

Chairman Jirik called the February 16, 2004 meeting of the Plan Commission to order at 7:30 p.m.

ROLL CALL

PRESENT: Mr. Griesbaum, Mr. Kahlke, Mr. Matejczyk, Mr. McCormick, Mr. Nicholaou, Mr. Stark, Mr. Waechtler, Chairman Jirik

ABSENT: Mrs. Reynolds

STAFF

PRESENT: Amanda Browne, Planner
Lori Sommers, Planner
Alice Dornan, Recording Secretary

Chairman Jirik stated the draft minutes of the January 19, 2004 meeting need to be reviewed and approved. He asked if there were any additions, deletions or corrections to the minutes. **MR. NICHOLAOU MOVED TO ACCEPT THE MINUTES OF JANUARY 19, 2004, AND MR. GRIESBAUM SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.**

Chairman Jirik recognized the excellent job done by the Recording Secretary in transcribing those minutes.

Chairman Jirik outlined the protocol for this evening's agenda items. First, the petitioner, who is the individual proposing to do something with a particular parcel of land, will make a presentation. The petitioner will explain what he is seeking to do and how the proposal conforms to what the Village allows or does not allow.

Chairman Jirik continued, second, Village Staff presents its technical review and recommendations. The third step, the public participation portion of the hearing, is the time for those present who desire to speak to be heard. Chairman Jirik pointed out the proceedings are recorded in the form of minutes. He encouraged those wishing to speak to speak clearly and slowly so that detailed minutes can be provided. He asked those wishing to testify to state their name and address before beginning their testimony. Chairman Jirik asked those planning to speak to limit their comments to five minutes. He further advised when everyone has had an opportunity to speak, people may speak for a second time as long as they do not repeat what previous speakers have said.

Chairman Jirik stated the final step is the Plan Commission's deliberation of the petition. Plan Commission members can and may ask questions of anyone who spoke respecting the petition so that they can fully understand an issue or concern.

Chairman Jirik pointed out packets of information respecting this evening's agenda items are available at the shelves on each side of the Council Chamber. Chairman Jirik explained there are two items on this evening's agenda. Chairman Jirik noted with

respect to both petitions, the Plan Commission would be forwarding a recommendation to the Village Council for its consideration. Chairman Jirik explained the recommendations could take one of three forms; recommend approval as presented, recommend approval with specified changes or recommend denial.

Chairman Jirik stated the Plan Commission's recommendation along with the minutes of this meeting and all the information presented this evening goes to the Mayor and Village Council for further deliberation.

PUBLIC HEARING: FILE NO. PC-01-04 A petition seeking a special use for a park. The property is located on the southwest corner of Second Street and Cumnor Road, Downers Grove, Illinois (PIN 09-09-309-020,-021); Downers Grove Park District, Owner; Gene Cromwell, Director of Parks, Petitioner

Chairman Jirik asked if there was a representative of the petitioner present.

Gene Cromwell, Director of Parks, Downers Grove Park District, 2455 Warrenville Road, Downers Grove, advised that Mitch Fox, Landscape Architect for the Park District and Dan Cermak, Park District Administrator, were also present this evening to answer any questions.

Mr. Cromwell presented a brief history of the Park District. Since its incorporation as an Illinois Municipal Corporation, the Park District has provided recreation parks and various leisure and social services to the residents of Downers Grove. The Park District boundaries are nearly coterminous with the Village of Downers Grove. Five elected commissioners govern the District, which currently owns approximately 600 acres of parkland with 49 park and recreational facility sites, which include Lincoln Community Center, the Recreation Center on Belmont Road, the Historical Museum, the Golf Course and other community, regional, neighborhood and smaller parks. Mr. Cromwell explained the District has Park-School Agreements with Community High School District 99 and Grade School District 58 where exchanges of services minimizes residents' use of each agency's facilities, both indoor and outdoor.

Mr. Cromwell stated the Park District's mission statement declares that its Mission is to provide a wide variety of year-round recreation programs, facilities and park areas, which respond to the articulated needs and desires of all residents of the Downers Grove Park District. The programs and services requested by residents, in part, dictate the direction and level of resources allocated by the District. Mr. Cromwell noted the District has experienced steady growth throughout its 57-year history. Currently, the District offers over 2,300 recreation programs annually used by nearly 60,000 participants. Mr. Cromwell noted the Park District also works closely with volunteer groups such as Downers Grove Youth Baseball, Roadrunners, Dolls, Panther Football, Downers Grove Historical Society, Wolf Pack, Nomads Basketball, SEASPAR and many others to provide park and recreation services.

Mr. Cromwell commented the Park Commissioners Board authorized a comprehensive needs assessment study as part of the planning process to meet current and future resident leisure desires. Management Learning Laboratories, University of Illinois, performed the work. The process included twelve focus group meetings with nearly 100 community participants. The focus group comments were used to prepare a survey that was mailed to a random sample of District residents. The results were tabulated, and in 1998 a recommendation was made to the Board. The District also commissioned an open space master plan as a guideline for the next 10-15 years. The planning firm of Thompson Dyke & Associates addressed the District's current and future needs with respect to parks, recreation facilities and leisure opportunities. The planning firm utilized survey results, population projections, community growth, demographics and natural park and recreation standards as well as evaluating both existing facilities and land inventory. Mr. Cromwell advised that the Master Plan was approved in its final form on October 5, 2000, and it recommended increasing the current level of District-wide parkland to meet minimum standards of 10 acres per 1,000 people. The proposed site is in Planning Sub-Area 3 where there are 8.8 non-golf park acres per 1,000 people. The Master Plan also recommended to provide additional playgrounds and mini parks as the District grows in Planning Sub-Area 3 which is bounded by the Burlington Northern to the north, Fairview Avenue to the west, the District's Village boundary to the east and 55th Street to the south. This is the area where the proposed park is located.

Mr. Cromwell recalled at a Board meeting on September 19, 2002, Mr. John Miller of 231 Second Street presented a petition signed by 96 residents in support of the creation of a park in the neighborhood bounded by Fairview Avenue, the Burlington Northern-Santa Fe train tracks to the north, Williams Street and 55th Street. In response to the petition, the Park District purchased a .2-acre site at Second Street and Cumnor Road on December 4, 2002. A boundary survey was included, and thereafter a topographic survey performed. Later upon meeting with the Village Stormwater Engineering Department, the District was informed that although the property was not in a flood plain, it was in an area of localized poor drainage, and wetland investigations should be performed.

Mr. Cromwell advised the Park District held a public meeting to review plans for the new park on July 2, 2003, and the neighbors within 250 feet of the site were notified of the meeting. Those attending selected the plans that are being presented here this evening.

Mr. Fox, Landscape Architect for the Downers Grove Park District, presented a display board depicting a survey of the area. The display consisted of aerial photographs of the neighborhood and a panoramic photograph of the actual site. The property is located at the southwest corner of Second Street and Cumnor Road and is 66 feet wide by 136 feet deep. Mr. Fox noted there are public sidewalks along the north and east property lines with parkways between the walks and the street. Mr. Fox explained there are no manmade improvements on the site. The natural features include two large trees at the northwest corner of the site, which will be protected and saved. The ground plane is turf sloping from the west to the east where stormwater runs off into a drainage swale along Cumnor Road. Single-family homes are located to the south and west of the property.

Mr. Fox next displayed a board depicting the proposed playground equipment providing for children's physical, social and cognitive needs in the ages five to twelve categories. It will include a combination tot and belts swing (two of each). It will also include a composite play structure, which includes slides, climbers, etc. Mr. Fox advised the equipment would meet the Americans with Disability Act and U.S. Consumer Product Safety Commission guidelines and would be primarily made of metal and plastic. Mr. Fox pointed out where these play pieces will be located. There will be a loose engineering wood fiber base contained by a border for protection from falls. Under the fiber a drainage layer will collect stormwater and conduct it to a culvert pipe leading to the existing drainage swale.

Mr. Fox pointed out the entry to the site is from the public sidewalks. One of the entrances is a ramp type for those with disabilities, and the other entrance has steps with a rail to take up the difference in elevation change.

With respect to the social and environmental impacts, Mr. Fox stated the orientation of the development is to the north with the entries along the north side and the northeast corner. This is away from the adjacent homes, and the placement of the playground equipment is as far as possible from the homes to the 25-foot setback from the north and east property line. Mr. Fox indicated a solid wood fence would be placed along the south and west property lines to the 25-foot setback. From the setback there will be a three-foot post and rail fence to the entrance. A double row of deciduous shrubs will be placed along the south and west property lines. The two existing trees will be kept and protected, and the disturbance will be limited to the drip line. The grading will not change the current overland stormwater runoff but will create a more positive flow by providing more cut than fill on the site.

Mr. Fox stated there would be a planter at the entrance to the playground using native forbs and grasses, which will enrich the neighborhood environment. Four, new ornamental trees and one shade tree will be added, and the remainder of the landscaped areas will be sodded. Mr. Fox commented the intent is to provide an aesthetically pleasing environment to the neighborhood and an interesting play experience for the children.

With respect to parking and traffic control, Mr. Fox stated the development would serve the immediate neighborhood with the furthest actual walking distance being five-eighths of a mile as you walk from 55th Street and Fairview Avenue. Mr. Fox expressed the belief that most of the park patrons will walk to the site; however, there is on-street parking along Second Street, which could accommodate five vehicles. According to the manufacturer of the playground equipment, the equipment can accommodate a maximum of 34 children. Mr. Fox advised that the Park District did a census, and the total population in the area bounded by Williams on the east, which is the limit of the District, Fairview on the west, the railroad on the north and 55th Street on the south is 1,323 people. There are 219 in the age group 5-17, and the Park District is gearing this park to 5-12 year olds.

With respect to the hours of operation, Mr. Fox indicated they would be the same as most of their other facilities, from dawn to dusk, weekdays and weekends.

Mr. Fox explained construction plans were submitted to Christopher Burke, the Village's stormwater consultants who approved the stormwater issues of this development on December 18, 2003.

Mr. Fox stated the Park District held a second public meeting on January 9, 2004 to select playground equipment. Mr. Fox explained the Park District requests manufacturers to submit equipment based on certain criteria such as dollar amounts and footprint. The neighbors at that meeting selected the equipment shown here this evening from a variety of equipment. Mr. Fox stated the Park District would be advertising for bids for construction of the new park on February 27, 2004 with bids due on March 9, 2004 and if approved by the Board of Commissioners, construction would take place in April and May.

Mr. Fox concluded his presentation by stating he would be glad to answer any questions from the Plan Commission members.

Chairman Jirik asked for the Staff presentation.

Mrs. Lori Sommers, Strategic Planner, stated the petitioner is requesting a special use for a 8,976 square foot public park located in a R-4, single-family residential district. This proposed use is a Permitted Use but is required to meet the Special Use criteria. The park is classified as a mini-park and is expected to serve the area between the railroad tracks to the north, Williams Street to the east, 55th Street to the south and Fairview Avenue to the west.

Mrs. Sommers advised that the Future Land Use Plan designates this property as Residential @0-6 dwelling units per acre (shown in yellow on the Land Use Map). There is a Manufacturing component directly to the north. The R-4, single-family residential zoning is consistent with the Future Land Use Plan.

With respect to site characteristics, Mrs. Sommers explained the site is comprised of two currently vacant residential lots located at the southwest corner of Second Street and Cumnor Road.

With respect to landscaping, Mrs. Sommers stated the petitioner has proposed a variety of trees and screening/landscaping to include a double row of plantings. The Village Forester has reviewed and approved the Petitioner's landscape plan. A five-foot solid wood screening fence will be installed along the south and west property lines up to the 25-foot setback line and continue as a three-foot split wood rail fence to the entry. Both of the proposed fences meet the four foot and six foot Code requirements.

Mrs. Sommers noted, as Second Street tends to have an elevated traffic volume during morning and late afternoon periods, consideration should be given in the final design to possibly planting a low hedge along the north property line.

With respect to yards and setbacks, Mrs. Sommers explained the site is considered a corner lot with two required front yards with a 25 foot setback from the north and east property lines. The rear yard setback is 20 feet, and the side yard setback is 5 feet. Mrs. Sommers noted the petitioner has located the playground equipment outside of the required setback areas.

Mrs. Sommers advised that the Public Works Staff and the Village's Engineering Consultant have reviewed the engineering/stormwater requirements. The site does not contain floodplains or wetlands but is located within a Localized Poor Drainage Area. She noted the Park District would be re-grading the site, which would enhance the area. The Village's Engineering Consultant has determined that the plans are in conformance with the Village's Stormwater and Flood Plain Ordinance.

The Village's Engineering Department reviewed the plans and noted that a sidewalk replacement has not been identified after the installation of a new ten-inch culvert. Engineering is requesting a replacement walk be at least five inches thick PCC on two inches of compacted CA-6 base.

With respect to Parking and Traffic, Mrs. Sommers advised traffic impact from the proposed park is expected to be minimal. Most of the users of this park live in the area and will be walking to the park. Mrs. Sommers stressed that reasonable precautions should be considered to inhibit children from easily entering the street.

With respect to site lighting, Mrs. Sommers stated the Park District has not proposed any site lighting, but it should be noted that any lighting being proposed in the future should be shielded so as to minimize light spilling over to the adjacent properties.

In conclusion, Mrs. Sommers stated the Staff Development Team has reviewed the petitioner's request and concurs to recommend that the Plan Commission consider forwarding a positive recommendation to the Village Council subject to the following conditions:

1. Compliance with all Public Works/Engineering requirements/conditions outlined in their memorandum dated January 21, 2004, including provisions for sidewalk installation/repair and the Village's Engineering Consultant analysis dated December 18, 2003, to address LPDA issues.
2. Compliance with all applicable Federal, State and Village laws, ordinances, regulations and policies.

Chairman Jirik explained the next portion of the hearing is public participation. He asked if there were any members of the public who wished to speak tonight.

John Miller, 231 Second Street, Downers Grove, stated the proposed park is the best thing that could be approved for this site. The neighbors on all sides want this park. Mr. Miller acknowledged that the Park District has been fantastic about working with the neighbors. Mr. Miller stated the neighbors brought this site to the Park District. The neighborhood needs a playground or mini-park, as the current neighborhood has nothing in the way of a park. Mr. Miller stated the neighborhood deserves this park for what the Village Council has approved across Second Street. The Pepperidge Farm plant shines its lights in everybody's yard and nobody seems to care. Mr. Miller acknowledged that this comment may not be appropriate for this meeting, but the Village Council needs to know that the neighborhood deserves this mini-park.

Len Bateman, 6116 Lane Place, Downers Grove, recalled that Otto Hummer who at the time lived by Prince Pond created the Park District in 1947. Mr. Bateman stated he was Park District Secretary at the time Hummer Park was created. Mr. Bateman further recalled when the Park District wanted to construct something, they would keep the Village of Downers Grove apprised of their plans, and the Village would issue a construction permit at no charge. Mr. Bateman expressed appreciation to the Park District for continuing to keep the Village informed of their plans.

Gordon Goodman, 5823 Middaugh Avenue, Downers Grove, stated he supported the Park District's petition for a special use for a park at this site. Dr. Goodman indicated his understanding that the Village does have authority over stormwater management in the area. The Park District has properly addressed that issue in making application through the Village for a stormwater permit. Dr. Goodman expressed the opinion that the proposed park is a very good use for this property. It is good for the community that the Park District is able to offer many parks from time to time where it is impossible to provide the more traditional, large park areas. This neighborhood certainly needs such a park. Dr. Goodman congratulated the residents and the Park District on having found a solution for that neighborhood. Dr. Goodman encouraged the Plan Commission members to forward a favorable recommendation.

Chairman Jirik asked if there was anyone else who wished to speak respecting this petition. Hearing no further response, Chairman Jirik closed the public participation portion of the public hearing.

Chairman Jirik next asked if there were any questions from the Plan Commission members.

Mr. Nicholaou asked if there was any consideration given to the possibility of posting signs saying "Caution Children's Park" as Second Street can be a busy street. He also asked about getting cooperation from Pepperidge Farm to place a similar sign on their exit gates. Mr. Cromwell indicated if there would be such a recommendation from the Plan Commission the Park District would go to the Village for the posting of such signs.

Mr. Matejczyk commended the Park District for a very good project and recalled back in the 1960's he was involved in some city planning when the whole move toward

decentralized or pocket parks first started to take hold. He also commended the Park District for involving the neighborhood in the plans for this park.

Mr. Cromwell responded that the Park District had to thank the neighbors because they came to the Park District with a proposal for a park at this location.

Mr. Griesbaum also commended the neighbors and the Park District. Mr. Griesbaum asked for clarification or explanation of the solid fencing going up to the 25-foot setback line. He asked if there would be any consideration to extend that fencing. He expressed a concern respecting traffic, and children running out into the street after balls. Mr. Cromwell responded that there would also be split rail fencing. Children would have to climb between the two rails. Mr. Cromwell advised that the neighbors requested the solid fencing along with the double layer of landscape screening.

Mr. McCormick asked Mr. Cromwell if the Park District concurred with the Village's recommendation for new sidewalks. Mr. Cromwell responded if the sidewalks have to be replaced they would do that. Mr. Cromwell said current thinking is that they would auger under the existing sidewalk, and then there would be no necessity to replace the sidewalk. He reiterated if the sidewalk had to be replaced it would definitely be a part of the construction contract. Sidewalks are part of the accessibility requirement.

Mr. Waechtler asked Mr. Cromwell if there had been any consideration given to a security light at night, which, of course, would not shine into the neighbors' yards. This would discourage any possible vandalism. Mr. Cromwell responded that they talked about it, but they did not think it was necessary at this point in time. He noted the neighbors in areas surrounding parks let the Park District know if there are any problems. He also noted that the Park District has a good relationship with the Police Department. If there is a problem in a particular area, the Police Department quickly responds.

Mr. Stark stated it was his understanding that this lot was the lowest lot in this area, which is why it has not been built on. He asked Mr. Cromwell if the District would be changing the grade. Mr. Cromwell referred to Mr. Fox's earlier comments indicating the drainage tile would be under the playground equipment, with the loose engineering wood fiber over it, and it will drain to the swale on Cumnor. Mr. Stark asked if there were curbs on Cumnor Road, and Mr. Cromwell responded that there were no curbs on Cumnor. Mr. Stark asked if there was a place for people to park on Cumnor and questioned if they would be parking on the grass. Mr. Cromwell referred to Mr. Fox's earlier testimony that there would be room for on-street parking for about five cars on Second Street. Mr. Cromwell explained if people are going to drive to a park they would probably go to Patriot's Park, Hummer Park or Randall Park.

Chairman Jirik asked if there were any further questions or comments. Hearing no further questions or comments, Chairman Jirik advised that the Plan Commission could make one of three types of motions; a motion to recommend approval, a motion to recommend approval with changes or a motion to recommend denial. Chairman Jirik then called for a motion.

MOTION: WITH RESPECT TO FILE NO. PC-01-04, A PETITION SEEKING SPECIAL USE FOR A PARK FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF SECOND STREET AND CUMNOR ROAD, MR. NICHOLAOU MOVED THAT THE PLAN COMMISSION FORWARD A FAVORABLE RECOMMENDATION TO THE VILLAGE COUNCIL IN RESPONSE TO THE PETITIONER'S REQUEST SUBJECT TO THE FOLLOWING CONDITIONS: 1. WITH COMPLIANCE WITH ALL PUBLIC WORKS/ ENGINEERING REQUIREMENTS/ CONDITIONS OUTLINED IN THEIR MEMORANDUM DATED JANUARY 21, 2004 INCLUDING PROVISIONS FOR SIDEWALK INSTALLATION/REPAIR AND THE VILLAGE'S ENGINEERING CONSULTANT ANALYSIS DATED DECEMBER 18, 2003, TO ADDRESS LPDA ISSUES; 2. THE PARK DISTRICT LOOK INTO HAVING AT LEAST THREE CAUTION SIGNS – "CHILDRENS PARK" – ONE EASTBOUND, ONE WESTBOUND ON SECOND STREET AND ONE AT THE PEPPERIDGE FARM TERMINAL EXIT; 3. COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE AND VILLAGE LAWS, ORDINANCES, REGULATIONS AND POLICIES. MR. GRIESBAUM SECONDED THE MOTION.

Chairman Jirik then asked if there were any questions or comments respecting the intent of the motion. Hearing none, he called for the vote.

ROLL CALL:

AYE: Mr. Nicholaou, Mr. Griesbaum, Mr. Kahlke, Mr. Matejczyk, Mr. McCormick, Mr. Stark, Mr. Waechtler, Chairman Jirik

NAY: None

The Motion passed unanimously.

Chairman Jirik advised the members of the audience that after the minutes are prepared and all pertinent information put together, the Plan Commission's recommendation will be forwarded to the Village Council. Staff will advise the petitioner as to when this matter will be placed on a Council Workshop agenda. Chairman Jirik explained those present in the audience who wish to know when this matter would be placed on the Council agenda should contact a member of the Planning and Community Development Department Staff.

Chairman Jirik declared a recess at 8:15 p.m. and reconvened the meeting at 8:30 p.m. Chairman Jirik indicated that Mr. Skach, Director of Planning & Community Development was present in the audience.

PUBLIC HEARING: FILE NO. PC-02-04 A petition seeking the following: 1) Lot Reconfiguration Approval; 2) Special Use Approval for a drive-thru (pharmacy) window operated in conjunction with a retail sales facility; 3) Approval of certain variations from

Code. The property is located at the northwest corner of Main & 63rd Streets, Downers Grove, Illinois (PIN 09-17-308-011,-012), commonly known as the Green Knolls Shopping Center (6202-6248 Main Street) and the former location of the Lonestar Steakhouse (6250 Main Street); Green Knolls Partners, L.L.C/GKW, L.L.C Owners; James F. Russ, Jr., Attorney/Petitioner

Chairman Jirik asked if there was a representative of the petitioner present.

James F. Russ, Jr., of the law firm of Wiedel, Hudzik, Russ and Phillip, 4915 Main Street, Downers Grove advised that he would give an overview of the petition and the variations being requested as well as the criteria for those variations. He said Ms. Browne would address the technical aspects of the project in her Staff report.

Mr. Russ stated Lynn and Craig Babcock, principals in Green Knolls Partners LLC and GJK LLC, which will be the ultimate owners of the properties, are present this evening. Mr. Russ explained although both LLC's are different entities, they are related and will remain a form of common ownership although the corporate entities will be separate. Mr. Russ indicated Mr. Peter D'Angelo, property manager, Mr. Tim Hague, on behalf of Walgreens and Mr. Mark Nosky, from the architectural firm, were also present to answer any questions.

Mr. Russ stated the property Walgreens wishes to develop is located at the northwest corner of 63rd and Main Streets, the former Lone Star Steak House parcel in the Green Knolls Shopping Center. The shopping center was developed back in the 1960's and has basically remained in the same configuration since that time until the Lone Star Restaurant burned down several years ago. Mr. Russ advised currently the property consists of two separate parcels and commented the current configuration does not make a lot of sense. There was a lot split done several years ago to develop the restaurant parcel. Mr. Russ noted the only reason two separate parcels were created was to satisfy parking requirements for the Lone Star parcel.

Mr. Russ advised part of their petition is a reconfiguration of these two parcels to basically square off the southeast corner of the property where the Walgreens parcel would be in order for the two parcels to better fit. It would also allow the reconfiguration of the parking on these parcels into a more logical parking arrangement. Mr. Russ classified the reconfiguration as a housekeeping issue.

Mr. Russ stated the petitioner is also asking for a Special Use for a drive-through window for their pharmacy. They are also asking for a variation to allow parking and lighting poles in the required setback, a variation from the 20-foot maximum height for freestanding signs, a variation to reduce the required green space and a variation to allow a loading area to be partially on the adjacent parcel. All of these variations are being requested for Parcel One, the Walgreens' parcel. Parcel Two is the Green Knolls Shopping Center. With respect to Parcel Two, Mr. Russ indicated they are seeking a variation from the green space requirement, and they are also seeking a variation for parking and lighting pole placement within a required setback.

With respect to the Special Use for the drive-through window on Parcel One, Mr. Russ stated they are proposing a two lane drive-through on the east side of the Walgreens building along the Main Street portion of the building. It is designed with substantial stacking and a by-pass lane. It will operate between the hours of 8:00 a.m. and 10:00 p.m., seven days a week, which will be the hours of operation of the Walgreens store itself. Mr. Russ explained the placement of the drive-through was made to minimize the impact on Parcel Two. The drive-through will not interfere with the Green Knolls Shopping Center in any way, as the east side of the parcel is protected from the rest of the shopping center. Stacking will be to the south, and there is substantial stacking available in this location. A full width by-pass lane has been provided to avoid any congestion in that area. Mr. Russ stated the drive-through is screened from 63rd and Main Streets by an 18-foot elevation difference between the street grade and the parking lot or drive-through grade.

Mr. Russ indicated, per Chapter 28 Section 1902 of the Village Zoning Ordinance, Special Uses may be authorized provided that certain evidence is presented. Four provisions must be met. The first provision is that the proposed use at that particular location is necessary or desirable to provide a service or a facility that is in the interest of the public convenience and will contribute to the general welfare of the neighborhood or community. Mr. Russ advised that Walgreens already has a drive-through facility in Downers Grove. There are currently no drive-through facilities at this location or anywhere at this intersection. Mr. Russ indicated the drive-through facility is in the public interest as a convenience to the lifestyles of the persons within the community. Mr. Russ expressed the belief that this will contribute to the welfare of the community by providing another service which is greatly needed in this area. Mr. Russ stated they believe it has been designed to minimize any impact on the surrounding properties, the immediate surrounding property being the Green Knolls Shopping Center.

Mr. Russ stated the second provision is that the requested special use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity. Mr. Russ explained the drive-through was designed to have a minimal impact visually as well as physically by placing it in a hidden corner of the property. He emphasized there is an 18-foot grade differentiation between the grade at the drive-through and the road surfaces of 63rd and Main Streets. From the street, the drive-through will be minimally visible. It will not affect the traffic flow through the Green Knolls parking lot. It will have no affect on the property values in the area, as it will be located in a commercial intersection and will not be impacting any residential area immediately adjacent to it.

Mr. Russ stated the third provision is that the proposed use will comply with the regulations specified in this Zoning Ordinance for the district in which the proposed use is to be located or it will comply with any variation authorized pursuant to Section 18-1802. Mr. Russ explained this would comply with the regulations for the B-2 zoning district with the exception of the project itself and the other requested variations, which he would be explaining later in his presentation.

Mr. Russ explained the fourth provision is that it is one of the special uses specifically listed for the district in which it is to be located. Mr. Russ noted a drive-through is specifically listed as a special use in the B-2 zoning district.

Mr. Russ indicated the Village's Traffic Engineer as well as an independent traffic engineer reviewed the drive-through plan. Both the Village's Traffic Engineer and the petitioner's traffic engineer have determined that the design for the drive-through is appropriate for the development, the traffic flow will not impact the surrounding development and it will meet all of the requirements of the Traffic Engineer. Mr. Russ noted the petitioner's traffic study, which has been reviewed by the Village's Traffic Engineer, indicates that the drive-through will not create any additional trips when compared to the trips from the Old Lone Star Restaurant use on this parcel. The impact on the vicinity will be negligible.

Mr. Russ indicated they are seeking a variation to allow parking and light standards in the setbacks on both parcels. Mr. Russ also noted pursuant to Chapter 28 Section 1110, this Board is authorized to grant up to a 100% variation to allow parking and structures within the required setback of the B-2 zoning district. Mr. Russ pointed out Chapter 28 Section 1803 states "A variation shall be permitted only if the Zoning Board of Appeals or Plan Commission finds that it is in harmony with the general provisions and interest of this Zoning Ordinance and that there are practical difficulties or particular hardships in the way of carrying out the strict letter of the provisions of this Zoning Ordinance". Mr. Russ noted there are several factors for this Board to consider in making its determination, and he read them into the record: "1) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; 2) The plight of the owner is due to unique circumstances; and 3) The variation, if granted, will not alter the essential character of the locality." Mr. Russ further pointed out that in making a determination on these three factors, there are six factors to consider, and he read those into the record. "1) That the particular physical surroundings, shape or topographical conditions of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out." Mr. Russ advised that their petition with respect to the parking and the lighting is a result of what has existed since the parcel was developed in the 1960's. In addition to its topography, this property is quite unique as there is the substantial grade differentiation as previously stated. Because of the 18-foot grade differentiation, most of the parking and lighting is not known to be within the setback and, therefore, has minimal, if any, impact on the surrounding properties. In addition, there is substantial right of way, which surrounds this parcel providing additional green space and separation between the road and the parking. Mr. Russ stated the topographical conditions result in a hardship to the owner and not just a mere inconvenience as the parcel cannot be developed economically without allowing for the parking to remain where it currently exists. Mr. Russ noted between the current layout and the proposed layout of the parcel, the parking is not going to change along the perimeter. That will remain as it has since the 1960's when this parcel was originally developed.

With respect to the second factor, Mr. Russ continued:

“2) That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.”

Mr. Russ reiterated that the parcel is unique due to its location in a commercial corner, and the grade differentiation between 63rd and Main Streets and the surface of the parking. The drop from the street is a substantial factor to this parcel. The intersection will not be impacted in any way by allowing the parking to remain within the setback as it currently exists.

Mr. Russ read the third factor:

“3) That the alleged difficulty or hardship has not resulted from the actions of the owner.”

Mr. Russ stated the owner has taken this parcel as it is and has not created any of these designs, topography or anything else on this parcel. They are trying to work within the existing parameters on this property.

Mr. Russ continued and read the fourth factor:

“4) That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fires, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.” Mr. Russ advised that their traffic engineer and the Village’s Traffic Engineer have reviewed the proposed design. They have no concern that this will impact the traffic flow on Main or 63rd Streets. No substantial increase in traffic to this location will be generated.

With respect to public safety, Mr. Russ indicated all fire and zoning codes would be met in the development of this property. There will be no impact on the property values in the surrounding area as this is a commercial area. The Walgreens parcel would not be adjacent to any residential areas; however, the existing Green Knolls parcel does abut some residential areas.

Regarding the fifth factor:

“5) The proposed variation will not alter the land use characteristics of the district.”

Mr. Russ indicated this is a commercial use replacing a commercial use.

Mr. Russ commented on the sixth factor:

“6) The granting of the variation request will not confer on the owner any special privilege that is denied by this Zoning Ordinance to other lands or structures in the same district.” Mr. Russ stated under Chapter 28, Section 1110 of the Zoning Ordinance all parcels within the B-2 zoning district are allowed to seek the variations, which they are seeking in this petition. This is not any kind of special consideration for this particular parcel.

Mr. Russ explained they are also seeking a variation to allow a freestanding sign in excess of 20 feet in height, which is the maximum allowed under Chapter 28, Section 1519 of the Zoning Ordinance. They are seeking a variation for a sign at the southeast corner of this parcel. The proposed sign height is 35 feet. The reason for the requested height is the 18-foot grade difference between the street intersection and the parcel itself. If this sign were placed from street grade up, it would only measure 17 feet. Had this parcel been at street grade, they would not be asking for this sign variation, as the proposed sign would be within the 20-foot height limit. The remaining 18 feet of grade differentiation below the street level is the motivation for the sign variation.

Mr. Russ stated they are seeking a variation to reduce the green space requirements pursuant to Section 1106 of Chapter 28 of the Zoning Ordinance. Section 1106 requires a ten percent landscaped green space for each parcel. Mr. Russ noted currently there is very little, if any, green space with respect to either of the existing parcel. There is right-of-way surrounding this parcel, which does provide a substantial green strip around the perimeter; however, that green space cannot be counted towards the green space requirement because it is in the right-of-way and not on the private property. The shopping center does receive a visual benefit from that band of green space. Mr. Russ advised currently 3.3% green space is provided on the overall parcel. They are proposing 3.9% green space on Parcel One (Walgreens) and 4.1% green space on Parcel Two (Green Knolls). This will be accomplished through planting areas in the reconfigured parking lot. They will take advantage of any additional green space that could be had through planters along sidewalks or any other green space area within the Green Knolls Shopping Center or surrounding the Walgreens parcel. Although they are increasing the green space on this parcel, due to the configuration, there is no way to achieve the 10% green space requirement without losing a substantial number of parking spaces, thus creating a non-conformity in parking as a result.

Pursuant to Section 1410, Chapter 28 of the Zoning Ordinance, Mr. Russ stated they are also seeking a variation to allow a portion of the loading area to be on the adjoining property. Mr. Russ noted the loading area for the Walgreens parcel would be on the north side of the proposed building. It will be adjacent to an existing aisle of parking and will partially result in trucks being located over the property line for loading and unloading.

Mr. Russ advised they have presented the terms and conditions of an ingress-egress restriction to the Village. Mr. Russ expressed the opinion that the Village has accepted this restriction. The restriction would be recorded against the parcels and would run with the land, which means that the present and all future property owners would continue to have a restriction to allow vehicle access over both parcels. Mr. Russ stated the petitioner is satisfied with the terms and conditions of that access agreement. Mr. Russ indicated the situation is unique because the property owners, although different entities, have common ownership. It is obvious that these two parcels need to work together. The Walgreens parcel cannot have its own access to either Main or 63rd Streets due to the grade differentiation at the corner without having access across the Green Knolls' parcel. Mr. Russ expressed the opinion that the requested variation is a housekeeping issue to

some extent because these two parcels have always been used together; however, the use was never memorialized by any type of an access agreement.

With respect to stormwater, Mr. Russ stated currently there is no stormwater detention provided for this parcel. The engineering design proposes some stormwater detention, which will improve the conditions currently present on this parcel. Mr. Russ commented there has not been a stormwater issue with respect to this parcel; however, they are making improvements in order to bring this parcel more into conformance with the current stormwater ordinance, which is substantially different from what existed when the Shopping Center was developed.

With respect to parking, Mr. Russ indicated they would meet all of the parking requirements with respect to the Walgreens parcel, and they will have six excess parking spaces on the Green Knolls parcel. Mr. Russ explained the parking requirement on the Green Knolls parcel is subject to modification depending upon the uses within that property. As part of an occupancy permit application for any new uses, the parking will continue to be reviewed on a regular basis by the Code Services Department.

Mr. Russ noted this project has been in development for a very long time. There were a lot of issues that had to be addressed in order to have a viable, productive parcel within the Village. Staff worked very diligently with the petitioners to minimize the requested variations. The practicality of this petition is that the use is not going to change from what this property has always been. There are several features that will actually improve this parcel from how it exists today. Mr. Russ expressed the belief that this project would have a positive impact on this development as well as the surrounding area and will be a benefit to the community as a whole.

Mr. Russ advised the petitioner would agree to the recommended conditions contained in the Staff report. The only issue still outstanding is in respect to the screening for the mechanicals on the roof of this property. Mr. Russ explained a 6.41-foot parapet wall has been provided around this building as screening for the mechanicals on the roof. Mr. Russ noted, with an 18-foot grade differentiation, the mechanicals would be seen from 63rd and Main Streets as they were seen on top of the previously existing Lone Star building. Mr. Russ commented he was not sure if full enclosure of the mechanicals was practical or possible. He indicated they would continue to discuss this issue with Staff. Mr. Russ concluded by stating he and/or the petitioner's representatives would be happy to answer any questions.

Chairman Jirik asked Staff to make its presentation.

Amanda Browne, Planner, advised the proposed redevelopment involves two parcels of land located at the northwest corner of 63rd and Main Streets; namely, the Green Knolls Shopping Center and the former Lone Star Restaurant. As the petitioner indicated, the Green Knolls Shopping Center was developed in the 1960's, and the Lone Star Restaurant was originally constructed in 1973 as a Ponderosa Restaurant and destroyed by fire in April of 2000. Ms. Browne noted the site has remained vacant since that time.

The former restaurant site is proposed for development with a 14,500 square foot Walgreens retail facility and pharmacy. The petitioner's requested action has three facets: first, the lot reconfiguration between the Green Knolls Shopping Center parcel and the Walgreens parcel; second, a special use to allow a two-lane drive-up facility for the proposed Walgreens; and third, certain variations from Code for both of the subject properties.

With respect to the proposed lot reconfiguration as outlined in the Staff report, Ms. Browne stated the particular lot reconfiguration is one which would have been able to be granted administratively by the Director of Planning and Community Development as there are no bulk exceptions being requested for either resulting parcel; however, because of the nature of the two parcels requires them to work as a whole in all respects with one another, the lot reconfiguration is being petitioned as part of the petitioner's requested action, and it is being presented to the Plan Commission this evening.

Ms. Browne explained the dimensions of the existing and proposed parcels were outlined in detail in the Staff report. The proposed lot reconfiguration will take the flag-shaped, former Lone Star parcel and turn it into a more rectangular shaped parcel through the transfer of approximately 175 square feet of land area from the former Lone Star parcel to the Green Knolls parcel. Both resulting parcels will exceed the minimum bulk requirements per Code with no exceptions.

With respect to the requested Special Use, Ms. Browne stated the Walgreens facility itself is allowed by right in the B-2 zoning district; however, Special Use approval is required for the drive-up facility. Ms. Browne noted the petitioner did outline in detail the proposed drive-up window component, the two-lane stacking and the by-pass lane adjacent to the easterly-most row of parking.

With respect to the requested variations, Ms. Browne noted throughout the plan review process the petitioner made several site plan modifications in earnest attempts to address all of the site planning and Code-related issues; however, as noted, variations will still be required including reductions in setback for parking and light standards for both parcels, a reduction in the green space percentages for both parcels as well as an increased sign height for a proposed free-standing sign on the Walgreens parcel.

With respect to general site characteristics, Ms. Browne advised the combined overall site is approximately 5.8 acres in area and is zoned B-2, General Retail Business. The site itself is relatively flat; however, as explained by the petitioner, the site's southeast corner is significantly lower than the adjacent grade at the intersection of 63rd and Main Streets. The grade difference is approximately 18 feet. There are currently two main access driveways located on Main Street, and one additional main access driveway located on 63rd Street. There are also two secondary access driveways, one located on Carpenter and one located on 62nd Place, both of which primarily serve the rear or north end of the existing Green Knolls Shopping Center.

With respect to yards and setbacks, Ms. Browne stated a chart of the existing and proposed structure setbacks and parking setbacks for both of the parcels was included in the Staff report. Required and proposed yards were broken down by street and by parcel, and the deficiencies that were required to be addressed by way of variation were noted. Setback variations for the proposed Walgreens parcel include parking and lighting setback standards for both Main and 63rd Streets and those setbacks range between 3.6 feet for parking and zero feet for parking and the lighting standards setbacks. Ms. Browne advised setback variations for the proposed reconfigured Green Knolls parcel include the parking and the lighting standards setback, which are proposed to be located with zero setbacks. No other structure setbacks are required as part of the petition. The building and its canopies will all be fully conforming with respect to the proposed Walgreens facility.

With respect to floor area ratios, Ms. Browne advised both parcels as reconfigured would fall below the maximum allowable floor area ratio for the B-2 zoning district, which is 0.75. The Green Knolls parcel, as reconfigured, would have an effective floor area ratio of 0.32, and the Walgreens parcel, as reconfigured, would have an effective floor area ratio of .036, both of which are more than 45% below the maximum threshold of 0.75.

With respect to parking, Ms. Browne stated the Green Knolls Center is required to have 246 regular size parking spaces and 7 handicap-accessible spaces based on the current tenant mix and assuming general retail use of any currently vacant tenant spaces. As proposed, there are 252 regular size parking spaces and 7 handicap-accessible parking spaces provided on the Green Knolls parcel, an excess of 6 spaces assuming general retail occupancy of any vacant tenant spaces. With respect to the proposed Walgreens parcel, there are 49 regular size parking spaces and two handicap-accessible spaces required. As proposed, this requirement will be met; therefore, no parking variations are required to be requested as part of the petition.

Ms. Browne advised the petitioner has also submitted a draft easement agreement, commonly referred to in the Staff report as an REA, which does provide full and complete access as well as shared parking between the two parcels. Should the proposed lot reconfiguration be approved, Staff is recommending that the executed REA be provided to the Village upon recordation of the lot reconfiguration of the two parcels.

With respect to loading, Ms. Browne noted, as the petitioner has indicated, one loading and unloading area is required for the Walgreens parcel, and although it is primarily provided on site, the approach to that loading area does straddle the common property line between the two parcels and is, therefore, required to be addressed by way of a variation. Ms. Browne stated the petitioner intends that the REA would also address this issue by providing full access to and from the loading area on the Walgreens parcel by way of the Green Knolls' parcel.

Ms. Browne advised Staff is recommending consideration of a condition regarding loading and deliveries so as to minimize any potential negative impact to parking, traffic

or pedestrians. Staff has also suggested to the petitioner that an architecturally compatible screening wall be provided for the loading area as well.

With respect to green space, Ms. Browne advised in the B-2 zoning district the minimum requirement is ten percent of the lot area. She noted if you look at the two parcels as one development overall, the green space percentage for the combined tracts would increase from 3.3% to 4.1%. As proposed, the green space for the reconfigured Green Knolls' parcel would be 4.1% and for the reconfigured Walgreens parcel the green space would be 3.9%, both of which require a variation, as they are deficient from the current 10% minimum requirement for each parcel. Ms. Browne stated, although the petitioner is increasing green space overall on site, Staff has identified the need to investigate additional opportunities to increase landscaping throughout the site. For instance, more landscaping opportunities could be explored in parking islands that are currently indicated as striped paving, as well as along and within the walkways adjacent to the storefronts of the shopping center.

With respect to signage, Ms. Browne stated Walgreens proposed the installation of one freestanding sign at the southeast corner of the tract. The freestanding sign is proposed to be 35 feet as measured from grade to the top of the sign as compared to the maximum allowable of 20 feet in the B-2 zoning district. Ms. Browne noted the requested 75% increase does require variation approval. As indicated by the petitioner, given the 18-foot grade difference between the grade at the southwest corner of the site and the intersection at the pavement at 63rd and Main Streets, the proposed sign would project approximately 17 feet above grade at the intersection. Ms. Browne pointed out all of the other signage, existing and proposed, is Code compliant for both the Green Knolls Shopping Center and the Walgreens facility.

With respect to site lighting, Ms. Browne advised Staff's recommendation was that lighting levels on any adjacent property line of a residentially zoned property should not exceed 0.1 foot-candles as measured at that property line. The proposed lighting levels as submitted on the petitioner's photometric plan satisfy this requirement.

With respect to the building height, Ms. Browne explained the maximum allowable building height per Code in the B-2 zoning district is 35 feet. Height is defined per Code as being measured from the average grade at the front of the structure to the midpoint between the bottom of the eave and the top of the peak. As proposed for the Walgreens building, there is a two-story tower section at the southwest corner, which is proposed to meet Code measured to its midpoint between the eave and the peak directly at 35 feet. Ms. Browne stated the main portion of the building is proposed to have a flat roof with a height of 27 feet 4 inches as measured from grade to the top of the parapet wall. Ms. Browne recalled the petitioner mentioned that the flat roof of the structure was approximately 6 feet below the top of that parapet wall, but Staff measured it, as it would be seen from grade at 27 feet 4 inches.

Ms. Browne stated the 26-foot height of the existing shopping center building was not proposed to be altered and is conforming.

Ms. Browne noted in the Staff report the design of the proposed Walgreens facility was outlined in detail. Because it is significantly lower than the grade at 63rd and Main Streets, Staff recommended some additional consideration be given to the screening of the rooftop mechanical equipment. The petitioner indicated they have proposed an approximately six-foot tall parapet wall. Ms. Browne stated Staff would like to further review this issue. Ms. Browne advised Staff was of the opinion that the design will reflect a positive aesthetic overall.

With respect to engineering and stormwater management, Ms. Browne explained the Public Works Staff and the Village's engineering consultant have both reviewed the proposed plans, and there are no outstanding issues with respect to engineering or stormwater management.

With respect to parking and traffic, Ms. Browne advised the petitioner commissioned a parking and traffic consultant to perform the submitted parking demand analysis, which was attached to the Staff report. That report also included commentary on the trip generation and the site access for the facility. The Village's Traffic Division Manager reviewed the study and concurred with its conclusions and recommendations.

Ms. Browne indicated the Village Forester reviewed the proposed landscape plan and recommended two plant substitutions, which were addressed by the petitioner in the landscape plan included in the Plan Commission packet. Staff also recommended consideration be given to additional landscape/green space areas throughout the site to bring it as close as possible to the minimum 10% threshold.

Ms. Browne stated the Fire Department reviewed the proposed plans and found them acceptable subject to further review when full sets of architectural and building plans are submitted to the Code Services Department.

Ms. Browne concluded by stating the Staff Development Team does concur to recommend that the Plan Commission forward a positive recommendation to the Village Council with respect to the petitioner's requested action subject to the ten conditions listed in the Staff report.

Prior to opening the public participation portion of the public hearing, Chairman Jirik explained anyone who would like to speak should come to the podium and state their name and address before addressing the Commission.

Chairman Jirik advised the members of the audience the Plan Commission allows everyone to speak before allowing someone to speak for the second time. Chairman Jirik stressed that those speaking for the second time should focus on new information or concerns that had not been previously discussed.

Joe Mendrick, 6124 Lane Place, Downers Grove, referred back to the previous petition this evening when the Park District representative said their main goal was to enrich the appearance of the neighborhood. Mr. Mendrick stated he has heard a lot of talk dealing

with 63rd and Main Streets including the grade of the street from the ground. The proposed height of the sign is to attract people at 63rd and Main Streets, but the effect of the height of the sign on the residential area is not being taken into consideration. Mr. Mendrick commented he also heard a lot about green space design but nothing about green space behind the center.

Mr. Mendrick recalled the residents behind the shopping center negotiated with Mr. Babcock and the Village several years ago to get a fence installed behind the shopping center. Mr. Mendrick advised the fence has been installed, and it is fine. He reiterated consideration must be given to the residential neighborhood behind the center. The residents in the neighborhood have invested a lot of money in their homes, and they are concerned about the appearance behind the shopping center. Mr. Mendrick asked if the proposed reconfiguration was approved, would it have to conform with the current Code for shopping centers adjacent to residential neighborhoods or would it be grandfathered. Chairman Jirik asked Mr. Mendrick in what respect was he referring to conforming to current Code. Mr. Mendrick responded fencing, aesthetics, etc. Chairman Jirik explained square footage is being transferred between the two lots. He asked Ms. Browne for clarification if only the Walgreens parcel is the subject of the petition. Ms. Browne stated the Chairman was correct with respect to the special use being applicable to the Walgreens parcel only. Mr. Mendrick responded the whole center is being reconfigured and stated once you are in Code you cannot go out of Code. Mr. Mendrick again referenced the negotiations with the shopping center owner regarding the fence behind the center. He advised the neighbors had to hire an attorney over the fence issue. He recalled years ago there was a fence, which, over the course of time, deteriorated. The neighbors wanted the fence replaced. Because the shopping center was built before the current Code, it was not required to have fencing, but it was in compliance after the Ordinance was passed. He reiterated it was his understanding once you are in compliance with the current Ordinance you have to stay in compliance. Mr. Mendrick stated that was an issue in the fence negotiations. He wanted to know if this is going to change. Mr. Mendrick asked if the Plan Commission would require that the Center be brought up to date so that it has to comply with current Code. He asked why should this proposal be unique.

Chairman Jirik asked Mr. Mendrick if his main concern was the preservation of the fence, and Mr. Mendrick responded yes and added the residents were also concerned that there would be no truck parking overnight. He added the lighting is irritating to the residents of the neighborhood. Mr. Mendrick acknowledged the neighbors, the Village and Mr. Babcock were able to work out some of these issues. Mr. Mendrick informed the Plan Commission members that the residents in the adjoining neighborhood are just as concerned as the Plan Commission members are. He stated it was very important to maintain our neighborhoods. If the neighborhoods are allowed to start to deteriorate, they will continue to deteriorate.

Chairman Jirik asked Mr. Mendrick if the current fence was acceptable to the residents behind the shopping center. Mr. Mendrick explained part of the fence belongs to the Village. Mr. Mendrick recalled a number of years ago an addition was built onto the

shopping center. Up until that time, the residents were not immediate neighbors to the shopping center. The Village also allowed business lighting on the north side of the center that shone into the residential neighborhood. The Village then installed a partial fence. In the meantime, the other fence fell down and has since been reinstalled. Mr. Mendrick reiterated the neighbors are happy with the current fence, but they want to be assured they will not be forgotten.

Chairman Jirik asked Mr. Mendrick about the lighting. Mr. Mendrick responded they are concerned about the lighting. He stated he could understand if the petitioner wants the Walgreens sign to face 63rd and Main Streets and light only towards 63rd & Main and dark in the back so it does not reflect back to the residential neighborhood. Mr. Mendrick indicated the neighborhood would be agreeable to that. Mr. Mendrick stated the neighborhood welcomes the addition of Walgreens to the Green Knolls Shopping Center. Chairman Jirik asked for clarification if the existing on-site perimeter lighting was a disturbance at this point. Mr. Mendrick indicated the current lighting was fine.

Nancy Goodman, 5834 Middaugh Avenue, Downers Grove, stated she read in the local newspaper that a petition for a special use for a drive-through window (pharmacy) was on the agenda tonight to be located in the Green Knolls Shopping Center. Mrs. Goodman expressed surprise that she had not previously read or heard anything about a new pharmacy possibly coming to that shopping center which is less than a mile from her home. She commented, as usual, the facts in the case were not available in the library until last Friday night so she went to the library Saturday morning to look over the material in the packet. She expressed amazement that Walgreens, the petitioner, would want to locate another store between existing stores on 63rd Street about a mile or two in each direction; Belmont Road and 63rd Street and Cass Avenue and 63rd Street. She asked why Walgreens was doing this. Mrs. Goodman stated she understood that the Plan Commission was not here this evening to question why, but to recommend or deny recommendation to the Village Council certain special use requests and variations from Code regarding this project.

Mrs. Goodman stated she asked herself why this Commission is called the Plan Commission. She expressed the opinion that the Plan part refers to specific proposed plans of development rather than to responsible planning for the Village as whole. Mrs. Goodman stated she would have to find out where that is done in the Village; what group in Downers Grove looks at which kinds of development should be located where.

Mrs. Goodman indicated she wanted to specifically address some statements in Mr. Russ' February 12, 2004 letter to Chairman Jirik since he is responding to relevant sections of the Village Code concerning variations and special uses. Page Five states "We believe that this will contribute to the general welfare of the community as providing another service which is greatly in need in this area as there are no other drive-through pharmacy facilities within this area". Mrs. Goodman responded while there is not a Walgreens in this area, there is an Osco right across the street with ample parking. She questioned the appropriateness and motivation of Walgreens and its associates for wanting to locate another Walgreens right there in direct competition with an established business. Mrs.

Goodman pointed out there is a Walgreens drive-through facility at Ogden Avenue and Main Street about 20 blocks away, which is not very far if you are driving to that location. Mrs. Goodman next referred to a statement on Page Five she characterized as amazing. "This use will benefit the health, safety and morals of the persons residing or working in our community by providing a service which is greatly needed." Mrs. Goodman expressed strong disagreement with that statement. She expressed her opinion that a Walgreens is definitely not needed on that corner no matter "how upgraded a departure from Walgreens standard design" it is.

Mrs. Goodman next addressed some aesthetic issues. She noted Mr. Russ also stated on Page Five of his letter that the Walgreens proposed site plan provides about four percent more green space than the small percent that currently exists. Mrs. Goodman stated Mr. Russ calls that substantially more. She called it a drop in the bucket. Mr. Russ then cites the "green band" in the street right of way along 63rd and Main Streets as adding to the overall feel of substantially more green space than what is provided on private property. Mrs. Goodman stated that means that the Village or the County is, in effect, subsidizing part of the landscape for a privately owned shopping center. On Page Four, Mr. Russ says in referring to Ogden Avenue parcels "Many commercial areas in our community have been developed with a reduction of the required green space similar to the green space proposed in this parcel." Mrs. Goodman asked if two or more wrongs or variations make a right.

With reference to Page Five of the Staff report, Mrs. Goodman noted it states that the overall green space percentage for the entire tract is 4.1%, noting the Staff recommendation that "Opportunities to increase landscaping should continue to be explored." Mrs. Goodman pointed out it is only a suggestion; no requirements. Mrs. Goodman expressed her opinion that, if Walgreens has to be built, a lot more green space should be required to be provided to help make that rather stark and faded shopping center a bit more welcoming; enough green space for a few larger trees, not two or three inch maples or burr oaks. Mrs. Goodman noted such trees would be vandalized in short order unless fairly high fences are protecting them.

Mrs. Goodman stated she was upset that this Village was willing to let itself be manipulated by large corporate interests and to delude itself perhaps in anticipation of a few more tax dollars that another new Walgreens at Green Knolls will be an aesthetic or useful addition to the quality of life in Downers Grove.

Len Bateman, 6116 Lane Place, Downers Grove, stated he lives in the fourth house to the north of the shopping center. He stated trucks coming out of the shopping center constantly bombard them. He expressed the belief the proposed Walgreens would only increase this truck traffic. Mr. Bateman said the 18 wheel trucks try to avoid the intersection at 63rd and Main Streets so they come out through the shopping center. Mr. Bateman said it was his understanding that the shopping center would be losing 85 parking spaces in Section B. Mr. Bateman recalled that when the restaurant was in operation most of their business occurred in the evening when traffic for the stores in the shopping center was lighter. Mr. Bateman noted Walgreens would be bringing in

customers to shop during the same hours as the remainder of the shopping center. He expressed concern that there would not be enough parking. Mr. Bateman asked the Plan Commission to bring back a restaurant for this shopping center.

Gordon Goodman, 5834 Middaugh Avenue, Downers Grove, indicated he wanted to address the issue of whether this proposal before the Plan Commission tonight is asking for approval to features of the existing Green Knolls parcel one, the existing shopping center. Dr. Goodman referred to Mr. Russ' letter to the Plan Commission dated February 13, 2004, Page Four, Item No. 6 where he points out this is a case "where there are many examples within our community of parcels that have been developed with variations that we are requesting, although they may be non-conforming at this time, our variation request will simply bring this property to a legal non-conforming status as opposed to a non-conformity status". Dr. Goodman expressed his belief that Green Knolls is now non-conforming but not necessarily legally non-conforming.

Dr. Goodman referenced the points summarized at the beginning of the Staff report. The last two variations requested are variations for Parcel Two and apparently, if the Plan Commission recommends positively, would be recommending that Parcel Two be granted a variation so that they are no longer illegally non-conforming or without legal basis, but they will now, although the Code provides that they should not be within the minimum requirement of 25 foot setback, be granted a variation for the parking along the property line of 63rd Street for Parcel Two as well as Parcel One. He pointed out if the Plan Commission forwards a positive recommendation to the Village Council you are recommending they now be regarded as legally non-conforming for their lack of green space. Dr. Goodman expressed the belief that in some measure Parcel Two is in play in this reconfiguration and the recommendations the Commission will be forwarding to the Village Council.

Dr. Goodman next addressed what he characterized as more substantive issues. Dr. Goodman expressed his opinion that this was an inappropriate use of this site. The site is restricted in its access to the main thoroughfares, and Walgreens is a very active retail establishment, especially with a drive-through window. It expects to have a great deal of in and out traffic. Dr. Goodman acknowledged Mr. Bateman's remark that the traffic would be much greater than the restaurant was during normal business hours of the shopping center.

Dr. Goodman expressed his belief that there was a basic conflict between the operation of the shopping center and this proposal for a Walgreens on that site as they are incompatible. Dr. Goodman stated the orientation of the Walgreens building that has been proposed at best detracts from the rest of the shopping center having its loading facilities and parts of the operation that are usually disguised from the public sticking out into the parking lot and removing parking spaces from the rest of the center. Dr. Goodman indicated a more graceful orientation would be to have the finished front of the building facing toward the rest of the shopping center so they play off of each other and make an aesthetically pleasing area.

Dr. Goodman recalled his wife had mentioned this was a rather faded shopping center. It was constructed in the 1960's with a slight modification in the 1970's for a restaurant addition, which was very pleasing to the residents of the neighborhood.

Dr. Goodman stated the criteria and the standards for shopping centers that attract people have changed since the 1960's. Shopping centers are designed with much more green and attractiveness today than they were then. Dr. Goodman noted this is a wonderful opportunity for this shopping area to be upgraded and brought into the 21st century. Dr. Goodman stated his opinion that this particular proposal would freeze it and make it much more difficult to make further modifications in Parcel Two and ultimately lead it into a dead end. Dr. Goodman stated this is very poor planning for our community to consider this with a positive recommendation at this point. He expressed the hope that as a result of the work that the Plan Commission and the Economic Development Commission have done on future land use considerations for the community which will be work shopped by the Village Council on February 24, 2004, that some criteria that will help us in cases like this in the future will come forward. Dr. Goodman stressed that we cannot wait for that. He pointed out to the Plan Commission that this proposal is before them tonight, and he urged the Commission to not forward a positive recommendation but to send it back to Staff and the developer to reconsider this use. If this is an appropriate siting for a Walgreens, this particular building and configuration of the site is not appropriate.

Dr. Goodman concluded by referring to a statement made by Mr. Russ that he believed was inaccurate. He mentioned the existing configuration of parking associated with Lone Star also intruded on the setback along Main and 63rd Streets, and that the current proposal for intrusion of parking within that setback was no greater. Dr. Goodman stated when he looked at the fourth diagram in the Plan Commission packet and the diagram facing it, it looked to him that the existing Lone Star configuration within that portion of the Lone Star property that will be reconfigured and called Parcel Two, there are 16 non-conforming parking places within the setback. Dr. Goodman continued after the reconfiguration it looks to him that there would be approximately 37 parking places within the setback along Main and 63rd Streets. Dr. Goodman noted the level of non-compliance is being raised in this case, and he expressed the belief there were some green space in the Lone Star configuration. It was not zero contribution to the green space of the shopping center. Dr. Goodman admitted he did not know what the exact amount was, but he thought the increase in green space that is being recommended in this development within Parcel Two is much less than the green space that was within the parcel in the Lone Star configuration.

Dr. Goodman stated his belief that the Plan Commission was not being given a completely accurate description of the variances and the changes the Commission is being asked to recommend. Dr. Goodman stated he strongly felt this could be much better for the community, the developer could do a much better job and the Plan Commission should encourage them to do so.

Chairman Jirik commented the Plan Commission acts upon the request of the petitioner. They do not decide what kind of business should go in. The Village is not in the business of that. Chairman Jirik stated while it is nice to know that the residents would like a restaurant, it is not within the Plan Commission's purview.

Chairman Jirik asked that any remaining commentary be focused on the petition before the Plan Commission.

Jim Myczek, 1109 62nd Place, Downers Grove, stated he had two concerns; one, the lighting, may have already been addressed. Staff made some comment about the brightness of this lighting. Mr. Myczek indicated he was concerned about the height of the lighting as well as the brightness. Mr. Myczek pointed out his residence is two homes off of Carpenter Street on 62nd Place. Any lighting higher than the existing lighting would impact his back yard. He asked for an explanation as to what is expected there. Mr. Myczek stated his second concern was traffic. He commented the studies appeared to have looked at the impact on 63rd and Main Streets. He questioned whether the residential areas on Carpenter Street and 62nd Place would also be impacted. Mr. Myczek gave an example of egress onto 63rd Street from Brookbank, using that residential street as an easier way out onto 63rd Street. He asked if that possibility had been studied. Chairman Jirik asked Ms. Browne to be prepared to further discuss lighting and traffic.

As there was no one else who wished to speak, Chairman Jirik closed the public participation portion of the public hearing.

Chairman Jirik noted there were a number of issues raised thus far. He asked the Plan Commission members if they had any questions or comments regarding those issues.

Mr. Nicholaou expressed concerns regarding lighting and signage. Mr. Nicholaou indicated he spent the better part of two hours at the site photographing the site. He distributed copies of the photographs to his fellow commissioners, to the petitioner and to the Staff. Mr. Nicholaou stated while at the site he walked up to the existing sign trying to ascertain its height. He ran into the center manager, identified himself, and the manager was kind enough to tell him the height of the sign. Mr. Babcock clarified he went out and re-measured, and the correct height of the existing sign is 24 feet. Mr. Nicholaou referred to the third photograph, which was a view from the center driveway looking south. The 24-foot high sign is visible above the guardrail at the street. Mr. Nicholaou referred to the next photograph, which was a view from the driver's side of a northbound automobile. The sign was still visible, and Mr. Nicholaou indicated he was probably the third car off the stoplight as he headed northbound. On the second page, the photograph in the upper left-hand corner is an eastbound view from 63rd Street. Mr. Nicholaou referred to the larger, vertical photograph on the bottom left side of the page. This photograph is a view from the sidewalk on the south side of 63rd Street looking northbound. With regard to the pole on which the traffic signal lights are mounted, the IDOT standard from the ground to the cross member support is 13.6 feet. Mr. Nicholaou pointed out the shopping center sign is clearly visible. The angle of the pole is approximately 27 feet from the ground. Mr. Nicholaou indicated the building is proposed

to be set back 71 feet from 63rd and Main Streets and would be 18 feet below grade. If the height of the pole at its angle is 27 feet, and the Walgreens script signs, which are very well illuminated on all their stores, are going to be somewhere between 21 and 22 feet above grade, the signs proposed for this structure would be very visible. Mr. Nicholaou pointed out there would be signage at approximately 22-23 feet above grade on all four sides of the building. He also pointed out traveling east on 63rd Street the lighted mortar and pestle sign in the window of the tower at approximately 27-28 feet would be clearly visible. Mr. Nicholaou stated the familiarity of the structure of Walgreens buildings and signage makes him question why a sign that tall would be needed. Mr. Nicholaou noted because the Village's Zoning Ordinance limits the height of a freestanding sign to 20 feet and there is an existing sign 24 feet high, Mr. Nicholaou advised he saw no need to elevate the sign. The proposal for a 35-foot sign has a portion that approximates between three-five feet for a changeable copy board sign to advertise different products, etc. Mr. Nicholaou stated he did not find that to be typical of Walgreens in any of our surrounding communities with the exception of Downers Grove. If the Plan Commission were to recommend to the Village Council that the proposed sign be no higher than the existing Green Knolls Center sign, Mr. Nicholaou indicated that would, in his opinion, exceed Walgreens' need.

Mr. Nicholaou recalled previous testimony regarding lighting shining northbound into the residential neighborhood. Mr. Nicholaou agreed with the neighbors' concerns and questioned the necessity of having any kind of signage that bright or that high facing the center.

With regard to the freestanding sign, Chairman Jirik asked if there were any other members who would like to speak.

Mr. Stark asked if the 18-foot grade difference was measured from the southeast corner where the sign is going to be or was it measured more toward Main Street. Mr. Nicholaou commented, whether you are walking around the site or driving on either eastbound on 63rd Street or northbound on Main Street, the current signage is clearly visible. If the proposed building is going to be setback 71 feet from the deepest point of the parcel, the signage becomes more and more visible than if it were actually butted up to the 18-foot drop at the retaining wall.

Mr. Stark also expressed a concern regarding the elevation of the tower portion of the proposed structure. The median roof height from the base is 35 feet, which is exactly the height of the proposed sign, which looks as though it is going to be at the southwest corner of the building. Mr. Stark stated the southeast corner of 63rd and Main Streets will have signage and the building tower will have signage. Mr. Stark referred to it as the twin towers of Walgreens. Mr. Stark commented the proposed entrance to the building facing west towards Dairy Queen would not have been his first guess as to where the entrance on this project would have been located. The 18-foot drop is not on the southwest side of the building.

Mr. McCormick asked what the proposed sign would look like from an illumination standpoint. Chairman Jirik and Mr. Nicholaou pointed out the Plan Commission packet contains a small illustration of the proposed sign with its changeable copy board below it. Chairman Jirik noted a number of questions have been raised regarding the sign and asked if a representative of the petitioner would come forward and address these questions.

Mark Nosky, Stewart & Nosky Architects, 1400 Opus Place, Downers Grove, advised he wanted to start with the photographs taken today by Mr. Nicholaou. With regard to the photograph of the current sign, which is approximately 24 feet high, Mr. Nosky pointed out the location of the current sign on the drawing displayed on the overhead screen. Mr. Nosky pointed out the photograph shows that the grade is progressively sloping up to the retaining wall. In order to site the proposed Walgreens on Parcel One, it will be necessary to take the grade down. They are trying to flatten the site as much as possible in order to reduce the grade elevations around the entire building and also to try to line up the drive-through area on the east side. Mr. Nosky indicated the photograph tells a story of what the site is today. Mr. Nosky explained the reason they keep referring to 18 feet is because once they grade the site and take it down, they will be creating a secondary retaining wall to allow them to get the grade to be flat enough to accomplish the Walgreens store. The grade at the intersection is approximately 18 feet above what they consider the finished floor grade of the grading that will occur. Taking 18 feet away from a 35-foot high sign is 17 feet, which is what they are talking about. The 24-foot high sign is correct for where it is today and at today's level, but in terms of taking the grade level down to a lower grade elevation, they find themselves in more of a hole than where they would like to be, but that is where they are.

Mr. Waechtler asked how much are they dropping the grade. Mr. Nosky responded the grade would be around 53 feet.

Mr. Griesbaum asked where would the proposed Walgreens sign be in relation to the existing Green Knolls sign. Mr. Nosky responded that the top of the proposed sign is to be 20 feet above the intersection.

Mr. Nicholaou asked if you were to take down the existing Green Knolls sign, remove the dirt and put the Green Knolls sign back into the ground, how much dirt would be removed and how much lower would the 24 foot Green Knolls sign be.

Chairman Jirik asked Mr. Nosky if he would like the distance from this to that to be about 20 feet. Mr. Nosky clarified it would be 20 feet. Mr. Kahlke referenced the photo on page two of Mr. Nicholaou's photographs and recalled that Mr. Nicholaou stated it was 13.5 feet from grade to the beam of the streetlight. Mr. Nosky estimated the top of the Green Knolls sign shown in the picture is approximately 6-1/2 to 7 feet tall. Chairman Jirik noted Walgreens' goal is to be even higher than that. Mr. Nosky stated the height of the proposed sign would be about in the middle of the streetlight pole shown in the picture. Mr. Nicholaou asked Mr. Nosky if they are going to excavate almost 12-13 feet from below the current sign.

Derek Stancik, Intech Consultants, stated they are doing the civil engineering for this project. He explained the base of the existing sign is approximately four feet higher than the grade of the base of the proposed sign. Mr. Nicholaou stated if he took the existing sign based on what was just said and replanted it four feet lower, the wording on the sign could still be read without a problem. By asking the Plan Commission to allow another eight-nine feet of sign height on top of what is currently existing, would raise the Walgreen's sign above the stoplight pole. Mr. Stancik stated the top of the sign would be 18 feet above the top of the curb of the re-graded parking area. Mr. Nicholaou said if the Village said 35 feet was fine, but we would like to lower it, changing the size of the letters on the sign and bringing it down to 25 or 30 feet could remove five feet. Mr. Nicholaou noted 35 feet of sign height not necessary.

Mr. Nosky asked for clarification from Mr. Nicholaou, as he was having difficulty following his line of reason. Mr. Nicholaou stated the height of the changeable copy sign, which is very difficult to read on the drawing, is approximately two feet, and then there is a measurement from the top of that changing copy sign to the bottom of the Walgreens sign of somewhere between five and five and one-half feet. Mr. Nicholaou commented what he has been suggesting with regard to the height of the proposed sign is not contrary to what Walgreens does in neighboring communities where they install one 15 foot or one 12 foot sign in front of the building with the exception of the signage on the walls. Mr. Nicholaou emphasized he did not see the need for a 35-foot tall sign.

Mr. Nosky stated the request for a 35-foot tall sign is to try to account for the grade differential on the site. The changeable copy sign is pretty much a Walgreen standard, and if Walgreens does not ask for a changeable copy sign, they ask for an electronic reader board. The Village of Downers Grove does not allow electronic reader boards, hence Walgreens is asking for the changeable copy sign.

Mr. Stark asked Mr. Nosky to define a changeable copy sign. Mr. Nosky explained it is a sign that can be dropped down and the letters changed out on the sign and then the sign is raised back up again. Mr. Stark asked if he was talking about an electric sign. Mr. Nosky responded it was not; it is a sign where magnetized letters are physically changed as different sale items are promoted. Several Plan Commission members pointed out it is an advertising sign, and Mr. Nosky agreed but stressed it is not an electronic reader board. Mr. Nosky noted there are a number of signs at this intersection that are much taller than the existing Green Knolls sign. They looked at that as they have been trying to make a recognizable image for Walgreens.

With reference to Mr. Stark's earlier comments about the signs on the building, Mr. Nosky stated the tower of the building has a median height of the roof at 35 feet, but the actual sign inside the tower piece is much lower, the 21 foot range or the middle of the sign. This recognizable feature was presented to upgrade the building and create an interesting design for this particular site.

With regard to the signage for the building, Mr. Nosky stated when you recognize the grades are sloping down from the intersection the signs on the building are pretty much at

the 21-foot range. Some cars at the top of the intersection would be looking down at the site to look at the signage.

Mr. Matejczyk stated it would have been helpful to the Commission if the petitioner had provided elevations for the road; the present elevation of the ground level, the proposed elevation of the height of the sign. He commented it is very difficult to visualize this. Mr. Nosky stated he did have such a display and regretted not bringing it this evening.

Mr. Stark asked for clarification of whether the proposed sign is two-sided, and if so, it would face the residents to the north. Mr. Nosky clarified the sign would be two faced, perpendicular to 63rd Street so that the sign does not really face the homes to the north.

With regard to site lighting, Mr. Nosky advised they have a photometric plan, which indicates the proposed new lighting scheme would not throw light onto the residential neighborhood to the north. He recalled some statements from residents to the north that the existing lighting on the backside of the shopping center building may not be a problem, but it is a concern.

Mr. Nosky concluded by stating they are asking for a sign height that would be appropriate for a retailer of this magnitude.

Chairman Jirik summarized the request is for a variation for a sign to be as tall as 35 feet. He expressed the opinion that the Commission has accomplished a visualization of what that would mean.

Mr. Russ said had this property been at street level; the existing sign would be higher than what is being proposed for the Walgreens. The proposed height is the same as what is currently allowed at the other corners of the intersection; 20 feet from street grade. Because this parcel is 18 feet below street grade, Mr. Russ said they are asking for 17 feet of sign height above street grade, which he said is still below what is allowed for properties at street level. Mr. Russ re-emphasized had the parcel been at street grade and they had proposed a 17-foot tall sign, they would not have had to ask for a sign variation because they would have been below the requirement of 20 feet from street grade. Mr. Nicholaou agreed with Mr. Russ; however, he stated the proposal to reduce the grade at the sign by three feet, but to then add an additional eight feet of sign height over what is already there is unacceptable.

Mr. Russ pointed out the existing Green Knolls Center sign at 24 feet is substantially lower than the two signs at the Shell station and the Amoco station on opposite corners. Mr. Russ emphasized they are here this evening asking for a sign variation because of the grade differentiation not because of the height of the sign above street grade.

Mr. Kahlke commented as a 12-year resident, he has always been able to see the current Green Knolls Center sign when driving by the center.

Chairman Jirik asked the Plan Commission members to defer the deliberations on the sign until all of the issues have been addressed. He anticipated a very healthy debate when these issues are deliberated. Chairman Jirik asked the Commissioners to continue the fact finding in order to build a record for the Mayor and Village Council.

Chairman Jirik recalled that one of the residents raised the question of lighting. Chairman Jirik asked if there was a representative of the petitioner who could address lighting issues. Mr. Nosky displayed the photometric plan. The table on the right of the plan notes the height of the actual pole fixtures would be 32 feet with a concrete base, which is usually two to two and one-half feet tall. Mr. Nosky noted they did not take any photometric measurements on the backside of the shopping center because they were not changing the existing lighting. The only fixtures being changed are the ones indicated on the plan. The photometric plan shows the foot-candle levels drop off at the property line, and no light is shed on a residential lot even across 63rd Street to the south.

With regard to 62nd Street to the north, Chairman Jirik asked if the lighting conditions would be better or would there be no net change. Mr. Nosky responded there would be no net change on 62nd Street. Chairman Jirik recalled a resident living behind the center indicated the current lighting was fine.

Mr. Stark asked if there was a height measurement done on the mortar and pestle sign to be located within the second story window in the tower at the entrance to the store. Mr. Nosky said that sign is dimensioned at 20 foot 8 inches which is the approximate centerline of the mortar and pestle sign. Mr. Stark noted it is about the same elevation as the red Walgreens sign on the side of the building.

Mr. Nosky advised, in order to make the building more recognizable, Walgreens raised the parapet five feet to camouflage the rooftop units, and they also added cornices to the building, which was a design feature not present in the first set of elevation drawings submitted to the Village.

Mr. Nosky stated at the high point of the roof, there is a six foot four inch dimension from the top of the parapet from roof level. The roof slopes off at a quarter inch per foot and in the middle of the roof the parapet measures approximately eight feet in height. Mr. Nosky noted the parapet was designed to be fairly large in order to camouflage rooftop units.

Mrs. Schroeder, ex-officio Plan Commission member, asked about the orientation of the building with the delivery and the dumpsters facing towards the shopping center. She said the proposed orientation reminds her of the backward houses at 59th and Main Streets. She also asked if the fancy details added to the building would be visible from 63rd Street or from Main Street.

Mr. Griesbaum also expressed concern about the location of the loading dock facing towards the parking lot. He expressed the opinion that seems to be a very awkward

position for the way in which the front of the building is actually facing. He noted Ace Hardware holds various sales in the parking lot during the summer.

Chairman Jirik asked how much of a hardship would it be to rotate the building 90 degrees to have the tower facing northwest. Mr. Nosky responded Walgreens would consider it such a hardship that they would walk away from this proposal. Mr. Nosky further explained Walgreens typically faces the main tower towards the intersection; that is their preference. He recalled that every time he has prepared a site plan for Walgreens, that is where they want their front door; however, Mr. Nosky stated in this particular case, facing the front door away from the intersection does not mesh with Walgreens' philosophy as to how they orientate a store. Mr. Nosky noted, when the approach to put the entrance facing Main Street was proposed, he did not think Walgreens would accept it. Walgreens recognized the site would be 18 feet below grade and felt this design of facing the entrance to the southwest would be the best solution for them.

Mr. Nosky acknowledged the loading dock is on the side of the building facing the Green Knolls center. Mr. Nosky advised they altered the plan to add the masonry screen wall, which architecturally is the same material as the face of the building. When a truck is in the loading berth, the screening wall wraps it. Also, deliveries are made once a week. Chairman Jirik stated his understanding is that the trade-off was the corporate identity of the parapet. Mr. Nosky responded the fact that the main entrance would be facing a main thoroughfare was paramount. Walgreens would not agree to point the tower section towards the inside of the parking lot. Chairman Jirik indicated his understanding that Walgreens does not see that tower as generating visibility from both thoroughfares, and Mr. Nosky agreed. Mr. Nosky pointed out the façade of the building facing Main Street has a drive-through which is below grade and a parapet or side of a wall that has one sign on it. Chairman Jirik asked if there was any thought given to switching the location of the drive-through with the loading dock. Mr. Nosky responded he drew that scheme for Walgreens showing them how the circulation would work. Mr. Nosky indicated he probably prepared eight different site plans. Mr. Nosky stated Walgreens is not interested in a site until you can prove to them that it has benefits. Chairman Jirik asked what Walgreens comment was with regard to switching the location of the drive-through and the loading dock. Mr. Nosky stated he did not recall their response to that particular proposal.

Lynn Babcock, owner and manager of the Green Knolls Shopping Center, recalled they have been discussing this unique site for several years. He noted they did not create it; they bought it in 1986. Later, the Ponderosa Restaurant closed, and they were faced with boarded-up windows, which was an eyesore to the other tenants and to the Village of Downers Grove. He said Lone Star Steakhouse then expressed an interest in the location. Mr. Babcock recalled they wanted to rent the site to them, but Lone Start wanted to buy the property. The site was configured as such in order for both parcels to meet the parking requirements in place at that time.

Mr. Babcock indicated, to the best of his knowledge, the Green Knolls sign has always been there at that height. Mr. Babcock noted the sign has never been an issue. He

acknowledged it is more at eye level than it is in the air as are the other commercial signs currently in place. This site would have been allowed those same types of signs had the site been level with the street. Mr. Babcock advised the telephone calls they have received from other potential commercial usages of that site indicate that in order to comply with the current zoning ordinances of the Village of Downers Grove since Lone Star did not rebuild in the time allotted, indicates that the site itself just is not going to happen because the dollars required to purchase it from Lone Star are out of the question. As much as the neighborhood would like it, a mom and pop restaurant cannot afford the site; Lone Star no longer wants to be there and Ponderosa closed up. Mr. Babcock indicated they have discussed this site with a number of people, and the grade separation scares them silly.

Mr. Babcock acknowledged Green Knolls Center does not need this Walgreens to stay economically viable; it has been viable for the last two years. Mr. Babcock expressed the belief that this opportunity is going to enhance the Green Knolls Shopping Center. Mr. Babcock acknowledged the proposed sign is difficult.

Chairman Jirik asked Mr. Babcock to focus his remarks on the previous discussion concerning the orientation of the building. Mr. Babcock apologized. He explained when Walgreens first came to them with an interest in this site, Mark Nosky and his group worked with Walgreens to try to give them everything they needed on that site in order to facilitate traffic movement, the drive-up facility, the loading facility and exposure. They gave Walgreens different building orientations; they rotated the building 180 degrees, 90 degrees both ways, etc. Mr. Babcock stated they ultimately proposed what they thought was a pretty good site to Walgreens. The drive-up facility and the loading facility were nestled back into the grade differentiation at the two corners. Walgreens rejected that concept. Mr. Babcock stated they tried to convince them to accept that plan, but Walgreens still said no. Mr. Babcock explained they tried to work something out they felt would be viable for Walgreens, the shopping center, its existing tenants and traffic flow.

Chairman Jirik asked if there had ever been any discussion of swapping the loading bay and the drive-up; not necessarily rotating the building. Mr. Babcock recalled they proposed rotating the building 90 degrees, which would have accomplished the swap of the loading bay and the drive-up, but it did not work for Walgreens because they stack their merchandise and have the store floor plan worked out. Mr. Babcock indicated the tower front entryway is at that particular corner for a reason.

Chairman Jirik asked if there was anyone else who had questions regarding the rotation or the orientation of the building. Mr. Waechter noted if the loading dock were placed on the Main Street side of the store, it would be less visible because it would be below street grade. Mr. Babcock acknowledged they tried that scheme but that would have changed the main exposure to the newly designed building, which they did not want. If they did that, their interiors would not match the other Walgreens. Mr. Babcock pointed out if you walk into any Walgreens store, they are all stacked pretty much alike, which is the way Walgreens wants them.

Mr. Babcock stated, as owners and managers of the property and as developers, they tried to convince Walgreens that the swap of the drive -up and loading dock was better, but Walgreens said no. Mr. Babcock explained their next step was to hide the drive-up facility and propose an architectural screening wall similar to the one at the Walgreen's on Cass Avenue.

Chairman Jirik asked the architect if standard designs are used in all cases such that you cannot flip the two faces and maintain the orientation of the parapet. Mr. Nosky responded you could do exactly as the Chairman stated. He said he provided such a design to Walgreens, and they said no; it was not an option. Mr. Nosky pointed out the plan before the Commission this evening is the only option Walgreens would allow them to pursue.

Chairman Jirik asked if there were any other questions on building orientation. There were no further questions on the orientation of the building.

With regard to parking, Mr. Stark noted every square inch of the property is being utilized. He asked Staff to display the drawing showing the parking configuration. He noted there are parking spaces over by 62nd Place, which are being included in the parking count, and other spaces on the far northeast portion of the site, which are also being included in the count. Mr. Stark expressed the opinion Walgreens would generate more parking and more traffic flow than the former restaurant would have. Mr. Stark asked if the proposed plan shows six extra parking spaces, and Mr. Nosky agreed. Mr. Stark asked if there were parking spaces next to the island north of the loading area. Mr. Nosky agreed. Mr. Nosky stated they have also taken away a lot of parking spaces trying to create green areas that previously were not there. It was a balanced trade-off between parking and green space. Mr. Nosky noted some of the parking spaces behind the center are used for employee parking. Mr. Nosky acknowledged Walgreens would bring business to the center.

Mr. Babcock stated the parking spaces along 62nd Place are in place as are the parking stalls on the extreme northeast part of the site. The current driveway at 62nd Place is wider than what is depicted. On the proposed site plan, that driveway has been narrowed to create one or two more parking stalls. Mr. Babcock emphasized that is not Walgreens parking; it is Green Knolls' employee parking. Mr. Babcock advised no customers would park there and walk around the building to get to Walgreens.

Mr. Babcock agreed with Mr. Stark and acknowledged they have squeezed every parking spot that they could onto this site and still meet Code. They have made 24-foot wide aisles and 18.5 foot wide parking stalls required per Code. The use of this site, which was designed in the 1960's, has been maximized. According to the current usages in the shopping center, Mr. Babcock agreed there is a surplus of six parking stalls on that parcel. Mr. Babcock stated parking is of the utmost importance to the viability of a shopping center. Mr. Babcock indicated they would love to have more of the parking stalls converted to green space, but there is a trade-off. If they cannot fill vacancies in the

center because of a lack of parking stalls, vacancies breed more vacancies and suddenly you have a center with big For Rent signs on the store windows.

Mr. Babcock noted the truck traffic that now enters off of 62nd Place would continue to do so because that truck traffic is necessary to service the Green Knolls Center, as it exists today. It has no bearing whatsoever on Walgreens. Mr. Babcock stated if that truck traffic is exiting onto 62nd Place, he does not know why, as there are designated lanes around the shopping center to exit onto Carpenter Street. Mr. Babcock acknowledged he did not know if narrowing the driveway on 62nd Place would reduce the truck traffic, but he believed it would not make it worse.

Mr. Babcock emphasized Walgreens does not have any impact on the shopping center parking to the north or west of the building. The only impact would be to the interior parking arrangement. For the most part, the long diagonal rows of parking going from the northeast to the southwest are currently in place. Mr. Babcock stated all of the work that has been done to accommodate this potential development is from the diagonal row of parking to the southeast. In doing so, they have been able to pick up more parking islands, more green space, and the parking along 63rd Street and along Main Street is being counted and used as it has been used since the shopping center was built.

Mr. Babcock noted the construction of the retaining wall as part of the County's improvements to the intersection of 63rd and Main Streets, accentuates the area where those stalls would be. Now there is a wall that comes straight down out of the vertical to the horizontal where the prior condition was a barely mowable strip of green space. Mr. Babcock pointed out the green area previously referred to by Mr. Russ as a fringe benefit of the setbacks is not owned by the shopping center; however, the shopping center does maintain it.

Mr. Russ stated the traffic study indicated the projected peak parking demand of the shopping center with the Walgreens store would occupy approximately 69% of the total available parking spaces. A minimum of 97 spaces will be available at the shopping center at any time with the proposed Walgreens store. The number of parking spaces will far outweigh the demand at peak hours.

Chairman Jirik asked if there were any further questions with regard to parking.

Mrs. Schroeder asked if Walgreens has special hours for deliveries or would there be truck traffic at any time of the day or night. She also asked how the Walgreens trucks would enter and exit the center and questioned if the trucks are expected to use the Main Street driveway. With regard to the right-in, right-out driveway, Mrs. Schroeder asked how many feet has it been moved and how will it change the traffic coming down Main Street.

Tim Hague with the Taxman Corporation stated they represented Walgreens' interests to the owners of the shopping center in this transaction. He further advised his company has also developed several Walgreens stores throughout Chicago land. He indicated he

would comment with regard to the frequency of the unloading due to his familiarity of the Walgreens operations and then would let the architect and the civil engineer speak to the patterns of the trucks arriving at the site. Mr. Hague explained what Walgreens does as a matter of typical practice is they receive the vast majority of their inventory from the Walgreens distribution centers. They typically get two larger deliveries a week that happen in the off-hours in the morning before the retail operations are open and experiencing their peak, which during the week has been estimated at this shopping center at 10 a.m. and on the week-ends at the Noon hour. Mr. Hague noted there are third party delivery trucks that do arrive at the store, but those deliveries are not controlled by Walgreens and are minimal.

To address the Main Street driveway, Mr. Babcock stated currently that driveway is a two way, in and out driveway. It is currently located about 30-40 feet south of the driveway depicted on the proposed site plan. Mr. Babcock advised they felt this was an excellent opportunity to try and straighten out a problem that had been there for a long time. In icy conditions, people have a difficult time negotiating the current driveway because it is too steep. With the reconfiguration of the lot to allow the construction of the building and to allow the reconfiguration of the parking and the driveway, the driveway is proposed to be shifted to the north. They have also restricted its ingress and egress with the island. And it would no longer be a four way in and out. Vehicles will come in southbound, and anyone wanting to exit northbound would go north through the parking lot and out through the northernmost driveway, which is pretty level. Mr. Babcock acknowledged that is what most people do in winter conditions, and currently, anyone wanting to go northbound avoids the current driveway because it is too close to the intersection at 63rd and Main Streets. Mr. Babcock stressed the reconfiguration has given them an opportunity to utilize the grade more effectively.

Mrs. Schroeder again asked where the Walgreen trucks would enter. Mr. Babcock responded if they were coming southbound on Main Street, they would make a right-hand turn into the parking lot. There would no longer be a left-hand turn out onto Main Street and no more left-hand turn northbound off of Main Street. The restriction has been cut in half. Mrs. Schroeder asked if the departing trucks would be expected to back up. Mr. Babcock agreed and clarified the trucks would come down the 24-foot aisle and back right into the angular loading area.

Chairman Jirik asked if there were any further parking or traffic questions. There were none, and Chairman Jirik asked if there were other questions.

Mr. Waechtler recalled that there was a question raised by one of the residents with regard to the three other Walgreens' locations close by. Mr. Waechtler noted there is a Walgreens at 63rd Street and Cass Avenue in Westmont, one at 63rd Street and Belmont Road in Downers Grove and one at 75th Street and Lemont Road in Downers Grove. He indicated he did not include the Walgreens at Main Street and Ogden Avenue in Downers Grove, as he was focusing on existing stores at or near the south end of town. Mr. Waechtler recalled at one time Walgreens had a location on Ogden Avenue east of Fairview Avenue. When the store at Main and Ogden opened, Walgreens closed their

store east of Fairview. He asked if there would be a possible trade-off or closing of one of these stores. Chairman Jirik advised Mr. Waechtler that line of questioning was not within the Plan Commission's purview. Mr. Babcock noted there are no Walgreens to the west with drive-up capabilities. Mr. Waechtler addressed the Chairman stating he thought his line of questioning was appropriate. He stated if the Village believes it would derive extra revenue by opening another Walgreens, and then one or two are closed, he believes his line of questioning is appropriate. Chairman Jirik responded the Plan Commission does not recommend approval because of possible revenue. The Plan Commission is not the Economic Development Commission nor is it the tax revenue department. Chairman Jirik acknowledged this might be interesting to talk about, but it should not have any merits with regard to the Commission's deliberations. We are here to look at the requested exceptions and the site plan. The Commission has asked excellent questions with regard to the lighting, signs, parking, variations, etc. Variations are granted not because the Village would make more money; variations are granted because of need and unique circumstances. Chairman Jirik continued it is not an economic decision to grant one property owner a variation because he makes more money and not grant it to somebody else because his business is not as economically important.

Mr. Babcock stated they did not know how or why Walgreens makes such decisions. He acknowledged demographics mean a lot to retailers. The opportunity to provide a drive-up where they do not currently have one could be a factor.

Chairman Jirik stressed it is the Plan Commission's job to filter through the details of a particular petition and the comments made by residents. The Plan Commission has to work with the technical basis of what is within our purview to render judgment. The economics do not enter into the equation.

Mr. Waechtler expressed hope his next question would fall within the boundaries of the Commission's deliberations. He asked if the hours of operations would be 8:00 a.m. to 10:00 p.m., would Walgreens have to come before the Village if they wanted to extend those hours. Mr. Russ responded the hours of operation for just the retail aspect of the store could be changed by right because those hours are not part of this special use. Mr. Russ expressed the belief that if the hours of operation for the drive-up were expanded, they would have to come back to the Plan Commission to amend the special use. Ms. Browne agreed Staff would consider that a significant amendment to the special use requiring further consideration. Mr. Russ emphasized further consideration would only be for the special use relating to the drive-through window, not for the hours of operation for the store.

With respect to lighting and hours of operation, Mr. McCormick asked when the store closes for the day, are the lights on the signs turned off. Mr. Russ responded it was his belief the signs would remain lighted. Mr. McCormick asked if the signs are lit 24-7, and Mr. Russ responded he believed that would be the case.

Mr. Hague advised typically the signs are turned off when the store closes. The signs would not be illuminated past 10:00 p.m. Mr. McCormick asked if that would include the freestanding sign, and Mr. Hague agreed.

Chairman Jirik commented the excellent Staff report outlined the nature of parking, etc for the two parcels. He asked Staff if per Ordinance that constituted the grandfathering of exceptions. Ms. Browne responded, with respect to the requested setback variations for the proposed Green Knolls parcel, that variation is essentially limited to the new area that is being gained from what is essentially the pole portion of the flag shaped Walgreens parcel. The setback in that portion of the site was an existing non-conformity as it applied to the Lone Star parcel. When the land transfer occurs, that non-conformity is lost, so that portion of the parking and the lighting standard setbacks for that strip does need to be addressed by way of a variation. The other existing parking areas on site that are currently non-conforming with respect to setback remain non-conforming with respect to setback and are unchanged due to the lot reconfiguration.

Chairman Jirik asked Ms. Browne if there are any other non-conformities or things that require variations regarding either parcel. Ms. Browne stated all identified variations have been listed in the Staff report. She recalled the question was raised why the green space variation was included on the Green Knolls parcel. Because the land area of both parcels is changing, specifically with respect to the Green Knolls parcel, their green space areas are also changing not only due to an increase in land area but also due to the reconfiguration of the parking areas and the addition of certain green space. It is being impacted, and it is, therefore, being addressed by way of a variation as part of the requested action. Any other non-conformities on site, for instance the setback for the parking along 62nd Place, are not being affected or amended. They are currently non-conforming and will remain non-conforming.

Mr. Babcock added with the reconfiguration, the Green Knolls parcel would gain 170 square feet as opposed as to what it has now.

Mrs. Schroeder referenced one of her previous questions and noted she did not get an answer. It had to do with setbacks off of 63rd Street. She indicated she understood the setback variation is being asked for the parking. She asked if it also answers part of their need to be visible. She asked if the façade of the building would be visible from 63rd Street or is it invisible. Chairman Jirik indicated he was confused by her questions, which seemed to be addressing two different issues. Mr. Nicholaou stated he thought she was asking because the building is being set back 71 feet, does it not have more visibility than if it were structured up against the retaining wall. Chairman Jirik responded because Mrs. Schroeder's question was not related to a requested variation, it was not a relevant question. Mrs. Schroeder asked if there was a requested variation for the setback. Chairman Jirik responded the requested variation is for parking in the setback. Mrs. Schroeder again asked if the building would be visible.

Mr. Nosky indicated if Mrs. Schroeder is referring to the façade as seen from 63rd Street, he responded when the grade of the road comes down it reveals more of the building

elevation, and it becomes more apparent on the southwest side of the building. The grade is fairly high on the southeast side, so the building is not as apparent. Mr. Nosky indicated the increased parapet height would help with the visibility on that corner.

With reference to the hours of operation, Mr. Griesbaum asked if the drive-up was going to be open 24 hours. Mr. Russ responded the hours of operation for the drive-up would be the same as the hours of operation for the store itself; 8:00 a.m. to 10:00 p.m. Mr. McCormick asked if the Green Knolls sign is going to be removed, and Mr. Babcock answered yes.

Chairman Jirik encouraged dialogue among the Plan Commission members. He advised the Commission members now is the time to develop some basis to communicate to the Mayor and Village Council so that they are aware of the Commission's concerns.

Mr. Griesbaum advised he had two issues of concern, one being signage. He stated he felt it was important that the signage should be where the Commission believes it should be from an aesthetic standpoint, for the neighbors and for the community. Mr. Griesbaum advised his second issue is with the overall positioning of the Walgreens building and where the entryway is proposed to be located. Mr. Griesbaum stated he would be in favor of shifting the position of the building 90 degrees clockwise. He expressed the opinion that having the entryway to the Walgreens building facing the shopping center would be aesthetically pleasing. He noted the entryway would be seen going south on Main Street and going east on 63rd Street. Mr. Griesbaum stated rotating the building would help the loading situation at least aesthetically and would help with the overall drive-up. Mr. Griesbaum recognized Walgreens was opposed to changing the position of the proposed building.

Mr. Stark acknowledged this is a difficult site. He recalled the Economic Development Commission in conjunction with the Plan Commission looked at this area and tried to envision what sort of business would thrive there. One of the recognized problems was whether a business would be able to advertise correctly given the grade difference at the intersection. That group knew the way the streets were going to be configured that some of the proposed variations we are faced with here today would need to be addressed. Mr. Stark indicated the Commission has not really touched on them but did not think that was a problem.

Mr. Stark continued that because of the uniqueness of this site, the front yard variation for parking and lighting should be allowed. The requested variations as noted in the Staff report as A) parking and lighting setbacks on Main Street; B) parking and lighting setbacks of 63rd Street and C) green space variations, are all warranted, in his opinion, due to the fact that the distance between the sidewalks and where they could put some green space is limited. Mr. Stark asked even though the lot is unique, could the Village allow such a great variance for the advertising sign for this business, and he also asked if it would cause such a hardship on this business to require that the freestanding sign meet current Code? Mr. Stark remarked he had no comment with regard to the siting of the

building or the placement of the entranceway. He expressed his opinion that was a business decision for Walgreens.

Mr. Stark noted the Plan Commission could address the tower and the freestanding sign. In his opinion, the tower on the building is a glorified sign, and it does not serve any other reason for the business other than to make its presence known and to be as tall and as imposing as possible on the neighborhood. He suggested the Commission members might want to consider further comment as to what would be a reasonable compromise on the signage for this type of business if the Commission were willing to go along with it given the visibility achieved with the building tower.

Mr. McCormick stated there are three factors that lead him to believe the signage may not be unacceptable: 1) It is no higher than any other sign from the street grade. As a matter of fact, he said it would be a little lower; 2) The sign more or less faces 63rd Street traffic headed east and west as opposed to traffic on Main Street headed north and south. Arguments can be made as to what impact that is going to have on the neighbors, which is the biggest underlying concern; and 3) The sign is turned off at 10:00 p.m. At the same intersection there is the Jewel-Osco, which is open 24-7 and has a strobe light on the top of the building. The BP Amoco is open until 11:00 p.m. Mr. McCormick stated from his perspective, which is easy for him to say because it is not in his backyard, the proposed signage is in conformance with the surrounding area.

Mr. Waechtler stated he hoped there would be some way to increase the green space percentage, which would still be below the minimum. Mr. Kahlke commented he also understands the problem there, but a center called Green Knolls should do as much as possible to live up to its name.

Mr. Stark commented the petitioner is asking for an additional 15 feet of height for their freestanding sign at the intersection of 63rd and Main Streets because that is what they would be entitled to under the Code if the lot were at the same grade as the street. Mr. Stark said that would be fine, except when you go south on Main Street, you would get the full appreciation of the tower on the building because you start low and then go up the hill. Mr. Stark reiterated that is the unusual circumstance with which he is having problems. Mr. Stark again commented he was looking for a compromise to some way get the proposed sign to a height with which everyone will be satisfied.

Mr. Nicholaou concurred with Mr. Stark. He commented when all is said and done, he did not know if the Commission would be in favor of limiting the sign to 24, 30 or 29.5 feet. Mr. Nicholaou stated he did not think a height limitation would penalize the petitioner from exposure. Based on the four script signs on the building and the fact that the building is going to be set back away from the southeast corner, Mr. Nicholaou expressed the opinion the building would be a formally exposed structure. Mr. Nicholaou agreed if the proposed freestanding sign were at street level, it would be 20 feet high, and there would be no discussion because no variation would be necessary.

Mr. Nicholaou also referred to the many hours of discussions with the Economic Development Commission where it was acknowledged there would be necessary variations in order to develop this site. Mr. Nicholaou noted he did not have any problem with the proposed wall signage, but he did have a problem with the proposed freestanding sign and the lighted tower sign that concerns Mr. Stark. Mr. Nicholaou expressed the opinion that portion of the site it would like the Electric Light Orchestra from dusk until 10 p.m. Mr. Nicholaou asked if that was the type of aesthetic the Plan Commission was looking for in regard to development and redevelopment. Mr. Nicholaou concluded there should be a limit on the height of the freestanding sign.

Mr. Stark suggested the proposed freestanding sign be allowed to such a height that it would be as equally above street grade as the height of the current Green Knolls Center sign. Such a sign, along with the tower sign and the wall signage, would give Walgreens five different ways of being recognized by the public. Mr. Stark commented that would be a fair compromise in his opinion.

Mr. Nicholaou stated if they have to remove three feet of dirt to level the site, then, in his opinion, the sign picks up three feet of overall height, but the height from the street level should not change. Mr. Nicholaou pointed out the Village Council wants the Plan Commission to be explicit in their recommendations and determinations.

Mr. McCormick asked if Mr. Nicholaou was suggesting that instead of approving a sign 35 feet high, that the sign should be 27 feet high? Mr. Nicholaou responded if that were done, the Village would be giving Walgreens the existing sign height as Mr. Stark suggested.

Mr. Matejczyk clarified the elevation of the sign above street grade would remain the same.

Chairman Jirik offered another perspective. He noted, with the change of elevation and the relative height of the road, the Plan Commission has worked very hard to get their hands around this issue. Chairman Jirik pointed out visibility and signage is critical to the business plan of very competitive businesses. Walgreens made the argument that the other three corners of the intersection get 20 feet above street grade. Chairman Jirik expressed his opinion that 20 feet was too much in this case, but a sign height just above the ground where the current Green Knolls sign is could also be a business concern regarding the ability to generate visibility and traffic.

Chairman Jirik stated the orientation of the proposed sign is to make it visible along 63rd Street. He suggested the top of the sign height could be limited to eight to ten feet above the centerline of 63rd Street measured perpendicular from the sign location. Chairman Jirik noted he chose ten feet as a number for discussion. Chairman Jirik stated that is functionally what the sign is going to accomplish. The sign functionally is not accomplishing anything relative to local grade. Walgreens wants to know what that sign is going to do for the traffic on 63rd Street. Chairman Jirik acknowledged the Plan Commission might not be able to compute the exact variation because of existing and

proposed contouring and topography, etc. He asked what would the appropriate number be that is respectful of the neighbors and is beneficial and appropriate for the business. Staff could make the calculation and provide the appropriate figure so the Commission could grant a specific variation. Using this approach, we would be communicating a specific principle that this sign would be visually eight to ten feet above the road. Chairman Jirik indicated his preference right now is for something between eight to ten feet, which is a little more than what is currently present, but it is not as much as 20 feet which we already have across the street. Chairman Jirik stated this would be a compromise.

Mr. Nicholaou stated any time a petitioner brings a petition forward to the Plan Commission that ultimately goes forward to the Village Council, there has to be an attitude of give and take on the petitioner's part. Mr. Nicholaou commented as a marketing professional, he wanted to give this business as much visibility as he possibly could. Mr. Nicholaou noted detailed discussion is not only healthy for the Plan Commission and the Village Council, but it is healthy for the petitioner as well. Mr. Nicholaou expressed his opinion that the Plan Commission is not denying their variation request by suggesting modifications.

Chairman Jirik emphasized the metric measurement he is defining would codify the visual affect of the sign for the public. It would actually prevent any mischief like piling up 20 feet of dirt and then putting up a 20-foot tall sign.

Mr. Nicholaou agreed Chairman Jirik's proposal was a reasonable compromise.

Mr. Russ stated, after talking with Mr. Hague, he also had a compromise to offer. Walgreens would be willing to reduce the sign from 35 feet to 30 feet.

Chairman Jirik then offered a few comments regarding the rotation of the building. Chairman Jirik indicated he had some concern about this issue as he listened to the comments of other Commissioners. Chairman Jirik stated he understood Walgreens' concern, and he hoped that they understood the Commission's concern; however, he continues to be concerned about the oddity of the orientation. He noted the 90-degree clockwise orientation would be visible from all sides of Main Street; the intersection, the gas station, down the road, and it would actually be a beautiful focus for wherever you are driving on Main Street. You would see the building at both points of ingress and egress at all points on the property, and you would see it at the stoplight from whatever direction you were traveling. Chairman Jirik acknowledged aesthetics is very weakly within the Plan Commission's purview. He indicated his concern was more for the overall flow within the property; the synergy the Village would like the businesses to have.

Mr. Stark stated the Chairman is addressing salient points, but the Commission has a list of variations, A through E, as listed on Page One of the Staff report to consider, and a number of things we can talk about. Mr. Stark commented if he had to micromanage these businesses as to what his personal thoughts were, we would be here at a later hour

than we are now. Mr. Stark stated for the Commission to give recommendations on every possible nuance as to how a petitioner should arrange their business or what would look best is purposely left out of what the Commission is supposed to do. Mr. Stark noted the market would tell Walgreens if they are right or not. Mr. Stark emphasized to the Chairman his opinion that is not something he can address or something the Commission can put into the record. He noted a lot has been placed into the record for informational purposes, but for the recommendation the Commission is going to forward to the Village Council it can be said that the petitioner asked for a variance for the height of the sign, and the Commission thinks this is a compromise the Council should consider. The other requested variations are either yea or nay, or recommended with some compromise.

Chairman Jirik stated he would agree unless the inherent design creates a risk hazard to the public that an alternative design would remedy, mitigate or reduce. Mr. Stark agreed.

Chairman Jirik pointed out he is looking at the loading bay, the flow around the corner of the building, the ingress and egress, and he expressed some concern he could not quantify. Chairman Jirik stated his qualitative sense is that the 90-degree clockwise spin gives better traffic flow, better pedestrian flow, better ingress and egress. Chairman Jirik recalled the hesitation on the part of the applicant to change the building's orientation was visibility. In response, Chairman Jirik expressed his opinion the visibility would be better if the building were rotated.

Mr. Nicholaou stated he has to accept the architect at face value when he says he drew this project eight different ways, and Walgreens rejected all of them except the plan presently before the Commission; this is the plan we have to consider.

Mrs. Schroeder recalled when the houses at the intersection of 59th and Main Streets were built with the rear of the houses facing Main Street, former Mayor Cheever asked if we had anything in our Code that says which way something has to be orientated on a lot. Chairman Jirik responded in that case we did not. Mrs. Schroeder asked if we now have something in the Code regarding orientation of buildings on lots. Chairman Jirik responded to the best of his understanding we do not. Mrs. Schroeder stated this petitioner is asking for variances and exceptions because of the topography and character of the site, which would not be needed if the building's orientation was turned 90 degrees. Chairman Jirik advised her if the building were turned 90 degrees, the plan would still have the same variations for parking, setbacks and green space. Nothing would change.

Mrs. Schroeder pointed out in reference to Mr. Waechtler's earlier question about other Walgreen stores in the area, that on the bottom of the future floor plan drawing in the Plan Commission packet it states "plans for relocation of store at 7221 Lemont Road". Chairman Jirik advised Mrs. Schroeder that information was not material, and Mrs. Schroeder responded she was just answering Mr. Waechtler's question.

Chairman Jirik asked if there were any further questions or comments from the Plan Commission members. Hearing none, Chairman Jirik advised that he would entertain a motion to recommend approval, recommend approval with changes or recommend denial.

MOTION: MR. NICHOLAOU MOVED WITH RESPECT TO PLAN COMMISSION FILE NO. PC-02-04, THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL REGARDING THE PROPOSAL TO CONSTRUCT A NEW 14,500 SQUARE FOOT WALGREENS RETAIL SALES FACILITY TO INCLUDE A DRIVE-UP (PHARMACY) COMPONENT, SUBJECT TO THE FOLLOWING:

- 1. THE PETITIONER SHOULD CONTINUE TO EVALUATE MEANS TO REDUCE OR ELIMINATE THE NEED FOR VARIATIONS TO THE EXTENT POSSIBLE AND PRACTICAL;**
- 2. THE PROPERTY OWNER(S) SHALL CONSULT WITH THE VILLAGE REGARDING POTENTIAL FUTURE USES OR CHANGES TO USES, AS SUCH MAY REQUIRE TEMPORARY USE OR SPECIAL USE REVIEW, OR REGARDING OTHER USES THAT MAY RESULT IN NEGATIVE IMPACTS TO ANY APPROVED PARKING AND TRAFFIC CONDITIONS AS PART OF THIS PETITION;**
- 3. EXECUTED, PERPETUAL AND RECIPROCAL EASEMENT/ACCESS AGREEMENTS BETWEEN ALL PROPERTY OWNERS OF THE TWO SUBJECT PARCELS MUST BE OBTAINED AND RECORDED WITH THE RECORDATION OF THE RECONFIGURED PARCELS;**
- 4. LOADING/UNLOADING OPERATIONS, INCLUDING REFUSE REMOVAL, SHALL OCCUR ON-SITE AND SHALL NOT OBSTRUCT OR HINDER SAFE PARKING AND SITE CIRCULATION FOR VEHICULAR AND PEDESTRIAN TRAFFIC WITHIN THE CENTER NOR NEGATIVELY IMPACT ON 63RD STREET OR MAIN STREET;**
- 5. ALL STORAGE OF REFUSE SHALL OCCUR COMPLETELY IN APPROPRIATE ENCLOSURES AT ALL TIMES;**
- 6. ROOFTOP SCREENING OF MECHANICAL EQUIPMENT IS TO BE PROVIDED IN AN ARCHITECTURALLY COMPATIBLE MANNER;**

7. **THE OWNER(S) SHOULD WORK COOPERATIVELY TO EXPLORE AND IMPLEMENT INCREASED LANDSCAPING THROUGHOUT THE CENTER;**
8. **THE VARIATION FROM SIGN CODE STANDARDS IS RECOMMENDED TO BE ESTABLISHED AS FOLLOWS: THAT A SIGHT LINE BE ESTABLISHED FROM THE HIGHEST POINT OF THE INTERSECTION OF 63RD AND MAIN STREETS AND THAT SHALL DICTATE THE HEIGHT OF THE SIGN. ALL OTHER SIGNAGE SHALL COMPLY WITH CODE. ROOFTOP SIGNAGE SHALL NOT BE ALLOWED;**
9. **COMPLIANCE WITH ALL PUBLIC WORKS/ENGINEERING REQUIREMENTS/CONDITIONS AS OUTLINED IN THEIR MEMORANDUM DATED JANUARY 30, 2004 INCLUDING RECOMMENDED CONDITIONS;**
10. **COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE AND VILLAGE LAWS, ORDINANCES, REGULATIONS AND POLICIES.**

Chairman Jirik asked if there were any questions or comments respecting the motion.

Chairman Jirik asked Mr. Nicholaou if it was his intent to look at the intersection of 63rd and Main Streets, but that the height at the top of the sign should not be more than "X" number of feet above the street grade. Chairman Jirik pointed out that was not what he had suggested earlier. Mr. Nicholaou stated his intent was that the height of the sign should not be more than 28 feet from the base to the top. Several commission members pointed out to Mr. Nicholaou that the figure has to be calculated from the centerline at the street. Mr. Stark suggested Mr. Nicholaou look at Variation D, which says you would propose to allow a freestanding sign with a height of 28 feet versus the maximum permitted of 20 feet. Mr. Nicholaou responded he felt what Chairman Jirik had said earlier about establishing a sight line made more sense because he does not know the depth of the ground being excavated below the base of the sign. Mr. Matejczyk noted it does not matter. He suggested measuring it at the centerline of the road or to pick a number such as 10 or 12 feet above grade.

Chairman Jirik clarified the motion needs to either strike the concept of measurement from the centerline and go in a different direction, or if Mr. Nicholaou wishes to proceed in that direction, he advised the motion should specify a variation necessary to achieve "X" number of feet measured above the centerline of the highway to be computed by Staff before forwarding the recommendation to the Village Council. Chairman Jirik suggested either way would work, but the two concepts cannot be mixed because they are not compatible. He suggested to Mr. Nicholaou if he went with the centerline concept, the most that could be achieved would be a net of 35 feet. You are not going to get 20 feet above grade because that would be over 35 feet in sign height. Mr. Nicholaou agreed

to amend his motion to recommend that the variation be granted only in an amount necessary to achieve a sign height of ten feet above the grade at the centerline of the intersection.

Mr. Matejczyk pointed out the proposed sign is 11 feet high from the bottom of the sign.

Ms. Browne pointed out earlier Chairman Jirik had suggested the sign height be measured at a point at the centerline of 63rd Street perpendicular to the sign. Chairman Jirik stated Mr. Nicholaou changed his motion so that grade is measured at the centerline of the intersection. Ms. Browne stated for clarification she did not want to lose the proposed language "All other signage shall comply with Code. Rooftop signage shall not be allowed." Mr. Nicholaou agreed.

Mr. Stark asked in clarification of the motion did it also address the variances that are asked for Green Knolls as well. Ms. Browne responded yes that all of the items listed in the Staff report as part of the Requested Action are included in a motion unless the Commission feels otherwise. Mr. Stark clarified the variations for both parcels would be addressed in the same motion, and Ms. Browne agreed.

Chairman Jirik clarified for the record the intent of this motion is to incorporate variations for both parcels.

Mr. McCormick stated the petitioner asked for a 35-foot sign. He asked if the Plan Commission's recommendation is 10 feet above the centerline, how are we then varying from the request of the petitioner if the height is now being allowed as a certain height as measured above grade. Chairman Jirik clarified Staff would need to compute the precise value. If we knew the precise offset, we could insert the precise value into the motion. Chairman Jirik expressed the belief it will result in a precise value; it just needs to be determined. Ms. Browne stated she would recommend that the petitioner be required to determine and verify what that calculation would be. Chairman Jirik stated the intermediate benchmark would be such that the delta above the street centerline is less than or equal to ten feet. Chairman Jirik emphasized the result will be a number less than 35 feet but greater than 20 feet. Ms. Browne agreed.

Mr. Nicholaou stated to his thinking the sign height is 24 feet now, minus three feet lost to grade of the site that yields 21 feet, if he takes their word they are removing three feet of dirt. If he took the 21 feet and added 9 feet, the number would be 30 feet. Mr. Nicholaou also stated he did not think it was necessary to have the letterbox included on the sign. He wants to give Walgreens its identification; therefore, coming down 10 feet would give them the 27 to 28 feet of overall sign height, which he thinks is plenty of visibility.

Chairman Jirik asked to what extent is the final grading a locked-in value and commented that the road centerline is not going to be changing any time soon. The calculation of height from the centerline preserves the visual look and does grant a specific numerical value that can be determined by the petitioner prior to going to the Village Council.

Ms. Browne again asked for clarification whether the data would be measured at the centerline of the intersection of the rights of way. Chairman Jirik corrected by stating Mr. Nicholaou said the center of the intersection. Ms. Browne asked if this would be measured directly south of the sign. Chairman Jirik clarified what Mr. Nicholaou said was different that what he as Chairman proposed. Ms. Browne asked if Mr. Nicholaou's amended motion stated the centerline of the rights of way of 63rd and Main Street or the centerline of the intersection of the street pavement. Chairman Jirik responded the centerline of the street pavement.

For clarification, the final motion reads as follows:

MOTION: MR. NICHOLAOU MOVED WITH RESPECT TO PLAN COMMISSION FILE NO. PC-02-04, THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL REGARDING THE PROPOSAL TO CONSTRUCT A NEW 14,500 SQUARE FOOT WALGREENS RETAIL SALES FACILITY TO INCLUDE A DRIVE-UP (PHARMACY) COMPONENT, SUBJECT TO THE FOLLOWING:

- 1. THE PETITIONER SHOULD CONTINUE TO EVALUATE MEANS TO REDUCE OR ELIMINATE THE NEED FOR VARIATIONS TO THE EXTENT POSSIBLE AND PRACTICAL;**
- 2. THE PROPERTY OWNER(S) SHALL CONSULT WITH THE VILLAGE REGARDING POTENTIAL FUTURE USES OR CHANGES TO USES, AS SUCH MAY REQUIRE TEMPORARY USE OR SPECIAL USE REVIEW, OR REGARDING OTHER USES THAT MAY RESULT IN NEGATIVE IMPACTS TO ANY APPROVED PARKING AND TRAFFIC CONDITIONS AS PART OF THIS PETITION;**
- 3. EXECUTED, PERPETUAL AND RECIPROCAL EASEMENT/ACCESS AGREEMENTS BETWEEN ALL PROPERTY OWNERS OF THE TWO SUBJECT PARCELS MUST BE OBTAINED AND RECORDED WITH THE RECORDATION OF THE RECONFIGURED PARCELS;**
- 4. LOADING/UNLOADING OPERATIONS, INCLUDING REFUSE REMOVAL, SHALL OCCUR ON-SITE AND SHALL NOT OBSTRUCT OR HINDER SAFE PARKING AND SITE CIRCULATION FOR VEHICULAR AND PEDESTRIAN TRAFFIC WITHIN THE CENTER NOR NEGATIVELY IMPACT ON 63RD STREET OR MAIN STREET;**
- 5. ALL STORAGE OF REFUSE SHALL OCCUR COMPLETELY IN APPROPRIATE ENCLOSURES AT ALL TIMES;**
- 6. ROOFTOP SCREENING OF MECHANICAL EQUIPMENT IS TO BE PROVIDED IN AN ARCHITECTURALLY COMPATIBLE MANNER;**

7. **THE OWNER(S) SHOULD WORK COOPERATIVELY TO EXPLORE AND IMPLEMENT INCREASED LANDSCAPING THROUGHOUT THE CENTER;**
8. **THE VARIATION FOR THE FREESTANDING SIGN IS RECOMMENDED TO BE GRANTED ONLY IN AN AMOUNT EQUAL TO 10 FEET ABOVE THE GRADE OF THE PAVEMENT AS MEASURED AT THE INTERSECTION OF THE STREET CENTERLINES OF MAIN STREET AND 63RD STREET. ALL OTHER SIGNAGE SHALL COMPLY WITH CODE. ROOFTOP SIGNAGE SHALL NOT BE ALLOWED;**
9. **COMPLIANCE WITH ALL PUBLIC WORKS/ENGINEERING REQUIREMENTS/CONDITIONS AS OUTLINED IN THEIR MEMORANDUM DATED JANUARY 30, 2004 INCLUDING RECOMMENDED CONDITIONS; AND**
10. **COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE AND VILLAGE LAWS, ORDINANCES, REGULATIONS AND POLICIES.**

MR. STARK SECONDED THE MOTION.

Chairman Jirik asked the Plan Commission if they had any further clarification regarding the intent of the motion. There was no response. He next asked if there was any further commentary the Commission needs to hear before he entertains a vote.

Mr. McCormick asked a procedural question. He asked if a Commission member agrees with 90% of the motion, but does not agree with 10% of the motion, do they have to vote no. Mr. McCormick stated he does not agree with the amended portion of the motion regarding the sign. Chairman Jirik advised Mr. McCormick he would have to decide the weight of the issue and the magnitude of his concern. He suggested Mr. McCormick could voice his concern now.

Mr. McCormick stated he would vote in favor of Mr. Nicholaou's amended motion regarding the height of the sign, but he did have concerns as to whether the ultimate height recommended would be sufficient. He strongly urged the Village Council to pay close attention and give serious consideration to the height of the sign being more than what would be recommended in this motion. Mr. McCormick stated other than the one concern he mentioned, he would be happy to see Walgreens at that site, or to be honest he would be happy to see anything at that site.

Mr. Matejczyk agreed with Mr. McCormick because he believed the sign height proposed by the Plan Commission would be inadequate because it would be overly restrictive.

Mr. Nicholaou stated he felt very strongly that it was incumbent on the Plan Commission when we have issues such as these that we send a clear message to the Village Council

that we have a concern about signage on the property, and the Council would address it in the best manner they knew how. For the record, we want to be sure the Council knows the Commission thoroughly discussed this issue.

Hearing none, he called for the vote.

ROLL CALL:

**AYE: Mr. Nicholaou, Mr. Stark, Mr. Kahlke, Mr. Matejczyk, Mr. Waechtler,
Chairman Jirik**

NAY: Mr. Griesbaum

The Motion passed 7:1

Mr. Griesbaum stated he wanted to be on record that he feels very strongly with regard to the orientation of the building on the site. Mr. Griesbaum recalled other places in Downers Grove where the Plan Commission compromised, and in the long run when we look back on it we say why did we do that; why did we even allow that to get built that way. It is not the way we wanted it. Mr. Griesbaum stated other villages and cities absolutely say no way, and if Walgreens or some other national chain wants to really build, those communities say if you want to build here you are going to build it the way we want it built. For the record, Mr. Griesbaum stated we needed to do more of that in Downers Grove.

Chairman Jirik again explained after the minutes are prepared and all pertinent information is compiled, the Plan Commission's recommendation would be forwarded to the Village Council. Staff will advise the petitioner as to when this matter will be placed on a Council Workshop agenda. Chairman Jirik advised those present in the audience who wanted to know when this would be placed on the Council agenda to contact the Planning and Community Development Department or the Village Clerk. He also noted the Council agenda is published on Fridays in the Village Corner section of the Downers Grove Reporter and can be seen on DGTV, Channel 6.

Ms. Browne stated the next Plan Commission meeting would be on Monday, March 15, 2004 in the Council Chambers.

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

The meeting adjourned at 11:35 p.m.

C: D. Barber, Director Public Works
M. Millette, Assistant Director Public Works-Engineering
J. Hall, Development Engineering Manager