

Chairman Pro Tem Griesbaum called the August 5, 2003 meeting of the Plan Commission to order at 7:30 p.m.

ROLL CALL

PRESENT: Mr. Griesbaum, Mr. Kahlke, Mr. Matejczyk (arrived at 8:10 p.m.), Mr. McCormick, Mr. Nicholaou, Mrs. Reynolds, Mr. Stark, Mr. Waechter

ABSENT: Chairman Jirik

STAFF

PRESENT Joseph Skach, Director Planning & Community Development
Amanda Browne, Planner
Lori Skotterud, Redevelopment Planner
Alice Dornan, Recording Secretary

Chairman Pro Tem Griesbaum stated the draft minutes of the July 1, 2003 meeting need to be reviewed and approved. He asked if there were any additions, deletions or corrections to the minutes. **MRS. REYNOLDS MOVED TO ACCEPT THE MINUTES OF JULY 1, 2003 AS PRESENTED, AND MR. NICHOLAOU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

Chairman Pro Tem Griesbaum explained there are three items on this evening's agenda; two public hearings concerning Luxury Motors located at the northwest corner of Florence and Ogden Avenues and one agenda item regarding a proposed three lot subdivision for the property located at 6420 Fairview Avenue. Chairman Pro Tem Griesbaum stated because the two public hearings regarding Luxury Motors are linked together, both of the public hearings would be conducted at the same time. At the conclusion of the public participation phase of the hearing, the Plan Commission will make separate recommendations regarding each petition.

Chairman Pro Tem Griesbaum noted with respect to all three petitions on this evening's agenda, the Plan Commission would be forwarding recommendations to the Village Council for their consideration. Chairman Pro Tem Griesbaum explained the recommendations could take one of three different forms; recommend approval as presented, recommend approval with changes or recommend denial.

Chairman Pro Tem Griesbaum called to order the public hearing for File Nos. 1097 and 1098.

PUBLIC HEARING: FILE NO. 1097 - Petition seeking rezoning from R-1, Single Family Residential to B-3, General Services and Highway Business for property located on the west side of Florence Avenue, approximately 250 feet north of the north line of Ogden Avenue, commonly known as 4236 Florence Avenue, Downers Grove, Illinois (PIN No. 09-04-110-023); Joseph Abbas, Owner; James F. Russ, Jr., Petitioner

PUBLIC HEARING: FILE NO. 1098 - Petition seeking to amend a previously approved special use. The proposed amendment concerns a request to expand the automobile repair and service shop that is accessory to the motor vehicle sales business. The petition also proposes to include additional land not previously included within the special use, which is to be utilized for accessory parking to serve the automobile sales business. Property is located at the northwest corner of Ogden and Florence Avenues, commonly known as 310-330 Ogden Avenue, Downers Grove, Illinois (PIN Nos. 09-04-110-012, 09-04-110-023,-024, 09-04-110-026,-027,-028,-029,-030); Joseph Abbas, Owner; James F. Russ, Jr. Petitioner

Chairman Pro Tem Griesbaum asked if there was a representative of the petitioner present.

Richard Hudzik, Weidel, Hudzik and Russ, 4915 Main Street, Downers Grove, stated he is a partner with Mr. Russ who is not able to be present this evening. Mr. Hudzik explained that Bill Mourad, who is the service director at Luxury Motors and Ron Kotecki, who is the designer and builder of the proposed addition, are present this evening.

Mr. Hudzik stated Luxury Motors is looking to rezone 4236 Florence Avenue, which is immediately north of another lot on Florence Avenue already owned by Luxury Motors. Mr. Hudzik indicated the rezoning is from R-1, Single Family Residential to B-3, General Services and Highway Business. Mr. Hudzik noted when the property was annexed to the Village it came in as R-1. Mr. Hudzik advised the property has 45 feet of frontage on Florence Avenue, a depth of 267 feet, with an area of approximately 12,000 square feet.

Mr. Hudzik stated the second petition is to seek an amendment to Luxury's previously granted special use in order to add both of the Florence Avenue properties to the special use area and also to receive approval for construction of a 3,587 square foot addition to one of the existing buildings on Ogden Avenue.

With respect to the rezoning petition, Mr. Hudzik stated the petitioner is seeking the Plan Commission's recommendation for approval. Mr. Hudzik indicated he has been advised that the Future Land Use Plan envisions this parcel as being commercial, and it would be appropriate to permit the extension of the commercial use here because it is proposed to be used by and contiguous to the existing commercial use fronting on Ogden Avenue. Mr. Hudzik advised the southerly of the two lots on Florence Avenue was rezoned to B-3 by action of the Village Council in February of 2002. Mr. Hudzik noted they are now seeking similar zoning for the northerly lot.

Mr. Hudzik commented the property to the west is a Shell gas station; also to the west there is a medical facility on Fairview, which is zoned R-1, although that property was subject to a court order and has a commercial use on it; across Ogden to the south is B-3; across Ogden to the southeast is B-3; due east is B-3 and straight north and northeast is R-1.

Mr. Hudzik stated both of these lots on Florence would be exclusively devoted to either detention to bring the property into compliance with the stormwater regulations or customer and employee parking.

Mr. Hudzik stated there would also be a six-foot solid design wood fence on the northernmost boundary. There will also be a double row of trees on the north side of the property; one row will be on the north side of the detention area, and the other row will be on the south side of the detention area. This will create a double screen with respect to the neighbors to the north.

Mr. Hudzik acknowledged that the Staff report included a recommendation from the Village Traffic Engineer that the new lot should be used exclusively for customer and employee parking only. Mr. Hudzik indicated that is a reasonable expectation. Mr. Hudzik noted there would also be two handicap spaces adjacent to the building included in the design. Mr. Hudzik explained the parking area is intended to alleviate the crunch of current parking issues. He noted as of August 1, 2003, Luxury Motors has rented additional office space in Westmont, and there are 15 employees of Luxury Motors who are being relocated from their Downers Grove facility to the new office space in Westmont. Those 15 employees will no longer be parking at this particular site. Mr. Hudzik acknowledged that the Ordinance calls for 29 parking spaces given the square footage of the addition at one parking space per 600 square feet. Luxury is proposing 48 parking spaces that are well over the minimum required by the Ordinance.

With regard to the special use, Mr. Hudzik explained the two parcels on Florence Avenue needed to be added into the special use area. Luxury Motors is also proposing a 3,600-foot building expansion to one of the existing buildings on Ogden Avenue. The addition to the building on Ogden Avenue will be used for five new service bays and two small offices for customers.

With regard to the building exterior, Mr. Hudzik stated the new construction would match what is currently there. The addition will be to the west of the building, and the aesthetic intent from Luxury Motors' viewpoint is to tie everything in so that it looks like one integrated whole. Masonry and "Dryvit" will be the building materials, similar to the existing building.

Mr. Hudzik concluded that the petitioner is looking for the Plan Commission's recommendation of approval for the amendment to the current special use to include the two lots on Florence Avenue, to permit the expansion of the existing building and to rezone the two lots on Florence Avenue from R-1 to B-3 zoning.

Chairman Pro Tem Griesbaum asked Staff to make its presentation.

Mr. Skach clarified that there are two separate petitions which were brought forward before the reorganization of the Land Use Body. In the future, these types of petitions will be forwarded as a single petition.

Ms. Browne stated the petitioner has submitted two separate petitions; File No.1097 for the rezoning of the property at 4236 Florence Avenue, the northerly-most property, from R-1, Single Family Residential to B-3, General Services and Highway Business; and File No. 1098 is a special use amendment for the expansion of automobile service facility operated in conjunction with the petitioner's automobile sales facility which is located at the northwest corner of Ogden and Florence Avenues.

Ms. Browne explained that the Staff report provided a detailing of the current Luxury Motors site and that a separate packet of materials that outlined the history of the previous zoning cases related to their property was also provided.

Ms. Browne advised that she would be happy to answer any questions regarding this background information.

With respect to the proposed rezoning, Ms. Browne stated the property, which is 45 feet wide by 267 feet deep, is located to the north of the existing Luxury motors facility. She indicated Staff is of the opinion that the proposal is consistent with the Future Land Use Plan designation of Commercial and is also consistent with the goals of the Future Land Use Plan in that the rezoning would increase the depth of an existing commercial facility fronting on Ogden Avenue as opposed to creating a new commercial entity fronting on an intersecting street. Also as noted in the Staff report, the proposed rezoning is consistent with the goals of the Ogden Avenue Master Plan as well as the Ogden Avenue discussions between this body and the Strategic Planning Subcommittee of the Economic Development Commission.

With respect to the proposed special use amendment, Ms. Browne advised that there are four main aspects of this petition. First, two new properties are proposed to be included in the special use area, namely 4244 Florence which was previously rezoned in 2002 and 4236 Florence which is the subject of the aforementioned rezoning request. Second, the petitioner is proposing a 3,587 square foot addition to the west side of the existing 330 Ogden Avenue property, which is the westerly building on the site. Third, the petitioner is proposing to construct a new 48 space parking area. Fourth, the petitioner is proposing to construct a new stormwater detention facility to serve the entire Luxury Motors site.

With respect to the proposed inclusion of the two new parcels into the special use area, Ms. Browne stated they encompass 24,030 square feet of land area, just over a half an acre. The addition of these two properties would increase the total land area to just over 100,300 square feet, or approximately 2.3026 acres.

With respect to the proposed building addition, Mr. Browne explained it is proposed to be 34 feet in width by 105.5 feet in depth, or 3,587 square feet in area, located on the west side of the 330 Ogden Avenue building. The floor area of the existing 330 Ogden Avenue property would increase from 9,916 square feet to 13,503 square feet and coupled with the 310 Ogden Avenue building, which has a floor area of 3,801 square feet, the total floor area of the entire Luxury Motors site upon completion of the proposed addition would be 17,304 square feet.

With respect to yards and setbacks, Ms. Browne stated the minimum front yard requirement along Ogden Avenue is measured from the centerline of the Ogden Avenue right-of-way and must be no less than 75 feet. The setback of the addition is to be 97.88 feet from the centerline of the right-of-way, which exceeds the 75-foot minimum requirement. There are no side yard requirements in the underlying B-3 District, and the petitioner is proposing the addition to have a westerly side yard ranging between 0.59 feet and 0.65 feet adjacent to the Shell gas station.

The proposed addition is to have a height of 17 feet that will match the height of the existing facility at 330 Ogden Avenue. The finished surface of the addition will also match the existing building and will have a masonry and 'Dryvit' surface with a glass and aluminum overhead door.

With respect to use, the existing 330 Ogden Avenue building was authorized for four service bays, one detailing bay and a small parts room. The proposed addition is to provide two offices of 100 square feet each as well as five additional service bays, each with an electric car lift.

Moving on to the third aspect of the petition, which is the new 48 space parking area to be located in the northeasterly portion of the site, Ms. Browne advised that the parking area has been designed to meet the Ordinance's parking stall and aisle width requirements. In addition to this new parking area, there are two proposed handicap accessible parking spaces to be installed near the 310 Ogden Avenue building.

With respect to the required number of parking spaces for an automobile dealership, Ms. Browne explained one parking space is required for every 600 square feet of gross floor area. Based upon a total floor area of 17,304 square feet upon completion of the addition, the minimum number of required parking spaces is 28.84 or 29 spaces, which the petitioner's plan exceeds.

Ms. Browne noted the Village's Traffic Engineer, Mr. Dorin Fera, reviewed the petitioner's plans, especially with respect to the proposed new parking lot, and he prepared a memorandum, which was included in the Staff report. Mr. Fera concluded while the proposed building expansion itself will not produce a significant traffic impact as compared to the present facility, he did recommend that this Special Use be conditioned in such a manner so that the new parking lot is to be utilized strictly for the parking of customer and employee vehicles as opposed to the storage/display of vehicles for sale.

With respect to the fourth aspect of the petition, the proposed stormwater detention facility, Ms. Browne indicated the proposed stormwater detention facility has been designed in an L-shape located to the north and east of the proposed new parking area and has been designed to accommodate the entire Luxury Motor's site. The detention area is to have a turf base with a maximum depth of five feet. Masonry walls are proposed to be constructed along its northerly, southerly and southeasterly face, and the extreme northwesterly and southeasterly ends will be open and will match the adjacent

grade. The facility has been designed with a capacity of .639 acre feet of stormwater which is proposed to drain southward within new and existing storm sewers on site and also into a storm sewer within the Ogden Avenue right of way.

Mr. Browne explained the Village's Engineering Department reviewed the proposed stormwater detention plans and concluded that the plans are in substantial compliance with the Village's Stormwater and Flood Plain Ordinance, and subject to minor revisions, the stormwater permit will be able to be issued if the special use amendment is approved.

With respect to the screening of the facility from the adjacent residential uses, Ms. Browne stated at the time of the approval of the rezoning of the 4244 Florence Ave property in the spring of 2002, the originally intended landscape screen was to consist of six foot tall fir trees planted every six feet with a double row of fir trees at the northerly most property line. Due to the site requirements for the proposed detention area, the landscaping plan has changed and now calls for four foot tall Techny Arborvitae, which are a rather dense evergreen. Ms. Browne noted the Village's Forester, Kerstin von der Heide, reviewed the landscape plan and concluded that the Techny Arborvitae would be a good candidate for screening in this particular location. Ms. von der Heide stated that species prefers drier soils such as those found adjacent to the proposed retaining walls, and they acclimate well when they are densely planted.

In addition to the landscape screening, Ms. Browne advised that the petitioner is also proposing a six foot tall solid stockade fence sited at the north property line, stopping 25 feet west of the easterly property line adjacent to Florence Avenue so as to satisfy the minimum front setback requirement. The remainder of the north lot line as well as the easterly lot line along Florence Avenue will be fenced with the same style of four foot tall, open-design wrought iron fence that Luxury previously installed along both the Ogden Avenue and the Florence Avenue frontages of their site thus satisfying the condition of an open design fence in the required front yard.

With respect to landscaped greenspace, Ms. Browne advised upon construction of the proposed improvements the total amount of landscaped greenspace would be 19,663 square feet, or 19.6%, which exceeds the minimum Ordinance requirement of 10% of the site in a B-3 zoning district.

With respect to issues concerning the adjacency of this commercial activity to a neighboring residential use, Ms. Browne advised it is Staff's opinion that the petitioner should make tangible efforts to mitigate any and all potential negative impacts on the adjacent residential uses whether visual, acoustic, lighting, parking/traffic, etc.

Ms. Browne noted, as outlined in Staff's report, in its determination regarding the petitioner's request for both the rezoning and more importantly to amend the special use, Section 28-1902 of the Zoning Ordinance establishes the conditions, which are necessary for the granting of a special use.

In conclusion, Ms. Browne stated that the petitioner has presented each petition in a form consistent with the general requirements of the Zoning Ordinance and more specifically with the requirements of the underlying B-3 Zoning District. Staff recommends that the Plan Commission forward a positive recommendation to the Village Council regarding the proposed rezoning and the proposed special use, subject to the conditions as outlined in the Staff report for each case.

Chairman Pro Tem Griesbaum and several Plan Commission members thanked Ms. Browne for her excellent summarization of these two petitions.

Chairman Pro Tem Griesbaum asked if there was any member of the public who wished to speak for or against the petitions. Hearing no further response, Chairman Pro Tem Griesbaum closed the public participation portion of the public hearing on the two petitions.

Chairman Pro Tem Griesbaum next asked if there were any questions from the Plan Commission members.

Mr. Stark recalled that the Staff report included an opinion that the petitioner should make a tangible effort to mitigate potential negative visual impacts. He asked Ms. Browne if there is any specific outline or is Staff just making a recommendation or a suggestion. Ms. Browne responded that it was a general suggestion. Mr. Skach added that the petitioner has certainly taken certain tangible steps at this point. Mr. Stark emphasized that given the close proximity to residential uses, that mindfulness will be a continuing concern and a continuing issue that should be looked at by the petitioner over the course of the life of their business. Mr. Stark asked if there are any specific requirements for auto dealerships as to how long the lights can be on or how their intercom paging system operates. Ms. Browne indicated for automobile sales and repair the Zoning Ordinance does not contain any such requirements. She advised there are a number of criteria with respect to automobile service/gas stations, which is a different use than a sales facility.

Mr. Skach commented there certainly has been a history of recognizing those particular issues. Staff oftentimes looks at photometrics and related issues for specific sites so Staff can convey to petitioners the need to be sensitive to those issues.

Chairman Pro Tem Griesbaum asked the petitioner if the 48-space parking lot was for storing cars or for employee vehicles. Mr. Hudzik indicated it would be for customers and employees. Mr. Hudzik noted Staff has made that quite clear. Chairman Pro Tem Griesbaum asked if the intention was to make sure that Florence Avenue is kept clear of any inventory and employee cars. Mr. Hudzik agreed.

Chairman Pro Tem Griesbaum asked if the proposed addition would be to the Bentley building. Mr. Hudzik and Ms. Browne agreed.

Mr. Nicholaou stated he visited the site on three different days. He advised he does not have a problem with the petitions. He noted in joint sessions that the Economic Development Commission and the Plan Commission are trying to create an Ogden Avenue atmosphere that is conducive to multi businesses supported by and even anchored by automobile usage. Mr. Nicholaou noted during his visits it appeared as though the property was busting at the seams with cars all over the place. Mr. Nicholaou distributed pictures he took during his visits. Photograph No.1 is a view from north on Florence. Mr. Nicholaou stated Tuesday afternoon he saw six cars there, and on Monday morning he saw ten Luxury Motors unlicensed cars parked there. Photograph No.2 is 4236 Florence Avenue and shows a row of cars running adjacent to the parkway. Mr. Nicholaou indicated he understood that was a temporary storage area. Photograph No. 3 is right in front of the Bentley showroom. Photograph Nos. 4, 5, 6 and 7 are views from the south side of Ogden Avenue. Photograph No. 8 shows LaMantia's parking lot with 48 cars in it. An unidentified person in the audience representing Luxury Motors advised that is Luxury's parking lot. Mr. Nicholaou continued Photograph No. 9, the karate lot, has eight cars in it today, and the tattoo parlor lot has six cars in it. Mr. Mourad of Luxury Motors responded that they lease parking spaces in the Karate parking lot from the owner of the building. Mr. Nicholaou said Photograph No. 11 was shot from Fairview looking eastward.

Mr. Nicholaou asked the Luxury Motors representatives how many show car spaces will be lost if they are going to build a 3,587 square foot addition. Mr. Mourad indicated that currently ten to twelve cars could be parked in the area where the building addition is proposed. He stated, if you look at the west side of the Bentley building, that area is used for service customer parking. Mr. Mourad advised that they also lease some parking spaces from the Shell gas station. He stated all of this is why they are requesting the rezoning of the Florence Avenue property so that it can be used for customer and employee parking. Mr. Mourad stated they are in the process of moving 75 to 100 cars to their warehouse in Westmont, which will make things even better. Mr. Mourad noted Luxury Motors made a commitment to Bentley to improve service when they brought them into Downers Grove. Mr. Nicholaou reiterated he did not have a problem with the rezoning or the amendment to the existing special use, but he has a concern relative to what the Plan Commission and the Economic Development Commission have been discussing pertaining to Ogden Avenue. It is important not only to be a good neighbor to the residential area but also to be a good neighbor to the commercial area. Mr. Nicholaou stated he is going to concentrate his efforts to make sure Luxury Motors is a good entity in the community but also maintains its posture as a good neighbor in order that what we are trying to do as a community in terms of bringing more business into the area is successful.

Mr. Kahlke asked if the property to the north is going to only be used for parking why is the rezoning to B-3 and not B-2. Ms. Browne responded B-2 zoning by its nature is intended more for an area like our downtown. B-3 is intended for Ogden Avenue and higher intensity commercial areas. She also noted the condition pertaining to parking is being placed on the amendment to the special use and not on the rezoning.

With reference to the stormwater detention area, Mr. McCormick asked if it would have any impact on the surrounding neighborhood. Ms. Browne stated she was not certain if it was designed to accommodate any offsite drainage. Mr. Hudzik indicated all the information he has seen indicates that the stormwater detention area is serving only this site. Mr. Kotecki of Luxury Motors' engineering company stated Luxury is playing catch-up, as there currently is no detention on the site. Mr. McCormick asked if part of this system would be underground. Mr. Kotecki stated there are three large reservoir pipes under the parking lot along with the open area to the north.

Mr. Stark asked the petitioners to point out where the lights are going to be in the proposed parking lot. Mr. Kotecki indicated they did not currently have a drawing showing the location of the lights in the parking lot, but they would be installed along the landscaping area pointing toward the parking lot and away from the neighbors. Mr. Stark asked if the parking lot lights would be on 24 hours a day. Mr. Mourad and Mr. Kotecki indicated the lights would be on a timer and would be lit from dusk to dawn. Mr. Stark noted the service department at the rear of the property and asked if there were any outdoor speakers. Mr. Mourad stated they did have some paging equipment, and the neighbors complained so the equipment was disconnected. Mr. Stark again asked if there will be an outdoor paging system, and Mr. Mourad indicated there would not be an outdoor paging system.

Mr. Matejczyk indicated that as of this afternoon the paging system was not disconnected. Mr. Mourad reiterated that the paging system that the neighbors complained about was disconnected and stated he would follow up on Mr. Matejczyk's observation. Mr. Matejczyk asked if it was even necessary to have outdoor paging with today's modern technology of two-way radios. Mr. Mourad stated because they are a high volume dealership they have as many as 30 sales personnel on the site, and at times it is necessary to page them. Mr. Waechter stated he was on the site today, and there were people talking on cell phones and two-way radios. He suggested that paging detracts from Luxury's high-class operation. He highly recommended that Luxury utilize today's technology rather than an old-fashioned noisy paging system.

Mr. Stark asked if the service bays would face the rear of the lot and the residential area to the north. Mr. Mourad indicated the service bays would face west. Mr. Kotecki explained the service area would be located next to the gas station because of the similarity of uses. Mr. Mourad noted currently the service department neighbors are the medical building and the Shell station.

Mr. Stark asked what the hours of operation would be for the service area. Mr. Mourad stated the service hours are from 8:00 a.m. to 6:00 p.m. Mr. Mourad noted that most of the service work will have no impact whatsoever on the neighbors. Mr. Stark referred to his own personal experience of hearing pneumatic tools at various times of the night. Mr. Stark commented the Plan Commission is charting a territory that he believes will have other dealerships on Ogden Avenue asking for similar petitions. He suggested Luxury Motors' representatives might want to attend the joint meetings of the Plan Commission and the Economic Development Commission as they explore

recommendations as to what should be done with Ogden Avenue. He noted at previous meetings it was suggested that more boutique dealerships like Luxury Motors will be coming to the Village, and they will be landlocked similar to Luxury Motors. The joint Commissions are concerned whether or not neighbors can live next door to an auto dealership in peace and harmony.

Mr. Waechtler advised the petitioner that the Plan Commission is not singling them out. He noted that he spent some time at the site today. The people are very professional and do a good job. He agreed with Mr. Stark's point that more of these types of petitions will be coming before the Plan Commission. He believes the Plan Commission will want to be on record as talking about what Ogden Avenue should look like in the future.

With regard to the lighting, Mr. Waechtler suggested that it would help the Plan Commission if the petitioner would provide a lighting diagram. Mr. Waechtler also suggested to Staff that in the future such petitions should include a color rendering of the proposed building. He recalled when Portillos came before the Plan Commission the Commission did not know what the building was going to look like in terms of color or design.

With regard to handicap accessible parking, Mr. Waechtler asked Staff how many handicap accessible spaces are required. Ms. Browne stated under the Illinois Accessibility Code, the number of handicap parking spaces is based on the number of parking spaces being provided. She indicated she believes that for up to 25 spaces, one handicap accessible space must be provided, and from 25 to 50 spaces, two must be provided. Mr. Waechtler suggested Luxury Motors might want to consider providing handicap parking toward the front of the building even if it is not required.

Mr. Waechtler stated he walked the residential portion of Florence Avenue. He asked if the petitioner has talked to those neighbors. He noted the possibility that the east side of Florence Avenue will be redeveloped in the future.

Mr. Mourad recalled ten years ago there was a motel, a motorcycle dealership and a welding shop on what is now their property. Now there is a Bentley dealer with a beautiful building.

Mr. Nicholaou advised a tremendous amount of time has been spent discussing the Ogden and Fairview intersection. The Plan Commission and the Economic Development Commission view that intersection as an opportunity to gateway other areas.

With regard to outdoor paging systems, Mrs. Reynolds noted, where she plays golf, the neighboring automobile dealer's paging system can be heard on the golf course.

Chairman Pro Tem Griesbaum asked if there were any further questions or comments. Mr. Waechtler stated these petitions still have to come before the Village Council, and he strongly urged that a lighting diagram and a colored rendering be provided for their consideration.

Chairman Pro Tem Griesbaum reminded the Plan Commission members that any motion made should be in the form of a recommendation and that each petition will be considered separately. He then asked for a motion with respect to the proposed rezoning.

MOTION: WITH RESPECT TO FILE NO. 1097, A PETITION SEEKING REZONING OF 4236 FLORENCE AVENUE FROM R-1, SINGLE FAMILY RESIDENTIAL TO B-3, GENERAL SERVICES AND HIGHWAY BUSINESS, MRS REYNOLDS STATED THE SUBJECT PROPERTY APPEARS ON THE VILLAGE LAND USE PLAN WITH A LAND USE DESIGNATION OF COMMERCIAL WHICH IS CONSISTENT WITH THE PROPOSED REZONING. THE SUBJECT PROPERTY WILL ADD TO AND BE UTILIZED WITH THE ADJOINING PROPERTY OWNED BY LUXURY MOTORS IN ORDER TO IMPROVE AND ENHANCE THEIR AUTOMOBILE SALES AND SERVICES. MRS. REYNOLDS MOVED THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR THE REZONING OF THE SUBJECT PROPERTY FROM R-1, SINGLE FAMILY RESIDENTIAL TO B-3, GENERAL SERVICE AND HIGHWAY BUSINESS DISTRICT, SUBJECT TO CONSIDERATION OF THE FOLLOWING CONDITIONS: 1. COMPLIANCE WITH THE CONDITIONS OF APPROVAL OF THE PROPOSED AMENDMENT TO THE EXISTING SPECIAL USE UNDER PLAN COMMISSION FILE NO. 1098 AND THE ORIGINAL SPECIAL USE UNDER ZONING BOARD OF APPEALS CASE C-2-99, AND 2. COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE AND VILLAGE LAWS, ORDINANCES, REGULATIONS AND POLICIES. MR NICHOLAOU SECONDED THE MOTION.

Chairman Pro Tem Griesbaum asked if there was any discussion regarding the motion or any question regarding its intent. There was no response.

ROLL CALL:

AYE: Mrs. Reynolds, Mr. Nicholaou, Mr. Kahlke, Mr. Matejczyk, Mr. McCormick, Mr. Stark, Mr. Waechtler, Chairman Pro Tem Griesbaum

NAY None

The motion passed unanimously.

MOTION: WITH RESPECT TO FILE NO. 1098, A PETITION SEEKING APPROVAL OF AN AMENDMENT TO A PREVIOUSLY APPROVED SPECIAL USE TO EXPAND THE AUTOMOBILE REPAIR AND SERVICE FACILITY THAT IS ACCESSORY TO THE AUTOMOBILE SALES FACILITY, MRS. REYNOLDS MOVED THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL SUBJECT TO CONSIDERATION OF THE FOLLOWING CONDITIONS: 1. COMPLIANCE

WITH CONDITIONS OF APPROVAL OF THE PROPOSED REZONING OF THE PROPERTY UNDER PLAN COMMISSION FILE NO. 1097 AND THE ORIGINAL SPECIAL USE UNDER ZONING BOARD OF APPEALS CASE C-2-99; 2. RECOMMENDED CONDITIONS OF THE VILLAGE TRAFFIC ENGINEER THAT THE APPROVED PARKING AREA SITUATED ON LOT 4 OF THE SUBJECT PROPERTY BE LIMITED STRICTLY TO CUSTOMER AND EMPLOYEE PARKING ONLY; AND 3. COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE AND VILLAGE LAWS, ORDINANCES, REGULATIONS AND POLICIES. MR. WAECHTLER SECONDED THE MOTION.

Chairman Pro Tem Griesbaum asked if there was any discussion regarding the motion or any question regarding its intent. There was no response.

ROLL CALL:

AYE: Mrs. Reynolds, Mr. Waechtler, Mr. Kahlke, Mr. Matejczyk, Mr. McCormick, Mr. Nicholaou, Mr. Stark, Chairman Pro Tem Griesbaum

NAY: None

The motion passed unanimously.

Chairman Pro Tem Griesbaum stated these recommendations would be forwarded to the Village Council for further action.

Chairman Pro Tem Griesbaum closed the Public Hearing on File No. 1097 and File No. 1098.

FILE NO. 1099 FINAL PLAT APPROVAL – FAIRVIEW OAKS SUBDIVISION; Property located on the west side of Fairview Avenue, approximately 905 feet south of 63rd Street, Downers Grove, IL (PIN 09-20-209-026); Wei & Chung Wu, Owners; Oakwood Development, Applicant/Agent

Chairman Pro Tem Griesbaum asked if there was a representative of the petitioner present.

Scott Krafthefer, President of Oakwood Development, 1557 Warren Avenue, Downers Grove stated he is representing the owners of the subject property. Mr. Krafthefer advised the property is approximately 75,000 square feet in total area. The property was annexed into the Village in March of this year and was rezoned to R-3, single-family residence. They are now seeking approval of a three-lot subdivision. Each lot would be approximately 82 feet wide and 250 feet deep. Mr. Krafthefer noted this subdivision fits well with the character of the surrounding neighborhood. To the west is Village R-3,

unincorporated residential property is located both to the north and south and to the east is Westmont residential.

Chairman Pro Tem Griesbaum asked Staff for its presentation.

Ms. Browne stated the petitioner is seeking final subdivision plat approval of a three lot, single-family residential subdivision for property commonly known as 6420 Fairview Avenue.

Ms. Browne indicated the subject property currently measures 247.87 feet in width, approximately 282 feet in depth and has an area of approximately 69,934 square feet, or 1.6 acres. The subject property was previously improved with a four-bedroom, single-family residence and a detached garage, which have been razed.

Ms. Browne stated the property was annexed and rezoned to R-3, Single Family Residence in May of 2003. The R-3 zoning district and the Subdivision Control Ordinance require that newly created lots maintain a minimum lot area of 10,500 square feet, a minimum lot width of 75 feet and a minimum lot depth of 140 feet.

Ms. Browne noted the lot characteristics of each of the three proposed lots were outlined in the Staff report. All of the lots exceed the minimum requirements of both the R-3 District and of the Subdivision Control Ordinance.

Ms. Browne noted because the westerly half of the Fairview Avenue right-of-way had never been dedicated as part of a statutory subdivision, the proposed subdivision plat includes the dedication of the westerly 50 feet of the 100 foot wide right-of-way, which is consistent with the minor arterial roadway classification of Fairview Avenue. Ms. Browne advised that the Village Engineering Department concurs with the inclusion of the right-of-way dedication.

With respect to school and park district donations, Ms. Browne explained the schedule is established in Section 20-300 of the Subdivision Control Ordinance. The schedule is based upon the number of bedrooms anticipated within each resulting single-family residential structure on each of the resulting lots, and there is a credit for the existing four bedroom residential structure on the subject property.

Ms. Browne stated, based upon a proposed breakdown of one three-bedroom residence, one four-bedroom residence and one five-bedroom residence and taking into account the credit for the four-bedroom house which was previously located on the property, the total donation obligation that the petitioner must pay prior to the Village granting final plat approval is \$7,094.88 with the donation breakdown as noted in the Staff report.

With respect to engineering related issues, Ms. Browne explained there are no public improvements required for Fairview Avenue as it was recently completely reconstructed including street pavement, curbs and gutters, parkway improvements, sidewalks and underground utilities.

Ms. Browne stated, in addition to the installation of individual water and sanitary sewer services to each residential lot, the petitioner is proposing a sanitary sewer main extension within the Fairview Avenue right-of-way to serve Lot No. 3, the southerly lot. She advised that the Assistant Director of Public Works for Engineering, Mike Millette, recommended that subdivision approval be conditioned upon receipt of a plan approval letter from the Downers Grove Sanitary District for this sanitary sewer main extension.

With respect to stormwater management, Ms. Browne stated the Village's Development Engineering Manager, Mr. Jonathan Hall, indicated that the petitioner's plans are in substantial compliance with the Village's Stormwater and Floodplain Ordinance, and that there are no wetlands or floodplains located on the subject property. Additionally, because the total site area is less than three acres in size, no on-site stormwater detention facilities are required.

Ms. Browne concluded the petitioner has submitted a petition for final subdivision plat approval that is consistent with the requirements of the Subdivision Control Ordinance and the underlying R-3, Single Family Residence zoning district. The Planning Staff recommends that the Plan Commission forward a positive recommendation to the Village Council for final subdivision plat approval for the proposed Fairview Oaks Subdivision, subject to consideration of the following:

1. Submission of a plan approval letter from the Downers Grove Sanitary District concerning the proposed sanitary sewer main extension as recommended by the Village's Public Works Department in their memorandum dated July 11, 2003.
2. Submission of the required school and park district donations in the amount of \$7,094.88 prior to the granting of final subdivision plat approval by the Village Council.
3. Compliance with all applicable Federal, State and Village codes, ordinances, regulations and policies.

Chairman Pro Tem Griesbaum asked if there was any member of the public who wished to speak for or against this petition. Hearing no response, he closed the public participation portion of the petition.

Chairman Pro Tem Griesbaum next asked if there were any questions from the Plan Commission members.

Mr. Nicholaou asked the petitioner's representative why he chose to build a three-bedroom home as opposed to all four or five bedroom homes. Mr. Krafthetter responded they were speculating what the market might be, and that they are considering a three bedroom with a loft area for a home office that may be converted during the planning stage.

Mr. Waechtler asked Staff for confirmation that the areas to the north and south of this property are unincorporated. He also wanted confirmation that this property has been annexed to the Village. Ms. Browne responded that the areas north and south are unincorporated, and the subject property was annexed and rezoned to R-3 by the Village Council in May of this year.

Mr. Waechtler asked the petitioner's representative if there was still an old house on Lot No. 1. Mr. Krafthefter indicated the house is on Lot No. 1, however, he picked up the demolition permit today. Mr. Waechtler noted the property is heavily wooded and he asked if the lot would be completely leveled. Mr. Krafthefter stated they would try to leave as many trees as possible because the marketability of the home sites is driven in part by the trees. Mr. Krafthefter pointed out that some trees would have to be cleared for the drainage easements and the side yards.

Mr. Waechtler stated he did not know how long it would be before construction commences, but the sidewalk in front of the property is very overgrown which makes it difficult to utilize the sidewalk. He recommended this be taken care of as soon as possible. Mr. Krafthefter stated since the house has been vacated the property has suffered some disrepair. He indicated they would clean up the property.

Mr. Waechtler stated he saw a huge recreational vehicle parked to the south of the parcel that appears to have been there for months. He asked if the RV was on the petitioner's property. Mr. Krafthefter indicated that the RV was not on the petitioner's property. Mr. Waechtler stated he saw a for sale sign on the property and asked if was for the proposed subdivision lots. Mr. Krafthefter agreed.

Mr. McCormick asked if the house is on proposed Lot No.1. He questioned if the petition would be subject to the house being razed prior to construction. Mr. Krafthefter commented technically the garage starts to encroach onto Lot No. 2. Now that they have the demolition permit, the house and garage will be razed. Mr. McCormick stated any motion made should stipulate that the house and garage must be razed prior to the issuance of any building permits. Ms. Browne agreed.

Chairman Pro Tem Griesbaum asked if there were any further questions or comments. As there was no response, Chairman Pro Tem Griesbaum called for a motion.

MOTION: WITH RESPECT TO FILE NO. 1099, MR. WAECHTLER MOVED THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR FINAL SUBDIVISION PLAT APPROVAL FOR THE PROPOSED FAIRVIEW OAKS SUBDIVISION SUBJECT TO CONSIDERATION OF THE FOLLOWING CONDITIONS: 1. SUBMISSION OF AN APPROVAL LETTER FROM THE DOWNERS GROVE SANITARY DISTRICT CONCERNING THE PROPOSED SANITARY SEWER MAIN EXTENSION AS RECOMMENDED BY THE PUBLIC WORKS DEPARTMENT IN THE MEMORANDUM DATED JULY 11, 2003; 2. SUBMISSION OF THE REQUIRED SCHOOL AND PARK DISTRICT

DONATIONS IN THE AMOUNT OF \$7,094.88 PRIOR TO THE GRANTING OF FINAL SUBDIVISION PLAT APPROVAL BY THE VILLAGE COUNCIL; 3. DEMOLITION OF ANY EXISTING STRUCTURES ON THE PETITIONER'S PROPERTY PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT FOR ANY NEW STRUCTURE; AND 4. COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE AND VILLAGE CODES, ORDINANCES, REGULATIONS AND POLICIES MR. MATEJCZYK SECONDED THE MOTION.

Chairman Pro Tem Griesbaum asked if there was any discussion regarding the motion or any question regarding its intent. There was no response.

ROLL CALL:

AYE: Mr. Waechtler, Mr. Matejczyk, Mr. Kahlke, Mr. McCormick, Mr. Nicholaou, Mrs. Reynolds, Mr. Stark, Chairman Pro Tem Griesbaum

NAY: None

The motion passed unanimously.

Chairman Pro Tem Griesbaum stated this recommendation would be forwarded to the Village Council for further action.

Chairman Pro Tem Griesbaum closed the public hearing on File No. 1099.

Chairman Pro Tem Griesbaum recognized Mr. McCormick. **MR. MCCORMICK MOVED THAT THE PLAN COMMISSION RECOGNIZE A MAN WHO FOR ALMOST THIRTY YEARS SERVED THIS COMMISSION AND THE COMMUNITY IN VARIOUS CAPACITIES, THE LAST TEN YEARS OR SO AS DIRECTOR OF PLANNING SERVICES. DURING THAT PERIOD HE WORKED DILIGENTLY TO IMPROVE DOWNERS GROVE. HE ASSISTED THIS COMMISSION IN COLOSSAL TASKS SUCH AS REVISING THE SUBDIVISION CONTROL ORDINANCE, TWICE UPDATING THE FUTURE LAND USE PLAN AND THE FEASIBILITY OF FLAG LOTS. ALSO DURING HIS TENURE THERE WERE SOME CONTROVERSIAL PETITIONS THAT CAME BEFORE THE PLAN COMMISSION; 31ST AND HIGHLAND AND THE WELLNESS CENTER TO NAME A FEW. WITH THE BEST INTERESTS OF THE VILLAGE IN MIND, HE GAVE THE PLAN COMMISSION THE INFORMATION NECESSARY FOR THE COMMISSION TO MAKE CORRECT DECISIONS. THE PLAN COMMISSION WILL MISS THE ENCYCLOPEDIA KNOWLEDGE, WHICH HE BROUGHT TO THE TABLE. MR. MCCORMICK STATED HE WAS CONSTANTLY AMAZED AT HOW MR. RATHJE COULD PROVIDE THE HISTORY OF THE DEVELOPMENT OF A PARCEL OR TRACT JUST ABOUT ANYWHERE IN THE VILLAGE IN THE BLINK OF AN EYE. MR. MCCORMICK HOPED THAT ALTHOUGH MR. RATHJE HAS**

“RETIRED”, ALL THAT MEANS IS THAT HE IS NO LONGER COLLECTING A VILLAGE PAYCHECK. WITH HIS ENERGY AND KNOWLEDGE, HE STILL HAS A LOT TO OFFER THIS COMMUNITY. THE PLAN COMMISSION RECOGNIZES KEN RATHJE’S OUTSTANDING SERVICE AND WISHES HIM WELL IN WHATEVER HE CHOOSES TO DO IN THE FUTURE. MRS. REYNOLDS SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

There was general discussion regarding land usage. With reference to issues discussed during the Luxury Motors petitions, Mr. Stark stated this is going to be a recurrent theme because of the dealerships on Ogden Avenue; some are going to make it, some are not. Some will want to expand. Expansion on Ogden Avenue can only be to either side or to the rear. If the proposed expansion is to the rear, they will be encroaching on residential properties. Mr. Stark indicated when he asked Staff which Ordinances regulate noise and lighting, he was surprised to find out we have numerous regulations for gas stations, but such regulations are not required for car dealerships. Mr. Stark suggested criteria needs to be developed for car dealerships.

Mr. McCormick stated his belief that Westmont had a tighter Ordinance pertaining to car dealerships on Ogden Avenue. Mr. Matejczyk commented that if car dealerships are successful, every one of them is going to want to expand, and they are going to expand into the residential areas if they are successful.

Mr. Skach commented that point was very much in mind during the Strategic Planning discussions. Staff recognizes that the Code may benefit from some refinement. The closest similar thing we have to work with is the regulations for gas stations. Mr. Skach pointed out the Municipal Code does have some control through nuisance issues regulation. The Village has the authority to be able to tell somebody their lighting is unacceptable because it is causing a problem for neighbors; however, addressing this issue proactively is an important one.

Mr. Skach expressed appreciation that the Plan Commission is picking up on these issues and echoing them. It enables Staff to move forward and bring those Code refinements to the Plan Commission.

Mr. Stark stated he read the minutes of the public hearing in 2002 with regard to Luxury Motors and feels that the loading and unloading of cars has to be an issue with the neighbors. Ms. Browne advised that if the loading and unloading is going on in the public right of way, Chapter 28 of the Municipal Code, which is the Zoning Ordinance, does not apply; however, violations within rights of way are a police matter enforceable under another section of the Municipal Code, and tickets can be issued.

Mr. Waechtler said he drove up Florence Avenue and on the west side of Florence there two big, beautiful homes. He asked if a car transporter pulls up in front of those homes and starts unloading cars, is that a police matter. Ms. Browne concurred with the sensitivity to the issue.

Mr. Waechtler wondered why Luxury Motors does not use that narrow sliver of their property behind the gas station off of Fairview Avenue for loading and unloading which would keep the unloading activity off of Ogden and Florence Avenues.

Mr. Waechtler again brought up the issue of a petitioner providing a schematic of their proposed lighting. He stressed that it would help the petitioner's case when their petition comes before the Plan Commission and the Village Council.

Mr. Skach noted in the future Staff reports that will be increasingly sensitive in that respect. He pointed out that Staff has added a basic condition of approval that a project must also be in compliance with applicable Federal, State and Village laws, ordinances, regulations and policies. Mr. Waechtler complimented Staff's current recommendations, which now summarize the issues of the petition.

Again with reference to Luxury Motors, Mr. Stark stated they should be required to show the location of their public address speakers. Mr. Waechtler commented that when he visited the site today, he saw sales people talking on cell phones and two-way radios. Mr. Matejczyk reiterated when he visited the site today, the public address system was working. Mr. Stark indicated he would be happy if they would get rid of their speakers. Commission members were in agreement that with today's technology a loudspeaker system is not needed.

Mrs. Reynolds recalled when a dealership went in on Ogden Avenue in Westmont near the Hinsdale Country Club golf course, they were not allowed to have any outside speakers. She wondered also how Westmont's ordinance was worded.

Mr. Waechtler questioned how many car dealerships along Ogden Avenue had outside speaker systems. Several Plan Commission members stated Joe Madden definitely had outside speakers. Chairman Pro Tem Griesbaum recalled he has heard their speakers while out on the Downers Grove golf course.

Mr. Nicholaou stated when the Saab petition comes before the Plan Commission, it will be an opportunity for the Plan Commission to look at their special use from the ground up.

The Plan Commission then discussed a procedural issue. Mr. Waechtler asked for future reference if he comes into a meeting after it has started, is he allowed to vote on discussion that occurred prior to his arrival. He referenced Mr. Matejczyk's 8:10 p.m. arrival and his vote on the Luxury Motors petitions. Mr. Waechtler indicated he was not singling out Mr. Matejczyk, but he felt this needed to be clarified for all Commission members in the future.

Mr. Stark commented a member has to be present at the time of the Roll Call for the motion in order to vote. Mr. Nicholaou stated every Plan Commission member has studied the background information prior to the meeting. Mr. Waechtler asked if a

petitioner could object to someone voting on a petition if he or she had not been present for the entire public hearing. He asked for clarification in the future.

Mr. Stark noted Mr. Matejczyk was present for the entire public hearing on File No. 1098, and his vote should be reflected in the Roll Call.

Chairman Pro Tem Griesbaum suggested the Plan Commission should agree that in the future if a Plan Commission member is not present at the initial roll call, he or she should not be allowed to vote on the petition being discussed at the time of arrival. He also suggested that the initial roll call should show the time of arrival if a member arrives late. Mr. Matejczyk admitted he felt uncomfortable voting on the first petition because of his late arrival.

The Plan Commission agreed that Staff should further investigate this issue. Mr. Skach stated this matter would be checked with the Village Attorney to confirm what the correct procedure should be in such an instance.

Ms. Browne indicated there was a gentleman in the audience who wished to speak on the record with reference to the Luxury Motors petitions. The Plan Commission members agreed to allow him to speak.

Kevin McDonald, 4228 Florence Avenue, Downers Grove stated his next door neighbor, Mr. Novak, made the mistake of telling him to be at the Village Council meeting at 7:30 p.m. instead of the Plan Commission meeting at this location. There obviously was a mix-up and that is why he is here so late for this meeting.

Mr. McDonald stated he is not against what Luxury Motors plans on doing, but he noted there are issues that need to be addressed. The loudspeakers are very loud. Several weeks ago the area lost power for four hours due to a storm. When the power came back on at midnight, the music came back on loudly until 7 o'clock in the morning. Mr. McDonald indicated there have been constant problems with the loudspeakers. They have talked to Luxury Motors about this situation. Mr. McDonald advised he went to court two Mondays ago when Luxury Motors was supposed to be fined for the loudspeaker. Luxury Motors made an agreement with their attorney that the loudspeakers would be removed. Mr. McDonald stated when he and William Porter, the Village's Code Enforcement Officer, were at court, Luxury Motors' attorney did not show up so the case was continued.

Mr. McDonald stated his house is next to the property that Luxury Motors is asking to be rezoned. He works nights, and he hears the loudspeaker all the time. He knows Luxury Motors' extension numbers of 351 and 352 because they are so frequently broadcast over the loudspeaker system. Music is played over the loudspeaker system late at night. It is loud enough that it echoes off of his neighbor's house at 4218 Florence. He has to keep his windows closed, he runs an air purifier and a wave sound machine so that he does not hear the loudspeaker. Mr. McDonald indicated that he heard loudspeakers at Joe Madden

Ford when he purchased his truck. He stated he felt this is an issue with all the car dealers.

With regard to cars unloading on Florence Avenue, Mr. McDonald stated he was almost hit by a car carrier as he was backing out of his driveway. Mr. McDonald also advised the Florence Avenue residents have to call the Police with regard to the car carriers and the tow trucks blocking their driveways while waiting to load or unload cars. Mr. McDonald stated when the Village Council approved the rezoning of the other lot, Luxury Motors said at that time that they would unload the car carriers at their other location and drive the cars over. Mr. McDonald advised that has not happened. The tractor trailers are being parked on Ogden Avenue, on Fairview Avenue and if wasn't for Code Enforcement telling the residents to call the police when this occurs, the police would not be issuing any tickets.

Mr. McDonald stated the Village has posted "No Parking" signs on the west side of the Florence Avenue. Employees park on Florence because there is no employee parking on Luxury Motors property.

Mr. McDonald admitted Mr. Abbas advised the neighbors of his plans and if he does what he says he is going to do, everyone will be satisfied. He again pointed out that Mr. Abbas did not follow through on what he said Luxury Motors would do at the last rezoning meeting.

Mr. McDonald advised the Plan Commission that Luxury Motors recently had some paving work done. The equipment blocked Florence Avenue and the residents' driveways. The police had to be called to get the paving company to move their vehicles. Until the police arrived, no one on the block could leave. He acknowledged that was an isolated instance, but the car carriers are an ongoing issue.

Mr. Stark noted to the Chairman that the public participation portion of the hearing on the Luxury motors petition has already ended and in fairness to the petitioner, the Commission cannot respond to these statements.

Mr. Matejczyk asked Staff what the noise ordinance was because there is a noise issue in his neighborhood. Mr. Waechtler said he got a copy of the section of the Ordinance dealing with noise, noxious weeds, etc. from the Code Enforcement Department. Mr. Matejczyk asked if there were specific decibel levels that must be met.

Mr. Skach stated noise is covered under certain sections of the Municipal Code but not in a very specific manner in terms of decibel levels. For example, there are established times when certain types of work can be done.

Chairman Pro Tem thanked Mr. McDonald for his comments and stated they would be part of the record.

For the record, Mr. Skach stated Ms. Browne confirmed that the public hearing notice and the sign posted on the property showed the proper meeting location.

As there was no further business, Chairman Pro Tem Griesbaum called for a motion to adjourn. **MR. STARK MOVED TO ADJOURN THE MEETING, AND MR. NICHOLAOU SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:10 p.m.