

APPROVED

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING

November 16, 2020, 7:00 P.M.

Chairman Rickard called the November 16, 2020 remote meeting of the Downers Grove Plan Commission to order at 7:00 p.m. Because of the state mandated requirements regarding social distancing, the meeting was held electronically. Ch. Rickard provided an overview on how the public can participate via Zoom or through providing written comments to planning@downers.us. He then led the meeting in reciting the Pledge of Allegiance.

ROLL CALL:

PRESENT: Chairman Rickard (In Person); Commissioners Boyle, Dmytryszyn, Johnson, Majauskas, Maurer, Patel, Rollins, Toth (Electronically)

STAFF: Planning Director Stan Popovich, Planning Manager Jason Zawila, Development Planner Flora Ramirez (In Person)

VISITORS: Petitioner Ivan Nockov, Vequity, 266 N. Morgan St., Chicago, Kim Ward, Vequity, 266 N. Morgan St., Chicago, Chris Ilekis, Vequity, 266 N. Morgan St., Chicago Michael Cassa, Downers Grove Economic Development Corporation, 5159 Mochel Drive, Downers Grove (Electronically)

Chairman Rickard entertained a motion to conduct the November 16, 2020 Plan Commission meeting electronically.

MOTION BY COMMISSIONER MAURER TO CONDUCT THE NOVEMBER 16, 2020 PLAN COMMISSION MEETING ELECTRONICALLY, AS IT IS AN ESSENTIAL MEETING. SECOND BY COMMISSIONER ROLLINS. ROLL CALL:

AYE: MAUER, ROLLINS, DMYTRYSZYN, JOHNSON, MAJAUSKAS, PATEL, TOTH, RICKARD

NAY: NONE

MINUTES

MINUTES OF THE OCTOBER 26, 2020 AND NOVEMBER 2, 2020 PLAN COMMISSION MEETINGS WERE APPROVED ON MOTION BY COMMISSIONER MAURER. SECOND BY COMMISSIONER DMYTRYSZYN. ROLL CALL:

AYE: MAUER, DMYTRYSZYN, ROLLINS, JOHNSON, MAJAUSKAS, PATEL, TOTH, RICKARD

NAY: NONE

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MOTION PASSED. VOTE: 8-0

PUBLIC HEARINGS

Chairman Rickard reviewed the procedure for the following public hearing.

FILE 20-PLC-0020: A petition seeking approval for a Planned Unit Development and Special Use for a drive-through facility to construct a multi-building commercial center. The property is currently zoned B-3, General Services and Highway Business. Petitioner: Vequity; Owner, Windy Ogden L.P.

Chairman Rickard swore in those individuals that would be speaking tonight.

Petitioner, Ivan Nockov with Vequity, 266 N. Morgan St., Chicago, explained the property was located at 1111 Ogden Avenue. The existing building was to be demolished and access points on Ogden Avenue would be closed. A 9,000 sq. foot building was being proposed to lease to national tenants. Modern materials were being incorporated for the new building (renderings followed). A drive-through was also being proposed, hence the request for a special use. New parking, landscaping and signage was also planned

(Commissioner Boyle arrives 7:13 p.m.)

Mr. Nockov reviewed *Section 28.12.030.I - Zoning Map Amendment Review and Approval Criteria* of the village's ordinance, addressing each of the criteria items as they pertained to amending the zoning map. Continuing, Mr. Nockov reviewed *Section 28.12.040.C.6 Review and Approval Criteria* of the village's ordinance, addressing each of the criteria items as they pertained to amending the zoning map to approve a PUD development and to establish a PUD overlay district. Lastly, Mr. Nockov reviewed *Section 28.12.050.H Approval Criteria* of the ordinance, addressing each of the criteria items as they pertained to the recommendation/approval of the special use by the decision-making body.

Comments/questions from the commissioners followed with regard to setback relief and the reasons for them, which the petitioner explained was to basically maximize the property and respond to the parking needs for the community. The validity of the traffic study was questioned if there were no tenants yet; concerns about traffic and traffic patterns in the area; concern about setting a precedence with some of the relief requests, and concern about the head-in parking on Forest Avenue.

It was pointed out that staff was working with the developer and the project was meeting code. Last comments included where any queuing issues existed with the drive-through, whether the petitioner considered a three- or four-tenant building versus a five-tenant building and setting a precedent. Staff proceeded to explain the relief granted to other PUD projects in the area and the truck turning point. (The petitioner offered to work with staff and the fire department on this matter.)

Chairman Rickard invited the public to comment.

Mr. Michael Cassa, President and CEO of The Downers Grove Economic Development

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Corporation (the “Corporation”), 5159 Mochel, Downers Grove, explained this was the Corporation’s fourth project involving Vequity and the firm proved to have a very good track record. Mr. Cassa listed off the prior redevelopments completed by Vequity, which were challenging yet proved to be very successful. Per Mr. Cassa, the Corporation strongly supported the project and expressed appreciation to the village staff and Vequity.

Chris Ilekis with Vequity, extended appreciation to Mr. Cassa, staff and the Village for the opportunity to present their proposal.

Hearing no further public comment, the Chairman asked staff to present their report.

Development Planner Flora Ramirez, summarized the request before the commission, described the site location, existing conditions, public notice, plat of survey, and the proposed site plan noting that the proposed multi-retail building will have five tenant spaces with the most eastern tenant space having a drive-through window. Key features of the site were noted on the screen, as well as traffic circulation patterns, elevations, building materials (various colored brick, glass, metal canopies and variations in roof line). Ms. Ramirez reviewed slides containing the Zoning Map amendment criteria, which were met, the Planned Unit Development criteria which were met, and the criteria for a special use, which staff indicated the issues were also addressed. Planning staff supported the petition and she referred commissioners to a motion drafted in staff’s report.

Commissioner comments included confirmation that the current building was located on the property line (west side) wherein staff confirmed in the affirmative stating there were no setbacks required. Chairman Rickard emphasized the challenging aspects of redevelopment along Ogden Avenue, in general and the petitioner was experienced with previous successful developments in the village.

Petitioner, Mr. Ivan Nockov returned and closed by thanking staff and commissioners for their work on this project, given the pandemic.

Chairman Rickard closed the public hearing and invited commissioner comments again.

General Comments included: the site was a good use of the lot; the petitioner was seeking relief on 30 percent of the setbacks in place and setting a precedent; that given the number of variations being requested, it indicated how challenging the site was; the site had been an eyesore for many years; not many options existed for the site; a drive-through would be favored by the high school students; the site was a gateway to the village and needed to be held to a higher standard but asking for relief for a third of the variations was much; head-in parking for Forest Avenue could be difficult for traffic coming in and out of the development with vehicles backing out of either side of the road; the project was a good use/improvement of the land; addressing the drive-through queuing in the traffic report was a positive.

Commissioner Rollins stated that the commission has held steady in the past on some of its variances, especially signage, and by compromising it, other developers, including Vequity, could expect the same in the future.

Regarding specific concerns of relief, Planning Manager, Zawila asked that the commissioners refer to Page 4 in staff’s report. Comments followed that the setbacks for the monument signs

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were a concern because the village usually stayed uniform with the setbacks. As to emergency vehicles (fire trucks) they would find a way into the site and the fire plan was workable.

The Chairman proceeded to ask the commissioners if there were standards for approval they felt were not met for the project. None were voiced.

WITH RESPECT TO FILE 20-PLC-0020, AND BASED ON THE PETITIONER'S SUBMITTAL, STAFF'S REPORT AND TESTIMONY PRESENTED, THE PETITIONER HAS MET THE STANDARDS OF APPROVAL FOR A PLANNED UNIT DEVELOPMENT, ACCOMPANYING REZONING AND SPECIAL USE, AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE, AND IS IN THE PUBLIC'S INTEREST, COMMISSIONER MAUER MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL BASED ON THE FOLLOWING CONDITIONS:

- 1. THE PLANNED UNIT DEVELOPMENT, REZONING, AND SPECIAL USE SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT, ENGINEERING, ARCHITECTURAL AND LANDSCAPE DRAWINGS PREPARED BY CIVWORKS CONSULTING, LLC, ILEKIS ASSOCIATES AND LG WORKSHOP, DATED SEPTEMBER 26, 2020 AND LAST REVISED ON NOVEMBER 11, 2020, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES;**
- 2. THE BUILDING SHALL BE EQUIPPED WITH AN AUTOMATIC SUPPRESSION SYSTEM AND AN AUTOMATIC AND MANUAL FIRE ALARM SYSTEM;**
- 3. A FINAL PLAT OF CONSOLIDATION WILL BE REQUIRED PRIOR TO PERMIT ISSUANCE;**
- 4. CROSS ACCESS EASEMENTS ALONG THE ENTIRE NORTH, SOUTH AND WEST DRIVING LANES SHALL BE PROVIDED THROUGHOUT THE DEVELOPMENT;**
- 5. A ONE-WAY TRAFFIC SIGN ALONG THE SOUTHERN DRIVE ON FOREST AVENUE SHALL BE INCLUDED ON THE PLANS;**
- 6. THE SIDEWALK ALONG OGDEN AVENUE SHALL BE EXTENDED WEST TO PRINCE STREET;**
- 7. ALL SIGNAGE SHALL BE PERMITTED SEPARATELY; AND**
- 8. THE PETITIONER SHALL REDUCE LIGHT LEVELS TO SECURITY LEVEL NO LATER THAN 30 MINUTES AFTER THE CLOSE OF BUSINESS.**

SECONDED BY COMMISSIONER MAJAUSKAS. ROLL CALL:

AYE: MAURER, MAJAUSKAS, BOYLE, JOHNSON, PATEL, TOTH CHAIRMAN RICKARD

NAY: DMYTRYSZYN, ROLLINS

MOTION PASSED. VOTE: 7-2

Mr. Zawila announced there will be a Plan Commission meeting on December 7, 2020.

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**THE MEETING WAS ADJOURNED AT 8:07 P.M. ON MOTION BY MS. JOHNSON,
SECONDED BY MR. DMYTRYSZYN. ROLL CALL:**

**AYE: JOHNSON, DMYTRYSZYN, BOYLE, MAJAUSKAS, PATEL, ROLLINS, TOTH,
CHAIRMAN RICKARD**

NAY: MAURER

MOTION PASSED. VOTE: 8-1

/s/ Celeste K. Weilandt
Recording Secretary
(As transcribed by MP-3 audio)