

APPROVED MINUTES

**VILLAGE OF DOWNERS GROVE  
PLAN COMMISSION MEETING**

**February 7, 2022, 7:00 P.M.**

Chairman Rickard called the February 7th 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 Rector, Dmytryszyn, Johnson, Patel, Roche, Toth

**ABSENT:** Commissioners Boyle, Maurer

**STAFF:** Planning Manager Jason Zawila, Senior Planner Flora Leon, Development Planner Gabriella Baldassari

**OTHERS**

**PRESENT:** Mark Daniel, Chris Pecora, Jim Truesdell, Matt Dill, Zach Blair, Scott Scheiner, James Gray

**APPROVAL OF MINUTES**

None

**PUBLIC HEARING**

Chairman Rickard explained the protocol for the public hearing process and swore in those individuals that would be speaking during the public hearing.

**FILE 22-PLC-0004: A PETITION SEEKING APPROVAL FOR A SPECIAL USE TO OPERATE A PERSONAL VEHICLE REPAIR AND MAINTENANCE BUSINESS. THE PROPERTY IS CURRENTLY ZONED B-2, GENERAL SERVICES AND HIGHWAY BUSINESS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF MAIN STREET AND 75TH STREET, COMMONLY KNOWN AS 1000-1010 75TH STREET, DOWNERS GROVE, IL (PIN 09-29-110-011). OWNER, IDF PROPERTIES, LLC, OWNER AND MARK W. DANIEL, PETITIONER.**

Petitioner, Mark Daniel, Daniel Law Office in Oakbrook Terrace, IL introduced himself. Mr. Daniel noted that the request did not include any new construction to the building. The only changes include a new trash enclosure, newly stripped parking spaces, and a pedestrian connection. Additionally, he shared that the building was divided into two units, one of which is currently occupied by Firestone while the other space is vacant. Then Mr. Daniel noted that the request was for a special use to operate a personal vehicle repair and maintenance facility. He included that future tenants would not be completing any bodywork, painting of vehicles, or commercial vehicle repair. Mr. Daniel also shared that he agreed with staff's condition that local residential streets would not be permitted for test driving vehicles. Additionally, he explained the proposed

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landscaping on the site. Mr. Daniel concluded his presentation by introducing the property owner Mr. Chris Pecora and noted that his family had owned the property going back to the eighties and they enjoyed being a part of Downers Grove.

Commissioner Patel thanked the petitioner and asked what the planned hours of operation would be. Mr. Daniel shared that Firestone currently sees activity as early as seven in the morning. Concerning the vacant west unit, he said they were unsure since the future tenant has not been finalized. Mr. Daniel added that all work would be complete inside. He anticipated that cars could be dropped off earlier than 7 A.M. if the future business had a key drop option.

Commissioner Patel asked if the business would operate on the weekends. Mr. Daniel shared that the new business could be opened until midafternoon Saturday and perhaps closed on Sundays.

Commissioner Patel asked if there were intentions to install or maintain any waste oil tanks or waste fluid tanks. Mr. Daniel said there was no intention to do that. If their plans changed he did explain that they would likely need to meet the requirements of the Office of the State Fire Marshal. He then shared that there was some storage currently related to transmission work, but it was not of a volume to pose a risk or a public health risk.

Commissioner Patel asked if there were any plans to store used tires inside or outside for pick up. Mr. Daniel responded that used tires were currently stored in the existing shed.

Commissioner Rector had two questions. The first was if there were any changes to the lighting plan. Mr. Daniel shared the lighting upgrade had recently occurred at this site. That upgrade also included replanting the landscaping base for the existing monument sign. Commissioner Rector then asked if there would be an exterior microphone system. She noted that this was common in dealerships and it could sometimes be disruptive to neighbors. Mr. Daniel noted that he was not sure if there was an existing microphone system. With future uses he did not anticipate that sound would need to be amplified.

Chairman Rickard invited public comment. No public comment was received. Staff was invited to speak.

Ms. Flora Leon, Senior Planner, summarized the request before the commissioners and presented the existing conditions of the area. She then provided existing photos of the site noting that the public hearing noticing requirements were completed. The proposed site plan was presented along with the proposed landscaping improvements. Next, the special use requirements were provided and Ms. Leon indicated that these were met by the petitioner. Staff found that the petition met the goals of the Zoning Ordinance and recommended the commission formulate a motion to approve the petition.

Commissioner Dmytryszyn asked if there was a special use in place when the business was established. Ms. Leon responded that there was no special use in place.

Chairman Rickard asked to clarify if any fluid interceptors would be reviewed during the building permit. Ms. Leon noted confirmed that was correct.

Commissioners provided positive comments. Chairman Rickard entertained a motion.

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**WITH RESPECT TO FILE 22-PLC-0004 AND BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, THE TESTIMONY PRESENTED, AND HAVING MET THE STANDARDS OF APPROVAL FOR A SPECIAL USE AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST, COMMISSIONER PATEL MADE A MOTION THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 22-PLC-0004, 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 RESIDENTIAL STREETS NEAR THE SUBJECT PROPERTY. ALL TEST DRIVES ARE LIMITED TO ARTERIAL STREETS AS DEFINED IN THE COMPREHENSIVE PLAN. THESE STREETS INCLUDE 75TH STREET, LEMONT ROAD, FAIRVIEW AVENUE AND OTHERS; AND; AND**
- 3. THE USE IS ALLOWED A MAXIMUM OF FIFTEEN TOTAL SERVICE BAYS**

**SECOND BY COMMISSIONER DMYTRYSZYN. ROLL CALL:**

**AYE: COMMISSIONERS DMYTRYSZYN, JOHNSON, PATEL, ROCHE, TOTH, RECTOR, CHAIRMAN RICKARD**

**NAY: NONE**

**MOTION PASSED. VOTE: 7-0**

**FILE 21-PLC-0026: A PETITION SEEKING APPROVAL OF A FINAL PLAT OF SUBDIVISION TO SUBDIVIDE THE EXISTING PROPERTY INTO SEVEN RESIDENTIAL LOTS AND ONE OUTLOT FOR STORMWATER DETENTION, A MAP AMENDMENT TO REZONE FROM R-1, RESIDENTIAL DETACHED HOUSING 1, TO R-3, RESIDENTIAL DETACHED HOUSING 3, AND A PLAT OF VACATION. THE PROPERTY IS LOCATED ON THE WEST SIDE OF FAIRVIEW AVENUE, APPROXIMATELY 100 FEET NORTH OF 61ST STREET, COMMONLY KNOWN AS 6000-6014 FAIRVIEW AVENUE. (PIN 09-17-405-010). OWNER, DOWNERS GOVE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED 2/16/2006 KNOWN AS TRUST NUMBER 0501, OWNER AND TETON DEVELOPMENT, LLC, PETITIONER.**

Petitioner, Jim Truesdell, introduced himself. He showed the location of the subdivision on a map, introduced the development team, and reviewed a few recent developments done by the company. Example elevations were shown. He detailed that they are proposing seven lots, but there will be quite a variety home options. He showed some interior examples. He detailed the request to change from R-1 to R-3 for consistency with the surrounding area, and noted this is consistent with the Village's future land use map. The standards of approval were acknowledged. He further stated that the zoning request is consistent and this would be to the benefit of surrounding property values and is a suitable use. This is appropriate zoning for single-family detached houses and the property has

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been how it is now for some time. He further provided an overview of the subdivision layout and stormwater infrastructure. A survey of parkway trees was completed and it was determined they are in poor condition, so they will be removed, and new trees will be paid for by the developer and planted by the Village. The plat of subdivision was shown and it was stated that The site is about 2.9 acres, split into right-of way, residential area, and the stormwater detention outlot. A homeowners association will be set up, as well as a Special Service Area as a backup for the HOA. He provided an example of one residential lot to demonstrate its compliance with the subdivision ordinance, and detailed the easements. Lastly he plat of vacation was shown in addition to where the ten-foot easement will be placed for the proposed storm sewer infrastructure.

Chairman Rickard invited public comment.

James Gray said there are no dead trees in the parkway.

Gabriella Baldassari, Development Planner, introduced this project as a final plat of subdivision, map amendment, and a right of way of vacation. She showed the location of the site on a map. The property is zoned R-1, and the request to rezone to R-3 will be consistent with surrounding zoning. She showed existing conditions of the site. There was a right-of-way in this area that was dedicated to the Village that was used to provide the space for that storm sewer to run through. Right-of-Way is not the right vehicle to reserve rights for a storm sewer. She noted that the storm sewer will be moved, in conjunction with the request to vacate this right-of-way. An easement will cover that location which is more consistent with current planning practices. It was also stated that 33 feet will be dedicated along Fairview as right-of-way for the existing street and the two existing houses will be demolished. She showed a map of the proposed subdivision, seven residential lots and an outlot. She showed the requirements for new subdivisions and stated that the proposed subdivision will meet the area, width, and depth. Following this, she reviewed the stormwater flow and infrastructure placement. Lastly she provided an overview of the tandards of approval for the plat of subdivision and zoning map amendment, stating that staff feels that all of these standards have been met, and should the Planning Commission agree there is a draft motion on page five of the staff report.

Commissioner Rector asked why the lot sizes worked out so well. Baldassari state all of the standards had been met, and background work was done to make sure this would be the case.

Commissioner Rector asked if 60<sup>th</sup> street would potentially connect in the future to Fairview Avenue. Ms. Baldassari stated that there is no right-of-way there.

Commissioner Dmytryszyn asked if the storm sewer connected to anything on the west side. Ms. Baldassari said it did. Commissioner Dmytryszyn asked if the properties around here were zoned R-2 or R-3 because it is a busier thoroughfare. Jason Zawila, Planning Manager, stated that it had more to do with the pattern of development at the time for different neighborhoods.

Jim Truesdell said the quality of the trees in the right-of-way was reported by the landscape architect. He agreed that the subdivision conveniently worked out for seven lots and one outlot, and elaborated on the flow of the stormwater. He thanked the Plan Commission for their consideration.

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Chairman Rickard commented that he had seen a Beechen and Dill development in a different community years ago and it was a good project. He asked if any commissioners felt the standards had not been met.

Commissioner Rector commented that this is a better fit than the townhome development that was previously brought to the Plan Commission for this site. She then made a motion.

**WITH RESPECT TO FILE 21-PLC-0026 AND 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 FINAL PLAT OF SUBDIVISION, A MAP AMENDMENT, AND A PLAT OF VACATION AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING AND SUBDIVISION ORDINANCES AND IS IN THE PUBLIC INTEREST AND THEREFORE, RECTOR MOVED THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 21-PLC-0026, SUBJECT TO THE FOLLOWING CONDITIONS:**

1. **THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF SUBDIVISION FOR THE FAIRVIEW RIDGE SUBDIVISION PREPARED BY DESIGNTEK ENGINEERING INC. DATED 11/8/2021 AND LAST REVISED ON 1/13/2022, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.**
2. **THE RIGHT-OF-WAY VACATION SHALL BE RECORDED PRIOR TO THE FINAL PLAT OF SUBDIVISION.**
3. **A SPECIAL SERVICE AREA SHALL BE ESTABLISHED AND RECORDED TO ENSURE ADEQUATE MAINTENANCE OF THE STORMWATER DETENTION AREA PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMITS.**
4. **THE HOMEOWNERS ASSOCIATION DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS DOCUMENT FOR THE SUBDIVISION SHALL BE RECORDED WITH THE PLAT OF SUBDIVISION.**
5. **THE PETITIONER SHALL PAY \$120,507.20 (\$56,412.95 FOR THE PARK DISTRICT, \$43,621.20 FOR SCHOOL DISTRICT 58 AND \$20,473.05 FOR SCHOOL DISTRICT 99) TO THE VILLAGE PRIOR TO EXECUTING THE FINAL PLAT OF SUBDIVISION.**
6. **THE STORMWATER REPORT MUST BE UPDATED PER THE REVIEW LETTER COMMENT SET #1 FROM THE VILLAGE OF DOWNERS GROVE DATED 1-26-22 BEFORE ANY STORMWATER OR BUILDING PERMITS CAN BE ISSUED.**
7. **THE PETITIONER SHALL INSTALL SIDEWALKS FOR THE ENTIRE SUBDIVISION BEFORE THE RELEASE OF THE FIRST HOME SITE BUILDING PERMIT.**
8. **THE PLAN DOES NOT SHOW ANY PATIOS, DECKS, POOLS. THE ALLOWABLE IMPERVIOUS FOR EACH LOT IN THE FUTURE WILL BE DETERMINED BY THE IMPERVIOUS AREA USED FOR THE SITE RUNOFF STORAGE CALCULATIONS.**
9. **THE VILLAGE WILL CHARGE \$580 PER PROPOSED TREE IN THE RIGHT-OF-WAY, AND THE VILLAGE WILL PLANT THE TREES. BASED ON VILLAGE CODE SECTION 20.401.A.8, TEN TREES WILL BE REQUIRED. THE PETITIONER SHALL PAY \$5,800 FOR PARKWAY TREES PRIOR TO THE ISSUANCE OF ANY PERMITS.**

**SECOND BY COMMISSIONER JOHNSON. ROLL CALL:**

**AYE: COMMISSIONERS RECTOR, JOHNSON, DMYTRYSZYN, PATEL, ROCHE, TOTTH, CHAIRMAN RICKARD**

**NAY: NONE**

**MOTION PASSED. VOTE: 7-0**

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**THE MEETING WAS ADJOURNED AT 7:53 P.M. UPON MOTION BY COMMISSIONER TOTH. SECOND BY COMMISSIONER PATEL. A VOICE VOTE FOLLOWED AND THE MOTION PASSED UNANIMOUSLY.**

/s/ Village Staff  
Recording Secretary  
(As transcribed by MP-3 audio)