

VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING  
PUBLIC HEARING

FEBRUARY 27, 2017, 7:00 P.M.

Chairman Rickard called the February 27, 2017 meeting of the Downers Grove Plan Commission to order at 7:02 p.m. and led the Plan Commissioners and public in the recital of the Pledge of Allegiance.

**ROLL CALL:**

**PRESENT:** Chairman Rickard, Ms. Gassen, Ms. Hogstrom, Mr. Kulovany, Mr. Maurer, Ms. Rollins

**ABSENT:** Mr. Boyle, Ms. Johnson, Mr. Quirk; Ex-Officios Davenport, Livorsi, Menninga

**STAFF:** Village Senior Planner Rebecca Leitschuh, Village Planner Scott Williams, Traffic Manager Will Lorton

**VISITORS:** Steve Giesler with 614 Oak Grove Centre, 1214 Maple, Downers Grove; Scott Richards, 1130 Warren Ave., Downers Grove; Mark Bratkiv, 2901 Finley Road; Walter Bratkiv, 2901 Finley Rd.; Mike O'Connor, U.S. Copper & Brass, 1401 Brook/1418 Centre Circle, Downers Grove; Mr. Dave Cavanaugh, President and owner of U.S. Brass and Copper; Ben Peterson, 200 Foxfire Ct.; Downers Grove; Mark Lekas 219 Foxfire Ct., Downers Grove; Marc Iozzo, Westmont Lincoln, 216 Ogden Ave., Downers Grove; Thomas Klouda, Elite Electronic Engineering, Inc., 1516 Centre Circle, Downers Grove; Keith Billick with Shive Hattery Architects; Michael Cassa, President of the Downers Grove Economic Development Corporation

Chairman Rickard introduced and welcomed new Plan Commissioners Rich Kulovany and Abbey Rollins.

**APPROVAL OF MINUTES**

**FEBRUARY 6, 2017 MINUTES** – The chairman asked to correct the acronym EFIS to EIFS and to correct Mr. Gassen to Ms. Gassen. **MOTION BY MS. GASSEN, SECONDED BY MR. MAURER, TO APPROVE THE MINUTES WITH NOTED REVISIONS. MOTION CARRIED BY VOICE VOTE OF 5-0-2. (MR. KULOVANY, MS. ROLLINS ABSTAIN.)**

Chairman Rickard explained the protocol for the meeting and swore in those individuals that would be speaking on the following two (2) public hearings:

## **PUBLIC HEARINGS**

**FILE 16-PLC-0054:** A petition seeking approval of a Planned Unit Development, Zoning Map Amendment, and a Right-of-Way Vacation. The property is zoned M-2, Restricted Manufacturing and O-R-M, Office Research and Manufacturing. The property is located at Brook Drive between Centre Circle and Downers Drive, commonly known as 1500, 1509, 1515, 1516, 1525, and 1528 Brook Drive, and 1429, 1503, 1505 and 1515 Centre Circle, Downers Grove, IL (PINS 06-30-402-003, -004, -009, -020, and 06-30-403-016, -017, -022). Flavorchem Corporation, Petitioner and Owner.

Senior Planner, Rebecca Leitschuh summarized this case was a petition seeking approval of a planned unit development, zoning map amendment, and a right-of-way vacation for the following properties: 1500, 1509, 1515, 1516, 1525, and 1528 Brook Drive, and 1429, 1503, 1505 and 1515 Centre Circle, in Downers Grove. She clarified that in the public notice as well as the agenda, inserted was a lot consolidation because sometimes they do come in simultaneously but this case met the requirement of an administrative lot consolidation and was reviewed prior. Ms. Leitschuh reported the request involves 7 separate buildings on 13 different lots which will result in some consolidation of the lots. The property, located at 1525 Brook, was currently going through a sale but would become consolidated with the other lots. The properties would be under the same PUD, owned by the same individuals, and on the same campus.

Proposed is the vacation of Brook Drive in order to create a campus master plan for the entire facility, which will include updating the buildings, adding on to buildings, and/or relocating some uses of buildings to other buildings, creating a plaza, connections between buildings, etc. A conceptual rendering was placed on the overhead, with Ms. Leitschuh explaining the overall campus and its connections for employees/customers. Existing conditions, reflecting the separate parcels and lot lines, were depicted on the overhead, noting the proposal was for one unified campus. Should the vacation of Brook Drive proceed, parking on both sides of the street, along with stormwater catch areas and enriched landscaping areas, would take place. Ms. Leitschuh walked through the proposed campus mentioning its buildings and the fact that many of the uses were already on-site and some of them were being centralized to one area for efficiency purposes.

Continuing, Ms. Leitschuh defined what a PUD allows and also explained that the onsite zoning currently consisted half as ORM (Office, Research, Manufacturing) and half as M-2 (Manufacturing) and the bulk requirements were almost identical between the two districts. The loading dock was the only newly proposed area in the required setback. Ms. Leitschuh walked through the turning radius for trucks and emergency vehicles, the landscape plan, lighting plan (met requirements), utilities, the phasing plan for the development, plat of vacation, and the lot consolidation. Furthermore, she stated the owner was granting a 30-foot cross access easement to ensure there was access to shared parking off of Brook Drive so that buildings 1501 and 1503 could maintain access (a condition for approval). Other points of interest noted by staff included the connection that went around Centre Circle and reconnected to Brook Drive, which deterred cut-through traffic but worked to service the commercial properties. She stated that staff concurred with the findings in the traffic impact study.

A review of the zoning and bulk standards followed for the ORM district with Ms. Leitschuh pointing out the side interior setbacks for the small loading dock to the southwest corner. The setbacks will be reduced from 10 feet to the neighboring property line, to 1 foot. Accordingly to

the applicant, this was the only area where the loading dock could be located. Open space, height and parking space requirements were reviewed.

Per staff, the proposed PUD met the current and the updated draft Comprehensive Plan's goals for the types of uses and the reinvestment in existing businesses. It was compatible with the surrounding uses and it met the PUD criteria. The proposal also met compliance with the PUD Overlay District provisions. Per Ms. Leitschuh, under *Appropriate Restrictions, Terms and Conditions*, multiple easements were listed and required by staff in order to protect the village, the public, and adjacent properties.

A review of the zoning map followed with Ms. Leitschuh reminding the commissioners that the request was for M-2 Manufacturing for certain properties, to ORM Office Research Manufacturing, and to become a PUD. Existing use and zoning of nearby properties were referenced with Leitschuh describing how a PUD with an underlying zoning district of ORM. Staff found that it protected the character and integrity of adjacent properties by requiring subsequent approval for major changes. Examples followed. Ms. Leitschuh reviewed the criteria needed to be met for the village's vacation policy (Resolution No. 2003-58).

In summary, staff recommended the Plan Commission forward a positive recommendation to village council. Ms. Leitschuh said she failed to mention that an easement requirement will be needed for an adjacent property to the south for and an additional loading space. Parking and pedestrian safety were discussed briefly. Ms. Leitschuh pointed out that once Brook Drive and Centre Circle were vacated they would be maintained by Flavorchem.

Mr. Kulovany asked if there was anything in state law or in the village's ordinances that prevented cut-through traffic to the area, wherein Traffic Manager Will Lorton said he was not aware of any. Asked what the cost was for the village to put in an 85' foot roadway by 825 feet in length, staff did not know.

Addressing the landscaping, Ms. Hogstrom voiced concern about the amount of trees on the plan and only having two species. Furthermore, she believed more variety of plantings were necessary besides one species of shrub. Mr. Maurer, in reviewing the various phases to the property, asked if such relocations or improvements could be done or could not be done without the vacation of the street or a PUD, wherein Ms. Leitschuh explained that from a zoning perspective, the buildings could not be connected and a PUD would be required in order to unify the campus. She believed the petitioner could respond but the goal was to have an overall, unified campus feel to the development.

Regarding the traffic study and whether there were any concerns about diverting industrial traffic onto Downers Drive through the shopping center and out to Butterfield, Traffic Mgr. Lorton stated that all traffic was reallocated in the area based on existing traffic counts for two days. Level of service was impacted.

Chairman Rickard invited the petitioner to speak.

Mr. Keith Billick with Shive Hattery Architects, provided a summary of Flavorchem, stating the company had been in the village for 30 years and this site was their international corporate headquarters. The company was not a food production company; instead it made the flavors and

scents for foods or colognes. Part of what drove the company was whether it wanted to continue to invest in the Downers Grove site, which was why the company came to Shive Hattery. The company intended to create an image for itself, create a centralized campus and create a safe employee environment because it currently had none. Details followed.

The buildings' locations and the surrounding character of the area was pointed out as well as the reason for vacating Brook Drive, i.e., creating the centralized campus which would provide a safe pedestrian connection between the future corporate headquarters and the future research and development area, along with other components. Regarding the new loading dock to the southwest corner, Mr. Billick said it would be a stand-alone dock without moving to multiple buildings or multiple spaces. To bring a unified look to the campus, the buildings would be updated either with new materials, paint or colors. Addressing the landscaping plan, Mr. Billick said it was a preliminary plan currently but there would be a diversity of plants. However, there would also be strict landscaping requirements due to the type of business Flavorchem is. Many of the trees around the perimeter of the campus will remain with some of them supplemented. The central pedestrian plaza will be a permeable paver area which will reduce the overall impervious area of the site. Bioswales and biocells will be incorporated into the site. A conceptual view of the campus followed with Mr. Billick stating it was a best guess due to the project being multi-phased.

Mr. Billick summarized the discussion that took place at the neighborhood meeting held in December 2016, stating that traffic and the closure of Brook Drive were the major concerns for the neighbors. As a result, a traffic study was done and Mr. Billick proceeded to discuss the details of that study, noting the only area where the PM level of service dropped by one level was at the intersection of Finley and Butterfield Road; otherwise the other intersections remained the same or better. He also stated that through the study it was clear that during the PM peak times, drivers were using Brook Drive as a cut-through.

Mr. Billick explained that Flavorchem currently has about 200 workers at its the current location with about 1200 customers that come to the Downers Grove area and stay either a night or multiple nights. Those same customers are entertained to win their business. Flavorchem wants to grow their employee-based business. Other financial factors about the company followed. Regarding the 297 parking spaces, Mr. Billick explained the number of parking spaces met the company's needs for a three-shift workforce as well as for customers and visitors. Again, the setback for the loading dock in the southwest corner would be placed within one foot from the property line. To the west of that location was a parking lot for an adjacent building and the loading dock would not negatively impact that adjacent property, per Mr. Billick.

Questions for the petitioner included whether the traffic study included the number of individuals that would be prevented from taking the cut-through to which Mr. Lorton indicated that in the PM peak about 200 vehicles were removed to go to Finley and Butterfield rather than Brook Drive, from the north. Mr. Lorton further responded that drivers were cutting through to skip the signal at that intersection. Mr. Billick, recalling his discussions with the consulting traffic engineer, said drivers did perceive the same intersection as being difficult and most drivers would avoid it.

Per questions, Mr. Billick explained how much diverted traffic was for deliveries to Flavorchem, what to expect when pedestrians walked the campus, and how the owners of 1501 and 1503 were not to be excluded but to have the company come in and understand where the Flavorchem campus was. He hoped the improvements to Flavorchem would benefit the owners of 1501 and 1503.

Signage would be addressed in the future and Mr. Billick understood that Flavorchem was not trying to exclude them. Asked whether an elevated walkway across Brook Drive was considered, Mr. Billick explained there was consideration but due to accessibility to the utilities and other maintenance requirements of the street, the connection height to ensure trucks and other vehicles could get underneath did not make sense from an architectural and engineering perspective.

Regarding a property located at the southwest corner of Brook Drive and Downers, Chairman Rickard asked whether an adjacent neighbor was losing parking wherein Mr. Billick stated it was a staff requirement that Flavorchem maintain an existing parking cross-access easement and so the easement was extended to come up onto Flavorchem Drive. The parking as well as the access to it were maintained by Flavorchem. Asked what other concerns Mr. Billick heard at the neighborhood meeting with regard to losing Brook Drive, Mr. Billick said it was the flow of traffic and accessibility, but Centre Circle provided that access. Emergency vehicle access was another concern raised but Mr. Billick explained that access for emergency vehicles would continue to be accessible. Mr. Billick pointed out the emergency route on the overhead, noting a mountable curb would be constructed to allow emergency vehicles to travel up and over the curb but the curb would look like a regular curb to drivers. Asked if a gazebo was planned, Mr. Billick confirmed there was no gazebo planned. Per a question, Mr. Billick estimated that about 100 employees crossed Brook Drive per day.

As a last comment, Ms. Leitschuh stated staff received four inquires, three phone calls and three formal letters with the major concern being access to the property and the overall impact of the proposal.

Chairman Rickard opened up the meeting to public comment.

Mr. Michael Cassa, President of the Downers Grove Economic Development Corporation (DGEDC), spoke of his organization's mission which is the retention and attraction of business in the village and the proposal was an example of both. Mr. Cassa praised Flavorchem as one of the village's leading manufacturing firms, a good corporate citizen, a past winner of the DGEDC's Cornerstone Award, and a recent award for business excellence from the Chamber of Commerce. He shared positives about the company and talked of how businesses in the Oak Grove Center wanted to reduce the cut-through traffic and the proposal provided a solution. Mr. Cassa closed by stating the DGEDC supported the proposal as requested, reiterating the company was one of the economic engines of the village and he wanted to give them the opportunity to grow.

Mr. Mark Bratkiv, with Finley Quartz Associates, 2901 Finley Road, mentioned that Flavorchem may be a good corporate citizen but they were not a good neighbor. He pointed out his property which was adjacent to the newly proposed trucking dock, stating he objected to the proposal because he was constantly kicking out Flavorchem employees from his parking lot because the company had a serious parking issue. Mr. Bratkiv stated that Flavorchem already admitted that they were under their parking requirement and the applicant was asking the commission to give them permission to under park without seeing the plans.

He further objected to the loading dock being located one foot from his property and, as for the public benefit, he asked what the benefit was for giving a public road to a private company for no cost. He stated the village ripped up Brook Drive, repaved it, installed curbs and gutters and should know exactly what was spent per foot to replace it. He further called attention that within

the commissioners' packets the village acknowledged the valuation of the road being worth at least \$380,000 plus the cost of the road and for the village to just give the road to Flavorchem was not fair to the village residents and their money should be returned. As a business owner himself, could appreciate Flavorchem wanting to expand their business but not at the expense of the taxpayers' money or a public road.

Mr. Mike O'Connor, attorney representing United States Brass and Copper, 1401 Brook Drive, and 1418 Centre Circle, stated Brook Drive was critical to all of the businesses within the industrial park and it was critical to have the businesses access the nearby intersections and expressway. Brook Drive was a "critical relief valve" for the retail center because drivers did not want to wait 3 to 4 signal cycles at the intersection. Mr. O'Connor did not trust the applicant's traffic study because it was done in September when the traffic and weather was good and not during a holiday season. He believed the intersection of Downers Drive and Butterfield was already a dangerous intersection, citing the many traffic accidents that occurred there between 2011 and 2015, and now the proposal was driving more traffic to that intersection with more accidents to be expected. Other negatives of the proposal followed. Mr. O'Connor reported that U.S. Brass and Copper had over 100 trucks a week accessing its two properties, along with other companies accessing their docks off of Centre Drive, where more truck and vehicular traffic were being diverted to. While he had no objections to what was being proposed, the vacation of Brook Drive and the construction of the loading dock at the west end of the property were going to reduce the traffic flow significantly in the area. He did not believe it would strengthen jobs, except for Flavorchem, and if that was the case, the village was expanding the Flavorchem project at the expense of other businesses in the area. Lastly, he noted that Flavorchem's tax base was being stabilized but at the expense of the other property owners which could result in those businesses looking for other locations where business is easier to conduct.

Mr. O'Connor did not see the purpose of vacating Brooke Drive other than having a cohesive campus. He stated that other than the future research and development buildings on the south side of Brook Drive, all of the other facilities were located on the north side of Brook Drive as were the majority of the employees. He further commented that adding a pedestrian crossing could address the applicant's concerns about pedestrian safety. He reminded the commissioners that the proposal was a permanent decision. He asked the commissioners to deny the request to vacate Brook Drive and to deny the request to install the three loading docks at the west end of the 1501 building, citing the challenges of trucks maneuvering into those loading docks.

Mr. Dave Cavanaugh, President and owner of U.S. Brass and Copper, provided a history of the purchase of his land and construction of his buildings at 1418 Centre Circle and 1401 Brook Drive which provided a good area for his business until now. He discussed the truck challenges he sees making deliveries and the car drivers from the malls that are impatient and do not want to wait at the long light located at Brook Drive and Downers. He believed vacating Brook Drive would force drivers and his employees into one lane of traffic which was unreasonable. He summarized that any design changes the applicant made benefited the applicant and not the other property owners. It placed an unreasonable burden on them, was unfair, caused hardships, and the vacation was not reversible. Mr. Cavanaugh remarked about the heavy mall traffic overall and Brook Drive being its relief. Lastly, he asked the commissioners to not support the vacation.

Per a question, Mr. Cavanaugh stated his building was located east of Downers Drive on Brook Drive at the southeast corner where it turned into Centre Circle and he had another building at

1418 Center Circle.

Mr. Cavanaugh explained that trucks that come into the docks 1401 Brook Drive can only approach from the west and not from Centre Circle. On Centre Circle, trucks must also come from the west to approach. In general, he stated the trucks needed more room to turn around if they come from the east otherwise they ended up going on the lawn.

Mr. Thomas Klouda, owner of Elite Electronics Engineering, 1516 Centre Circle and the owner of the two buildings to the east, described the surrounding businesses and the fact that a dance studio was nearby with many children. He discussed the challenges of trucks maneuvering and the fact that his business blocked the street on the east due to unloading/testing tractors. Beautifying Flavorchem only made his business and Centre Street look like an alley. He referenced his letter he sent to the village.

Mr. Steve Giesler, 1214 Maple, Downers Grove, owner of the 1501 and 1503 buildings, stated he was opposed to the vacation of Brook Drive because it would have a negative financial impact on his property referring to his letter in the packet. The proposal would impact his business as follows: affect traffic, affect access to/from the west parking lot, diminish marketability of his building for leasing, and decrease property value. He stated Mr. O'Connor's and Mr. Cavanaugh's comments regarding traffic were true. Regarding his west parking lot access, for over 40 years he was able to turn left and trucks were able to turn left. To lose that option was unfair. Examples followed. Regarding the west parking lot, even though he would be given access through an easement on the old Brook Drive right-of-way, it became private property and he asked who would maintain it and pay the taxes? Mr. Giesler discussed the high visibility his property had on the corner and anything that reduced the visibility was detrimental to the property value. He voiced concern about the applicant's proposal for landscape screening which would reduce visibility to his property and, coupled with the traffic congestion and a less useful west parking lot, would affect his building negatively. He asked that the commissioners deny the petition.

Mr. Scott Richards, 1130 Warren Ave., Downers Grove, supported the campus but after tonight's comments he asked if there was consideration for adding a tunnel under the street, given what the costs were being spent to create the campus.

Hearing no further comments, the chairman invited Mr. Billick to return and answer some of the questions.

Mr. Billick appreciated the comments but clarified Flavorchem was not removing access. He noted a street was being taken but there were no dead-ends being provided nor closed streets. The businesses along Brook Drive and along Centre Circle would still have full access to their businesses but it would make the drive a bit longer. Mr. Billick clarified Flavorchem was not putting in any additional loading docks on Centre Circle. On the west side of the 1525 building where the proposed loading dock was to be created, Mr. Billick said the area was currently being used as loading and as Mr. Giesler stated above, it was at grade in that location with large trucks arriving. Flavorchem used forklifts now but the loading docks would make loading/unloading easier.

Regarding the 1501 and 1503 buildings, Mr. Billick stated there were no plans to have access changes made there. As far as the easement and its maintenance, as mentioned by Mr. Giesler

above, Mr. Billick explained there was an easement that did access private property currently and to get to the parking spaces, he did have to come across Flavorchem's property. There appeared to be no prior issues as to snow removal or maintenance in the past but Flavorchem would continue to maintain that level of service and maintain the infrastructure in that location even though it was a private street that went into a parking lot.

Per Mr. Billick, the landscape plan was still conceptual and he was willing to work with the property owner and village staff to ensure that no screening was provided and the property owner's building had visibility.

Addressing Mr. O'Connor's idea about pedestrian access functioning independently to where the buildings on the north would function separately from the buildings to the south, Mr. Billick explained that in the concept campus plan it was partly true but there would be connectivity because there would be employees functioning at both locations, along with guests and visitors. And part of the efficiency was to begin to consolidate the different uses. Mr. Billick elaborated again on how the campus affect would provide efficiencies.

Regarding the idea of an underground walkway, Mr. Billick stated that due to the utilities it would require Flavorchem to dig very deep to get under the utilities and it would not be feasible.

Mr. Billick closed by stating that although the commissioners heard comments that the proposal was self-serving, he did not believe that. Instead, by allowing the company to grow and expand in place, it benefited the village and the neighborhood.

Commissioner comments were as follows:

Mr. Maurer pointed out that Flavorchem's proposed plan did not include docks at 1509 and 1515 Brook Drive and asked where they would be located. Wherein, Mr. Billick proceeded to explain. Mr. Maurer further inquired if Flavorchem could install a turning point in front of 1525 Brook Drive and remove the turn-around off the street, since Flavorchem was consolidating all of its loading docks, wherein Mr. Billick stated "possibly" since the plan was still conceptual but now hearing this concern, he was willing to work with the owner and village staff to review it. Mr. Maurer believed it was a good opportunity to consider.

Ms. Rollins asked that the property adjacent to 1501 and 1503 be taken into consideration for right turns since the road narrowed to one lane. Mr. Billick indicated he would review it.

Chairman Rickard expressed concern that this was the last review the commissioners would see of the proposal; staff confirmed it was and explained how recommendations could be made. Mr. Billick also confirmed that the proposal before them was strictly zoning and any specifics would go through a detailed site plan review process and building permit process.

However, after discussion of staff's perspective of the proposal being the final PUD versus Mr. Billick's perspective of the PUD being conceptual, the chairman pointed out and understood that there were various processes but part of the Plan Commission's process when it reviewed PUDs was that the commission was reviewing a list of requirements on the site plan that were considered final and he was not sure if the commission was quite there yet. Ms. Leitschuh said she thought the applicant was using the terms "conceptual" and "preliminary" to convey the holistic



view of the project, and explained that the commission was reviewing a final site plan, although some of the items would be addressed in the far future at permit time. Staff found the applicant's plan complete at this point to move forward with PUD review and approval.

Asked if the work under Phase I and II was finalized, Mr. Billick stated he still had to work with staff to determine what would the closure of Brook Drive look like and he was willing to work with the commission and staff to address any concerns with conditions. Further details followed. Regarding the topic of security, Mr. Billick confirmed with the chairman that security started at the buildings, since there was no fence around the properties and open access existed to the parking areas. Flavorchem did not want to fence off the site.

Per Mr. Maurer's question to staff whether there was precedence that existed in the village where a vacation of a public right-of-way occurred, transferring ownership of land without cost. Staff did not know but clarified it was council's decision on that. Mr. Maurer stated that the commission owed village council a recommendation and the concern was about giving away \$380,000 worth of land for nothing. In response, staff responded that typically the commission does not make a recommendation regarding the finances of a vacation. Ms. Hogstrom also agreed with Mr. Maurer's comments. She pointed out that the park district paid the village \$4,000 for a vacation of an alley some time back.

Asked what other plans Flavorchem had should this proposal not move forward, Mr. Billick indicated that discussion of that had not taken place yet. He thanked the commission and the public for their input and would closely work with staff regarding the concerns raised.

Hearing no other comments, the public comment and the public hearing was closed by the chairman.

Commissioners proceeded to discuss their concerns about the project: the chairman had issues with the docks located at the southwest corner of the property, specifically being within one foot of the neighbor's property line, given how much noise comes from truck loading and unloading. The maneuvering to the same dock was a concern and to compound it by backing up to a dock area that already had a bent approach was another concern. The neighbors' comments were another concern. Closing off the street also appeared to be the main purpose of vacating the street to allow safe pedestrian access but other options could be considered, such as a grade level pedestrian crossing, traffic calming device, or a second floor link across the road, etc. Lastly, the chairman voiced that the property owner who owned the parcel on the southeast corner now had to access the rear of his property and parking through a private driveway which he did not control.

Other comments included: that with a vacation, one usually wants the owners on both sides of the right-of-way to support it but it appeared the owner of the southeast corner would not support it and so why was the village giving a portion of Brook Drive adjacent to their property to the applicant; the chair concurred. Additional comments were weighing the benefits to Flavorchem against the inconvenience to the other businesses and community as a whole. Ms. Gassen found it was fine to inconvenience those who used the street as a cut-through but not to those businesses located in the circle. Her main concern was the fact that the businesses at 1501 and 1503 had to access their building by driving into Flavorchem's campus and the two businesses were losing their street frontage. Pedestrian safety could be addressed in another way.

Mr. Kulovany stated the village should be working with other units of government to address cut-through traffic at the site but for this site specifically, he suggested adding a second right turn lane as drivers head west on Butterfield over to Finley or at least a longer access path to do that. As for the project meeting the review and approval criteria for Section 28.12.040.C.6, Mr. Kulovany believed all of the criteria was met except for *Criteria e*: protecting the surrounding property owners, citing that it would greatly inconvenience the other owners, especially buildings 1501 and 1503, citing it was almost a “taking.”

As to meeting the requirements of Section 12.030.I. Zoning Map Amendment Review and Approval Criteria, Mr. Kulovany believed No. 1 was met as to the existing use and he spoke about the campus positives. Regarding No. 2, the proposal and its affect on property values, Mr. Kulovany asked whether a world headquarters campus would improve the property values of 1501 and 1503 or would it detract it due to the access and looking like part of someone else’s property. Regarding No. 3, public health, safety, and welfare, Mr. Kulovany commented the welfare should be directed to the other property owners. Regarding No. 5 and the value to the community, he stated the value would come from determining if there was a significant increase in the tax base and he was not sure that could happen. However, his largest issue was that the village paid significantly for the street to be installed two years ago and it was going to be given to a private owner. He supported the campus design and the company being a good corporate citizen, but he was not sure the village would benefit appropriately nor was he pleased that the village had not worked with other governmental entities to resolve the traffic congestion that caused the cut-through issue.

Ms. Rollins agreed with many of the above comments and also believed having the applicant’s corporate headquarters did add value to the village but she did not agree with having no Plan B because the applicant could not show it was “the best way to get there.” Also, many open-ended questions existed with the property owners.

Chairman Rickard agreed there were too many open ends and believed it would be better to continue the case to see if the applicant could make some revisions and then return at a future date. Some of the items he preferred to see re-addressed included the loading dock at the west end and positioning it within a reasonable setback, better shielding of the dock activity to the adjacent neighbor, and finding a way to keep Brook Drive open, with some restrictions, to keep it safer but also realize there are other campuses that are bisected and still have a campus feel to them, short of closing Brook Drive completely. The three key items he wanted to see readdressed included 1) the dock on the west end; 2) leaving Brook Drive open; and 3) leaving public frontage to the north of the 1501 building and allowing them public access to their parking.

Dialog followed on how to proceed if the case was continued or if no motion was made.

A motion was entertained by the chairman.

**WITH RESPECT TO FILE 16-PLC-0054, MR. MAURER MADE A MOTION TO APPROVE THE PUD PROVIDING THAT ANY NEW OR RECONFIGURED TRUCK DOCKS ARE CONTAINED, INCLUDING THE TURN-AROUND, WITHIN THE APPLICANT’S PROPERTY AND WHERE THE APPLICANT ABUTTS A PROPERTY LINE, APPROPRIATE SOLID, FULL HEIGHT SCREENING IS PROVIDED AT NEIGHBORING PROPERTIES, BUT EXCLUDING THE REQUEST FOR THE**

**VACATION OF BROOK DRIVE WITHOUT COMPENSATION, SUBJECT TO STAFF'S 14 CONDITIONS LISTED IN THE STAFF REPORT.**

Mr. Maurer stated he wanted to move the process along, and supported the idea of a nice world class campus because the company was a great asset to the community. He did not want to tie up the applicant on the vacation of a valuable piece of property, not just in terms of the monetary value to the village but the circulation value to the community.

Ms. Leitschuh interjected, explaining that if that was what was being established in the motion she recommended a motion to continue the case because it would result in elimination of parking for the proposal and it would have to return to this commission for another review. Mr. Kulovany believed there was too many variables within the motion, the petitioner was acting in good faith, and now the petitioner had a sense of what the commission was looking for and could work with staff to address the issues raised.

There being no second voiced, the motion died. Chairman Rickard entertained another motion.

**WITH RESPECT TO FILE 16-PLC-0054, MS. GASSEN MADE A MOTION THAT THE PLAN COMMISSION CONTINUE THE HEARING TO A DATE CERTAIN, THAT DATE BEING APRIL 3, 2017 AND THAT THE PETITIONER BE REQUIRED TO PRESENT A PLAN THAT DEPICTS A REVISED LOADING DOCK ON THE WEST END. BROOK DRIVE IS NOT TO BE VACATED.**

**SECONDED BY MR. KULOVANY. ROLL CALL:**

**AYE: MS. GASSEN, MR. KULOVANY, MS. HOGSTROM, MR. MAURER, MS. ROLLINS, CHAIRPERSON RICKARD**

**NAY: NONE**

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

(The commission took a five-minute break at 10:00 p.m.; reconvened at 10:05 p.m.)

**FILE 17-PLC-0002:** A petition seeking approval of a Special Use to allow an automobile dealership with a street yard setback variation. The property is zoned B-3, General Services and Highway Business District. The property is located on the north side of Ogden Avenue approximately 175 feet west of Cumnor Road, commonly known as 216 Ogden Avenue, Downers Grove, IL (PIN 09-04-111-026). Westmont Lincoln LLC, Petitioner; Sydney LLC, Owner.

Village Planner, Scott Williams provided an aerial photo of the 36,000 sq. feet property located at 216 Ogden Avenue. Similar zoning was noted in the surrounding areas with R-5A zoning to the north (townhomes/ multi-family). Mr. Williams referenced a letter he received from a resident and the informational inquiry he received from a resident in the same area. The petitioner was proposing a renovation of the existing vacant 15,000 sq. foot building (commercial) in order to bring in a Lincoln certified, pre-owned dealership with much of the display to be indoors.

Property lines were noted with Mr. Williams confirming the petitioner had its drive access to Ogden Avenue from the adjacent property and vehicles could drive between the properties. A photo of the

existing building's façade and surrounding site followed. Reviewing the site plan, Mr. Williams confirmed there was no existing landscaping or open space on the property. Proposed architectural elevations and renderings were depicted.

Tonight's request was before the commission for review of the following: 1) the street setback relative to the center line of Ogden Avenue's right-of-way; 2) the landscaping requirement; and 3) the parking space requirement. Setbacks were also referenced. Reviewing the site plan again, Mr. Williams pointed out the proposed access easement, which doubled the drive aisle, was a development strategy cited within the village's comprehensive plan. He further explained where the vehicles would be displayed, i.e., adjacent to the Ogden Avenue right-of-way, but pointed out the setback was 39 feet from the center line, wherein the village required 50 feet. Access details followed.

Mr. Williams discussed that the applicant was proposing to add internal and external pedestrian connections to the site. Sidewalks would be extended from east to west and a sidewalk would lead to the building's front door. A landscape exhibit was referenced, noting the applicant would come into code compliance and create 4,000 sq. feet of landscaping/open space where none existed currently. Details were shared. Mr. Williams further addressed the parking requirements for the building's showroom, the service area, and the front parking row (the auto display area). A photometric plan was referenced as well as a resident's letter expressing their concern about lighting spillage. LED lighting was proposed. Employee parking would be located in the rear and side of the building.

Staff stated the proposal met the village's comprehensive plan as it relates to Catalyst Site No. 10, meeting pedestrian connections and providing landscaping where none exists, and making improvements to the building's façade. Staff also believed the proposal met the criteria for a special use. However, in reviewing the variation criteria, Mr. Williams stated that to make the proposal work, the applicant needed a variation. He proceeded to explain how the applicant did have physical hardships with what existed in the street yard and the variation was needed to meet the parking requirements of the zoning. Staff believed the variation would not alter the characteristics of the Ogden Avenue Corridor. Lastly, Mr. Williams stated the variation allowed for the implementation of the village's comprehensive plan.

Regarding the 0-foot candle reading on the north side of the building, Chairman Rickard confirmed with staff that the calculation was based as if the fence was not present; staff believed so. As to staff's recommendation No. 5 in its report, Mr. Rickard confirmed that truck deliveries would not be made in the center median of Ogden Avenue; Mr. Williams concurred. Lastly, as to the lighting on the rear of the building, Mr. Williams confirmed it was shielded LED lighting and angled down and would not be seen from second floor buildings.

Applicant, Mr. Mike Iozzo, Westmont Lincoln LLC and Sydney LLC, briefly discussed the background of his company, noting it wishes to expand with its Pre-owned Certified program and the current building was vacant for 3 years which was a good fit. Mr. Iozzo stated he intends to comply with staff's recommendations and staff has worked well with them regarding the design of the building, landscaping and parking.

Ms. Rollins asked about noise as it relates to the rear parking area, wherein Mr. Iozzo stated the six rear parking spaces would be for employees only and no outside work on cars would take place

outside the building. The only cars washed would be the front row display cars, using a service. As for unloading vehicles, Mr. Iozzo stated there is a location in Westmont where vehicles are unloaded on Plaza Drive.

Chairman Rickard opened up the meeting to public comment.

Mr. Michael Cassa, President of the Downers Grove Economic Development Corp. 5159 Mochel, Downers Grove, discussed the many times he is asked why certain buildings are vacant, commenting that there usually is a story behind them, which means they cannot either meet their business goals, financing, etc. which was the case for this site. He explained how the applicant came to him to figure out how the site could work and meet the village's requirements, their partners' requirements, and to meet the needs of Lincoln's corporate office. With staff's assistance, a solution was found and it was a win for all parties. He and the DGEDC supported the proposal.

Mr. Mark Lekas, 219 Foxfire Court, resides directly behind the building. He asked Mr. Iozzo to consider the following: planting trees in between the three-foot gap of the two rear fences along the north perimeter; consider the level of noise from the PA system; and to have no additional run-off to his area.

Mr. Scott Richards, 1130 Warren Avenue, supported the proposal since the site was an eyesore. He asked how far back the cars would be located from Ogden Avenue, wherein Mr. Williams stated the businesses he was referencing were legal non-conforming and pre-dated the current zoning code. Mr. Richards added that many of the dealers believe they can park their cars anyway they want. He stated he has called the village on occasion regarding these types of issues. He wanted assurance that the applicant would not be using the sodded areas as extensions of the sales floor; otherwise he would be contacting enforcement again.

Hearing no further comments, Chairman Rickard invited Mr. Iozzo to provide a closing statement.

Mr. Iozzo responded that the area between the grass and cars was curbed off for separation and there were no plans to display the vehicles on the grass. There was no outdoor paging system. As for the trees in the rear, Mr. Iozzo stated he was adding significant greenspace currently and was not sure planted trees would grow below the tall existing trees, but he would look into the matter. He further closed by stating he was excited to be coming to the village and begin the project. He noted the business was a good source of tax generation.

Chairman Rickard closed the public hearing.

Commissioners shared positive on the design of the building and the fact that it was being renovated. The chairman appreciated the applicant coming to Downers Grove. Ms. Gassen stated the application met all of the approval criteria, citing it will be a change from what currently exists.

**WITH RESPECT TO FILE 17-PLC-0002, MS. GASSEN MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THE SPECIAL USE REQUEST AND STREET YARD SETBACK VARIATION, SUBJECT TO STAFF'S CONDITIONS LISTED IN ITS REPORT.**

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

**AYE: MS. GASSEN, MS. HOGSTROM, MR. KULOVANY, MR. MAURER, MS. ROLLINS,  
CHAIRPERSON RICKARD**

**NAY: NONE**

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

Ms. Leitschuh reported the draft comprehensive plan went before council on February 14<sup>th</sup> and 21<sup>st</sup> and is returning to village council on March 7 for review of Sections 5 through 8, and then back on March 21 for the remaining focus areas. The Downtown Development Regulations will be coming to this commission in April. She said she is hoping to set up board training for the month of April. For the next regular meeting, Ms. Leitschuh hopes to have everyone's APA membership I.D.s. She was also pleased to see two new commissioners.

Chairman Rickard also welcomed Ms. Rollins and Mr. Kulovany to the Plan Commission.

**THE MEETING WAS ADJOURNED AT 10:50 P.M. ON MOTION BY MR. KULOVANY,  
SECONDED BY MS. ROLLINS. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE  
OF 6-0.**

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