

APPROVED

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING

June 14, 2021, 7:00 P.M.

Chairman Rickard called the June 14, 2021 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 Rickard, Commissioners Boyle, Dmytryszyn, Patel, Maurer, Rector, Toth

ABSENT: Commissioners Johnson and Majauskas

STAFF: Planning Manager Jason Zawila and Development Planner Flora Ramirez

OTHERS

PRESENT: Paul Robertson (petitioner), Ann Rainey, Gary DeClark, Dean Newins, Pete Mesha; Lori Mesha, Todd Smith, Tom Burns, Jennifer Engle, Jordan West; Pam Borchardt, Scott Richards; John Symowicz; Joy Symowicz Shannon Lucas; Dennis Garnier, Richard Joseph, Paul Graham, Scott Robinson, Jim Freko Pastor Don Zimmerman, Steve Chraska, Monica Bonefield, David Morrell, Theresa Schultz, Lisa Stach, Lisa Stapleton, Lauren Weil, Dorilda Rucci, Kathy Workman, Leo Stark, Joyce Symowicz, Bruce Brown, William Muth, Dennis Gonier, David Morrill, Enrique Delapaz, Michael Worthman

Chairman Rickard announced the 5300 Belmont project would not be discussed by the Plan Commission tonight, but rather it would be discussed at the Village Council meeting.

PUBLIC HEARINGS

Chairman Rickard explained the protocol for the public hearing process. Because a prior presentation was done at the May 17, 2021 meeting on this matter, tonight the petitioner would only provide additional information. Per the Chairman, public comment would be limited to five minutes.

Chairman Rickard swore in those individuals that would be speaking during the public hearing.

Commissioner Maurer extended his appreciation to staff.

FILE 21-PLC-0006: A petition approval of a Planned Unit Development, a Rezoning from DB to DB/PUD and a Special Use to construct a 167-unit apartment building. The property is zoned DB, Downtown Business District. The property is located on the northwest corner of Washington Street and Maple Avenue, commonly known as 932 Maple Avenue, 928 Maple Avenue, and 5240 Washington Street, Downers Grove, IL (PIN 09-08-306-033, -034, and -035. Opus Development Company, LLC, Petitioner and Teachbeyond, Inc, LL Schulz, LLC and First Baptist Church, Owners.

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Petitioner, Mr. Paul Robertson, the development director for Opus Development Corporation, 9700 Higgins Road, Rosemont, IL, provided an overview, for the residential proposal and explained how the proposal met compliance with the village's comprehensive plan and bulk standards. Five loading positions will be provided on-street versus three. One area the proposal did not meet compliance was in the area of density. The project will involve a contribution of \$875,000 to the park district, \$76,000 to the elementary school district, and \$30,000 to the high school district. Currently the three parcels generate \$12,000 of real estate tax and, using township estimates, the new proposal would generate \$625,000 of annual real estate tax.

After listening to the residents and receiving input from the last meeting, Mr. Robertson explained the following improvements were made to the proposal: First, the initial density was set by precedence with the Maple and Main project (115 units translated to 132 units per acre) and the proposed density was still less than Maple and Main. The proposal's 167 units translated to 124 units per acre. Mr. Robertson noted that if the Maple and Main calculation was used, it would translate the proposal to 178 units, so he was requesting less density than what was already approved. Second, in reviewing the alcove and one-bedroom units, three of the alcove units were shifted to two-bedroom units, making it available for multiple families. Third, comparing the proposal with the Maple and Main project, Mr. Robertson explained the proposal had 119 of 167 units of one-bedroom/alcove units while the Maple and Main project had 84 of 115 units alcove/one-bedroom units.

Mr. Robertson invited Ms. Ann Rainey, (retired) senior director with Valbridge and former alderman with the City of Evanston, to speak about density in a suburban downtown area. Ms. Ann Rainey, a resident of Evanston, Illinois and a retired member of the Evanston City Council, spoke about her involvement with the City of Evanston's planning and zoning, as well as economic development. She spoke about the positives that the Village of Downers Grove had to offer as far as its housing options and spoke about the petitioner's positive responses to the concerns raised at its last meeting before this commission. Ms. Rainey, pointed out that the developer for the Marquis on Maple chose a site that required its building to be "sandwiched" between two highly-desirable developable lots and the village had to understand that the northeast corner of Main and Maple and the northwest corner of Maple and Washington had under-utilized parking lots, as well as other uses further from the highest and best use, and would have to be eventually developed.

Ms. Rainey further explained that it resulted in the Class A Main and Maple mixed-use project and the proposed Class A Opus apartment building. Ms. Rainey voiced that there were concerns raised regarding the management of the proposed Opus building by private investors, wherein Ms. Rainey reminded the commissioners that such buildings were significant assets to the village and that it should have the best management company overseeing the property, seeing that professionals will be residing in the building. Ms. Rainey discussed her knowledge with various studies that talk about the apprehension of communities toward rental housing, which the studies dispel the myths. Details followed. As far as comments about having retail on the first floor, she believed the tenants of the proposed building should dine and shop in the stores located in the downtown area.

Ms. Rainey further spoke on how the proposal met the guidelines of the village's comprehensive plan, stating the proposed development is located where it should be. She elaborated that with the other developments, traffic has not increased, rental housing was in great demand, and that the tenants appeared to be the real concern.

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Mr. Robertson recalled there were concerns about diminished property values and he invited Mr. Gary DeClark to speak to the matter. Mr. Gary DeClark, senior managing director and principal of Valbridge Property Advisors, shared his professional background in real estate and valuation and stated he has analyzed various types of properties. Reviewing his presentation, he discussed the surrounding communities that were similar to Downers Grove: Clarendon Hills, Elmhurst, LaGrange, Naperville, Westmont and Wheaton. The communities were analyzed for similar issues regarding the market, characteristics and residential housing. After discussing his presentation, discussing the various statistics, and explaining the process he followed, Mr. DeClark concluded that the median sales prices for Downers Grove and similar areas were increasing, the median market times were at an all-time low, and the total dollar volume of sales was increasing in the suburbs, which meant there was a population movement to the suburbs. When compared to other communities, Downers Grove was experiencing strong growth but not as strong as Elmhurst or Naperville. Lastly, Mr. DeClark demonstrated that several condos throughout the downtown, including the Marquis sold at increased values post 2018. Specifically with the Marquis the annual appreciation of those units that sold ranged from 2% to 13%.

Mr. Robertson then highlighted some of the additional changes that were made to the proposal, based on the comments received at the previous meeting: 1) the dog run will be added to the north property line and 100 feet of landscaped area between the main entrance and the west property line will be added for pet relief; 2) they estimate of 14 cats and 27 dogs were based off of a study from their largest property management company; 3) regarding the traffic study and how it was conducted, Mr. Robertson stated that village staff and the village's traffic engineer agreed with the KLOA traffic study; and 4) the intersection did not meet the warrants for a traffic signal but the petitioner agreed with staff regarding pedestrian safety and would improve the striping in the sidewalks on Maple and Washington Streets.

Michael Worthman, traffic engineer with KLOA, Inc., discussed his professional background and spoke about the various studies he has performed for the Village of Downers Grove. He reviewed the three stages of the study he performed regarding traffic and its impact, the existing roadway conditions, and existing traffic volumes. Mr. Worthman relayed that the pandemic was taking into consideration for traffic volumes. Mr. Worthman referenced the two access drives for the building, stating the two access drives on Maple Avenue would be eliminated, which should improve the flow of traffic, pedestrian safety, and circulation. Loading for the building would be available on Maple Avenue with five parking spaces versus three, and with appropriate signage. Traffic volume numbers were reviewed, noting the site was a traffic-oriented design and more walking to the downtown would take place. Traffic numbers were reviewed, noting the traffic being generated was not a significant volume but that the roadway had sufficient reserve capacity to handle the traffic generated by the development. Further statistics followed. Mr. Worthman stated stop signs will be located at the access drives and he suggested that visual warnings be flashing when the garage door opens. Signage for the loading zone would also be installed and have designated loading hours from 7:00 a.m. to 3:00 p.m.

Mr. Robertson then explained that in working with staff, the five spaces for the loading zone were approved by the community development director. Move-ins would be managed/monitored by the professional management company for the building. An explanation of the building's garbage pickup process followed.

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Mr. Dean Newins, Opus AE Group, 9700 W. Higgins, Rosemont, IL and architect for the project, discussed the adjustments to the streetscape and ways to activate the streetscape when no retail is an option. Another adjustment was to address the space from the southwest corner of Maple to the northeast corner of Washington Street, which had 14 feet of dropped grade across the site. He explained the solution was to create pedestrian zones and to bring the building out to the street, which would occur at the main residential entrance, also taking into consideration the church attendees, and to create energy on the corner. In between the areas heading west towards the Marquis and downtown, where there was no access to the building, enhanced landscaping would be created to create an interest to the façade using additional windows and lighting. Renderings followed. Mr. Newins explained how they revised the plans for the building entrance not only to work better with the streetscape but also with the Marquis building across the way. A solar study was further explained.

Mr. Newins then stated that life safety devices (sprinklers/strobes) and similar devices required on the street will be located on the façade of the building. Those devices that were not required would be located on the north side of the building just past the Church entrance. In order to access the building's core, Mr. Newins relayed that one parking space was removed to do that and now the proposal was seeking 233 parking spaces versus 234 spaces. A depiction of the studio floor plan followed. Updated renderings of the building were also highlighted.

Chairman Rickard invited commissioner comments/questions:

Asked if there was any concern about on-street guest parking with regard to the loading zone, Mr. Robertson explained that guest parking would be available after 3:00 p.m. during the week and available on the weekends as well as parking available on Washington. The western façade was also a positive. Asked why would cones be needed in the loading zone when it was designated as a loading zone with signage, Mr. Newins explained that a coordination between the building's management company, trash hauler and other regularly-scheduled services would be taking place, and if necessary, if a cone had to be placed in the zone in order to ensure a delivery, then it would be done. Per Mr. Newins, the existing tall arborvitae on the north property line would be removed. He further elaborated on the articulation of that area.

To Chairman's Rickard's question, Manager Zawila stated the loading zone will have designated village signage with the hours posted. As far as the cones, it was already a standard practice in the village's downtown. Questions followed on how weekend move-in/move-outs are handled and whether the management company was only open during the week, wherein Mr. Robertson explained that the move-ins/outs are typically scheduled during the week and on Saturdays during the day when traffic is less busy. Regarding the traffic study and taking into account the 2019 traffic figures, a question was raised whether the Main and Maple project had been completed at that time or whether the change at the intersection of 55th and Washington was considered when the traffic figures were gathered.

Mr. Worthman clarified he was involved in the neighborhood traffic studies for the last 10 years in the downtown and the traffic volumes addressed that. He stated another traffic study using the 2019 was done and it showed the same operation and same level of service at that intersection. How that information was calculated was explained by Mr. Worthman. Asked if he looked at the safety of the Maple and Main intersection or just the volume, he clarified that he reviewed traffic accidents at the intersection from information from the Illinois Dept. of Transportation, pedestrian

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volume and church volume. A discussion followed on the peak hours of traffic, which Mr. Worthman explained were the P.M. hours. However, from a pedestrian and vehicle perspective, the A.M. peak was critical because it included the school and traffic volume peak at the same time. On Saturday and Sunday mornings the traffic was lower at the intersection and traffic was spread throughout the entire area.

Another commissioner asked about the type of fencing that would be installed wherein Mr. Newins explained that black aluminum tube fencing would be limited to the dog run area on the northwest corner near the sally port. No fencing would be located on the Marquis side. Mr. Newins confirmed that the requested density being sought did not change from the last meeting.

Chairman Rickard opened up the meeting to public comment. He briefly referenced the 22 comments that were received by email by 4:00 p.m. today of which 19 expressed support for the project and three opposed the project.

Mr. Pete Mesha, 940 Maple Avenue, referring to a slide, stated he was one of the three opponents of the project and asked about the configuration of the proposed building. He opposed the density, thought 27 dogs was a lot, liked the building facing the Marquis, and favored the solar study. However he with shifting the building back further, he was concerned that the view from the northeast corner of the Marquis will be more obstructed again. Mr. Mesha stated the traffic study did not reflect the “near misses” that many residents saw prior to the pandemic. He voiced concern about the challenges of having three multi-family entrances on the same north side with vehicles all trying to get out into the vehicle gaps that the stop sign causes.

Mr. Todd Smith, 940 Maple Avenue, referenced his 5/19/21 email to the Planning Commission which expressed gratitude toward the Planning Commission, after he attended the 5/17/21 meeting. He felt the commission was an advocate for him, his wife and the community. Referencing his email, he expressed his hope that Opus would consider the community comments as it pertained to density and scale. Regarding the new proposal, he found those concerns were not addressed and believed the project still could be viable to Opus by making some of the accommodations to lessen the negative footprint. He noted that Opus has used other projects as a precedent and asked the commission to not just consider precedent comparisons to make their decision. In addition, Mr. Smith discussed that if Opus really believed only 16% of the units would own dogs, they would not bother to create a dog run, create a pet parlor, or have fencing. Mr. Smith envisioned additional pet owners. He suggested the commission not support the proposal because the petitioner did not address the concerns from the May meeting.

Mr. Tom Burns, resides at Maple and Main, and inquired about the length of the front loading spaces, the potential traffic patterns, and pedestrian safety. He suggested installing a school speed zone for a few blocks on Washington and Maple because children sometimes are not always visible. He also expected more pets than what the petitioner forecasted.

Ms. Jennifer Engle, 940 Maple, referenced her email to the commission. She voiced concern about the way the property taxes were being calculated, citing that Opus calculates it will pay \$625,000 in taxes on 144,571 residential square feet of their building (\$4.32 per residential sq. foot) as compared to her \$11,645 property tax for a 1,715 residential square foot unit (\$6.79 per sq. foot). She recommended that Opus pay more or she pay less. She also felt the density was not addressed and recommended that the alcove units be 7%, the one-bedrooms to 50%, and two-bedrooms to

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40% and leave the three bedrooms at 3%, stating the village was a family community. She felt the projected traffic study was a positive, a five year plan should be reviewed, and if a traffic signal is needed, then have Opus pay for a large portion of its installation. Ms. Engle struggled with the term “mixed use” when the building incorporated only the use of the church. She recommended Opus look at additional uses for its building for the community as a whole, especially as the building ages. Lastly, she inquired whether the grassy area on Washington and Maple Avenues was really grass.

Mr. Jordan West, a resident, pointed out that Opus constructed a similar building in Elmhurst but did not share any data about where the property taxes were in relation to the building they already constructed, i.e., what was the impact of the local property taxes in the surrounding buildings after their building was constructed. In order for the commission to approve the special use, Mr. West believed the commissioners should ask the petitioner to show that the building will not reduce property values, given the density. He called out that other planning commissions in other villages had asked the developer to reduce the density of their projects but Opus did not for this project.

Ms. Pam Borchardt, a Marquis resident, appreciated the changes the petitioner made; however, she did not appreciate Opus relaying that the village was an “urban” environment. Ms. Borchardt stated the village was a “suburban” community. She inquired as to how many school children would be living in the building, what school would they attend, and whether a school bus would be stopping in front of the building twice daily. She voiced concern about the flow of traffic with vehicles trying to enter the village’s municipal building, vehicles turning left, pedestrian safety, etc. Also, there was no discussion about the garage door for the church being up for 18 hours a day and concern about the homeless taking advantage of the garage.

Mr. Scott Richards, 1130 Warren, resident of Oak Tree Towers, described what his building experiences with loading zones – vehicles park and visit for an hour; he has had to chase vehicles out of the area, and finding the driver in the building is difficult.

Mr. John Symowicz, a resident of Marquis on Maple, opposed the request for a special use sharing that the village codes states 54.5 units per acre and the proposal is 167 (wherein Commissioner Maurer corrected his calculation). Mr. Symowicz inquired as to why so much money was being donated to the park district versus the school district. He did not support the building being constructed next to single-family homes, had issues with the loading zone, pointed out the loading zone appeared to be approved prior by the community development director, whereas, in the code (Sec. 28.4.030 PUD) it said the loading requirements may be modified by the Village Council. He pointed out that deliveries and garbage trucks block his building.

Ms. Shannon Lucas, a resident of the Marquis building, voiced concern that real estate figures could not be used due to the recent pandemic. She relayed that while there was a need for housing now, when the market flattens out, who would be occupying the building? Ms. Lucas pointed out that if there really was a lack of housing in the downtown then the nearby buildings would be filled but they were not. Ms. Lucas pointed out that in LaGrange there were no buildings as large as the one being proposed and the ones they had did have vacancies. The apartment buildings in Clarendon Hills were located south of 55th and were adjacent to Route 83 and were not in a comparable downtown area like Downers Grove.

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Mr. Dennis Gonier, 5252 Washington St., supported the proposal, spoke about his relocation to Downers Grove when the construction was occurring at that time five years ago, and then meeting with development staff to discuss his complaints at the time. Over the next five years, Mr. Gonier discussed the improvements that took place after that construction and the positives of the growth. He appreciated having staff's input on this matter.

Mr. Richard Joseph, 5500 Washington Street, stated the level of cooperation from Opus has been very good, citing previous projects. He and his wife supported the proposal and believed it was good for the community.

Ms. Joy Symowicz, a resident of the Marquis building, expressed concern about safety near the loading zone where drivers can make U-turns. She asked if a crossing guard will be in place for students, whether there will be a school zone, and is there going to be parents queuing their vehicles for their children. She asked the commissioners to look at the area again.

Mr. Paul Graham, 3855 Douglas Road, a visitor of the downtown area, shared positive comments about the area and the proposed building, stating the tenants of the proposed building will be residents not necessarily ready to start a family, but will be frequenting the restaurants and going out socially, until they want to start their family. The building enhanced the community and was a great utilization of the parcel.

Mr. Scott Robinson, 5837 Spring Side, a lifetime resident, thought the development was a positive. He commented that police could reinforce safety, owners can pick up after their animals, and in general it was great to see the foot traffic in the downtown area. Stores were not shuttered; it brought revenue to the village and it increased property values. He said to focus on the overall benefits.

Mr. Jim Freko, 5918 Ridgewood Circle, supported the proposal and supported having more one-bedroom units because young people enjoy living in the village and will remain here. Many do not want to relocate to downtown Chicago so they move into Burlington Station and take the train to Chicago. While the community wants families, there is a need for the one-bedrooms.

Pastor Don Zimmerman, has been a resident since 1976, and saw the village when it was struggling years back. He expressed appreciation to this village's leadership as it relates to development. As the pastor for the First Baptist Church, he explained the travel route – an alleyway -- the school uses at dismissal. However, he said some parents walk their children across Maple Street. He supported the project and appreciated being a part of the project.

Mr. Steve Chraska, 9S318 Cumnor Road, spoke to the affluence of the downtown area and being able to experience it in the last 8 months versus the past 14 years where he has resided. He wished he could have lived closer to the downtown area. He supported the project.

Ms. Monica Bonefield, represents "Teachbeyond" located in the building next to 932 Maple Avenue and discussed this project offered her an opportunity to market her services to school start-ups around the world in marginalized communities. She supported the proposal, enjoyed patronizing the restaurants in the downtown, and hoped such businesses would flourish.

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Mr. David Morrell, 510 36th Street, shared why he relocated his family to Downers Grove but often wondered where the downtown was heading and was concerned about property values. Over the past 33 years development has improved, services have improved, but taxes were too high. However, the building offered positives for people downsizing. He supported the proposal.

Ms. Theresa Schultz, owns 928 Maple Avenue, has an office at 947 Maple Avenue, and resides at 1307 Maple Avenue. She supported the project because she believed in the project, pointed out that three property owners came together, and the parcel offered nothing for retail because it sat near a parking garage and there was noise, so an apartment complex was perfect. In the last three years since the developments arrived, she said more restaurants and retail stores have come in and brought in foot traffic. As a real estate broker, she has brought in over three dozen businesses to the downtown in the past three years, noting Gia Mia's was her last business brought in. She spoke of the affluence of some of her recent renters who eventually move out locally. She has a waiting list of restaurants that want to be in the downtown and it was also safer in the downtown with the additional foot traffic.

Hearing no further public comment, staff was invited to report.

Development Planner Flora Ramirez reviewed her staff report and referenced the map on the overhead as it pertained to the request for a special use and a rezoning to construct a 167-unit apartment building on three lots located at Maple and Washington Streets. An overhead map was referenced. Per Planner Ramirez, the petitioner provided changes, upon hearing commissioner input at the May meeting, and has revised the following: the loading area, provides pedestrian scale improvements, the dog run area, and reviewing the pedestrian and traffic safety at the intersection. Details of the above changes followed along with a calculation of the building's height, floor plan revisions, and updated elevations. Staff noted the comprehensive plan called for the site under discussion to be a combination of transit-oriented development with greater residential density to create a vibrant downtown and provide economic sustainability to the core of the downtown. The site was also identified as a Catalyst Site B-11 which called out for additional multi-family residential buildings. Lastly, the plan recommended the redevelopment of key sites which were pedestrian oriented, provide quality architecture, and create a sense of enclosure.

Planner Ramirez referenced the petitioner's findings of fact which reflected that they met the standards for rezoning, the planned unit development, and the special use criteria. Staff concurred with the findings and recommended the Plan Commission forward a positive recommendation to the village council.

Chairman Rickard inquired whether the village/Plan Commission had input regarding school zones, bus stops or school signage or was it just the school district, wherein Manager Zawila explained that a process existed whereby the school would have to petition the village for the school zone. It would have to be reviewed by staff and the Transportation and Parking Commission. In response to a question regarding who dictates bus stops locations for students, the public school district, dictated bus stop locations. With regard to the taxing bodies and what they receive, Manager Zawila confirmed that the school and park district donations are formulas calculated by a village ordinance. The size of the loading zone was dictated by village code, Section 28.7.140 - Off-Street Loading. Regarding the entrance into the church garage and its location to the driveway of the public garage, Manager Zawila confirmed there was another driveway between the two; however, final engineering would take place to review those details.

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With regards to extending the hours of the loading zone, Mr. Zawila indicated more discussion could take place; however, it becomes a balancing act of the downtown and the village does try to work with the property owners with those move-ins that are off-peak. He was open to hearing the discussion on that matter. Regarding density, staff was asked how it evaluates the matter wherein Manager Zawila explained that past densities are considered but no specified number is associated with a density number in the PUD process. Asked why the “continental-type” crosswalk was chosen and what were other solutions reviewed, Manager Zawila explained a number of options were considered, taking into consideration the traffic study, the petitioner’s testimony, input from the village’s traffic engineer and the public work’s department review. While a traffic signal was suggested, he stated it was not warranted at this time, so other visual options were considered; the continental crosswalk was recommended and used at other sites.

Asked if the public parking garage, which sits vacant after hours, could be used for visitors, Manager Zawila indicated that staff was in the process of working with the Transportation and Parking Commission regarding improvements to downtown parking, but it was temporarily put on hold because of the pandemic. Per a commissioner question on whether the two existing developments and a third proposal nearing (this building), was the proposal achieving the guidelines of the comprehensive plan, wherein Manager Zawila explained that the proposal met several number of components of the comprehensive plan and also met the design guidelines, which was why staff continued to support the proposal.

Commissioner Maurer confirmed with Planner Ramirez that the existing zoning district for the site was Downtown Business, while an underlying zoning district existed within that district that outlined a number of bulk regulations. Yet, he mentioned that the village was encouraging developers to go beyond the PUD, wherein Manager Zawila explained the PUD was the tool that allows a developer to go above what the underlying code allows. Commissioner Maurer suggested writing it into the code. Chairman Rickard voiced his contention with the term “mixed-use” since it was a purely residential project. He believed a services-oriented business, such as a bank or medical office would be an appropriate use to add to the ground floor of this type of building. He too enjoyed the foot traffic, but envisioned the first floor of the building to include realtor offices, or medical uses – more of a destination. Otherwise, he supported the development.

Responding to the questions raised, Mr. Newins, the architect, explained how the northwest corner of the building was reviewed in relation to the Marquis building, taking into consideration the comments that were received and trying to create something that was appropriate for the entire relationship, which impacted the solar study, the distance, and the space in between. The length of the loading dock would be 113 feet in length and would fit two large trucks. Mr. Newins stated he was willing to work with staff regarding the need for traffic cones, hours, etc. Responding to a resident’s question, there would be grass between the sidewalk and the curb on the Maple and Washington corner.

Mr. Robertson, development director for Opus Corp., returned and responded to the public’s questions, specifically he explained the calculation that was used for real estate taxes for the Maple and Main building; the number of school age children in the proposed building was based on tenancy but he estimated from 6 to 9 school-age students; the current occupancy rate for the Maple and Main building was 95%; and the school zone signage would have to be petitioned by the private school but as the pastor explained, a current process was working. Mr. Robertson stated he would

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work with the school if necessary. He also reiterated that the comprehensive plan envisions such a building for the location -- it was a catalyst site and the building represented the future vision of downtown per the plan. It met the criteria of the bulk regulations and the building was less dense than the others on the block.

Chairman Rickard invited commissioner discussion, wherein comments included that the petitioner's comment that they were "less dense than the others on the block", was clarified to say they were "less dense than one other project on the block." In comparing three other such projects such as Maple and Main, Burlington Station, and the Marquis,

Commissioner Maurer pointed out the proposed application was 40% denser than those three on average. He believed one building in the downtown could not be held as a precedent for future buildings going forward, because if that were the case, one would have to consider how the Maple and Main building (132 units per acre) was constructed as compared to the proposed 124 units per acre), taking into account the building's grade and burying the parking versus a two-story parking wall. To use that building as a precedent was an extreme. Mr. Maurer relayed that the proposed building was 227% of the allowed underlying density on the site and he asked if that was the precedent the commission wanted to set. He would not support the proposal.

Commissioner Dmytryszyn favored the attractive design of the building and appreciated the petitioner's changes, but he had similar concerns about precedent setting and preferred the village council making that determination. He voiced reservations about the safety measures that were presented.

Commissioner Boyle agreed with the comprehensive plans recommendation for the use, but not at such density. While people preferred retail, sometimes the market was not there. He did not know whether the safety concerns that exist today would be multiplied or not, given the site was transit-oriented. He believed the proposal met the criteria and he supported the project.

Other commissioner comments were positive, were responsive to the commission and the public, the project met the intention of the comprehensive plan, and the project should move forward.

Chairman Rickard supported the project, but preferred a condition to have the parking deck underground and having public space on the first floor with plenty of services to be considered for that space. He asked commissioners if they felt the standards for approval had not been met -- no comment followed. Manager Zawila offered to review the restrictions for the loading zone spaces and suggested that commissioners not put a time restriction on them without first speaking to the traffic engineer. Chairman Rickard proceeded to point out how Main and Maple created a first floor restaurant with glass, while the Marquis had no retail but inserted glass and seating areas to their common areas at the street level. The Acadia on the Green, he noted, had retail with the floor elevations changing. It was further clarified by Manager Zawila that the first floor commercial presence lessened as you moved closer to Washington, further stating that there is no commercial presence on the first floor facing Washington, with the easternmost building of the Acadia.

Chairman Rickard entertained a motion.

WITH RESPECT TO FILE 21-PLC-0006 AND BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, THE TESTIMONY PRESENTED, AND THE

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PETITIONER HAVING MET THE STANDARDS OF APPROVAL FOR A PLANNED UNIT DEVELOPMENT, ACCOMPANYING REZONING, AND SPECIAL USE AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE, AND IT BEING IN THE PUBLIC'S BEST INTEREST, COMMISSIONER RECTOR MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF A 167-UNIT APARTMENT BUILDING, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE SPECIAL USE, PLANNED UNIT DEVELOPMENT AND REZONING SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT, RENDERINGS, ARCHITECTURE PLANS PREPARED BY THE OPUS GROUP, DATED JUNE 9, 2021, ENGINEERING PLANS PREPARED BY SPACECO, INC. DATED JUNE 8, 2021, LANDSCAPE PLANS PREPARED BY IRG, DATED JUNE 8, 2021, AND TRAFFIC PLANS PREPARED BY KLOA DATED APRIL 2, 2021 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**
- 2. THE PETITIONER SHALL CONSOLIDATE THE THREE LOTS INTO A SINGLE LOT OF RECORD PURSUANT TO SECTION 20.507 OF THE SUBDIVISION ORDINANCE PRIOR TO THE ISSUANCE OF ANY SITE DEVELOPMENT OR BUILDING PERMITS.**
- 3. PRIOR TO ISSUING ANY SITE DEVELOPMENT OR BUILDING PERMITS, THE PETITIONER SHALL MAKE PARK AND SCHOOL DONATIONS IN THE AMOUNT OF \$978,843.91 (\$872,839.84 TO THE PARK DISTRICT, \$76,591.51 TO ELEMENTARY SCHOOL DISTRICT 58, AND \$29,412.56 TO HIGH SCHOOL DISTRICT 99).**
- 4. THE BUILDING SHALL BE EQUIPPED WITH AN AUTOMATIC SUPPRESSION AND AN AUTOMATIC AND MANUAL FIRE ALARM SYSTEM IN ACCORDANCE WITH THE VILLAGE'S REQUIREMENTS.**
- 5. PRIOR TO THE ISSUANCE OF ANY BUILDING OR DEVELOPMENT PERMITS, THE PETITIONER SHALL PAY TO THE VILLAGE TREE REMOVAL PERMIT FEES SUBJECT TO VERIFICATION BY THE VILLAGE FORRESTER; INCLUDING AN ADDITIONAL \$580 CONTRIBUTION PER TREE THAT CANNOT BE REPLACED IN THE PARKWAY.**
- 6. ALL SIGNAGE FOR THE APARTMENT BUILDING AND FIRST BAPTIST CHURCH SHALL CONFORM TO THE VILLAGE'S SIGN ORDINANCE.**

SECOND BY COMMISSIONER PATEL. ROLL CALL:

AYE: RECTOR, PATEL, BOYLE, TOTH

NAY: DMYTRYSZYN, MAURER, RICKARD

MOTION PASSED. VOTE: 4-3

Chairman Rickard thank the public for its input. Mr. Zawila updated the commissioners on upcoming projects: the 2205 Butterfield petition for a medical drive-thru was approved by Council. There would be no July meeting.

APPROVED

**THE MEETING WAS ADJOURNED AT 10:28 P.M. UPON MOTION BY
COMMISSIONER DMYTRYSZYN, SECOND BY COMMISSIONER RECTOR. A VOICE
VOTE FOLLOWED AND THE MOTION PASSED UNANIMOUSLY.**

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