



rRemarks Data for July 7, 2026 Village Council Meeting

Agenda Section & Item: First Reading - ORD 2026-11260 A. Ordinance: Amending the Zoning Ordinance of the Village of Downers Grove, Illinois, to Designate the Property at 1020 31st Street as Planned Unit Development #75 (Forest Trail Luxury Apartments)

Commenter: David Rose

Comment: Does it not speak volumes about DG and VC's values that attainable housing requires a village wide survey and 'study' before VC is able to proceed but building MORE luxury housing does not?

Will VC and DG ever be committed to reducing social inequality and moving toward an ecologically sustainable way of living?

History suggests they will do so if and only if they have no other choice.

Agenda Section & Item: Comments of a General Nature

Commenter: David Rose

Comment: Another comment about DG and VC and social inequality

Citing several basic usage statistics, the new library director recently applauded DG's library as being exceptional for towns of its size category,.

Unfortunately, likely because the collector of the data does NOT want to call attention to the underlying economic realities, the library's exceptionalism — as is true about K12 education — reflects the difference in residential property values and the relatively higher social class of DG residents of towns of DG's size.

Agenda Section & Item: Comments of a General Nature

Commenter: David Rose

Comment: Since the system will not allow me to enter a comment by checking the choice for Active - ORD 2026-11238 A. Ordinance: Approving an Amendment to Planned Unit Development #68 to Construct a New Automobile Dealership and Create a Master Signage Plan at 330 Ogden Avenue

I have to do so by checking general comment:

My comment above about luxury housing applies likewise to VC's support for luxury car dealerships.

Agenda Section & Item: Comments of a General Nature

Commenter: David Rose

Comment: Comment on following VC's informal discussions

If VC persists in having its 'informal conversations' at the east end of the chamber hall, such as its recent discussion of VC's relationship to its boards and commissions, VC and staff need to explore how to better capture the audio of the meeting than the present approach.

Watching such meetings on the video and trying to hear member comments, particularly when people are talking over each other and/or a member speaks at a low volume, is a painful and often futile exercise.

Agenda Section & Item: Comments of a General Nature

Commenter: David Rose

Comment: Comment on VC's discussion to its relationship to boards and commissions
VC's recent discussion of its relationship to its b/c was as usual VC centric.

It included no mention of VC soliciting input/info either from b/c members or from neighboring communities' gov officials who operate differently.

As such it's hard to believe VC genuinely wants to alter its b/c relationships very much, if at all.

Agenda Section & Item: Comments of a General Nature

Commenter: David Rose

Comment: Comment on the US Declaration of independence

Did you know that the D of Independence included as one of its justifications the threats of warring from the 'merciless Indian savages' (which England supposedly encouraged) and explicitly avoided mention of opposing slavery and the slave trade (which England also supposedly encouraged) as reasons for declaring independence?

https://en.wikipedia.org/wiki/United_States_Declaration_of_Independence

The declaration also cited the colonists desire for territorial expansion beyond that which England wanted to allow.

Today the founding of the US is understood as a prime example of settler colonialism.

The world's people are still trying to sort out the consequences of the European nations' imperialism.

Agenda Section & Item: Comments of a General Nature

Commenter: David Rose

Comment: Comment on reparations

Is it not instructive that the Trump Party is willing to support reparations for white people (the so-called “Jan 06 insurrectionists”) but not for black people?

Agenda Section & Item: First Reading - ORD 2026-11260 A. Ordinance: Amending the Zoning Ordinance of the Village of Downers Grove, Illinois, to Designate the Property at 1020 31st Street as Planned Unit Development #75 (Forest Trail Luxury Apartments)

Commenter: Paul R. Schouten

Comment: As a neighbor to the 1020 31st Street property that is asking for a zoning variance, I wanted to impress on our Village officials my overwhelming concern for the density problems that will come from this planned variance as well as the future density problems that may come from the conversion of other office space buildings to residential use. Office structures had height and parking specifications that were intended for their proposed business use. When these office structures get converted to residential use, the inherent problems of height and density come into play. These commercial structures are simply not designed nor were they intended to fit into residential neighborhoods.

The precedent of allowing an existing - NON CONFORMING - building to have its character and use switched to residential housing - WITHOUT - having to conform to residential zoning requirements will lead to a destabilization of the entire north end of Downers Grove.

If its height is too tall to qualify as a residential structure; if its Floor to Area Ratio is non-compliant, if its impact on the local schools is not addressed or planned for, then I believe that it is the duty of the Downers Grove Village Council to say to this developer that its request for zoning variance IS NOT IN THE BEST INTEREST of the residents of the Village and is not sufficiently supported to grant such an unprecedented change to the zoning laws of our Village. Thank you for your work on behalf of the residents of Downers Grove and for your consideration of these comments.

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Commenter: Joseph Cainkar

Comment:

JOSEPH AND AMY CAINKAR
1500 ALMOND COURT
DOWNERS GROVE, ILLINOIS 60515

July 6, 2026

Mayor and Commissioners
Village Council
Village of Downers Grove
850 Curtiss Street
Downers Grove, Illinois 60515

Re: Rezoning/PUD of 1020 31st Street, Downers Grove; PIN: 06-29-304-011

Council Members:

Please allow this letter to serve as a protest to Neder Capital Services, LLC's ("developer") request to rezone the property commonly known as 1020 31st Street, Downers Grove, Illinois ("Subject Property") from O-R Office-Research to B-2/PUD General Retail Business/Planned Unit Development. The Subject Property contains an existing 7-story office building to be converted to 184 residential rental units consisting of twenty-five (25) studio apartments, sixty-eight (68) one-bedroom units, ninety-one (91) two-bedroom apartments, and on-site amenities for the residents (the "PUD").

The provisions of §28.12.040 of the Downers Grove Municipal Code ("DGMC") establish the scope of review for new planned unit developments. That section incorporates the provisions of §28.12.03(i) of the DGMC, which sets forth the framework for reviewing any rezoning/map amendment. Not surprisingly, the framework dictated by the DGMC mirrors the analysis established by the Illinois Supreme Court in LaSalle National Bank of Chicago v. County of Cook, 12 Ill. 2d 40 (1957) for judging the reasonableness of any zoning decision. We will limit our analysis to these factors.

The Zoning Map Amendment Review and Approval Criteria (DGMC §28.12.030(i))

Existing Use and Zoning of Nearby Property. When analyzing the propriety of any zoning classification, the existing uses and zoning of the surrounding property is of paramount importance. *Gunderson v. Village of Hinsdale*, 156 Ill. App. 3d 92, 103 (1987). In this case, the petitioner is proposing to rezone the Subject Property to B-2/PUD General Retail Business/Planned Unit Development. However, the developer is not incorporating any retail or service business uses into the PUD. This is notable because §28.3.010(b)(2) of the DGMCC provides as follows:

The B-2 district is primarily intended to accommodate retail and service businesses that serve a Village-wide or larger trade area.

Being exclusively residential, the petitioner should be seeking an underlying zoning classification of R-6 Residential Apartment. Use of an underlying residential zoning classification, however, would spotlight the fact that the proposed zoning and use is wholly different from the existing zoning and uses of nearby properties. In fact, there are no properties in the immediate area that are zoned or used residentially. The petitioner should not be allowed to feign similarity to B-2 and B-3-zoned properties in the area under these circumstances. The proposed residential use of the Subject Property would be inconsistent with the commercial uses and zoning of nearby properties. See, *Littlejohn v. City of North Chicago*, 259 Ill. App. 3d 713, 719-722 (1994).

Property Values and whether Diminution is Off-Set by Increase in the Public Health, Safety and Welfare.

There is no evidence that the current zoning classification is adversely affecting the property value of the Subject Property or any other similarly zoned property. If that were the case, we would expect to see other similarly zoned properties in the area experiencing diminutions in value and making efforts to change their zoning classification. That is not the case. Irrespective of the above, there is no benefit to the public health, safety and welfare by permitting an intense residential use in the middle of an office park. In fact, property values for existing residents will be diminished. It is beyond cavil that home values are intricately linked to school quality, and the schools in the area will not be able to accommodate additional students without expansion or, more likely, lowering educational standards. Belle Aire Elementary School is an open-concept institution that is already too small to accommodate existing students let alone students from this development. As more students are added, benchmarks will be lowered and academic mediocrity will become the norm. Home values will follow this trend and depreciate accordingly.

Suitability of Subject Property for Zoned Purposes.

The Subject Property is currently zoned O-R Office-Research. The improvements to the Subject Property were constructed for and are used for office purposes. The Subject Property is not suited for residential purposes as evidenced by the significant modifications to the exterior and interior that must be made to accommodate the conversion. Further, the petitioner cannot actually use the existing structure for its proposed use without receiving multiple and very significant variations from the zoning code including: (a) 68% variance from the required 25' parking setback on the north; (b) a 24% variance over from the maximum permitted floor-area-ratio (FAR) of 0.75%; and (c) a 135% variance over the 35' maximum height limitation in the zoning district. These variations are proof enough that the PUD would not be permitted if proposed to be newly constructed at the location.

Length of Time Subject Property has Remained Vacant as Zoned.

"For [a] vacancy to be significant there must be proof that improper zoning caused the vacancy, not that the property remained vacant merely because no one attempted to develop it or because of some other reason not zoning related." 1350 Lake Shore Assocs. v. Casalino, 352 Ill. App. 3d 1027, 1045 (2004). In this case, the Subject Property is not vacant. It is partially occupied and used for its intended purposes. There is no evidence that the current zoning of the Subject Property is improper. In fact, other office buildings in the area continue to be occupied by office tenancies. Travelers Insurance Company's recent occupancy of the Highland Landmark III building on 31st Street provides an example of the continued viability of the Office-Research zoning classification in the area.

Value to the Community of the Proposed Use.

Although there may be some value to having more residential units available for rent in a community, it makes little sense to inundate the north end of the Village with those uses at this time. The northwest end of the Village has an appropriate mix of single-family, duplex, and multi-family housing zoned R-1, R-3, R-3, R-4, and R-6. Indeed, there is a large offering of residential rental units already in existence northwest of Ogden and Highland. Moreover, the Governor of the State of Illinois has proposed a State-wide scheme (currently known as the BUILD Act) to address affordable housing that is proposed to be considered by the Illinois General Assembly next session. Approval of the petitioner's use without an understanding of how that legislation will affect the Village's less intensely residentially zone areas would be short-sighted.

Notwithstanding, and as stated above, existing schools in the area will not be able to accommodate these additional students and academic standards will be lowered. Finally, traffic from the Subject Property to Belle Aire will inevitably pass through the Orchard Brook Subdivision, creating hazards for those living in the community.

Comprehensive Plan.

The Village adopted its comprehensive plan in August of 2025. It designates the Village's vision for the Subject Property as "Office," which comports with the currently assigned zoning and use of the Subject Property. Downers Grove Comprehensive Plan, Pg. 45. Any change in zoning will conflict with the Village's vision, destroy homogeneity of the present zoning scheme, and expedite the infiltration of other non-compliant uses similarly set aside for O-R Office-Research. See, *Amalgamated Tr. & Sav. Bank v. County of Cook*, 82 Ill. App. 3d 370, 385, (1980) (allowing multi-family and business uses in a single-family residentially zoned area would allow others to rely on that change to infiltrate the area and, by attrition, threaten the continued existence of the residential character of the neighborhood).

Whether the Proposed PUD Development Plan and Map Amendment would be Consistent and in Substantial Compliance with the Comprehensive Plan

No matter how imaginative the Developer and others may be to envision generic ways this rezoning and PUD furthers the Village's comprehensive plan, the future land use map says otherwise. The Village has been talking about affordable housing for years. Yet the current "hot off the press" comprehensive plan designates the future use of the Subject Property as "Office." There is no multi-family or mixed-use development envisioned for the Subject Property. Further, as stated previously, the PUD is not mixed-use no matter what underlying zoning classification the petitioner claims to be appropriate. The development is a purely residential multi-family development having no place in an office park. It is the definition of illegal spot zoning.

Whether the PUD Plan complies with the PUD Overlay District Provisions of DGMC §28.4.030

In this case, the PUD does not satisfy the planned unit development overlay district provisions. The PUD does not offer enhanced protection of natural resource areas, there is no provision for energy conservation/sustainability standards, there is no variety of housing being offered that would necessitate a planned unit development, there is no mixed- or multi-uses incorporated, and the PUD does not conform to the Village's comprehensive plan. This is a plain vanilla residential development consisting of studio,

one-, and two-bedroom rental units that would otherwise be permitted in an underlying R-6 zoning classification. The fact that the petitioner only needs three (3) variances to pursue its use is proof that a planned unit development is not needed.

Whether the Development will result in Public Benefits Greater than or Equal to those that would have resulted from Conventional Zoning Regulations

There is nothing unique or special about the PUD that prevents it from being rezoned through conventional means. The development is nothing more than a taller-than-usual apartment complex offering on-site amenities for its residents. Pursuing a planned unit development offers no greater benefit to the public than a conventional zoning classification. If anything, a planned unit development is more detrimental to the public because it misleads the reviewing authorities into believing the public is being safeguarded by conditions placed on the petitioner. In that regard, developments that would not be approved through conventional zoning processes are allowed to proceed without appropriate scrutiny.

Whether appropriate Terms and Conditions have been imposed on the Approval to Protect the Interest of the General Public

This PUD will be located in an office park and is fairly secluded from residential areas. However, the impact of this development will be felt by students and staff of Belle Aire Elementary School. Notably, the petitioner did not reach out to Elementary School District No. 58 prior to the public hearing before the zoning commission and District No. 58's superintendent only became knowledgeable of the development as of that afternoon. Surprisingly, some of the zoning commission members appeared to believe that the development's effect on the local schools was not within their purview for consideration. While the petitioner may claim that it is obligated to pay school impact fees before it is allowed to proceed, that is a general condition of development, not a unique requirement for a planned unit development. Regardless, the Village's impact fee schedule is outdated and undervalued resulting in a significant shortfall to applicable taxing districts. Indeed, by the petitioner's own admission, they expect far more children from the development to attend local schools than was calculated for purposes of the impact fee valuation. Finally, traffic to and from the PUD to that educational institution will be hazardous to residents within the Orchard Brook Subdivision. Only a denial of the petition can protect the residents of that subdivision from this hazard.

The Village has consistently maintained the O-R zoning classification for the Subject Property and confirmed its future vision for the same as "Office" in its comprehensive plan adopted in August of 2025. The Subject Property is surrounded by

office/commercial uses and itself continues to be occupied for office purposes. Neither the building nor the area is suitable for a large-scale multi-family residential development, and the schools cannot accommodate it. The Village would never allow a six-story apartment complex to be built on the Subject Property if it was proposed as new construction and it should not allow the conversion of an existing building to that end. The Village should deny the petition to rezone the Subject Property B-2/PUD.

Respectfully submitted,

Joseph and Amy Cainkar

Agenda Section & Item: First Reading - ORD 2026-11261 B. Ordinance: Rezoning Certain Property Located at 1020 31st Street (Forest Trail Luxury Apartments)

Commenter: Andria & George Curtis

Comment: As a member of the neighborhood small elementary school Belle Aire, we are concerned that brining in that mamy children at once will be difficult for our school to handle as well as the increased traffic each day. Our neighborhood has a had a large influx of young families in the last few years (, which is great, but there are so many young families already for Belle Aire to handle in the coming years.

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Commenter: Tracy and Tim McCullough

Comment: Dear Village Council,

The proposed rezoning and development project at 1020 31st Street seeks to change the current commercial building into a 184-unit apartment complex.

While development and growth can be essential for Downers Grove, it's crucial for it to occur in a manner that respects the existing character of the village, ensures adequate infrastructure, and prioritizes the well-being of current Downers Grove residents.

The proposed project presents several concerns:

- Incompatible residential density relative to surrounding residential neighborhoods
- School district enrollment and capacity impacts

- Traffic congestion and safety concerns for Highland Ave and 31st St
 - Environmental concerns related to proximity to Lyman Woods Nature Center, including EPA impact of stormwater runoff into freshwater marsh, as well as increased light and noise pollution
 - Lack of sufficient on-site outdoor space for proposed residents, pushing recreational demand into neighboring residential areas
- We urge the Village to require comprehensive analysis prior to approval, including:
- A fiscal impact study
 - A cumulative traffic analysis based typical residential use throughout week
 - Water, sanitary, and storm sewer capacity assessments
 - Pedestrian traffic study
 - School District 58 and 99 impact review
 - Environmental evaluation related to Lyman Woods

We are not opposed to progress, but demand thoughtful and responsible growth strategies.

We urge the Village to explore viable alternatives that benefit everyone, such as developing smaller residential projects and ensuring there are adequate infrastructure and facilities to support potential population growth.

Sincerely,
Tracy and Tim McCullough
1541 Snowberry Ct, Downers Grove

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Commenter: Stu Mercado

Comment: Dear Village Council Members,

I am writing as a resident of Downers Grove to express concern regarding the proposed rezoning under Case 26-PZC-0021.

While I support thoughtful redevelopment, this proposal as currently designed raises several significant concerns:

Incompatible density relative to surrounding single-family neighborhoods

Traffic and pedestrian spillover into adjacent subdivisions not designed for this level of use

Lack of on-site outdoor space, pushing recreational demand into neighboring residential areas

School capacity constraints, particularly at Belle Aire Elementary

Infrastructure impacts, including water demand and sewer capacity from continuous residential use

Environmental concerns related to proximity to Lyman Woods Forest Preserve

Cumulative effects of multiple office-to-residential conversions along the corridor

Additionally, there remains a fundamental unanswered question: who is the intended resident for this development? The location, unit configuration, and lack of amenities do not clearly align with students, families, young professionals, or seniors, raising concerns about long-term fit and sustainability.

I also urge the Village to require comprehensive analysis prior to approval, including:

Fiscal impact

Traffic impact (including cumulative corridor activity)

Water and sewer capacity

School district impact

Environmental impact

Finally, I believe the current notification radius does not reflect the true area of impact for this project, and boarder community engagement should be required for developments of this scale and location.

I respectfully request that the Village Council either deny the rezoning as proposed or require a meaningfully reduced-density alternative that better aligns with the surrounding community and infrastructure capacity.

Thank you for your time.