



Meeting Minutes

Village of Downers Grove - Council Meeting

Council Chambers

January 9, 2024

07:00 PM

1. Call to Order

Mayor Barnett called to order the Village Council meeting at 7:00 pm and led those in the room in the Pledge of Allegiance to the Flag. He explained the protocol for the meeting and the guidelines to submit public comment.

2. Roll Call

Council Attendance (Present): Mayor Barnett, Commissioner José, Commissioner Sadowski-Fugitt, Commissioner Glover, Commissioner Tully, Commissioner Davenport, Commissioner Gilmartin

Council Attendance (Not Present): None.

Non-Voting: Village Manager Dave Fieldman, Village Attorney Enza Petrarca, and Village Clerk Rosa Berardi

3. Proclamations

A. Martin Luther King Jr. Day

Mayor Barnett encouraged everyone to participate in MLK Day of Service and find ways to give back to their communities by visiting serve.illinois.gov, giving dupage.org or americorps.gov, and by researching MLK Day of Service.

4. Minutes of Council Meetings

MIN 2023-10159 — A. Minutes: Village Council Meeting Minutes - January 02, 2024

MOTION: To adopt the meeting minutes of the January 9, 2024, Village Council Meeting, as presented.

RESULT: Motion carried unanimously by voice vote.

MOTIONED TO APPROVE: Commissioner José

SECONDED BY: Commissioner Sadowski-Fugitt

AYES: Commissioners José, Sadowski-Fugitt, Davenport, Tully, Glover, Gilmartin, Mayor Barnett

NAYES: None

5. Public Comments

Larissa Calvanese, resident, expressed concerns about the busses of migrants that have been dropped off in Downers Grove. She asked if the Council was discussing the possibility of a resolution to protect the residents.

Ed Briner, resident, asked the Village to pass an ordinance prohibiting busses from dropping off migrants in Downers Grove. He expressed concerns for the safety of residents.

Jim Kelly, resident, shared his thoughts that residents should be supportive of outsiders, including immigrants coming to Downers Grove. He stated that anyone that feels threatened by another person should contact the authorities.

Paul Drabik, resident and Human Service Commission member, expressed concerns about migrants being dropped off in Downers Grove. He shared concerns about the safety of residents.

Laura Hois, resident, said she concurred with concerns expressed about migrants being dropped off in Downers Grove that are to be transported to Chicago. She expressed her fear that the migrants would return to Downers Grove.

Eileen Briner, resident, expressed concerns about migrants being dropped off in Downers Grove. She shared concerns about the safety of residents.

Mayor's Report

Mayor Barnett moved the Mayor's Report to this portion of the meeting. He spoke about the migrants being dropped off in Downers Grove. He stated that they are not illegal and have been through one round of screening by Homeland in Texas. This includes those migrants with ankle bracelets, adding that they will continue to be monitored. He said these people have done what they need to do to seek asylum legally and that it takes six (6) months for their applications to be processed. He reiterated that the law states that during the application process, they can move about the country and are not considered illegal immigrants. The Mayor continued and stated that the government, from Texas to Downers Grove, to Washington DC, are doing what the law requires of them. He said that the safety of his residents and that of the people on the busses are of the utmost importance to him, along with public safety. He stated that speaking English has nothing to do with someone's right to be in this country and more than likely every person at the meeting has a relative that has come to the United States and not spoken English. He said everyone getting off the busses are here legally and have the fundamental right to travel the USA.

6. Consent Agenda

BIL 2023-10160 — A. Bills Payable: No. 6776 - January 10, 2023

MOT 2023-10152 — B. Motion: Approve a Contract with Ames Engineering, Inc. of Downers Grove, IL for Engineering Services for the Evaluation and Design of Improvements to Existing Traffic Signals

Summary: This motion awards a contract to Ames Engineering, Inc. of Downers Grove, IL, in the amount of \$180,348.00, for engineering services for the evaluation and design of improvements to existing traffic signals, including improved interconnection to the DuPage Central Signal System, crosswalks, curb ramps, and all other related work for compliance with the latest ADA, PROWAG, and Illinois Accessibility Code (IAC) standards at fifteen (15) locations throughout the Village.

RES 2023-10153 — C. Resolution: Approve an Extension to the Agreement with Kenig, Lindgren, O'Hara, Aboona, Inc. for Engineering Services **RES 2024-01**

Summary: This resolution amends a professional services contract with KLOA, Inc. of Rosemont, IL, for on-call transportation engineering services through December 31, 2024. The total not-to-exceed price of the agreement is \$180,000, which includes the extension amount of \$90,000.

A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND KENIG, LINDGREN, O'HARA, ABOONA, INC.
RESOLUTION 2024-01

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RES 2023-10155 — D. Resolution: Appropriate \$1,850,000 of Motor Fuel Tax (MFT) Funds for the 2024 Annual Roadway Resurfacing Program **RES 2024-02**

Summary: This resolution appropriates \$1,850,000 of Motor Fuel Tax (MFT) Funds for the 2024 Annual Roadway Resurfacing Program.

A RESOLUTION FOR IMPROVEMENT UNDER THE ILLINOIS HIGHWAY CODE RESOLUTION 2024-02

RES 2023-10167 — F. Resolution: Appropriate \$300,000 of Motor Fuel Tax (MFT) Funds for Roadway Maintenance in 2024 **RES 2024-03**

Summary: This resolution appropriates \$300,000 of Motor Fuel Tax (MFT) Funds for Roadway Maintenance in 2024.

RESOLUTION FOR MAINTENANCE UNDER THE ILLINOIS HIGHWAY CODE RESOLUTION 2024-03

RES 2023-10173 — G. Resolution: Authorize a Joint Funding Agreement for State-Let Construction Work between the Village of Downers Grove and the Illinois Department of Transportation for Main Street Resurfacing (Downers Grove Project TR-033) IDOT Section No. 22-00118-00-PV; Project No. GE52(001); JOB NO. C-91-013-24 **RES 2024-04**

Summary: This resolution authorizes the execution of a Joint Funding Agreement for State-Let Construction Work between the Village of Downers Grove and Illinois Department of Transportation (IDOT) for the use of grant funding to resurface Main Street between Franklin Street and Sherman Road.

A RESOLUTION AUTHORIZING EXECUTION OF A JOINT FUNDING AGREEMENT FOR STATE-LET CONSTRUCTION WORK BETWEEN THE VILLAGE OF DOWNERS GROVE AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR MAIN STREET RESURFACING (DOWNERS GROVE PROJECT TR-033) IDOT SECTION NO. 22-00118-00-PV; PROJECT NO. GE52(001); JOB NO. C-91-013-24 RESOLUTION 2024-04

RES 2023-10164 — H. Resolution: Authorize the Second Amendment to the Professional Services Agreement with True North Consultants, Inc. of Naperville, IL for Environmental Consulting Services **RES 2024-05**

Summary: This resolution authorizes the second amendment to the professional services agreement with True North Consults, Inc. in the amount of \$18,440, for a total contract amount of \$157,213, as part of the redevelopment of the Civic Center property.

A RESOLUTION AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND TRUE NORTH CONSULTANTS, INC. RESOLUTION 2024-05

RES 2023-10129 — I. Resolution: Approve a First Amendment to the License Agreement with McKay Brothers, LLC (801 BURLINGTON AVENUE) **RES 2024-06**

Summary: This resolution authorizes the execution of a first amendment to license agreement between the Village of Downers Grove and McKay Brothers for the operation of telecommunication equipment on Village property, currently located at 801 Burlington Avenue (to be relocated to 650 Curtiss Street), Downers Grove.

A RESOLUTION AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND TRUE NORTH CONSULTANTS, INC. RESOLUTION 2024-06

RES 2023-10171 — J. Resolution: Approve and Extension to the Agreement with Rag's Electric, Inc. for Maintenance and Repair of Streetlights **RES 2024-07**

Summary: This resolution authorizes a contract extension for the provision of streetlight maintenance and repairs to Rag's Electric, Inc. of Woodridge, Illinois in the amount of \$116,200.50.

A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND RAG'S ELECTRIC, INC. RESOLUTION 2024-07

MOT 2023-10172 — K. Motion: Approve an Agreement with MacQueen Equipment, LLC, of St. Paul, MN for Fire Apparatus Repair and Inspection

Summary: A motion is requested to award a one-year contract, with the option to renew twice, for fire apparatus repair and inspection to MacQueen Equipment LLC, of St. Paul, MN, in the amount of \$55,000.

RES 2023-10151 — E. Resolution: Approve an Extension and Change Order to the Agreement with Minuteman Security and Life Safety, Inc. **RES 2024-08**

Summary: This resolution authorizes a change order and extension to a contract with Minuteman Security and Life Safety, Inc. for the purchase, installation and maintenance of an additional four (4) automated license plate readers (ALPR's) in an amount not to exceed \$47,491.68.

A RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION AND CHANGE ORDER TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND MINUTEMAN SECURITY AND LIFE SAFETY, INC. RESOLUTION 2024-08

***MOTION:** To adopt the consent agenda, as presented.*

***RESULT:** Motion carried unanimously by voice vote.*

***MOTIONED TO APPROVE:** Commissioner José*

***SECONDED BY:** Commissioner Sadowski-Fugitt*

***AYES:** Commissioners José, Sadowski-Fugitt, Davenport, Tully, Glover, Gilmartin, Mayor Barnett*

***NAYES:** None*

7. Mayor's Report

Mayor Barnett shared his report earlier in the meeting, after the Public Comment portion of the agenda.

10. Council Member Reports

Commissioner Sadowski-Fugitt shared that she appreciated the Mayor's comments. Commissioners Gilmartin and José thanked the Mayor for his comments.

Mayor Barnett said there would be a five minute break and the meeting would reconvene in the Committee Room. He welcomed all to join.

11. Manager's Report

INF 2023-10150 — A. Information: Fairview Focus Area Implementation - Regulatory Framework

The meeting reconvened at in the Committee Room and Mayor Barnett introduced Manager Fieldman.

Manager Fieldman explained that the implementation of the Fairview Focus Area Plan is a priority action item and that this was the fourth meeting in the process. He said that the concepts and ideas would be presented by the Village Planning Manager Jason Zawilla. He noted that the meeting was just for identifying concepts and tracking the direction of the Council as the progress moved forward.

Mr. Zawilla presented via PowerPoint, which was included in the agenda packet. He reviewed the night's agenda which included the project description, clarifications for Fairview Areas 1 and 2, and a discussion on Fairview Area 3. The discussion would include residential housing types, residential accessory uses and structures, home occupations, and commercial uses. He explained that there would be an update to the Zoning Ordinance and he reviewed the three 3 parts to the focus area. He went over the uses for Fairview 1 and 2, which included theater uses. He explained the Downtown Build-to-Zone regulation in the Zoning Ordinance. He noted that this regulation puts the buildings closer to the property line and street.

Manager Fieldman asked if the Council would like to include the Build-to- Zone regulation in Fairview areas 1&2. Many Council members concurred with Fairview area 1.

Mayor Barnett asked if the Build-to-Zone would include the sides of the buildings, not specifically adjacent to the sidewalk. He shared that he recalled Council comments about wanting to see more open space. He used the space alongside Bailey Doyle as an example.

Manager Fieldman asked the Council if they were seeking a little more flexibility, like the Build-to-Zone, to create some openness in the district.

Commissioner Sadowski-Fugitt concurred stating this is especially true, knowing that there is less space in this district.

Commissioner Tully asked if this could be addressed in conjunction with the design guidelines, but only as a suggestion.

Mr. Zawilla clarified that the current Downtown Design Guidelines provide guidance for private outdoor property areas to be used.

Commissioner José said that the idea of the Build-to-Zone is to create an active space along the street to draw people in, adding that an outdoor patio accomplishes this, whether it be in the front or the side, as long as it is an active space.

Manager Fieldman asked the Council to clarify that they want to continue with the concept of the urban wall, but not as prescriptive as the downtown – to have the flexibility to capture some open space. He said this could be supported by whatever the Fairview Design Guidelines are. He stated that staff could deliver the concept when drawing things up for the next phase of framework.

The Council concurred with Manager Fieldman.

Mr. Zawilla reviewed Fairview 3, sharing the description as a residential neighborhood that is walkable and has green space. He reviewed the uses in this area and a few Zoning Ordinance definitions.

Commissioner Davenport asked how his fellow Council members felt about restaurant uses in this area as well. He shared his experience with an "Italian District" he had been in while travelling - it had space shared by single family homes and restaurants.

Commissioner Tully said that would be considered a Special Use rather than a Permitted Use.

Commissioner José concurred that would it would be a Special Use and stated that he is not sure he agrees with it. He further stated that he views Area 3 as a transition type district, located near single family homes. He also stated that many people have already shared they do not want to be next to larger multi-family buildings, such as the apartment building that was proposed on Main Street with an outdoor cafe. Commissioner José said he is leaning against it at this point, and if it the Council moves forward with it, it would have to be a Special Use.

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Commissioner Tully said that there would not be the kind of density and size in Area 3 as there would be in Area 1. He reiterated that including restaurants would require a Special Use. He used Taylor Street as a comparison.

Manager Fieldman said that Special Uses, for these areas, would be developed in later phases.

Mayor Barnett expressed that he does not want restaurants in this area because it is very dense. He said when looking at a map and imagining what it may look like, he feels like it would be an outlier. He was not supportive of the idea.

Commissioner Gilmartin said he would agree to explore it and does not want to limit it at this point. He said there are establishments that residents may not want there. He further stated that a breakfast place or small scale place with limited hours may be good in this transitional area.

Commissioner Sadowski-Fugitt concurred with Commissioner Gilmartin and shared that she could see this working in Fairview 3, especially if there were more multi-family units in the area.

Manager Fieldman said that Fairview 3 may turn into Fairview areas 3 and 4.

Commissioner Davenport spoke about the area along Rogers Street, where Goldfinger is located across the street. He said he would like to consider including restaurants.

Commissioner José replied to Commissioner Davenport, stating that one side of Rogers is in Fairview 2 and the other is in Fairview 3.

Mr. Zawilla explained that the PowerPoint slides were constructed to allow those watching to follow along. He explained that he would go through the concept areas to get the Council's commentary. He reviewed the Residential Housing Types:

- Concept A – Single family, detached or attached garage
- Concept B – Attached house, townhome or duplex home
- Concept C - Apartment or condominium.

Commissioner Gilmartin asked for clarification on the limits of related and non-related people that can live in the concepts with two different units. He asked if this included two or more related people and no more than a total of 6 unrelated people.

Mr. Zawilla concurred.

The Council agreed with Concepts A, B and C.

Mr. Zawilla reviewed the Zoning Ordinance Regulations for extended family housing that included:

- Concept D - Single-family detached house (attached garage) with extended family accessory housing unit. This Concept is currently allowed as a special use.
- Concept E - Single Family Detached House with extended family accessory housing unit (ADU) in accessory structure.
- Concept F - Single Family Detached House (attached garage) with accessory dwelling unit (ADU).
- Concept G – Single Family Detached House with detached accessory dwelling unit (ADU) constructed above a detached garage.
- Concept H – Single Family Detached House and a Tiny House (ADU).
- Concept I – Single Family Detached Houses on one (1) lot.

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Commissioner Davenport asked if the difference between Concepts G and I was that the accessory dwelling unit was limited in size to being smaller than the detached single family home. He inquired as to how much smaller it needed to be.

Manager Fieldman said that conceptually Commissioner Davenport is correct. The concept is just showing the sizes of the dwellings and the actual details (including exact size) would be developed with the Zoning Ordinance.

Commissioner Davenport stated that when looking at Concepts E and G, it would not make sense to have Concept E unless type G was allowed. He further stated that he could not see someone spending the amount of money it would take to create an extended family unit, knowing that after some period of time they wouldn't be allowed to use it because they may not meet the requirements anymore (i.e. they do not have someone age 62 to live in it anymore). He said if a property owner is going to build it, they would need to be assured it is something that is usable and would stay with the property.

Manager Fieldman asked Mr. Zawilla what would need to be removed from the unit if it were no longer being used as an accessory dwelling unit.

Mr. Zawilla said that the kitchen or the bathroom would have to be removed.

Mayor Barnett noted that the existing uses are allowed throughout the community, in their appropriate zoning class, i.e. R3. He questioned if these changes were considered, would the premise still apply.

Attorney Petrarca said that the concepts discussed would only be allowable in the Fairview Area 3.

Mayor Barnett asked his fellow commissioners to keep in mind that this was something that was unique, but in a negative sense.

Commissioner Gilmartin expressed that whatever was decided for this area would be opening a door for what others in the Village may want as well.

Commissioner Hosé agreed.

Commissioner Davenport said he did not agree because it would be controlled – and it would give the Village a chance to see what works and what does not work.

Commissioner Tully said he would like to look at expanding Concept E from only allowing someone age 62 and older or a disabled person, to also include other demographics, i.e. a college student. He said that some situations already have this in place on lots that have a house and a garage, except the garage can be built out to allow someone to live there. The Commissioner said he thinks Concepts F, G, H and I are worse than Flag Lots, which only developers benefit from the sale of the property. He said he is not supportive of anything that resembles a Flag Lot and the Village already had a negative experience with them. He said he was a hard no for type I. He originally thought Concept F was okay, but not anymore.

Manager Fieldman asked Commissioner Tully for clarification of when he defined family, as it moved into the garage option – did it have to happen in a garage or can the AUD be separate.

Commissioner Tully said he was willing to explore more and that the illustrations were very helpful to try and visual the concepts. He shared that he thinks he is aware of a Concept E in town and is okay with discussing other variations.

Commissioner Davenport said that currently a detached garage with space above it with a bath can be built. He further stated that the nuance is just whether or not there's the ability to cook. That is the only difference.

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Mayor Barnett said the tenancy potential is the difference.

Manager Fieldman clarified that the difference between Concepts E and G was an accessory family unit versus a full on dwelling.

Commissioner José said that he is open to thinking about Concept E, but that Concepts F, G, H and I are too far for him. He shared that he agrees with the Flag Lot comparison and with lifting the age restriction.

Commissioner Davenport questioned why Concept F is objectionable knowing that two units are allowed on the lots in Fairview Area 3.

Commissioner José explained that Concept E would be on an R4 lot and duplexes would be on R5 lots.

Commissioner Tully said that one would expect to see townhomes where townhomes are zoned and apartment buildings and condominiums where they are zoned – one does not expect to find two single family homes on the same lot.

Commissioner Davenport noted that fundamentally, Concept F is a side by side.

Commissioner Tully said the issue is public safety, noting that where the entrance is located is one of the challenges because of the way the building is designed. He said this was the case with Flag Lots as well and people did not like them.

Manager Fieldman explained that the zoning definition of attached dwellings states that they are connected but separated completely as two dwellings. In this concept, there could be just a door connecting the two dwellings (like a hotel).

Commissioner Davenport asked if a graphic could have been presented showing the attached dwelling on the side.

Manager Fieldman said they could have.

Mayor Barnett pointed out the graphics of Concepts D and F and the size of the extended family accessory housing units in comparison to the single family house. He asked if there is something in the ordinance relating to the size of the extended accessory family units.

Mr. Zawilla said it was based off of the past applications the Village has received. He further stated that it had to be an accessory to the size of the principal unit. He said he did not believe there was a size in the ordinance, but would look into it.

The Mayor said that the use of the word “accessory” has been used in Concepts F and G, and it is distinct and separate from ‘accessory structure.’

Manager Fieldman said that accessory structures are not in the same households.

Mr. Zawilla said Concept F is two separate families connected.

The Mayor said he is good with Concepts D and E and broadening the definition of “family unit” to be more consistent to what is currently used as the word “household.”

Mayor Barnett, Commissioner José, Commissioner Tully, Commissioner Glover and Commissioner Davenport shared that they were good with Concepts D and E. Commissioner Davenport shared that he is open to discussing Concept F.

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Commissioner Tully reiterated that if two dwellings are built on one lot, realistically one should not be built behind the other.

Commissioner Davenport stated he believes they could be configured in such a way to address the zoning concerns.

Commissioner Tully said he did not believe this configuration should be forced and townhomes should just be built.

Commissioner Gilmartin said that the fundamental question is whether two separate households should be allowed. He said he does not think the extended family unit needs to be a garage. He suggested that for type E, the extended unit could be a coach house and not a garage with living space. He stated that he would not go with Concepts G, H or I, as he does not think that a landlord tenant feel would fit the environment. He said he agrees with expanding on what defines the family that can live in the extended area.

Commissioner Tully suggested at the next meeting they could look at what other variations of Concept E there could be.

Commissioner Davenport said he did not understand why the landlord tenant idea in Area 3 was ok in the apartments and townhomes and not in these concepts.

Commissioner Gilmartin said that as a different structure- multifamily – it is not the same to him, but he could possibly be convinced.

Mayor Barnett shared that there is an expectation that existing residents have about the properties surrounding them. They have the expectation that what is in the neighborhood will be maintained, without showing too much creativity.

Commissioner Sadowski-Fuggit said that she understands the expressed concerns and is good with extending Concepts D and E to outside of family. She said she does not want to close the door on Concepts F through H. She noted that she could see someone young wanting to live in a small space. The Commissioner said she is happy to consider all options, but would like to hear more first.

Mayor Barnett stated that his perspective is bias due to previous experiences. He continued by stating that he thinks landlords would be looking to profit from tenants.

Commissioner Gilmartin concurred with Mayor Barnett with regard to concerns about affordability. He asked about whether the sale of the accessory unit would be allowed.

Manager Fieldman said there is no distinction on rent versus own regarding land use, but he noted that under current zoning regulations the accessory could not be sold.

Attorney Petrarca stated that this was correct because the lot requirements would not be met.

Commissioner Davenport asked if there could be a condo association.

Attorney Petrarca said that it was possible, but not under the current ordinance.

Mr. Zawilla then went on to review home occupations, which would generally include home offices, and the Zoning Ordinance regulations for Fairview Area 3. He also reviewed the regulations for Concepts J, K and L. He explained that the home occupations in Concept J are currently allowed in Fairview Area 3, however, those in K and L are not.

Manager Fieldman asked the Council if they would like to expand the home occupation uses.

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Mr. Zawilla explained that this would be the same household, with the home occupation and the resident that lives there.

Commissioner José asked for the definition of home occupation.

Mr. Zawilla reviewed what constitutes a home occupation per the current Zoning Ordinance.

Commissioner Davenport explained that he believes that Concept L is already happening in the Village. He gave the example of people moving into a home that has a nice area above the garage that can be used as office space – the resident may go ahead and run a business from there. The Commissioner said he thought this would be hard for the Village to regulate and he does not see any harm in rolling that concept out.

Commissioner José said he is good with Concepts J and K and is considering Concept L. He further stated that he would be OK with L if it was used as an office space, but not if a hair salon was operating from the space.

Mayor Barnett and Commissioners Glover, Tully, Gilmartin, and Sadowski-Fuggit said they were good with all of the concepts and possibly expanding the regulations.

Mr. Zawilla was asked by Commissioner José to review the definition of home occupation. Mr. Zawilla also reviewed the regulations for home occupations.

Commissioner Davenport explained he runs a home occupation from his home as an architect.

Commissioner Gilmartin said he was good with all three concepts and also wanted to expand on the regulations. He stated that people are working in a completely different way these days and he thinks the Council should take this into consideration.

Manager Fieldman suggested starting to talk about uses beyond what is currently allowed.

Mr. Zawilla spoke about expanding home occupations to include restaurants, retail sales, manufacturing, art studios, medical and dental offices. He asked the Council if they had any other suggestions.

Commissioner Tully asked if daycare was included.

Mr. Zawilla stated that daycare falls under an ordinance separate from home occupation.

Commissioners Tully and Sadowski-Fugitt suggested expanding home occupations to allow things like a yoga studio, chiropractor or masseuse.

Commissioner José shared that he does not agree with expanding to any of these uses in a residential neighborhood because it would generate too much traffic.

Commissioner Gilmartin said he was thinking more in terms of expanding to service type businesses rather than restaurants or manufacturing – something that would require an appointment.

Manager Fieldman suggested widget retail- like a record store and Commissioner Gilmartin thought that fell more under a commercial business.

Commissioner José shared that he does not agree with expanding to anything that would generate too much traffic in a residential neighborhood.

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Mayor Barnett stated that he felt differently than Commissioner Hosé and is inclined to expand definition of home occupations, but wants to do so carefully.

Commissioner Sadowski-Fuggit noted that there could be specialized art that is by appointment only, like a framing business. She stated that would only generate a limited amount of traffic. She said she too is interested in expanding the definition of home occupations.

Mayor Barnett shared that he is not too concerned about traffic, giving examples of a photographer that would see clients during the day, when most people are not home. He added that parking would not be a problem.

Mr. Zawilla wanted to reiterate that with home occupations, it assumes the business is in the same house the business owner lives in.

Commissioner Gilmartin said he does not think that a restaurant should be allowed as a home occupation. He asked if the regulation of 2 employees includes one employee that is resident of the home and one employee that does not live there.

Commissioner Sadoski-Fugitt agreed because more than one employee would be needed and that would fall into commercial.

Attorney Petrarca confirmed that is true.

Commissioner Gilmartin said he would like to expand, but only to the service industry.

Mr. Zawilla reviewed the Commercial Business Concepts M, N, O, P, and Q:

- Concept M - Included a single family detached house with an attached commercial business, not operated by the property owner/resident.
- Concept N - Included a single family detached house with a detached commercial business (smaller than the detached house), not operated by the property owner/resident.
- Concept O - Included a single family detached house with a detached commercial business (larger than the detached house), not operated by the property owner/resident.
- Concept P- Included a single commercial business
- Concept Q - Included two (2) commercial businesses and structures on one lot (operated in separate principal structures)

Commissioner Tully said he does not like any of the concepts.

Commissioner Davenport said he is only interested in Concept P.

Commissioner Gilmartin shared that he is not interested in Concepts O, P or Q. He said that he may be interested in M and N. He thinks retail should be expanded in a controlled manner and would like for the person running the business to live on the lot. He would consider Concepts M and N, but not O through Q.

Manager Fieldman explained that the home occupation is a 1980's Zoning Ordinance basis point and has changed a lot over the years.

Commissioner Davenport spoke about buildings and the importance of fire separation requirements.

Mayor Barnett concurred with Commissioner Gilmartin. He also said he would consider Concepts M and N, but not O though Q. He said he is not interested in having someone that does not resident on the lot use part of the lot for commercial purposes.

Commissioner José said he was not interested in Concepts M, N, O and Q and said the he would possibly have interest in Concept P, because as long as it is one of the current home occupations, he thinks the ownership is less important.

Commissioner Sadowski-Fuggit said she would consider M and N because the owner lives there and it looks like a home. She also said for M it would depend on the occupations and fire safety code, especially because the home and business are connected. She said she is not interested in changing a residential house to a commercial business. She shared a similar mindset to Mayor Barnett and Commissioner Gilmartin.

Commissioner Glover said he is not interested in any of them, but would be open to expanding to additional businesses and employees (as stated by the Mayor).

Commissioner Tully said he does not like Concept M because it involves someone that has leased a space to someone else and there is no owner involved.

Commissioner Davenport said he is interested in expanding the home occupation definition and even how many employees are allowed.

Manager Fieldman said this was exactly the kind of conversation Village staff was looking for - it included great direction from the Council. He said the next discussion would be about home occupations. He stated that staff would also start presenting the framework in its entirety, so the Council could see the vision of what the Fairview area might look like as they move into the zoning end of things. Manager Fieldman also shared the contents of a couple of slides that answered a Council member's question that came in after the last meeting.

Mayor Barnett said that he is the Council member that asked for additional data so that people would be able to reflect on it. He said that 25 years from now everyone would want the Fairview area to be as bustling as the downtown is right now.

Commissioner Sadowski-Fuggit thanked the staff for this presentation and stated that this process helped her to visualize the different options.

Commissioner Gilmartin also thanked the staff for this process and said that it was straight forward and efficient. He commended staff on the evening's presentation.

Public Comment

Scott Richards, resident, shared that he would like more green spaces in the area and for it to be shoppable - to draw more people to Downers Grove. He also expressed concerns about accessory dwellings and wants only residents in the area and nothing else.

Janet Whittingham expressed concerns about parking in residential areas, if garages become businesses. She expressed concern about what she considered a lack of public engagement and said she does want Downers Grove to be experimental with this area. She requested that the Council consider the feel and ambiance of the town.

Larissa Calvanese expressed concerns with the Speedway in the Fairview area.

Mayor Barnett explained that these are the discussions that lead the Village to make changes in zoning.

Manager Fieldman went back to the slide from the beginning of the meeting and explained that the Comprehensive

Plan is a document that helps guide the decision making process. The Council has said that the 2017 Comp Plan recommendations for the Fairview area would be guiding the current discussions. He said that the Council and Village staff are working toward creating a new set of rules and regulations that apply to the Fairview area. This will eventually be very specific zoning districts. He provided additional details about the process and explained that once the Council moves into rezoning, there will be heavy public engagement – to include notices to the residents, neighborhood meetings, and more. He concluded by reminding all that the current discussions were only about concepts and things would get more specific as the process advanced.

Mayor Barnett said the wish is that more people would be following along, but he was thrilled that there were residents in attendance. He said the Council is trying to decide what the area will look like. He said this meeting's packet of information and those of meetings prior are all available on the Village website @ downers.us. The Mayor concluded by stating that at this point in the process everything is conceptual.

Commissioner Gilmartin said that the discussion had been about conceptualizing Fairview Area 3 as single family homes. He asked if there was a total number of single family homes located in this area

Manager Fieldman said there is only a handful of single family homes. This was discussed at the second meeting in this process, for anyone that wanted to reference it.

Commissioner Gilmartin reminded the audience to consider that there is only a small subset of single family homes to consider in this area.

12. Adjournment

Mayor Barnett asked for a motion to adjourn the meeting.

MOTION: *To adjourn the January 9, 2024 Village Council Meeting.*

RESULT: *Motion carried unanimously by voice vote.*

MOTIONED TO APPROVE: *Commissioner José*

SECONDED BY: *Commissioner Sadowski-Fugitt*

AYES: *Commissioners José, Sadowski-Fugitt, Davenport, Tully, Glover, Gilmartin, Mayor Barnett*

NAYES: *None*

Mayor Barnett declared the motion carried and the meeting adjourned at 9:15 pm.

Respectfully Submitted

Rosa Berardi
Village Clerk