#### VILLAGE OF DOWNERS GROVE PLAN COMMISSION

#### VILLAGE HALL COUNCIL CHAMBERS 801 BURLINGTON AVENUE

April 1, 2024 7:00 p.m.

#### **AGENDA**

- 1. Call to Order
  - a. Pledge of Allegiance
- 2. Roll Call
- 3. Approval of Minutes
  - a. March 4, 2024

#### 4. Public Hearings

- a. 23-PCE-0031: A petition seeking approval for a Planned Unit Development, a Rezoning from B-3, General Services and Highway Business and R-1, Residential Detached House 1 to B-3/PUD, General Services and Highway Business/Planned Unit Development, a Special Use to expand an existing automobile dealership, and a Special Use to construct an accessory structure on a lot of record prior to the construction of a principal structure. The property is currently zoned B-3, General Services and Highway Business and R-1, Residential Detached House 1. The property is located north of the intersection of Ogden Avenue and Florence Avenue. One portion of the property is located directly northwest of this intersection while the second portion of the property is approximately 178 feet northeast of this intersection. (PINs: 09-04-110-023, -024, -026, -027, -028, -029, -030, 09-04-111-012, -027, -028). Sam DeStefano, Petitioner, 330 Ogden Avenue Inc. and 4241 Florence Avenue, LLC, Owners.
- b. 24-PCE-0006: A petition seeking approval for a Special Use for apartments/condos with a parking variation. The proposal is for seven (7) units on the second floor. The property is currently zoned DC, Downtown Core. The property is located 30 feet north of the intersection of Main Street and Curtiss Street, commonly known as 5133 Main Street, Downers Grove, IL. (PINs: 09-08-303-013). Tim Winter, Petitioner and 5135 Main, LLC, Owner.

#### 5. Adjournment

THIS TENTATIVE REGULAR AGENDA MAY BE SUBJECT TO CHANGE

#### VILLAGE OF DOWNERS GROVE PLAN COMMISSION MEETING

March 04, 2024, 7:00 P.M.

Chairman Rickard called the March 04, 2024 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 Boyle, Dmytryszyn, Frankovic, K. Patel, V. Patel,

Roche

**ABSENT:** Commissioner Toth

STAFF: Planning Manager Jason Zawila, Development Planner Emily Hepworth, Flora Leon,

Senior Planner

OTHERS PRESENT: Aurimas Spucys, Simon Batistich, Al Domanskis, Liz Chalberg, Sue

and Tom Weiler, Rachel Seucll (ph), Marlene Kastle, Bill and Linda Curran, Dave Nutt, Scott Richards, Selma Moberg, Paul Fyle, John Miller, Michelle Miller, Glenn Hoffman, Katie Callahan, Martin Scott, Stacy Klepper, Glenn Hoffman, Forest Moberg, Christine Martin, Kate Callahan, Jim Krusenoski, Selma Moberg, Austin

Clinker, Bill Curran, Dan McCormick,

#### **APPROVAL OF JANUARY 22, 2023 MINUTES**

Motion to approve by Commissioner Roche, seconded by Commissioner Dmytryszyn.

#### **PUBLIC HEARINGS**

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

24-PCE-0005: A PETITION SEEKING APPROVAL FOR A SPECIAL USE APPROVAL TO CONSTRUCT AN ACCESSORY STRUCTURE ON A LOT OF RECORD PRIOR TO THE CONSTRUCTION OF A PRINCIPAL STRUCTURE. THE PROPERTY IS CURRENTLY ZONED R-4, RESIDENTIAL DETACHED HOUSE 4. THE PROPERTY IS LOCATED DIRECTLY SOUTHWEST OF THE INTERSECTION OF RANDALL STREET AND WEBSTER STREET, COMMONLY KNOWN AS 935 MAPLE AVENUE, DOWNERS GROVE, IL. (PINS: 09-08-314-033,-032, -031). DOWNERS GROVE PARK DISTRICT, PETITIONER AND OWNER.

Paul Fyle, Director of Planning, at the Downers Grove Park District, presented a request for special use for a shelter at Constitution Park. He stated they budgeted in the capital improvement plan to replace the playground equipment and identified a need for some additional improvements in the park

with the help of a couple grants. He displayed the overall plan, including a wheelchair accessible play structure, additional pathways, and a shelter. He explained they notified the neighbors of the plan and were awarded the grants last spring. They did some changes to the design after feedback from the neighbors. He discussed the parcels currently had residential zoning and they were working on consolidating them where the shelter will be located. Mr. Fyle detailed the steel frame shelter and summarized the approval criteria. He said it would benefit Downers Grove residents by providing shade and shelter and compliment other park uses. He asked for special use for the shelter.

Chairman Rickard asked if any commissioners had any questions. There were none.

Chairman Rickard asked the public for any questions or comments.

A resident of 7th Street, stated he never received anything on this project. He asked if the grants would cover all the costs or only some of it. He added that he did not see the need for it.

Chairman Rickard asked for the staff report.

Flora Leon, Senior Planner, stated the petition was a special use request at 935 Maple Avenue, provided a location map, and explained the special use was limited to three parcels that currently had R-4 zoning. She stated the remainder of the park and parcels would not be subject to the request. She displayed a photo of the site and the public hearing notice sign posted. She said they received three questions trying understand what was being proposed. She displayed the location of the shelter/pavilion and parcels for special use and provided the elevation for the pavilion. Ms. Leon went over the comprehensive plan and stated the subject site did fall under the downtown area and was within the downtown transition district where public uses are being considered within this area. She discussed the comprehensive plan highlights and the need to continue working with the Downers Grove Park District. She then went over the special use criteria and said they believe the criteria has been met.

Chairman Rickard asked if there were any questions for staff.

Commissioner Boyle asked why they are going for the special use as opposed to rezoning. Ms. Leon deferred to the petitioner to answer.

Chair Rickard asked for clarification that it was just the three parcels and did not include the Lincoln Center property.

Mr. Fyle stated the grants were funding around three-quarters of the overall project. He explained they went with special use instead of rezoning because their understanding was a rezoning would be considering the entire site of Constitution Park and not just the three parcels. He added they were also working on a master plan process and there could be some recommendations to come out of that related to the Lincoln Center. He also discussed timeline and wanted to get it done this spring/summer for a quicker process.

Chairman Rickard commented that it was a pretty easy call and they clearly meet the standards for approval.

BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, AND THE TESTIMONY PRESENTED, COMMISSIONER BOYLE MADE A MOTION THAT FOUND THAT THE PETITIONER HAS MET THE STANDARDS OF APPROVAL FOR A SPECIAL USE AS REQUIRD BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST AND THEREFORE THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 23-PCE-0005, SUBJECT TO CONDITIONS 1 AND 2 OF STAFF REPORT.

SECOND BY COMMISSIONER K. PATEL

**ROLL CALL:** 

AYE: DMYTRYSZYN, FRANKOVIC, K. PATEL, V. PATEL, ROCHE, BOYLE, CHAIRMAN RICKARD

NAY: NONE

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

23-PCE-0031: A PETITION SEEKING APPROVAL FOR A SPECIAL USE APPROVAL TO CONSTRUCT A THREE STORY APARTMENT/CONDOMINIUM BUILDING WITH A TOTAL OF 5 RESIDENTIAL UNITS. THE PROPERTY IS CURRENTLY ZONED DT, DOWNTOWN TRANSITION. THE PROPERTY IS LOCATED ON THE NORTHEASTERN CORNER OF THE INTERSECTION OF MAPLE AVENUE AND WASHINGTON STREET, COMMONLY KNOWN AS 902 MAPLE AVENUE, DOWNERS GROVE, IL. (PIN:09-08-307-023). AURIMAS SPUCYS, PETITIONER, ARAN HOLDINGS, LLC, OWNER.

Al Domanskis, attorney for Aran Holdings, explained the special use proposal was to demolish the existing building and construct five condominiums with indoor parking spaces for residents. He said the property was allowed to be a commercial building under court order and agreed to vacate if a special use is approved. He explained that Downers Grove rezoned the property from downtown business to downtown transition for residential multi-units. Mr. Domanskis commented that he forwarded the plans and reviewed with residential neighbors with no issues raised, but did have a resident half a block away that raised a number of issues, including a concern about the integrity of the residential neighborhood to the east. He stated the development proposed is concentrated on bigger units with three bedrooms.

Simon Batistich, architect for the petitioner, said they worked closely with staff and designed it with the transition district in mind and discussed details of the materials and buildings. He also displayed the floor plans for the buildings.

Aurimas Spucys, civil engineer, discussed the storm sewer system, water service, landscaping, and sidewalk replacement. He showed how far the setbacks were for the improvements from the Village right-of-way and the neighbors. He also discussed traffic and proposed to make the east side of the driveway wider to make it a lot safer for people making a right turn.

Mr. Domanskis said they looked at the downtown transition zoning, guidelines and standards and believe they meet those in addition to the findings for a special use. He stated they believe it's a necessary desirable and fits in terms of a downtown transitional.

Chairman Rickard asked the commissioners for any questions.

Commissioner Boyle asked about the elevations just above the garage on the east side of the building. Mr. Batistich answered that everything was residential and explained the level of the garage side. He explained it was still 40 feet away.

Commissioner Boyle asked if they thought about putting a privacy fence up behind, because of the way the angle of the driveway comes in and out. Mr. Batistich stated they were confident it would hide it.

Commissioner Boyle said to try to make sure the dumpster operation hours were not at 5 or 6 a.m., and have a standard time for garbage pickup. Mr. Domanskis said they would fit in the residential garbage pickup requirements.

Chairman Rickard commented that being a special use permit, the residential use is an allowed use as a special use and they could make a condition to make sure they're not distractive to neighbors.

Commissioner Dmytryszyn asked about the driveway and how far away the driveway would be from the intersection. Mr. Domanskis answered it would be the furthest on the lot and would be where the existing drive is right now.

Commissioner Dmytryszyn then asked about the parking spots on the west side of the property for street parking. Mr. Domanskis clarified the only parking spaces there would be were indoor parking spaces with no changes in street parking.

Commissioner Dmytryszyn asked if they had a sense of what the change of the impervious surface would be. Male stated the impervious was 2,303 square feet from the original impervious surface.

Commissioner Roche said it was mentioned there was some short term or queuing parking spaces and asked where they were. Mr. Batistich pointed out on the diagram where that would be.

Commissioner Boyle inquired about parking. Mr. Domanskis added there was a very substantial Downers Grove public parking garage across the street a little bit to the north and to the west and the development meets the Village requirements.

Chairman Rickard asked for public input.

Glenn Hoffman, thanked the petitioner for addressing some of the comments in his letter, but stated he still had some concerns. He said in regards to the development at Washington and Maple, across the street that no retail commercial was provided that would benefit local residents. He also stated that the signage provided could have been more tasteful. He discussed the square footage for the buildings and surrounding area, did not believe it was transitional, and said concessions should be considered for the residents to the north and east due to not being able to operate their business or having peace during construction. He mentioned there were fences constructed during the

construction phase but no permanent fencing and asked for consideration on more privacy. Mr. Hoffman explained that in the end, the Planning Commission and Village Council work for the residents of Downers Grove, so there should be more consideration for the people that live near transitional zoning and there were a lot of people that are not on board with the favoritism being shown towards developers. He then read a letter from his wife that was not able to be there to the Planning Commission.

Stacy Klepper commented that she moved to Downers Grove in 2003 and was drawn to the community because of the green space that is now getting filled up by concrete. She said they were furthering the line east with more buildings and less grass and trees. She asked where they were going to preserve green space if they keep adding more buildings.

Forest Moberg stated he was three doors down from the site and this was a failure when it comes to community outreach after talking with many neighbors who had lack of awareness. He said he was concerned about the noise, health, and mental health of current existing residents and explained the consensus from residents was that Downers Grove does not care about individuals or anything they build. He said an additional concern was the equipment blocking their driveways and lights beaming down through his living room window at night. The resident added there was a lack of cohesion with the surrounding single family homes and he could not find one person who thought this was good or improving their quality of life. He also discussed safety.

Kate Callahan, stated it was listed commercial in the plans but it is not and is residential. She said she moved to the area in May of 2021 and construction across the street started in October of 2021 that was very invasive on a day to day basis, including noise, blocking and spray-painting her driveway without any notification, men standing at her door at 7 a.m. to look at pipes in her basement, debris and dirt everywhere, shut off her gas multiple times, and common power surges. She talked about the safety of the area and how dangerous it is. She said she was concerned about her investment, office, and day to day life. Ms. Callahan explained there was a small parcel in the back of her land that was snaked out on the plans with a tree she really loves and asked if it was going to go. She asked the Commission to put themselves in her shoes and suggested a three-year period in between building within a 300 foot radius.

Christine Martin explained she owned an 1895 home that was restored and takes preservation seriously. She said something that had been wearing on her was the residents were not taken into consideration first and people have had to move because of prior building in the neighborhood. She stated Downers Grove was all about revenue, but they don't see their taxes do anything and keep going up. She expressed she is tired of Council and Downers Grove as a whole putting everybody else first when they bring in money over the residents say. Ms. Martin gave an example of another condo that fit into the integrity of the area.

Jim Krusenoski explained he understands the Planning Commission is only to answer the question if the proposal meets the requirements of special use in downtown transition and will save the emotional comments for the Council. He said they knew this day was coming when they tore down the Edwards House and did not care about what any of the residents thought about that. He stated if the development fit into the look and transition of the area he would not be there today, but it is not the character of Maple Avenue and it does not fit. He added he would love restrictions that said no signage or any that light up and no zoning variances after that fact. Mr. Krusenoski expressed the

people in the condos would get the view of a beautiful Victorian homes and they would get the view of that building and wanted a criteria on the detriment of property values.

Selma Moberg said they have been struggling with construction for three years and was surprised to see how many people were unaware of what was happening. She said she has lived in Downers Grove for 31 years and a taxpaying citizen, but have had nothing but congestion for the last three years. She expressed they cannot open windows due to constant dust and noise that starts at 7:00 in the morning and goes until 5 to 6 at night. She discussed foundations of other homes in the area being very old that would be hard to handle this construction. She added she did not want to see that building all day and they are destroying the lives of the residents that surround this development and they know it's all about money, but they do not care. Ms. Moberg said she cannot get over the congestion in Downers Grove and has to force people to slow down just so she can get out of her driveway.

John Miller stated this did not meet the standards per the Village. He said they take what the developer proposes to them but do not show all the standards. He discussed the guidelines, and read off a specific one that stated the building should exhibit more of the characteristics of the adjacent residential zoning district. He said this building did not exhibit any of the characteristics and instead the neighborhood is having to transition to the buildings and the Plan Commission should vote no for not meeting that criteria. He discussed Maple Avenue was the first honorary historically designated street in Downers Grove and the second was Washington. Mr. Miller expressed the Planning Commission and staff picks and chooses what standards they want to meet. He discussed the parking for the building and said the parking on Washington is already booked so they did not have anywhere for visitors to park, so it did not meet in parking standards. He also talked about the landscaping and said they would not do what they said would on it. Mr. Miller urged the Planning Commission to vote no.

Martin Scott stated his main concern was the architecture, stating there is nothing in the building that relates to anything in their neighborhood and the comprehensive plan says it needs to be compatible with the area. He said this building is more suitable for a commercial corridor. He shared some printed examples of how transitions should be done.

Dave Nutt suggested redoing the design to be special and something the community can be proud of.

Austin Clinker discussed the importance of the history and homes on Maple.

Tom Weiler said he and his wife have stated objections to multiple buildings that have gone up in their neighborhood and did not have a lot of hope for any comments on the current project helping. He stated he agrees with others that it should be transitional and none of these properties have been consistent with Maple Avenue and should blend in with what is already there. He also suggested redoing the project to fit in with the scale and existing scope of the other properties.

Bill Curran asked why anyone would pay that amount of money for property if the deal was not already done and asked if they even had a chance to stop something like this. He expressed concern over these buildings having an effect on their property values.

Dan McCormick stated he was on the Planning Commission from 1995 to 2005 and every time they got a petition he would walk the property and get a feel for the neighborhood. He agreed with those who spoke before him and suggested the Planning Commission deny the petition.

Chairman Rickard asked for the staff report.

Emily Hepworth, Development Planner for Downers Grove, presented for the petition for special use at 902 Maple Avenue. She stated the property is zoned downtown transitional. She said procedures and notice signs were posted and public notice letters were mailed to all property owners within 250 of the property. Staff received public comments prior to the public hearing on parking and the village's design guidelines. She then provided the Plan Commission with existing conditions on the site and stated the propoal met all setback and density requirements for the downtown transitional zoning district. Ms. Hepworth provided details of the landscape plan, including screening, existing flagstone wall, and does meet the requirements of the zoning ordinance. She displayed and explained photos of evaluation details, parking, and renderings of the property. She discussed downtown design guidelines that were met by the petitioner and explained that the downtown design guidelines offer suggested components for developers to include in the petition, but the design guidelines do not dictate a particular style of building. She said staff did find the proposal met the requirements of the design guidelines, provided recommendations from the downtown focus area and comprehensive plan, discussed the downtown transitional functional subarea, and provided the special use approval criteria for the Commission's review.

Chairman Rickard asked if the commissioners had any questions.

Commissioner Frankovic inquired if there were plans on the intersection. Ms. Hepworth said they did not have any at this time.

Commissioner Dmytryszyn asked about the architecture and transition from downtown to residential.

Ms. Hepworth answered they made sure the proposal met the design guidelines, which included looking at things like height, building material and building components.

Chairman Rickard said there was a lot of misconceptions, because the design guidelines do not really dictate style or that it needs to be a Victorian style building, but really focuses on the façade. He stated his understanding with the guidelines and transitioning was the scale comes down, the setbacks increase, and the bulk gets more in line with the neighborhood, not the style of the building.

Ms. Hepworth confirmed that was correct.

Commissioner Frankovic asked if there was any potential options for additional parking for the development.

Ms. Hepworth said the requirements for parking for residential uses in this area was two spaces per unit and they meet those requirements.

Chairman Rickard noted there were a lot of comments about the buildings going eastward and when they were going to stop. He said it had been zoned downtown business for several years.

Ms. Hepworth discussed the history of the zoning and how long it had been zoned for downtown transition.

Chairman Rickard asked the petitioner to come back and speak on the questions and comments made.

Mr. Domanskis said they initially requested doing commercial retail and the village said they did not think it was appropriate to have retail and be fully residential, so they went that direction. He noted they had more green space than anything to the west and almost double what they're allowed. He addressed the architectural style, parking, signs, lighting, and construction.

Mr. Spucys said they would be dedicating the right of way to the village in the front and had the intention of talking to the neighbor about the back portion. He also discussed traffic and said they tried to angle the building a little bit and the sight distance would be increased drastically.

Mr. Domanskis said he did not know how they could do bait and switch and were not planning to do that, but were available to hear comments and were open to suggestions. He discussed the comments on taking down landscaping and did not see that was something they should do.

Mr. Boyle discussed the flooding concerns. Mr. Domanskis talked about the issues raised about traffic on Washington. He said they were reducing the number of entrances onto Maple to only one entrance, which should improve traffic. He said the guidelines in terms of transitions was designed to do more setbacks and building variations.

Chairman Rickard gave the petitioner the opportunity to address any final comments or thoughts. Jason Zawila, Planning Manager, stated now was also the time to discuss any conditions before deliberation.

Commissioner Boyle stated they met the criteria, but asked if there would be a consideration to have a community outreach meeting.

Mr. Domanskis said they were all homeowners and felt for the community. He also added they were there to meet with anyone after the meeting, but he did not know if there was anything more they could say in a community meeting.

Commissioner Boyle expressed he would like that conversation to happen before he could support it.

Mr. Domanskis said from the comments made, he was not sure if there was anything different that could be said, but they were welcome to input.

Commissioner Frankovic expressed the conversation should have probably happened before they got to this point.

Commissioner Dmytryszyn suggested the petitioner work with staff to come up with a construction plan to meet the needs of the community and traffic.

Chairman Rickard asked if a traffic management plan was required to come with the building permit if they have to shut down any streets for a period of time.

Mr. Zawila said that was correct.

Commissioner Dmytryszyn clarified he was talking about every day and asking where the workers coming in were going to park.

Mr. Domanskis said they should have room in the front of the building for them to park.

Commissioner V. Patel asked if they would be opposed to having a formal condition stating there would not be any signage.

Mr. Domanskis said if they did, they should limit it to the building.

Commissioner Frankovic asked about the concerns with the intersection and safety concerns. Chairman Rickard commented they always have concerns in busy areas.

Chairman Rickard moved the Plan Commission to deliberation.

Chairman Rickard stated he moved there he was drawn to Maple Avenue because it is one of the most beautiful blocks in town and would love to see certain styles and some of the houses preserved, but as a planning commissioner they have to apply the rules the way the zoning ordinance is. He said there were three standards that had to be met and they were with this proposal and cannot find a reason to deny it.

Commissioner Boyle expressed he could get more supportive of it if there was the community outreach. He said a lot of people in that area have historical homes and being a transitional area, there is a higher standard of adhering more to the residential side of it. He explained he would like that meeting to happen before he supported or voting in favor.

Commissioner Frankovic agreed with Commissioner Boyle and said she did not know if she could support it currently, but if there was more conversation and opportunity to meet in the middle between the neighborhood and development there would be more potential for support.

Commissioner Dmytryszyn said he was in the same camp and discussed the issue with standard number three that made it a challenge to support when it comes to property values. He also discussed the standard of contributing to general welfare of neighborhood and community was tricky, because this block has had significant development and safety aspects.

Commissioner V. Patel commented he believed the standards had been met, but did struggle with the subjectivity aspects of it. He said public safety and traffic should be an overarching concern that the village addresses but they did not believe the development was significantly contributing to negative safety or additional traffic. He supported the proposal.

Commissioner Roche expressed she also struggled to support standards two and three, even though it fell within the zoning regulations. She said she did not know if it was desirable or beneficial to the immediate neighborhood and a row house style five units would be more aesthetic to the neighborhood as it transitions down Maple. She commented she struggles with if they are protecting the neighborhood as it currently sits.

Chairman Rickard said they have had multiple public hearings and back and forth on if these buildings are appropriate for the location and got an ordinance out of it, and now they ask developers to use

them as tools and what they would like to see. He stated they have come in and did everything they asked of them and everyone is going to have opinions.

Commissioner Roche stated she did appreciate it was DT and not DB and liked only one curb cut versus three.

BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, AND THE TESTIMONY PRESENTED, COMMISSIONER DMYTRYSZYN MADE THE MOTION THAT FOUND THAT THE PETITIONER HAS MET THE STANDARDS OF APPROVAL FOR THE SPECIAL USES AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST AND THEREFORE THAT THE PLANNING COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 23-PCE-0031, SUBJECT TO THE CONDITION 1-5 STATED IN THE STAFF REPORT AND WOULD LIKE TO ADD CONDITION 6, NO LIGHTED SIGNAGE ON THE STRUCTURE.

SECOND BY COMMISSIONER K. PATEL

**ROLL CALL:** 

AYE: K. PATEL, V. PATEL, CHAIRMAN RICKARD

NAY: DMYTRYSZYN, FRANKOVIC, ROCHE, BOYLE

**MOTION FAILED. VOTE: 3-4** 

#### **ADJOURNMENT**

Mr. Zawila provided an update on upcoming meetings and previous cases.

THE MEETING WAS ADJOURNED. UPON A MOTION BY COMMISSIONER DMYTRYSZYN, SECOND BY COMMISSIONER FRANKOVIC. A VOICE VOTE FOLLOWED AND THE MOTION PASSED UNANIMOUSLY.

/s/ Celeste K. Weilandt
Recording Secretary

(As transcribed by Ditto Transcripts)



### VILLAGE OF DOWNERS GROVE REPORT FOR THE PLAN COMMISSION APRIL 1, 2024 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
	Planned Unit Development,	
23-PCE-0033	Zoning Map Amendment and	Flora León, AICP
330 Ogden Avenue	Special Uses	Senior Planner

#### REQUEST

The petitioner is requesting approval for a Planned Unit Development, a Zoning Map Amendment from B-3, General Services and Highway Business and R-1, Residential Detached House 1 to B-3/PUD, General Services and Highway Business/Planned Unit Development, a Special Use to expand an existing automobile dealership at 330 Ogden Avenue and a Special Use to construct an accessory structure on a lot of record prior to the construction of a principal structure.

#### NOTICE

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

#### **GENERAL INFORMATION**

OWNERS: Patricia Enterprises.

1035 N Clark Chicago, IL 60610

4241 Florence Avenue LLC

1035 N Clark Chicago, IL 60610

**PETITIONER:** Sam DeStefano

800 East Northwest Highway

Palatine, IL 60074

#### PROPERTY INFORMATION

**EXISTING ZONING:** B-3, General Services and Highway Business and R-1, Residential Detached

House 1

**EXISTING LAND USE:** Automobile Dealership and Vacant Land

**PROPERTY SIZE:** 129,637.42 sq. ft. (2.98 acres)

Pins: 09-04-110-023, -024, -026, -027, -028, -029, -030, 09-04-111-012, -027, -028

#### SURROUNDING ZONING AND LAND USES

	ZONING	<b>FUTURE LAND USE</b>
North:	R-1, Residential Detached House 1	Corridor Commercial
South:	B-3, General Services and Highway Business	Corridor Commercial
EAST:	B-3, General Services and Highway Business	Corridor Commercial
WEST:	B-3, General Services and Highway Business	Corridor Commercial

#### **A**NALYSIS

#### **SUBMITTALS**

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

- 1. Project Narrative
- 2. Entitlement criteria
- 3. Plats of Survey
- 4. Architectural Plans
- 5. Engineering Plans
- 6. Landscape Plan
- 7. Traffic Impact Study
- 8. Photometric Plan
- 9. Neighborhood Meeting Summary

#### PROJECT DESCRIPTION

The petitioner is proposing to remodel and expand an existing automobile dealership at 330 Ogden Avenue and construct a parking lot for vehicle inventory storage ("vehicle inventory parking lot"). The 2.98 acre property is located on the north side of Ogden Avenue to the east and west of Florence Avenue and is zoned B-3, General Services Highway Business and R-1, Residential Detached House 1.

The petitioner is requesting the following approvals:

- A Special Use for Personal Vehicle Sales and Rentals
- A Special Use to construct an accessory structure (parking lot) on a lot of record prior to the construction of a principal structure
- Final Planned Unit Development
- Zoning Map Amendment from R-1 to B-3/PUD
- Zoning Map Amendment from B-3 to B-3/PUD

The petitioner is proposing to improve the subject property by remodeling and expanding the existing 16,000 square foot building, constructing a new 13,600 square foot two-story service center, and developing the 4241 Florence Avenue property into a vehicle inventory parking lot. The dealership will house three showrooms (Rolls Royce, Bentley, and Lamborghini), offices, an automotive service center and ancillary uses including waiting areas, parts storage and break rooms. The existing site currently consists of two buildings, one which currently houses the Bentley and Lamborghini dealerships, with the other a used car dealership with accessory services areas. Parking for customers, employees and vehicle displays exist on the subject property west of Florence Avenue. A vacant lot currently exists east of Florence Avenue.

The primary building façade will be composed of aluminum storefront windows, aluminum composite materials (ACM) panels, and existing stucco. The two-story service center will be connected to the proposed dealership addition along the west via a covered vehicle access aisle. The service center's second floor will mainly be open to the service center below with some space dedicated for parts storage. Immediately northeast of the new two-story service center, a new trash enclosure is proposed.

The petitioner will maintain two existing access points onto Ogden Avenue. Access along Florence Avenue will be relocated 50 feet north so that it is in line with the access point for the vehicle inventory parking lot, east of Florence Avenue. Including the vehicle inventory parking lot, the petitioner is proposing 175 vehicle spaces in total. The proposed parking is designed to accommodate customer parking, service parking,

employee parking, new vehicle inventory and pre-owned vehicle inventory.

The petitioner is proposing landscaping around the proposed vehicle inventory parking lot, in conformance with the Village requirements. The north and west property lines, adjacent to residential zoning districts, include various landscape materials and an eight-foot solid fence. The vehicle inventory parking lot will have the required landscaping, with the exception of landscape islands at the end of each parking row. Parking lot and site lighting is provided around the proposed development. A photometric plan has been submitted and identifies that the proposed lighting complies with the Village requirements. It should be noted that the vehicle inventory parking lot is not accessible to the public and only employees will access the lot.

Two pedestrian connections between the building and Ogden Avenue and Florence Avenue are provided as required. Additionally, the inventory vehicle parking lot to the east of Florence Avenue will include a pedestrian connection leading to a proposed sidewalk on Florence Avenue.

#### **COMPLIANCE WITH ZONING ORDINANCE**

The property is currently zoned B-3, General Services and Highway Business and R-1, Residential Detached House 1. The proposal calls for a rezoning to a B-3/PUD, General Services and Highway Business / Planned Unit Development zoning district. The bulk requirements of the proposed development in the B-3 zoning district are summarized in the following table:

Table 1: 330 Ogden Avenue - Dealership Lot Bulk Regulations

330 Ogden Avenue - Dealership Lot Bulk Regul	Required	Proposed	
Building			
Ogden Avenue Setback (South)	75 ft. from	48.79 ft.(Existing)	
	Ogden Avenue centerline	85.65 ft. (Proposed)	
Florence Street Setback (East)	25 ft.	51.73 ft. (Proposed)	
Side Interior Setback Adjacent to R-1 (North)	14.33 ft.	97.3 ft. (Proposed)	
Side Interior Setback Adjacent to R-1 (West)	15.33 ft.	7.25 ft.^	
Rear Setback Adjacent to R-1 (West)	20 ft.	N/A	
Rear Setback Adjacent to B-3 (West)	N/A	N/A	
Parking			
Ogden Avenue Setback (South)	50 ft. from Ogden Avenue centerline	44 ft. (Existing)^ 50 ft. (Proposed)	
Florence Street Setback (East)	8 ft.	8 ft. (Existing)	
Side Interior Setback (North)	9 ft.	5.58 ft. (Existing)	
Rear Setback (West)	20 ft.	20 ft.	
Other			
Floor Area Ratio	0.75 (max)	0.39	
Building Height	60 ft. (max)	25.33 ft.	
Open Space	10,064 sq. ft. (10% of 100,064)	11,013 sq. ft. (11% of 100,064)	

Street Yard Landscape Open Space	5,003.2 sq. ft. (50% min of 10,064)	5,320.4 sq. ft. (52.87% of 10,064)
----------------------------------	----------------------------------------	---------------------------------------

<sup>\*</sup> Deviation required from the Zoning Ordinance
^ Previously granted relief

Table 2: 4241 Florence Avenue - Vehicle Inventory Parking Lot Bulk Regulations

Florence Avenue	Required	Proposed
Parking – Florence Street Setback (West)	25 ft.	25 ft.
Parking – Side Interior Setback (North)	9 ft.	12.42 ft.
Parking – Side Interior Setback (South)	N/A	7.5 ft.
Parking – Rear Setback (East)	9.86 ft.	17.33 ft.
Open Space	2,939.76 sq. ft. (10% of 29,398) sq. ft.	8,520 sq. ft. (28.98% of 29,398 sq. ft.)
Street Yard Landscape Open Space	1,469.88 sq. ft. (50% of 2,939.8 sq. ft.)	1,487 sq. ft. (51% of 2,939.8 sq. ft.)

Table 3: PUD Overall Bulk Regulations

Tuole 3.1 0B 0 voian Bain Regulations	Required	Proposed
PUD Land Area	N/A	140,098.42 sq. ft.
PUD Site Area (Excludes ROW)	N/A	129,637.42 sq. ft.
Floor Area Ratio	0.75 (max)	0.386
Building Height	60 ft. (max)	25.33 ft.
Building Coverage	N/A	34,770.2 sq. ft.
Open Space	12,963.7 sq. ft. (10% of 129,637 sq. ft.)	19,533 sq. ft. (15.08% of 129,637 sq. ft.)
Parking & Stacking Spaces	57 (2 spaces per 1,000 sq. ft. of showroom area, plus 0.4 spaces 1,000 sq. ft. of outdoor display space, plus 2 per service bay)	175 (57 required spaces & 118 outdoor display spaces)

The following improvements require relief from the Zoning Ordinance regulations:

Table 4: Deviation Requests and Petitioner' Rationale

Improvement	Relief Request	Petitioner's Rationale
Vehicle Inventory Parking	Requirement:	With the requested relief, efficient and
- Stall Width	Parking Stall Width: 9 ft.	orderly circulation is possible due to
	Proposed Stall Width: 8 ft.	the very low turnover of the parking
		spaces as they will be used for storing
		vehicles only. Additionally, only
		dealership employees who are familiar

		with the operation of the parking lot will be parking the vehicles.
Vehicle Inventory Parking Lot	Requirement:	With the requested relief, efficient and
- Drive Aisle Width	Drive Aisle Width: 24 ft.	orderly circulation is possible due to
	Proposed Drive Aisle Width: 20 ft.	the very low turnover of the parking
		spaces as they will be used for storing
		vehicles only. Additionally, only
		dealership employees who are familiar
		with the operation of the parking lot
		will be parking the vehicles.
Vehicle Inventory Parking Lot -	Requirement: Landscape Island	With the requested relief, efficient and
Landscape Island with Shade Tree	with Shade Tree	orderly circulation is possible due to
	Proposed: No Landscape Island	the very low turnover of the parking
	with Shade Tree	spaces as they will be used for storing
		vehicles only. Additionally, only
		dealership employees who are familiar
		with the operation of the parking lot
		will be parking the vehicles.

As noted above, the petitioner is seeking relief from dimensional and landscape requirements associated with the vehicle inventory parking lot. These requests are due primarily to the programming of the parking lot limited to inventory. The lot will only be accessible to employees and will not be open to the public. The petitioner and traffic narrative both indicate that the low turnover of the parking spaces and employee familiarity with the operations of the parking lot will allow for this reduction in widths.

#### Signage

The petitioner is permitted up to 300 square feet of total signage and is not requesting any additional sign area for the development. It should be noted that the subject property received a variation in 2007 to install (1) wall sign on 310 Ogden's west facade which does not have frontage along a drivable right-of-way. The signage proposed for the development will comply with the Zoning Ordinance requirements through a separate sign permit application.

#### Planned Unit Development Request

A Planned Unit Development is intended to accommodate development that may be difficult to carry out under applicable zoning standards and results in public benefits that are at least commensurate with the degree of flexibility provided. Examples of development types that are appropriate for PUD approval, per Section 28.4.030.A.1 of the Zoning Ordinance include:

• Developments that are consistent with the goals and policies of the Comprehensive Plan.

A PUD will also achieve a variety of planning goals as outlined in Section 28.4.030.A.2 of the Zoning Ordinance:

- Implementation of and consistency with the comprehensive plan and other relevant plans and policies;
- High-quality buildings and improvements that are compatible with surrounding areas, as determined by their arrangement, massing, form, character and landscaping;

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

The Comprehensive Plan designates the subject property as part of the Ogden Avenue Focus Area. Key concepts of the area include:

- Beautification along Ogden Avenue with street yard landscaping
- Improved pedestrian connectivity by installing a new sidewalk on Florence Avenue and two new internal pedestrian connections to the site
- Parking lot screening and interior landscaped islands
- Dumpster enclosures and screening
- The consolidation of multiple lots into one lot increases the depth and width creating a functional site plan.
- Encouragement of commercial expansion by increasing lot depth on a case-by-case basis given location, context, use, and screening.
- Buffering nearby residential areas from the impacts of commercial use (such as noise, light, and traffic) through the use of landscaping and screening

The Comprehensive Plan also places the subject property as Catalyst Site #D11 which indicates the subject site could be a location for future commercial development that provides residents with every day goods. The Comprehensive Plan also designates the property as Corridor Commercial. Corridor Commercial uses are defined as automobile related uses that provide services and retail opportunities to the nearby neighborhoods and the surrounding region. The Comprehensive Plan specifically mentions that the Ogden Avenue corridor should contain a range of these type of uses. The petitioner is proposing to improve the site with an automobile dealership expansion. The expansion will help increase the amount of services provided to both local and regional residents.

The proposed development is consistent with the Comprehensive Plan.

#### **ENGINEERING/PUBLIC IMPROVEMENTS**

The petitioner's proposal complies with the Village's Stormwater and Floodplain Ordinance. The petitioner is required to provide on-site stormwater detention and provide best management practices for the proposed development. With a previous parking lot expansion (west of Florence Avenue), an underground detention basin was designed to provide on-site detention. This was designed as an "L" shaped detention area located along the northeast section of the property. The flow of water is limited by an outlet control structure that restricts the amount of water that is released. The released water is then treated by a mechanical water quality unit. The building permit review will require confirmation that both the restrictor and mechanical water quality unit are functioning properly.

The vehicle inventory parking lot will include permeable pavers which will address the Post Construction Best Management Practices (PCBMP's) requirements for the development. Additionally, this parking lot includes swales on both the north and south sides running east. The petitioner is also extending a sidewalk along the east side of Florence Avenue which will connect to the vehicle inventory parking lot to Ogden Avenue.

#### TRAFFIC AND PARKING

A traffic impact study for the proposed development was completed by the petitioner. The study examined the existing Ogden Avenue traffic conditions and the future conditions based on the proposed expansion of the existing auto dealership. The study found that given the size of the dealership and luxury type vehicles that are sold and serviced, the dealership would generate a significantly lower volume of traffic than a typical dealership. Moreover, additional vehicle sales and service appointments would be distributed throughout the day. As such, the increase in traffic from the expanded dealership was projected to be limited.

Access to the dealership and vehicle inventory lot is provided via access drives with stop sign control. The

existing easternmost Ogden Avenue access drive will include a two-way drive aisle and left-turn movements to access the drive will be accommodated via the Ogden Avenue stripped median as well as the taper for the Ogden Avenue westbound left-turn lane serving Fairview Avenue. The traffic impact study also suggest that further consideration should be given to prohibiting the outbound left-turn movement during the critical weekday morning and evening peak periods. In reviewing the study staff found that since no curb cut modifications are occurring, no changes are requested by staff at this time.

The existing Florence Avenue access drive will be relocated 50 feet north of its current location and will mainly serve the vehicle inventory parking located behind the dealership. Finally, the vehicle inventory parking lot on the east side of Florence will include a two-way access drive. The parking stall width and drive aisle width will be reduced from the required nine feet and 24 feet respectively, to eight feet and 20 feet. The traffic impact study states that the reduced widths will allow for efficient and orderly circulation. Specifically, the low turnover of the parking spaces and employee knowledge of the operation of the parking lot will allow for these reduced dimensions.

#### **PUBLIC SAFETY REQUIREMENTS**

The Fire Prevention Division has reviewed the proposed development and determined that sufficient access to and around the site is provided for emergency vehicles. The site layout permits Fire Department apparatus the opportunity to enter and exit the site from both the Ogden Avenue and Florence Avenue curb cuts.

#### **NEIGHBORHOOD COMMENT**

Notice was provided to all property owners 250 feet or less from the property in addition to posting public hearing notice signs and publishing the legal notice in the *Daily Herald*. There have been no public comments received by Staff.

Due to the rezoning request, Sec 28.12.010(f)(3) of the Municipal Code, requires that the petitioner hold a neighborhood meeting. The petitioner held a neighborhood meeting on March 4, 2024. The public asked questions about stormwater management, site lighting, and parking lot screening. The comments provided at the neighborhood meeting, in addition to the petitioner's responses are provided in the attached Neighborhood Meeting Summary. Based on the neighborhood comments, the petitioner has agreed to lower the pole heights for existing light fixtures located in the rear parking lot of the 330 Ogden Property.

#### STANDARDS OF APPROVAL

The petitioner is requesting a Planned Unit Development, Zoning Map Amendment, a Special Use to expand an existing automobile dealership at 330 Ogden Avenue and a Special Use to construct an accessory structure (parking lot) on a lot of record prior to the construction of a principal structure. The review and approval criteria is listed below.

#### **Planned Unit Development Request**

#### Section 28.12.040(c)(5) Review and Approval Criteria

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

- a. The zoning map amendment review and approval criteria of Sec. 12.030.I.
- b. Whether the proposed PUD development plan and map amendment would be consistent with the comprehensive plan and any other adopted plans for the subject area.
- c. Whether PUD development plan complies with the PUD overlay district provisions of Sec. 4.030.

- d. Whether the proposed development will result in public benefits that are greater than or at least equal to those that would have resulted from development under conventional zoning regulations.
- e. Whether appropriate terms and conditions have been imposed on the approval to protect the interests of surrounding property owners and residents, existing and future residents of the PUD and the general public.

#### **Zoning Map Amendment Request**

#### Section 28.12.030(i) Review and Approval Criteria for Zoning Map Amendments

The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any single standard. In making recommendations and decisions about zoning map amendments, review and decision making bodies must consider at least the following factors:

- 1. the existing use and zoning of nearby property;
- 2. the extent to which the particular zoning restrictions affect property values;
- 3. the extent to which any diminution in property value is offset by an increase in the public health, safety and welfare;
- 4. the suitability of the subject property for the zoned purposes;
- 5. the length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity;
- 6. the value to the community of the proposed use; and
- 7. the comprehensive plan.

#### **Special Use Request**

#### Section 28.12.050(h) Special Use Approval Criteria

No special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is constituent with and in substantial compliance with all Village Council policies and plans and that the petitioner has presented evidence to support each of the following conclusions:

- 1. That the proposed use is expressly authorized as a Special Use in the district in which it is to be located;
- 2. That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
- 3. That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.

#### **DRAFT MOTION**

Staff will provide a recommendation at the April 1<sup>st</sup>, 2024 meeting. Should the Plan Commission find that the request is consistent with the Comprehensive Plan and meets the requirements of the Zoning Ordinance, staff has prepared a draft motion that the Plan Commission may make for the recommendation approval of 23-PCE-0033:

Based on the petitioner's submittal, the staff report, and the testimony presented, I find that the petitioner has met the standards of approval a Planned Unit Development, a Map Amendment from B-3, General Services and Highway Business and R-1, Residential Detached House 1 to B-3/PUD, General Services and Highway Business/Planned Unit Development, a Special Use to expand an existing automobile dealership at 330 Ogden Avenue, and a Special Use to construct an accessory structure (parking lot) on a lot of record prior to the construction of a principal structure as required by the Village of Downers Grove Zoning

Ordinance and is in the public interest and therefore, I move that the Plan Commission recommend to the Village Council approval of 23-PCE-0033, subject to the following conditions:

- 1. The Planned Unit Development, Rezoning and Special Use shall substantially conform to the staff report; architectural and landscape drawings prepared by Axios Architects last revised on March 14, 2024; engineering drawings prepared by WMA dated January 3, 2024 and last revised on March 14, 2024, and photometric drawings prepared by GL LED LLC US Lighting dated December 12, 2023 and last revised on March 14, 2024 except as such plans may be modified to conform to the Village codes and ordinances.
- 2. The petitioner shall administratively consolidate the lots into one lot of record prior to issuing a building permit.
- 3. All test drives are limited to arterial streets as defined in the Comprehensive Plan. Arterial streets include: Ogden Avenue, Belmont Road, Warrant Avenue, and Main Street.
- 4. A photometric plan for the 330 Ogden location shall be submitted and shall meet the lighting requirements as per Section 28.10.030 of the Zoning Ordinance prior to the release of any permit.
- 5. A photometric plan must demonstrate reduction in the pole heights for existing light fixtures located in the rear parking lot of the 330 Ogden Property.

Staff Report Approved By:

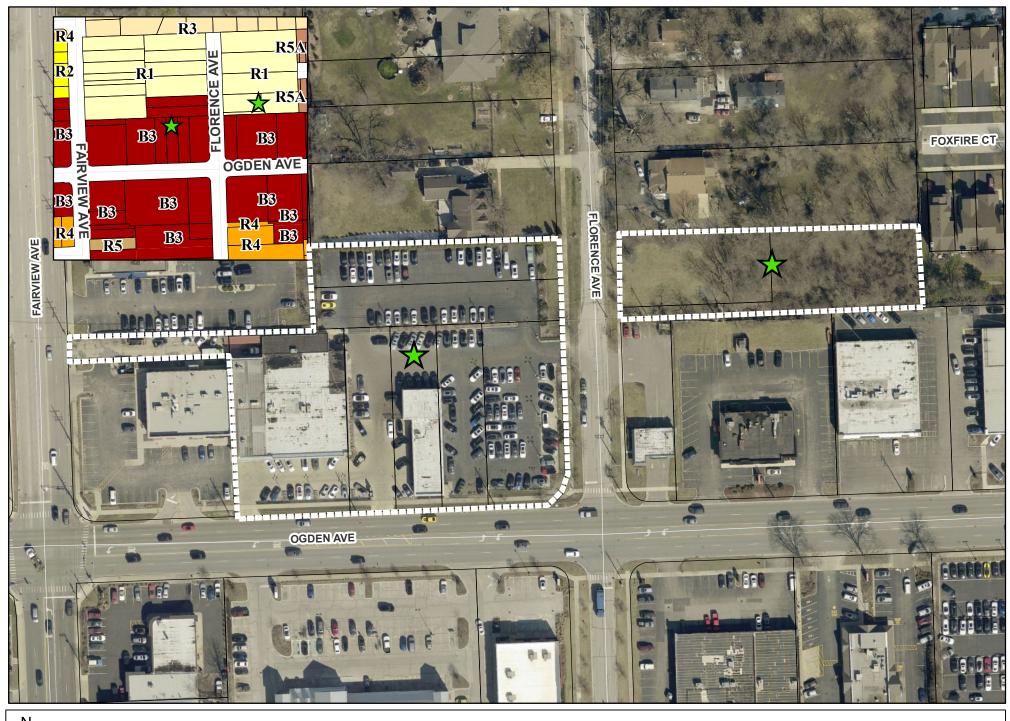
Stanley J. Popovich, AICP

**Director of Community Development** 

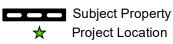
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### From The Desk of Sam DeStefano - samdestefano1@gmail.com 312-296-8325

November 22, 2023

Flora Ramirez Village of Downers Grove 801 Burlington Ave. Downers Grove, IL 60515

Re: Perillo Automotive Dealership Program Description

Dear Ms. Ramirez,

The Perillo Automotive Group is developing the property at 4241 Florence Avenue and is remodeling the existing property at 310-330 Ogden Avenue in Downers Grove, Illinois. The project includes the site development and new construction of an automotive service center, facilitating Rolls Royce, Bentley, and Lamborghini vehicles. The Florence Avenue parcel is being developed into a parking lot to accommodate the remaining development.

The site's development will involve the entire property on Florence Avenue, which totals approximately +/- 28,000 square feet. The site development for the Ogden Ave property includes remodeling the existing 16,000 sq ft building and constructing a new +/- 13,600 square foot service center. In order to accomplish this, it is necessary to amend the zoning classification for the Florence Avenue parcel.

The project includes multi-vehicle showrooms, service offices, a sales lounge, service reception, a vehicle delivery bay and associated service bays. The supporting elements include various toilet rooms for both staff and public use, a staff break room, and miscellaneous storage areas.

The new building will be classified as Occupancy Type "B" and be of Construction Type IIB. The structural systems include cast in place reinforced concrete foundations and a steel frame superstructure including steel framing for columns and beams with steel joist roof infill structure. The envelope included a high-performance envelope with an insulated glazed curtain wall system AMC panel facias and miscellaneous masonry walls. The roofing system includes a low slope 60mil rubber membrane with tapered insulation. The remodeling of the existing building is two phases, phase one is expanding the front façade to the south 15 feet, and phase two is a complete interior demolition to the service department, retrofitting a new Rolls Royce showroom in its place, and a remodel for the two other exotic showrooms (Bentley and Lamborghini).

Sincerely, Gold Coast Exotic Imports LLC By Sam DeStefano

Agent



## Review and Approval Criteria ZONING MAP AMENDMENTS

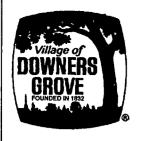
Plan Commission Number & Title:	

## A DETAILED RESPONSE TO ALL OF THE STANDARDS SHALL BE PROVIDED, SPECIFYING HOW EACH STANDARD IS OR IS NOT MET.

Section 28.12.030.I. Review and Approval Criteria (Zoning Map Amendments - Rezonings)
The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any single standard. In making recommendations and decisions about zoning map amendments, review and decision making bodies must consider at least the following factors.

- (1) The existing uses and zoning of nearby property.
  - The existing use and zoning will remain in line with the commercial properties on Ogden.
- (2) The extent to which the particular zoning restrictions affect property values.

  The PUD should not have any effect on property values.
- (3) The extent to which any diminution in property value is offset by an increase in the public health, safety and welfare.
  - No diminution in property value are expected however, the PUD development will improve operation and will increase the public safety and welfare.
- (4) The suitability of the subject property for the zoned purposes.
  - The property is well suited for this type of zoning.
- (5) The length of time that the subject property has been vacant as zoned, considering the context of land development in the vicinity.
  - The land has been vacant with no structure for at least ten (10) years.
- (6) The value to the community of the proposed use.
  - The PUD development should bring great value to the community in general.
- (7) The Comprehensive Plan.
  - The overall plan will make the best use of the property and is in line with the Village's Ogden Corridor plan.



# Review and Approval Criteria SPECIAL USES

Plan Commission Number & Title:

Gold Coast Exotic Imports LLC 330 Ogden Ave.

## A DETAILED RESPONSE TO ALL OF THE STANDARDS SHALL BE. PROVIDED, SPECIFYING HOW EACH STANDARD IS OR IS NOT MET.

Section 28.12.050.H Approval Criteria (Special Uses)

No special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is constituent with and in substantial compliance with all Village Council policies and plans and that the applicant has presented evidence to support each of the following conclusions:

1. That the proposed use is expressly authorized as a Special Use in the district in which it is to be located.

The current zoning of the property is B-3 General Services and Highway District. Vehicle sales and service facilities are considered special use per table 5.1 allowed uses.

2. That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

Our project is located on the Ogden corridor, character area as defined in the 2021 zoning map, dated 1/4/21. This area is currently an auto-oriented corridor in terms of its traffic volume, design, development pattern, scale and land use. This development will introduce a new Rolls Royce Franchise, and expand the operation of the currently exisiting Bentley / Lamborghini dealerships for the betterment of the Village and surrounding communities. In addition, a new building will facilitate the service for the three (3) exotic brands.

3. That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.

The use being requested is specifically allowed in the underlying B-3 district. The proposed site will dramatically improve the overall operation, expansion and will provide more visual aesthetics. The general design approaches have been conducted with the general welfare of the adjacent property owners in mind.



# Review and Approval Criteria PLANNED UNIT DEVELOPMENT

# A DETAILED RESPONSE TO ALL OF THE STANDARDS SHALL BE PROVIDED, SPECIFYING HOW EACH STANDARD IS OR IS NOT MET.

## Section 28.12.040.C.6 Review and Approval Criteria (Planned Unit Development)

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

- 1. The zoning map amendment review and approval criteria of Sec. 12.030.I.

  See the analysis of zoning map amendment review and approval criteria in separate document.
- 2. Whether the proposed PUD development plan and map amendment would be consistent with the Comprehensive Plan and any other adopted plans for the subject area.

PUD is consistent with the Village plan to widen the Ogden Avenue commercial corridor.

- 3. Whether PUD development plan complies with the PUD overlay district provisions of Sec. 4.030. PUD development is in full compliance.
- 4. Whether the proposed development will result in public benefits that are greater than or at least equal to those that would have resulted from development under conventional zoning regulations.

In addition to improving operation and flow the PUD will bring more tax revenues to the local government.

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

The development takes into consideration all surrounding property owner's interest and meet or exceeds expectations.





## **Special Uses**

Review and Approval Criteria

Address of Project Site: 330 Ogden Avenue - Downers Grove, IL 60515

A detailed response to all of the standards shall be provided, specifying how each standard is or is not met.

Section 28.12.050.H. Approval Criteria (Special Uses)

No special use may be recommended for approval or approved unless the respective review or decision making body determines that the proposed special use is constituent with and in substantial compliance with all Village Council policies and plans and that the applicant has presented evidence to support each of the following conclusions:

 That the proposed use is expressly authorized as a Special Use in the district in which it is to be located.

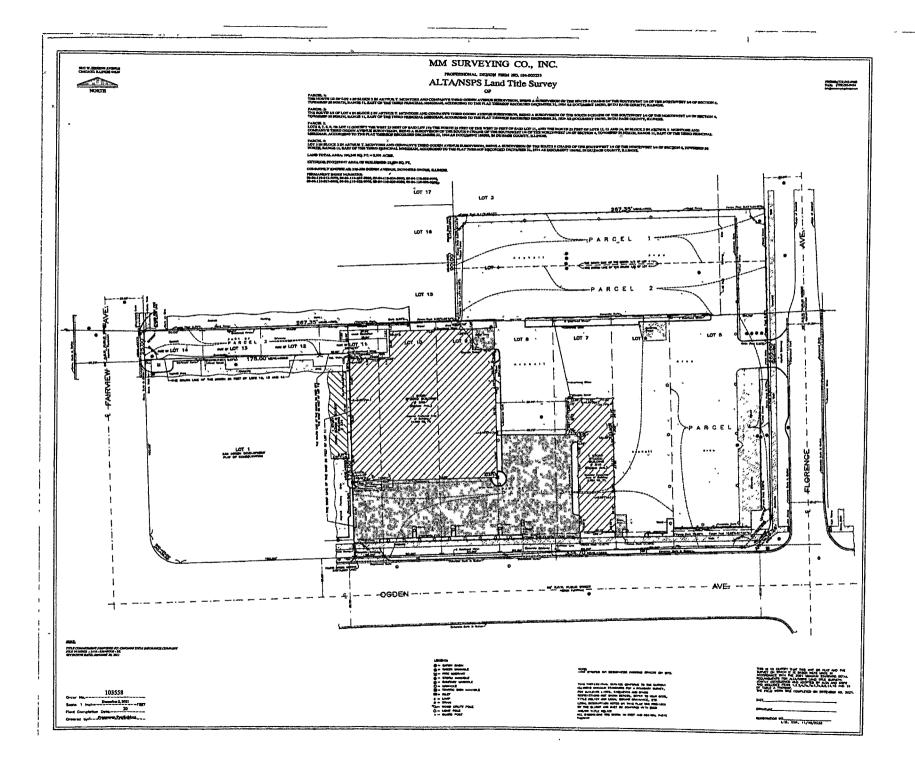
Per VoDG.28.6.010(a)(3)a: Accessory uses may be established only after the principal use of the property is in place, unless approved in accordance with the special use procedures of DGMC Section 28.12.050.

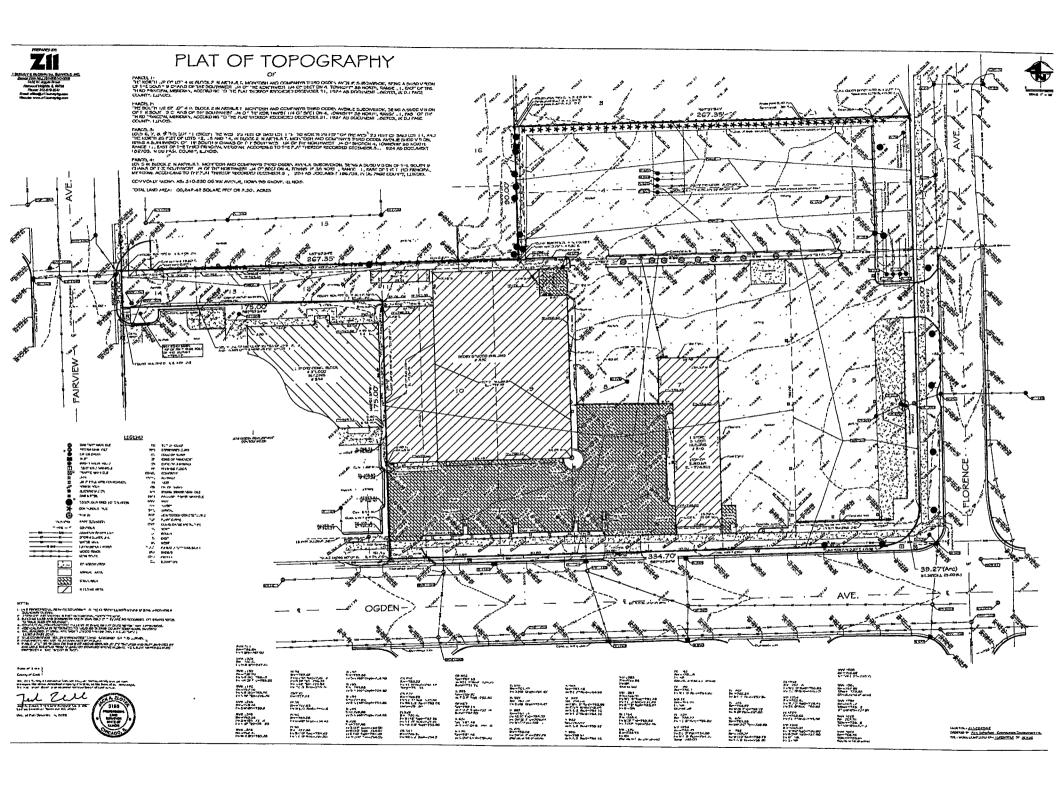
2. That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

The proposed parking lot will provide additional vehicle inventory storage for the adjacent luxury vehicle dealership. This vehicle storage will be in a secure and secluded location as to be inconspicuous to the general public.

3. That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.

The proposed parking lot will be respectful to the neighbors and community. Lanscape shrubs and trees will screen the lot. An ornamental steel fence and gate will provide security. Down-lighting oriented away from the adjacent residential district, provides additional security without negatively affecting the neighbors.





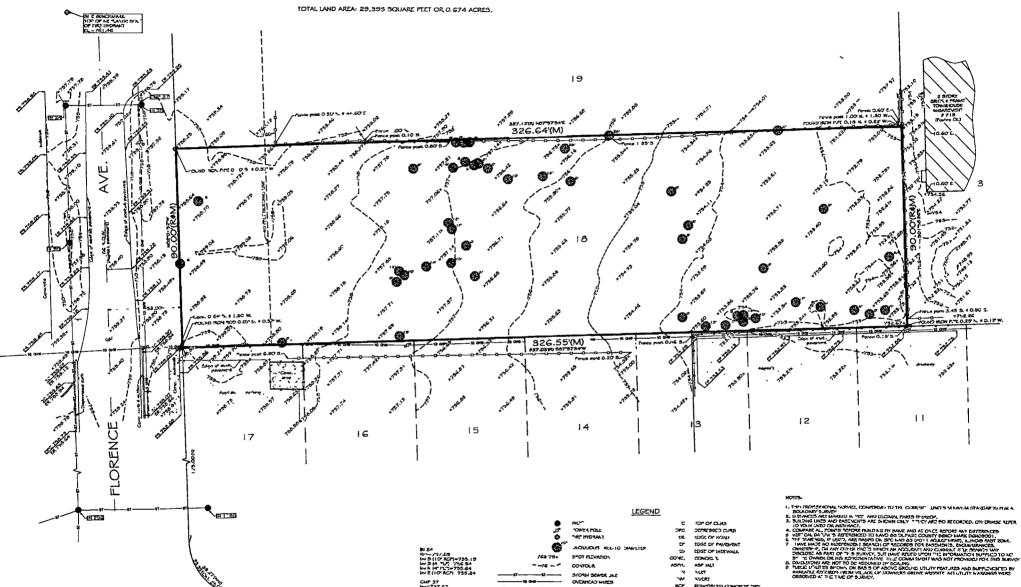
## PREPAREN BY Z11 SURVEY & GEOSPATIAL SERVICES, INC. Design Firm No.: 184-008740-0009 7450 W. Argho Street Harveod Helyits, 8, 60706 Phone: 312-916-0347 Email: office@c11serveying.com

## PLAT OF TOPOGRAPHY



LOT 18 IN BLOCK I IN ARTHUR 1. MCINTOSH AND COMPANYS THIRD OGDEN AVENUE SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION, 4, TOWNSHIF 36 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCURDING TO 118 PLAT THERCOF RECORDED B1. 1924 AS DOCUMENT NO. 16703, IN DURAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 4241 FLORENCE AVENUE, DOWNERS GROVE, ILLINOIS.



## DRDER NO. 2, 1-22-005-7 DADCARD SY San DeStelano Construction Dave apriors Inc.

FILE WORK COMPLETED ON: 12/06/2022 ETT 12 + 52

CMP 37 Inv=737.62

IN 256 Rm 757.30 Inv 5 (F2\* RCT)=754.00 Inv 6 (F2\* RCT)=754.07 Inv 6 (FC\*)=754.40 Inv W (10 FU\*)=754.05

NORTH LINE OF OGDEN AVENUE

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CLEVATION RECORD

Courty of Cook

We, ZI , Street + Go

Date of Pate December 14, 2022

3186

188 N. Wells • Suite 300 • Chicago • Illinois • 60606
Telephone. 312.750.1333 • Fax 312.750.1335

## Summary of Community Meeting Regarding 330 Ogden Planned Development

Location: Downers Grove Public Library

Date: 3/4/24

Presenters: Ben West – Axios Architects, Sam DeStefano – Construction Development Inc.

Community Participants: Approximately 10 community participants.

Notification Method: Mailing notices to neighbors.

#### Presentation Method:

Project narrative accompanied by a slideshow presentation of renderings, plans, and elevations.

#### **Expressed Concerns:**

- 1. Light pollution from existing area lighting and proposed lighting into residential area.
- 2. Surface storm water runoff from new inventory lot onto adjacent property.
- 3. Condition of existing fence at Northern lot line

#### **Proposed Solutions:**

- 1. Existing site lighting to be retrofitted with shorter poles. Fixtures to be down-lighting angled away from residential district. New site lighting on the inventory lot to be down-lighting angled South away from adjacent residential district. All site lighting to be controlled by photocell / time switch.
- 2. Storm water runoff will be mitigated by permeable pavement, curbs and perforated drain tile to percolate, direct and collect site water.
- 3. Replace existing fence with new fence in same location.

Sam DeStefano started an email thread with all meeting participants to open a line of communication.

DOWNERS GROVE



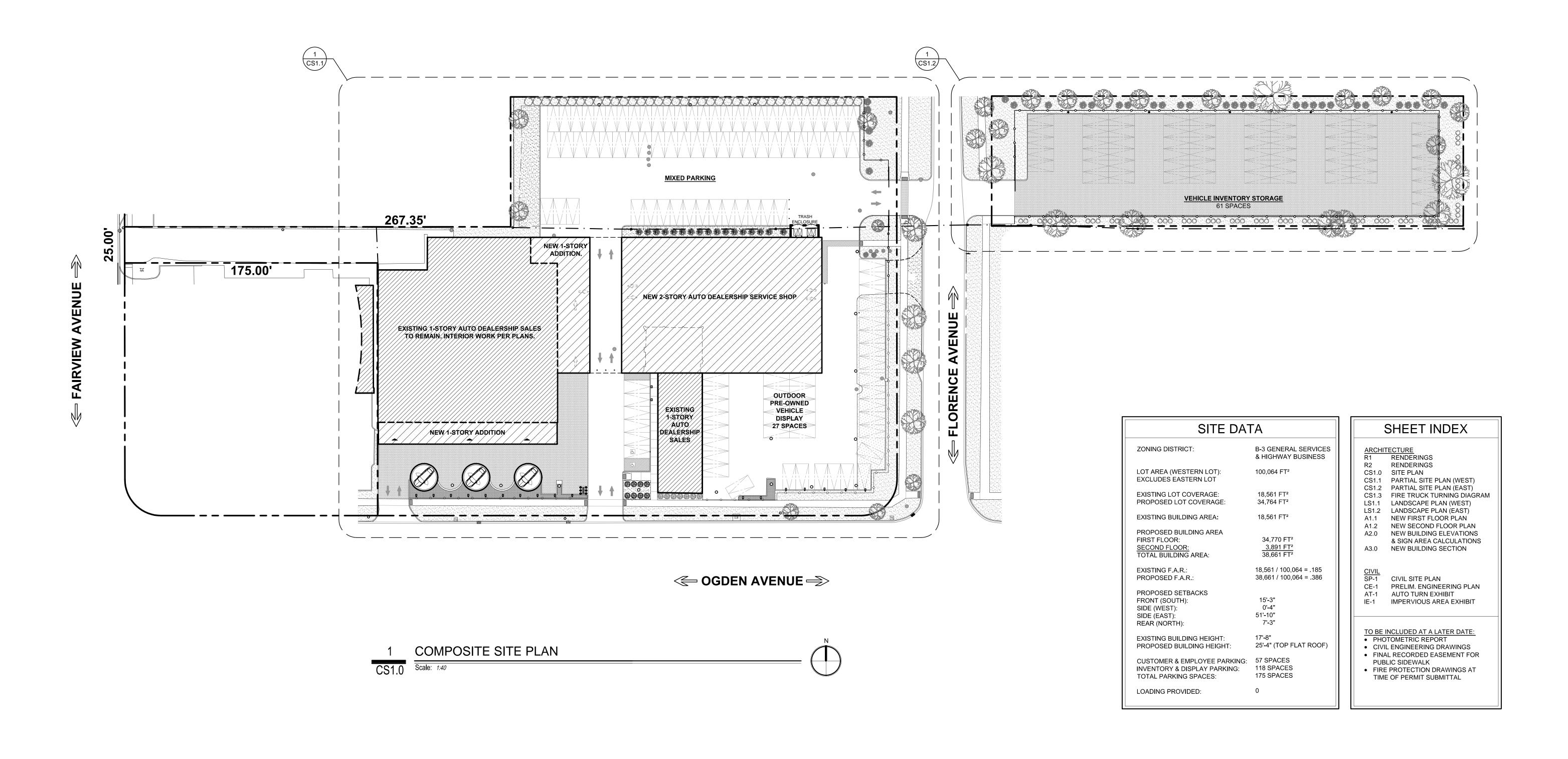


DOWNERS GROVE ILLINOIS

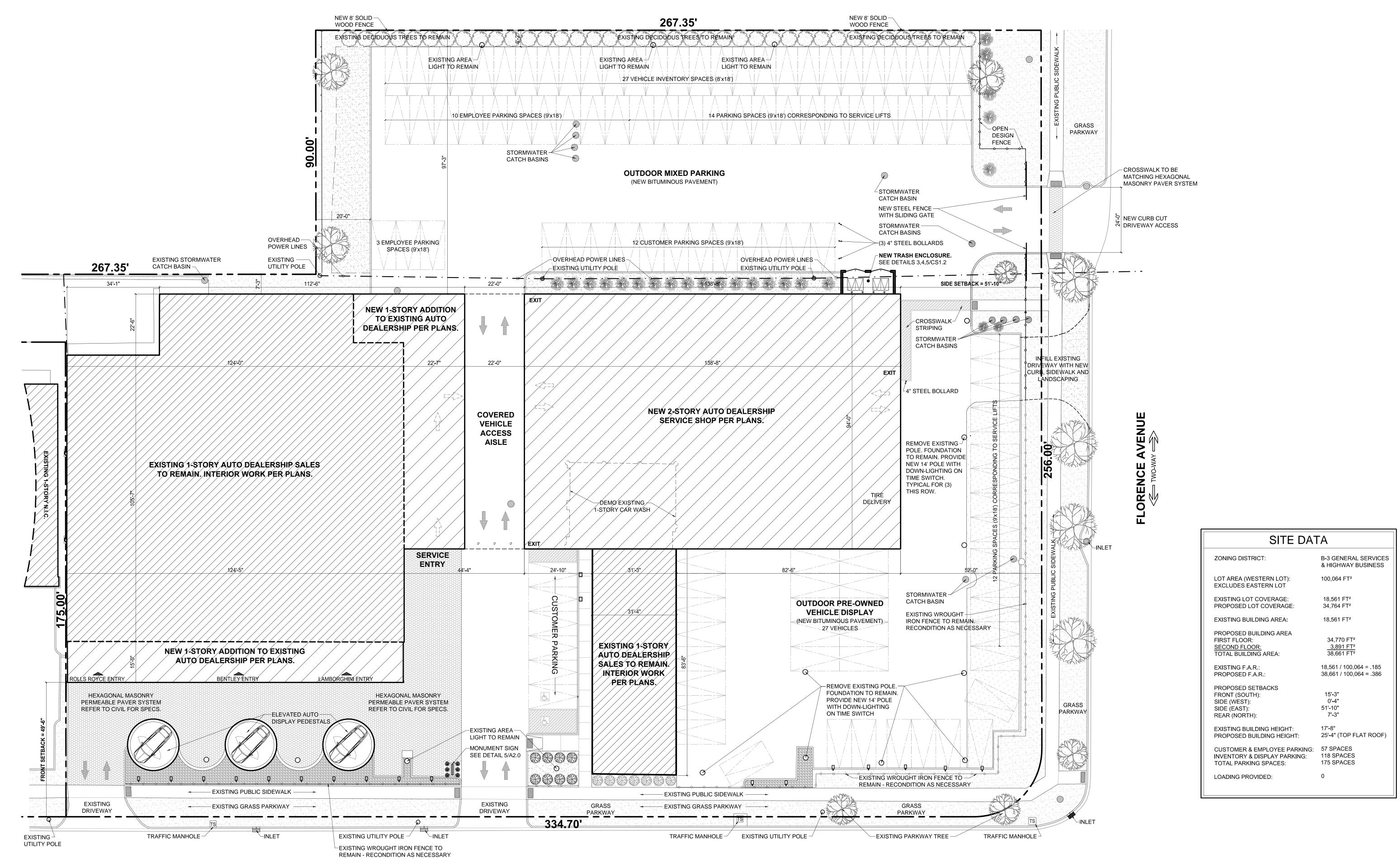




DOWNERS GROVE



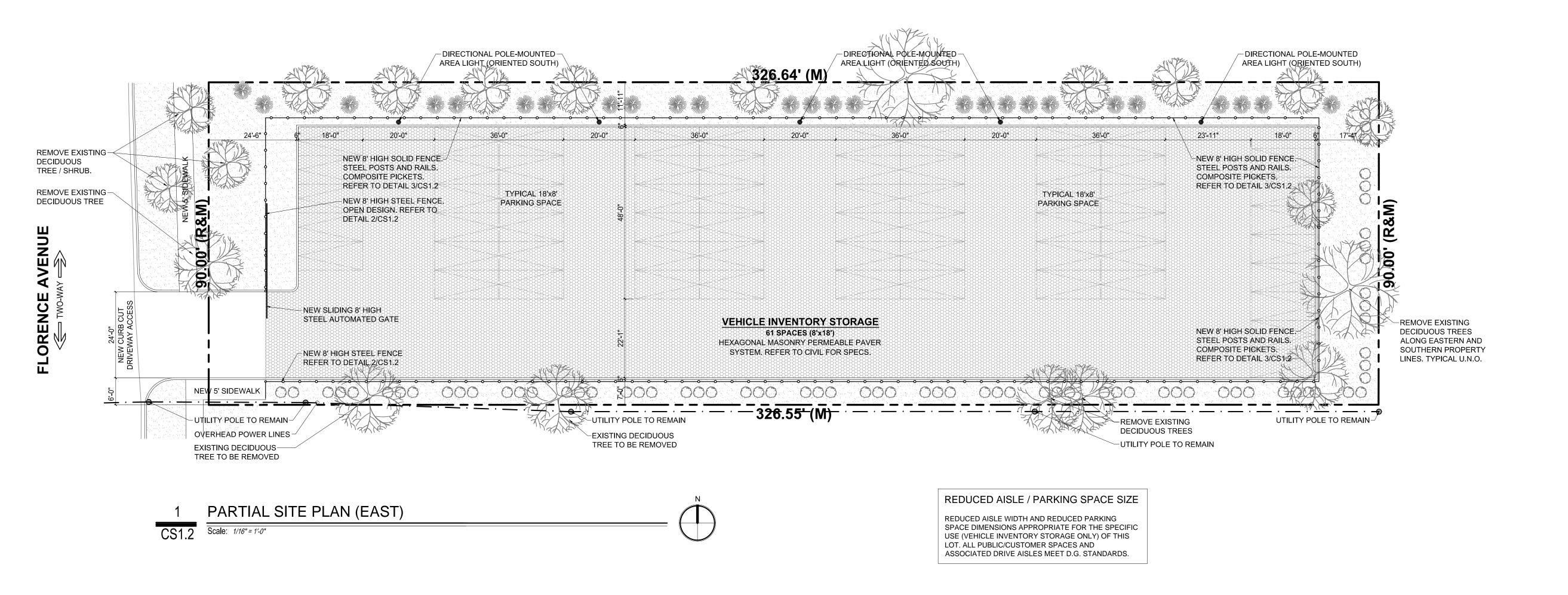
DOWNERS GROVE





# 330 OGDEN AVENUE

**ILLINOIS** DOWNERS GROVE WOOD GATES WITH -HEAVY-DUTY HARDWARE 4"x4" PRIMED-#4 AT 32" O.C. VERTICAL 30" LONG −#4 AT 32" O.C. STEEL TUBE STEEL TUBE HORIZONTAL 2"X2" PRIMED — STEEL TUBE RAILS 6"COMPOSITE— PICKETS TRASH ENCLOSURE PLAN TRASH ENCLOSURE THICKENED SLAB DETAIL CS1.2 Scale: 1/4" = 1'-0" CS1.2 Scale: 1/4" = 1'-0" CONCRETE OVER
WELL-COMPACTED
GRAVEL BASE CONCRETE OVER
WELL-COMPACTED
GRAVEL BASE 1111 **FENCE ELEVATION STEEL FENCE ELEVATION** NORTH ELEVATION **WEST ELEVATION** ALUMINUM COPING -PROPERTY-4"x4" PRIMED T 4"x4" PRIMED -STEEL TUBE SPLIT-FAGED WOOD GATES WITH WOOD GATES WITH HEAVY-DUTY HARDWARE CMU 6'-0" MAX. SPACING 6'-0" MAX. SPACING STEEL FENCE PLAN STEEL FENCE PLAN



CS1.2 Scale: 1/4" = 1'-0"

STEEL & COMPOSITE FENCE DETAILS

STEEL FENCE DETAILS

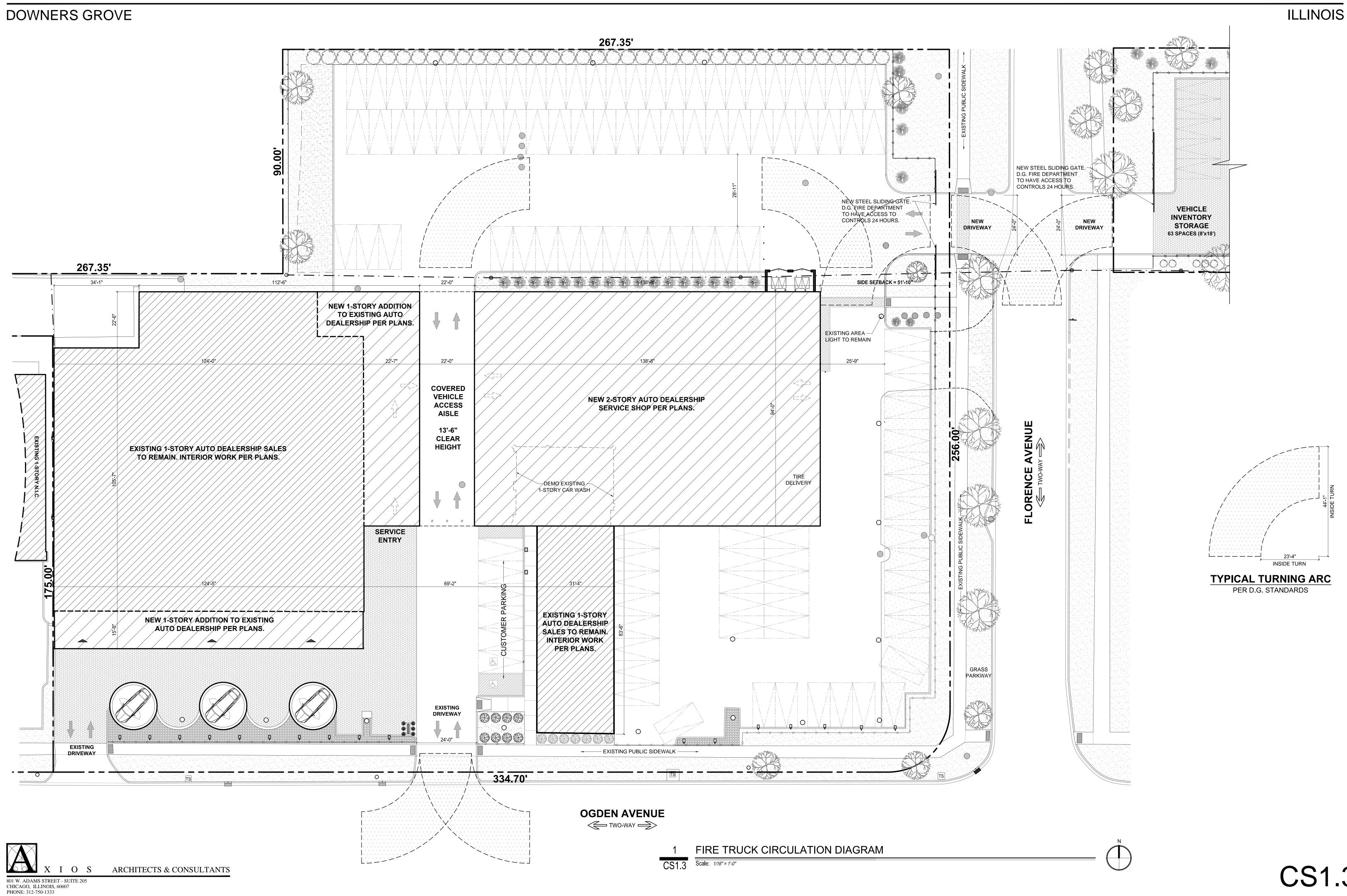
CS1.2 Scale: 1/4" = 1'-0"



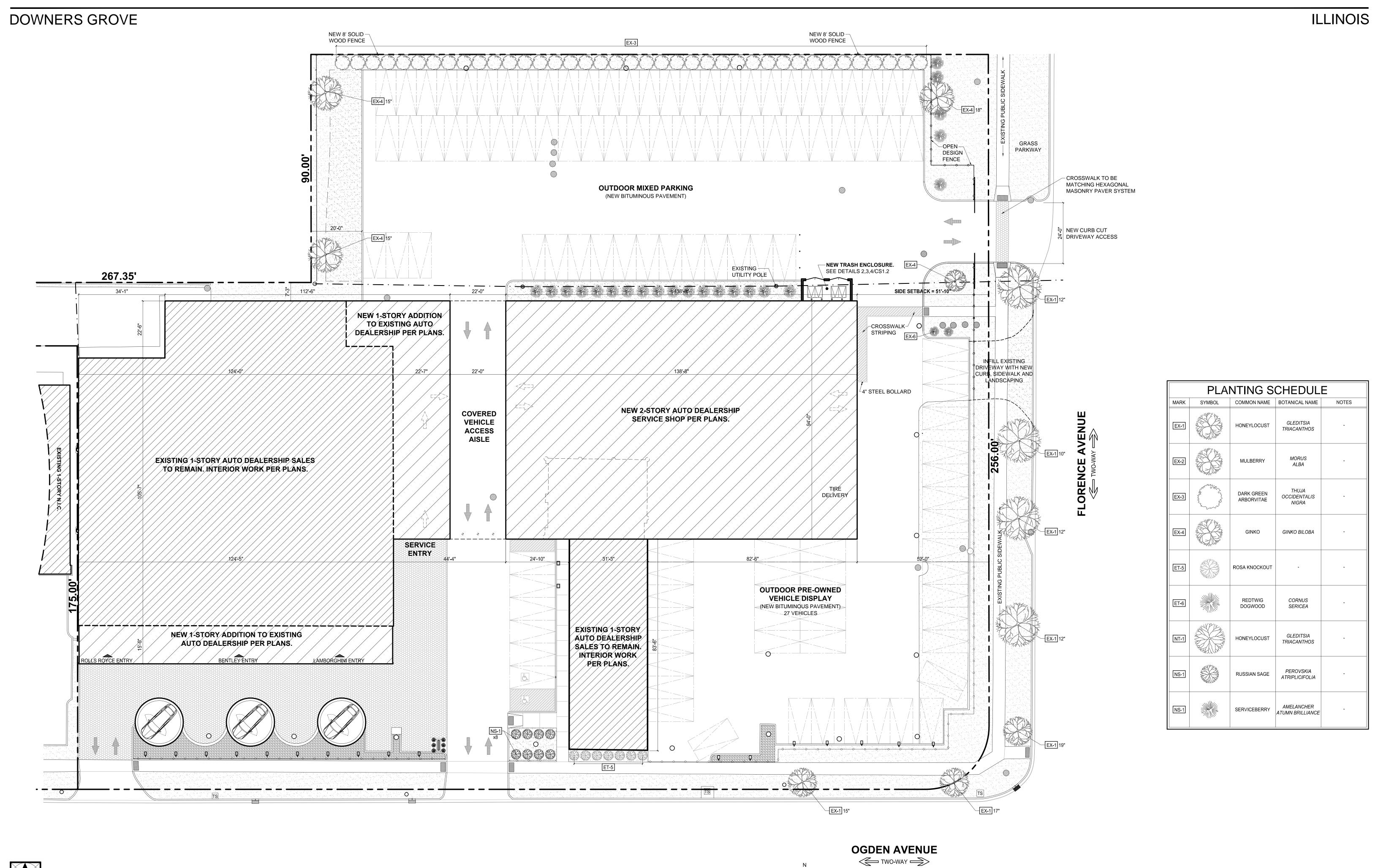
TRASH ENCLOSURE ELEVATIONS

CS1.2 Scale: 1/4" = 1'-0"

# 330 OGDEN AVENUE



## 330 OGDEN AVENUE



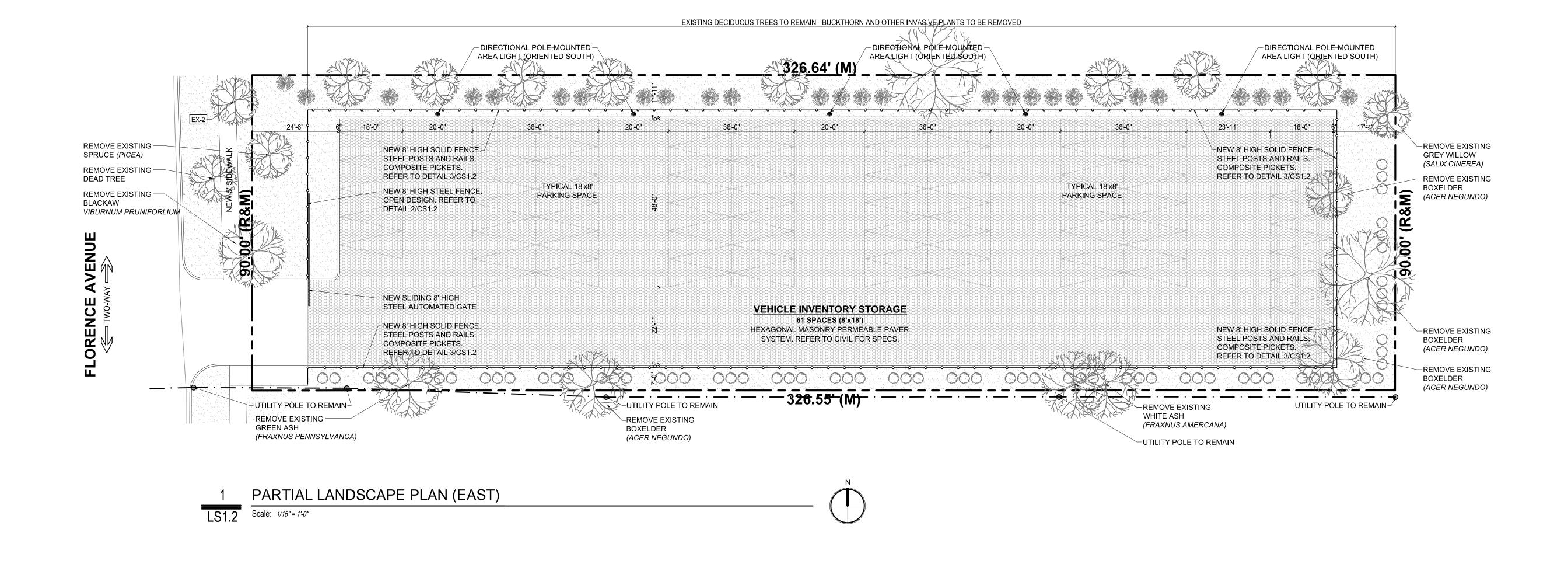


1 PARTIAL LANDSCAPE PLAN (WEST)

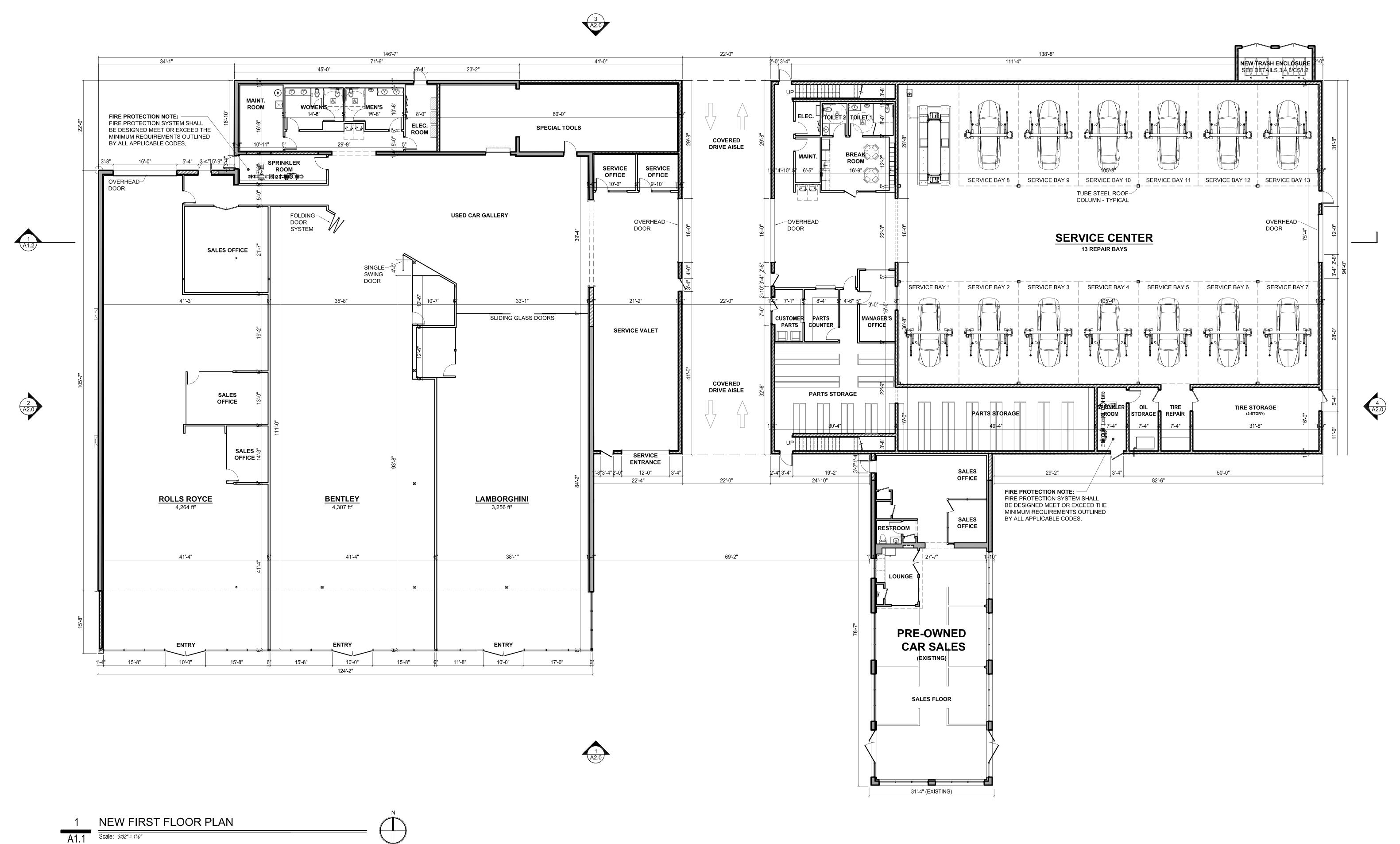
Scale: 1/16" = 1'-0"

DOWNERS GROVE

	PLANTING SCHEDULE					
MARK	SYMBOL	COMMON NAME	BOTANICAL NAME	NOTES		
EX-1		HONEYLOCUST	GLEDITSIA TRIACANTHOS	-		
EX-2		MULBERRY MORUS ALBA		-		
EX-3	And the state of t	DARK GREEN ARBORVITAE	THUJA OCCIDENTALIS NIGRA	<u>-</u>		
EX-4		GINKO	GINKO BILOBA	-		
ET-5		ROSA KNOCKOUT	-	-		
ET-6		REDTWIG DOGWOOD	CORNUS SERICEA	-		
NT-1		HONEYLOCUST	GLEDITSIA TRIACANTHOS	-		
NS-1		RUSSIAN SAGE	PEROVSKIA ATRIPLICIFOLIA	-		
NS-1		SERVICEBERRY	AMELANCHER ATUMN BRILLIANCE	-		

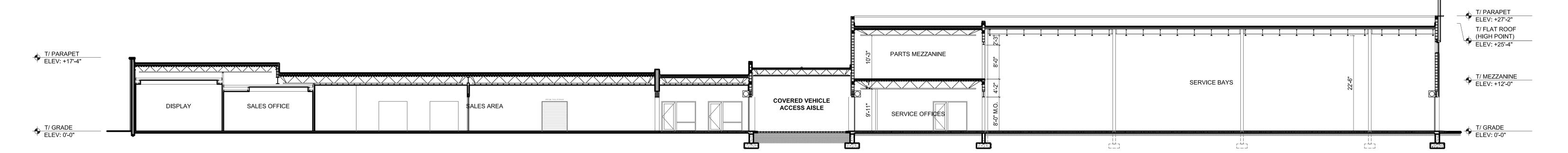


DOWNERS GROVE



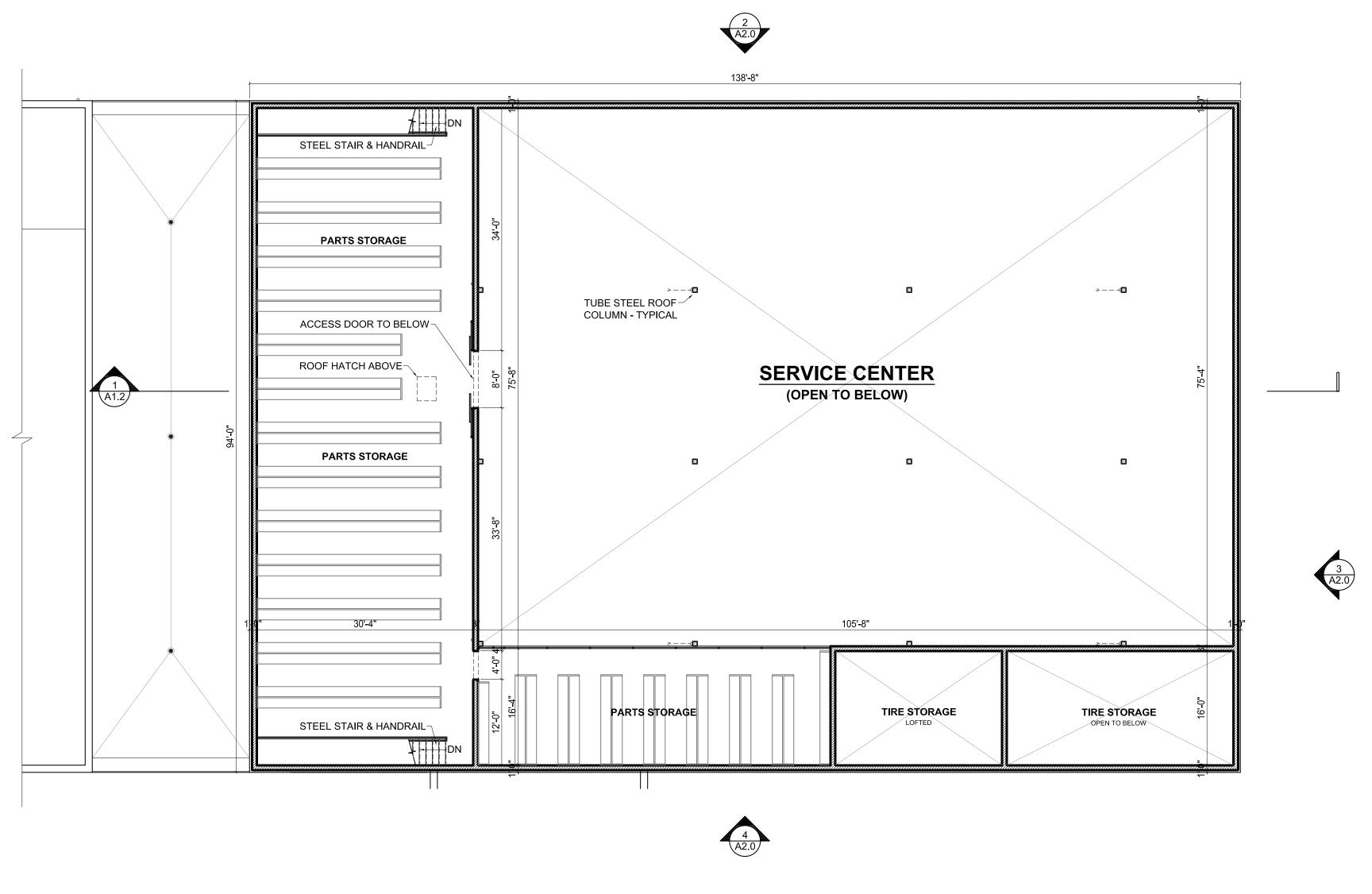


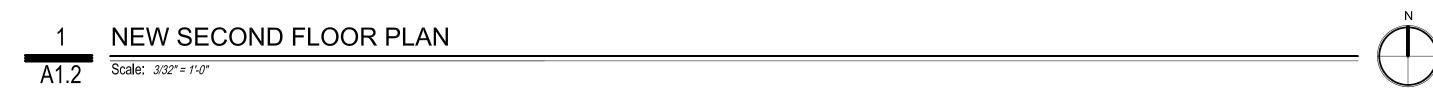
DOWNERS GROVE



2 BUILDING SECTION

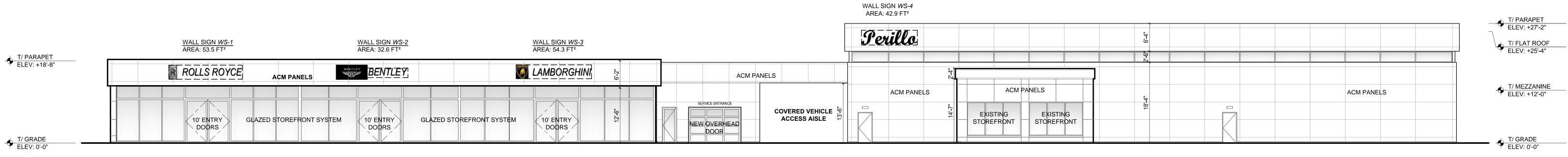
Scale: 3/32" = 1'-0"







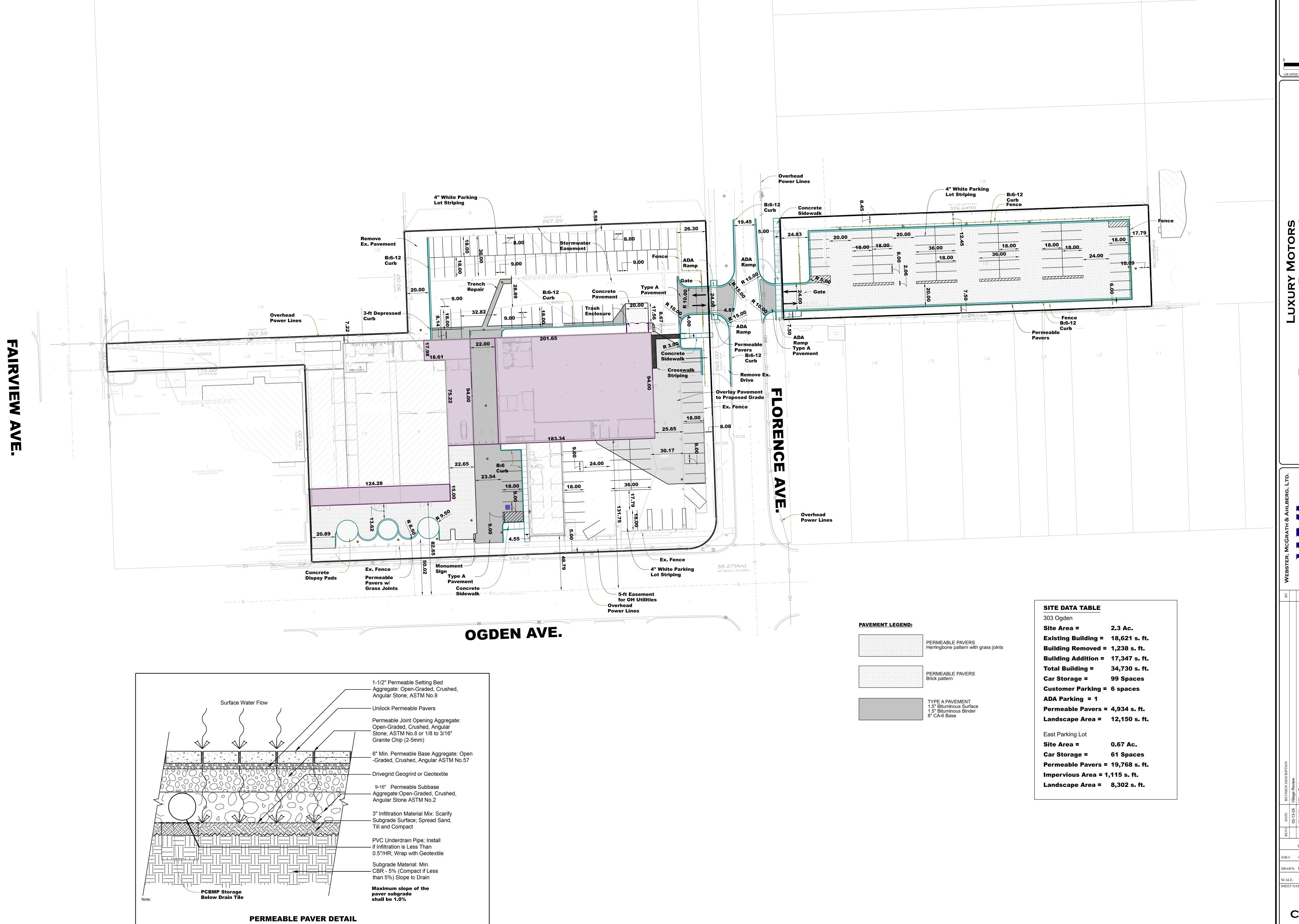
330 OGDEN AVENUE **ILLINOIS** DOWNERS GROVE MONUMENT SIGN MS-1 SIGN AREA 25.3 FT<sup>2</sup> EACH SIDE 50.6 FT<sup>2</sup> TOTAL BRAND 1 SIGN AREA WALL SIGN *WS-5* AREA: 42.9 FT<sup>2</sup> BRAND 2 **CALCULATION** T/ PARAPET ELEV: +27'-2" BRAND 3 Perillo WALL SIGN WS-1: AREA: 53.5 FT<sup>2</sup> AREA: 32.6 FT<sup>2</sup> WALL SIGN WS-2: AREA: 54.3 FT<sup>2</sup> WALL SIGN WS-6 AREA: 21.3 FT<sup>2</sup> WALL SIGN WS-3: WALL SIGN WS-4: AREA: 42.9 FT<sup>2</sup> T/ PARAPET ELEV: +17'-0" AREA: 42.9 FT<sup>2</sup> WALL SIGN WS-5: <u> Perillo</u> <u>PRE-OWNED</u> WALL SIGN WS-6: AREA: 21.3 FT<sup>2</sup> AREA: 21.3 FT<sup>2</sup> MONUMENT SIGN MS-1: AREA: 25.3 FT<sup>2</sup>
TOTAL AREA: 294.1 FT<sup>2</sup> ACM PANELS ACM PANELS 12'-0" 8'ENTRY DOORS EXISTING EXISTING EXISTING STOREFRONT STOREFRONT STOREFRONT OVERHEAD DOOR ≻SALT TOLERANT LANDSCAPING T/ GRADE ELEV: 0'-0" EACH SIDE MONUMENT SIGN DETAILS **EAST ELEVATION** Scale: 1/4" = 1'-0" T/ PARAPET ELEV: +27'-2" T/ FLAT ROOF ELEV: +25'-4" RIBBON WINDOW NEW PAINTED CMU EXTERIOR WALL ACM PANELS-EXISTING STUCCO FINISH **COVERED VEHICLE** NEW PAINTED CMU EXTERIOR WALL EXISTING STUCCO FINISH **ACCESS AISLE** NORTH ELEVATION Scale: 3/32" = 1'-0" WALL SIGN *WS-7* AREA: 23.7 FT<sup>2</sup> \_\_\_\_\_ T/ PARAPET \_\_\_\_\_ ELEV: +18'-8" T/ PARAPET ELEV: +16'-4" <u> Perillo</u> <u>PRE-OWNED</u> T/ PARAPET BEYOND EXISTING STUCCO FINISH EXISTING STUCCO FINISH PYLON SIGN T/ GRADE ELEV: 0'-0" **WEST ELEVATION** 



1 SOUTH ELEVATION

Scale: 3/32" = 1'-0"



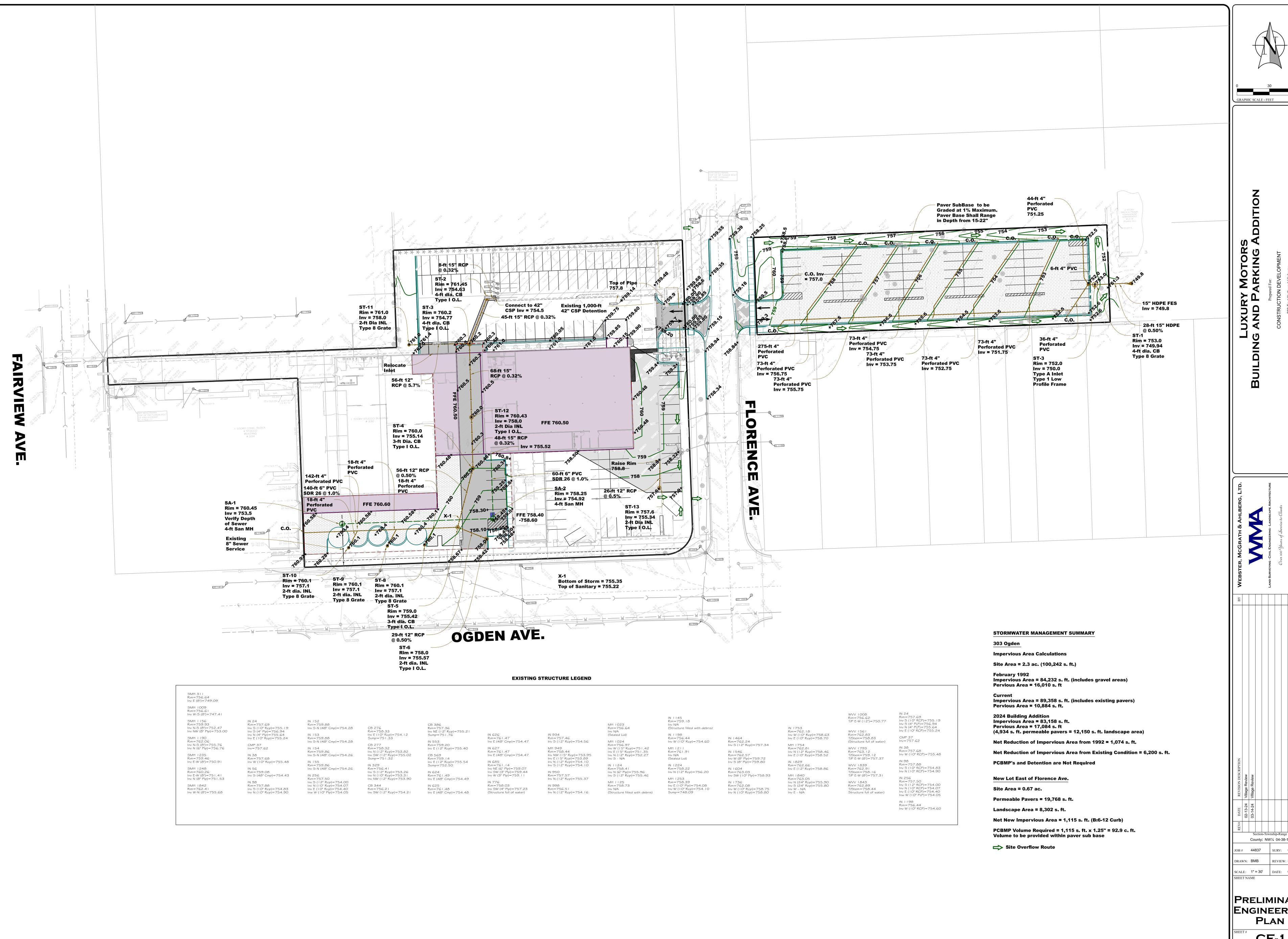


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County: NW1/4 04-38-11 JOB# 44837 SURV: Others DRAWN: BMB REVIEW: SMR SCALE: 1" = 30' DATE: 01-03-24

CIVIL SITE **PLAN** 

SP-1

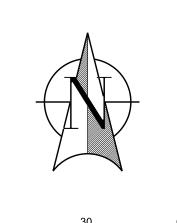


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County: NW1/4 04-38-11 REVIEW: SMR SCALE: 1" = 30' DATE: 01-03-24

PRELIMINARY ENGINEERING

CE-1



AG AND PARKING ADDITION

Prepared For:

CONSTRUCTION DEVELOPMENT

ENGINEERING - LANDSCAPE ARCHITECTURE

Quats of Service to Clients

ESTER ROAD, BLDG A, SUITE 203

EATON, ILLINOIS 60187

7603 WEB: WWW.WMALTD.COM

E REVISION DESCRIPTION

Section-Township-Range
County: NW¼ 04-38-11

DB# 44837 SURV: Oth

 JOB#
 44837
 SURV:
 Others

 DRAWN:
 BMB
 REVIEW:
 SMR

 SCALE:
 1" = 30'
 DATE:
 01-03-24

AUTO TURN EXHIBIT

AT-1



**Impervious Area Calculations** 

February 1992 Impervious Area = 84,232 s. ft. (includes gravel areas)

Impervious Area = 89,358 s. ft. (includes existing pavers) Pervious Area = 10,884 s. ft.

2024 Building Addition Impervious Area = 83,158 s. ft. Pervious Area = 17,084 s. ft (4,934 s. ft. permeable pavers = 12,150 s. ft. landscape area)

Net Reduction of Impervious Area from Existing Condition = 6,200 s. ft.

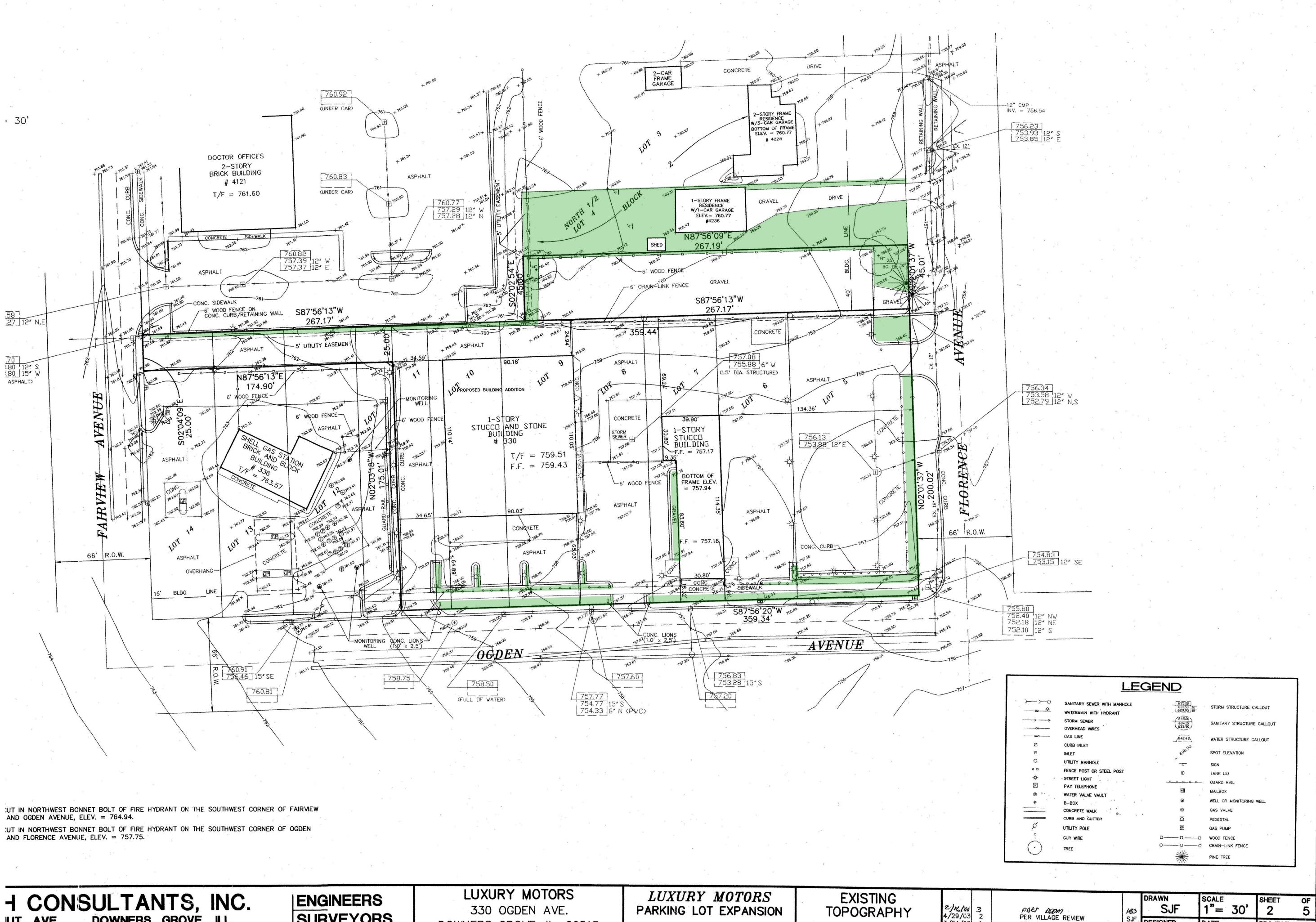
Site Area = 2.3 ac. (100,242 s. ft.) Pervious Area = 16,010 s. ft

3/24/03 1 PER VILLAGE REVIEW

DATE NO. REVISION

BY EFS/JHS 1-10-03 2000038C

Net Reduction of Impervious Area from 1992 = 1,074 s. ft.



County: NW1/4 04-38-11

REVIEW: SMR SCALE: 1" = 30' DATE: 01-03-24

1992 **IMPERVIOUS AREA EXHIBIT** 

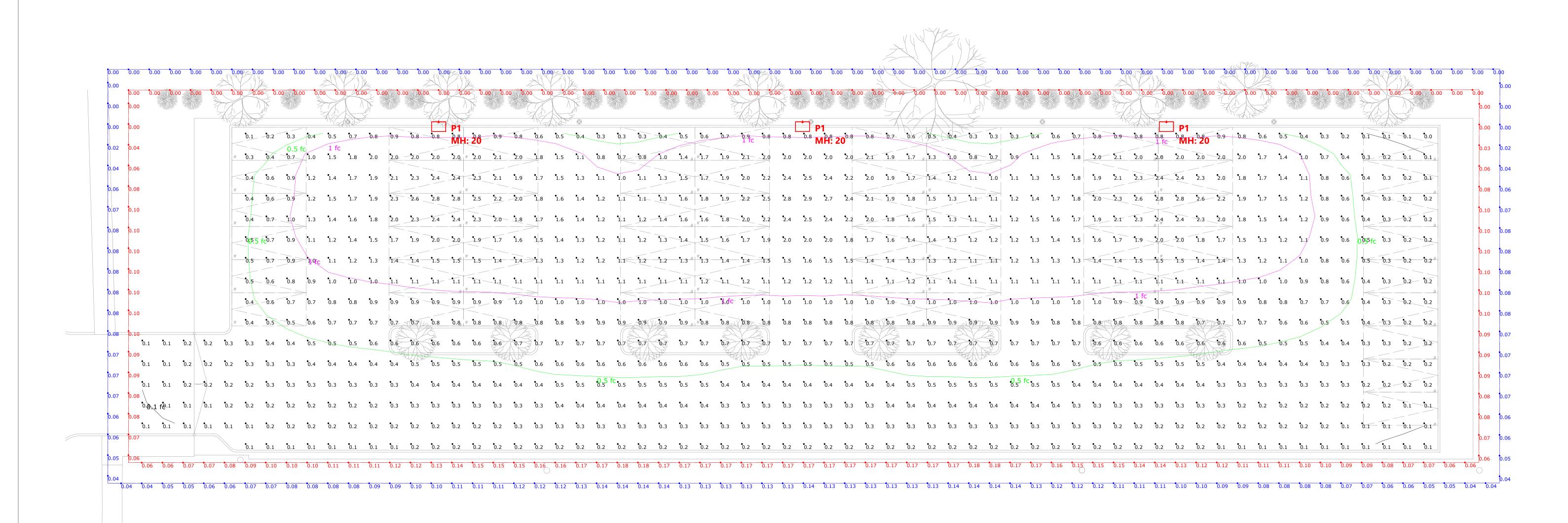
IE-1

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IUT AVE. DOWNERS GROVE, ILL.

SURVEYORS

DOWNERS GROVE, IL. 60515



0.5

Calculation Summary								
Label	<b>Grid Elevation</b>	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Mir
5FT BEYOND PROPERTY LINE	0	Illuminance	Fc	0.05	0.14	0.00	N.A.	N.A.
PARKING LOT	0	Illuminance	Fc	0.87	2.9	0.0	N.A.	N.A.
PROPERTY LINE	0	Illuminance	Fc	0.07	0.18	0.00	N.A.	N.A.

Luminaire Schedule								
Symbol	Label	Qty	Lum. Watts	Lum. Lumens	[MANUFAC]	[LUMCAT]	Mounting	LLF
							Height	
+	P1	3	93.04	8360	Lithonia Lighting	DSX0 LED P4 40K 70CRI BLC4	20	0.900

minai	minaire Location Summary						
		Insertion	Point				
mNo	Label	Х	Υ	Z	Orient	Tilt	
	P1	75.002	82.33	20	270	0	
	P1	163.002	82.33	20	270	0	
	P1	251.002	82.33	20	270	0	



A237 Florence Ave
SCALE: 1:10
Date: 12/28/2023

60515





MEMORANDUM TO: Sam DeStefano

Construction Development Inc.

FROM: Michael A. Werthmann, P.E., PTOE

Principal

DATE: March 13, 2024

SUBJECT: Preliminary Traffic Statement

Proposed Perillo Auto Dealership Expansion

Downers Grove, Illinois

This memorandum summarizes the results and findings of a preliminary traffic statement prepared by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the proposed expansion of the Perillo auto dealership located in Downers Grove, Illinois. The dealership, which sells and services primarily Rolls Royce, Bentley, and Lamborghini vehicles, is located in the northwest quadrant of the intersection of Ogden Avenue (U.S. Route 34) with Florence Avenue. Currently, the dealership has approximately 18,561 square feet of total space located in two buildings that contain a showroom/sales floor, a service department, and offices. Access to the dealership is currently provided via two access drives on Ogden Avenue and one access drive on Florence Avenue. **Figure 1** shows the location of the dealership and **Figure 2** shows an aerial view of the dealership.

As proposed, both the eastern and western buildings will be expanded and remodeled to provide a total of 39,055 square feet of space. The primary purpose for the expanded dealership is to enlarge and relocate the service department as well as to enlarge the showroom/sales floor. As part of the expansion, access to the expanded dealership will be provided via the two existing Ogden Avenue access drives and the relocation of the Florence Avenue access drive approximately 50 feet north of its existing location. In addition, a vehicle inventory parking lot is to be located on the east side of Florence Avenue immediately north of the commercial uses located along the north side of Ogden Avenue. The new vehicle inventory parking lot is to provide a total of 61 parking spaces with access provided via a single access drive located on the east side of Florence Avenue opposite the relocated access drive serving the dealership. A copy of the proposed site plan is included in the Appendix.

#### **Existing Roadway Characteristics**

The following summarizes the physical and operating characteristics of the area roadways.

Ogden Avenue (U.S. Route 34) is arterial road that extends in an east-west direction in the vicinity of the site and has two lanes in each direction divided by a center median. Left-turn movements to Florence Avenue are accommodated via a center, two-way left-turn lane. Ogden Avenue is under the jurisdiction of the Illinois Department of Transportation (IDOT), has an Average Annual Daily Traffic (AADT) volume of 26,600 vehicles (IDOT 2021), and has a posted speed limit of 35 mph.



Site Location Figure 1



Aerial View of Site Figure 1

*Florence Avenue* is generally a north-south, local road that has one vehicle lane in each direction. At its unsignalized intersection with Ogden Avenue, Florence Avenue has single-lane approaches that are under stop sign control. Florence Avenue is under the jurisdiction of the Village of Downers Grove.

#### **Trip Generation**

**Table 1** provides a comparison of several physical and operating characteristics of the existing and proposed dealership as provided by the operator. As indicated previously, the dealership sells and services primarily Rolls Royce, Bentley, and Lamborghini vehicles. In addition, even with the expansion, the overall size of the dealership is smaller than a typical dealership. As such, given the size of the dealership and the luxury type vehicles that are sold/serviced, the dealership generates a significantly lower volume of traffic than a typical dealership. This is evident in the existing number of daily services appointments (see Table 1). Further, as shown in Table 1, the expanded dealership is projected to have a limited increase in the number of employees, vehicle sales, and service appointments. In addition, it is important to note that the additional vehicles sales and service appointments are anticipated to be distributed throughout the day. As such, the increase in traffic from the expanded dealership is projected to be limited and the overall traffic to be generated by the expanded dealership will be lower than a typical dealership.

Table 1 COMPARISON OF PHYSICAL AND OPERATING CHARACTERISTICS EXISTING DEALERSHIP VERSUS EXPANDED DEALERSHIP

	Existing Dealership	Proposed Expanded Dealership
Total Square Footage	18,561	39,055 s.f.
Service Department Vehicle Lifts	9	13
Number of Employees	30	40
Number of Service Appointments	10	20

#### Site Access

Access to the expanded dealership and the proposed vehicle inventory parking lot is to be provided via the existing two access drives on Ogden Avenue, the relocation of the existing Florence Avenue access drive, and a proposed access drive on Florence Avenue serving the vehicle inventory parking lot. The following summarizes the design and locations of the access drives:

• The existing eastern Ogden Avenue access drive is located on the north side of the road approximately 230 feet west of Florence Avenue and will primarily serve the service department and the customer parking. This access drive provides one inbound lane and one outbound lane. Left-turn movements to this access drive are accommodated via the Ogden Avenue striped median as well as the taper for the Ogden Avenue westbound left-turn lane serving Fairview Avenue.

- The existing western Ogden Avenue access drive is located on the north side of the road approximately 375 feet west of Florence Avenue and will primarily serve several parking spaces used for vehicle inventory and the front of the dealership. Given that the east-west circulation road between the two Ogden Avenue access drives provides for one-way westbound traffic flow, this access drive should be restricted to outbound movements only via signage ("Do Not Enter" signs). Further, consideration should be given to prohibiting the outbound left-turn movement, particularly during the critical weekday morning and evening peak periods.
- The existing Florence Avenue access drive serving the dealership is proposed to be relocated approximately 50 feet north of its current location and will primarily serve the employee parking and vehicle inventory parking and provide secondary access to and from the service department. This access drive will provide one inbound lane and one outbound lane.
- Access to the proposed vehicle inventory parking lot to be located on the east side of Florence Avenue is to be provided via one access drive located on the east side of Florence Avenue opposite the relocated Florence Avenue access drive. This access drive will provide one inbound lane and one outbound lane.

The outbound lanes at all the access drives should be under stop sign control.

The four access drives will provide efficient and orderly access to and from the proposed expanded dealership and vehicle inventory parking lot with limited impact on the existing through traffic.

#### Design of New Vehicle Inventory Park Lot

As indicated previously, the new vehicle inventory parking lot will provide a total of 61 parking spaces. As proposed, the design of the parking lot will require the following variances from the Downers Grove zoning ordinance:

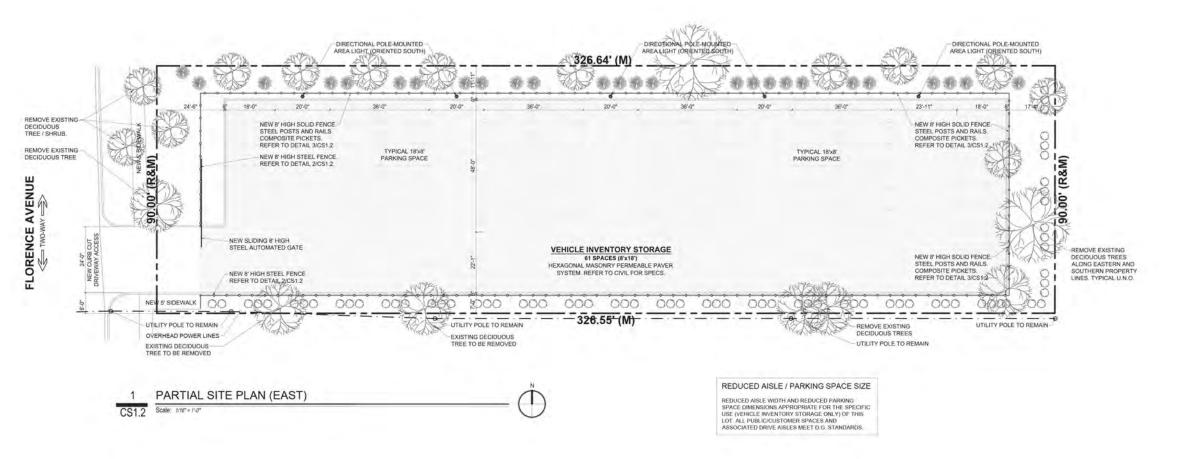
- The width of the parking spaces will be eight feet wide when the ordinance requires ninefoot wide parking spaces.
- The width of the two-way parking aisles will be 20 feet wide when the ordinance requires 24-foot wide two-way parking aisles.

The requested variances from the zoning ordinance are appropriate and will provide for efficient and orderly circulation and parking due to (1) the very low turnover of the parking spaces as they will be used for storing vehicles only and (2) the fact that only dealership employees will be parking the vehicles, who will be very familiar with the operation of the parking lot.

Appendix

### 330 OGDEN AVENUE

ILLINOIS **DOWNERS GROVE** #4 AT 32" O.C. VERTICAL 30" LONG HORIZONTAL WITH 12" HOOK 6°COMPOSITE -PICKETS TRASH ENCLOSURE THICKENED SLAB DETAIL TRASH ENCLOSURE PLAN CS1.2 CONCRETE OVER WELL-COMPACTED GRAVEL BASE CONCRETE OVER WELL-COMPACTED GRAVEL BASE FENCE ELEVATION STEEL FENCE ELEVATION WEST ELEVATION (EAST TYPICAL) NORTH ELEVATION PROPERTY 4"x4" PRIMED - STEEL TUBE WOOD GATES WITH HEAVY-DUTY HARDWARE SPLIT-FACED 6'-0" MAX. SPACING 6'-0" MAX. SPACING STEEL FENCE PLAN STEEL FENCE PLAN TRASH ENCLOSURE ELEVATIONS STEEL & COMPOSITE FENCE DETAILS STEEL FENCE DETAILS

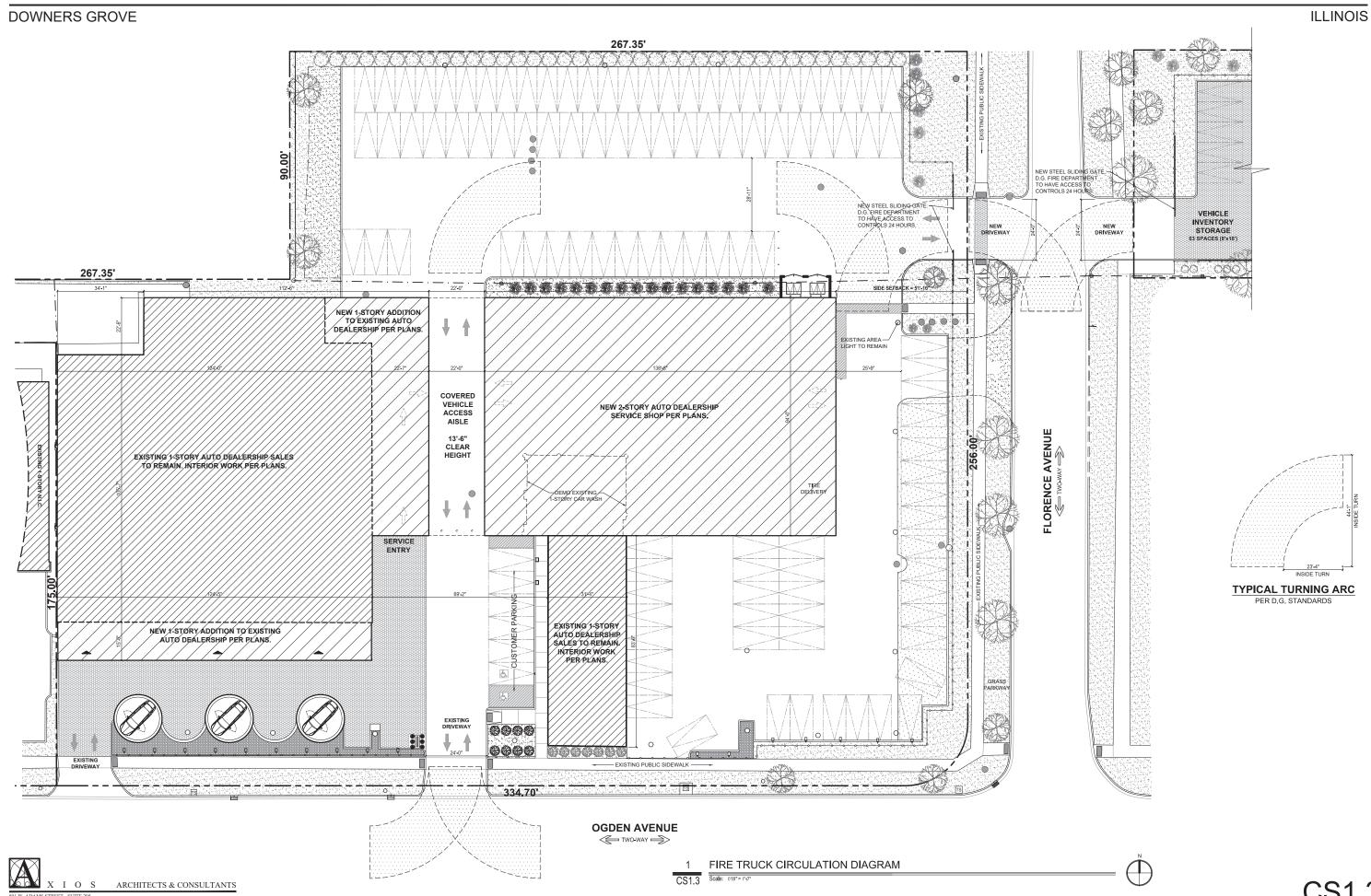


CS1.2 Scale: 1/4"=1'-0"

Scale: 1/4" = 1:-0"

Scale: 1/4" = 1'-0"

### 330 OGDEN AVENUE





#### VILLAGE OF DOWNERS GROVE REPORT FOR THE PLAN COMMISSION APRIL 1, 2024 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
24-PCE-0006 5133 Main Street	Special Use – Apartments/Condominium and a Parking Variation	Emily Hepworth, AICP Development Planner

#### REQUEST

The petitioner is requesting approval of a Special Use in the Downtown Core (DC) zoning district for apartments/condominium units on the second floor of an existing building, with a parking variation at 5133 Main Street.

#### NOTICE

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

#### **GENERAL INFORMATION**

OWNER: 5133 Main, LLC

321 Center Street Hillside, IL 60162

**PETITIONER:** Tim Winter

FS Real Estate LLC 321 Center Street Hillside, IL 60162

#### PROPERTY INFORMATION

**EXISTING ZONING:** DC, Downtown Core

**EXISTING LAND USE:** Commercial (first floor), Residential (second floor)

**PROPERTY SIZE:** 0.12 acres (5,402.7 square feet)

**PINS:** 09-08-303-013

#### SURROUNDING ZONING AND LAND USES

ZONING FUTURE LAND USE

NORTH:DC, Downtown CoreDowntownSOUTH:DC, Downtown CoreDowntownEAST:DC, Downtown CoreDowntownWEST:DC, Downtown CoreDowntown

#### **A**NALYSIS

#### **SUBMITTALS**

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

- 1. Application/Petition for Public Hearing
- 2. Location Map
- 3. Project Narrative
- 4. Special Use Criteria
- 5. Variation Criteria
- 6. Plat of Survey
- 7. Architectural Drawings
- 8. Building Elevations

#### **PROJECT DESCRIPTION**

The petitioner is requesting reestablishment of a special use for an apartment/condominium on the second story of the subject property, with a parking variation. The subject property at 5133 Main Street is zoned DC, Downtown Core. The proposed use is an allowable special use in the DC zoning district.

The apartments located on the second floor of subject property have not been occupied since March 2023. Per Section 28.12.050(i)(4) of the Municipal Code, if any special use is discontinued or not in operation for a continuous period of six (6) months or more, the special use for such use is void, and such use may not be reestablished unless and until a new special use is obtained.

The petitioner is proposing to renovate the formerly occupied eight units into seven units. The proposed seven unit concept will include five one-bedroom units and two two-bedroom units. All units are currently, and will remain, on the second floor of the structure. Access to the units is provided by stairs from the entrance off of Main Street and an external stairwell in the eastern alley which can be accessed from Curtiss Street. The eastern alley is also currently used for temporary storage, by the first floor restaurant. To ensure the second means of egress is not impeded by the temporary storage, staff proposes a condition of approval that the exit path is striped and painted leading residents to Curtiss Avenue. Lastly, façade changes include the replacement of existing windows and painting, which are not subject to the Downtown Design Guidelines.

#### **COMPLIANCE WITH THE ZONING ORDINANCE**

The property is zoned Downtown Core (DC). Per Section 28.5.010 of the Zoning Ordinance, apartments/condominiums are allowed as an allowable Special Use in the DC zoning district. The existing building complies with the DC bulk regulations, but a variance for the required parking has been requested. With seven units proposed the apartment/condominiums would require 10 spaces, with zero parking spaces provided. Historically, the subject property has never provided on-site parking.

Per Municipal Code Section 28.7.030, residential uses in the DC zoning district are required to provide 1.4 parking spaces per dwelling unit. As mentioned above, designated parking has not historically been provided on site for the units. The requested parking relief is further discussed under Traffic and Parking.

#### COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan places this property within the Downtown Focus Area. The Downtown Focus Area key concepts include:

- Development that is pedestrian-oriented and walkable
- Maintain a sense of enclosure
- Maintain a commitment to quality architecture

The Comprehensive Plan also places the subject site within the Downtown Functional Subarea - Downtown Core. The Comprehensive Plan notes this area should maintain the existing built form. The Comprehensive Plan identified the following key concepts for this subarea:

- Residential uses should be on the upper stories of mixed-use buildings
- Foster a walkable environment
- Building heights not to exceed three stories and be respectful of the existing structures
- Limited onsite parking, encouraging the use of parking decks

The Comprehensive Plan also encourages transit oriented development to take advantage of transportation opportunities. The proposed development is consistent with the transit oriented development approach as it promotes residential uses within a 10-minute walk of the Main Street Metra station. The residential areas section of the Comprehensive Plan encourages modernizing and reinvesting in existing residential uses. Mixed use residential is especially encouraged in the Downtown area due to the proximity to goods, services, jobs, and public transportation.

The proposed improvements are consistent with the Comprehensive Plan.

#### **ENGINEERING/PUBLIC IMPROVEMENTS**

There are no proposed public improvements associated with this application.

#### TRAFFIC AND PARKING

Per Municipal Code Section 28.7.030, residential uses in the DC zoning district are required to provide 1.4 parking spaces per dwelling unit. As mentioned above, designated parking has not historically been provided on site for the units. The building's existing footprint does not provide for retrofitting parking on the site. To accommodate properties that historically have not offered on-site parking in the Downtown, the Village offers residential parking permits for the Village's Downtown parking deck. These are available for an annual fee and provide designated spots for permit holders. Previous residents of the apartments have obtained parking passes from the Village.

#### **PUBLIC SAFETY REQUIREMENTS**

The Fire Prevention Division reviewed the proposal. Minor safety upgrades will be required, including the installation of a fire-rated door and fire alarm upgrades. These items will be reviewed and finalized during the building permit review.

#### **NEIGHBORHOOD COMMENT**

Notice was provided to all property owners 250 feet or less from the subject property in addition to posting two the public hearing signs and publishing a legal notice in the *Daily Herald*. Staff received two public inquires prior to the public hearing, inquiring about the intended use and parking requirements.

#### STANDARDS OF APPROVAL

The petitioner is requesting approval of a Special Use in the Downtown Core (DC) zoning district for apartments/condominium units on the second floor of an existing building, with a parking variation. The petitioner has submitted a narrative that attempts to address all the standards of approval. The Plan Commission should consider the petitioner's documentation, the staff report and the discussion at the Plan Commission meeting in determining whether the standards for approval have been met:

#### Special Use

#### Section 28.12.050.H Approval Criteria – Special Uses

No special use may be recommended for approval or approved unless the respective review or decision-making body determines that the proposed special use is constituent with and in substantial compliance with all Village Council policies and plans and that the petitioner has presented evidence to support each of the following conclusions:

1. That the proposed use is expressly authorized as a Special Use in the district in which it is to be located;

- 2. That the proposed use at the proposed location is necessary or desirable to provide a service or a facility that is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.
- 3. That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.

#### Variation

#### Section 28.12.090.G Standards and Review Criteria

Zoning Variations require evaluation per Section 28.12.090.G of the Zoning Ordinance, Standards and Review Criteria: "No variation may be approved unless the variation to be approved is consistent with the spirit and intent of this zoning ordinance and that strict compliance with the subject provisions would result in practical difficulties or particular hardships for the subject property owner. The consideration of whether a variation request has met the standards of practical difficulties or particular hardships must include all of the following findings from the evidence presented:"

- 1. The subject property cannot yield a reasonable return if required to comply with the regulations that apply to it.
- 2. The plight of the owner is due to unique circumstances.
- 3. The variation, if granted, will not alter the essential character of the locality.
- 4. That the particular physical surroundings, shape, or topographical conditions of the subject property would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
- 5. That the conditions leading to the need of the requested variation are not applicable, generally, to other properties within the same zoning classification.
- 6. That the alleged difficulty or hardship was not created by the current property owner.
- 7. That the proposed variation will not impair an adequate supply of air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.
- 8. That the proposed variation will not alter the essential character of the area.
- 9. That the granting of the variation will not confer on the subject property owner any special privilege that is not available to other properties or structures in the same district.

#### **DRAFT MOTION**

Staff will provide a recommendation at the April 1, 2024 meeting. Should the Plan Commission find that the request meets the standards of approval for a Special Use staff has prepared a draft motion that the Plan Commission may make for the recommended approval of 24-PCE-0006:

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 Special Use and parking variation as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, I move that the Plan Commission recommend to the Village Council approval of 24-PCE-0006, subject to the following conditions:

- 1. The Special Use shall substantially conform to the staff report, renderings, architecture plans prepared by Batir Architecture, LTD., dated August 26, 2022 except as such plans may be modified to conform to the Village codes and ordinances.
- 2. Approval by the Community Development Director for a plan to keep the second means of egress, through the fire escape, clear and unobstructed to the public way. This will involve painting a striped path to the Curtiss Avenue right-of-way.

Staff Report Approved By:

Stan Popovich, AICP

Director of Community Development

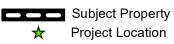
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Via: Electronic Submittal

March 13, 2024

Village of Downers Grove 801 Burlington Avenue Downers Grove, IL 60514

RE: Special Use Proposal for 5133 Main St., Downers Grove 2<sup>nd</sup> Floor Apartments, Remodeling Project

Dear Village of Downers Grove,

We are writing to formally notify the Village of Downers Grove of our intent to propose a remodel of the second story residential apartments located at 5133 Main Street (the "Property") located at the Northeast corner of Main Street and Curtiss. The Property is mixed-use with commercial uses on the first floor (Pierce Tavern and Style Studio), and vacant apartments located on the second floor.

The Property was acquired by 5135 Main, LLC (the "Owner") in March 2021. Upon acquiring the property, Owner undertook to complete remediation work to eliminate certain mold growth and asbestos containing building materials found on the second floor. Owner was able to vacate the second floor tenants, enabling Owner to address these conditions, which I am pleased to inform you, have been successfully mitigated.

Owner's plan for the second floor is to transform it into attractive residential apartments, contributing positively to the aesthetics and functionality of the neighborhood. The proposed remodel includes modern finishes that not only enhance the overall appeal of the building but also ensure a comfortable and safe living environment for its residents. The second floor residential use is consistent with the Downtown Core ("DC") zoning district regulations which are intended to maintain and promote a compact core within the downtown area for shopping, dining and entertainment with residential uses above.

Owner is requesting a variance to address the minimum parking requirements for residential uses in the DC zoning district. Current requirements provide for 1.4 off-street parking spaces per dwelling unit. The building does not have any off-street parking, and to Petitioner's knowledge has never had any off-street parking. Previously, the building had 8 apartment units on the second floor and no off-street parking. Owner's proposed plans are to reduce the number of residential units to 7 apartments. Due to the configuration of the building on the existing lot, no off-street parking can be added. The lack of off-street parking is a "nonconformity" under current zoning regulations for which Petitioner seeks relief through a variance waiving the off-street parking requirements..

We understand the importance of community involvement and collaboration. As such, we welcome the opportunity to discuss our proposal further and address any concerns and suggestions from the Village. We are committed to complying with all local regulations and codes, and we believe that our proposed remodel aligns with the vision and goals of the community.

Enclosed with this letter, you will find updated plans and exterior elevation renderings for the proposed remodel. We hope that these documents provide a comprehensive overview of our intentions.

Thank you for your time and consideration. We look forward to working together to bring our vision for 5133 Main Street to fruition and contribute positively to the Village of Downers Grove.

Sincerely,

Tim Winter, PE



## **Special Uses**

Form #PC02

Review and Approval Criteria

Address of Project Site:	
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A detailed response to all of the standards shall be provided, specifying how each standard is or is not met.

Section 28.12.050.H. Approval Criteria (Special Uses)

No special use may be recommended for approval or approved unless the respective review or decision making body determines that the proposed special use is constituent with and in substantial compliance with all Village Council policies and plans and that the applicant has presented evidence to support each of the following conclusions:

1. That the proposed use is expressly authorized as a Special Use in the district in which it is to be located.

The Project is located in the "Downtown Core" (DC) zoning district. Within the DC zoning district apartments are expressly authorized as a Special Use, provided the apartments are located on the second floor or above. (See Zoning Ordinance Allowed Uses Table 5-1; subject to Specific Limitation [17]). The second floor apartments within the building, once the remodeling project is completed, will be a continuation of the prior use of the second floor.

That the proposed use at the proposed location is necessary or desirable to provide a service or a
facility that is in the interest of public convenience and will contribute to the general welfare of the
neighborhood or community.

The proposed use is both necessary and desirable. The use will restore the residential space that was vacated in order to remediate conditions within the building. The second floor multi-family use is consistent with the comprehensive plan and the mixed-use of the building. Restoring the second floor apartments will complement the Downtown Core district by providing substantial upgrades to the existing building and will re-establish the apartment residences in close proximity to public transit. These benefits are in the interest of public convenience and both contribute to the general welfare of the Downtown Core district. The apartments will also provide a residential option for those unable to afford a single family home within Downers Grove, promoting diversity within Downers Grove.

3. That the proposed use will not, in the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or be injurious to property values or improvements in the vicinity.

The proposed second floor use will not be detrimental to the health, safety or general welfare or persons residing or working the in the vicinity of the property, will not be injurious to property values or other improvements in the vicinity. Applicant is seeking to renovate and improve its existing building located in the Downtown Core area. The up-keep and reinvestment into the building will provide an overall benefit to the Downtown Core area. The residential apartments are a continuation of the prior use of the second floor and are a customary use for the mixed-use nature of the building and others in the Downtown Core area.

Zoning Relief Process Page 7 of 13



# **Variations**Review and Approval Criteria

Form #ZA3

Address of Project Site:	
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A detailed response to all of the standards shall be provided, specifying how each standard is or is not met.

Section 28.12.090.G. Approval Criteria (Variations)

Variations require evaluation per Section 28.12.090 of the Municipal Code, Standards and Review Criteria: "No variation may be approved unless the variation to be approved is consistent with the spirit and intent of this zoning ordinance and that strict compliance with the subject provisions would result in practical difficulties or particular hardships for the subject property owner. The consideration of whether a variation request has met the standards of practical difficulties or particular hardships must include all of the following findings from the evidence presented:"

1. The subject property cannot yield a reasonable return if required to comply with the regulations that apply to it.

The property is mixed-use with commercial space on the first floor and residential apartments on the second floor. Under the existing configuration of the second floor, there are eight (8) apartments and Owner's renovation plans are to convert the second floor to have a total of seven (7) apartments. There is no off-site parking associated with the property. Historically, to the best of Owner's knowledge, there has never been any off-street parking for the property based on the configuration of the building on the subject lot and off-street parking cannot be added. If the Owner is not permitted to continue with the use of the second floor of the building as residential apartments due to the lack of off-street parking, it will not be able to yield a reasonable return with respect to the property due to the elimination of the income from the apartment rentals.

2. The plight of the owner is due to unique circumstances.

The Owner's plight is unique in that the building is situated on a lot with no excess land area to provide off-street parking, but the property has historically benefited from its mixed-use characteristics, inclusive of the second floor residential apartments, for an extended period of time.

3. The variation, if granted, will not alter the essential character of the locality.

**Zoning Relief Process** Page 8 of 13

"In addition, the hearing body must also take into consideration the extent to which the following facts, favorable to the property owner, have been established by the evidence:"

That the particular physical surroundings, shape, or topographical conditions of the subject property would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

Based on the size of the lot on which the building is situated and its location, there is no ability for the Owner to satisfy any requirement for off-street parking at the property. Strict enforcement of the zoning requirements for parking would impose an undue hardship on the Owner since the requirement cannot be met.

- 2. That the conditions leading to the need of the requested variation are not applicable, generally, to other properties within the same zoning classification.
  - Many of the buildings in the same area of downtown and along Main Street are similarly situated to the subject property in that the buildings have residential apartments are located on the second floor, with commercial use on the first floor. These are, predominantly, older buildings and were not constructed to accommodate, or provide, off-street parking. These other buildings continue to be used for their intended mixed-use (commercial and residential) purpose and are not required to provide off-street parking as a condition upon such continued use. That the alleged difficulty or hardship was not created by the current property owner.

The current owner has not made any changes to the property such that the current hardship could be attributed to the current owner's acts. The building is the same size and configuration as it was when purchased by the current owner.

4. That the proposed variation will not impair an adequate supply of air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

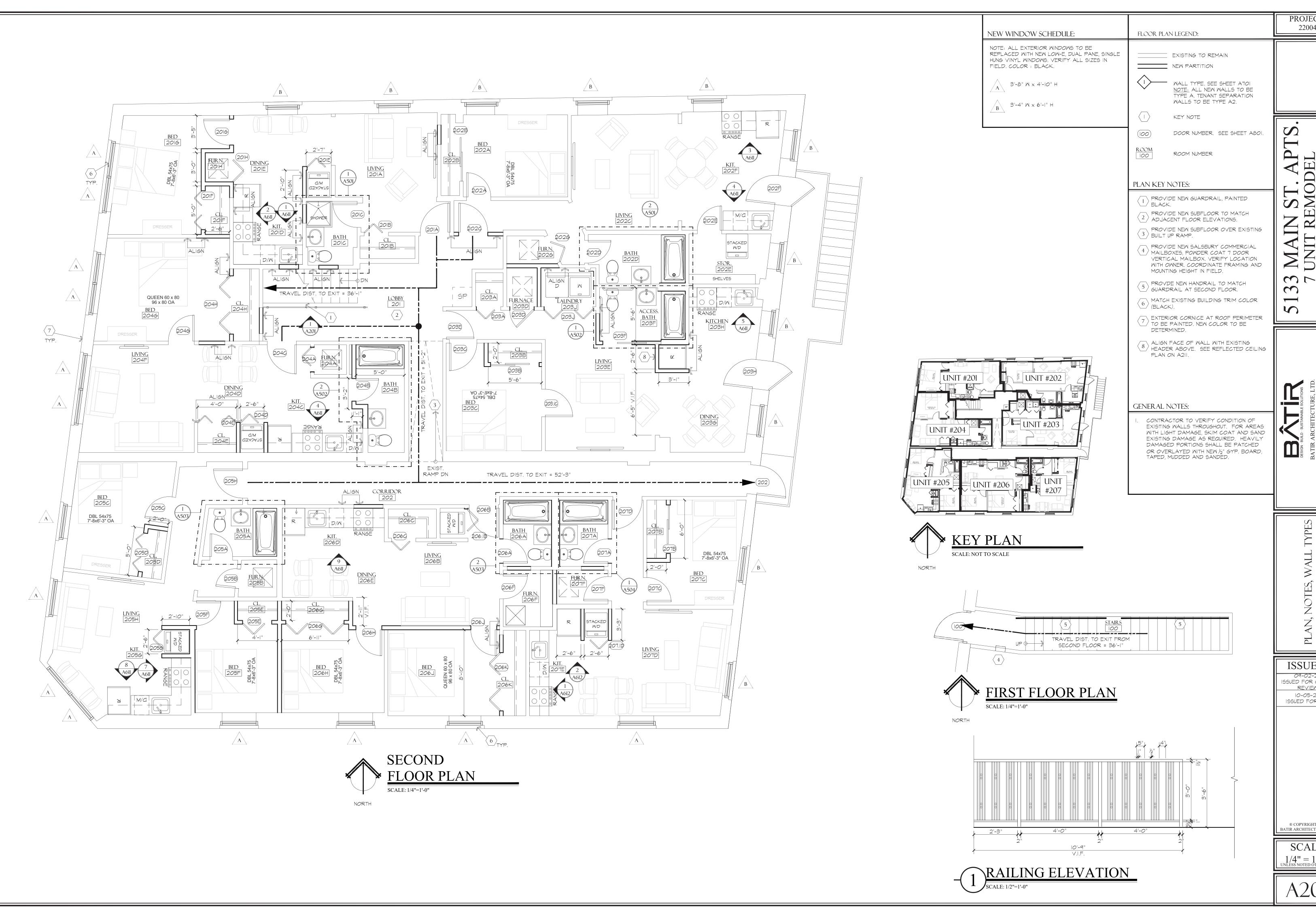
The requested variance will not cause any impairment to any adjacent properties, will not create any public safety issues, and will not diminish or impair any property values. No changes are being made to the overall size or "foot-print" of the existing building the mixed-use characteristics of the building will remain the same, although the current owner plans one less apartment unit.

5. That the proposed variation will not alter the essential character of the area.

The proposed variance will not alter the essential character of the area. No changes are being made to change the size or footprint of the building and the mixed-use will be the same as has existed in the past.

6. That the granting of the variation will not confer on the subject property owner any special privilege that is not available to other properties or structures in the same district.

The variance will not provide the Owner any special privilege or rights that differ from other properties in the same district. Many of the properties along main street in the same district have the same mixed-use (first floor commercial and second floor residential) and do not have off-street parking.



PROJECT: 22004

ISSUED:

09-02-22 ISSUED FOR OWNER REVIEW 10-05-22 ISSUED FOR BID

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SCALE 1/4" = 1'-0"

A201

