

APPROVED – 5/6/2019

**VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
MINUTES FOR APRIL 1, 2019**

CALL TO ORDER:

In the absence of Chairman Rickard, Amy Gassen served as Chairperson Pro Tem (hereinafter Ch.) and called the April 1, 2019 meeting of the Plan Commission to order at 7:00 PM. She led in reciting the Pledge of Allegiance.

ROLL CALL:

PRESENT: Mr. Boyle, Ms. Gassen, Ms. Johnson, Mr. Kulovany, Mr. Maurer, Ms. Rollins

ABSENT: Ch. Rickard, Ms. Majauskas, Mr. Quirk, Ex. Officio Members Miller, Livorsi & Menninga

A quorum was established.

Ch. Gassen 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
Flora Ramirez, Development Planner

VISITORS: Dean Lev, IRL Retails Centers, 800 Commerce Drive
Tyson Fraser, 4616 Sherwood Avenue
Atif Ali, 34 Stonehill Road, Oswego, IL

APPROVAL OF MINUTES: March 4, 2019 meeting

Mr. Boyle moved, seconded by Mr. Maurer to approve the minutes for the March 4, 2019 meeting.

The Motion to approve the minutes passed by Voice Vote with one abstention by Ms. Rollins.

Ch. Gassen reviewed the procedures to be followed for the two scheduled public hearings, and explained that the Plan Commission is strictly a recommending body. The purpose of the meeting is to gather facts, information and testimony on any 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. She said a report would be forwarded to the Council with a Motion to recommend approval, approval with refinements or denial. The Village Council makes all final decisions.

Meeting procedures are as follows:

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

PUBLIC HEARINGS

19-PLC-0003: A petition seeking Special Use approval to construct a new drive-through facility. The property is currently zoned B-3, General Services and Highway business. The property is located on the north side of Ogden Avenue, approximately 227 feet west of Williams Street, commonly known as 62 Ogden Avenue, Downers Grove, IL (PIN: 09-04-112-043). IRC Retail Centers, Petitioner and IRC Downers Grove Marketplace, LLC, Owner.

Petitioner's Presentation:

Tyson Fraser of 4616 Sherwood Avenue, Downers Grove introduced himself as an employee of IRC Retail Centers who are the owners of Downers Grove Market on Ogden Avenue. He showed a slide of the site plan consisting of 10.5 acres with Hobby Lobby, Aldi's, Oberweis and other retailers. Mr. Fraser said they are requesting a drive-through for the area near the Starbuck's. He noted at one point they had a plan for a two-tenant building that would have been shared with Starbucks and one other tenant. Starbucks has since notified them that they would be closing their location this past September and they negotiated with them to create a situation that would include a drive-through on the east side of the building to the outlot building. He said the drive-through has been designed with the proper safety measures in place, landscaping, stamped concrete, etc., cognizant of the flow of both foot and vehicular traffic. The design will add a patio to the northeast portion of Starbuck's building. The queue line will handle eight cars, and the proposal will lose 23 parking stalls; however, the

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development will still have a surplus of 90 parking spaces over the current code requirements. This proposal does not contain an access to Williams Street.

Mr. Fraser further explained what exists on the site today at the proposed drive-through window site. Starbuck's will come in at a later date for their own signage approval. He explained that the development is classified in the Village's Comprehensive Plan, as Corridor Commercial. If they do not make these adjustments Starbucks will leave that location. He reviewed other enhancements to the site that create a connectivity to other areas of the shopping center. In addition to keeping Starbuck's within the Village, the impact of the drive-through should not negatively impact other businesses. It also helps to improve underdeveloped areas of the parking lot.

Mr. Fraser then reviewed the criteria for the Special Uses. He said that the property is located in the B-3, General Service and Highway business zoning district. Under Section 5.010 of the Zoning Ordinance, a drive-through facility is listed as an allowable Special Use in the B-3 zoning district, and the first Standard of Section 28.12.050.H has been met.

Mr. Fraser continued by stating that the proposed restaurant building with a drive-through use provides a desirable service that contributes to the general welfare of the community. The proposed use is also consistent with the Comprehensive Plan's recommendation for reinvestment in corridor commercial areas to remain competitive and provide an enhanced gateway. The proposal is compatible with surrounding uses and will include a high quality building design with outdoor patio seating. It will also redevelop an under-used parking area with a trash enclosure. The petitioner believes that this second standard has also been met.

Regarding the third standard, Mr. Fraser said that the proposed development and drive-through facility will not be detrimental to the healthy, safety or general welfare of persons residing in or working in the vicinity and will not be injurious to property values or improvements in the vicinity. The on-site circulation has been designed in a manner that will separate stacking lanes from drive-aisles and the parking areas. Moreover, landscaping and screening will be added which will enhance the aesthetics of the property. The proposed drive-through is similar in nature to other commercial uses along Ogden Avenue. The petitioner believes this third standard has also been met.

There were no questions from the Plan Commission members at this time, and no public comments. Ch. Gassen called upon Staff to make its presentation.

Staff Report dated April 1, 2019

Village Development Planner Flora Ramirez explained that the petition is a request for a Special Use permit for property located at 62 Ogden Avenue, northwest of the intersection of Ogden Avenue and Williams Street. She showed a slide of the location of the site, which is designated as B-3 General Services and Highway business. She displayed the proposed site plan, which includes eight-stacking spaces for the proposed drive-through, as well as a patio extension to the north removing 23 parking stalls.

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There is surplus parking on site however. She also noted that the island next to the drive-through lane will be landscaped. The slide also displayed the proposed bump-out for the drive-through window made partially from brick, with a canopy and lighting.

Ms. Ramirez noted the Standards of Approval and said that staff recommends approval for the Special Use Permit as shown on page 4 of its report dated April 1, 2019.

A question was raised by a Commissioner as to Condition 2 of Staff's recommendation concerning lot consolidation that was recommended as part of another petition a while ago for this same site. The Commissioner asked what the status of that previous proposal was.

Ms. Ramirez responded by showing the site plan slide, stating that the drive-through moves between two parcels, and according to the Zoning Ordinance you cannot have a structure over two parcels, so those parcels will be consolidated to allow for the creation of the drive-through.

Mr. Zawila said that the 2017 Special Use has expired, and no action was taken following that approval.

Mr. Maurer thanked the petitioner for a great presentation. He asked about the remaining parking spaces and whether it was still above the Code requirements and where the grease trap will be located. Ms. Ramirez said it was above the requirements.

A question was raised regarding the lighting levels and whether it was sufficient for the drive-through. Ms. Ramirez said that new exterior light fixtures are not requirements as part of this request. The only lighting fixture added was for the drive-through canopy.

There being no further questions for staff, Mr. Fraser responded that the lights are not being impacted by the proposed drive-through. As to a question raised about the grease-trap, Starbucks generates little grease and they will schedule regular clean-ups.

There being no further comments or questions, Ch. Gassen closed the public comment portion of the public hearing.

Commission Deliberation:

It was noted that the Starbucks further down has a much longer stacking line than eight cars. A question was asked whether the stacking can be made longer. Mr. Zawila said that there is room outside the queue line into the parking lot itself.

Mr. Kulovany said the petition meets the Special Use criteria and he thinks this configuration works better than the proposal originally submitted some time ago.

Mr. Quirk said it seems like a good use of the space. He frequents other stores in that location and he thinks it's a great improvement for the area.

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Ch. Gassen said she agrees that it meets the standards for a Special Use. She called for a Motion.

Mr. Kulovany stated that based on the petitioner’s submittal, the staff report, and the testimony presented, he finds that the petitioner has met the standards of approval for a Special Use as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, he moved that the Plan Commission recommend to the Village Council approval of 19-PLC-0003, subject to the following conditions:

- 1. The proposed Special Use for a drive-through use shall substantially conform to the attached proposed Downers Market Multi-tenant building engineering drawings prepared by Craig R. Knoche & Associate Civil Engineers, PC dated February 12, 2019, last revised March 7, 2019, the architectural drawings prepared by PFDA Architects dated June 27, 2018, last revised January 24, 2019, except as such plans may be modified to conform to Village codes, ordinances, and policies.**
- 2. An administrative lot consolidation of the two lots at the southern end of the Shopping Center) shall be recorded at DuPage County prior to the issuance of a building permit.**

Ms. Johnson seconded the Motion.

AYES: Kulovany, Johnson, Boyle, Maurer, Rollins, Ch. Gassen

NAYS: None

The Motion passed unanimously.

Mr. Zawila said that this petition will be before the Village Council next month.

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19-PLC-0005: A petition seeking Special Use approval to operate a personal vehicle repair and maintenance business. The property is currently zoned M-1, Light Manufacturing. The property is located on the north side of Wisconsin Avenue, approximately 500 feet west of Belmont Road, commonly known as 2300 Wisconsin Avenue, Units 306 and 307, Downers Grove, IL (PIN 08-12-407-006). Atif Ali and Muruza Ali, petitioners and MacNeil Real Estate Holdings, Owner.

Mr. Atif Ali of 34 Stonehill Road, Oswego, IL, introduced himself as an owner of Detail City, Inc. Detail City is requesting a special use permit in the M-1 Light Manufacturing District. He said this use falls under the category of personal vehicle repair and maintenance which is expressly authorized as a Special Use under the M-1 Zoning District. They are seeking to expand their business at 2300 Wisconsin Avenue, Unit 306-307. Mr. Ali provided background information on Detail City, stating that this

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location on Wisconsin Avenue would be their second location, with their main location located in Oswego, Illinois. Their Downers Grove location will focus primarily on high-end vehicles costing \$80,000-\$200,000. He then provided information as to their detailing process, stating they do not expect to work on more than 2-3 vehicles per week in the Downers location. The process includes hand wash/decontamination; hand drying of vehicle; buffing out scratches and imperfections on paint; application of coating such as wax, sealant and ceramic for paint protection. He described the location of the facility as well as activities that will take place in the detailing process previously mentioned. No exterior modifications will be made to the building. They have adequate parking.

Mr. Ali then reviewed the criteria for a Special Use as required by the Village's Ordinance. He noted that the location of their business at 2300 Wisconsin Avenue expressly authorizes a Special Use as requested by the applicant.

With regard to the second criteria, Mr. Ali stated that their store has minimal foot/vehicle traffic. Client vehicles are not being worked on while the customer waits, but are left for extended periods of time. Hours of operation are 10 AM-7 PM seven days a week by appointment only, and noise is kept at a minimum as most cars are not driven due to the cost of the car. Cars can be detailed without the engine running. Mr. Ali said that this criteria has been met.

With regard to the health, safety or general welfare of persons residing or working in the vicinity, Mr. Ali said that there is no foreseeable event in the day-to-operations that can be thought of as detrimental to the health, safety and general welfare of individuals. The business that Detail City, Inc. conducts will be contained inside the proposed units and no vehicles will be parked outside, with the exception of employee vehicles or personal vehicles. In order for Detail City, Inc. to maintain its image and following with the high end car scene, things must be kept spotless, floors must be mopped daily, and the property must be kept in tip top shape otherwise it would be detrimental to business. He stated that all work on client cars will be done inside the premises at all times. They require two parking spots per unit and those are available. Mr. Ali said that they believe they have met all the criteria for a Special Use established by the Village.

Ch. Gassen opened the floor to questions from the Commission.

Ms. Johnson asked whether there were any chemicals used by the business that could create aromatic issues with surrounding neighbors. Mr. Ali replied that some detailers use acid-based products that are of concern. Detail City, Inc., uses no acid-based products and the degreasers they use are not potentially harmful to the health of others.

Mr. Maurer asked if they use water in the car wash, and what kind of drainage system. Mr. Ali said they do hand washing with no machinery. It only involves water and soap. He doesn't know about the drainage but can find out and get back to Ms. Ramirez on that.

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Mr. Zawila said this would be subject to the Village's Building Code requirements. Prior to receipt of a Certificate of Occupancy, a Building Inspector visits the site to assure that all requirements are met.

Mr. Kulovany asked how many units are in the building and what the occupancy is. Mr. Ali said he thinks Detail City was the last company to occupy the building.

Ch. Gassen asked how many employees they expect to work there at one time. Mr. Ali said they expect two people in the Downers Grove facility, with a possibility for a third person. As to the number of cars in the facility, Mr. Ali said that the square footage is 3200 square feet, and they could handle 3-4 cars. He said that 90% of the time they go to the customer's home to inspect the car and arrange a pick-up/drop-off service.

Mr. Maurer clarified that with 3,200 square feet, the intention is not to be a car storage facility, and Mr. Ali said that was correct. There are no other transactions taking place in the building. Mr. Zawila added that if in fact their service changed they would have to come back to the Village for another Special Use.

Ch. Gassen called upon the public for additional comments. The person was sworn in.

Ms. Thompson of 4036 Cumnor Road asked about fumes and odors. She is sensitive to paints and odors. It was noted that Ms. Thompson was asking about the first petition. Ch. Gassen informed her that the first petition had been heard already and was referred for approval to the Village Council. She explained that Ms. Thompson could comment when it comes before the Council.

Staff Report April 1, 2019

Village Development Planner Flora Ramirez explained that the petitioner is requesting approval of a Special Use to operate a personal vehicle repair and maintenance business at 2300 Wisconsin Avenue which is in the M-1 Light Manufacturing district. She displayed the plat of survey for the location and outlined the Special Use criteria as required by the Zoning Ordinance. Ms. Ramirez noted that a draft motion has been prepared on page 3 of Staff's Report dated April 1, 2019.

Ms. Johnson asked about condition two that states that no vehicles may be test driven on the subject property or in the surrounding area. Mr. Zawila responded that the condition is more of a safety precaution as the Special Use is for vehicle repair and maintenance.

Mr. Boyle said he thought this use was appropriate for the location and good for the community, but he wanted to confirm that Mr. Ali is not being limited to those two bays. Ms. Ramirez replied that if the petitioner wanted to come back for another unit they would have to request another Special Use.

Mr. Ali thanked the Commissioners and everyone for their time.

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There being no further questions, Ch. Gassen closed the public portion of the meeting.

Commission’s Deliberations:

Mr. Boyle said he thinks it is an appropriate use in the area, and he is glad that Mr. Ali chose Downers Grove to expand their services.

Mr. Maurer said he thought this is complimentary to the area and a great addition.

Ch. Gassen reiterated that this petition meets the Standards for Approval for a Special Use. She called for a Motion.

Mr. Boyle stated that based on the petitioner’s submittal, the staff report, and the testimony presented, he finds that the petitioner has met the standards of approval for a Special Use as required by the Village of Downers Grove Zoning Ordinance and is in the public interest and therefore, he moved that the Plan Commission recommend to the Village Council approval of 19-PLC-0005, subject to the following conditions:

- 1. The Special Use shall substantially conform to the staff report plans and documents attached to this report except as such plans may be modified to conform to the Village codes and ordinances;**
- 2. No vehicles may be test driven on the subject property or in the surrounding areas; and**
- 3. The use is allowed a maximum of two total service bays.**

Mr. Maurer seconded the Motion.

AYES: Boyle, Maurer, Johnson, Kulovany, Rollins, Ch. Gassen

NAYS: None

The Motion passed unanimously.

Mr. Zawila said this will go before the Village Council next month.

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Mr. Zawila then provided updates on previous Plan Commission cases.

18-PLC-0035, the subdivision at Warren and Seeley, was denied by the Village Council last month. He further mentioned that the amendments to the master plans for North and South High Schools and the petition for All Creatures Great and Small will be considered by the Village Council next week.

Mr. Zawila said that there would be a Plan Commission meeting scheduled in May.

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

Ch. Gassen adjourned the meeting at 7:50 PM.

Respectfully submitted,

Tonie Harrington,
Recording Secretary
(transcribed from mp3 recording)