

# DRAFT

VILLAGE OF DOWNERS GROVE ZONING COMMISSION  
VILLAGE HALL, COMMITTEE ROOM  
801 BURLINGTON AVENUE  
Thursday, November 15, 2001

Chairman Musielak called the meeting of the Zoning Commission to order at 7:30 p.m.

## ROLL CALL

**PRESENT:** Mr. Griesbaum, Mr. Levin, Mr. Pappalardo, Ms. Rabatah, Mr. Steele, Chairman Musielak

**ABSENT:** None

**STAFF:** Amanda Browne, Planner, Department of Planning Services  
Karen Mudra, Recording Secretary

## **OTHERS**

**PRESENT:** Tim McJoynt, Mike Davenport, Kevin Braehler

Chairman Musielak stated that the first order of business was consideration of approval of the minutes of the October 18, 2001 meeting. He asked if there were any additions or corrections to the minutes. Hearing none, he asked for a motion to accept the minutes as presented.

**MR. STEELE MOVED THAT THE MINUTES OF THE OCTOBER 18, 2001 ZONING COMMISSION MEETING BE ACCEPTED AS PRESENTED. MR. GRIESBAUM SECONDED THE MOTION.**

**VOTE:**       **Aye:**           Mr. Steele, Mr. Griesbaum, Mr. Levin, Mr. Pappalardo, Ms. Rabatah, Chairman Musielak

**Nay:**           None

**Abstain:**       None

**MOTION CARRIED:       6:0:0**

Chairman Musielak asked Ms. Browne to enter the legal notice into the record. She said the following legal notice was published in the Downers Grove Reporter on Wednesday, October 31, 2001:

Legal Notice: Village of Downers Grove Notice of Public Hearing - Notice is hereby given that a public hearing will be conducted by the Zoning Commission of the Village of Downers Grove on Thursday, November 15, 2001 at 7:30 p.m. in the Committee Room of the Village Hall, 801 Burlington Avenue, Downers Grove, IL. The purpose of the public hearing is to review the following proposed Zoning Ordinance amendments:

Case 2001-09: Consideration of text amendments to the Zoning Ordinance including but not necessarily limited to: Section 28-1106(m) regarding open space-landscaped greenspace in the M-1, Light Manufacturing Zoning District; Section 28-1404(a) regarding the location of off-street parking spaces within the required front yard; and Section 28-1410(a) regarding off-street parking requirements.

All interested parties should attend this hearing and will be given opportunity to be heard. The hearing may be continued from time to time with no further public notice. Individuals with a disability requiring reasonable accommodations in order to participate should contact the Community Relations Department at (630) 434-5560 prior to the meeting. Wheelchair access may be gained through the south (side) entrance of the Village Hall. Zoning Commission, Mr. Lawrence Musielak, Chairman. Published in the Downers Grove Reporter, October 31, 2001.

Case 2001-09 :

Chairman Musielak said that Case 2001-09 consists of three proposed amendments to the Zoning Ordinance. He suggested that the Commission discuss the first two amendments, both of which apply only to a specific area of the M-1 Zoning District and then discuss the third amendment, which proposes to establish a separate parking ratio requirement for printing related uses. He asked Ms. Browne to present the Staff Report.

Ms. Browne said that in response to inquiries made by business owners located within the area on the west side of Thatcher Road, south of Hitchcock and east of the I-355 Tollway, the Village Council has sponsored a text amendment to amend two provisions of the Zoning Ordinance related to the M-1, Light Manufacturing Zoning District, as well as certain off-street parking requirements regarding printing related uses.

Ms. Browne explained that the two amendments that are specific to the M-1 Zoning District are intended to apply only to properties located on the west side of Thatcher Road and south of Hitchcock Avenue that also abut the I-355 tollway right of way. These two amendments are proposed to modify how the minimum openspace-landscaped greenspace requirement may be satisfied, as well as to reduce the front setback requirement for off-street parking spaces within this defined area.

Although not specific to this particular area, Ms. Browne said that the third amendment proposes to add a separate parking ratio requirement for printing related uses. This amendment would distinguish such uses from the general use category of "manufacturing" uses and create a freestanding use category with respect to off-street parking requirements. Ms. Browne clarified that this amendment is not specific to the area along Thatcher Road, rather it would be universally applied much as any other parking ratio requirement; wherever that particular use is a permitted use, the new parking ratio would apply.

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Ms. Browne said that Part A of Case 2001-09 is an amendment concerning the minimum openspace-landscaped greenspace requirement in the M-1 District. She said that in the M-1 Zoning District, 15% of the lot area of a property is required to be maintained as openspace-landscaped greenspace. In addition to that minimum requirement, 50% of the openspace-landscaped greenspace must be located within the front yard.

Ms. Browne said that this proposed amendment will maintain the minimum 15% greenspace requirement of the M-1 District, but properties that are located in this area along Thatcher Road will not be required to locate half of the minimum required greenspace within the front yard. She clarified that in the context of openspace-landscaped greenspace, any space located in front of a building is considered the front yard, not just the area located within the required front yard setback, which in the M-1 Zoning District is 35 feet.

Ms. Browne showed the Commission an aerial photo of the subject area along Thatcher Road and pointed out that there are green lawn areas or "parkways" along either side of the road that are not located on private property, and there are also green lawn areas that are located on private property. Ms. Browne noted that only the greenspace located on private property counts toward the required minimum percentage. She said that even though there may still be greenspace along the road, if it is within the public right of way, it can not be used to satisfy the minimum percentage requirement.

Mr. Pappalardo asked the width of the street pavement in this area. Ms. Browne said that although it is difficult to scale from the aerial photo, she would estimate that in this area along Thatcher Road, the street is approximately 30 to 35 feet wide. She added that the street is offset within the right of way along Thatcher Road, as there is a sidewalk on the east side of the street, but not on the west. Therefore the green parkway is wider on the east side of the street, which is the subject area.

Chairman Musielak asked if there is greenspace along that section of Thatcher Road that is located within the public right of way. Ms. Browne replied yes. Chairman Musielak said that it appears that none of the properties on the east side of Thatcher Road has any greenspace on private property. Referring to the overhead of the aerial photo, Ms. Browne said there are some areas of greenspace located on private property as opposed to within the public right of way.

Mr. Levin asked why the Village is treating this particular area of the M-1 District differently from the rest of the M-1 District. Ms. Browne said these amendments are being sponsored by the Village in response to inquiries made by business owners located within this area who have been unable to expand their building and/or parking facilities and still maintain the greenspace and parking location requirements. The development that has occurred in the area typically consists of large buildings meeting the minimum setback requirements, with parking located in front of the structures. She said the Village Council felt this particular area was unique and warranted a text amendment to allow flexibility if existing businesses wish to expand.

Mr. Levin asked how the proposed text amendment would enable businesses in that area to expand. Ms. Browne said as an example, if a building is increased in size, additional parking is required to be added for the newly added square footage, based upon the parking ratio requirements of the

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Ordinance. If the only way to accommodate the additional parking spaces is to remove greenspace in an amount below the minimum requirement, the building expansion would not be permitted. She typically relates this type of scenario as robbing Peter to pay Paul; the Ordinance will not allow one requirement to be reduced beyond the minimum threshold in order to satisfy another requirement. However, these amendments would allow flexibility to provide parking spaces within the required front setback and to reduce the minimum greenspace provided in the front yard, thus allowing the potential to expand buildings and provide the required parking based upon the increased square footage. Provided, however, that the 15% greenspace requirement can be provided elsewhere on the lot.

Referring back to the aerial photograph, Chairman Musielak noted that some buildings on Thatcher Road appear to have little to no greenspace behind the building. Thus, they would have only the front yard area to use to meet the entire greenspace requirement. Ms. Browne clarified that this amendment will not reduce or eliminate the minimum greenspace percentage requirement, it will only reduce the proportion of the greenspace that is required to be located in front of a building. If the 15% greenspace requirement can be satisfied elsewhere on the property, it does not have to be located in front of the building.

Mr. Levin wondered if allowing special provisions for one area of the M-1 District, would lead to property owners in other areas of the M-1 District asking for inclusion in these special provisions. Ms. Browne said at this point in time, Staff does not believe that they would, and has intentionally drafted this amendment to narrowly apply to a very specific area that has pre-existing development conditions that currently allow limited possibility for building expansions.

Chairman Musielak noted that these provisions apply to a limited area west of Thatcher Road and east of the expressway and between Hitchcock and the condominiums.

Ms. Browne noted that these provisions are similar to amendments recently made to the Zoning Ordinance regarding the Landbank Area and the Concentrated Business District to accommodate redevelopment within those areas. In this case however, instead of creating a defined overlay district as a definition within the Ordinance, Staff has defined the area within the requirement itself. Other provisions of the Ordinance have also been modified in this manner, including setback reductions that apply only in specific areas based upon, for example, the proximity of property to the Burlington Northern Rail Road right of way.

Mr. Steele said he does not care for the appearance of industrial areas in other suburbs that have virtually no greenspace requirement. He wondered if this proposed amendment would permit that situation to occur in Downers Grove.

Ms. Browne said that the requirement of putting 50% of landscaped greenspace in the front yard was adopted in part to avoid property owners from putting all of their greenspace in the rear yard. She pointed out that the property in this area has already been developed, and on most properties, the buildings have been placed to the rear of the property and have provided the minimum required 10-foot rear yard setback.

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Chairman Musielak said he is not uncomfortable allowing property owners to locate the required 15% greenspace on another portion of the lot. However, he would not be in favor of waiving the entire requirement for front yard greenspace. He suggested that four or five feet from the lot line should be reserved for some type of greenspace to prevent cars from being parked up to the lot line and possibly having their bumpers extend over the property line. He said this could pose an obstruction if the Village ever wished to put a sidewalk on the west side of Thatcher Road. Chairman Musielak said that he would like to see a four or five-foot buffer of greenspace along the property line to prevent cars from parking too close to the property line. He asked if other Commission members agreed.

Mr. Steele said he feels this is a parking lot setback issue. Ms. Browne said that Chairman Musielak's comments do relate to Part B of the amendment concerning the location of parking spaces. Mr. Steele asked how the Village is proposing to address the issue of parking setback requirements.

Ms. Browne said Part B is an amendment to Section 28-1404(a) of the Zoning Ordinance, concerning parking within the required front yard setback. She said that as in the previous amendment, this amendment would only apply to that same area on the west side of Thatcher Road, south of Hitchcock.

Ms. Browne said that with the exception of single-family residential uses, the Zoning Ordinance does not allow parking spaces to be located within the required front yard setback. She pointed out that the Ordinance does not prohibit parking in front of a building, however, parking spaces cannot fall within the required front yard setback. Ms. Browne added that within the B-3 Zoning District along Ogden Avenue, the parking setback along the intersecting street sides of corner properties was recently reduced from 25 feet to 8 feet, thereby effectively allowing parking to be located within the required front yard in certain instances in the B-3 District.

Ms. Browne said that in the M-1 Zoning District, the required front yard setback is 35 feet. Through this amendment, parking is proposed to be allowed within the 35-foot setback area, but only for properties located in the subject area along Thatcher Road.

Ms. Browne said that currently, there are situations where pavement is allowed to be located within the required 35-foot setback. For example, she referred to the overhead of the aerial photograph, and pointed out locations where driveway aisles for parking spaces are located within the minimum front setback. However, she noted that the parking spaces themselves must be located beyond the minimum 35-foot setback line.

Mr. Steele asked if the 35-foot front setback was a building setback. Ms. Browne clarified that it is a building and parking setback. She added that the proposed amendment would allow parking within the required front yard setback, but would not reduce the setback requirements for buildings.

Chairman Musielak said he observed at least one driveway on the west side of Thatcher Road that is striped for parking spaces. He asked would parking in the driveway be permitted within the front yard setback if the proposed amendment were approved. Ms. Browne said that parking would be

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permitted within the required front yard setback, but only if the minimum driveway aisle width can be satisfied.

Mr. Steele said it appears that the amendment would eliminate parking setback requirements from the front property line entirely, and he said that he feels a front parking setback requirement is needed. Chairman Musielak agreed and suggested that parking be allowed within the front yard setback, but not within four or five feet of the lot line to allow for some greenspace. Mr. Levin said he feels that such a restriction would make parking tight.

Ms. Rabatah pointed out that diagonal parking would require less space than 90° parking spaces.

Referring to the aerial photo of the area, Mr. Levin noted that a large building in the center of the block on the west side of Thatcher Road did not appear to have any parking behind the building. He asked where the parking was currently located for that building. Ms. Browne said there are parking areas located on the north and south sides of the building. She added that as she understands it, some businesses have reciprocal parking agreements with other businesses in the area.

Chairman Musielak if members of the audience wished to address the Commission.

Attorney Tim McJoynt, representing the owner of Scott Press, one of the Thatcher Road businesses that would be affected by these proposed text amendments, said his client is in favor of the amendments.

Mr. McJoynt explained that the proposed amendments would allow Scott Press to expand their existing building, better utilize their space, and consolidate some of their satellite operations. Without the text amendments, the desired expansion would not be possible. Mr. McJoynt said his client has talked to two other Thatcher Road business owners, VCT and Vitas, and both have commented favorably on the proposed amendments. Mr. McJoynt noted that the amendments will give property owners in this area a bit more flexibility to fine tune or expand their operations which would benefit the area and the community in terms of industrial growth.

Mr. McJoynt noted that even though the amendment would provide benefits to the property owners in this area, there will be minimal effects, because they apply only to a specific area in the M-1 District along the west side of Thatcher Road. He said these amendments would still maintain appropriate parking ratios and sufficient greenspace for a previously developed industrial district.

Mr. Steele asked Mr. McJoynt if he felt that his clients would find it onerous if the Commission recommended the addition of a provision requiring a minimum 6-foot setback from the property line to the edge of the parking lot. Mr. McJoynt briefly consulted with the project architect, Mr. Mike Davenport.

Jumping ahead to the third part of the proposed amendment, Mr. Davenport stated that if the proposed parking ratio of 1 space for every 750 square feet of floor space for printing related uses is enacted, the parking requirement for this project would be 31 spaces. Mr. Davenport said that if the Commission recommends a 5 or 6-foot setback requirement from the front property line for

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parking, it would eliminate three parking spaces from the proposed project, leaving them space for exactly the required 31 spaces, with no room for flexibility. He said that at this preliminary stage of planning, it would make him nervous to be at the absolute limit of the requirements because there are always things that need adjustment as a project unfolds. Mr. Davenport said he would prefer to have a few extra parking spaces to allow for any last minute adjustments in the project. Mr. Davenport said the ability to park up to the property line would give his client the most flexibility.

In response to Chairman Musielak's comment earlier this evening about the possibility of cars being parked up to the lot line and overhanging the sidewalk area, Mr. Davenport said he does not feel it is likely that there will be additional sidewalks constructed in this industrial park. Chairman Musielak said it is hard to tell where sidewalks will be constructed in the future.

Chairman Musielak noted that some of the buildings along the east side of Thatcher Road appear to already have parking located within in their front setbacks. He asked how this occurred. Ms. Browne agreed that it appears that some buildings do have parking in the front setback. She said this may have occurred through a legal non-conformity established prior to the establishment of the minimum requirements. She added that some of the buildings have parking in front of the building, and although the parking spaces satisfy the minimum 35-foot setback requirement, the driveway aisles are located within the setback. It is not uncommon for people to park within the driveway areas, however, these are not permitted parking spaces under the terms of the Ordinance.

There being no further comments regarding Parts A or B, Chairman Musielak asked Ms. Browne to present the staff commentary regarding Part C, which was referred to by Mr. Davenport.

Ms. Browne said the third proposed amendment concerns the required off-street parking ratio for printing related uses. The amendment proposes to add a separate parking ratio requirement for printing related uses that would distinguish such uses from the general use category of "manufacturing uses".

Ms. Browne explained that the parking ratio requirements are established in a chart in Section 28-1410(a) of the Zoning Ordinance, and are based upon particular use categories. She cited the following examples: office uses require one parking space for every 400 square feet of floor area; manufacturing uses require one space for every 500 square feet of floor area; and warehousing uses require one space for every 1,000 square feet of floor area.

Ms. Browne explained that currently, parking for printing related uses falls under the general use category of manufacturing uses at the rate of one space for every 500 square feet of floor area. However, this amendment proposes that parking for printing related uses be classified as a distinct category from other manufacturing uses, and that parking be provided at a ratio of one parking space for every 750 square feet of floor area.

Ms. Browne said that Staff took the position that given the large types of machinery, as well as the small ratio of employees to machinery for printing related uses, a parking ratio of one space for every 750 square feet of floor area is reasonable. She added that Staff also agrees that printing related uses typically utilize a substantial amount of floor area to store paper stock and completed printed materials as compared to areas used for active printing and processing. Thus,

there is a lot of floor area used essentially for dead storage that doesn't generate any increase in the number of on site employees and therefore, does not generate demand for parking.

Ms. Browne added that because the parking provisions of the Ordinance are assessed collectively for buildings which include multiple use categories, portions of any printing establishment that are occupied by office uses must provide parking at a rate of one space for every 400 square feet of office areas.

Ms. Browne noted that the results of a survey of comparable DuPage County communities is attached to the Staff Report, and it indicates that there is a wide variety of parking ratio requirements as applied to manufacturing and printing related uses. Ms. Browne said many municipalities assess parking for warehouse related uses based on the number of employees on maximum shifts. She explained that the Village does not favor this method because it is difficult to monitor changes in the number of employees. Ms. Browne said after reviewing the survey results, Staff remains of the opinion that the proposed ratio of one parking space per 750 square feet of floor area is reasonable.

Mr. Steele said he visited several printing plants earlier this year and based on his observations he wondered if one parking space per 800 or 850 square feet would be more appropriate for printing uses. Mr. Davenport agreed that a ratio along the lines of one space for every 800 square feet would be more appropriate for their particular needs.

Mr. Kevin Braehler, one of the owners of Scott Press, said the addition that they are planning will enhance the commercial side of their business. He added that although their sales and revenue have grown over the past years, their parking needs have remained constant at about one space for every 800 square feet. He said that each piece of equipment has a very large footprint, and also requires a large staging area. In addition, there are large areas needed for bindery equipment. Mr. Braehler explained that even though their business has grown, they have not hired more employees because of limited space. He said they find that the 7,000 square feet of warehouse space they are currently renting is too small, and is crowded for the eight employees currently working there. Mr. Braehler said those eight employees could use 10,000 square feet of floor area.

Chairman Musielak asked if having a building with a 25 or 30-foot high ceiling could alleviate the overcrowding problem at Scott Press. Mr. Braehler said it may help, but printing supplies can only be stacked to a certain height because of their weight.

Mr. Pappalardo said he feels that if the parking requirements are decreased further than the one per 750 square feet as proposed by staff, it would allow space for a larger setback in the front yard as opposed to reducing the setback entirely.

Ms. Rabatah asked how many fewer parking spaces would be required if the ratio were changed to one space for every 850 square feet. Mr. Davenport said it would reduce the required number of parking space from 31 to about 28 or 29 spaces.

Ms. Rabatah asked if they planned to have 90° angle parking. Mr. Davenport replied yes



Mr. Steele asked Ms. Browne if it would be appropriate at this time to make an amendment to this proposed amendment to require a five-foot setback from the front lot line for greenspace.

Ms. Browne read the following revised amendment and asked if it reflected the Commission's desired change: Case 2001-09, Part B: "Off-street parking spaces for properties in the M-1 Light Manufacturing Zoning District that are located on the west side of Thatcher Road and also abut the Illinois State Tollway right of way may be located in the required front yard, but not less than five feet from the front property line, provided that such spaces are located in a parking lot that is improved with an appropriate surface material approved by the Village Engineer".

Mr. Steele asked if there should be language stating that mandatory greenspace should be located in the five foot strip between the parking lot and the property line. Ms. Browne said she felt that would follow naturally and did not think it was not necessary to put that language in the Ordinance. Mr. Steele agreed.

**MR. STEELE MOVED TO FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL CONCERNING CASE 2001-09 PART B: A TEXT AMENDMENT TO SECTION 28-1404(a) OF THE ZONING ORDINANCE AS FOLLOWS:**

**28-1404(a)(2). Location of Parking Spaces.**

**(2) Off-street parking spaces for properties in the M-1, Light Manufacturing Zoning District that are located on the west side of Thatcher Road and also abut the Illinois State Tollway right-of-way may be located in the required front yard but not less than five (5) feet from the front property line, provided that such spaces are located in a parking lot that is improved with an appropriate surface material approved by the Village Engineer.**

**MR. GRIESBAUM SECONDED THE MOTION.**

**VOTE:**       **Aye:**           Mr. Steele, Mr. Griesbaum, Mr. Levin, Mr. Pappalardo, Ms. Rabatah, Chairman Musielak

**Nay:**           None

**Abstain:**       None

**MOTION PASSED:**       **6:0:0**

Chairman Musielak asked if the Commission wished to revise the ratio of parking spaces in Part C of Case 2001-09 to one space per 850 square feet. The Commission agreed. He asked if there were any further comments. Hearing none, he called for a motion.

**MR. PAPPALARDO MOVED TO FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL CONCERNING CASE 2001-09 PART C: A TEXT AMENDMENT TO SECTION 28-1410(a) OF THE ZONING ORDINANCE TO**

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**DECREASE THE OFF-STREET PARKING REQUIREMENTS TO ONE SPACE PER 850 SQUARE FEET OF FLOOR AREA FOR PRINTING RELATED USES. MS. RABATAH SECONDED THE MOTION.**

**VOTE:       Aye:**           Mr. Pappalardo, Ms. Rabatah, Mr. Griesbaum, Mr. Levin, Mr. Steele, Chairman Musielak

**Nay:**           None

**Abstain:**       None

**MOTION PASSED:       6:0:0**

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Chairman Musielak asked if there was any other business to discuss. There was none.

**MR. STEELE MOVED TO ADJOURN THE MEETING. MR. LEVIN SECONDED THE MOTION.**

**VOTE:       Aye:**           Mr. Steele, Mr. Levin, Mr. Griesbaum, Mr. Pappalardo, Ms. Rabatah, Chairman Musielak

**Nay:**           None

**Abstain:**       None

**MOTION PASSED:       6:0:0**

Ms. Browne said she did not think there would be a meeting in December 2001. Chairman Musielak wished everyone happy holidays.

The meeting was adjourned at 8:15 p.m..