

**VILLAGE OF DOWNERS GROVE
PLAN COMMISSION**

VILLAGE HALL COUNCIL CHAMBERS
801 BURLINGTON AVENUE

March 2, 2020
7:00 p.m.

AGENDA

1. Call to Order

a. Pledge of Allegiance

2. Roll Call

3. Approval of Minutes – February 3, 2020

4. Public Hearings

- a. **20-PLC-0004:** A petition seeking approval a petition seeking Special Use approval to establish an accessory use (parking lot) before the principal use is established. The property is currently zoned B-3, General Services and Highway Business. The property is located at the northeast corner of Finley Road and Branding Avenue, commonly known as 3131 Finley Road, Downers Grove, IL (PIN: 06-30-409-009) . Robyn Pinson, Petitioner and ETW Land LP, Owner.

5. Other Business

- a. Plan Commission Training

6. Adjournment

THIS TENTATIVE REGULAR AGENDA MAY BE SUBJECT TO CHANGE

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**VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MINUTES
FEBRUARY 3, 2020**

CALL TO ORDER:

Ch. Rickard called the February 3, 2020 meeting of the Plan Commission to order at 7:00 p.m. and led in reciting the Pledge of Allegiance.

ROLL CALL:

PRESENT: Mr. Boyle, Mr. Dmytryszyn, Ms. Johnson Ms. Majauskas Mr. Maurer, Mr. Patel, Ms. Rollins, Mr. Toth, Ch. Rickard

ABSENT: Ex. Officio Members Olczyk, Livorsi & Menninga

A quorum was established.

Chairman Rickard reminded everyone present to silence any electronic devices during the meeting and noted that copies of the Agenda are available on the shelves at either side of the Chamber.

STAFF: Jason Zawila, Planning Manager
Gabby Baldassari, Development Planner

VISITORS: Paul Hussey, 4932 Prospect Avenue
Scott Richards, 1130 Warren Avenue
Sonja Kasche, 1011 Pinewood Drive
Nina Patel, 4932 Prospect Avenue
Matt Bolson, Lisle
Talar Berberian, Thompson Couburn, LLP
Dawn Zancan, Volta Charging
Robert Lederer, Apollo Commercial Maintenance

APPROVAL OF MINUTES: January 6, 2020 meeting

Mr. Dmytryszyn made a motion, seconded by Mr. Maurer to approve the minutes from January 6, 2020

The Motion to approve the minutes passed by Voice Vote.

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Ch. Rickard reviewed the procedures to be followed for the one scheduled public hearing, explaining that the Plan Commission is strictly a recommending body. The purpose of the meeting is to gather facts, information, and testimony of items on the Agenda. The Plan Commission's decision is not final but is strictly a recommendation to the Village Council for the Council's final decision. He said a report would be forwarded to the Council with a motion to recommend approval, recommend approval with refinements, or recommend denial of the petition. The Village Council makes all final decisions.

Ch. Rickard stated that the Petitioner will present its case to the Plan Commission, followed by questions to the Petitioner by Commission members. The Public will then have an opportunity to make comments before the Commission regarding the case under consideration. Ch. Rickard asked that each speaker provide his or her name and address for the record.

Following presentations by the Public, a member of the Community Development Department will present Staff's report. Upon completion of presentations by the Staff and the Public, the Petitioner will have the opportunity to question statements made or provide a closing statement. The Chairman will then close the public hearing portion of the meeting, and the Commission will review the information provided and ask questions of the speakers. Upon completion of the Plan Commission's deliberation, a Motion will be made containing a recommendation to the Village Council regarding the case.

Ch. Rickard then asked everyone who intended to speak on the petition before the Commission to rise and be sworn in.

PUBLIC HEARINGS

20-PLC-0001: A petition seeking approval for an amendment to Planned Unit Development #18 to amend the master signage plan. The property is currently zoned B-2/PD, General Retail Business/Planned Development. The property is located at the northeast corner of Lemont Road and 75th Street, commonly known as 7221-7451 Lemont Road, Downers Grove, IL (PIN: 09-29-110-002 to -008, -013 to -015). Volta Industries, Inc., Petitioner and PMAT DPP, L.L.C., Owner.

Petitioner's Presentation:

Talar Berberian, Thompson Couburn, provided an overview of the request and then introduced Dawn Zancan. Dawn Zancan, Volta Charging, introduced herself as the Director of Site Development and Site Sales and provided a background of the company and an overview of the Volta's free charging stations, which entered the Chicago market in 2016. She offered various trends and data related to electric charging.

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Mr. Maurer inquired if other communities are using the same model and if the charging stations utilize a universal application of connections for vehicles. In response it was offered that the stations would have a universal charging and the communities that have Volta stations are using the same model.

Mr. Dmytryszyn inquired if the stations will utilize signage on the front and back. Ms. Zancan stated yes and further provided a description of the components of the charging stations. Ch. Rickard noted that there was a discrepancy between the sizes provided in the applicant's submittal. The size was clarified.

Mr. Robert Lederer, introduced himself as the President/Owner at Apollo Commercial Maintenance, the property maintenance company for property ownership. He stated that have the charging stations at the shopping center would be a "win/win" as it would attract shoppers to the center and would provide free charging to customers.

Ms. Berberian returned to the podium and provided an overview of how the request met the standard for an amendment to the PUD. She knows that the request is for the proposed signage, but Volta's business model is tied the charging stations themselves. She stated that the proposed amendment to the PD is consistent with the Comprehensive Plan and other adopted plans for the subject because the stations help achieve diverse and sustainable economic opportunities, the infrastructure for electric vehicles at retail centers draws shoppers and that the stations encourage sustainable energy usage. In regards to whether the proposed complies with the PUD overlay district provisions of Section 4.030.D, the stations meet the goals of energy conservation and sustainability, are compatible with the Comprehensive Plan, provide flexibility and creativity in responding to changing market conditions and incorporate green infrastructure.

Ms. Berberian further stated in regards to whether the proposed amendment will result in public benefits greater than underlying zoning, that this is accomplished through offering free electric charging for Village residents and visitors, attracts shoppers to Village retail destination and helps the Village meet sustainability goals and protect air quality. Lastly, she stated they are in agreement with the draft conditions, but she further requested that the Plan Commission consider a reduction to the time change to 8 seconds for the displays, instead of the 10 seconds as represented in the staff report

Ch. Rickard asked if there were any additional questions from the Commission for the applicant. None responded. He then asked if there was anyone in the audience that wanted to speak in regards to this public hearing.

Public Comment:

Paul Hussey, 4932 Prospect Avenue, stated that he is an electric vehicle advocate and has used Volta charging stations in other communities. He further clarified that Telsa vehicles come with adapters for charging stations.

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Scott Richards, 1130 Warren, stated that he thought that these signs would be gaudy and agreed with statements about not going backwards. He stated that he works for the local TJ Maxx and was interested in understanding if the local businesses get to advertise.

Sonja Kasche, 1011 Pinewood Drive, inquired how this impacts electricity availability in the area and stated concerns that residents would end up paying for this.

Nina Patel, 4932 Prospect Avenue, stated she is in support of the charging stations as there is health benefits related to using electric vehicles. She thinks these screens will be appropriate even for those with sensory sensitivities.

Matt Bolson, of Lisle, noted that he is an electric vehicle advocate and that he is more likely to shop at the store because of the charging convenience.

Ch. Rickard asked if there were any further questions or comments from the audience. None responded. He then asked staff to make a presentation.

Staff Presentation:

Gabby Baldassari, Development Planner, said she is presenting an overview of the amendment request to the PUD to permit off-premise sign and electronic message boards on the electronic vehicle charging stations. It was stated that charging stations are considered accessory to the parking lot and are permitted by right and that the signs are subject to the amendment request. Specifically the sign code, prohibits both off-premise signage and electronic changeable copy messages boards.

Ms. Baldassari provided a history of the sign ordinance, noting that the 2005 update had multiple purposes including reducing the number and size of permitted signs and specifically prohibited electronic message board signs. The update provided an amortization period that required all signs to be brought into compliance within 9 years. In 2014 an update was provided to the Village Council that provided a summary of compliance and feedback since the 2005 ordinance was adopted. The study summarized that there was 7 signage plans for PUDs that were permitted deviations to the sign code, but that was only for quantity and size. It was further explained that in 2015 the school district requested that Village Council consider text amendments to permit electronic message board signs. Village Council did not direct staff to prepare the amendment.

Ms. Baldassari stated that based off of the current ordinance and past policy of the Village staff does not recommend approval of the petition. However, if the Plan Commission determines that the request meets the standards of approval for a Planned Development, staff provided a draft motion on page 4 of the staff report.

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Ms. Baldassari summarized the conditions of approval provided in the staff report, should the Plan Commission make a positive recommendation, and asked if there were any questions.

Mr. Maurer asked for more specific language to be provided regarding the condition of approval limiting video content on the display screens. Ms. Baldassari clarified that her description of the conditions was a summary, and that video content was clearly defined in the staff report and conditions of approval.

Commissioner Johnson asked why the electronic sign board was not allowed in 2015. Mr. Zawila said that council did not direct staff to move forward with preparing the text amendment, and at the time, Village Council was the only body that could request a text amendment.

Mr. Dmytryszyn asked why staff recommended a 10 second rotation minimum for display screens. Mr. Zawila commented that this was most consistent with surrounding municipalities, and that the Plan Commission could chose to change this to an 8 second minimum, per Volta's request as part of their deliberation.

Mr. Dmytryszyn asked if there were seven other signs currently allowed in the Village. Ms. Baldassari clarified that there had been seven sign plans for PUDs that permitted deviations since the 2005 update to the sign code, but these were not related to off-premise signage or electronic message boards.

Mr. Boyle asked if the proposed signs would be allowed if the rest of the signs were in compliance. Mr. Zawila said they would not be.

Ch. Rickard asked if there were any further comments. None responded. He then closed the public hearing.

Ms. Johnson asked if surrounding municipalities allowed this type of sign. Mr. Zawila said that most other municipalities do permit electronic message boards, sometimes by right or through a special use process.

Mr. Maurer commented on the size and time limitations listed in the conditions of approval. He said that this could be pointed to as setting a precedent. Mr. Zawila said that a precedent is a matter of opinion and that these regulations are specifically tied to this PUD request. Ms. Johnson believed that this does set a precedent.

Ms. Majauskas said that the property owner did not have a hardship. Ms. Majauskas said everyone will want this type of sign if one is approved.

Mr. Maurer said he doesn't know if the petitioner made a mistake in not including the screen details, or if it was overlooked in the permitting process. Mr. Zawila stated that the approved permit did not clearly demonstrate that the signage would be installed subject to the request in front of the Plan Commission.

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Ms. Rollins said this would not be groundbreaking, as Volta had suggested, that other communities have this technology, and the technology is here to stay. Does this set a precedent in their communities? Mr. Zawila said each community looks at this differently but have mostly permit this type of signage.

Ch. Rickard said that they are providing a service for free, but funding it with advertising. Residents are interested in the free service. Ms. Rollins said that this is more about aesthetics, which are important to Downers Grove. Ms. Majauskas said that the issue is related to signage, not to charging stations. The benefit is only for the owner, not the population.

Ms. Johnson asked how many charging stations are around Downers Grove. Mr. Zawila shared locations along Ogden and Butterfield, but those do not utilize electronic signage.

Ch. Rickard requested to give the petitioner a chance to offer closing comments.

Ms. Berberian said she believes these conditions are very specific and would not set a precedent for others. She suggested perhaps an additional condition that the signs provide a public amenity to further limit others trying to repeat this signs.

Ms. Zancan commented that removing these signs would be very expensive. Also, these stations will not provide an incentive to people to leave their cars in the spaces long term, as the amount of charging provided is limited. Ads are offered at discounted rates to on site tenants. The Village's allotted screen time can be up to the village and changed at a desired frequency. She further added that the range of electric vehicles can be short, especially in the winter, so these stations can make a big difference in providing the opportunity for people to buy electric vehicles. Because electric vehicle drivers must change their habits in order to keep their cars charged, they will be thinking about where they can shop, and are more likely to select stores with charging stations. Lastly she stated that they pay the electrical in a monthly installment to the landlord.

Ms. Berberian thanked the commission and said that they were sensitive to the issue of creating unappealing signage, but this amenity is necessary, and therefore the signage is necessary.

Ch. Rickard closed the public hearing.

Plan Commission Discussion:

Ms. Majauskas said this is giving an added benefit to the owner. Other sign variances were given based off of hardships. This is just a business proposition. A hardship is not caused by the owner, and it didn't pass inspection. This sets a precedent and others will propose similar signs. Others will want lighted signs. The issue is the lighting not the charging station.

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Mr. Maurer said if this was a variance, he would not support it, as it is not consistent with the zoning code. He said that significant compromise has been made by the petitioner, and it can be written in such a way that this cannot be repeated easily.

Ms. Majauskas said other businesses will want this. Ms. Majauskas said it isn't allowed. And we have denied sign variances. Mr. Boyle said this is specific to the PUD.

Mr. Dmytryszyn asked if this is something council should decide. Mr. Maurer said that everything that Plan Commission does is reviewed by Council. Ms. Rollins said that it would be nice to talk about this theoretically rather than having it already been built. Ms. Rollins asked if signage is tied to a specific zoning district. Mr. Zawila said that there are different regulations for the downtown area, Fairview business area and all other commercial districts. Ms. Rollins asked if we could permit this in certain zones to help restrict others.

Mr. Maurer said variances have been allowed due to unique conditions, and these are unique conditions. Ch. Rickard said it might be a goal to provide green infrastructure, and maybe it is a priority to accommodate them. The sign issue is clouded by the electric vehicle use.

Ms. Majauskas said this variance is not up to Plan Commission to decide. She would support this if it were restricted to electric vehicle charging. Mr. Zawila pointed out that charging stations are allowed. Also, that this is not a variance request, it is an amendment to the PUD. The standards that should be used for the recommendation are different than for a variance.

Discussion occurred on responsibility for making this decision, and modifications made to the conditions made in the staff report. It was determined that the term "sponsorship" should be removed from condition 3 and that additional language should be added to condition 8 stating that the operating hours of businesses located in the shopping center, whichever may be more restrictive.

Ch. Rickard asked if there was any further discussion from the Commission. None responded. He then called for a motion for recommendation.

Plan Commission Recommendation:

Mr. Maurer made a motion stating based on the petitioner's submittal, the staff report, and the testimony presented, I find that the petitioner has met the standards of approval for a Planned Unit Development 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 20-PLC-0001, subject to the following conditions:

1. The Planned Unit Development amendment shall substantially conform to the staff report and engineering plans dated 5-3-19 except as such plans may be modified to conform to the Village codes and ordinances.
2. Display screens shall be at least 125 feet from any right-of-way.
3. Display screens shall not rotate displays at a rate faster than 10 seconds per display.
4. Video content messages consisting of flashing, animated, chasing or scintillating is prohibited from being displayed.
5. Every eighth turn of Sponsorship Displays shall be reserved for content provided by governmental entities.
6. Only four charging stations with the associated off-premise electronic signage may be placed in the PUD.
7. Each display screen shall be limited to the dimensions of H 48" by W 27".
8. Display screens shall be turned off between 10PM and 5AM, or the operating hours of businesses located in the shopping center, whichever may be more restrictive.

Motion seconded by Ms. Rollins.

AYES: Boyle, Dmytryszyn, Maurer, Patel, Rollins, Toth

NAYS: Johnson, Majauskas, Ch. Rickard

The Motion passed

Ch. Rickard welcomed Steve Toth to the Plan Commission. There being no further discussion, Ch. Rickard called for a Motion to adjourn.

Mr. Dmytryszyn moved to adjourn the meeting, seconded by Ms. Johnson.
The Motion carried unanimously by voice vote.

Respectfully submitted,

Community Development Staff
(Transcribed from mp3 recording)



**VILLAGE OF DOWNERS GROVE
REPORT FOR THE PLAN COMMISSION
MARCH 2, 2020 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
20-PLC-0004 3131 Finley Road	Special Use to Provide an Accessory Parking Lot	Flora Ramirez Planner

REQUEST

The petitioner is requesting approval for a Special Use to establish an accessory use before the principal use is established at 3131 Finley Road.

NOTICE

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

GENERAL INFORMATION

OWNER: ETW Land LP
One World Trade Center, Suite 83G
New York, NY 10007

PETITIONER: Robyn Pinson
445 Hutchinson Avenue, Suite 920
Columbus, OH 43235

PROPERTY INFORMATION

EXISTING ZONING: B-3, General Services and Highway Business
EXISTING LAND USE: Vacant Restaurant
PROPERTY SIZE: 114,931.54 square feet (2.64 acres)
PINS: 06-30-409-009

SURROUNDING ZONING AND LAND USES

	ZONING	FUTURE LAND USE
NORTH:	B-3, General Services and Highway Business	Regional Commercial
SOUTH:	O-R-M, Office, Research, and Manufacturing	Office Corporate Campus
EAST:	B-3, General Services and Highway Business	Regional Commercial
WEST:	B-3, General Services and Highway Business	Regional Commercial

ANALYSIS

SUBMITTALS

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

1. Project Summary/Narrative

2. Special Use Criteria
3. Plat of Survey
4. Grading Plan
5. Landscape Plan
6. Photometric Plan

PROJECT DESCRIPTION

The petitioner is requesting approval of a Special Use to establish a 240 space off-site parking lot as an accessory use before the principal use of the property is in place at 3131 Finley Road. The proposed parking lot will provide accessory parking for Executive Towers West III located at 1400 Opus Place, directly south and adjacent to the proposed parking lot. The two sites are currently connected via a public sidewalk. An existing pedestrian connection is also currently provided between the existing surface parking lot and the parking garage located south of the subject property.

The subject property is currently occupied by a vacant restaurant. The petitioner is proposing to demolish the vacant restaurant building and convert the former building's footprint into additional parking stalls. The petitioner is requesting utilizing additional spaces in order to address the increased density trend in office space (i.e. smaller offices and shared work spaces). Recent trends of office employers include increasing density within their offices as an effective way of addressing business costs.

The plan removes some parking spaces along the west property line to ensure the combined parking counts between the two properties does not exceed the maximum parking ratio of 4.5 spaces per 1,000 square feet of building area. The subject property currently has two curb cuts onto Branding Avenue and the proposal does not include alterations to either curb cut. However, a portion of the existing parking lot is currently located in the Branding Avenue right-of-way. With the proposed improvements the parking spaces will be relocated onto private property. The parking lot will consist of 240 spaces, seven of which will be ADA compliant. Each parking space meets the required parking space dimensions. Landscaping will be provided in accordance with the Zoning Ordinance.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan designates the subject property as Regional Commercial, which is characterized by office uses that rely on the ability to draw a customer base from the larger region. The existing area currently is a mix of corporate office uses, large shopping centers, hotels, and big box development. The Comprehensive Plan identifies the Finley Road/Butterfield Road area as a Key Focus Area. It specifically suggests leveraging the unique location of this area, adjacent to two highways, to attract new retail and office tenants. To remain competitive and draw from the surrounding region, reinvestment should occur to improve the aesthetics and function of regional commercial uses, large shopping centers, hotels, and big box development.

Another goal for Commercial and Office Areas is to enhance the economic viability, productivity, and function of the Village's commercial properties. The objectives of this goal include promoting a mix of commercial and retail, in addition to encouraging campuses to offer spaces that are adaptable to market trends.

COMPLIANCE WITH THE ZONING ORDINANCE

The subject property is currently zoned B-3, General Services and Highway Business and is required to meet the bulk regulations for this district, as well as requirements for landscaping and parking dimensions. The required and proposed dimensions are compared below.

BULK REGULATIONS (B-3 ZONE)	REQUIRED	PROPOSED
Min. Lot Area	N/A	114,931.54 S.F.
Interior/Rear Setback (South)	N/A	7 ft.
Interior/Side Setback (East)	N/A	0 ft.
Min, Landscaped Open Space (10% of lot)	11,493.154 S.F.	28,016 S.F. (24%)

BULK REGULATIONS (PARKING)	REQUIRED	PROPOSED
Stall Width (for 90°)	9 ft.	9 ft.
Stall Length (for 90°)	18 ft.	18.42 ft.
Drive Aisle Width (for 90°)	24 ft.	24 ft.
Module Width (for 90°)	60 ft.	60 ft.

BULK REGULATIONS (LANDSCAPE)	REQUIRED	PROPOSED
Island Min. Width (every 20 spaces)	7 ft.	7 ft.
Divider Width	6 ft.	6 ft.
Side Yard Perimeter	50%	50%

Traffic and Parking

As noted above, the proposed parking lot will provide accessory parking for the future tenants working at 1400 Opus Place. Improvements at 3131 Finley Road will include removing existing parking stalls along the west of the lot and replacing this with landscaping. While sufficient parking is provided for existing office users in the property to the south, the building owner anticipates that additional parking will be needed for future tenants with higher parking requirements for their staff levels.

The applicant has proposed 240 additional spaces. The aggregate of the parking stalls at 1400 Opus (782) and the proposed parking stalls at 3131 Finley (240) is 1,020 parking stalls. The existing building at 1400 Opus place has a total area of 228,069 square feet. The combined parking will provide a parking ratio of 4.5 parking spaces per 1,000 square feet, based off of gross building square footage.

ENGINEERING/PUBLIC IMPROVEMENTS

All engineering provisions including stormwater regulations have been reviewed for compliance with the Stormwater and Floodplain Ordinance. The proposed development will meet the ordinance. Any requisite building permits will be reviewed for continued compliance. As noted above, the curb cuts to the site will not be changed.

PUBLIC SAFETY REQUIREMENTS

The Fire Prevention Division reviewed the proposed development and noted that the building permit will need to include a new fire hydrant, connected to the Village of Downers Grove water main. The hydrant will be installed within the Branding Avenue right-of-way.

NEIGHBORHOOD COMMENT

Notice was provided to all property owners 250 feet or less from the property line in addition to posting the public hearing sign and publishing a legal notice in *Enterprise Newspaper, Inc (The Bugle)*. Staff received an inquiry from the adjacent property owner to the north, requesting information about the project.

STANDARDS OF APPROVAL

Special Use

The petitioner is requesting approval for a Special Use to establish an accessory use before a principal use, as required by Section 6.010.A.3.

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;*
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 March 2, 2020 meeting. Should the Plan Commission find that the request meets the standards of approval for the Special Use, staff has prepared a draft motion that the Plan Commission may make for the recommended approval of 20-PLC-0004:

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 the Special Uses 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 20-PLC-0004, subject to the following conditions:

1. The proposed Special Uses shall substantially conform to the staff report, engineering plans prepared by Bleck, originally on January 23, 2020 and revised on February 14, 2020, and to the photometric plans prepared by KSA originally submitted on January 31, 2020, except as such plans may be modified to conform to the Village codes and ordinances.
2. The parking lot must be constructed within 6 months of passage of this ordinance. If within 12 months of construction of the parking lot, the parking lot is no longer used for 1400 Opus Place or a tenant is not secured that will utilize the parking lot, a building must be constructed on the property or the parking lot must be removed and the entire site restored to green space. The Village Council is authorized to extend the expiration period for good cause on up to 2 separate occasions, by up to 1 year each. Requests for extensions must be submitted to the Community Development Director and forwarded to the Village Council for a final decision.

Staff Report Approved By:



Stanley J. Popovich, AICP
Community Development Director

SP:fr
-att

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3131 Finley Road
Parking Lot

1400 Opus Place
Office Building

Text



0 500 1,000
Feet

3131 Finley Road - Location Map

 Subject Property
 Project Location



Robyn Pinson

Director of Asset Management
445 Hutchinson Ave Suite 920
Columbus, OH 43235
614-568-6668 Ext 301

January 23, 2020

Department of Community Development
Village of Downers Grove
801 Burlington Avenue
Downers Grove, Illinois 60515

RE: Special Use Request for 3131 Finley Road, Downers Grove

To Whom it May Concern:

If and when the request for the Special Use to establish parking as an accessory usage for 3131 Finley Road of Downers Grove is accepted and is to be presented in front of the planning committee; I appoint Mr. William Bennett of Altounian Construction, Inc. to represent on my behalf if I am unable to attend.

Thank you again for your consideration and please don't hesitate to contact me with any questions.

Sincerely,
ETW Land LP

A handwritten signature in blue ink that reads "Robyn Pinson".

Robyn Pinson, its Director



Robyn Pinson

Director of Asset Management
445 Hutchinson Ave Suite 920
Columbus, OH 43235
614-568-6668 Ext 301

January 23, 2020
Rev. 2.14.2020

Department of Community Development
Village of Downers Grove
801 Burlington Avenue
Downers Grove, Illinois 60515

RE: Special Use Request for 3131 Finley Road, Downers Grove
Establish Parking as an Accessory Use – Project Narrative

To Whom it May Concern:

We would like to thank you for the opportunity to present our request to establish parking as an accessory use before principal use of the property at 3131 Finley Road in Downers Grove.

Included in this submittal please find petition for plan commission, proof of Ownership, application fee, plat of survey, review and approval criteria, certification of public notice information including addresses for neighboring businesses within 250’ of the property and plan sets.

3131 Finley Road is a land parcel which includes a free-standing restaurant that has since closed from when the site was purchased by ETW Land LP on July 2, 2019. Ownership would like to demo the existing structure and is seeking special use to develop a surface parking lot to include 240 parking spaces as an accessory use for occupants in the contiguous office building, Executive Towers West III, located at 1400 Opus Place. Below is the calculation to determine how many parking spaces are allowed per 4.5/1000 parking allocation:

Building SF			Parking Ratio	Spaces Allowed	Existing 1400 Opus	Additional Spaces Requested
228,069	/ 1,000	228	4.5	1,026	782	240 ✓

Executive Towers West III is part of a three (3) building complex totaling 682,504 square feet of Class A office. Building anchor tenant, State Farm, has recently elected to close their Downers Grove location at Executive Towers West III which resulted in an 100,000 SF block of office space available for lease in this 228,069 SF building.

We have identified recent trends of office employers increasing density within their offices as an effective way of combating business costs. This has left the original 3.2/1000 parking ratio of Executive Towers West III obsolete and at a disadvantage to other competitive blocks of space throughout the East West Corridor market.

To combat this increased density trend in office space, Ownership of Executive Towers West III aggressively and successfully pursued the purchase of the contiguous restaurant site on 3131 Finley Road. This previous restaurant has struggled in another competitive industry. Ownership's aggressive pursuit to acquire this property combined with the Village's approval to allow Executive Towers West III occupants to park vehicles in this parking lot creates an attractive parking ratio for this large block of space and the potential to bring an additional 450+ jobs to Downers Grove and increase revenue stream for neighboring businesses and the community. Without this approval, other municipalities and their office projects will be the benefactor in bringing attractive office professional employees to their communities.

It is our CBRE leasing teams 55 years of personal experience in leasing office space in the East West Corridor market, including 2 million square feet of office space in Downers Grove (all 5 of the Highland Landmark Buildings from inception to completion, Highland Oaks I-II, Corridors III and now 682,000 square foot at Executive Towers I II III) that leads us to fully understand today's leasing trends. As we understand, tenants must have absolute certainty in an owner's ability to provide, not only attractive and modern office space, but proof that capital is readily available to complete tenant improvements. These assurances are within our control and we are prepared to demonstrate this during our re-tenanting procurement process. Tenants also require further assurances that parking for their employees and guests are not a vague promise, but instead a reality. These approvals allow Ownership and its leasing professionals to deliver on this most important requirement in a successful tenant procurement process. Without this additional parking we all risk losing these tenant prospects and the economic boost to the local businesses to other competitive assets in nearby municipalities. Due to the extensive analysis and financial obligations undertaken by larger tenants today when relocating, we are requesting at least a minimum of 18 months be provided by Downers Grove for this expanded parking are be allowed to remain vacant.

We do not plan to re-zone this property and if it is determined that the additional parking is no longer required, we will contact the Village regarding the development of a building on the land parcel. Occupancy is constantly fluctuating in our industry, but we understand that a vacant parking lot is not the Village's preference and we respect that. We hope to work with the Village to establish a timeline for special use as an accessory before principal use of the property.

We appreciate your consideration. Please contact us with any additional questions.

Sincerely,
ETW Land LP



Robyn Pinson, its Director



Commercial Real Estate
Due Diligence Management
3465 South Arlington Rd Suite E#183
Akron, OH 44312
866.290.8121
www.amnational.net

ALTA/NSPS Land Title Survey

3131 FINLEY ROAD, DOWNERS GROVE, IL

3131 FINLEY ROAD
DOWNERS GROVE, IL 60515
COUNTY OF DUPAGE

Surveyor's Certification

TO: FIRST AMERICAN TITLE INSURANCE COMPANY; ETW LAND LP, A DELAWARE LIMITED PARTNERSHIP; GROUP RMC CORPORATION, A DELAWARE CORPORATION; AND AMERICAN NATIONAL, LLC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6A, 6B, 7A, 7B1, 7C, 8, 9, 13, 14, 16, 17, 18, 19, 20 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON MAY 16, 2019.



James L. Harpole
Illinois Professional Land Surveyor No. 3190
In the State of Illinois, Expires 11-30-2020
Date of Survey: May 20, 2019
Date of Last Revision: June 27, 2019
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
Network Reference #20190684-1

SURVEYED BY:
JLH LAND SURVEYING, INC.
910 GENEVA STREET
SHOREWOOD, IL 60404
815.729.4000
info@jlsurvey.com

Sheet 1 of 1

Legal Description

LOT 1 IN OAK GROVE CENTRE OF COMMERCE UNIT THREE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 2, 1978 AS DOCUMENT R78-09661 AND CORRECTED BY DOCUMENTS R78-27328, R78-94193 AND R78-123102 RESPECTIVELY, IN DUPAGE COUNTY, ILLINOIS.

ABOVE LEGAL DESCRIPTION IS THE PROPERTY DESCRIPTION IN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NUMBER 3020-959831, BEARING AN EFFECTIVE DATE OF MAY 6, 2019.

Legend of Symbols & Abbreviations

UTILITY POLE	MANHOLE	P.O.C. POINT OF COMMENCEMENT
LIGHT POLE	SANITARY MANHOLE	P.O.B. POINT OF BEGINNING
TRANSFORMER	STORM STRUCTURE (CLOSED)	DEGREES
UTILITY PEDESTAL	STORM STRUCTURE (OPEN)	FEET/MINUTES
TRAFFIC SIGNAL	CURB INLET	INCHES/SECONDS
SIGNAL BOX	VALVE VAULT	S.F. SQUARE FEET
GAS VALVE	FLARED END SECTION	(R) RECORD BEARING/DISTANCE
WATER VALVE	WATER LINE	IF TOP OF FOUNDATION
ELECTRIC METER	TELEPHONE/CATV LINE	FF FINISHED FLOOR
GAS METER	GAS LINE	TP TOP OF PIPE
FIRE HYDRANT	ELECTRIC LINE	B.S.L. BUILDING SETBACK LINE
AUTO SPRINKLER	OHW-OVERHEAD WIRES	P.U.E. PUBLIC UTILITY EASEMENT
MONITORING WELL	STM-STORM SEWER	D.E. DRAINAGE EASEMENT
GROUND LIGHT	SAN-SANITARY SEWER	L ARC LENGTH
BOLLARD	CHAIN LINK FENCE	R RADIUS LENGTH
B/BOX	STOCKADE FENCE	C CHORD LENGTH
SIEN	GUARD RAIL	CB CHORD BEARING
FLAG POLE	CONCRETE SURFACE	CMF CORRUGATED METAL PIPE

FLOOD NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE(S) X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 17043C0607H WHICH BEARS AN EFFECTIVE DATE OF 12/16/2004 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA, BY CONTACT DATED 05/17/2019 TO THE NATIONAL FLOOD INSURANCE PROGRAM <http://www.fema.gov/>. WE HAVE LEARNED THIS COMMUNITY DOES CURRENTLY PARTICIPATE IN THE PROGRAM. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

Zoning Notes

ZONING INFORMATION

STATUS	"B-3" GENERAL SERVICES AND HIGHWAY BUSINESS DISTRICT.	STATUS
PERMITTED USE	RESTAURANT	OBSERVED
MIN. LANDSCAPED OPEN SPACE	10%	4%
MAX FLOOR AREA RATIO	0.75	0.18
MAX BUILDING HEIGHT	60 FEET	16.3'
MIN. SETBACKS STREET	25 FEET	197.55'
MIN. SETBACKS SIDE	NONE REQUIRED	20.18'
MIN. SETBACKS REAR	NONE REQUIRED	28.90'
PARKING REGULAR	194	
PARKING HANDICAP	3	
PARKING TOTAL	208	197

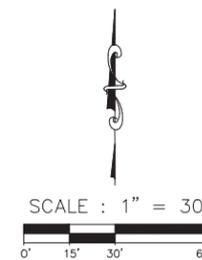
Contact Info:
THE PLANNING AND ZONING RESOURCE COMPANY (223) (403)840-4344
PZR SITE NO: 130012-1
DATED: 6/25/2019

NOTES:
BECAUSE THERE MAY BE A NEED FOR INTERPRETATION OF THE APPLICABLE ZONING CODES, WE REFER YOU TO THE VILLAGE OF DOWNERS GROVE FOR ZONING LAWS AND APPLICABLE CODES.

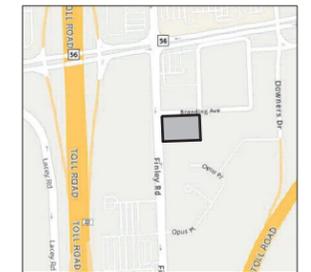
AREA: 114,931.54 SF± OR 2.64 ACRES±

Significant Observations

[A] BITUMINOUS PAVEMENT LIES OVER THE PROPERTY LINE.



Vicinity Map



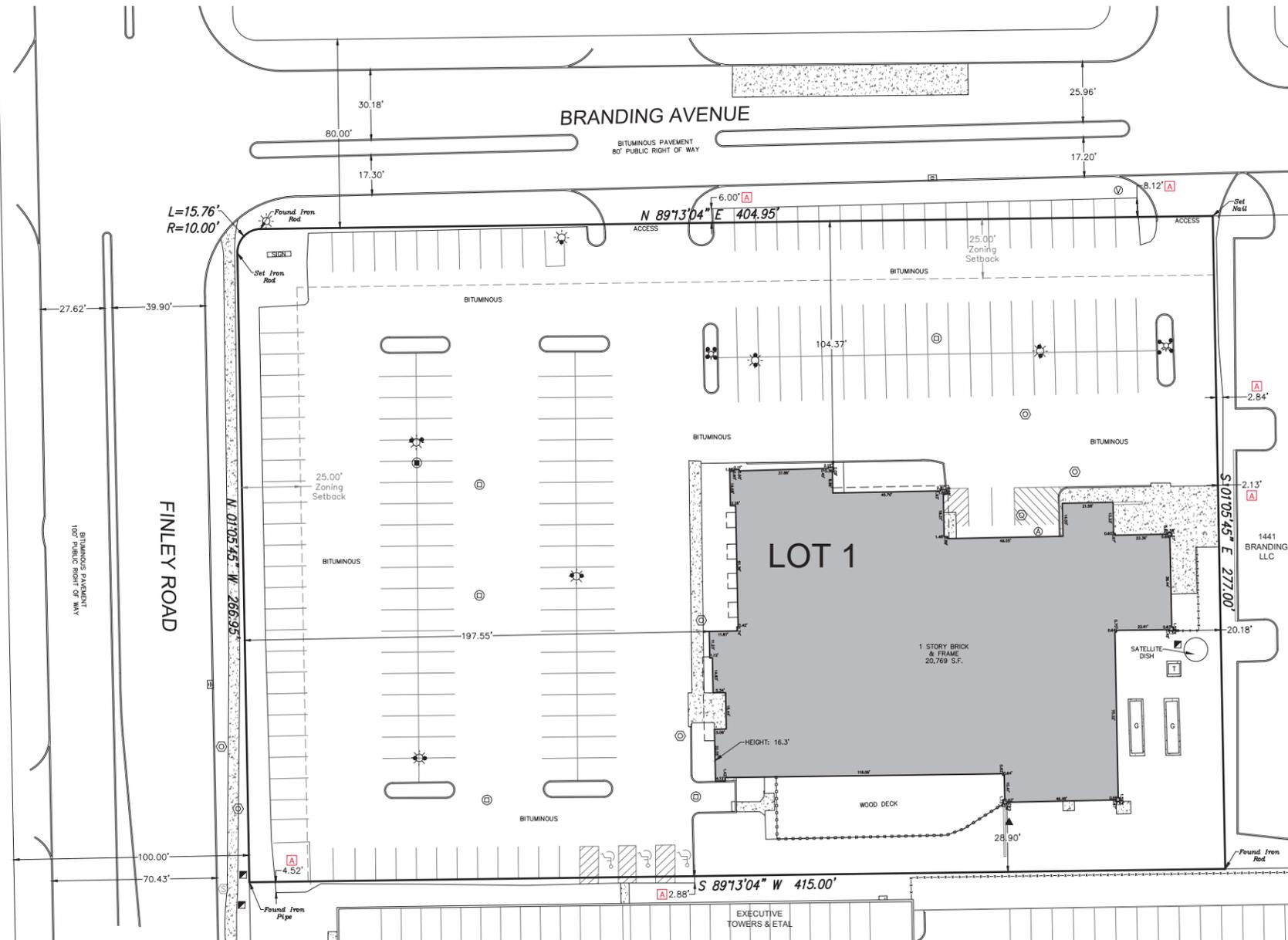
(NOT TO SCALE)

Notes Corresponding to Schedule B

- ① TERMS, PROVISIONS AND CONDITIONS OF THE DECLARATION OF RESTRICTIVE COVENANTS AS SET FORTH ON THE PLAT OF OAK GROVE CENTRE OF COMMERCE UNIT NUMBER 3, RECORDED FEBRUARY 2, 1978 AS DOCUMENT R78-09661. ITEM IS BLANKET IN NATURE AND IS NOT PLATTED.
- ② TERMS, PROVISIONS AND CONDITIONS OF DRAINAGE COVENANTS AS SHOWN ON THE PLAT OF OAK GROVE CENTRE OF COMMERCE UNIT NUMBER 3, RECORDED FEBRUARY 2, 1978 AS DOCUMENT R78-09661. ITEM IS BLANKET IN NATURE AND IS NOT PLATTED.
- ③ COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THE PLAT OF SUBDIVISION RECORDED AS DOCUMENT R78-09661 AND ANY AMENDMENTS THERETO, RELATING TO, AMONG OTHER THINGS: USE OF THE PREMISES, LOADING DOCKS, PARKING, LANDSCAPING, STORAGE FACILITIES, AND STORM WATER DETENTION. ITEM IS BLANKET IN NATURE AND IS NOT PLATTED.
- ④ NOTE: APPENDED TO THE PLAT OF OAK GROVE CENTRE OF COMMERCE UNIT THREE, RECORDED FEBRUARY 2, 1978 AS DOCUMENT R78-09661 AFORESAID, AS FOLLOWS:
EACH LOT IN THE SUBDIVISION IS SUBJECT TO ASSESSMENT FOR THE COSTS INCURRED IN MAINTAINING THE STORM RETENTION FACILITIES ON LOTS 16 AND 33 IN THIS SUBDIVISION IN SUCH A MANNER AS TO INSURE THE FREE AND UNINTERRUPTED FLOW OF STORM WATER THROUGH THE DRAINAGE SYSTEM OF THE SUBDIVISION. SUCH ASSESSMENTS ARE BASED ON THE RATIO OF TOTAL NUMBER OF SQUARE FEET FOR EACH LOT TO THE TOTAL NUMBER OF SQUARE FEET FOR ALL THE LOTS IN THE SUBDIVISION. ASSESSMENTS REMAINING UNPAID 30 DAYS AFTER NOTICE SHALL BE DELINQUENT AND SHALL BEAR INTEREST FROM THE DATE OF DELINQUENCY AT THE MAXIMUM RATE OF INTEREST PER ANNUM PERMITTED UNDER ILLINOIS USURY LAWS. SUCH DELINQUENCY SHALL BE A CONTINUING LIEN ON ANY LOT SO ASSESSED, BUT SHALL BE SUBORDINATE TO ANY FIRST MORTGAGE. LAKEVIEW BANK AND TRUST COMPANY, AS TRUSTEE UNDER TRUST NUMBER 4628 WILL BE RESPONSIBLE FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS PROVISION. ITEM IS NOT SURVEY RELATED.

General Notes

- MN1 ALL FIELD MEASUREMENTS MATCH RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTA/NSPS SPECIFICATIONS.
- MN2 THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
- MN3 ALL STREETS SHOWN ARE PUBLIC RIGHT OF WAY, UNLESS OTHERWISE NOTED.
- MN4 ASSUMED BEARING: THE EAST RIGHT OF WAY LINE OF FINLEY ROAD TO BE NORTH 01 DEGREES 05 MINUTES 45 SECONDS WEST.
- MN5 AT THE TIME OF THIS SURVEY THERE IS NO RECORD OR OBSERVED EVIDENCE OF A CEMETERY OR BURIAL GROUND.
- MN6 AT THE TIME OF THIS SURVEY, THE ADDRESS WAS POSTED AS 3131 FINLEY ROAD.
- MN7 THE SUBJECT PROPERTY HAS DIRECT ACCESS TO AND FROM BRANDING AVENUE WHICH IS GOVERNED BY THE VILLAGE OF DOWNERS GROVE.
- MN8 IN REGARDS TO TABLE "A" ITEM 16, AT THE TIME OF THIS SURVEY, THERE WAS NO VISIBLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
- MN9 IN REGARDS TO TABLE "A" ITEM 17, AT THE TIME OF THIS SURVEY, THERE WAS NO RECENT STREET OR SIDEWALK CONSTRUCTION OR PROPOSED RIGHT OF WAY CHANGES PROVIDED.
- MN10 IN REGARDS TO TABLE "A" ITEM 18, AT THE TIME OF THE SURVEY, THERE WAS NO STAKED WETLAND DELINEATION TO REFERENCE ON THIS SURVEY.
- MN11 IN REGARDS TO TABLE "A" ITEM 19, THERE ARE NO OFFSITE EASEMENTS OR SERVITUDES AFFECTING THE SUBJECT PROPERTY REFLECTED IN THE TITLE COMMITMENT OR THAT THE SURVEYOR HAS BEEN MADE AWARE OF.
- MN12 THE PROPERTY DESCRIBED THEREON (THE "PROPERTY") IS THE SAME AS THE PROPERTY DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 3020-959831 WITH AN EFFECTIVE DATE OF MAY 6, 2019 AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM A PHYSICAL INSPECTION OF THE PROPERTY AND OTHERWISE KNOWN TO ME HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE PROPERTY.
- MN13 THERE ARE NO ENCROACHMENTS ONTO ADJOINING PREMISES, STREETS OR ALLEYS, ANY BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS LOCATED ON THE PROPERTY, AND NO ENCROACHMENTS ONTO THE PROPERTY BY BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PREMISES EXCEPT THOSE SHOWN HEREON.
- MN14 THE TOTAL NUMBER OF STRIPED PARKING SPACES ON THE SUBJECT PROPERTY IS 197, INCLUDING 3 DESIGNATED HANDICAP SPACES.





Review and Approval Criteria **SPECIAL USES**

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 28.12.050.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.*

- 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.*

Review & Approval Criteria Special Use

Standard 2 cont'd:

The original 3.2/1,000 parking ratio is obsolete and at a disadvantage to other competitive blocks of space throughout the East West corridor market. Having the additional parking is an assurance to potential tenants and not just a vague promise. This allows Ownership and its leasing professionals to deliver this most important requirement in a successful tenant procurement process. Without the additional parking, we all risk losing these tenant prospects and the economic boost to the local businesses to other competitive assets in nearby municipalities.