioner Maurer asked what made the designated area as the only available location for the telecommunications tower. Mr. Baker explained that the area designated was deemed available space based on the 200-foot setback required from any residential structure or public safety facility.

Commissioner Maurer asked if in that case the proposal considered the future private development on Lot 2. Mr. Baker confirmed that was correct.

Commissioner Maurer asked if there were any ideas of what the private development would be. He added if it were multi-family, residential could there not be an easement that stated the telecommunications tower must go on their roof. Mr. Baker stated that Lot 2 was anticipated to be an apartment building. As such, that would not accommodate the needs of the telecommunications tower.

Brian Meade, FGM Architects, explained that the phasing would be challenging because the tower would need to be in operations sooner than the private development is constructed. Commissioner Maurer noted that the existing tower is not on Lot 2. So he asked if the phasing could not proceed simply by keeping the exiting tower in operation. Mr. Meade explained that the existing tower was on Lot 2. He added that with demolition the issue of adjacency would come up.

Commissioner Maurer asked if Mr. Baker could address the traffic moving onto Curtiss Street and why the proposal included 30% more than what the required parking was. Mr. Baker explained that the main factors driving the additional parking included: public parking for police services, Village Hall, and District 58 services. Additionally, he added that with the council chambers being designed as more of an accessible and multifunctional space this would allow for more programming of this space during the day.

Commissioner Maurer asked if there was a continuous fence along the eastern lot line. Mr. Baker noted that as the plans were further refined and there was a better understanding for could be constructed on Lot 2, there could be an opportunity for sort of pedestrian access from the building, through and around the Village Hall site. Commissioner Maurer further stated that the suggested design would be an improvement. However, he noted the future development of Lot 2 would have a building giving its back to the civic center, the downtown, and the train station instead of embracing the civic center. Mr. Baker agreed and noted that staff could look at the eastern portion of the lot to encourage and promote more of a connection between the private development lot and civic center property.

Commissioner Maurer added that if more could be done for Lot 2 to embrace the civic center lot this could make lot 2 a more desirable development site for the developer, tenants, and Village. Mr. Baker offered to address a comment regarding cyclist safety. He noted that the width of the

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pathway on the west side of the building was such that it could be very multimodal in nature, and accommodate not just pedestrian traffic, but also bicycles as well. Mr. Baker added that as the design was further developed; they would make sure that the signage properly indicated and maintained safe bicycle access onto the site. He stated that this was just one opportunity to make sure that cyclists had the opportunity to navigate the site in ways that did not force them along the curve on Washington Street.

Commissioner Dmytryszyn thanked the petitioner for the detailed Telecommunication Tower FAQ that was provided. He asked if more detail could be provided on the proposed increased height of the new tower. Mr. Baker referred back to the proposed tower elevation. He explained that the proposed tower was a monopole design, thus making it more narrow vertically. Mr. Baker shared that the existing tower was a lattice design. He stated that the monopole tower required more height to accommodate the equipment necessary to support the use of the tower. Mr. Baker added that the priority was to accommodate the public safety communications required equipment to allow police fire and EMS to continue to interact and communicate with dispatch and Downers Grove and neighboring communities. Additionally, Mr. Baker explained that the Village wanted to accommodate existing private telecommunications providers. He said that the thought process behind doing this was that if they were not afforded opportunities here, it is likely that they would pursue other tower construction in the immediate vicinity to make sure that their coverage could be provided.

Commissioner Dmytryszyn asked if there were any requirements to upgrade the current tower. Mr. Baker stated that he did not believe any upgrades were required. Commissioner Dmytryszyn asked if the existing tower facilitated the current needs. Mr. Baker explained that the tower does meet the current needs but he noted that it was also forty years old. Commissioner Dmytryszyn asked if the Village was going to continue to lease the space and make revenue off that. Mr. Baker confirmed that was correct.

Commissioner Toth asked if the tower had to remain on this site. Mr. Baker confirmed that yes the tower had to remain on this site. David Yandel, FGM Architects, confirmed that the tower had to remain in close proximity to the police station. If the tower located further away additional fiber lines would have to be installed.

Chairman Rickard invited the petitioner to provide a closing statement.

Mr. Baker thanked the residents and the Plan Commission for the comments and questions and noted that this would help improve the project moving forward.

Chairman Rickard requested that the Plan Commission move on to deliberation. After receiving a request from the public, he instead allowed for additional public comment.

Mr. Ron Olson, 704 Maple Avenue, asked for clarification on three items. The first was regarding the setback requirement of 300%. He asked why an exception was being made to reduce from 600 feet to 145 feet. Next, he asked about the placement of the tower. He noted that if the only barrier to relocate the tower was running fiber, he was certain that with today's technology running fiber would be possible. Lastly, Mr. Olson asked about the height of the tower and if the maximum permitted is 140 feet, why this tower was allowed to exceed that.

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Mr. Muhammad Starks, 706 Maple Avenue, noted that if the city was willing to work with residents if there was another process to continue this dialogue. Chairman Rickard explained that the Plan Commission was a recommending body and that there would be additional meetings at the Village Council level where a final decision would be made. He noted that there are an addition two opportunities to participate and ask question. Mr. Starks asked if there would be an additional opportunity for the public to review design changes and offer their opinions. Chairman Rickard noted that the Village staff is available via email. He added that if residents wanted to reach out to share their concerns or participate at the Village Council hearing those were options to ask for consideration.

Chairman Rickard invited the petitioner to provide any closing statements.

Mr. Baker expressed his willingness to continue a dialogue with residents to understand and see what could be done to accommodate some of their concerns. He added that from the Village standpoint, the tower location as proposed was viewed as critical, because it supports public safety communications. Mr. Baker further noted that with the proposed development the existing tower would need to come down. As such, he explained that having the existing services on the tower accommodated somewhere else needed to be considered. For this reason, the location proposed, after evaluation, was determined to be the most desirable site for the proposed tower to accommodate the requirements of public safety, telecommunications, and for the private telecommunications providers as well. Mr. Baker concluded his statement by thanking the board for their time and consideration.

Commissioner Toth asked if a study had been prepared considering a relocation of the tower with added fiber optic cables to connect it back to the police station. Mr. Baker stated that a study did not exist looking at those types of alternatives. He added that the basis of the proposed location had to do with a number of factors that are not just limited to the public safety requirements. He added that the tower location was also based on the colocation capabilities of the tower.

Chairman Rickard moved to Plan Commission deliberation.

Commissioner Rector shared that she liked the proposal and the idea of having a building for multiple uses. She added that the design appears have been well thought out as it met the goals of the Village. Additionally, she noted that she was not thrilled with the tower option; however, she understood why the tower had to be replaced in the proposed location. Commissioner Rector noted that she was in favor of the proposal and felt that the standards were met.

Commissioner Dmytryszyn stated that it was a great proposal and believed a lot of care was put into the plans. He added that as he read through the standards of approval he could not argue that they had not been met. Commissioner Dmytryszyn noted that he would like to see more detail around the tower and why it needed to be placed where it is proposed. He stated that the petitioner should be prepared to answer more questions about additional options such as running fiber as Commissioner Toth proposed. Commissioner Dmytryszyn concluded by agreeing that the standards had been met.

Commissioner Boyle shared that he would like more detail on how to create buffering between the tower area and residential properties. Additionally, he added that there should be more details focused on how Lot 2 can be designed to be more in line with transit-oriented development. He stated that the plan met all of the criteria and supported the police, school, and Village staff.

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Commissioner Maurer agreed with the previous Commissioners. He noted that the new proposal would create better working conditions and increase efficiency. Commissioner Maurer added that the proposal did not contribute to the nature of the downtown. While he agreed with the intersection improvements, he did not believe the proposed arrival point of two blank facades was appropriate. Commissioner Maurer stated that even flipping the plan 180 degrees in either direction would be an improvement and would make the proposed park more accessible to the downtown.

Commissioner Toth stated that it was a great plan and an improvement to the current facilities. He noted that he believed the tower setback was still an issue. Commissioner Toth concluded by stating that a better explanation for the tower location should be prepared for the Council.

Chairman Rickard stated that he believed the standards had been met. He added that he agreed with Commissioner Maurer in the orientation of the building so that the park is more accessible. With regards to the tower he added that it appeared that the most appropriate location would be to place it near the police and Village facilities. Chairman Rickard stated that the reality was that there has been a tower there for forty years. Residents who live around that area purchased their homes understanding that there was a tower there. Chairman Rickard noted that the tower was getting slightly taller but he added that it is also getting more slender.

Chairman Rickard addressed a comment from the audience and stated that the public comment period had concluded and that the Plan Commission was now deliberating. He then suggested if the public had any additional comments they would have an opportunity at the Village Council meeting. Chairman Rickard concluded his statement by noting that he supported the project, that the standards had been met, and that this would be a huge improvement.

Chairman Rickard entertained a motion

**WITH RESPECT TO FILE 22-PLC-0007 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 PLANNED UNIT DEVELOPMENT, ACCOMPANYING REZONING, AND SPECIAL USE, PLAT OF VACATION AND PLAT OF SUBDIVISION AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST. COMMISSIONER RECTOR MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 22-PLC-0007, SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. THE SPECIAL USE, PLANNED UNIT DEVELOPMENT AND MAP AMENDMENT SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT, RENDERINGS, ARCHITECTURE PLANS, LANDSCAPING PLANS AND ENGINEERING PLANS PREPARED BY FGM ARCHITECTS, DATED THROUGH MARCH 25, 2022, AND TRAFFIC PLANS PREPARED BY KLOA DATED MARCH 25, 2022 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**
- 2. THE PETITIONER SHALL SUBDIVIDE THE LOT INTO THE THREE LOTS OF RECORD PURSUANT TO SECTION 20.5 OF THE SUBDIVISION ORDINANCE**



## APPROVED

**PRIOR TO THE ISSUANCE OF ANY SITE DEVELOPMENT OR BUILDING PERMITS.**

- 3. A DEVELOPMENT APPLICATION FOR LOT 2 SHALL BE SUBMITTED TO THE PLAN COMMISSION AS A PUD AMENDMENT, AND ALONG WITH ANY OTHER REQUIRED ENTITLEMENTS, WITH FINAL APPROVAL BY THE DOWNERS GROVE VILLAGE COUNCIL.**
- 4. A PLAT OF EASEMENT IS PROVIDED FOR PUBLIC UTILITY PURPOSES AND RECORDED WITH DUPAGE COUNTY ONCE INFRASTRUCTURE IS CONSTRUCTED.**
- 5. A PLAT OF EASEMENT IS PROVIDED FOR TELECOMMUNICATION PURPOSES AND RECORDED WITH DUPAGE COUNTY ONCE TELECOMMUNICATIONS EQUIPMENT IS CONSTRUCTED.**
- 6. A PLAT OF EASEMENT IS PROVIDED FOR STORMWATER PURPOSES AND MUST BE RECORDED WITH DUPAGE COUNTY ONCE INFRASTRUCTURE IS CONSTRUCTED.**

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

**AYE: COMMISSIONERS RECTOR, DMYTRYSZYN, BOYLE, MAURER, TOTH, CHAIRMAN RICKARD**

**NAY: NONE**

**MOTION PASSED. VOTE: 6-0**

**THE MEETING WAS ADJOURNED AT 8:28 P.M. UPON MOTION BY COMMISSIONER PATEL. SECOND BY COMMISSIONER TOTH. A VOICE VOTE FOLLOWED AND THE MOTION PASSED UNANIMOUSLY.**

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