

**VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION**

VILLAGE HALL COUNCIL CHAMBERS  
801 BURLINGTON AVENUE

September 14, 2020  
7:00 p.m.

**AGENDA**

**1. Call to Order**

**a. Pledge of Allegiance**

**2. Roll Call**

**3. Approval of Minutes – August 3, 2020**

**4. Public Hearings**

- a. 20-PLC-0017: A petition seeking approval for a Planned Unit Development to build a new multi-family residential structure. The property is currently zoned B-2, General Retail Business. The property is located directly northeast of the intersection of Fairview Avenue and 2<sup>nd</sup> Street, commonly known as 5117 Fairview Avenue, Downers Grove, IL (PIN: 09-09-300-013). Ross Builders, Inc., Petitioner and Fairview Station Flats, LLC Owner.
- b. 20-PLC-0018: A petition seeking approval of text amendments to articles 3, 5, 6, 7, 10, 14 and 15 of Chapter 28 (Zoning Ordinance) of the Municipal Code of the Village of Downers Grove., Village of Downers Grove, Petitioner.

**5. Adjournment**

**THIS TENTATIVE REGULAR AGENDA MAY BE SUBJECT TO CHANGE**

DRAFT

VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING

August 3, 2020, 7:00 P.M.

Chairman Pro tem Maurer called the August 3, 2020 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 Pro tem Maurer; Commissioners Johnson, Majauskas, Patel, Rollins, Toth

**ABSENT:** Chairman Rickard; Commissioners Boyle and Dmytryszyn

**STAFF:** Planning Manager Jason Zawila; Development Planner Flora Ramirez

**VISITORS:** Rod Mourad, 8S450 Oxford Lane, Naperville  
Mr. Javier Rueda, 28W771 Roosevelt Road, West Chicago

**APPROVAL OF MINUTES – JUNE 22, 2020**

**MOTION BY MS. ROLLINS, SECONDED BY MR. TOTH TO APPROVE THE MINUTES OF JUNE 22, 2020 AS PRESENTED. MOTION PASSED BY VOICE VOTE OF 6-0.**

Chairman Pro tem Maurer reviewed the protocol for tonight's meeting and swore in those individuals that would be speaking on the following public hearing:

**PUBLIC HEARINGS**

**FILE 20-PLC-0015:** A petition seeking approval for a Special Use approval to operate a personal vehicle repair and maintenance business. The property is currently zoned B-3, General Services and Highway Business. The property is located at the northeast corner of Florence Avenue and Ogden Avenue, commonly known as 250 Ogden Avenue, Downers Grove, IL (PIN: 09-04-111-018). Javier Rueda 1st Impressions Auto Spa, Petitioner and Joseph Perillo, Owner.

Petitioner Rod Mourad, 8S450 Oxford Lane, Naperville, representing Mr. Joe Perillo and The Bentley Group, Downers Grove, briefly explained the background of the Bentley Group. He noted the Group recently acquired the property at 250 Ogden Avenue about two years with the expectation to expand the operation into a car business, which focuses on detailing high-end vehicles for the benefit of their customers. Mr. Mourad stated the detailing business would keep business local.

Commissioner questions focused on whether the building will be remodeled, wherein Mr. Mourad explained that additional exterior painting would take place to beautify the building.

## DRAFT

Mr. Javier Rueda, 28W771 Roosevelt Road, West Chicago, relayed that he owns 1<sup>st</sup> Impressions Auto Spa on Ogden Avenue, which is an appointment-only detail shop for high-end vehicles. Vehicle details average anywhere from 4 hours to 30 hours. He noted that typically clients drop off their vehicles or he picks up the vehicle. Mr. Rueda stated he wanted to bring in the same type of high-end customer waiting room for this building. Additionally, Mr. Rueda explained that landscaping improvements around the building were proposed. The building's exterior would be painted black, gold and silver. Mr. Rueda shared details of the proposed interior and added that the building's signage will be facing the west and the front of his building. Mr. Rueda proceeded to present the standards of approval for the special use.

Commissioner questions also pertained to safety concerns regarding some of the coatings used for detailing, wherein Mr. Rueda explained there were no fumes to be concerned about.

Development Planner Flora Ramirez, turning to a slide presentation on the overhead, summarized that tonight's petition was for a special use at the 250 Ogden Avenue location. Current zoning for the site was the B3 General Services and Highway Business zoning. Because a public hearing sign was posted announcing the public hearing, Ms. Ramirez indicated there were inquiries received regarding chemicals and fumes. She also referenced an email in support of the petition, which was on the dais for commissioners. Existing conditions of the area were depicted, with Ms. Ramirez explaining that the proposal for the special use focused mainly on site improvements, i.e., landscaping on Ogden Avenue, trees on Florence Avenue, and a new buffer on the side interior yard. Because a residential district is located north of the site, the petitioner would be required to provide additional screening, which would include a six-foot solid fence along the northern lot line and additional trees. Landscape islands would also be included.

Since the petitioner will provide two service bays, they will also provide two stacking lanes: two for each bay. Per Ms. Ramirez, staff found that the application did meet the criteria for the special use and indicated that the planning staff supported the application.

Commissioner questions followed as to whether the building was a prior Quick Lube business and whether staff was aware of any underground storage tanks, wherein Ms. Ramirez indicated staff was not aware of any. It was also asked if staff had concerns about lighting or speaker noise. Ms. Ramirez stated no additional lights fixtures were being added with the proposal nor did the petitioner discuss a speaker in his application. Responding to a commissioner question, Ms. Ramirez confirmed the lot would remain separate from the Perillo dealership to the west.

Per Chairman Pro tem Maurer's question, Ms. Ramirez explained the difference between the B3 zoning and the prior zoning and why a special use permit was requested.

Petitioner, Mr. Rod Mourad came forward, responding to the question about lighting and speakers and explained there would be no need for outdoor speakers.

Ms. Johnson sked if vehicles are "trucked in" on a flatbed truck. Mr. Rueda explained that he picks up vehicles and drives them to his facility, instead of using a semi-trailer truck for deliveries.

No public comments followed. Chairman Pro tem closed the public comment portion of the meeting and asked staff to come forward.

DRAFT

Commissioners discussed the positive reviews that Ogden Avenue in Downers Grove has received over the years in general, were supportive of the proposed business, the business was a well-needed service, and it was a win-win for all parties involved, including the neighbors.

**WITH RESPECT TO FILE 20-PLC-0015, MS. MAJASKAS MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, 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. ALL TEST DRIVE ARE LIMITED TO ARTERIAL STREETS AS DEFINED IN THE COMPREHENSIVE PLAN. THESE STREETS INCLUDE OGDEN AVENUE, FAIRVIEW AVENUE, MAIN STREET, WARREN AVENUE AND OTHERS.**
- 3. THE USE IS ALLOWED A MAXIMUM OF TWO TOTAL SERVICE BAYS; AND**
- 4. PLANS FROM A LICENSED STRUCTURAL ENGINEER OR ARCHITECT IN THE STATE OF ILLINOIS CERTIFYING THAT THE NEW FLOOR INLAYS ARE STRUCTURAL ADEQUATE TO SUPPORT ALL DEAD & LIVE LOADS AS PER THE 2015 IBC, ARE REQUIRED BEFORE COMMERCIAL OCCUPANCY PERMIT IS ISSUED.**

**SECONDED BY MS. ROLLINS. ROLL CALL:**

**AYE: MAJASKAS, ROLLINS, JOHNSON, PATEL, TOTH, CHAIR PRO-TEM MAUER**

**NAY: NONE**

**MOTION PASSED. VOTE: 6-0**

Planning Manager Zawila recalled that at the last meeting there was an amendment to Downers Grove South, which was approved by the Village Council. Commendations also went to Planner Ramirez who recently passed her AICP exam.

**THE MEETING WAS ADJOURNED AT 7:31 P.M. ON MOTION BY MS. MAJASKAS, SECONDED BY MS. JOHNSON. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 6-0.**

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



**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
SEPTEMBER 14, 2020 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
20-PLC-0017 Fairview Station Flats	Planned Unit Development and Map Amendment	Gabriella Baldassari Development Planner

**REQUEST**

The petitioner is requesting approval for a Planned Unit Development with deviations to construct a new 18-unit multi-family residential building at 5117 Fairview Avenue, which is currently zoned B-2, General Retail Business.

**NOTICE**

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

**GENERAL INFORMATION**

---

**OWNER:** Fairview Station Flats, LLC  
23 N Lincoln Street  
Hinsdale IL, 60521

**PETITIONER:** Ross Builders, Inc.  
23 N Lincoln Street  
Hinsdale IL, 60521

**PROPERTY INFORMATION**

---

**EXISTING ZONING:** B-2, General Retail Business  
**EXISTING LAND USE:** Gas Station (not operational)  
**PROPERTY SIZE:** 0.61 acre, (26,709.05 square feet)  
**PIN:** 09-09-300-013

**SURROUNDING ZONING AND LAND USES**

	<b>ZONING</b>	<b>FUTURE LAND USE</b>
<b>NORTH:</b>	B-2, General Retail Business	Neighborhood Commercial
<b>SOUTH:</b>	R-4, Residential Detached House 4	Multi-Family Residential
<b>EAST:</b>	B-2, General Retail Business	Institutional/Public
<b>WEST:</b>	R-6, Residential Apartment/ Condo 6	Multi-Family Residential

**ANALYSIS**

---

**SUBMITTALS**

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

1. Location Map
2. Application/Petition for Public Hearing
3. Plat of Survey
4. Project Narrative
5. PUD and Map Amendment Criteria
6. Neighborhood Meeting Invitation and Summary
7. Proposed Engineering Plans
8. Proposed Landscaping Plans
9. Proposed Architectural Plans
10. Plat of Consolidation
11. Traffic Impact Study

## **PROJECT DESCRIPTION**

The petitioner is proposing to construct a 9,520 square foot, three story, 18-unit multi-family residential building at the northeast corner of Fairview Avenue and 2<sup>nd</sup> Street, commonly known as 5117 Fairview Avenue. The lot is zoned B-2 (General Retail Business) and is located at the northeast corner of 2<sup>nd</sup> Street and Fairview Avenue. The property is immediately west of the Fairview Metra Station Parking Lot (Lot I). The petitioner is proposing a Planned Unit Development with requested deviations from the Zoning Ordinance. Multi-family residential is permitted by right in the B-2 Zoning District per Section 5.010 of the Zoning Ordinance.

Currently, the subject property is improved with a vacant building, fueling stations, and a fueling canopy. The site was previously a gas station but has been vacant since October 2013. The subject property contains four lots of record which will require an administrative lot consolidation prior to building permit issuance.

### Proposed Development

The petitioner is proposing to demolish the existing site and build a three story, 18-unit residential building. Each unit will consist of 2 bedrooms and is described as “condo ready” by the petitioner. The petitioner has not determined if the project will be rental or a condo, but desires the flexibility for both options. Either type is permitted in the B-2 Zoning District. Balconies will be provided for each above ground floor unit. Ground floor units will have patios, with a black aluminum fence provided around the patios.

The building is proposed to be placed near the southwest corner of the lot, the corner directly abutting the Fairview Avenue and 2<sup>nd</sup> Street intersection and will be oriented towards the street with the parking lot in the rear. The development will include 41 parking spaces, 12 indoor and 29 exterior, two of which will be ADA compliant. Additionally, four motorcycle parking spaces will be provided. The Zoning Ordinance requires that 36 spaces be provided; five additional spaces will be provided for visitor parking. The site will be accessed via one curb cut on 2<sup>nd</sup> Street. Two existing access points along Fairview Avenue and one along 2<sup>nd</sup> Street will be removed, reducing the number of curb cuts on the site from four to one. The new parking lot will be fully landscaped along the perimeter, and extensive landscaping will be provided around the perimeter of the building. All landscape requirements have been addressed.

### Building Design

Due to the site’s proximity to the Metra Station and high volumes of pedestrian traffic on both Fairview Avenue and 2<sup>nd</sup> Street, the Village worked with the petitioner to ensure the building utilizes four-sided architectural design that makes the building attractive on all facades. The following elements are included in the design of the building:

- Each side shows a variation in colors that will add visual interest to the building.
- The exterior is constructed with brick veneer as well as fiber-cement siding.
- Each side utilizes design features such as plane variations, window placement, height variations,

- and the inclusion of upper floor balconies.
- Various building materials and projections are utilized in a manner that visually articulates the building.
- Although the north and east façades do not face the street, similar façade treatments are provided on these facades
- All building corners are complete with a tower feature to add to the overall design and interest of the building.

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

The Comprehensive Plan identifies the subject site as Fairview Catalyst Site E5 under the Key Focus Areas. Catalyst sites are specifically identified in the Comprehensive Plan as prime properties or redevelopment that will further the vision created in the Comprehensive Plan. The recommendations included in the Comprehensive Plan for the Fairview Focus Area, in general, provide for an opportunity to create a cohesive neighborhood with a distinct identity. Neighborhood commercial uses along Fairview Avenue are proposed to be surrounded by contemporary multi-family housing options (both standalone and as part of mixed use developments).

The recommendations provided for this catalyst site suggests redevelopment that should be neighborhood-scale development aimed at commuters and nearby residents. This may include mixed-use development, convenience retail and services, and professional services. The petitioner considered a mixed-use development, but identified several reasons why past efforts were unsuccessful for a mixed use development on the subject property; the physical issue of providing adequate parking for mixed-use being one hindrance. A second being the desire for long-term retail tenants in a commuter driven area had developers proposing a drive-through, which would not be appropriate for the Fairview Focus Area and the recommendations of the Comprehensive Plan. Lastly, many developers of retail desired a building setback from the street with parking in front due to lack of street and off-site parking, which was also not consistent with the Comprehensive Plan for this site.

It is also important to note that the specific goals for the E5 site in the Comprehensive Plan assumed redevelopment that would include the parcel directly to the north of the subject site. Additionally, the Plan envisioned a master planned development that would utilize the Metra Parking lot and the Pepperidge Farm site for a large-scale redevelopment. All these properties are currently not available for redevelopment.

The Comprehensive Plan notes that the general emphasis of the Fairview Focus Area will be on improving the form, function and appearance of this area consistent with the principles of transit-oriented development to be more representative of the character and image of Downers Grove. The proposed development achieves these goals through:

- Updates and enhances the built form of the area
- Orients the building towards the street with parking areas in the rear of building
- Provides a transit-oriented development that is appropriate in height
- Creates increased density within a ¼ mile of the station
- Buffers nearby residential areas through the use of landscaping and screening
- Provides parking lot screening and landscape islands with trees

The proposed development also meets other goals of the Comprehensive Plan that include the following:

- Redevelopment of a non-pedestrian oriented business in the Fairview Corridor
- Provides high quality architecture
- Improves pedestrian affordances including landscaping on private property, closing gaps in the

sidewalk network

- Reduces curb cuts along commercial corridors
- Provides for other modes of parking other than the automobile
- Provides a parking area that emphasizes appropriate screening

Lastly, the Comprehensive Plan’s Residential Policy Recommendations section identifies that future multi-family development should be located near significant activity centers. The proposed apartment development is located in the Fairview corridor which is immediately adjacent to the Fairview Avenue Metra Station. The proposed development will bring additional residential units to the Fairview Corridor and Downers Grove in general. The Residential Area Plan also calls for a diversity of housing types, sizes and prices to cater to the growing demographics such as young households and empty nesters.

**COMPLIANCE WITH ZONING ORDINANCE**

The property is zoned B-2, General Retail Business. The bulk regulations of the proposed development in the B-2 zoning district are summarized in the following table, alongside the proposal specifics:

Table 1 - Zoning Requirements

5117 Fairview Avenue	Required	Proposed
Min. lot area per dwelling unit	1,000 s.f.	1,484 s.f.
North Setback (Interior Yard)	0 ft.	5 ft.
East Setback (Rear Yard)	30 ft.	<b>2.5 ft.*</b>
South Setback (Street Yard)	25 ft.	<b>7.8 ft.*</b>
West Setback (Street Yard)	25 ft.	<b>7.3 ft.*</b>
Patio Setback	5 ft.	<b>4 ft.*</b>
Floor Area Ratio	0.75 (20,032 s.f.)	<b>0.90* (24,124 s.f.)</b>
Building Height	35 ft.	33.7 ft.
Off-Street Parking Spaces	36	41 (plus 4 motorcycle)
Off-Street Loading Zoning Spaces	0	0
Minimum Landscaped Open Space	10%	12.78%

\*Indicates a deviation from the Zoning Ordinance requirement.

In order for the applicant to apply for a Planned Unit Development, the applicant’s proposal must meet one or more objectives identified in Zoning Ordinance Section 4.030.A.2. These objectives work to balance the needs of the applicant and the additional public benefits gained from permitting the Planned Unit Development. The added density, relocation of parking to the rear, infill development and pedestrian oriented focus will result in several public benefits that meets the following identified Planned Unit Development Objectives:

- Implementation of and consistency with the Comprehensive Plan and other relevant plans and policies
- Flexibility and creativity in responding to changing social, economic, and market conditions allowing greater public benefits than could be achieved using conventional zoning and development regulations.
- Compact, mixed-use development patterns where residential, commercial, civic and open spaces are located in close proximity to one another
- High quality buildings and improvements that are compatible with surrounding areas, as determined by their arrangement, massing, form, character, and landscaping.

The proposed residential development is compliant with a majority of the bulk regulations in the B2 zoning district; however, the petitioner is applying for a Planned Unit Development in order to deviate from the following Zoning Ordinance regulations as specified in Table 2. It should be noted the petitioner states in their narrative that they used the Downtown Business (DB) District bulk regulations for guidance because the development would not be possible within the strict adherence to the B-2 Zoning District, while trying to achieve the goals of the Comprehensive Plan.

Table 2 – Requested Deviations

<b>Improvement</b>	<b>Relief Request</b>	<b>Petitioner’s Rationale</b>
Street Yard Setback (Fairview)	Requirement: 25 feet Proposed: 7.3 feet	Locating parking in the rear and providing infill development as recommended by the Comprehensive Plan combined with the size of the lot impedes the development of the site to meet setback requirements. No street setback would be required in the DB zone, and this would comply with the build-to-zone requirement.
Street Yard Setback (2 <sup>nd</sup> )	Requirement: 25 feet Proposed: 7.8 feet	Locating parking in the rear and providing infill development as recommended by the Comprehensive Plan combined with the size of the lot impedes the development of the site to meet setback requirements. No street setback would be required in the DB zone, and this would comply with the build-to-zone requirement.
Rear Yard Setback	Requirement: 30 feet Proposed: 2.5 feet	Locating parking in the rear and providing infill development as recommended by the Comprehensive Plan combined with the size of the lot impedes the development of the site to meet setback requirements. No rear setback would be required in the DB zone.
Floor Area Ratio	Requirement: 0.75 Proposed: 0.90	To achieve the density necessary to make this project viable, and to provide each unit with appropriate space and amenities, the request to exceed the floor area ratio limitation has been included. No Floor Area Ratio would apply in the DB zone.
Patio Setback (Both Street Yards)	Requirement: 5 feet Proposed: 4 feet	The patio is provided to offer residents additional home comforts, and the relief from the setback is necessary since the building itself is proposed to encroach into each street setback. An aluminum fence has been added around the patios to increase safety and security.

The goals for the Fairview Focus Area in the Comprehensive Plan relating to locating parking in the rear, providing a pedestrian oriented experience and promoting multi-family uses are similar to the goals of the DB Zoning District. The DB Zoning District allows for transit-oriented development with an emphasis on building closer the street, and development of the area with greater residential density.

**COMPLIANCE WITH THE SUBDIVISION ORDINANCE**

Currently, the subject property is made up of four lots of record. The petitioner will be required to complete an administrative lot consolidation to consolidate the parcels into a single lot. A 10-foot wide Public Utility and Drainage Easement will be dedicated along the east lot line, as well as a 5-foot wide Public Utility and Drainage Easement along the north lot line. Additional public utility easements will be provided along the southwest corner, further described in the next section

The Subdivision Ordinance establishes the schedule of School and Park District donations to offset the impact of new residential units. The fees apply to new plats of subdivision and Planned Unit Developments. The proposed development will include 18 two-bedroom apartments. Based upon the number of units and the number of bedrooms, the total donation is \$136,852.92. (\$103,269.96 to the Park District, \$24,165.36 to Elementary School District 58, and \$9,417.60 to High School District 99). Payment of these donations must be made to the Village prior to the issuance of any site development or building permits.

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

Based on the existing impervious area on the site and the proposed impervious area, stormwater detention is not required for the proposed development, however volume Control Best Management Practices (VCBMPs) and Post Construction Best Management Practices (PCBMPs) are required. A mechanical water quality unit will be provided that will regulate stormwater drainage into the existing storm sewer along 2<sup>nd</sup> Street.

Water and sanitary sewer lines will be connected to mains within the 2<sup>nd</sup> Street right-of-way. A 5-foot wide public utility easement is proposed along the south lot line of the property to accommodate the existing storm sewer. An easement is proposed at the southwest corner of the property to accommodate the sidewalk and future relocation of the existing traffic light at the Fairview Avenue and 2<sup>nd</sup> Street intersection, covering about 150 square-feet. Lastly a cross access easement matching the location and width of the drive-aisle will be provided at the northeast corner of the development to ensure access opportunities with the property to the north.

Curb and gutter repairs are proposed along both Fairview Avenue and 2<sup>nd</sup> Street. The northern 108 feet of the right-of-way along Fairview Avenue is improved with a 5.5-foot wide sidewalk, and the remaining Fairview Avenue right-of-way and the 2<sup>nd</sup> Street right-of-way are improved with a 6-foot wide coach walk. These are to be replaced.

#### **TRAFFIC**

A traffic and parking impact study for the proposed development was submitted by the petitioner. Based on the use and proximity to the Metra, the study projected 11 peak hour weekday vehicle trips. Had the site continued to operate as a gas station with four fueling pumps, the study projected 56 trips, for an overall reduction of 45 weekday peak hour trips. The study projected less than a 1% increase in traffic on Fairview Avenue. The development can be considered a Transit-Oriented-Development and is projected to generate a limited volume of traffic; however, as noted above parking is proposed to exceed the required minimum.

The site currently has four curb cuts, two on 2<sup>nd</sup> Street and two on Fairview Avenue, which will be reduced to one curb cut on 2<sup>nd</sup> Street. 2<sup>nd</sup> Street has lower traffic volume than Fairview Avenue, which will result in more efficient roadway access. The decreased number of conflict points will improve pedestrian and vehicle safety. Outbound movements will be under stop sign control.

#### **PUBLIC SAFETY REQUIREMENTS**

The Fire Prevention Division has reviewed the proposed plans and will require the building include a fire alarm and sprinkler system that meet the Village's code requirements. A new fire hydrant is proposed on the south side of the property within 100 feet of the new fire department connection. The Fire Prevention Division has also determined that the proposed development provides sufficient access for emergency vehicles.

#### **NEIGHBORHOOD COMMENT**

Notice was provided to all property owners 250 feet or less from the property lines. Public hearing notice signs were placed on the site, and the legal notice was published in Enterprise Newspapers, Inc. (The Bugle). Staff received four questions from residents clarifying the project plans.

As required by the Zoning Ordinance a neighborhood meeting must be held for a Planned Unit Development petition. The meeting was held at the architect's studio on Thursday, September 3, 2020. One resident voiced support for the project, and others who could not attend reached out separately to the petitioner. Generally, the project was supported, though the property owner to the north wondered if the building might block his signage. A summary of the meeting is attached.

### **STANDARDS OF APPROVAL**

The petitioner is requesting approval for a Planned Unit Development and accompanying map amendment. The petitioner has submitted a narrative that attempts to address 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.

The review and approval criterion for each request is listed below.

#### ***Section 12.030.I. Zoning Map Amendment Review and Approval Criteria***

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.*
- 7. The comprehensive plan.*

#### ***Section 28.12.040.C.6 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:

- 1. The zoning map amendment review and approval criteria of Sec. 12.030.I.*
- 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.*
- 3. Whether PUD development plan complies with the PUD overlay district provisions of Sec. 4.030.*
- 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.*
- 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.*

## **DRAFT MOTION**

---

Staff will provide a recommendation at the September 14, 2020 meeting. Should the Plan Commission find that the request meets the standards of approval for Planned Unit Developments and Map Amendments, staff has prepared a draft motion that the Plan Commission may make for the approval of 20-PLC-0017:

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 and accompanying Map Amendment 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-0017, subject to the following conditions:

1. The Institutional Master Plan shall substantially conform to the staff report dated September 14, 2020, the plans prepared by RWG Engineering, LLC dated 7/31/20, and modified 8/54/20, and the plans prepared by Studio 21 Architects, dated 8/25/20, except as such plans may be modified to conform to Village Codes and Ordinances.
2. Prior to issuing any site development permits, the petitioner shall make park and school donations in the amount of \$136,852.92. (\$103,269.96 to the Park District, \$24,165.36 to Elementary School District 58, and \$9,417.60 to High School District 99).
3. The applicant shall administratively consolidate the four lots into one lot of record prior to issuing a building permit.
4. The following easements shall be provided: a 5-foot wide public utility and drainage easement along the north lot line, 10-foot wide public utility and drainage easement along the east lot line, 5-foot wide public utility easement along the south lot line, a 24-foot wide cross-access easement at the northeast corner bordering the property to the north, and a 150-square-foot traffic light and sidewalk easement at the southwest corner of the site.

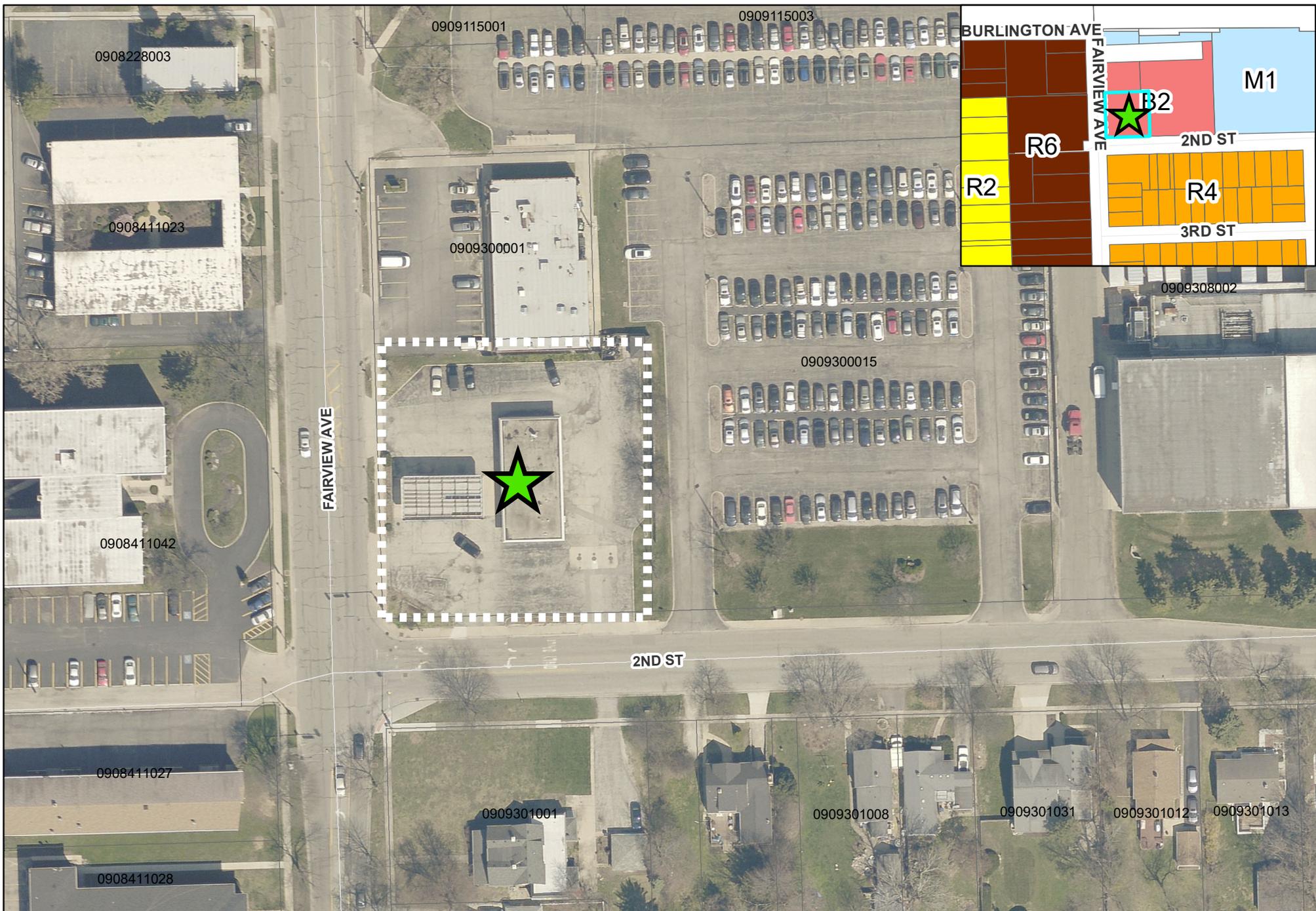
Staff Report Approved By:



---

Stanley J. Popovich, AICP  
Director of Community Development

SP:gn  
-att



0 62.5 125 Feet

### 5117 Fairview Avenue - Location Map

 Subject Property  
 Project Location

**Narrative Description and Statement of Intent**  
**PUD Petition – 5117 Fairview Ave.**  
**Craig Ross, Petitioner**

The Petitioner is seeking approval of a PUD to construct an 18-unit multi-family residential building in the General Business District (B2) zoned parcel of land located at the northeast corner of 2<sup>nd</sup> St and Fairview Avenue. The site is currently improved with an abandoned gas station that will be razed in conjunction with the construction and redevelopment of the proposed project. Several previous attempts by others were attempted to conform strictly to the B2 zoning and failed.

The General Business District contains bulk regulations to setbacks and F.A.R. that make development of the site in a manner consistent with the Comprehensive plan difficult, if not impossible, thereby prompting the request for a PUD. Previous development attempts at this site have been made investigating mixed-use developments that failed for various reasons. The physical issue of providing adequate parking for mixed-use being one hindrance. A second being the desire for long-term retail tenants in a commuter driven area had developers proposing a drive-thru that would not be approved by the Village at this site. Lastly, many developers of retail desired a building setback from the street with parking in front due to lack of street and off-site parking, which was not consistent with the Comprehensive Plan for this site.

Discussions with the planning staff at the Village of Downers Grove concludes that multi-family use is in keeping with the overall Comprehensive Development Plan along the Fairview business district. We have used the Comprehensive Plan as well as the DB District zoning as a basic guideline for the development of this site.

The subject property is a 26,709 sq. ft. parcel of land. The recorded dimensions of this property are 163.50 feet along Fairview and 162.00 feet along 2<sup>nd</sup> Street. The adjacent parcel to the north is B2 retail business, and B2 as well for the BNSF commuter parking lot to the east. The property across 2nd Street to the south are R4 single family dwellings and to the west across Fairview are R6 multi-family apartment buildings.

The subject property is relatively flat with a majority of the lot paved. The development of this site will not create any increase of storm water runoff. The intent is to create landscape areas along the Fairview and 2<sup>nd</sup> Street frontages. The building is set back from the property line along Fairview 7.33' at its minimum and 7.82' from the property line along 2<sup>nd</sup> Street, which is consistent with the Fairview Avenue Business District setback. Landscaping is also provided as a buffer to the parking lot. A landscape plan is included as part of this submittal.

Currently the site has 4 curb cuts accessing Fairview and 2<sup>nd</sup> Street. the new proposal will only have one curb-cut.for one driveway access into and out of the site on 2<sup>nd</sup> Street, as far as feasibly possible away from Fairview Ave.

The proposed building is to be constructed of Type III B fire rated wood construction. The walls and floors between units will be constructed utilizing sound absorption materials that drastically eliminate sound transfer between units. Sound control is to be achieved by using all or some of the methods shown in Exhibit 1. The exterior of the building is a mix of updated traditional and contemporary styles and materials that will include a combination of thin brick veneer and fiber-cement vertical and horizontal siding. The design of the building should fit in well with the transitional nature of the location, including a residential look and feel, and an updated design that can blend well with future nearby developments. Each unit has a recessed balcony with horizontal railings. The color selections are an updated palette of white, grays and black, that keeps with current residential trends while still fitting in with traditional tones.

The proposed height of buildings is 33.44 feet which will remain in compliance with the B2 District maximum of 35'. The roof is designed as a flat roof with a surrounding parapet to screen roof-top mechanical equipment.

The floor to area ratio of the proposed buildings is 0.90. The FAR for a B2 District is .75 and a DB District does not apply.

The building setback to Fairview Avenue is proposed at 7.33' and to 2<sup>nd</sup> Street at 7.82'. The B2 District requires 25' and the DB District is 0' – 10'. The Fairview Concentrated Business District allows for an 8' street frontage setback. Each of the four ground level units will have a patio that will extend to 4' from both the Fairview and 2<sup>nd</sup> Street property lines.

The interior yard setback to the north is 5.00' the B2 and DB both allow 0' setback.

The rear yard setback is 2.5' from the parking lot to the east. The B2 District requires 30' and the DB District is 0'.

The proposed Minimum Lot Area Per Dwelling Unit is 1,484 sq. ft. The B2 District requires a minimum of 1,000 sq. ft., the DB District 800 sq. ft.

Parking will be provided by a combination of garage and on-site parking to the east of the building. A total of 42 parking spaces are proposed, 36 spaces are dedicated to tenant use and 5 are for guest parking. Two handicap parking space are provided, located closest to the east building entrance. All parking spaces shall be assigned to specific units, the parking design allows two parking spaces per unit as outlined in the Downers Grove building code. There is also an area designated for 4 motorcycle parking spots, accounting for 1 additional parking space per the Downers Grove Zoning Ordinance.

*(the table included at the end of this narrative summarizes the above findings)*

Trash enclosure is contained within the building and will be accessed from the outside on the east side of the building.

The building will be constructed with a fire suppression system and a fire alarm system for all floors. The fire suppression system will be a typical wet pipe sprinkler system.

The building will include an electronic access system tied to each unit, with keyless entry fobs for residents. Building access and entry communication systems will be the same at all access points. Security cameras at critical points with a DVR recording system.

The dwelling units are designed to appeal to median and higher end tenants that either work in Downers Grove, the surrounding areas, or commute via the BNSF rail line to other work locations. The units will have a more contemporary design and an open floor plan including a combined kitchen and living area moved toward the front of the unit closer to large windows and the deck. The units will be comparable to condominium units as they will have upscale finishes; including stainless steel appliances, in unit washer and dryers, separate heating and cooling units, stone and tile bath and kitchen finishes, hardwood flooring. Additionally, some tenants will have the ability to rent one of twelve indoor parking spaces.

#### Conclusion and Statement of Intent:

The petitioner is requesting approval of a PUD for a multi-family residential building, which has been designed in a manner to the best of the petitioner's ability to be consistent with the requirements of the DB Zoning District standards as a basis of setbacks and FAR. Care and consideration has been given to the objectives for the development in the general area as they are expressed in the Village Comprehensive Plan. The Petitioner's proposed project is in essential agreement with the Village's Comprehensive Plan in regards to the change in use from the current outdated and abandoned gas station to future multi-family units designed to appeal to both younger individuals and empty nesters with access to the BNSF Fairview Metra Station and future development of the Fairview corridor.

The proposed development is a long term investment both for the Petitioner and for the Village, every effort will be made to develop and construct the proposed building to a high standard and source occupants that will be good residents of Downers Grove. The Petitioner intends to retain ownership of the project and have direct involvement in the management, operations and maintenance of the project.

<b>Zoning B-2 - Bulk Regulations</b>	<b>Required</b>	<b>Proposed</b>	<b>DB</b>
Street Setback - (West) Fairview	25'	7.33'	0-10'
Street Setback - (South) 2nd	25'	7.82'	0-10'
Interior Setback - (North)	0'	5.00'	0'
Rear Setback - (East)	30'	2.50'	0'
Minimum Lot Area Per Dwelling Unit	1,000	1,484	800
Maximum FAR	0.75	0.89	N/A
Minimum Landscape Open Space	10%	12.78%	N/A
Maximum Building Height	35'	33.44'	70'/32'
Parking	36	29 + 4 motorcycle + 12 garage = 42	36
Parking ADA	2	2	2
Drive Aisle Width	24'	25'	24'
Parking Stall Dimensions	9' x 18'	9' x 18'	9' x 18'
Landscaping	Yes, see notes	See Landscape plan	
Pedestrian Circulation	Sidewalk Connections	See Landscape Plan, Site Plan	
Trash Enclosure	Side and rear yard	Inside	



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.*
  
  
  
  
  
  
  
  
  
  
- (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.*
  
  
  
  
  
  
  
  
  
  
- (7) The Comprehensive Plan.*



Review and Approval Criteria  
**PLANNED UNIT DEVELOPMENT**

---

---

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 28.12.040.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.*
- 3. Whether PUD development plan complies with the PUD overlay district provisions of Sec. 4.030.*
- 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.*
- 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.*

Ross Builders, Inc.  
23 N Lincoln ST  
Hinsdale, IL 60521

Dear Neighbor,

We are in the process of making plans to construct an eighteen-unit condominium quality residential building located at the northeast corner of 2<sup>nd</sup> Street and Fairview Avenue. The site is currently improved with an abandoned gas station that will be razed in conjunction with the redevelopment and construction of the proposed project.

We are seeking the Village of Downers Grove's approval to do this work. As a part of this process, we will be presenting this project to the Village of Downers Grove Plan, however, before that meeting, on September 3<sup>rd</sup>, we are hosting a Town Hall meeting at our architect's office for our neighbors to share information about the project with you and answer any questions you might have. We will conduct the meeting as follows:

**Thursday, September 3<sup>rd</sup> at 5:00 pm at Studio21 Architects, 5012 Fairview AV Downers Grove, IL**  
**Please RSVP if you are attending with your name to [craig@rossbuilders.com](mailto:craig@rossbuilders.com) by Monday August 31<sup>st</sup>.**  
**Due to COVID concerns, please limit to one attendee per household and wear a mask when entering.**

Sincerely,

Craig S. Ross  
Ross Builders Inc.

## Neighborhood Meeting Report

On Tuesday, August 25, 2020, twenty-three letters of notification for the neighborhood meeting were mailed out to the neighbors within 250 feet of the site via USPS. The meeting was held at the Studio 21 office (the project architect) at 5012 S Fairview AV on Thursday, September 2, 2020 just a couple of blocks from the proposed project site. The meeting began at 5p with one neighbor, Trish Wolf, attending along with Craig Ross and Bill Styczynski, the architect of record and lasted until about 5:25p. Bill stayed at his office until 6p in case there were any late arrivals, but no other neighbors showed up. Two other neighbors notified Craig Ross that they would not be able to attend the in-person meeting, so a Zoom call was also presented by Craig Ross on Friday the 4<sup>th</sup> at 9a with neighbors Tim Postmus and Tom Daly in attendance. At both of the meetings the elevation plans, floor plans, engineering plans and 3D architectural renderings were shown to the neighbors and walked through by Craig and/or Bill, and any questions were answered. Tom Daly and Trish Wolf had very positive comments and were happy to see the property being developed. Tim Postmus was also happy to see the property being developed and had one concern on how the new building might block the signage of the property he owns to the north, but he also added that “typically this is an area where people know where they are going anyway.” In our opinion, since Tim’s signage is on the north end of the property we don’t think the new building will be blocking this view and therefore no changes are required. Tim also asked if the existing Cedar fence would be taken down, which it is, and asked that it be taken down ASAP, even before the project starts.

RWG ENGINEERING, LLC  
 CIVIL ENGINEERING — REAL ESTATE CONSULTING — PROJECT MANAGEMENT  
 ILLINOIS PROFESSIONAL DESIGN FIRM #184-006370  
 LIMITATION OF WARRANTY OF ENGINEER'S INSTRUMENTS OF SERVICE

THE ENGINEER AND HIS CONSULTANTS DO NOT WARRANT OR GUARANTEE THE ACCURACY AND COMPLETENESS OF THE DELIVERABLES HEREIN BEYOND A REASONABLE DILIGENCE. IF ANY MISTAKES, OMISSIONS, OR DISCREPANCIES ARE FOUND TO EXIST WITHIN THE DELIVERABLES, THE ENGINEER SHALL BE PROMPTLY NOTIFIED SO THAT HE MAY HAVE THE OPPORTUNITY TO TAKE WHATEVER STEPS NECESSARY TO RESOLVE THEM. FAILURE TO PROMPTLY NOTIFY THE ENGINEER OF SUCH CONDITIONS SHALL ABSOLVE THE ENGINEER FROM ANY RESPONSIBILITY FOR THE CONSEQUENCES OF SUCH FAILURE. ACTIONS TAKEN WITHOUT THE KNOWLEDGE AND CONSENT TO THE ENGINEER, OR IN CONTRADICTION TO THE ENGINEER'S DELIVERABLES OR RECOMMENDATIONS, SHALL BECOME THE RESPONSIBILITY NOT OF THE ENGINEER BUT OF THE PARTIES RESPONSIBLE FOR TAKING SUCH ACTION.

# PROPOSED IMPROVEMENTS

FOR

# FAIRVIEW STATION FLATS

## 5117 FAIRVIEW AVENUE

## DOWNERS GROVE, ILLINOIS, 60515

PLANS PREPARED FOR

## ROSS BUILDERS, INC.

23 N. LINCOLN STREET  
 HINSDALE, IL 60521  
 (630) 253-5177

DATE	REVISION	DRAWN BY
1. 08/24/20	PLAN COMMISSION REVIEW LETTER 1	AVS
2. 08/25/20	FENCE & DOOR COORDINATION	AVS

FAIRVIEW STATION FLATS  
 DOWNERS GROVE, ILLINOIS  
 TITLE SHEET

975 E. 22nd St., Suite 400  
 Wheaton, IL 60189  
 630-480-7889  
 www.rwg-engineering.com

**Engineering, LLC**  
 Civil Engineering • Real Estate Consulting • Project Management

PROJECT NO. 52819520  
 DATE 07/31/20  
 SCALE NONE  
 PROJ. MGR. RWG  
 PROJ. ASSOC. AVS  
 DRAWN BY AVS  
 SHEET  
 1 OF 8

© COPYRIGHT 2020

### LEGEND

EXISTING	PROPOSED

### ABBREVIATIONS

BL	BASE LINE	NWL	NORMAL WATER LEVEL
C	LONG CHORD OF CURVE	PC	POINT OF CURVATURE
C & G	CURB AND GUTTER	PT	POINT OF TANGENCY
CB	CATCH BASIN	PVI	POINT OF VERTICAL INTERSECTION
CL	CENTERLINE	R	RADIUS
D	DEGREE OF CURVE	ROW	RIGHT-OF-WAY
EP	EDGE OF PAVEMENT	SAN	SANITARY SEWER
FF	FINISHED FLOOR	ST	STORM SEWER
FG	FINISHED GRADE	T	TANGENCY OF CURVE
FL	FLOW LINE	TB	TOP OF BANK
FP	FLOODPLAIN	TC	TOP OF CURB
FR	FRAME	TF	TOP OF FOUNDATION
FW	FLOODWAY	TP	TOP OF PIPE
HWL	HIGH WATER LEVEL	TS	TOP OF SIDEWALK
INV	INVERT	TW	TOP OF WALK
L	LENGTH OF CURVE	WM	WATER MAIN
MH	MANHOLE	Δ	INTERSECTION ANGLE



### LOCATION MAP



### DOWNERS GROVE SANITARY DISTRICT NOTES

- The Downers Grove Sanitary District Standards and Ordinances shall govern all sanitary sewer construction.
- The Sewer contractor shall schedule with the District inspections of the sanitary sewer construction 48 hours in advance of the start of the construction. (630-969-0664)
- The constructed sewers shall pass all District requirements for air testing, televising and manhole vacuum tests (contractor to refer to DGSD specifications handout).
- All sanitary sewers shall be PVC pipe with a SDR of 26, complying with ASTM D2241, 160 psi pressure pipe push-on bell and spigot type with rubber ring seal gasket ASTM D3139.
- "Flex Seal" non-shear couplings (with stainless steel shear ring) shall be used to connect pipes of dissimilar material or size.
- Service connections to existing sewers shall be made by:
  - Machine tap with the connection made with a Geneco Sealite Sewer Saddle Model S, or
  - A new tee fitting shall be cut into the main with connection made to the main with non-shear couplings.

SURFACE WATER DRAINAGE STATEMENT  
 STATE OF ILLINOIS )  
 COUNTY OF DUPAGE ) SS

I, ROBERT W. GUDMUNDSON, A REGISTERED PROFESSIONAL ENGINEER IN ILLINOIS AND ROSS BUILDERS, INC., THE OWNER OF THE LAND DEPICTED HEREON OR HIS DULY AUTHORIZED ATTORNEY, DO HEREBY STATE, THAT TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO ADJOINING PROPERTY RESULTING FROM THE CONSTRUCTION OF THIS SUBDIVISION. I HEREBY CERTIFY THAT THE PROPERTY WHICH IS THE SUBJECT OF THIS SUBDIVISION OR ANY PART THEREOF IS NOT LOCATED WITHIN A 100 YEAR SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOODPLAIN MAP PANEL No. 17043C0186J, DATED AUGUST 01, 2019.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
 OWNER OR ATTORNEY

\_\_\_\_\_  
 ENGINEER

### GENERAL NOTES

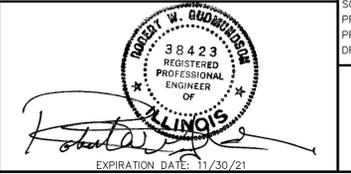
- The contractor shall notify the following governmental agencies at least two working days prior to commencement of construction:
  - Village of Downers Grove Engineering and Public Works Department (630)-434-5500
  - Downers Grove Sanitary District (630-969-0664)
- The contractor shall notify all utility companies and arrange for their facilities to be located prior to work in any easement, right-of-way, or suspected utility location. Repair of any damage to existing facilities shall be the responsibility of the contractor. Utility locations shown herein are for graphic illustration only and are not to be relied upon.
- Prior to commencement of any offsite construction, the contractor shall secure written authorization that all offsite easements have been secured, and that permission has been granted to enter onto private property.
- Elevations shown herein reflect NAVD 1988 datum.
- The boundary and topographic survey data for this project is based on a field survey prepared by Gentile and Associates, Inc. dated May 15, 2020. The contractor shall verify existing conditions prior to commencing construction and shall immediately notify the engineer in writing of any differing conditions.
- RWG Engineering, LLC, its employees and agents are not responsible for the safety of any party at or on the construction site. Safety is the sole responsibility of the contractor, and any other entity performing work at the site. Neither the owner nor the engineer assumes any responsibility for job site safety or for the means, methods or sequences of construction.
- Except where modified by the contract documents, all work proposed hereon shall be in accordance with the following specifications, which are hereby made a part hereof:
  - "Standard Specifications for Road and Bridge Construction in Illinois," as prepared by I.D.O.T. latest edition.
  - "Standard Specifications for Water and Sewer Main Construction in Illinois," latest edition.
  - "Illinois Recommended Standards for Sewage Works," as published by the I.E.P.A., latest edition.
  - The subdivision and development codes and standards of the Village of Downers Grove, as published by the Municipality.
  - "Illinois Accessibility Code" as published by the State of Illinois Capital Development Board, effective October 23, 2018.
  - The National Electric Code.
  - "Illinois Urban Manual" as prepared by the U.S. Dept. of Agriculture latest edition.
- The Village of Downers Grove Development Ordinance shall take precedence if a conflict in project specifications occurs.

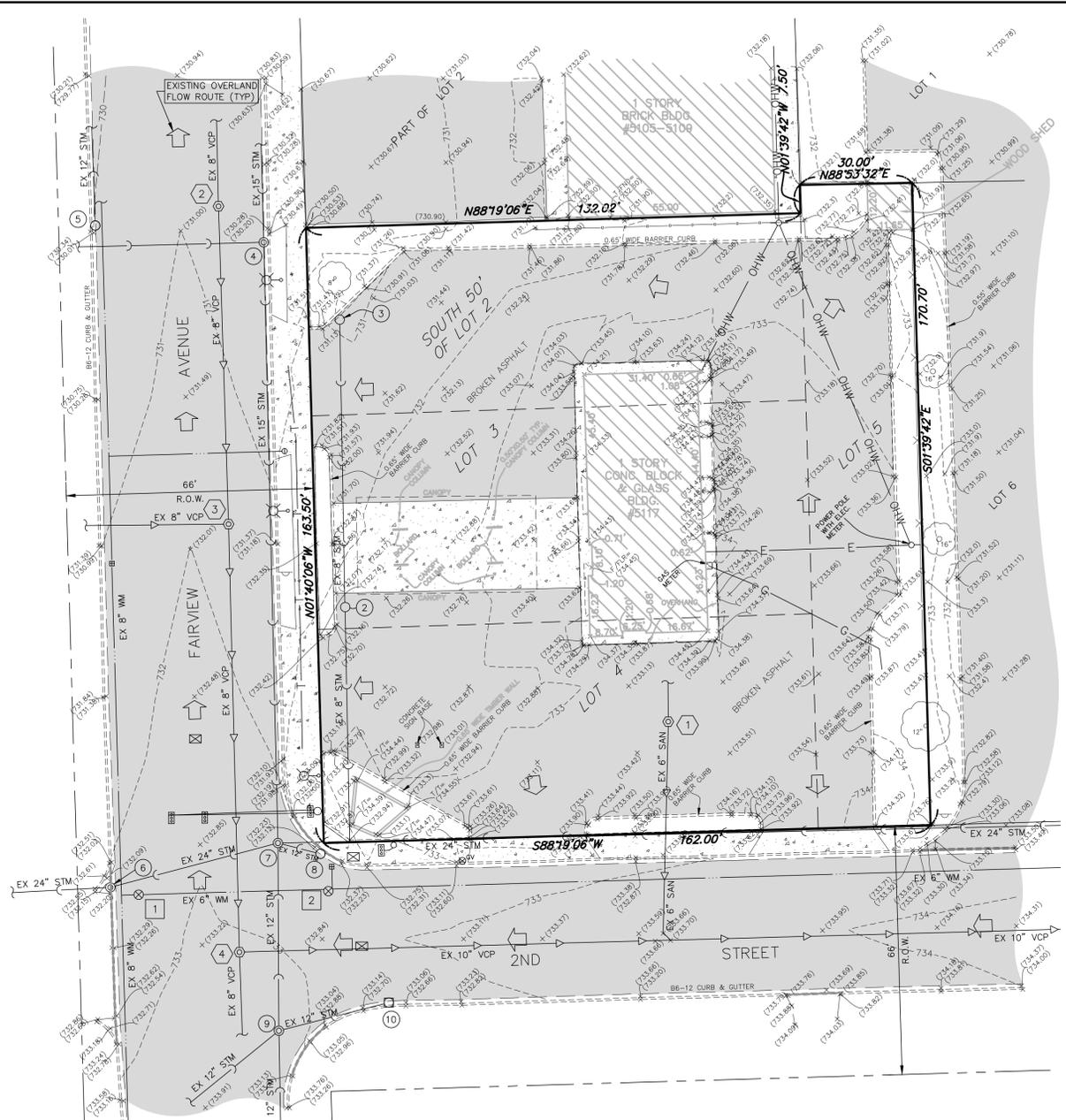
### BENCHMARKS

BASIS OF BEARING:  
 ILLINOIS STATE PLANE COORDINATE SYSTEM EAST ZONE.

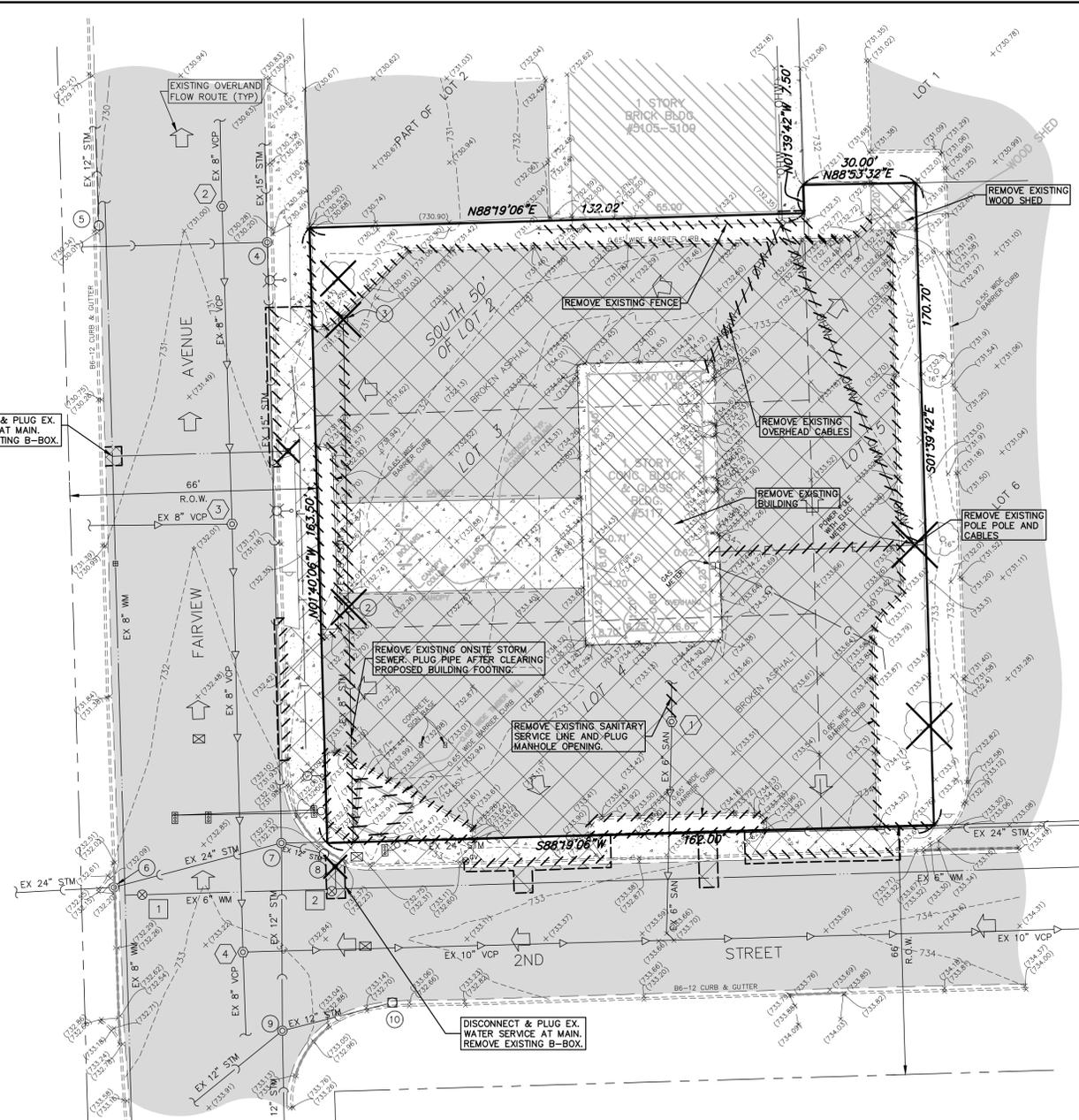
SOURCE BENCHMARK:  
 DUPAGE COUNTY BM # DGN09001  
 STATION IS LOCATED AT THE NORTHEAST CORNER OF CURTISS STREET AND MACKIE PLACE. THE MONUMENT IS A 3.5" DIAMETER BRASS DISC SET IN CONCRETE APPROXIMATELY 2' ABOVE GRADE. THE STATION IS 20' EAST OF A LIGHT POLE, 78.5' ENE OF A FIRE HYDRANT, AND 55.5' NE OF A POWER POLE.  
 ELEV. = 714.33 (NAVD 88 DATUM)

SITE BENCHMARK: SQUARE CUT ON WEST SIDE OF TRAFFIC SIGNAL POLE LOCATED NEAR SOUTHWEST CORNER OF SUBJECT PROPERTY.  
 ELEV. = 732.72 (NAVD 88 DATUM)





EXISTING CONDITIONS



DEMOLITION PLAN

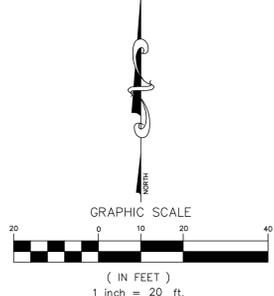
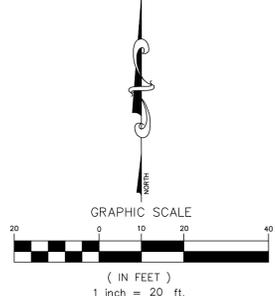
- DEMOLITION NOTES:**
- EROSION CONTROL INSTALLATION SHALL BE DONE PRIOR TO COMMENCEMENT OF ANY DEMOLITION ACTIVITY
  - EXISTING ELECTRICAL AND PHONE CABLES MAY BE LOCATED WITHIN THE PROPOSED IMPROVEMENT AREA. APPROXIMATE KNOWN LOCATIONS ARE SHOWN HEREON. THE CONTRACTOR SHALL ARRANGE FOR PRECISE LOCATION OF EXISTING CABLE SERVICES AND EXERCISE EXTREME CARE WHEN WORKING AROUND THE SAME.
  - ALL STRUCTURAL PAVEMENT MATERIALS (ASPHALT, CONCRETE SIDEWALK, CURB/GUTTER) THAT CANNOT BE CRUSHED TO AN APPROVED IDOT SPECIFICATION FOR USE AS STRUCTURAL FILL SHALL BE DISPOSED OF BY THE CONTRACTOR AT AN OFFSITE LOCATION. RE-USE OF MILLED ASPHALT AND PROPERLY CRUSHED CONCRETE AS STRUCTURAL FILL IS ACCEPTABLE AND ENCOURAGED.
  - THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PREVENT DAMAGE TO EXISTING AMENITIES SCHEDULED TO REMAIN. PROPER SAWCUTTING SHALL BE ACCOMPLISHED AT ALL POINTS OF CONNECTION OR INTERFACE BETWEEN EXISTING AND PROPOSED IMPROVEMENTS.
  - CONTRACTOR SHALL BE RESPONSIBLE TO HAVE ALL UNDERGROUND UTILITIES (EVEN IF NOT SHOWN ON THESE PLANS) LOCATED PRIOR TO DEMOLITION WORK. SANITARY SERVICE, WATERMAIN SERVICE, GAS, ELECTRIC, ETC SHALL BE CUT-OFF. CONTRACTOR TO COORDINATE WITH RESPECTIVE MUNICIPAL AGENCY TO ARRANGE FOR DISCONNECT.
  - CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE DONE TO EXISTING UTILITIES, STREET LIGHTS, SIGNS, ETC. THAT ARE NOT INTENDED TO BE PERMANENTLY REMOVED.
  - CONTRACTOR SHALL NOTIFY THE DOWNERS GROVE PUBLIC WORKS DEPARTMENT, DOWNERS GROVE SANITARY DISTRICT, ALL UTILITY COMPANIES, AND THE FIRE DEPARTMENT PRIOR TO START UP.
  - ON-SITE DISTURBED AREAS TO REMAIN AS GREENSPACE SHALL BE RESTORED WITH MINIMUM 4" TOPSOIL AND SOD.
  - ALL EXISTING DRIVEWAY APRONS SHALL BE SAWCUT ALONG WITH REMOVAL OF ANY EXISTING DEPRESSED CURB AND GUTTER, AND NEW BARRIER CURB AND GUTTER (SIZED TO MEET EXISTING ADJACENT CONDITIONS) SHALL BE INSTALLED AND DOWELED INTO THE EXISTING ADJOINING CURB AND GUTTER.
  - PARKWAYS SHALL BE RESTORED WITH MINIMUM 4" TOPSOIL AND SOD
  - UTILITY LINES SCHEDULED FOR REMOVAL SHALL BE PROPERLY DISCONNECTED FROM FACILITIES THAT ARE TO REMAIN, SECURELY PLUGGED AT ALL CONNECTION POINTS, AND EITHER REMOVED OR FILLED WITH FLOWABLE FILL (LEAN CONCRETE MIXTURE) AND ABANDONED IN PLACE (REMOVE IF LOCATED UNDER NEW BUILDING PAD AREAS). IN THE CASE OF STRUCTURE ABANDONMENT, CASTINGS AND TOP SLABS AND ONE SECTION SHALL BE REMOVED PRIOR TO FILLING THE STRUCTURE (UNLESS THE STRUCTURE IS EASIER TO COMPLETELY REMOVE).
  - ALL ABANDONED SANITARY SEWERS SHALL BE PLUGGED AT BOTH ENDS WITH A MINIMUM OF TWO (2) FEET LONG CONCRETE/MORTAR PLUGS.
  - EXISTING METER AND MTU TO BE RETURNED TO VILLAGE OF DOWNERS GROVE PUBLIC WORKS DEPARTMENT.

**DEMOLITION LEGEND**

	REMOVE EXISTING PAVEMENT/SIDEWALK/STRUCTURE/C&G (INCL SAWCUT)
	TREE/BUSH/STRUCTURE REMOVAL
	TREE PROTECTION FENCE
	REMOVE EXISTING UTILITY LINE
	REMOVE EXISTING CURB AND GUTTER

**EXISTING UTILITY SCHEDULE**

STORM SEWER		SANITARY SEWER	
1 3" PVC RIM= 733.59 INV= 733.59	2 EX. CATCH BASIN RIM= 732.07 INV= 725.84 (8" N,S)	1 EX. SANITARY MANHOLE RIM= 733.39 INV= 728.07 (6" N) NOT ABLE TO SEE INVERTS	2 EX. SANITARY MANHOLE RIM= 731.05 FULL OF SILT INV= 728.01 (6" S)
3 EX. CATCH BASIN RIM= 730.74 INV= 726.02 (8" S)	4 EX. STORM MANHOLE RIM= 732.15 INV= 725.28 (15" N) INV= 725.18 (15" S) W INV NOT ACCESSIBLE	3 EX. SANITARY MANHOLE RIM= 733.16 INV= 724.51 (8" N) INV= 723.57 (8" N) INV= 723.51 (8" S)	4 EX. SANITARY MANHOLE RIM= 733.16 INV= 723.31 (8" S) INV= 723.11 (10" E)
5 EX. CATCH BASIN RIM= 730.04 INV= 727.89 (12" N)	6 EX. STORM MANHOLE RIM= 732.12 INV= 713.52 (24" NE) INV= 713.47 (24" W)	5 EX. SANITARY MANHOLE RIM= 734.64 INV= 722.44 (10" W) INV= 722.39 (10" E)	
7 EX. STORM MANHOLE RIM= 732.30 INV= 727.45 (12" S) INV= 724.90 (15" N) INV= 724.55 (12" SE) INV= 713.82 (24" E) INV= 713.72 (24" SW)	8 EX. CATCH BASIN RIM= 732.15 INV= 724.85 (6" NE) INV= 724.60 (12" NW) PLUG 6" NE PIPE	WATERMAIN	
		1 EX. 6" VALVE & VAULT RIM= 732.41 TP= 726.91	2 EX. 6" VALVE & VAULT RIM= 732.58 TP= 726.58
9 EX. STORM MANHOLE RIM= 733.24 INV= 728.69 (12" SW) INV= 728.64 (12" N) INV= 728.64 (12" NE) INV= 728.39 (12" S)	10 EX. CATCH BASIN RIM= 732.53 INV= 730.23 (12" NW)	LOTS 3, 4 AND 5 AND THE SOUTH 50 FEET OF LOT 2 IN RESUBDIVISION OF BLOCKS 2 TO 16 INCLUSIVE, IN VICTOR FREDENHAGEN JR.'S SUBDIVISION AT EAST GROVE, BEING A SUBDIVISION IN THE WEST 1/2 OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAN OF SAID RESUBDIVISION RECORDED SEPTEMBER 6, 1886 AS DOCUMENT 36375, IN DUPAGE COUNTY, ILLINOIS.	
	11 EX. STORM MANHOLE RIM= 734.29 INV= 714.31 (24" E,W)	CONTAINING: 26709.05 SQ. FT., 0.61 AC. (MORE OR LESS) PROPERTY COMMONLY KNOWN AS : 5117 FAIRVIEW AVENUE, DOWNERS GROVE, ILLINOIS	

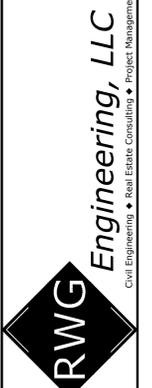


**REVISIONS**

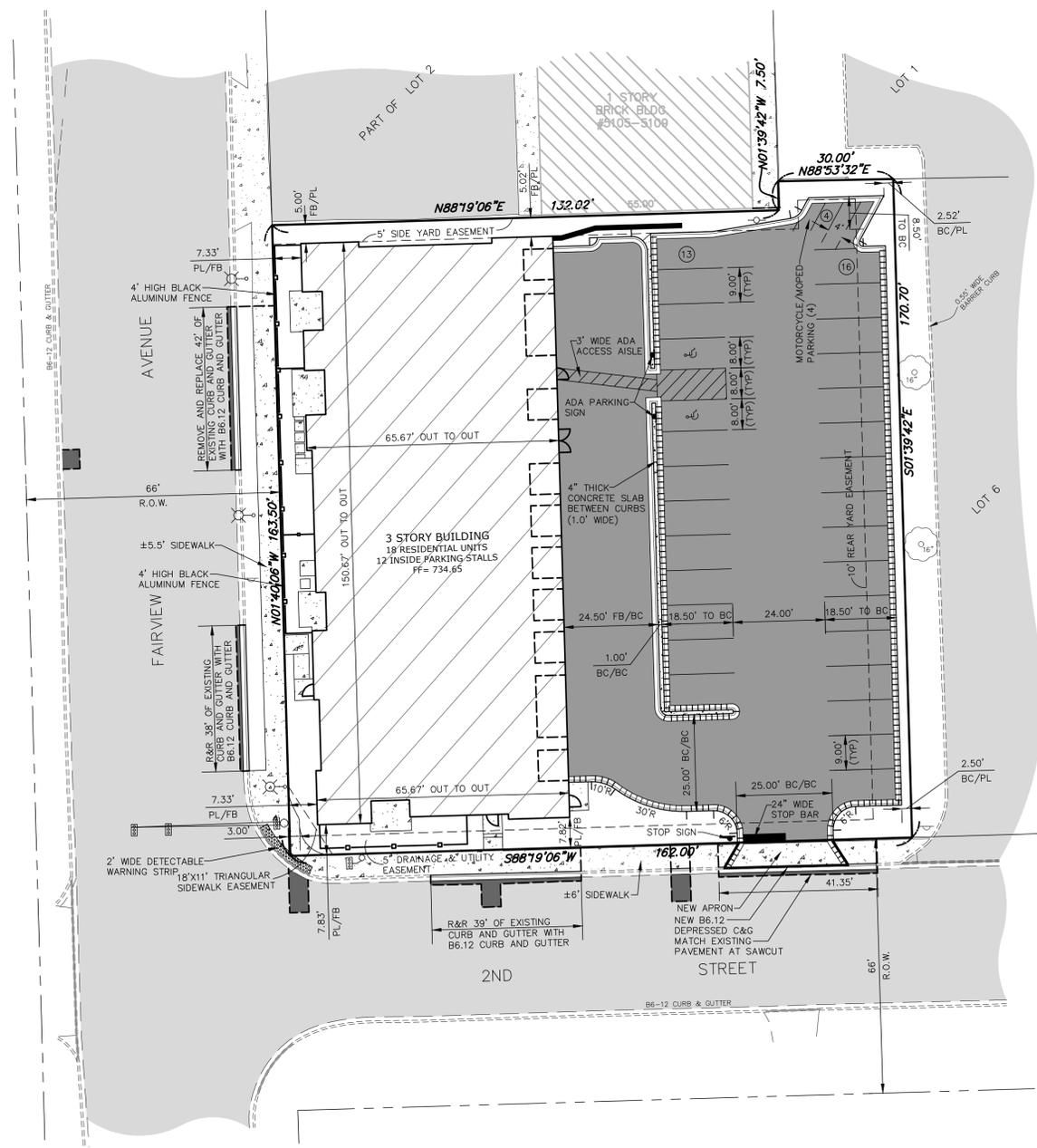
DATE	REVISIONS
1. 08/24/20	PLAN COMMISSION REVIEW LETTER 1
2. 08/25/20	FENCE & DOOR COORDINATION

**FAIRVIEW STATION FLATS**  
DOWNERS GROVE, ILLINOIS  
EXISTING CONDITIONS/DEMOLITION PLANS

975 E. 22nd St, Suite 400  
Wheaton, IL 60189  
630.480.7889  
www.rwg-engineering.com

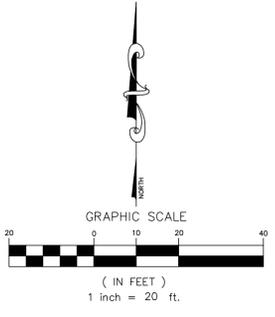


PROJECT NO.: 52819520  
DATE: 07/31/20  
SCALE: 1"=20'  
PROJ. MGR.: RWG  
PROJ. ASSOC.: AVS  
DRAWN BY: AVS



**SITE DATA:**

TOTAL SITE SIZE	= 26,709.05 S.F. (0.61 AC)
<b>EXISTING SITE CONDITIONS:</b>	
EXISTING BUILDING FOOTPRINT	= 2,118 S.F. ( 7.93%)
EXISTING PAVT./SIDEWALK	= 20,737 S.F. ( 77.64%)
EXISTING GREENSPACE	= 3,854 S.F. ( 14.43%)
EXISTING CONDITIONS IMPERVIOUS AREA	= 22,855 S.F. (0.52 AC)
<b>PROPOSED SITE CONDITIONS:</b>	
PROPOSED BUILDING FOOTPRINT	= 9,532 S.F. ( 35.69%)
PROPOSED ASPHALT/CONC PAVT., WALK	= 13,853 S.F. ( 51.89%)
PROPOSED GREENSPACE	= 3,324 S.F. ( 12.42%)
PROPOSED CONDITIONS IMPERVIOUS AREA	= 23,385 S.F. (0.54 AC)
<b>OUTSIDE PROPOSED PARKING SUMMARY:</b>	
MOTORCYCLE/MOPED STALLS	= 4
REGULAR STALLS	= 27 (PLUS 12 INSIDE BLDG)
ADA ACCESSIBLE STALLS	= 2
TOTAL STALLS PROVIDED	= 29 (PLUS 12 INSIDE BLDG)



**ABBREVIATIONS LEGEND:**

EX	=	EXISTING
PR	=	PROPOSED
BC	=	BACK OF CURB
FO	=	FACE OF CURB
EP	=	EDGE OF PAVEMENT
PL	=	PROPERTY LINE
FB	=	FACE OF BUILDING
FW	=	FACE OF WALK (SIDEWALK)
ROW	=	RIGHT OF WAY
BC/BC	=	BACK OF CURB TO BACK OF CURB
SW	=	SIDEWALK
R	=	RADIUS
RW	=	RETAINING WALL
(TYP)	=	TYPICAL

- SITE GEOMETRIC AND PAVING NOTES:**
- SIDEWALK RAMPS WITH DETECTABLE WARNINGS AND DEPRESSED CURBS SHALL BE INSTALLED AT ALL SIDEWALK CROSSINGS. SEE CONSTRUCTION STANDARDS FOR SPECIFIC DETAILS.
  - UNLESS NOTED OTHERWISE ON THE PLAN, ALL DIMENSIONS ARE TO THE BACK OF CURB, FACE OF BUILDING, OR PROPERTY LINES.
  - UNLESS OTHERWISE NOTED, ALL CURB AND GUTTER SHALL BE B6.12 CONCRETE CURB AND GUTTER.
  - UNLESS OTHERWISE NOTED, ALL CURB RADII ARE 4' TO BACK OF CURB.
  - ALL BOUNDARY AND LOT DIMENSIONS ARE SHOWN PER THE SUBDIVISION (OR SITE) PLAT PREPARED BY GENTLE AND ASSOCIATES, INC. DATED 05/15/20.
  - BUILDING DIMENSIONS HAVE BEEN INDICATED HEREON BASED UPON ARCHITECTURAL INFORMATION CURRENT AS OF THE BASE DATE OF THIS PLAN PREPARATION. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR PRECISE BUILDING DIMENSIONS AND ADVISE THE ARCHITECT AND ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
  - IMPROVEMENTS ADJACENT TO BUILDINGS, IF SHOWN (SUCH AS TRUCK DOCKS, RETAINING WALLS, SIDEWALKS, CURBING, FENCING, CANOPIES, RAMPS, HANDICAP ACCESS, PLANTERS, DUMPSTERS, TRANSFORMERS, BOLLARDS, ETC) HAVE BEEN SHOWN FOR APPROXIMATE LOCATION ONLY - REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS, SPECIFICATIONS AND DETAILS.
  - THE LOCATION OF PRIVATE SIDEWALKS SHALL BE COORDINATED WITH PROPOSED DOORWAYS. CONTRACTOR TO VERIFY ACTUAL DOORWAY LOCATION WITH ARCHITECTURAL PLANS PRIOR TO CONSTRUCTING SIDEWALKS.
  - UPON COMPLETION OF PAVING OPERATIONS, THE CONTRACTOR SHALL INSTALL THE PAVEMENT MARKINGS AND STRIPES AND ALL DIRECTIONAL SIGNAGE, ETC AS SHOWN HEREON. PARKING STALL (EXCEPT FOR HC) MARKING COLOR IS WHITE. ALL ON-SITE PAVEMENT MARKINGS AND STRIPES SHALL BE PAINTED WITH IDOT SPECIFICATION PAVEMENT PAINT. PARKING STALL STRIPES SHALL BE 4" WIDE. HANDICAP STALLS SHALL BE PAINTED YELLOW AND SIGNED PER FEDERAL, STATE AND LOCAL REQUIREMENTS.
  - PRIOR TO OPENING TO THE PUBLIC, ALL TRAFFIC CONTROL SIGNAGE SHALL BE INSTALLED AS INDICATED. SIGNS SHALL BE INSTALLED WITH 3" SQUARE ALUMINUM POSTS WITH A BAKED ON ENAMEL FINISH, SET 1" INTO CONCRETE PIER AND SHALL INCLUDE A POST CAP.
  - IF A MINIMUM OF 9' OF THE ROADWAY (NOT INCLUDING GUTTER PAN) CANNOT BE MAINTAINED FOR VEHICULAR TRAVEL LANE, THEN A FULL CLOSURE AND DETOUR PLAN MUST BE SUBMITTED TO PUBLIC WORKS. PLEASE CONTACT THE VILLAGE'S TRAFFIC MANAGER AT 630-434-5460 FOR FURTHER INFORMATION AND TO COORDINATE DETOUR. PRIOR TO CLOSING THE STREET, A WRITTEN APPROVAL IS REQUIRED.
  - ALL CA-6 TRENCH BACKFILL, AGGREGATE BASE COURSE, AND HOT MIX ASPHALT (HMA) PLACED AS PART OF A STREET PATCH MUST BE TESTED FOR PROPER COMPACTION BY AN IDOT PRE-QUALIFIED TESTING FIRM. TESTING REPORTS MUST BE EMAILED TO THE VILLAGE AT CUT@downers.us PRIOR TO ACCEPTANCE OF THE WORK.
  - ANY CHANGES MADE TO THE SITE PLAN OR IN THE FIELD DURING CONSTRUCTION MUST BE SUBMITTED IN WRITING TO THE VILLAGE OF DOWNERS GROVE.
  - TWO HARD COPIES OF AN AS-BUILT FINAL GRADING SURVEY MUST BE SUBMITTED TO THE VILLAGE PRIOR TO SCHEDULING THE FINAL STORMWATER/RIGHT-OF-WAY INSPECTION FOR THE PROJECT. AS APPLICABLE, IT SHALL INCLUDE, BUT IS NOT LIMITED TO THE ITEMS LISTED IN SECTION 26.700.C OF THE DOWNERS GROVE MUNICIPAL CODE.

**SOURCE BENCHMARK:**  
DUPAGE COUNTY BM # DGN09001

STATION IS LOCATED ALONG FAIRVIEW AVENUE ON THE EAST SIDE OF "T" INTERSECTION OF FAIRVIEW AVENUE WITH WILSON STREET. STATION IS 37.0 FEET EAST OF THE CENTERLINE OF FAIRVIEW AVENUE, 63.3 FEET NORTH OF A BRICK SIDEWALK TO A PARK PAVILION, 17.7 FEET NORTHEAST OF A LIGHT POLE, AND 3.5 FEET EAST OF A CONCRETE SIDEWALK ALONG FAIRVIEW AVENUE. MONUMENT IS A ROD WITH ACCESS COVER IN CONCRETE WITH NO STAMPING ON COVER. NOTE: THE STATION IS DISTURBED; ROD TIP HAS BEEN REMOVED.

**SURFACE IMPROVEMENT LEGEND:**

	EXISTING SIDEWALK
	EXISTING ASPHALT PAVEMENT
<b>PARKING LOT ASPHALT PAVEMENT</b>	
	1 1/2" BITUMINOUS SURFACE COURSE, HOT-MIX ASPHALT, MIX "C", N50
	2 1/2" BITUMINOUS BINDER COURSE, HOT-MIX ASPHALT, IL-19, N50
	8" BITUMINOUS PRIME COAT MC-30 (0.30 GAL/SY) AGGREGATE BASE COURSE CA-6, TYPE B
<b>PUBLIC ROAD ASPHALT PAVEMENT</b>	
	2" BITUMINOUS SURFACE COURSE, HOT-MIX ASPHALT, MIX "C", N50
	5" BITUMINOUS BASE COURSE, HOT-MIX ASPHALT, IL-19, N50
	6" BITUMINOUS PRIME COAT MC-30 (0.30 GAL/SY) AGGREGATE BASE COURSE CA-6, TYPE B
<b>CONCRETE SIDEWALKS</b>	
	5" PCC SIDEWALK (4,000 PSI) (8" AT DRIVEWAY CROSSING)
	4" AGGREGATE BASE COURSE TYPE B, CA-6
	PROPOSED B6.12 CONCRETE CURB AND GUTTER
	PROPOSED REVERSE PITCH B6.12 CURB AND GUTTER
	PROPOSED DEPRESSED CURB AND GUTTER
	EXISTING CURB AND GUTTER
	EXISTING DEPRESSED CURB AND GUTTER

**FAIRVIEW STATION FLATS  
DOWNERS GROVE, ILLINOIS  
SITE GEOMETRIC AND PAVING PLAN**

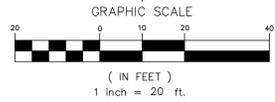
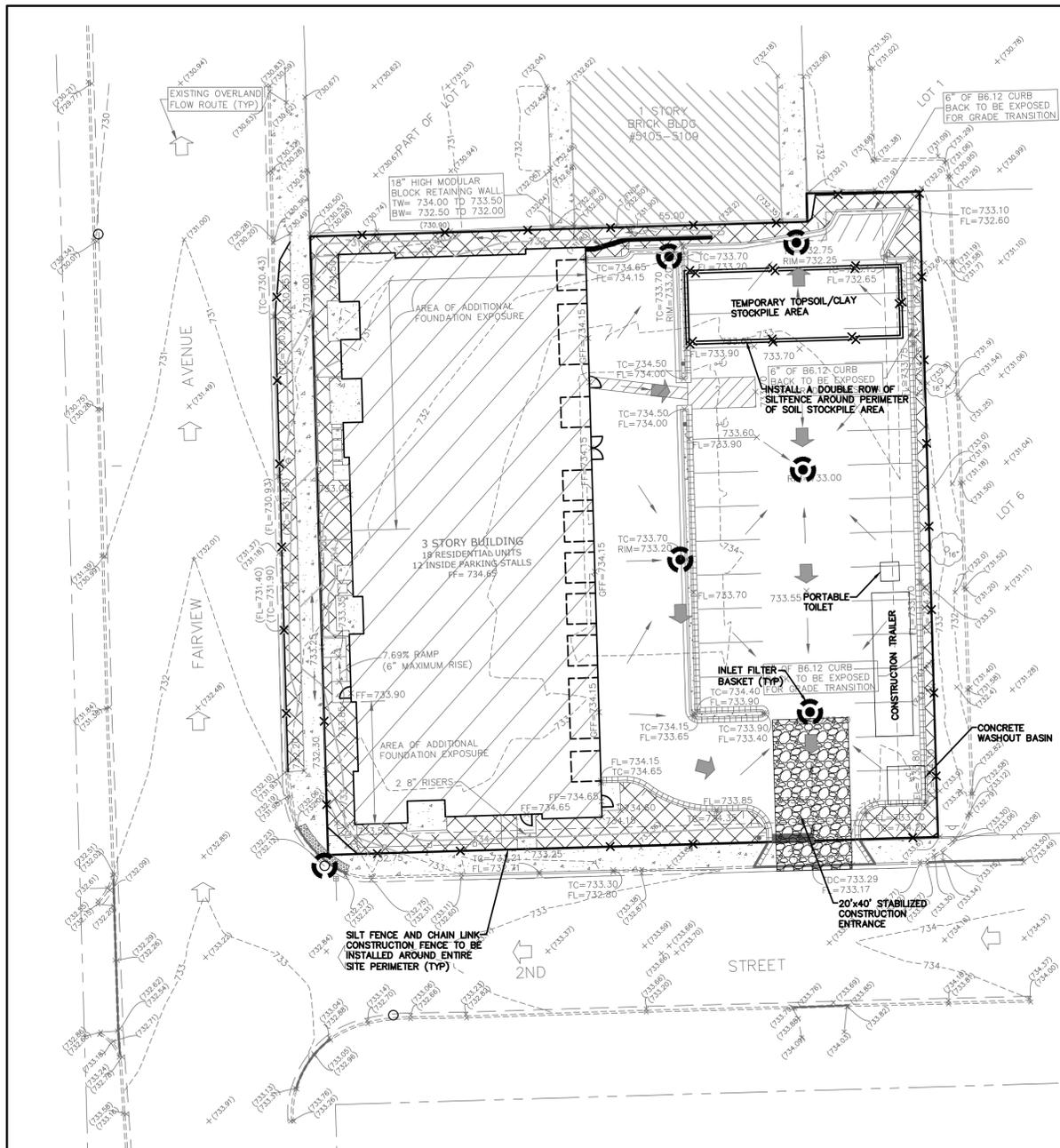
975 E. 22nd St, Suite 400  
Wheaton, IL 60189  
630.480.7889  
www.rwg-engineering.com



PROJECT NO. 52819520  
DATE 07/31/20  
SCALE 1"=20'  
PROJ. MGR. RWG  
PROJ. ASSOC. AVS  
DRAWN BY AVS

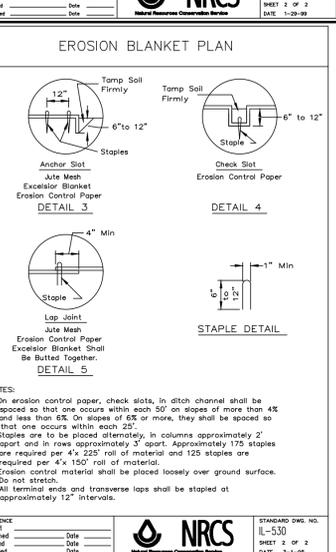
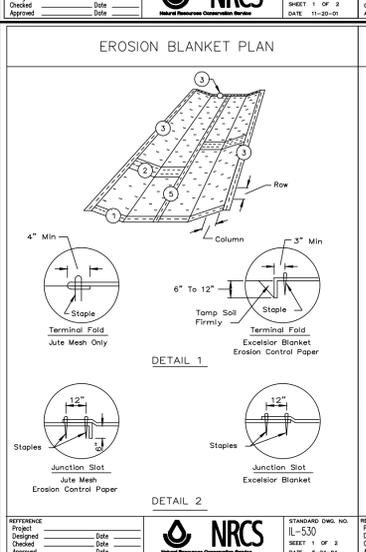
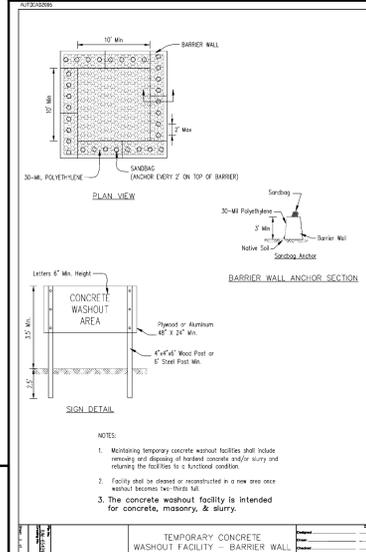
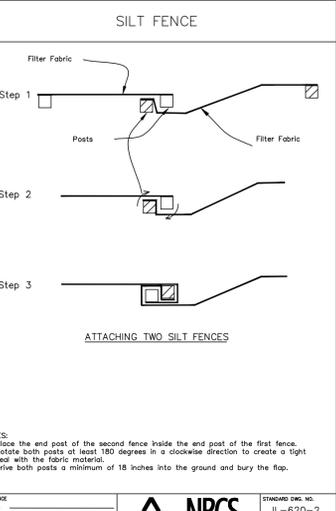
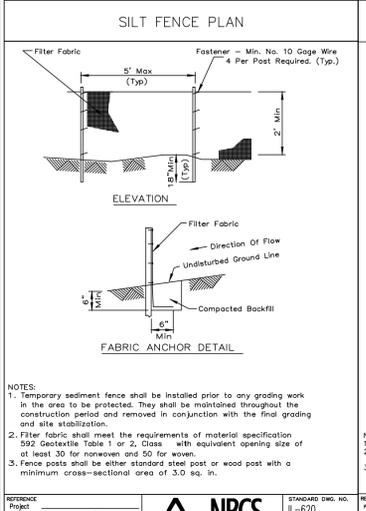
SHEET

3 OF 8



**DOWNERS GROVE EROSION CONTROL NOTES:**

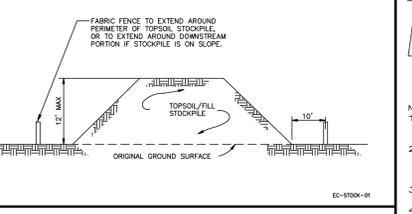
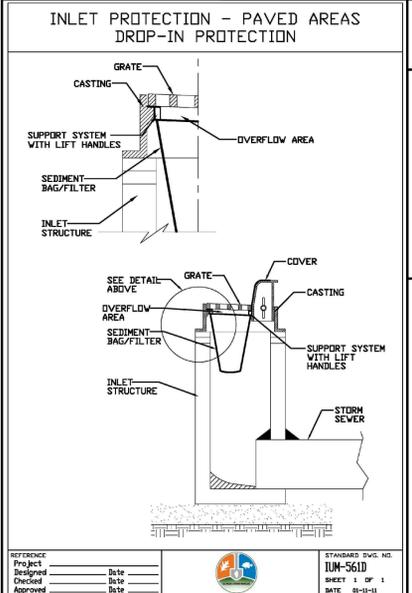
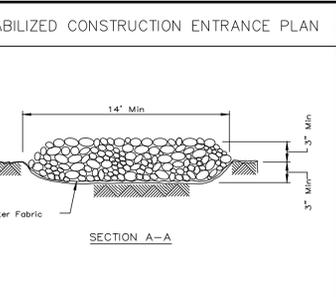
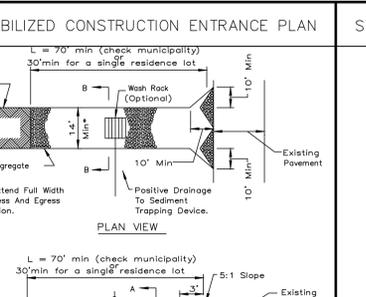
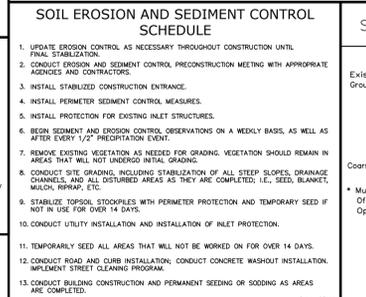
- AN INITIAL SEDIMENTATION AND EROSION CONTROL INSPECTION IS REQUIRED PRIOR TO STARTING CONSTRUCTION. THE APPLICANT IS DIRECTED TO CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT AT 630-434-5529 TO SCHEDULE THIS INSPECTION. THIS NOTIFICATION SHALL BE AT LEAST 24 HOURS IN ADVANCE OF CONSTRUCTION.
- THE SEDIMENT AND EROSION CONTROL DEVICES SHALL BE FUNCTIONAL BEFORE ANY LAND IS DISTURBED ON THE SITE.
- STOCKPILES OF SOIL SHALL NOT BE LOCATED WITHIN ANY DRAINAGEWAYS, FLOODPLAINS, WETLANDS, BUFFERS OR LPDAS.
- SEDIMENT AND EROSION CONTROL SHALL BE PROVIDED FOR ANY SOIL STOCKPILE IF IT IS TO REMAIN IN PLACE FOR MORE THAN THREE DAYS INCLUDING A DOUBLE ROW OF SILT FENCE OR CORR ROLL.
- PROPERTIES DOWNSTREAM FROM THE SITE SHALL BE PROTECTED FROM EROSION IF THE VOLUME, VELOCITY, SEDIMENT LOAD, OR PEAK FLOW RATES OF STORMWATER RUNOFF ARE TEMPORARILY INCREASED DURING CONSTRUCTION.
- STORM SEWER INLETS SHALL BE PROTECTED WITH SEDIMENT TRAPPING OR FILTER CONTROL DEVICES DURING CONSTRUCTION.
- THE SURFACE OF STRIPPED AREAS SHALL BE PERMANENTLY OR TEMPORARILY PROTECTED FROM SOIL EROSION WITHIN FIFTEEN DAYS AFTER FINAL GRADE IS REACHED. STRIPPED AREAS THAT WILL REMAIN UNDISTURBED FOR MORE THAN FIFTEEN DAYS AFTER THE FINAL GRADE IS REACHED, STRIPPED AREAS THAT WILL REMAIN UNDISTURBED FOR MORE THAN SEVEN DAYS AFTER INITIAL DISTURBANCE SHALL BE PROTECTED FROM EROSION.
- WATER PUMPED OR OTHERWISE DISCHARGED FROM THE SITE DURING CONSTRUCTION MUST BE FILTERED.
- A STABILIZED CONSTRUCTION ENTRANCE SHALL BE PROVIDED TO PREVENT THE DEPOSITION OF SOIL ONTO PUBLIC OR PRIVATE ROADWAYS. ANY SOIL REACHING A PUBLIC OR PRIVATE ROADWAY SHALL BE REMOVED BEFORE THE END OF EACH WORKDAY.
- ALL TEMPORARY EROSION CONTROL MEASURES NECESSARY TO MEET THE REQUIREMENTS OF THE VILLAGE OF DOWNERS GROVE STORMWATER AND FLOOD PLAN ORDINANCE SHALL BE KEPT OPERATIONAL AND MAINTAINED CONTINUOUSLY THROUGHOUT THE PERIOD OF LAND DISTURBANCE UNTIL PERMANENT SEDIMENT AND EROSION CONTROL MEASURES ARE OPERATIONAL.
- ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN THIRTY (30) DAYS AFTER FINAL STABILIZATION IS ACHIEVED. TRAPPED SEDIMENT AND OTHER DISTURBED SOILS RESULTING FROM TEMPORARY MEASURES SHALL BE PROPERLY DISPOSED OF PRIOR TO PERMANENT STABILIZATION.



**SPECIAL CONCRETE WASHOUT NOTE:**  
CONCRETE WASHOUT SHALL BE CONTAINED AT ALL TIMES. WASHOUT MATERIAL SHALL NOT BE ALLOWED TO ENTER STORM SEWERS OR LEACH INTO THE SOIL UNDER ANY CIRCUMSTANCES. ALL WASTE SHALL BE DISPOSED OF PROPERLY AND THE LOCATION OF THE WASHOUT SHALL BE DESIGNATED WITH PROPER SIGNAGE (SEE PLAN).

**PLAN ABBREVIATION LEGEND (IN ADDITION TO TITLE SHEET)**

- P = PAVEMENT
- R = RIM (OR RADIUS)
- TC = TOP OF CURB
- SW = WALK (OR TOP OF WALK)
- FF = FINISHED FLOOR
- EP = EDGE OF PAVEMENT
- FL = FLOW LINE
- TW = TOP OF WALL ELEV
- BW = BOTTOM OF WALL (GRADE) ELEV
- TDC = TOP OF DEPRESSED CURB



**STABILIZATION TYPE**

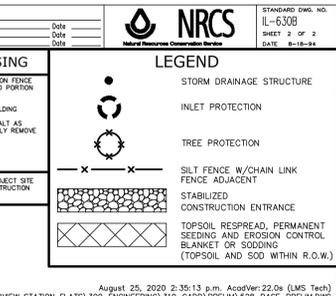
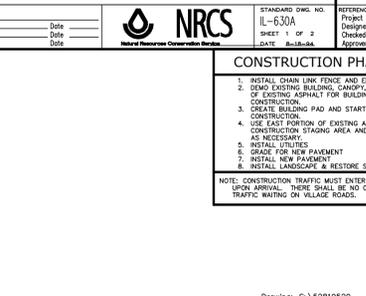
STABILIZATION TYPE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
PERMANENT SEEDING			A									
DOMINANT SEEDING			B									
TEMPORARY SEEDING			C			D						
SOODING				E**								
MULCHING				F								

**A. KENTUCKY BLUEGRASS 90 LBS/ACRE MIXED WITH PERENIAL PEGRASS 30 LBS/ACRE**  
**B. KENTUCKY BLUEGRASS 135 LBS/ACRE MIXED WITH PERENIAL PEGRASS 45 LBS/ACRE + 2 TONS STRAW MULCH/ACRE**  
**C. SPRING OATS 100 LBS/ACRE**  
**D. WHEAT OR CERIAL RYE 150 LBS/ACRE**  
**E. SOD**  
**F. STRAW MULCH 2 TONS/ACRE**

\* IRRIGATION NEEDED DURING JUNE AND JULY  
 \*\* IRRIGATION NEEDED FOR 2 TO 3 WEEKS AFTER APPLYING SOD

**NOTES:**

- Filter fabric shall meet the requirements of material specification 592 GEOTEXTILE, Table 1 or 2, Class 1. All filter fabric shall be placed over the cleared area prior to the placing of rock.
- Rock or retained concrete shall meet one of the following (DOT) coarse aggregate gradation, CA-1, CA-2, CA-3 or CA-4 and be placed according to construction specification 25 ROCKFILL using placement Method 1 and Class III compaction.
- Any drainage facilities required because of washing shall be constructed according to manufacturer's specifications.
- If wash racks are used they shall be installed according to the manufacturer's specifications.

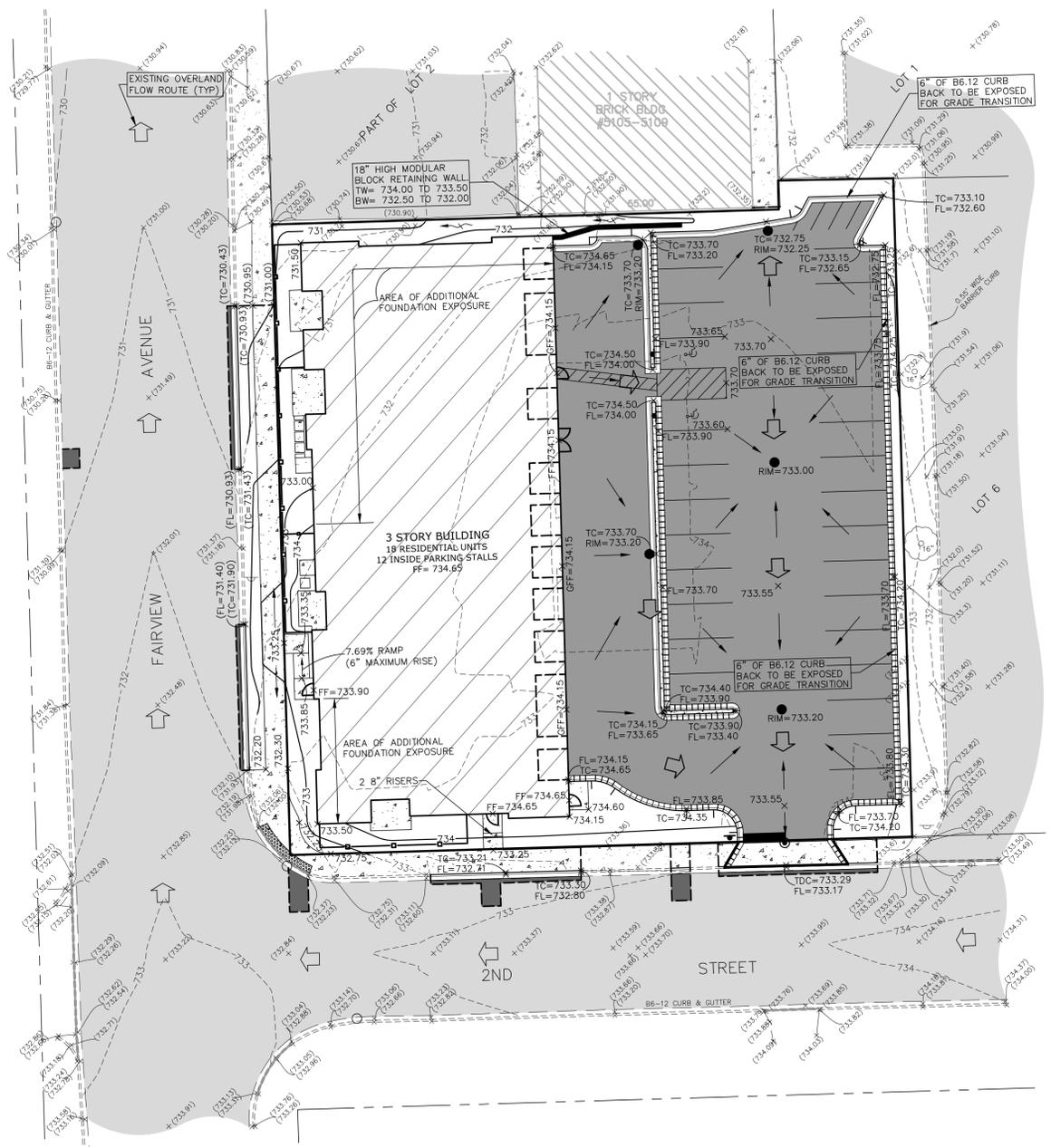


DRAWN BY: AVS  
 CHECKED BY: AVS  
 DATE: 08/24/20  
 PLAN COMMISSION REVIEW LETTER 1  
 FENCE & DOOR COORDINATION  
 DATE: 08/25/20  
 REVISIONS: 1  
 PROJECT NO.: 52819520  
 DATE: 07/31/20  
 SCALE: 1"=20'  
 PROJ. MGR.: RWG  
 PROJ. ASSOC.: AVS  
 DRAWN BY: AVS  
 SHEET: 4 OF 8  
 PROJECT NO.: 52819520  
 DATE: 07/31/20  
 SCALE: 1"=20'  
 PROJ. MGR.: RWG  
 PROJ. ASSOC.: AVS  
 DRAWN BY: AVS  
 SHEET: 4 OF 8

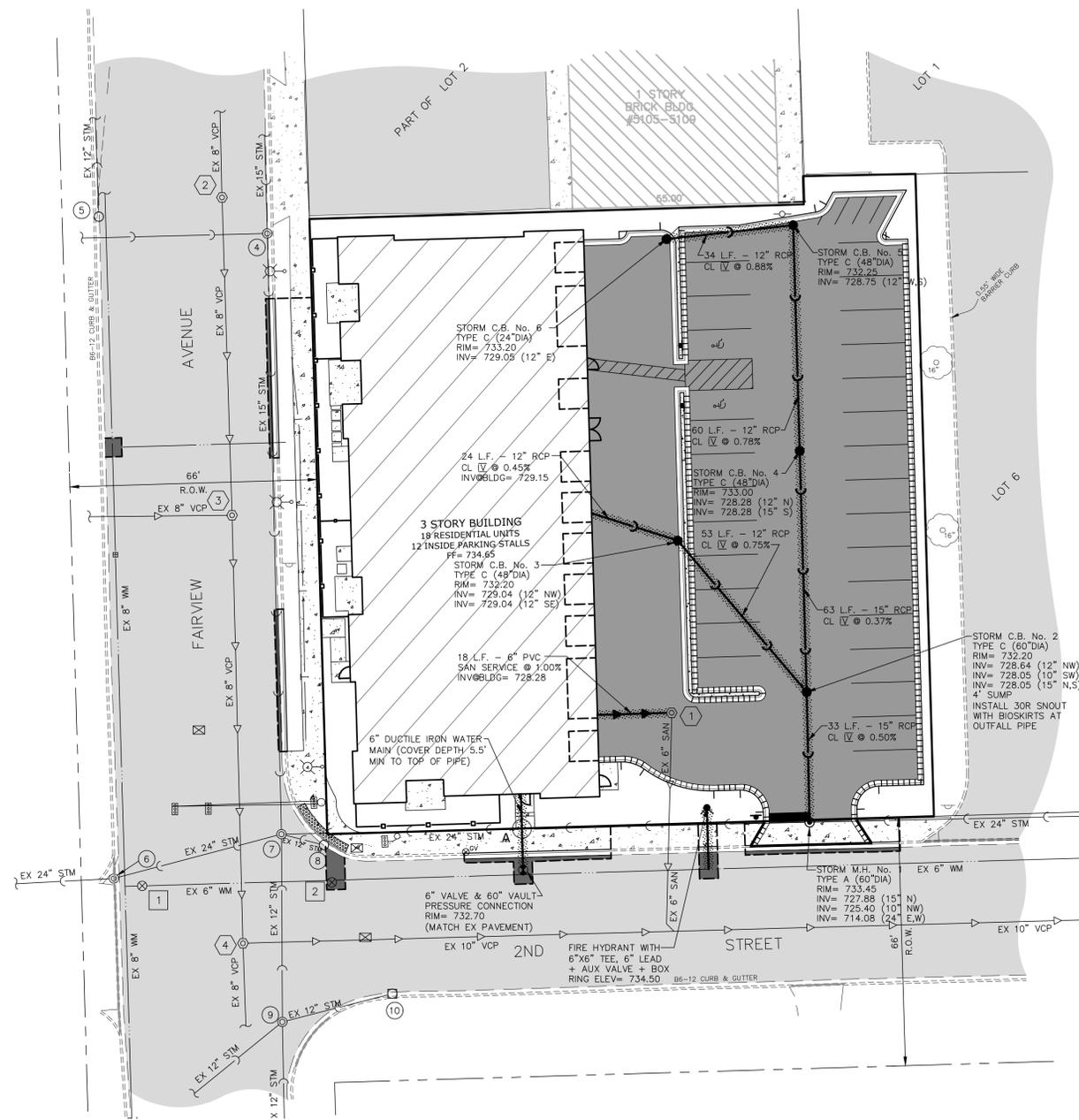
FAIRVIEW STATION FLATS  
 DOWNERS GROVE, ILLINOIS  
 SOIL EROSION AND SEDIMENT CONTROL PLAN

975 E. 22nd St, Suite 400  
 Wheaton, IL 60189  
 630.480.7889  
 www.rwg-engineering.com

**RWG Engineering, LLC**  
 Civil Engineering • Real Estate Consulting • Project Management



GRADING PLAN



UTILITY PLAN

**PLAN ABBREVIATION LEGEND**  
(IN ADDITION TO TITLE SHEET)

P = PAVEMENT  
R = RIM (OR RADIUS)  
TC = TOP OF CURB  
SW = WALK (OR TOP OF WALK)  
FF = FINISHED FLOOR  
EP = EDGE OF PAVEMENT  
FL = FLOW LINE  
TW = TOP OF WALL ELEV  
BW = BOTTOM OF WALL (GRADE) ELEV  
TDC = TOP OF DEPRESSED CURB

**GRADING LEGEND**

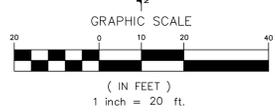
EXISTING	PROPOSED
CONCRETE HEADWALL	CONCRETE HEADWALL
PRECAST FLARED END SECTION	PRECAST FLARED END SECTION
STORM DRAINAGE STRUCTURE	STORM DRAINAGE STRUCTURE
RETAINING WALL	RETAINING WALL
CONTOUR	CONTOUR
5' CONTOUR	5' CONTOUR
SPOT ELEVATION	SPOT ELEVATION
DIRECTION OF SURFACE FLOW	DIRECTION OF SURFACE FLOW
DITCH OR SWALE	DITCH OR SWALE
OVERFLOW RELIEF ROUTING	OVERFLOW RELIEF ROUTING
SLOPE BANK	SLOPE BANK

NOTE: A FINAL GRADING SURVEY IS REQUIRED AT THE COMPLETION OF THE PROJECT, INCLUDING AN ELECTRONIC COPY (.TIFF FORMAT). IT SHALL INCLUDE, BUT IS NOT LIMITED TO, THE FOLLOWING ITEMS:

- TOP OF FOUNDATION ELEVATIONS FOR ALL NEW STRUCTURES
- SPOT GRADES ADJACENT TO THE FOUNDATIONS OF ALL NEW STRUCTURES
- ALL NEW IMPERVIOUS AREAS INCLUDING THOSE MADE OF CONCRETE, ASPHALT AND BRICK
- DROPS OUTSIDE OF DOORWAYS
- PROVIDE UPDATED CALCULATIONS OF THE AS-BUILT IMPERVIOUS AREAS. TABULATE TO SHOW THE NET INCREASE IN IMPERVIOUS AREA (ANY INCREASE IN IMPERVIOUS AREA FROM THE PROPOSED WILL RESULT IN AN ADDITIONAL FEE).

**GRADING NOTES:**

- PAVEMENT SLOPES WITHIN HANDICAP ACCESSIBLE PARKING AREAS SHALL NOT EXCEED 2.00% IN ANY DIRECTION.
- HANDICAP RAMPS SHALL BE CONSTRUCTED WITH A CROSS SLOPE NOT TO EXCEED 2.00%.
- UNLESS SPECIFICALLY INDICATED OTHERWISE, EXISTING GRADES ARE TO BE MET AT PROJECT PERIMETER PROPERTY LINES.
- THE CONTRACTOR SHALL REFER TO THE SOIL EROSION AND SEDIMENT CONTROL PLANS AND DETAILS FOR THE INSTALLATION OF EROSION CONTROL MEASURES PRIOR TO BEGINNING GRADING OPERATIONS.
- UNLESS OTHERWISE NOTED, SPOT ELEVATIONS AND PROPOSED CONTOURS REFLECT THE FINISHED PAVEMENT SURFACE GRADE, TOP OF CURB GRADE, OR FINISHED GROUND ELEVATION AS APPLICABLE.
- RIM GRADES FOR DRAINAGE STRUCTURES REFLECT THE FLOW LINE ELEVATION OF THE PAVEMENT OR DRAINAGE SWALE (AS APPLICABLE).
- SLOPES ACROSS OPEN SPACE AREAS SHALL NOT EXCEED 3:1.
- PAVEMENT SLOPES SHALL NOT EXCEED 8%.
- AREAS TO BE GRADED AND PREPARED FOR SEEDING OR SOD SHALL INDICATE A MINIMUM OF FOUR (4) INCHES OF TOPSOIL.



**UTILITY NOTES:**

- RIM GRADES FOR DRAINAGE STRUCTURES REFLECT THE FLOW LINE ELEVATIONS OF THE PAVEMENT, OR DRAINAGE SWALE (AS APPLICABLE).
- UNLESS OTHERWISE NOTED, ALL UTILITY DIMENSIONS ARE CENTER TO CENTER OF STRUCTURES (OR TO END OF FLARED END SECTION - IE INCLUDING LENGTH OF FLARED END SECTION).
- THE CONTRACTOR SHALL ADJUST RIM ELEVATIONS OF ALL EXISTING STRUCTURES TO THE PROPOSED GRADES AS INDICATED ON THE PLANS.
- CONNECTIONS TO EXISTING SEWERS OR WATERMANS (OR EXISTING SERVICE STUBS) AT POINTS OTHER THAN VISIBLE STRUCTURES ARE APPROXIMATE. THE CONTRACTOR SHALL EXCAVATE AND VERIFY EXISTING SEWER OR WATERMAIN LOCATIONS, SIZES, ELEVATIONS, AND PIPE CONDITIONS AT PROPOSED CONNECTION POINTS PRIOR TO CONSTRUCTING UTILITY EXTENSIONS, AND NOTIFY THE ENGINEER AND OWNER OF ANY CONFLICT OR DISCREPANCIES.
- EXISTING UNDERGROUND PIPE, CONDUIT AND/OR CABLES (LIGHTING, ELECTRIC, GAS, CABLE, ETC) ARE SHOWN FROM RECORD INFORMATION AND ARE APPROXIMATE IN NATURE. THE CONTRACTOR SHALL VERIFY EXACT LOCATION IN THE FIELD AND NOTIFY THE ENGINEER AND OWNER OF ANY CONFLICT.
- SELECT GRANULAR TRENCH BACKFILL IS REQUIRED FOR ALL UTILITY TRENCHES UNDER EXISTING OR PROPOSED PAVEMENT, DRIVEWAYS, PARKING LOTS, AND SIDEWALKS, AND EXTENDED A MINIMUM OF 2' EACH SIDE OF SAME. GRANULAR TRENCH BACKFILL SHALL BE COMPACTED IN PLACE IN ACCORDANCE WITH THE SPECIFICATIONS.
- BUILDING DIMENSIONS AND ADJACENT UTILITY SERVICE LOCATIONS HAVE BEEN PREPARED BASED UPON ARCHITECTURAL INFORMATION CURRENT AT THE TIME OF DRAWING PREPARATION. SUBSEQUENT ARCHITECTURAL CHANGES MAY EXIST. THE CONTRACTOR SHALL REFER TO THE CURRENT ARCHITECTURAL PLANS FIRST, FOR PRECISE BUILDING DIMENSIONS AND UTILITY SERVICE CONNECTION LOCATIONS AND NOTIFY THE ENGINEER AND ARCHITECT OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
- ROUTING OF GAS, ELECTRIC, TELEPHONE AND OTHER CABLE SERVICES (IF SHOWN) ARE APPROXIMATE AND SUBJECT TO MODIFICATION BY THE RESPECTIVE UTILITY COMPANY AND/OR DEVELOPER. THE CONTRACTOR SHALL COORDINATE THE FINAL UTILITY SERVICE LOCATION WITH EACH UTILITY COMPANY PRIOR TO CONSTRUCTION.

**UTILITY CROSSING SCHEDULE**

CROSSING	SIZE (IN.)	MATERIAL	UTILITY	BOTTOM OF PIPE	TOP OF PIPE	CLEARANCE
(A)	6	DI	WM	726.65	716.19	10.46'
(B)	10	PVC	STM	728.40	726.90	1.50' MIN
(C)	6	DI	WM	727.75	727.00	±0.75'

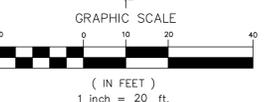
NOTE: ALL PROPOSED CATCH BASINS ARE OPEN BOTTOMED UNLESS OTHERWISE NOTED. OPEN BOTTOMED CATCH BASINS SHALL HAVE 12" OF CA-7 BELOW BASE.

**EXISTING UTILITY SCHEDULE**

STORM SEWER		SANITARY SEWER	
1) 3" PVC RIM= 733.59	2) EX. CATCH BASIN RIM= 732.07 INV= 725.84 (8" N.S)	1) EX. SANITARY MANHOLE RIM= 733.39 INV= 728.07 (6" N) INV= 728.01 (6" S) <b>INV= 728.10 (6" W) ADJ RIM= 733.75</b>	2) EX. SANITARY MANHOLE RIM= 731.05 FULL OF SILT (NOT ABLE TO SEE INVERTS)
3) EX. CATCH BASIN RIM= 730.74 INV= 726.02 (8" S)	4) EX. STORM MANHOLE RIM= 730.25 INV= 725.28 (15" N) INV= 725.18 (15" S) W INV NOT ACCESSIBLE	3) EX. SANITARY MANHOLE RIM= 724.51 (8" N) INV= 723.57 (8" N) INV= 723.51 (8" S)	4) EX. SANITARY MANHOLE RIM= 723.31 (8" S) INV= 723.11 (10" E)
5) EX. CATCH BASIN RIM= 730.04 INV= 727.89 (12" N)	6) EX. STORM MANHOLE RIM= 732.12 INV= 713.52 (24" NE) INV= 713.47 (24" W)	5) EX. SANITARY MANHOLE RIM= 734.64 INV= 722.44 (10" W) INV= 722.39 (10" E)	
7) EX. STORM MANHOLE RIM= 732.30 INV= 727.45 (12" S) INV= 724.90 (15" N) INV= 724.55 (12" SE) INV= 713.82 (24" E) INV= 713.72 (24" SW)	8) EX. CATCH BASIN RIM= 732.15 INV= 724.60 (12" NW)		
9) EX. STORM MANHOLE RIM= 733.24 INV= 728.69 (12" SW) INV= 728.64 (12" N) INV= 728.64 (12" S) INV= 728.64 (12" NE) INV= 728.39 (12" S)	10) EX. CATCH BASIN RIM= 732.53 INV= 730.23 (12" NW)		
	11) EX. STORM MANHOLE RIM= 734.29 INV= 714.31 (24" E, W)		

**WATERMAIN**

1) EX. 6" VALVE & VAULT RIM= 732.41 TP= 726.91	2) EX. 6" VALVE & VAULT RIM= 732.58 TP= 726.58
--	--



DATE: 08/24/20  
REVISIONS: 1. 08/24/20 PLAN COMMISSION REVIEW LETTER 1  
2. 08/25/20 FENCE & DOOR COORDINATION

DRAWN BY: AVS  
CHECKED BY: AVS

**FAIRVIEW STATION FLATS  
DOWNERS GROVE, ILLINOIS  
GRADING AND UTILITY PLANS**

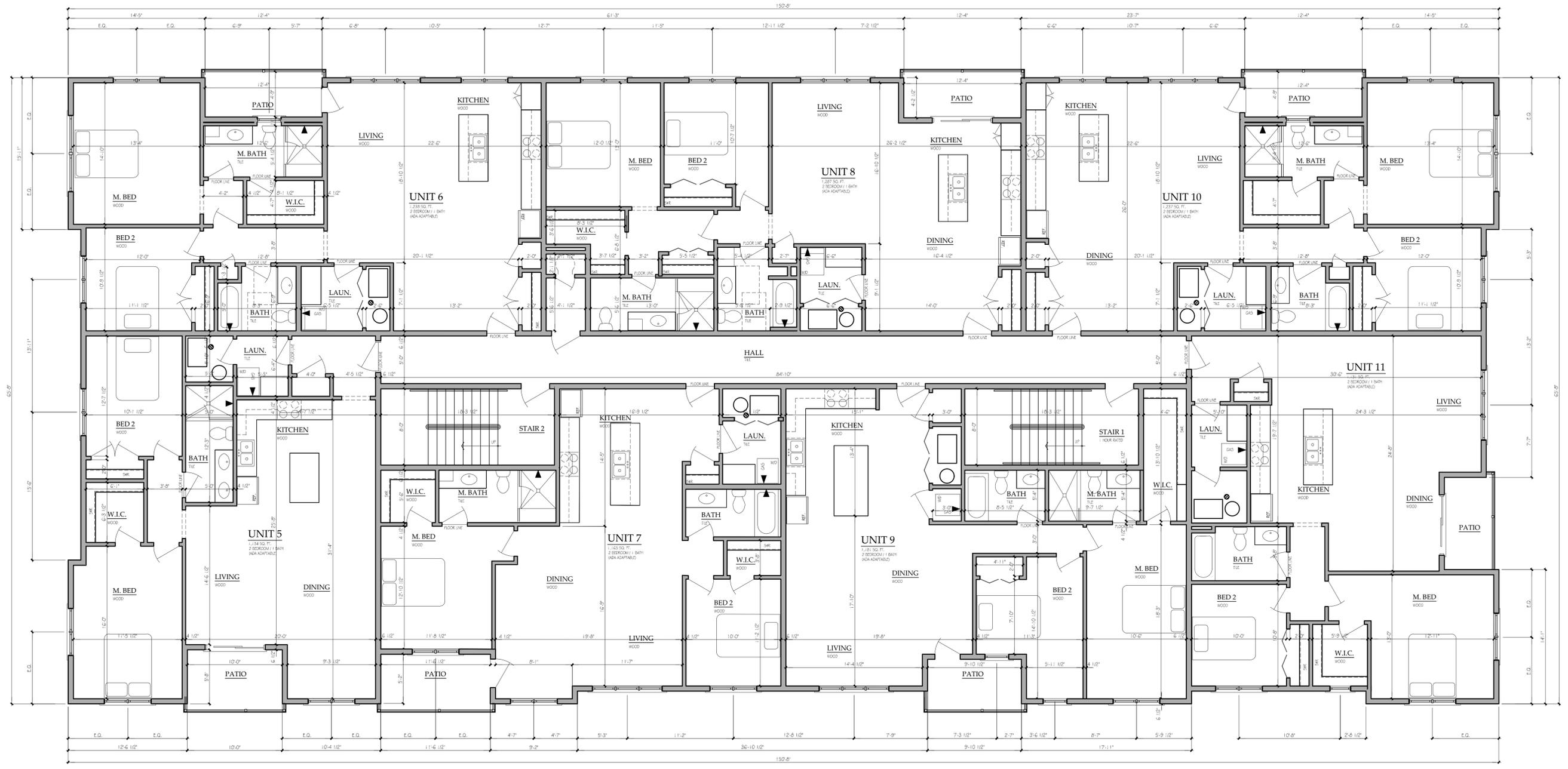
975 E. 22nd St, Suite 400  
Wheaton, IL 60189  
630.480.7889  
www.rwg-engineering.com



PROJECT NO.: 52819520  
DATE: 07/31/20  
SCALE: 1"=20'  
PROJ. MGR.: RWG  
PROJ. ASSOC.: AVS  
DRAWN BY: AVS





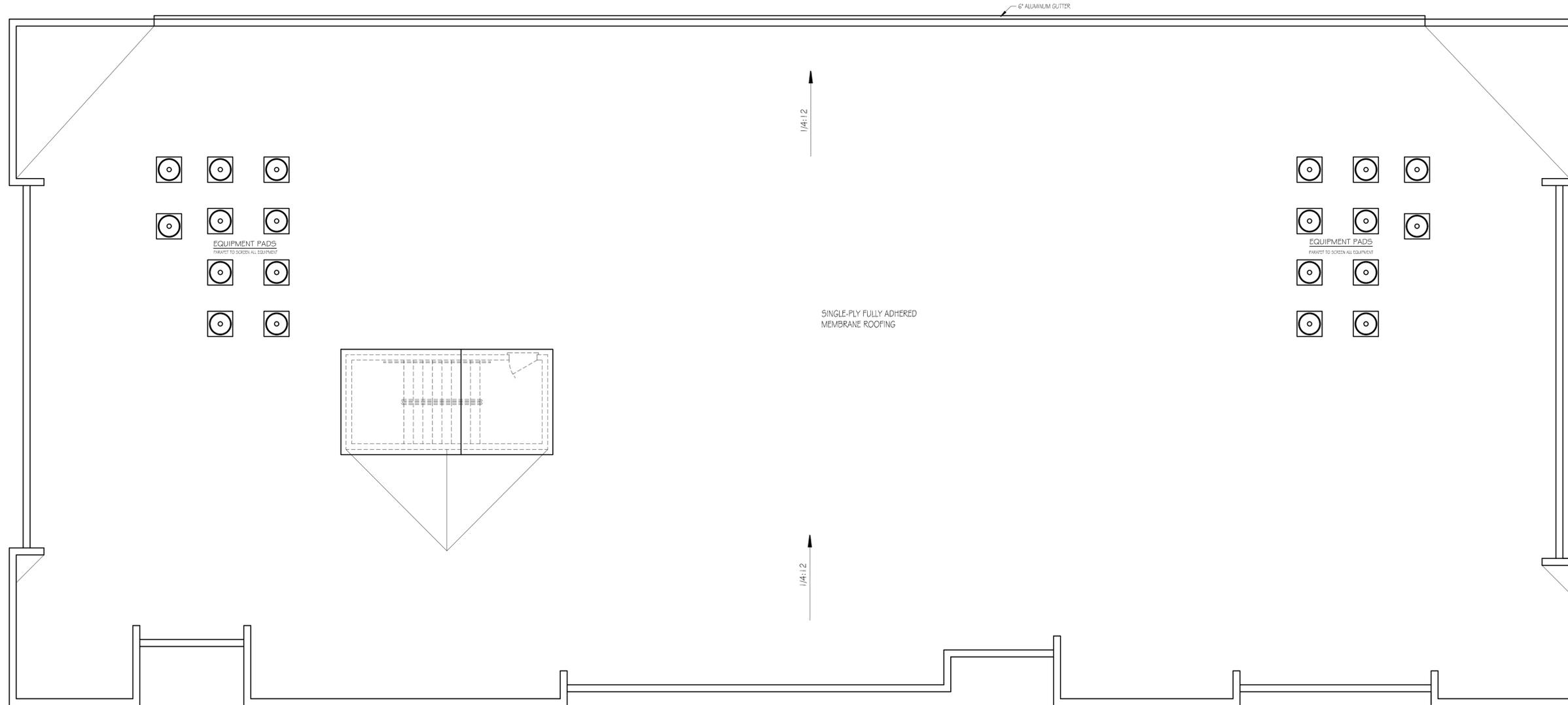


**SECOND FLOOR PLAN**  
SCALE: 3/16" = 1'-0"



REVISIONS





**ROOF PLAN**  
SCALE: 3/16" = 1'-0"

REVISIONS



**2nd STREET ELEVATION**

SCALE: 3/16"=1'-0"



**FAIRVIEW ELEVATION**

SCALE: 3/16"=1'-0"

COPYRIGHT 2020, STUDIO21 ARCHITECTS

**Fairview Station Flats**  
 5117 Fairview Avenue, Downers Grove, IL  
**Ross Builders, Inc.**  
 23 N. Lincoln Street, Hinsdale, IL 60521

**studio21 architects**  
 5012 Fairview Ave.  
 Downers Grove, IL 60515  
 630.789.2513  
 studio21architects.com

DATE  
 08/25/20

REVISIONS

PROJECT  
 20153  
 SHEET

**A4.0**



**NORTH ELEVATION**

SCALE: 3/16"=1'-0"



**EAST ELEVATION**

SCALE: 3/16"=1'-0"







LUND ROMAT



TREMARDS



GREEN LIGHT



MEMORANDUM TO: Craig Ross  
Ross Builders

FROM: Elise Purguette  
Consultant

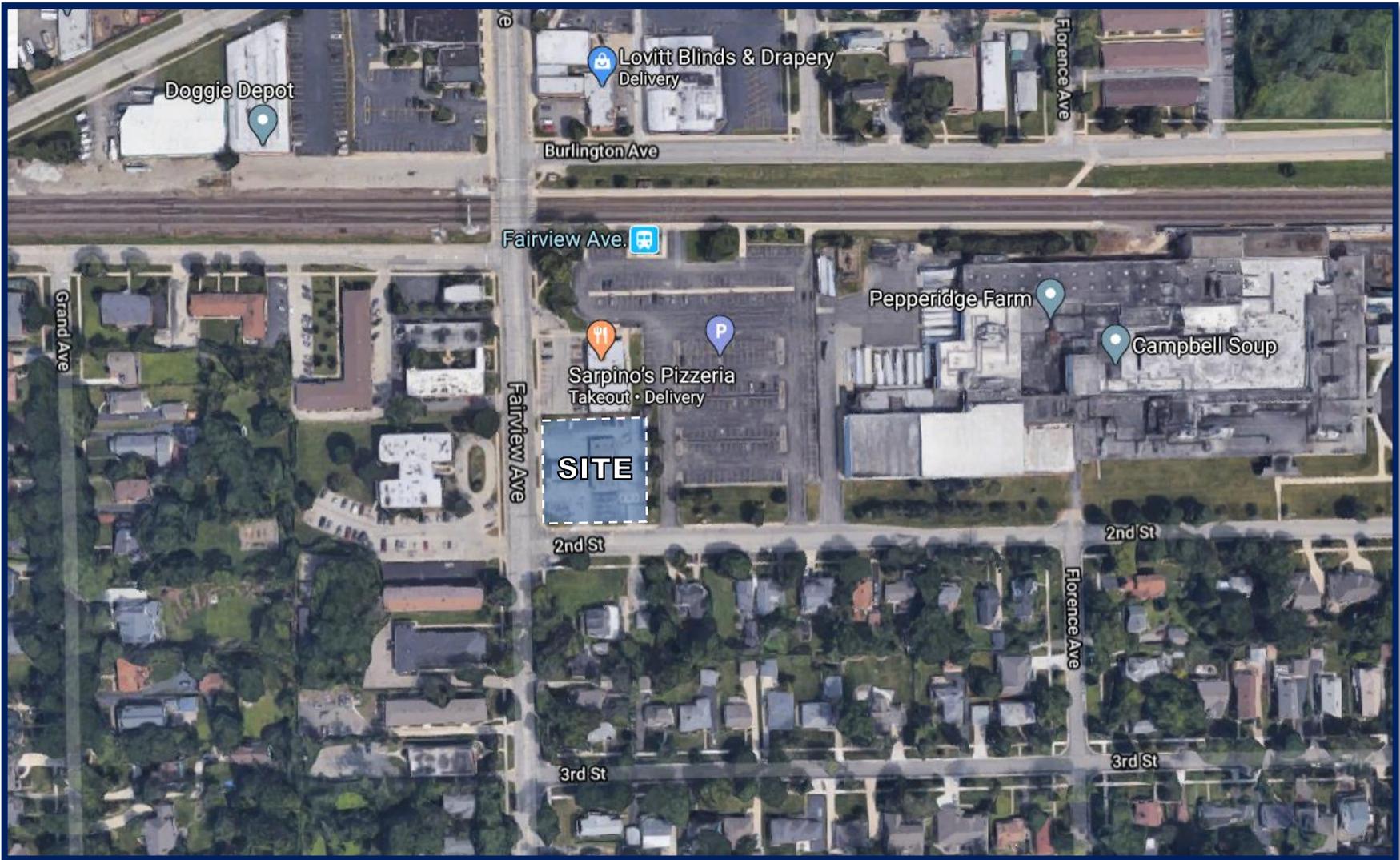
Michael A. Werthmann, P.E., PTOE  
Principal

DATE: July 14, 2020

SUBJECT: Traffic Evaluation  
Proposed Residential Development  
Downers Grove, Illinois

This memorandum summarizes the methodologies, results, and findings of a traffic evaluation prepared by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for a proposed residential development to be located in Downers Grove, Illinois. The site, which currently contains a vacant gas station, is located in the northeast quadrant of Fairview Avenue with 2<sup>nd</sup> Street. As proposed, the development is to consist of 18 units, 12 parking garages, and 29 surface parking spaces. Access to the site will be provided via a proposed full movement access drive on 2<sup>nd</sup> Street. Given the proximity of the site to the Fairview Avenue Metra station and downtown Downers Grove, the proposed development can be considered a Transit Oriented Development (TOD). **Figure 1** shows an aerial view of the site.

The purpose of this memorandum is to summarize the existing roadway conditions, estimate the volume of traffic that will be generated by the proposed development, examine the proposed access drive, and evaluate the adequacy of the parking supply.



Aerial View of Site

Figure 1

## Existing Roadway Characteristics

The following and **Figure 2** provide a detailed description of the physical and operating characteristics of the area roadways.

*Fairview Avenue* is a north-south, minor arterial that generally has one lane in each direction with a two-way, center left-turn lane south of 2<sup>nd</sup> Street. At its signalized intersection with 2<sup>nd</sup> Street, Fairview Avenue has a two-way left-turn lane and a combined through/right-turn lane on the northbound approach and the southbound approach has an exclusive left-turn lane, a through lane, and a combined through/right-turn lane. Additionally, Fairview Avenue has a standard style crosswalk on the south leg of this intersection. Parking is generally prohibited on both sides of the road between 2<sup>nd</sup> Street and 3<sup>rd</sup> Street. In addition, between Burlington Avenue and 2<sup>nd</sup> Street parking is prohibited on the east side of the road and prohibited from 7:00 to 9:00 A.M. and from 4:00 to 6:00 P.M. on the west side of the road. Fairview Avenue is under the jurisdiction of the Village of Downers Grove, carries an Annual Average Daily Traffic (AADT) volume of 11,100 vehicles (IDOT 2016), and has a posted speed limit of 30 miles per hour.

*2<sup>nd</sup> Street* is an east-west, local street that terminates at Fairview Avenue and is aligned opposite an access drive that serves two multi-family buildings. It has one lane in each direction with parking generally prohibited on the north side of the road and restricted to four-hour parking from 6:00 A.M. to 6:00 P.M. except on Saturdays, Sundays, and holidays on the south side of the road. At its signalized intersection with Fairview Avenue, 2<sup>nd</sup> Street has an exclusive left-turn lane and an exclusive right-turn lane and the access drive has a single lane approach. Additionally, 2<sup>nd</sup> Street has a standard style crosswalk on the east leg of this intersection. 2<sup>nd</sup> Street is under the jurisdiction of the Village of Downers Grove and has a posted speed limit of 25 miles per hour.

*Burlington Avenue* is an east-west, minor collector that has an offset intersection with Fairview Avenue. It has one lane in each direction with four-hour parking generally permitted from 6:00 A.M. to 6:00 P.M. except on Saturdays, Sundays, and holidays on both sides of the road between Fairview Avenue and Wilcox Avenue and on the north side of the road west of Florence Avenue. At its unsignalized intersection with Fairview Avenue, Burlington Avenue has an exclusive left-turn lane and an exclusive right-turn lane on the eastbound approach under stop sign control and a combined left-turn/right-turn lane on the westbound approach under stop sign control. Burlington Avenue is under the jurisdiction of the Village of Downers Grove, carries an AADT volume of 975 vehicles west of Fairview Avenue (IDOT 2016), and has a posted speed limit of 30 miles per hour.

### *Area Public Transit*

The Metra BNSF Line Fairview Avenue station is located less than a block north of the site. The BNSF line operates between Aurora and Union Station in Chicago and provides approximately 25 inbound trains and 24 outbound trains daily. The first inbound train departs Aurora at 4:09 A.M. with the last train departing at 11:13 P.M. Census data within ¼ mile of the Fairview Metra station indicates that approximately 20 percent of the residents use public transportation or alternative modes of transportation to commute to and from work.



## Development Traffic Generation

The number of peak hour vehicle trips generated by the proposed development was estimated based on Multifamily Housing – Low Rise (Land-Use Code 220) trip rates published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10<sup>th</sup> Edition. Due to the proximity of the development to the Metra BNSF Line Fairview Avenue station, the number of trips to be generated by the development was reduced by 20 percent. **Table 1** shows the traffic estimated to be generated by the proposed residential development. It is important to note that the site was previously occupied by an approximate 2,200 square-foot gas station with four fueling positions. **Table 2** shows the trip generation comparison between the previous gas station use and the proposed development.

Table 1  
PROJECTED SITE-GENERATED TRAFFIC VOLUMES

Type/Size	ITE Land Use Code	Weekday Morning Peak Hour			Weekday Evening Peak Hour		
		In	Out	Total	In	Out	Total
Development (18 units)	220	2	7	9	8	5	13
<i>-20 Percent Reduction</i>		<u>-0</u>	<u>-1</u>	<u>-1</u>	<u>-1</u>	<u>-1</u>	<u>-2</u>
<b>New Trips</b>		<b>2</b>	<b>6</b>	<b>8</b>	<b>7</b>	<b>4</b>	<b>11</b>

Table 2  
TRIP GENERATION COMPARISON

Type/Size	ITE Land Use Code	Weekday Morning Peak Hour			Weekday Evening Peak Hour		
		In	Out	Total	In	Out	Total
Development (18 units)	220	2	6	8	7	4	11
Gas Station (4 fueling positions)	944	<u>20</u>	<u>21</u>	<u>41</u>	<u>28</u>	<u>28</u>	<u>56</u>
<b>Difference</b>		<b>-18</b>	<b>-15</b>	<b>-33</b>	<b>-21</b>	<b>-24</b>	<b>-45</b>

As shown in Table 1, the proposed development is projected to generate a very limited volume of traffic (approximately seven and ten trips during the weekday morning and evening peak hours, respectively). Further, as Table 2 illustrates, the proposed development will generate far less traffic than the former gas station and many other commercial uses permitted on the subject site per the existing zoning. In addition, the traffic generated by the development will represent an approximate one percent or less increase in traffic on Fairview Avenue. As such, it can be seen that the traffic to be generated by the development will have a limited impact on the roadway system.

## Site Access

As indicated previously, access to the proposed development will be provided via a proposed full movement access drive located on 2<sup>nd</sup> Street approximately 150 feet east of Fairview Avenue. This access drive will provide one inbound lane and one outbound lane. Outbound movements should be under stop sign control. Given the limited volume of traffic to be generated by the development, a separate left-turn lane on 2<sup>nd</sup> Street serving the access drive is not required or warranted.

It should also be noted that the site currently has two access drives on 2<sup>nd</sup> Street and two access drives on Fairview Avenue that will be eliminated with the proposed development. As such, the number of access drives serving the development will be reduced from four to one, which will reduce the number of conflicts points along 2<sup>nd</sup> Street and Fairview Avenue and, as a result, enhance overall vehicle and pedestrian safety. In addition, the single access drive serving the development will be located on 2<sup>nd</sup> Street, which has a lower traffic volume than Fairview Avenue. As such, access to the proposed development will provide for efficient and orderly access with limited impact on the existing roadway system.

## Parking Analysis

As indicated previously, the proposed development is to consist of 18 residential units and 41 parking spaces (12 parking spaces in garages and 29 surface parking spaces). According to the Village of Downers Grove Zoning Ordinance, residential developments require two parking spaces per dwelling unit. With a total of 18 units, the Village of Downers Grove requires a total of 38 parking spaces. The 41 parking spaces to be provided exceeds the minimum requirements of the Village.

## Conclusion

Based on the preceding analyses and recommendations, the following conclusions have been made:

- Overall, the proposed development, which can be considered a TOD, is projected to generate a limited volume of peak hour traffic and less than the previous gas station and other uses that could be developed on the site.
- Given the limited traffic to be generated by the proposed development, the existing roadway system has sufficient capacity to accommodate the projected development-generated traffic.
- Access to the proposed development via 2<sup>nd</sup> Street will provide for efficient and orderly access with limited impact on the roadway system.
- Elimination of the existing access drives on 2<sup>nd</sup> Street and Fairview Avenue will reduce the number of conflicts points along both roads, which will enhance vehicle and pedestrian safety.
- The 41 parking spaces to be provided by the development exceeds the Village of Downers Grove requirements.



**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE PLAN COMMISSION  
SEPTEMBER 14, 2020 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
20-PLC-0018	Zoning Ordinance Text Amendments	Jason R. Zawila, AICP Planning Manager

**REQUEST**

The Village is requesting multiple text amendments to the Zoning Ordinance. The proposed amendments are to the following Articles:

- Article 3, Business and Employment Districts
- Article 5, Allowed Uses
- Article 6, Supplemental Use Regulations
- Article 7, Parking
- Article 10, General Development Regulations
- Article 14, Measurements
- Article 15, Definitions

**NOTICE**

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

**GENERAL INFORMATION**

---

**APPLICANT:** Village of Downers Grove  
801 Burlington Avenue  
Downers Grove, IL 60515

**ANALYSIS**

---

**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. Zoning Ordinance
3. Proposed Amendments

**PROJECT DESCRIPTION**

The Village is requesting review of multiple text amendments to the Zoning Ordinance. The proposed text amendments fall into two categories.

*Tattoo and Body Piercing Establishments* - Currently, the Downers Grove Municipal Code states that tattoo and body piercing establishments are included in the personal improvement service use subcategory, however, they are expressly prohibited in the Village, regardless of any underlying or overlay zoning designation. Recently, there have been challenges to municipal ordinances that prohibit, limit or restrict tattoo establishments. The businesses have argued that

these prohibitions/restrictions impinge on their right to freedom of expression and that they are not reasonable time, place and manner restrictions. Courts across the country have agreed with the businesses and have determined that tattoos are "pure speech" and the process of tattooing is "expressive activity" under the First Amendment.

In light of these cases, the Village's complete prohibition on tattoo and body piercing establishments would be a violation of the First Amendment. Accordingly, the Village must amend its Code to remove the prohibition. The major reason for the complete ban on these establishments was public health concerns and the prevention of communicable disease. However, persons performing tattooing and body piercing are now licensed, regulated and inspected by the State and must comply with all the requirements of the Illinois Tattoo and Body Piercing Establishment and Registration Act. It is therefore recommended that Chapter 28, Section 5.050.E.4.e. be amended by removing the blanket prohibition of these establishments and allowing them in the zoning districts where personal improvement service use establishments are allowed.

*Minor Modifications to the Zoning Ordinance* - The second category of amendments updates and clarifies various sections of the Zoning Ordinance. Over time and through practice, staff has identified sections where further clarification, minor adjustments in language, and visual diagrams would prove useful to both the practitioner and residents. The changes proposed are intended to further improve the review process while also ameliorating common questions and inquiries that staff receives repeatedly.

A summary list of the proposed amendments is shown below and are identified in the attached Zoning Ordinance excerpts. For each proposed amendment new proposed text is underlined, while text proposed to be removed is shown as a ~~strikeout~~.

<b>Section</b>	<b>Description</b>	<b>Page Reference</b>
28.3.040	Removed special setback requirements for Second Street, North Side (Between Fairview Avenue and Wilcox Avenue)	1
28.5.010 – Table 5-1	Added tattoo and body piercing establishments as a permitted use in the B-1, B-2, B-3 and M-1 Districts	1
28.5.030(a)(8)	Modified the definition of caretaker/security dwelling	1
28.5.050(e)	Added microblading as a permissible service within the personal improvement service land use category.  Eliminated text prohibiting tattooing in the Village.	2
28.6.010(a)(6)	Added provisions that references the placement of accessory structures in corner yards	4
28.6.010(a)(8)	Added provisions for accessory structures on rooftops	4
28.7.030 – Table 7-1	Clarified a provision regarding parking for daycares	4
28.7.100(j)	Clarified provisions regarding driveways and parking pads	4
28.10.010(b)	Added provisions that references the placement of fences in corner yards	5
28.11.040	Added provisions for non-conforming accessory structures	9
28.14.040	Modified the definition for floor area	9
28.14.100(b)	Added corner yards to the setback table and modified permitted obstructions in various yards.	10
28.14.130(b)	Clarifies the height exception provisions	13

28.15.280	Added a definition for corner yards	14
-----------	-------------------------------------	----

**PUBLIC COMMENT**

The legal notice was published in the *Enterprise Newspapers, Inc. (The Bugle)*. At this time, no public comments have been received on any proposed text amendment.

**FINDINGS OF FACT**

***Section 12.020.F Review and Approval Criteria of Zoning Ordinance Text Amendments***

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

**(1) Whether the proposed text amendment is in conformity with the policy and intent of the comprehensive plan**

The proposed text amendments are consistent with the policy and intent of the Comprehensive Plan. The Comprehensive Plan notes that the Zoning Ordinance should be regularly reviewed and updated. In each case, the proposed amendments further these policies and goals of the Comprehensive Plan:

- Maintain the Village’s image and desirability as a great place to live
- Develop aesthetically pleasing and functionally well-designed retail and commercial shopping areas
- Enhance the economic viability, productivity, appearance and function of the Village’s commercial corridors
- Ensure the provision of high-quality public facilities
- Continue to support the operation of other important community service providers.

This standard is met.

**(2) Whether the proposed zoning ordinance text amendment corrects an error or inconsistency in the zoning ordinance, meets the challenge of a changing condition or is necessary to implement established policy.**

The proposed text amendments address inconsistencies in the zoning ordinance or to implement an established policy. The amendments related to tattoo and body piercing establishments is necessary to implement an established policy and provides consistency with other Chapters in the Municipal Code. All other amendments provides additional flexibility and/or removes inconsistencies in the Zoning Ordinance. The proposed amendments further the purposes of the Zoning Ordinance as shown in Section 1.060 of the Zoning Ordinance. This standard is met.

**DRAFT MOTION**

---

Staff will provide a recommendation at the September 14, 2020 meeting. Should the Plan Commission find that the request meets the standards of approval for a Zoning Ordinance Text Amendment, staff has prepared a draft motion that the Plan Commission may make for the recommended approval of 20-PLC-0018:

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 Zoning Text Amendment 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-0018 regarding the proposed amendments Articles 3, 5, 6, 7, 10, 14 and 15 of the Zoning Ordinance.

Staff Report Approved By:

A handwritten signature in black ink, appearing to read "Stanley J. Popovich". The signature is written in a cursive style with a long, sweeping underline.

---

Stanley J. Popovich, AICP  
Director of Community Development

**Sec 28.3.040 Special Street Setback Requirements**

Special street setback requirements are established to reflect existing neighborhood conditions, historical building patterns and other unique context issues. The special street setback requirements of Table 3-3 govern in the case of conflict with the lot and building regulations in Table 3-2.

Table 3-3: Special Street Setback Requirements in B, O and M District

Street Frontage or Area[1]	B-1	B-2	B-3	O-R	O-R-M	M-1	M-2
Douglas Road (between Rogers Street and Maple Ave.)	-	-	-	-	-	10	-
Fairview Concentrated Business District	8	8	8	-	-	-	-
Inverness Road, North Side (between Belmont Road and Janes Ave.)	-	-	-	-	-	25	-
Maple Avenue, South Side	-	-	-	-	10	10	-
Ogden Avenue (from ROW centerline)							
Principal and accessory buildings	75	75	75	-	75	75[4]	-
Canopy	50[2]	50[2]	50[2]	-	-	-	-
Other (e.g., parking, fences, light poles)	50	50	50[3]	-	50	50[4]	-
Rogers Street, South Side (between Prospect Ave. and Fairview Ave.)	-	-	-	-	-	10[5]	-
<del>Second Street, North Side (between Fairview Ave. and Wilcox Ave.)</del>	<del>50</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>
Second Street (between Wilcox Ave. and Cumnor Road)	-	-	-	-	-	60	-
Warren Avenue, South Side (between Lee Street and Saratoga Ave.)	-	-	-	-	-	10[5]	-

Notes to Table 3-3

[1] All setbacks measured in feet from lot line unless otherwise expressly indicated.

[2] Or eight feet (8') from lot line, whichever provides the greater setback. Vertical canopy supports subject to fifty-eight foot (58') minimum setback from ROW centerline. See Figure 3-2.

[3] Setback for parking and vehicle display reduced to eight feet (8') along non-Ogden (corner) street frontage.

[4] Setback reduced to eight feet (8') along non-Ogden (corner) street frontage.

[5] Applies only to lots that were classified for manufacturing uses as of January 1, 1950.

**Sec. 28.5.030(a)(8) - Caretaker/Security Dwelling Resident**

(8) Caretaker/Security Dwelling. A single dwelling unit that is accessory to an allowed use and that is occupied solely by an individual who is responsible for maintenance or security in association with the principal [non-residential](#) use of the property.



USE CATEGORY	R-1	R-2	R-3	R-4	R-5	R-5A	R-6	B-1	B-2	B-3	DC	DB	DT	O-R	O-R-M	M-1	M-2	INP-1	INP-2	Supplemental Regulations	
<b>Subcategory</b> Specific use (See Sec. 28.05.020)																					
	P = use permitted as of right   S = special use approval required   - = not allowed																				
Boarding or shelter	-	-	-	-	-	-	-	-	S	P	-	-	-	-	-	P	P	-	-		
Grooming	-	-	-	-	-	-	-	P	P	P	P	P	P[18]	-	-	P	P	-	-		
Veterinary care	-	-	-	-	-	-	-	-	P	P	S	S	S[18]	-	-	P	P	-	-	Sec. 28.06.160	
<b>Assembly and Entertainment</b> (except for the following uses)	-	-	-	-	-	-	-	-	-	P	S	S	-	-	-	-	-	-	S		
Auditorium	-	-	-	-	-	-	-	-	P	P	S	S	-	-	-	-	-	-	S		
Cinema	-	-	-	-	-	-	-	-	P	P	S	S	-	-	-	-	-	-	-		
Theater	-	-	-	-	-	-	-	-	P	P	S	S	-	-	-	-	-	-	S		
Broadcast or Recording Studio	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-		
<b>Commercial Service</b>																					
Building service	-	-	-	-	-	-	-	-	S	P	-	S	-	-	-	P	P	-	-		
Business support service	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	P	P	-	-		
Consumer maintenance and repair	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	P	-	-	-		
Personal improvement service																					
General personal improvement services	-	-	-	-	-	-	-	P	P	P	P	P	P[13]	-	-	-	-	-	-		
Health and fitness services	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	S	S	-	-		
Studio or instructional services	-	-	-	-	-	-	-	P	P	P	P	P	S	-	-	-	-	-	-		
Fortune-telling or psychic service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	-		
Massage therapy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	S	-	-	Sec. 28.06.070	
<a href="#">Tattoo and body piercing establishment</a>	=	=	=	=	=	=	=	P	P	P	=	=	=	=	=	P	P	=	=		
Research service	-	-	-	-	-	-	-	-	-	P	S	S	S[18]	P	P	P	P	-	-		
<b>Day Care</b>																					
Day care home	P	P	P	P	P	P	P	-	-	-	-	-	P	-	-	-	-	-	-	Sec. 28.06.030	
Day care center	-	-	-	-	S	S	S	P	P	P	-	S	S	P	P	P	P	S	-	Sec. 28.06.030	
<b>Eating and Drinking Establishment</b>																					
Restaurant	-	-	-	-	-	-	-	P	P	P	P	P	-	P[7]	P[7]	-	-	-	-		
Wine and/or Beer Boutique	-	-	-	-	-	-	-	P	P	P	P	P	S[18]	P	P	-	-	-	-		
<b>Financial Service</b>	-	-	-	-	-	-	-	-	P	P	P	P	P[18]	P	P	P	-	-	-		
<b>Funeral or Mortuary Service</b>	-	-	-	-	-	-	-	S	S	S	-	-	-	-	-	-	-	-	-		
<b>Lodging</b>	-	-	-	-	-	-	-	-	P	P	-	S	-	-	P	-	-	-	-		
Bed and Breakfast	-	-	-	-	-	-	-	-	-	-	-	S	S	-	-	-	-	-	-		
<b>Office</b>																					
Business and professional office	S	S	S	S	S	S	S	P	P	P	P	P	S	P	P	P	P	-	-	Sec. 28.06.090	
Medical, dental and health practitioner	-	-	-	-	-	-	S[4]	-	P	P	P/S[8]	P/S[8]	S	P	P	P	P	-	-		
<b>Parking, Non-Accessory</b>	-	-	-	-	-	-	-	-	S	S	-	S	S	S	S	S	S	-	-		
<b>Retail Sales</b>																					
Convenience goods	-	-	-	-	-	-	-	P	P	P	P/S[12]	P	P[18]	-	-	-	-	-	-		
Consumer shopping goods	-	-	-	-	-	-	-	P	P	P	P/S[12]	P	P[18]	-	-	-	-	-	-		
Guns and firearm supplies	-	-	-	-	-	-	-	[11]	[11]	[11]	-	-	-	-	-	S	-	-	-		



USE CATEGORY	R-1	R-2	R-3	R-4	R-5	R-5A	R-6	B-1	B-2	B-3	DC	DB	DT	O-R	O-R-M	M-1	M-2	INP-1	INP-2	Supplemental Regulations	
Subcategory Specific use (See Sec. 28.05.020)																					
	P = use permitted as of right   S = special use approval required   - = not allowed																				
Adult Use Cannabis Dispensing Organization	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Adult Use Cannabis Infuser Organization or Infuser	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Adult Use Cannabis Processing Organization or Processor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Adult Use Cannabis Transporting Organization or Transporter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

**A. Specific Limitations**

- [1] Requires minimum lot area of 40 acres. Maximum 25% building coverage.
- [2] Requires minimum lot area of 10 acres.
- [3] Requires minimum lot area of 25 acres. Maximum 25% building coverage.
- [4] Must be within 150 feet of a B district.
- [5] Requires special use approval if above one dwelling unit per 4,000 square feet of lot area.
- [6] Special Use only if use was in existence on or prior to June 7, 2005.
- [7] Requires minimum seating capacity of 125 persons.
- [8] Permitted as of right up to 3,000 sq. ft. (gross floor area); larger requires special use approval.
- [9] Must be in a completely enclosed building.
- [10] Maximum 10,000 sq. ft. (gross floor area).
- [11] Permitted only if ancillary to the following principal uses: sporting goods stores, uniform supply stores and public safety equipment stores.
- [12] Consignment stores and martial arts studios permitted as of right up to 3,000 square feet (gross floor area); larger requires special use approval. Other uses permitted as of right up to 15,000 sq. ft. (gross floor area); larger requires special use approval.
- [13] Barber shops, beauty shops and salons only; must be on ground floor and may not exceed 2,500 square feet floor area.
- [14] Art galleries and studios only; must be on ground floor and may not exceed 2,500 square feet floor area.
- [15] Drive-through banks only.
- [16] See Section 28.06.180.
- [17] Located on 2<sup>nd</sup> floor or above.
- [18] Maximum floor area is 2,500 square feet unless located along Main Street where there is no floor area limitation.
- [19] Use must include on-site retail sales.
- [20] Requires minimum lot area of 1 acre.

(Ord. No., 5804 12/17/19; Ord. No. 5706, 7/10/18; Ord. No. 5571, § 1, 11/22/16| Ord. No. 5463, § 1, 6/2/1

**Sec 28.5.050(e)**

(e) Commercial Service. Uses that provide for consumer or business services and for the repair and maintenance of a wide variety of products.

- (1) Building Service. Uses that provide maintenance and repair services for all structural and mechanical elements of structures, as well as the exterior spaces of a premise. Typical uses include contractor offices, janitorial, landscape maintenance, extermination, plumbing, electrical, HVAC, window cleaning and similar services.
- (2) Business Support Service. Uses that provide personnel services, printing, copying, photographic services or communication services to businesses or consumers. Typical uses include employment agencies, copy and print shops, caterers, telephone answering services and photo developing labs.
- (3) Consumer Maintenance and Repair Service. Uses that provide maintenance, cleaning and repair services for consumer goods on a site other than that of the customer (i.e., customers bring goods to the site of the repair/maintenance business). Typical uses include laundry and dry cleaning pick-up shops, tailors, taxidermists, dressmakers, shoe repair, picture framing shops, locksmiths, vacuum repair shops, electronics repair shops and similar establishments. Business that offer repair and maintenance service technicians who visit customers' homes or places of business are classified as a "building service."
- (4) Personal Improvement Service. Uses that provide a variety of non-medical services associated with frequent, recurrent, and instructional needs.
  - a. General Personal Improvement Services. Uses serving individual necessities, such as personal grooming and general wellbeing. Typical uses include barbers, beauty and nail salons, day spas, [microblading](#) and businesses purporting to offer fortune-telling or psychic services.
  - b. Health and Fitness Services. Uses that provide physical fitness services and leisure time activities. Typical uses include health clubs, yoga studios, martial arts studios, dance studios, and gymnastics studios
  - c. Studio or Instructional Services. Uses in an enclosed building that focus on providing education, individual or group instruction or training in music, drama, fine arts, arts studios, language or similar activities. Also includes artist studios and photography studios.
  - d. Massage Therapy Services. Establishments whose primary business is that of providing massage – defined as any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external soft parts of the body with the hands or with aid of any mechanical electrical apparatus or appliances with or without rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments or other similar preparations used in this practice, under such circumstances that it is reasonably expected that the person to whom treatment is provided, or some third party on such persons behalf, will pay money or give other consideration or any gratuity therefor. See also DGMC Section 28.6.070.
  - e. Tattoo and body piercing establishments (as defined in 410 ILCS 54/1) are also included in the personal improvement service use. ~~subcategory but are expressly prohibited in the village, regardless of any underlying or overlay zoning designation.~~

**Sec 28.6.010 Accessory Uses**

(a) General Regulations. The general regulations of this subsection apply to all accessory uses and structures unless otherwise expressly stated.

- (1) Accessory Uses Allowed. Accessory uses and structures are permitted in connection with lawfully established principal uses.
- (2) Accessory Use Determinations. The Community Development Director is authorized to determine when a use, building or structure meets the criteria of an accessory use or accessory structure. In order to classify a use or structure as “accessory” the Community Development Director must determine that the use or structure:
  - a. is subordinate and clearly incidental to the principal structure or principal use served in terms of area and function;
  - b. provides a necessary function for or contributes to the comfort, safety or convenience of occupants of the principal use; and
  - c. is customarily found in association with the subject principal use or principal structure.
- (3) Time of Construction and Establishment
  - 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.
  - b. Accessory buildings may be established in conjunction with or after the principal building. They may not be established before the principal building is in place.
- (4) Location. Accessory uses and structures must be located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.
- (5) Accessory Buildings and Structures
  - a. Applicable Regulations and Standards. Accessory buildings and structures are subject to the same regulations and standards that apply to principal uses and structures on the subject lot, unless otherwise expressly stated. Accessory buildings attached to the principal building by a breezeway, passageway or similar means are subject to the building setback regulations that apply to the principal building.
  - b. Building Separation. Accessory buildings must be separated by a minimum distance of ten feet (10') from the principal building on the lot, unless the accessory building is located entirely within the principal building setbacks, in which case no separation is required.
- (6) Residential Accessory Buildings. The following additional regulations apply to buildings that are accessory to (principal) residential uses:
  - a. Accessory buildings are prohibited in street yards.
  - b. No more than three (3) detached accessory buildings are allowed on any lot.
  - c. The aggregate footprint or coverage of all accessory buildings on a lot may not exceed one thousand (1,000) square feet or the gross floor area of the principal building, whichever is less.

- d. Residential accessory buildings in the R-4 district are subject to minimum side and rear setbacks of five feet (5'). In all other R districts, the minimum side and rear setback for accessory buildings is six feet (6').
- e. Residential accessory buildings may not occupy more than forty percent (40%) of the corner, rear or side yard area.
- f. Residential accessory buildings may not exceed twenty-three feet (23') in height, as measured to the highest point on the building.
- g. Residential accessory buildings and structures are permitted in corner yards, as specified in Table 14-1 within Sec 28.14.100.

(7) Nonresidential Accessory Buildings. The following additional regulations apply to buildings that are accessory to (principal) nonresidential uses:

- a. Accessory buildings are prohibited in street setbacks.
- b. Accessory buildings are subject to the lot and building regulations of the subject zoning district.

(8) Accessory Structures on Rooftops. The following accessory structures are permissible on a flat roof: arbors, decks, gazebos, hot tubs, pergolas, sports courts, swimming pools and trellis provided all of the following three items are met:

- a. In combination, all accessory structures that exceed the height of the parapet may not exceed 40 percent of the total rooftop area (as measured from the interior face of the parapet)
- b. The maximum height may not exceed 12 feet above the top of the roof structure
- c. All accessory structures that exceed the height of the parapet wall must be setback a minimum of 1.5 times the height of the difference between the height of the accessory structure and the top of the parapet wall.

### **Sec 28.7.030 Minimum Motor Vehicle Parking Ratios**

Table 7-1: Minimum Motor Vehicle Parking Requirements

Day Care - 2 spaces per 1,000 sq. ft., plus 1 drop-off or pick-up space per 1,000 sq. ft. (not to exceed a maximum, minimum of 10)

### **Sec 28.7.100(j) Access**

(j) Access

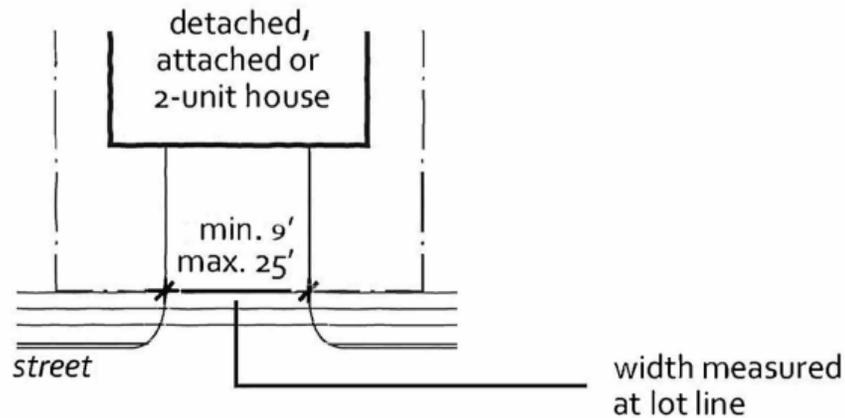
(1) Each required off-street parking space must open directly upon an aisle or driveway with a width and design that provides safe and efficient means of vehicular access to the parking space. In residential districts, parking pads may be located in the front yard, but must meet the required minimum street setback.

(2) All off-street parking must be designed with appropriate means of vehicular access to a street or alley in a manner that will least interfere with motorized and non-motorized traffic.

(3) Driveways leading to detached garages or parking areas serving a detached house, attached house or two-unit house must be at least 9 feet in width. However, if the distance between an existing house and the property line is less than 10 feet wide, an existing driveway may be replaced within the same

footprint. New driveways must meet width and setback requirements. No driveway serving a detached house, attached house or two-unit house across public property or requiring a curb cut may exceed 25 feet in width, excluding any flared pavement portion, as measured at the lot line.

See Figure 7-5.



(4) All other uses must be designed with appropriate means of vehicular access from the street, as approved by the Public Works Director.

(5) All driveways must be improved with a compacted stone base and surfaced with asphalt, concrete or other comparable all-weather, dustless material.

(6) Shared driveways, lawfully existing before October 13, 2020, may be replaced if either property does not allow sufficient space to meet the minimum driveway width and setback requirements, as approved by the Community Development Director.

(7) Parking pads, lawfully existing before October 13, 2020, may be replaced, but not expanded or enlarged, unless behind the required street or corner street setback.

### **Sec 28.10.010(b) Fences**

(b) Fences in R Districts. Fences in R zoning districts are subject to the general regulations of Sec. 10.010A and the R district regulations of this subsection. See Figures 10-1 and 10-2.

(1) Street and Corner Yards. The regulations of this subsection apply to fences in street and corner yards of lots located in R districts.

a. Open-design fences that do not exceed 4 feet in height are permitted within street and corner yards.

b. Chain-link and woven mesh fences are prohibited in street and corner yards, except that chain-link fences, including those that are anodized or vinyl-clad, constructed without slats, are permitted in the street and corner yard area on corner lots when the side of any principal structure located on the subject lot faces a street, provided that the fence

does not exceed 4 feet in height and is located only in the area from the rear line of the structure to the rear lot line.

c. Fences up to 6 feet in height are permitted in the street [and corner](#) yard area on corner lots when the side of any principal structure located on the subject lot faces a street if the rear of the structure faces the rear of a structure that is located on an adjacent corner lot, provided that the fence is located only in the area from the rear line of the structure to the rear lot line.

d. Fences up to 6 feet in height are permitted in the street [and corner yard](#) area of an R-zoned lot occupied by a principal nonresidential use if the lot has multiple street frontages and contains a parking lot without a structure. Such fence must be an open-design fence (See Sec. 10.010A.5) and be constructed along the parking lot perimeter immediately adjacent to an arterial street or non-residentially zoned property. All other landscaping and screening requirements of Article 8 apply.

(2) Side and Rear Yards. The regulations of this subsection apply to fences in the side and rear yards of lots located in R districts.

a. Fences, including chain-link and woven mesh designs, are permitted in side and rear yards and required setbacks. Fences in side and rear yards may not exceed 6 feet in height. On double-frontage lots, when the rear of any principal structure located on the lot faces a street, and all directly abutting lots share this layout, the yard along that street frontage is considered a rear yard for purposes of these fence regulations. On double-frontage lots, when the rear of any principal structure located on the lot faces a street, and one or more directly abutting lots has the front of a principal structure that faces the same street, the fence must adhere to the yard requirements of the front facing principal structure.

b. On corner lots with 3 lot lines abutting a street, fences up to 6 feet in height, including chain-link and woven mesh designs, are permitted only within the 2 street-facing side yard areas located from the rear building line to the rear lot line. Any fences outside this area are subject to a maximum height limit of 4 feet.

Figure 10-1: Residential Fence Regulations

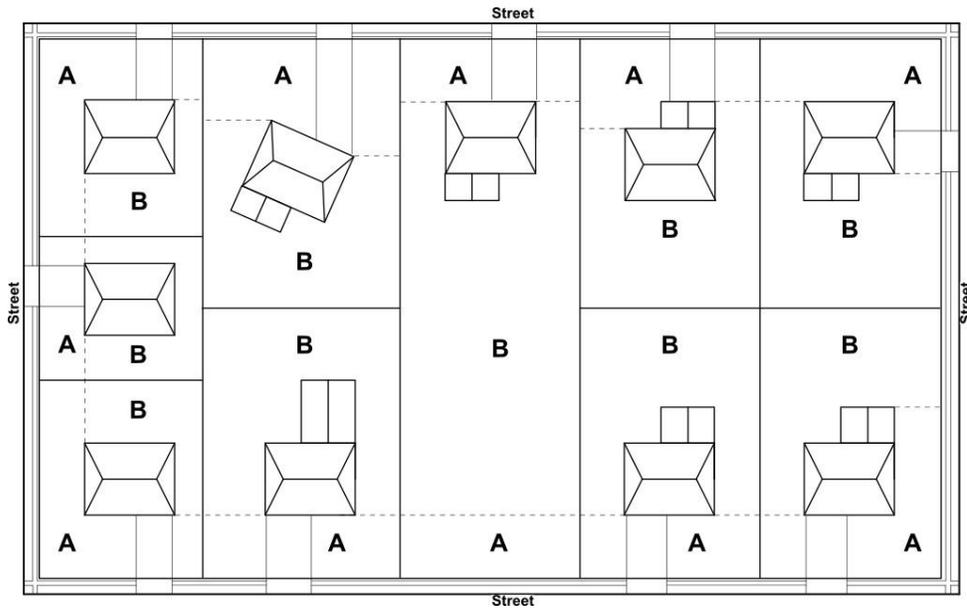
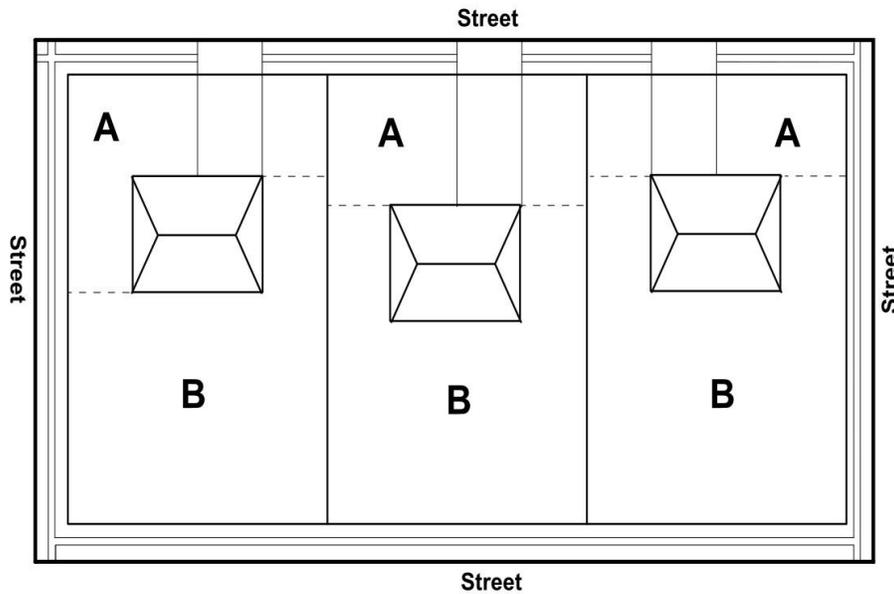


Figure 10-2: Residential Multi-Frontage Fence Regulations

Fence Regulations Quick Guide

A – Fences may be open and not exceed four feet (4') in height.

B – Fences may be open or solid and not exceed six feet (6') in height.



(c) Fences in Nonresidential Districts

Fences in nonresidential zoning districts are subject to the general regulations of Sec. 10.010A and the nonresidential district regulations of this subsection.

(1) Street and Corner Yards. Open-design fences up to 8 feet in height are permitted in street yards.

(2) Side and Rear Yards. Fences up to 8 feet in height are allowed in side and rear yards.

**Sec. 28.11.040 Nonconforming Structures**

(a) Description. A nonconforming structure is any structure, other than a sign, that was lawfully established but no longer complies with applicable lot and building regulations or other dimensional or locational requirements of this zoning ordinance. Regulations governing nonconforming signs can be found in Sec. 9.090.

(b) Use. A nonconforming structure may be used for any use allowed in the zoning district in which the structure is located.

(c) Alterations and Expansions

(1) Nonconforming structures may be altered or expanded if the proposed alteration or expansion complies with all applicable lot, building, dimensional and locational requirements and does not increase the extent of the structure's nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback standards.

(2) A structure with a nonconforming setback may not be expanded horizontally or vertically within the required setback area, except that the zoning board of appeals may approve a either a horizontal or a vertical extension of the nonconforming exterior walls of a detached house in accordance with the zoning exception procedures of DGMC Section 28.12.080. In order to approve such horizontal or vertical extension, the zoning board of appeals must find that all of the following criteria have been met:

a. the extended wall will comply with all other applicable lot and building regulations (other than the nonconforming setback);

b. the extension will not obstruct farther into the required setback than the existing exterior building wall and will not extend the horizontal length of the nonconforming building wall more than 15% of its existing length;

c. the horizontal or vertical wall extension does not include windows that allow views onto an abutting lot occupied by a detached house;

d. the appearance of the expansion will be compatible with the adjacent property and neighborhood; and

e. the expansion will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.

(d) Moving. A nonconforming structure may be moved in whole or in part to another location only if the movement or relocation eliminates or reduces the extent of nonconformity.

(e) Loss of Nonconforming Status

(1) Damage or Destruction

a. When a nonconforming structure is destroyed or damaged by acts of God or accidental fire, the structure may be restored or repaired, provided that no new nonconformities are created and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within 12 months of the date of occurrence of such damage.

b. When a nonconforming structure is demolished, damaged or destroyed by causes within the control of the owner and the extent of demolition, damage or destruction is more than 50% of the market value of the structure, as determined by the property owner's certified appraiser, the structure may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located.

(2) Damage or Destruction after Right-of-Way Acquisition If a structure is rendered nonconforming or made more nonconforming by a public agency's acquisition of right-of-way and the structure is subsequently damaged or destroyed by any means, the structure may be reestablished, provided that no new nonconformities are created and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within 12 months of the date of occurrence of such damage.

(f) Nonconforming Fences. Nonconforming fences may be maintained or repaired without regard to the requirements of this zoning ordinance, provided that the extent of nonconformity of the fence is not increased. The damage or destruction provisions of DGMC Section 28.11.040(e)(1) apply to nonconforming fences.

[\(g\) Nonconforming Accessory Structures. Any nonconforming residential accessory structure such as a garage, shed, deck or porch may be razed and replaced in its entirety, provided that it is replaced in the same location, and for the same purpose, with no footprint expansion and no more than 15% of the original height. This provision does not apply to nonconforming accessory structures located within Special Management Areas as defined in Chapter 26 or those structures that are located over common property lines or the public right-of-way.](#)

#### **Sec 28.14.040 Floor Area**

The floor area of a building is measured as the sum of the gross horizontal areas of all floors of the subject building, measured from the interior faces of the exterior walls or from interior faces of walls between separate buildings. "Floor area" includes basement and cellar floor areas; elevator shafts and stairwells at each floor; ~~floor space used for mechanical equipment, open or enclosed, located on the roof;~~ penthouse; attic space having headroom of 7 feet 10 inches or more; interior balconies and mezzanines; enclosed porches; and floor area devoted to accessory uses. Space devoted to off-street parking or loading is not included in floor area calculations.

#### **Sec 28.14.100(b) Setbacks**

(b) Permitted Obstructions. Yards in all zoning districts must be unobstructed and unoccupied from the ground to the sky except as indicated in Table 14-1.

Table 14-1: Permitted Yard Obstructions

Obstruction/Projection	Permitted in these Yards				Minimum Setback/Maximum Encroachment into required setback
	Corner	Street	Side	Rear	
A/C units, generators, compressors, transformers, associated equipment, rainwater collection and geothermal equipment (ground-mounted)	<a href="#">No</a>	No[1]	Yes	Yes	10 ft. min. setback in R-1 7 ft. min. setback in R-2 6 ft. min. in R-3, R-5, R-5A, R-6 5 ft. min. setback in all other districts
Air conditioner (window unit only)	<a href="#">Yes</a>	Yes	Yes	Yes	No setback required
Antenna, amateur radio	<a href="#">No</a>	No	No	Yes	
Antenna, receive-only and satellite dish	<a href="#">Yes</a>	Yes	Yes	Yes	
Arbor, pergola or trellis	<a href="#">Yes</a>	Yes	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Architectural building features (e.g., sills, belt courses, cornices, wing walls)	<a href="#">Yes</a>	Yes	Yes	Yes	1.5 ft. max. encroachment if setback is < 6 ft. 2 ft. max. encroachment if setback is ≥ 6 ft.
Awning, canopy architectural light shelf or solar shading device	<a href="#">Yes</a>	Yes	Yes	Yes	1.5 ft. max. encroachment if setback is < 6 ft. 2 ft. max. encroachment if setback is ≥ 6 ft. (nonresidential districts - 2.5 ft. max. encroachment in street setback)
Balcony	<a href="#">Yes</a>	Yes	Yes	Yes	Must meet required district street and side yard setbacks. 10 ft. max. encroachment in rear yard
Basketball standards and backboards	<a href="#">Yes</a>	Yes	Yes	Yes	
Bay window (1st floor only; with or without foundation)	<a href="#">Yes</a>	Yes	Yes	Yes	Street setback - 1.5 ft. max. encroachment Side setback - 1.5 ft. max. encroachment if setback is < 6 ft. or 2 ft. max. encroachment if setback is ≥ 6 ft. Rear setback - 2.5 ft. max. encroachment

Bicycle Parking	<a href="#">Yes</a>	Yes	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Breezeway	<a href="#">No</a>	No	No	Yes	10 ft. max. max. encroachment
Chimney	<a href="#">Yes</a>	Yes	Yes	Yes	1.5 ft. max. encroachment if setback is < 6 ft. 2 ft. max. encroachment if setback is ≥ 6 ft.
Clothesline	<a href="#">No</a>	No	Yes	Yes	5 ft. min. setback
Compost pile or container (See Chapter 13 of this Code)	<a href="#">No</a>	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Deck or patio, uncovered and open-air (see also “porch,” below) <a href="#">[2]</a>	<a href="#">Yes</a>	Yes	Yes	Yes	5 ft. max. encroachment in street setback 5 ft. min. setback in side <a href="#">setback</a> and rear <a href="#">setback</a> property line in side and rear.
Dog house or dog run	<a href="#">No</a>	No	No	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Driveway or uncovered walk	<a href="#">Yes</a>	Yes	Yes	Yes	1 ft. min. setback
Eaves and gutters	<a href="#">Yes</a>	Yes	Yes	Yes	In street setback and rear setback - 2.5 ft. max. encroachment In side setback - 2 ft. max. encroachment
Electric vehicle charging equipment	<a href="#">Yes</a>	Yes	Yes	Yes	In front and rear - 2.5 ft. max. encroachment In side - 2 ft. max. encroachment
Fence	<a href="#">Yes</a>	Yes	Yes	Yes	See also Sec. 10.010
Fire escape (open or lattice enclosed, fireproof outside stairways)	<a href="#">Yes</a>	Yes	Yes	Yes	2 ft. max. encroachment
Fireplace, fire pit, outdoor cooking/kitchen areas (See Chapter 13 of this Code)	<a href="#">Yes [3]</a>	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts <a href="#">Must meet required R district street setback in corner yards</a>
Flag pole	<a href="#">Yes</a>	Yes	Yes	Yes	Equal to the height of the pole; no max. encroachment of flag beyond lot line
Garage (detached) <a href="#">[4]</a>	<a href="#">No</a>	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts

Garden features (e.g., cold frames, hoop houses, greenhouses)	<a href="#">No</a>	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Gazebo	<a href="#">Yes</a>	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
<u>Hot Tub (and associated equipment)</u>	<a href="#">Yes [3]</a>	No	<a href="#">Yes</a>	<a href="#">Yes</a>	<a href="#">10 ft. min. setback in R-1 and R-2 districts</a> <a href="#">7 ft. min. setback in all other R districts</a> <a href="#">Must meet required R district street setback in corner yards</a>
Parking, open	<a href="#">Yes</a>	Yes	Yes	Yes	See also DGMC Section 28.7.070
Playground equipment & playhouses (excluding equipment located on public parks and playgrounds or on school or day care center playgrounds, tot lots)	<a href="#">Yes [3]</a>	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts <a href="#">Must meet required R district street setback in corner yards</a>
Porch, covered and open on at least 3 sides (see also “deck,” above)	<a href="#">Yes</a>	Yes	Yes	Yes	5 ft. max. encroachment in street setback and rear setback (See also DGMC Section 28.14.100(c)) Must meet required district side yard setbacks
Shed, carport or storage structure	<a href="#">No</a>	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Sign	<a href="#">Yes</a>	Yes	No	No	See Article IX
Solar panel and equipment (building-mounted)	<a href="#">Yes</a>	<a href="#">Yes</a> <del>No</del>	Yes	Yes	1.5 ft. max. encroachment if setback is < 6 ft. 2 ft. max. encroachment if setback is ≥ 6 ft.
Solar panel and equipment (ground-mounted)	<a href="#">No</a>	No	Yes	Yes	2 ft. max. encroachment in side setback; 10 ft. max. encroachment in rear setback. See also DGMC Section 28.6.010(m)
Sport courts & accessory lighting	<a href="#">No</a>	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Sports equipment	<a href="#">No</a>	No	Yes	Yes	5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Steps (for access to building or lot; max. 4 feet above grade)	<a href="#">Yes</a>	Yes	Yes	Yes	1 ft. min. setback
Swimming pool (in-ground & above-ground, <a href="#">hot tubs</a> and associated equipment)	<a href="#">No</a>	No	Yes	Yes	10 ft. min. setback in R-1 and R-2 districts 7 ft. min. setback in all other R districts

Walkway (covered)	<a href="#">No</a>	No	No	No	In residential districts - principal building setbacks apply In nonresidential districts - no side or rear setback required
Wall	<a href="#">Yes</a>	Yes	Yes	Yes	See also DGMC Section 28.10.010
Wall, retaining	<a href="#">Yes</a>	Yes	Yes	Yes	1 ft. min. setback
Yard features (e.g., ornamental light standards, anchored lawn furniture and decorations, sundials, statues, bird baths, ponds, sculptures, seat walls, etc.)	<a href="#">Yes</a>	Yes	Yes	Yes	<a href="#">No setback in DB, DC and DT district</a> 5 ft. min. setback in R-4 district 6 ft. min. setback in all other districts
Wheelchair lifts and ramps that meet federal and state accessibility standards	<a href="#">Yes</a>	Yes	Yes	Yes	1 ft. min. setback
Window wells	<a href="#">Yes</a>	Yes	Yes	Yes	1.5 ft. max. encroachment if setback is < 6 ft. 2 ft. max. encroachment if setback is ≥ 6 ft.

[1] Except for single family residential uses, units may be located on the building’s primary street facade and in front of a bump as long as the unit is screened by a wing wall made of the same material as the primary facade which is attached to the primary building via a full foundation and is at least as tall as the equipment.

[\[2\] Provided that in Planned Unit Developments or other subdivisions containing ten \(10\) or more lots in which permanent common open space is provided under the terms of the recorded covenants or a public park, patios and decks may be placed one \(1\) foot from the rear and side lot line.](#)

[\[3\] Only on corner lots, may be placed up to the minimum required setback, provided that they are screened on all sides by an open fence, wall, dense hedge or other landscaping that provides at least 80% direct view blocking. The hedge or landscaping must reach a minimum height of 36 inches at maturity.](#)

[\[4\] Only on corner lots, detached garages may be placed up to the minimum required street setback provided that they are located between the rear property line and the rear wall of the building.](#)

**Sec 28.14.130(b) - Height Exceptions**

Lawfully established parapet walls, chimneys, elevators bulkheads, equipment penthouses, cooling towers, monuments, water towers, stacks, flag poles, stage towers [and](#), scenery lofts, ornamental towers, spires, and necessary mechanical appurtenances are exempt from zoning district height limits and are not included in building height measurements.

**Sec 28.15.280 Words And Terms Beginning With "Y"**

*Yard.* The actual (as opposed to “required”) horizontal distance that exists between a principal building and a property line. See also “setback” in DGMC Section 28.14.100.

*Yard, Corner:* On a corner lot, the yard that exists opposite the rear yard between a principal building and street property line, extending along the full length of the street property line.

*Yard, Street.* The yard that exists between a principal building and the street property line of the lot on which the building is located, extending along the full length of the street property line.

*Yard, Rear.* The yard that exists between a principal building and the rear property line of the lot on which the building is located, extending along the full length of the rear property line.

*Yard, Side.* The yard that exists between a building and the interior side property line of the lot on which the building is located, extending along a side property line.