

APPROVED

**VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING**

May 2, 2022, 7:00 P.M.

Chairman Rickard called the May 2nd, 2022 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, Boyle, Toth, Roche, Johnson, and Patel

ABSENT: Commissioners Maurer

STAFF: Planning Manager Jason Zawila, Development Planner Gabriella Baldassari

OTHERS

PRESENT: Pastor Lou Barry, Lou Campbell, Nora Ozer, Shabbir Karimi, Ken Albert, Sebastian Sotelo, Nina Sotelo, Carlo Rossi, Ryan DeBari

APPROVAL OF MINUTES

Chairman Rickard entertained a motion to approve the minutes.

MINUTES OF THE APRIL 4TH, 2022 PLAN COMMISSION MEETING WERE APPROVED ON MOTION BY COMMISSIONER RECTOR, SECOND BY COMMISSIONER BOYLE, MOTION PASSED BY VOICE VOTE OF 6-0. COMMISSIONERS PATEL AND JOHNSON ABSTAINED.

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-0009: A PETITION SEEKING APPROVAL FOR A FINAL PLAT OF SUBDIVISION WITH ONE EXCEPTION TO SUBDIVIDE THE EXISTING PROPERTY INTO TWO LOTS AND A REZONING FROM R-1, RESIDENTIAL DETACHED HOUSE 1 TO R-3, RESIDENTIAL DETACHED HOUSE 3. THE PROPERTY IS LOCATED AT THE SOUTHWEST INTERSECTION OF 66TH STREET AND FAIRVIEW AVENUE, COMMONLY KNOWN AS 403 66TH STREET, 6600 FAIRVIEW AVENUE, AND 6618 FAIRVIEW AVENUE, DOWNERS GROVE, IL (PIN: 09-20-211-034,09-20-211-019, AND 09-20-211-052). DOWNERS GROVE COMMUNITY CHURCH, OWNER AND PETITIONER.

Petitioner, Pastor Lou Bury, stated he is the Pastor of Downers Grove Community Church, and he is here this evening to request the proposed subdivision with and exception to the lot depth and

APPROVED

rezoning from R-1 to R-3. The proposed subdivision and exception request, in addition to the rezoning is in conformance and compatible with surrounding properties. The request was being made in order to sell the lot with the detached single family home, which he referenced on the screen. He provided an overview of how they met the required standards. He then provided an overview of the mission of the Church, and how selling the home would help aid their operating expenses, in addition to providing funds for their mission and ministries.

Commissioner Dmytryszyn inquired how the potential purchaser would access the newly created Lot 2. Pastor Bury responded that the new lot would continue to be served by the existing driveway that leads to the home and that the church's existing separate access would remain.

Chairman Rickard invited for any additional public comment. No additional public comment was received. Staff was invited to present.

Mr. Jason Zawila, Planning Manager, summarized the request stating that the petitioner is requesting approval for a Final Plat of Subdivision to subdivide the existing property into two lots of record with an exception for one lot to have a depth of 129.69 feet when 140 feet is required. A map amendment to rezone this same lot from R-1 to R-3 was also being requested. He then referenced the map identifying the location of the subject property and described the two-lot subdivision and associated map amendment.

Mr. Zawila noted as a matter of additional history, in 2003 the Downers Grove Community Church made a similar request for a subdivision with exceptions to allow Lots 1 and 2 of the FEW Subdivision as noted on the screen. With the proposed map amendment for Lot 2, the proposed R-3 zoning allows for the existing single-family structure, which meets the bulk regulations of the Zoning Ordinance. To ensure the new Lot 1 meets the bulk regulations of the zoning ordinance, the westernmost parking row will be eliminated. The proposed reduction in parking will not result in a parking deficiency. He then stated that the Final Plat of Subdivision is in substantial compliance with Section 20.301 of the Subdivision Ordinance, except for the Lot 2 exception and that staff recommended approval of the subdivision and map amendment request.

Commission Roche inquired what the lot depth requirements in 2003 were for the previously subdivided lots. Mr. Zawila stated that the depth requirements were the same as they are today and that the petitioner needed to request an exception for that subdivision.

Chairman Rickard invited the petitioner to provide any closing statements. The petitioner stated they had nothing else to add.

Chairman Rickard moved to Plan Commission deliberation. The Plan Commission members generally felt that the standards had been met and supported recommending approval of the petition.

Chairman Rickard entertained a motion

WITH RESPECT TO FILE 22-PLC-0009 AND BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, AND THE TESTIMONY PRESENTED, COMMISSIONER DMYSTRYSZYN MADE A MOTION THAT THE PETITIONER HAS MET THE STANDARDS OF APPROVAL FOR A MAP AMENDMENT AND FINAL PLAT

APPROVED

OF SUBDIVISION AS REQUIRED BY THE VILLAGE OF DOWNERS GROVE ZONING ORDINANCE AND IS IN THE PUBLIC INTEREST, THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 22-PLC-0009, SUBJECT TO THE FINAL PLAT OF SUBDIVISION SHALL SUBSTANTIALLY CONFORM TO THE FINAL PLAT OF 6600 FAIRVIEW SUBDIVISION PREPARED BY NEKOLA SURVEY, INC., DATED OCTOBER 18TH 2021, LAST REVISED ON APRIL 21, 2022 EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.

SECOND BY COMMISSIONER PATEL. ROLL CALL:

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

NAY: NONE

MOTION PASSED. VOTE: 8-0

FILE 22-PLC-0010: A PETITION SEEKING APPROVAL FOR A SPECIAL USE TO ADD AN EXTENDED FAMILY ACCESSORY HOUSING UNIT ONTO AN EXISTING HOME. THE PROPERTY IS CURRENTLY ZONED R-1, RESIDENTIAL DETACHED HOUSE ONE. THE PROPERTY IS LOCATED APPROXIMATELY 450 FEET SOUTH OF ELMORE AVENUE AND 460 FEET WEST OF LEE AVENUE, COMMONLY KNOWN AS 1835 ELMORE AVENUE, DOWNERS GROVE, IL (PIN: 09-07-305-020). SHABIR KARIMI, OWNER AND PETITIONER.

Petitioner, Shabbir Karimi, stated that he is the owner of 1835 Elmore and they have lived in the home for about 13 years. He stated that his mother is in her 70s, widowed, and the addition will allow her to move into their home and have her own space. In reference to the standards, allowing the extended family unit will not create any safety hazards or anything of that effect and further stated that the addition is subtle. He stated that he does not believe the extended family accessory unit is not going to cause any impact on the values of the community as well; in fact that he believes this is a feature that many people are looking for these days to allow their relatives to age in place with their family.

Chairman Rickard invited public comment.

Ken Albert, 5437 Fairhaven Court, stated that he is a neighbor of the petitioner and is attending the meeting to understand the application. He questioned since the property is zoned R-1, would this request allow multi-family to be constructed on the property. He further stated that he has concerns about the rain water and that there are drainage issues to the east of the property.

Chairman Rickard, in response stated that the request in front of the Plan Commission was for the special use; and that the petitioner will submit for a building permit, where stormwater is reviewed as part of that process.

Chairman Rickard invited for any additional public comment. No additional public comment was received. Staff was invited to present.

APPROVED

Gabriella Baldassari, Development Planner, summarized the request and stated that the petitioner was requesting a special use for an extended family accessory housing unit at 1835 Elmore. She then referenced the presentation to provide an overview of the existing conditions of the property and identified where the proposed addition will be constructed. She then provided an overview of the floor plan, in addition to the de-conversion plan that must be implemented after the extended family unit is used, as required by Village Ordinance. She concluded the presentation stating that the standards have been met and recommended approval of the special use request.

Commission Dmytryszyn inquired why this was not just a building permit, as he has never seen a request like this before.

Ms. Baldassari stated that the zoning ordinance and this district primarily only allows single family residential. The special use approval process allows the Village to review the application, to ensure that it is not multi-family as that would not be appropriate for the zoning district.

Mr. Zawila further added that with the special use and as required by the Zoning Ordinance, the property owner is required to provide an annual signed affidavit stating that the extended family unit is still in use, in accordance with the approved special use.

Chairman Rickard invited the petitioner to provide any closing statements. The petitioner stated they had nothing else to add.

Chairman Rickard moved to Plan Commission deliberation. The Plan Commission members generally felt that the standards had been met and this type of living arrangement seems to be more popular.

Chairman Rickard entertained a motion

WITH RESPECT TO FILE 22-PLC-0010 AND BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, AND THE TESTIMONY PRESENTED, COMMISSIONER BOYLE MADE A MOTION THAT THE PETITIONER HAS 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, THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 22-PLC-0010, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE PROPOSED EXTENDED FAMILY ACCESSORY HOUSING UNIT SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED MAY 2, 2022 AND ARCHITECTURAL PLANS PREPARED BY 12/12 ARCHITECTS & PLANNERS, DATED DECEMBER 21, 2021, AND UPDATED APRIL 18, 2022, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO THE VILLAGE CODES AND ORDINANCES.**
- 2. THE PETITIONER SHALL PERMIT THE VILLAGE TO COMPLETE AN ANNUAL INSPECTION OF THE PREMISES TO ASSURE CONTINUING COMPLIANCE WITH EXTENDED FAMILY ACCESSORY HOUSING REGULATIONS.**

APPROVED

3. **THE PETITIONER SHALL ANNUALLY SUBMIT TO THE VILLAGE A SWORN AFFIDAVIT THAT CERTIFIES CONTINUED COMPLIANCE WITH EXTENDED FAMILY ACCESSORY HOUSING REGULATIONS.**
4. **THE ACCESSORY UNIT SHALL BE CONVERTED TO BE A PART OF THE EXISTING SINGLE FAMILY DWELLING UNIT WITHIN 120 DAYS OF THE LAPSE OF THE SPECIAL USE APPROVAL.**

SECOND BY COMMISSIONER JOHNSON. ROLL CALL:

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

NAY: NONE

MOTION PASSED. VOTE: 8-0

FILE 22-PLC-0011: A PETITION SEEKING APPROVAL FOR A SPECIAL USE TO OPERATE A DRIVE-THROUGH. THE PROPERTY IS CURRENTLY ZONED B-3, GENERAL SERVICES AND HIGHWAY BUSINESS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF 75TH STREET AND FAIRVIEW AVENUE, COMMONLY KNOWN AS 400 75TH STREET, DOWNERS GROVE, IL (PIN: 09-29-216-004). CRE JV MIXED FIFTEEN IL 4, OWNER, AND SEBASTIAN SOTELO, PETITIONER.

The Petitioner, Sebastian Sotelo stated that he was here this evening with his wife Nina and they are the owners of Sotelo Beauty Space. They are proposing a new concept that involves an open space salon and coffee shop. They are currently the contract purchasers of the building and residents of Downers Grove. He then invited his architect Ryan DeBari, the architect, for the project who will explain more about the project.

Mr. Ryan DeBari, stated he is he architect of the project and managing his client through the development process. They are revitalizing the building and requesting the special use for the drive-through. Their plan is to demolish the existing multi-lane drive through and install a smaller canopy over the drive through window. He provide an overview of additional changes to the site including adding landscaping on the southern side of the building, installation of a dumpster enclosure, installation of the pedestrian connections and painting the façade of the building. Although they are decreasing the amount of parking on the lot, they have a reciprocal parking agreement with rest of the shopping center. He then stated that he believes all the standards are met. The drive-through is already an authorized use special use in this zone, and feels that it's going to be an added benefit to the community to have to provide that service. He lastly stated that he does not feel that it would have any detrimental effect to the public.

Chairman Rickard invited public comment.

Carlo Rossi, Rossi Real Estate, stated that he is the managing agent for the shopping center. He was seeking clarification on where the drive-through stacking is proposed and if it would potentially overflow into the shopping center parking lot. He is also aware of the reciprocal agreement and not opposed to the development; just wanted to learn more about the drive-through and how it would affect ingress and egress into the shopping center.

APPROVED

Chairman Rickard invited for any additional public comment. No additional public comment was received. Staff was invited to present.

Ms. Gabriella Baldassari, Development Planner, summarized the request for the special use for a drive through at 400 75th Street. Referring to the presentation, she provided an overview of the existing conditions and the proposed improvements. To address the comment made by the public she highlighted that the stacking for the drive through will be completed located on site and in cases of overflow, the site allows additional space on the subject property above what is required by code. She concluded the presentation stating that the standards have been met and recommended approval of the special use request.

Commissioner Dmytryszyn asked if the parking agreement could be terminated at any time. It was stated that the parking agreement is in perpetuity and there was no end date.

Chairman Rickard invited the petitioner to provide any closing statements. The petitioner stated they had nothing else to add.

Chairman Rickard moved to Plan Commission deliberation. It was generally stated by the Plan Commission that the building has been vacant for a while and it would be nice to see someone improve it and it is a service that can be used in this portion of town. It was also represented that the standards have been met.

Chairman Rickard entertained a motion

WITH RESPECT TO FILE 22-PLC-0011 AND BASED ON THE PETITIONER'S SUBMITTAL, THE STAFF REPORT, AND THE TESTIMONY PRESENTED, COMMISSIONER RECTOR MADE A MOTION THAT THE PETIONER HAS MET THE STANDARDS OF APPROVAL FOR A SPECIAL USE AND IS IN THE PUBLIC INTEREST THAT THE PLAN COMMISSION RECOMMEND TO THE VILLAGE COUNCIL APPROVAL OF 22-PLC-0011, SUBJECT TO THE CONDITION THE THE SPECIAL USE REQUEST FOR A DRIVE-THROUGH SHALL SUBSTANTIALLY CONFORM TO THE PLANS PREPARED BY THE INTERIOR DESIGN GROUP LTD, DRAWN ON 3/25/22 AND REVISED ON 4/18/22, EXCEPT AS SUCH PLANS MAY BE MODIFIED TO CONFORM TO VILLAGE CODES AND ORDINANCES.

SECOND BY COMMISSIONER DMYTRYSZYN. ROLL CALL:

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

NAY: NONE

MOTION PASSED. VOTE: 8-0

Planning Manager Zawila indicated that there was an agenda items scheduled for the June 6th Plan Commission meeting.

APPROVED

THE MEETING WAS ADJOURNED AT 8:41 P.M. UPON MOTION BY COMMISSIONER RECTOR. SECOND BY COMMISSIONER TOTH. A VOICE VOTE FOLLOWED AND THE MOTION PASSED UNANIMOUSLY.

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