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VILLAGE OF DOWNERS GROVE ZONING COMMISSION
VILLAGE HALL, COUNCIL CHAMBERS
801 BURLINGTON AVENUE

Thursday March 14, 2002

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

ROLL CALL

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

ABSENT: Mr. Levin

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

Chairman Musielak thanked Ms. Rabatah for acting as Chairman Pro Tem in his absence at the February 21, 2002 Zoning Commission meeting and commended her for a job well done.

Chairman Musielak said that the first order of business was consideration of the minutes of the February 21, 2002 Zoning Commission meeting. He asked if there were any corrections or additions to the minutes. Hearing none, he called for a motion.

MR. STEELE MOVED THAT THE MINUTES OF THE FEBRUARY 21, 2002 ZONING COMMISSION MEETING BE ACCEPTED AS PRESENTED. MR. GRIESBAUM SECONDED THE MOTION.

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

Nay: None

Abstain: Chairman Musielak

MOTION CARRIED: 4:0:1

Chairman Musielak said that there is only one item on the agenda for this evening and he asked Ms. Browne to enter the legal notice into the record. Ms. Browne said the following legal notice was published in the Downers Grove Reporter on Wednesday, February 27, 2002:

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, March 14, 2002 at 7:30 p.m. in the Council Chambers of the Village Hall, 801 Burlington Avenue, Downers Grove, IL.

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The purpose of the public hearing is to review the following proposed amendments to the Zoning Ordinance: Case 2002-02, to consider text amendments including but not necessarily limited to changes to Section 28-201 to add a definition of a "Concentrated Business District Redevelopment Project"; Section 28-1611 regarding height regulations for Planned Developments; Section 28-1103 regarding lot area requirements in the B-2 Zoning District; and Section 28-1410 regarding the number of off-street parking spaces and off-street loading spaces required for a Concentrated Business District Redevelopment Project.

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, Wednesday, February 27, 2002.

Case 2002-02 :

Ms. Browne said that the Village Council has directed Staff to prepare a series of text amendments to facilitate potential redevelopment within the downtown Concentrated Business District (CBD).

Ms. Browne said the pending redevelopment of the block bounded by Main, Rogers, Highland and Warren, which was formerly known as Block 117 and is now commonly referred to as Station Crossing, has prompted the proposed amendments. However, she clarified that the Village Attorney drafted the amendments so that they would apply to all properties located within the defined boundary of the CBD. The amendments will only apply if a redevelopment is pursued by way of a Planned Development, which requires a public hearing before the Village's Plan Commission and ultimate approval by the Village Council.

Ms. Browne said the proposed amendments are intended to define a particular type of development that will be allowed to be proposed within the CBD called a "CBD Redevelopment Project." She added that this is very similar to the approach taken by the Village a few months ago with respect to the Landbank properties near Gilbert and Curtiss. In this case, in addition to defining this type of development as a CBD Redevelopment Project, there are three key elements of the amendments: a proposed height limitation of 70 feet; a proposed land area per dwelling unit ratio of 800 square feet per dwelling unit; and a proposed obligation to provide off-street parking spaces at a rate of 1.4 parking spaces per dwelling unit for this type of development within the CBD.

Ms. Browne said that it is important to note that all commercial development and most residential development within the CBD is currently exempt from providing off-street parking. Thus, this amendment increases the off-street parking requirement for this type of development. She pointed out that although the Village is proposing to allow an increase in residential density to be requested, if a developer wishes to take advantage of the increased density by way of a CBD Redevelopment Project planned development, they will also be required to abide by a

requirement to provide off-street parking for the development. This is intended to offset any parking demands on the downtown that may be generated from the increase in residential density.

Ms. Browne reviewed the first portion of the amendment, which proposes to define a CBD Redevelopment Project. She said that the definition establishes that this type of development must be located within the boundary of the CBD, and that it can only be pursued by way of a Planned Development. She said the definition further establishes that the development can contain either residential dwelling units and/or commercial space, but is not intended to apply to developments without a residential component. Lastly, she said the definition stipulates that if the development contains residential dwelling units, the number of bedrooms per dwelling unit is proposed to be limited to no more than three bedrooms.

Ms. Browne said that the second portion of the amendment concerns the maximum permitted height of a CBD Redevelopment Project as it has just been defined. As proposed, a CBD Redevelopment Project would be allowed to request a maximum building height of up to 70 feet. Ms. Browne explained that currently, structures within the CBD are permitted to have a maximum building height of up to 60 feet as of right. In order to make use of any increase in height beyond that threshold of 60 feet and up to the proposed maximum of 70 feet, it must be done by way of a Planned Development for a CBD Redevelopment Project.

Ms. Browne added that the proposed amendments regarding height also make certain clarifications to the height requirements for all types of Planned Developments, by adding references to the fact that the height of a building as it is defined in the Zoning Ordinance does not include parapet walls or mechanical penthouses. She said currently height is calculated and applied in a manner that excludes parapet walls and mechanical penthouses, and with this amendment the Village Attorney is simply clarifying this point as it is applied to the various types of Planned Developments.

Ms. Browne said that the third portion of the amendment concerns the minimum required lot area for dwelling units as applied to multi-family residential developments. She said the staff report includes a detailed outline of how the maximum allowable residential density is determined under different development scenarios, i.e. conventional B-2 zoning, Concentrated Central Area Compact Residential Development, and the proposed CBD Redevelopment Project.

Ms. Browne said that the maximum number of dwelling units permitted on a particular development site is based upon a minimum land area per dwelling unit ratio, and this ratio is further based upon the number of bedrooms within each dwelling unit. Thus, the size of the development site dictates the maximum number of dwelling units that can be constructed based upon the number of bedrooms proposed within each unit.

Ms. Browne referred to the first chart in the staff report and said that for comparison purposes, it was provided to show the number of dwelling units that could be accommodated on one acre of land within the CBD if the development were pursued under one of the following three types of provisions: under conventional B-2 regulations, under the provisions of a Concentrated Central Area Compact Residential Development, and under the proposed regulations of a CBD

Redevelopment Project.

Ms. Browne emphasized that it is important note that the numbers in the chart are based on the assumption this theoretical development would be used exclusively for residential purposes. She explained that if there is a commercial component to the development, the available density that can be applied towards residential uses decreases as the amount of floor area dedicated to the commercial uses increases. Thus, she clarified that for purposes of tonight's discussion she based her calculations on an all-residential development.

Ms. Browne said currently, within the CBD, all properties are zoned B-2, which allows multi-family residential developments as a permitted use. The density requirements within the B-2 District are established at the following ratios: one 1-bedroom dwelling unit is permitted for every 1,000 square feet of available land area; one 2-bedroom dwelling unit is permitted for every 2,000 square feet of available land area; and one 3-bedroom dwelling unit is permitted for every 3,000 square feet of available land area.

Ms. Browne said that in the Concentrated Central Area (CCA), within which all properties in the CBD are also located, a particular type of development called a "CCA Compact Residential Development" may also be requested, but only by way of a Planned Development or a Special Use. The provisions of this element of the Zoning Ordinance permits the Village to reduce the land area per dwelling unit, and are established at the following ratios: one 1-bedroom dwelling unit is permitted for every 750 square feet of available land area; one 2-bedroom dwelling unit is permitted for every 1,250 square feet of available land area; and one 3-bedroom dwelling unit is permitted for every 3,000 square feet of available land area, which is the same requirement as in the conventional B-2 District requirements.

Ms. Browne said that under this text amendment, developments pursued under the provisions of the newly defined "CBD Redevelopment Project" as a Planned Development would be allowed to have a minimum land area requirement of one dwelling unit for every 800 square feet of available land area. This 800 square foot per dwelling unit ratio would be applied regardless of the number of bedrooms proposed within each unit. However, Ms. Browne reminded the Commission that by definition, a dwelling unit within a CBD Redevelopment Project could not have more than three bedrooms. She added that the Village Council directed staff to prepare an ordinance that would allow an opportunity for development to request an increase in residential density, but to maintain the specific review and approval process through the Planned Development process.

Ms. Browne said the last portion of the proposed amendment concerns parking requirements for this particular type of development. She explained that in drafting these amendments, the Village has taken the position that although an increase in residential density for a CBD Redevelopment Project could be permitted when pursued as a Planned Development, there must also be off-street parking provided for this type of development within the CBD, where most development is exempt from providing off-street parking.

Ms. Browne clarified that properties within the CBD are not required to provide any off-street parking, with one exception. If an increase in multi-family residential density has been

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authorized under the provisions of a "CCA Compact Residential Development," those dwelling units that are in excess of the maximum number of units that would otherwise be permitted under the conventional land area per dwelling unit requirements of the underlying B-2 zoning district must provide parking at a ratio of two spaces per dwelling unit.

Ms. Browne noted that the proposed CBD Redevelopment Project type of development would not be allowed to take benefit of any parking exemption for residential dwelling units that might otherwise be permitted in the CBD. She said that this type of development will be required to provide a minimum of 1.4 parking spaces per dwelling unit for *all* dwelling units, which is specifically intended to off-set any increased parking demand that may be generated by this type of residential development within the CBD.

Ms. Browne reviewed a second chart in the staff report which outlined the parking requirements that would be applied to the three types of development scenarios which she had mentioned earlier for a theoretical one-acre development within the CBD. For purposes of comparison within this chart, Ms. Browne said she made the assumption that all development scenarios would include only 2-bedroom units. This chart noted that under conventional B-2 requirements, the maximum number of 2 bedroom units would be 21, with no off-street parking required. Under the CCA-CRD Planned Development, the maximum number of 2 bedroom units would increase to 34, with the required number of off-street parking spaces increasing to 26. And lastly, under the proposed CBD Redevelopment Project Planned Development, the maximum number of dwelling units would be 54, with a parking requirement increase to 76 required spaces.

In conclusion, Ms. Browne said Staff recommends that the proposed amendments be forwarded to the Village Council for approval. The proposed amendments would allow for potential increases in residential density when authorized as a Planned Development within the CBD only, and also include a provision requiring off-street parking which might otherwise not be applicable to multiple-family residential uses within the CBD.

Mr. Griesbaum asked what was driving the proposed height increase from 60 feet to 70 feet. Ms. Browne said the entire proposed amendment has been sparked by a specific development, namely, Station Crossing. However, she said that rather than limiting the provisions of the amendment to one particular property, the Village Council and the Village Attorney viewed these provisions as being beneficial to all property within the CBD if they want to pursue increased residential density. She added that within the CBD, properties are typically smaller in size than the Station Crossing. Therefore, there are limiting factors in the downtown in terms of density such as the existing 60 foot height as well as the maximum floor area ratio of 3.0, which is permitted as of right in the CBD is not proposed to be increased. Ms. Browne said she believed that the proposed height increase would allow some flexibility in design within the downtown.

Mr. Pappalardo asked if the development of the Block 117 property sparked this proposed amendment. Ms. Browne agreed, indicating that Station Crossing was formerly called Block 117. Mr. Pappalardo said that from his perspective as an architect, it appears that because the developer cannot adhere to the codes, the Village is going to change the codes. Ms. Browne said that the Village Council believes that the provisions of this amendment would apply not only to

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Block 117, but also would be available as a benefit to the entire CBD and has drafted the amendments as such.

Chairman Musielak noted that the phrase "excluding parapet walls and mechanical penthouses" is being added to height requirements for business planned developments in the B-1, B-2, and B-3 zoning districts. He asked if this addition is bringing the Ordinance into agreement with current practice. Ms. Browne explained that addition of that phrase is bringing this section of the Ordinance in line with other sections of the Zoning Ordinance and the current practice of applying height regulations. She added that she felt the Village Attorney added these clarifications so that someone reading the Ordinance for the first time, and interested only in the requirements for a planned development, could easily find the height requirements and determine how height is calculated.

Chairman Musielak asked if there is a specific reason that the proposed amendment limits the number of bedrooms to a maximum of three per unit. He wondered if a developer could create more bedrooms within a unit if he desired or if someone could combine two units into one, thus creating a unit with more than three bedrooms. Ms. Browne explained that under the provisions of the proposed amendment, it is clearly intended that no more than three bedrooms will be permitted per unit.

Mr. Pappalardo said that if the developer created four-bedroom units, he would still have to provide 1.4 parking spaces per unit. Ms. Browne said that if the developer created a four-bedroom unit within a CBD Redevelopment Project after its approval by the Council, they would be in violation of the Zoning Ordinance. She added that such a modification or a combination would require a construction permit from the Village which would simply not be able to be issued if the number of bedrooms exceeds three per dwelling unit. Ms. Browne said the Building Code specifically defines what is considered a bedroom, so that developers cannot designate rooms as dens or offices, when in fact they meet the Building Code definition of a bedroom.

Mr. Pappalardo wanted to be sure that everyone on the Commission realized that allowing a building height of 70 feet, excluding parapet walls and mechanical penthouses, would allow an eight and a half story building in the Central Business District. He said he did not know how this could be considered conducive to Downers Grove.

Chairman Musielak asked about the building height of other existing buildings in the downtown area. Ms. Browne said she did a rather quick height study prior to the meeting, and found that most of the taller buildings in the area are not within the CBD, rather, they are multi-family structures located in the CCA around the perimeter of the CBD. For example, the Immanuel Residences, located at 1112 Gilbert, are 63 feet, 4 inches in height as measured to the roof, and 67 feet, 6 inches as measured to the top of the penthouse roof.

Ms. Browne said that the bank located at 5100 Main Street is within the CBD and is 48 feet in height. The Morningside condominium building, located at 5133 Main, is a five story structure located within the Concentrated Central Area, but not within the Concentrated Business District, and it measures 58 feet to the flat parapet and 69 feet to the peak of the center parapet. Ms. Browne added that the building at 5130 Main Street measures slightly less than 30 feet in height.

Chairman Musielak asked if Ms. Browne knew the height of the Tivoli Theater screen tower. She replied that Staff has been unable to find a record of that exact measurement, and that the owner is also unaware of its exact height as he has contacted the Village asking the same question. She did note, however, the developer of the Station Crossing property has submitted a model of the proposed development and the surrounding area, including the Tivoli Theater, and the Station Crossing building is shown as almost equal in height but slightly shorter than the theater.

Chairman Musielak asked about the height of the Masonic Temple building on the corner of Washington and Curtiss. Ms. Browne said according to the building permit records, it measures 49 feet, 4 inches to the roof. She added that it was not within the CBD when it was constructed, but is now within the CBD after the recent amendments to its boundaries to accommodate the parking deck.

With respect to the height of other buildings around the downtown, according to the records she found, Ms. Browne said Oak Tree Towers, at 1102 Warren, is 52 feet 8 inches to the roof and the EDC Offices at 5202 Washington, which was also recently included in the CBD, measures just less than 45 feet.

Chairman Musielak asked if the Village Council adopts this proposed amendment, would entirely residential buildings of up to 70 feet in height be permitted in the CBD. Ms. Browne replied yes, but only by way of a Planned Development, and she pointed out that currently, entirely residential buildings of up to 60 feet are permitted in the CBD as of right without a Planned Development review.

Mr. Steele asked for clarification of the land area provisions of the proposed amendment. Ms. Browne said that under the current B-2 zoning one 1-bedroom unit is permitted for every 1,000 square feet of available land area, one 2-bedroom unit is permitted for every 2,000 square feet of available land area and one 3-bedroom unit is permitted for every 3,000 square feet of available land area. She added that the current ordinance also allows a Concentrated Central Area Compact Residential Development, which reduces the above requirement to one 1-bedroom unit per every 750 square feet, one 2-bedroom unit per every 1,250 square and one 3-bedroom unit per 3,000 square feet. She added that the B-2 provisions are permitted as of right, with no special authorization required. However, if a developer wants to increase the residential density, or in essence decrease the land area per dwelling unit ratio by way of a CCA CRD, it must be done by way of a Planned Development or a Special Use. She said this amendment is proposing a flat ratio of one dwelling unit for every 800 square feet of available land area, regardless of the number of bedrooms in each dwelling unit.

Mr. Griesbaum asked how many additional units would be permitted on the Block 117 property if the proposed amendment is adopted. Ms. Browne said Block 117 is just less than one acre in area. Therefore, the comparison chart which she provided in the staff report provides a good comparison of the potential increase in residential dwelling units. However, she emphasized that those numbers reflect a development where only residential uses were proposed. Station Crossing does have a proposed commercial component which will decrease the available

residential density depending upon the exact amount of floor area dedicated for commercial purposes.

Chairman Musielak pointed out that under conventional B-2 zoning, the Block 117 developer could construct 21 two-bedroom units, but would not be required to provide any off-street parking. Whereas, under the proposed amendment, a developer could put in 54 dwelling units, but would be required to provide 1.4 parking spaces per unit or 76 parking spaces. Ms. Browne agreed. Chairman Musielak said by allowing a developer to build more units, the Village is also getting more parking.

Ms. Rabatah said it appears to her that economics may be driving this project. She noted that it is relatively cheap to provide parking, as the cost is all in the foundation, and the developer may not find it viable to build unless the building is constructed to a certain height. Ms. Browne agreed with Ms. Rabatah's comments. She added that parking would in most cases be provided underground, and to offset that cost the developer undertakes to provide that underground parking, the number of dwelling units being proposed would increase so as to off-set those costs.

Ms. Rabatah said that she did not feel that the 76 parking spaces required for a building with 54 dwelling units would be enough, especially if the majority of the units were three-bedroom units. She said she felt that 1.4 parking spaces per unit would be adequate for one or two bedroom units; however, she felt that for three bedroom units, 1.4 spaces is too small of a requirement.

Ms. Browne said that when the Council was reviewing the Station Crossing project and the parking proposed within it, they felt that the building should consist of a mixture of one-, two-, and three-bedroom units. They also felt that the one- and two-bedroom units would generate fewer vehicles than the three-bedroom units so that it would all balance out if 1.4 parking spaces were required for each unit, regardless of the number of bedrooms it has. Ms. Rabatah agreed; however she was concerned that if the majority of the units were three-bedroom units, 1.4 spaces per unit would not be adequate.

Ms. Browne said for comparison purposes from a marketing standpoint, at the time the Morningside condominium development was first proposed, the developer presented it as being made up entirely of two-bedroom units because he felt there was more of a market for two-bedroom units than for one- or three-bedroom units in downtown Downers Grove.

Chairman Musielak pointed out that by allowing twenty extra dwelling units at Station Crossing, the Village would gain 50 parking spaces. He said if a number of buildings similar to the proposed Station Crossing development were constructed, they would provide a lot of off-street parking in the downtown area. Chairman Musielak asked if a developer could provide parking in a parking deck next to his building rather than providing underground parking. Ms. Browne said that under the proposed provisions for a CBD Redevelopment Project, the number of required parking must be provided on site, but it is not required to be underground or connected to the building.

Mr. Pappalardo said he does not feel parking is an issue in the CBD because of the availability and proximity of the Metra train. Thus, he said he feels that residents would be inclined to use

the train and have only one car per unit for weekend use.

Mr. Griesbaum noted that in addition to the residential uses in the Block 117 development, there would also be commercial uses, which will generate a need for parking. Ms. Browne clarified that commercial uses in the CBD are exempt from providing off-street parking, and that is not proposed to be changed by this amendment.

Chairman Musielak asked if the required parking spaces would be for residential use only. Ms. Browne said that under the proposed requirements, 1.4 spaces are required per dwelling unit, and one parking space must be allocated for each dwelling unit; the surplus of parking spaces will be left to the discretion of the developer. In the case of Station Crossing, the underground parking spaces will be entirely for use of the residential dwelling units within the development.

Mr. Griesbaum said he does not feel that 76 parking spaces will be enough for the development. He said he believes that many of the residents will have more than one vehicle and that the commercial uses in the building will also require some parking.

Mr. Pappalardo asked if Ms. Browne knew the how many one-bedroom, two-bedroom and three-bedroom units were proposed for the Block 117 development. Ms. Browne said she did not know the exact count off-hand.

Mr. Steele asked about the parking provided by Morningside. Ms. Browne said they were required to provide two parking spaces per dwelling unit because they are not located in the CBD and are not exempt from standard B-2 parking requirements.

Mr. Steele added that he feels that the proposed 1.4 parking space requirement seems low and arbitrary. He said he feels 1.5 parking spaces would be more reasonable because most likely, there will be two cars per unit for two- and three-bedroom units. However, Mr. Pappalardo said he does not feel the 1.4 parking space requirement is arbitrary, he said he feels it has been specifically calculated to meet the requirements of the Block 117 development.

Ms. Browne said the parking requirement is seen as beneficial throughout the CBD, and it represents a significant proportional increase as compared to the amount of residential density that can be requested to be increased.

In conclusion, Ms. Browne asked the Commission to keep in mind the amount of time and effort that the Village Council has undertaken with respect to the Station Crossing property and the downtown as a whole. She noted that these amendments were sparked by the current proposal for Station Crossing, but are viewed as being beneficial for the entire downtown area, and have been based upon numerous Council reviews and public meetings regarding proposals for the Station Crossing development.

Chairman Musielak asked if anyone in the audience had any questions. There were none.

Chairman Musielak said he feels that the proposed definition of "Concentrated Business District Redevelopment Project" should be revised to clarify that it does not include developments

