

**MINUTES OF WORKSHOP MEETING**

**DOWNERS GROVE, ILLINOIS**

**APRIL 26, 2005**

Mayor Krajewski called the Workshop meeting of the Village Council of the Village of Downers Grove to order at 6:30 p.m. in the Council Chambers of the Village Hall.

**Present:** Mayor Brian Krajewski; Commissioners Marilyn Schnell, Sue McConnell, Martin Tully, Mark Zabloudil, Ron Sandack, Stan Urban; Village Manager Riccardo Ginex; Village Attorney Enza Petrarca; Village Clerk April Holden

**Absent:** None

**Visitors:** **Press:** Kevin Stahr, Downers Grove Reporter

**Residents:** Barbara Wysocki, Downers Grove Chamber of Commerce; Susan and David Schoch, 5805 Chase; Laura and Michael Morris, 2517 College; Marilyn and David Weiher, Chuck's Meat Market, 933 Curtiss; Linda Kunze, Downtown Management, 1015 Curtiss; Jayne Miczek, 5714 Chase; Roger Testin, 5641 Elinor; Jane Mack-Crane, 5616 Elinor; Angelo Boulougouris, DuPage Inn, 2410 Ogden; George Stavropoulos, Omega Restaurant, 1300 Ogden; Steve Hrbek, Highland Oaks I & II, 1020 31<sup>st</sup> Street; Dolores Zimmerman, 5831 Elinor; James Koleff, 2525 College; Kevin Luke, 5702 Katrine; Andy Clark, 1226 62<sup>nd</sup>; John Schofield, 1125 Jefferson; Christine Fregeau, 1918 Elmore; William Waldack, 1409 Willard; Laurel Bowen, 829 Clyde; Kelly Aguayo, 4811 Stonewall; Kenneth and Rena Kuratko, 4917 Stonewall; Peter Trucano, 5227 Brookbank; Tom Huffman, 5319 Brookbank; Rob and Lynn Goodsell, 2605 College; Rose Konfrst, 5621 Chase; Paul Neustadt, 5326 Meadow Lane; Glenn Ludwig, 1307 Turvey; Gary Wahlgren, 5325 Brookbank; Don Eckmann, 1244 Hawthorne; Jillian LeCompt, 1531 Concord ; Bonnie Bialek, 5618 Elinor; Michael and Elena Holz, 5606 Katrine; Dick and Carol Weber, 2521 59<sup>th</sup> Street; Don Quist, 2423 59<sup>th</sup> Street; Norm Sidler, 4840 Stonewall; Ross Johnson, Parking and Traffic Commission, 1311 Gilbert; Bill McCandless, 5446 Elinor; Steven and Darci Stanton, 4923 Stonewall; Sharon Moss, 5508 Chase; Henry Schei, 5820 Katrine; Phil Cullen, Ballydoyle, 5157 Main; Robert F. Pinelli, PS Signs and Apparel, 6400 K Woodward; James Russ, Jr., 4915 Main; Ron Sievers, Sievers Development, 5201 Walnut; Michael Stevens, Sievers Development, 5201 Walnut; Cliff Pixler, Intech Consultants, 5413 Walnut; Tim Burns, Emmett's Ale House, 5200 Main; Affif Leonor, 5609 Katrine; Mark Daniel, Rathje and Woodward, 300 East Roosevelt, Wheaton; Jeff Agner, 5714 Chase; Robert McGinnis, 5821 Elinor; Dominic L. Pugliani, Pugi Mazda, 2020 Ogden; Jim Hayles, Ladies Workout Express, 140 Ogden; Judy Sidrys, 5223 Lee; Lori Breit, 4826 Stonewall; William R. Muth, 5405 Lee; Gordon Goodman, 5834 Middaugh; George Nicholaou, Sign Committee, 4845 Highland; Dwight Olsen, Arun Enterprises, 2103 63<sup>rd</sup> Street; Lee Eisenberg, Bill Kay Nissan, 1601 Ogden; Dennis Masarik, 5605 Katrine; Diane Taff, 2521 College; George Kalam, 2223 Ogden

**Staff:** Police Lt. Bill Budds, Don Rosenthal, Director Code Services; Don Scheidler, Code Services; Mary Scalzetti, Director, Tourism and Events; Keith Sbiral, Planner; Lori Sommers, Planner; Gregory Zimmerman, Director, Employee Relations, Mary LaLonde, Employee Relations; Michael Baker, Assistant Village Manager; Douglas Kozlowski, Director, Marketing and Media; David Barber, Director, Public Works; Stan Balicki, Assistant Director, Public Works; Mike Millette, Assistant Director, Public Works

Mayor Krajewski explained that Council Workshop meetings are held the second and fourth Tuesdays at 6:30 p.m. The meetings are video taped live and for later cable-cast over cable channel 6.

The Workshop meeting is intended to provide Council and the public with an appropriate forum for informal discussion of any items intended for future Council consideration or just for general information. No formal action is taken at Workshop meetings.

The public is invited to attend and encouraged to comment or ask questions in an informal manner on any of the items being discussed or on any other subject. The agenda is created to provide a guideline for discussion.

Consent Agenda Items

1. **Bid: Village Purchase.**
2. **Bid: Heritage Festival Tent Rental.**
3. **Bid: Mosquito Abatement.**
4. **Bid: Elevator Inspection Agreement.**
5. **Contract Award for Testing Services.**
6. **Health Insurance Consultant Renewal & Delta Dental Renewal.**
7. **Federal Health Insurance Portability and Accountability Act of 1996 and the Illinois Health Insurance Portability and Accountability Act.**
8. **2005 Illinois Law Enforcement Alarm System Homeland Security Grant Program to Support Security Cameras for the Police Department and Village Hall.**
9. **Mini-Grant Alcohol Enforcement Program through the Illinois Department of Transportation to Support Eight DUI Campaigns.**
10. **2005 YMCA Farmers' Market Agreement.**

Mayor Krajewski referenced the ten Consent Agenda items. He asked if Council members had any questions regarding these items.

**Commissioner Schnell** asked about the contract with Clarke Environmental. She said they raised their fees two percent for each of the last three years, but this contract represents a 13 percent increase.

**Don Rosenthal**, Director, Code Services, said this is a sole source contract. He said the liability insurance and fuel costs have increased. He said the contract was kept low for a number of years and he feels this contract is reasonable.

Active Agenda and Informational Items

1. **Sign Ordinance.** The Manager said this matter is coming back to the Council as a result of a number of questions. He asked Lori Sommers to address the questions.

**Lori Sommers**, Planner, said there was a question regarding an impact study. She said to answer this we would need to hire a consultant, which would be difficult to do. Regarding why Ogden was not viewed differently, Ms. Sommers said Ogden was reviewed first and the Committee then moved on to the rest of the Village using the regulations developed for Ogden. She said staff modified the sign ordinance by providing a definition of "logo," allowing for larger signs to address the needs of larger structures, addressing corner lots to allow more than one monument sign if they can be placed at least 100 feet apart, increasing the accessible area in the case of

sandwich board signs, and adding a provision regarding multi-paneled signs for shopping centers. The accessible area of sandwich board signs has been increased from five to six feet. They reviewed the measured portion of signs and reexamined commercial real estate signs. Regarding window signs, the ordinance proposes a maximum of 25% of the total display window area. She said variation procedures are included in the ordinance.

Mayor Krajewski discussed the ordinance as it applies to See's Candies. He suggested that businesses set back from the road be permitted larger signs.

The Mayor said the Butterfield area seems to be different than Ogden Avenue. He noted that the signs for Sal & Carvao and Fry's Electronics don't appear too big, but would not be in compliance with the ordinance. He noted that Ogden Avenue has many businesses close together and large signs do not work well there. Butterfield businesses are spaced farther apart and he said he felt that the bigger signage does not detract from anything.

Commissioner Schnell asked about the Butterfield Road area as well. She noted that under the PUD process, one could ask for a variance. She said Butterfield area has bigger lots and more frontage. She asked if a strip mall is looked upon as a shopping center.

Ms. Sommers that by definition a shopping center has three or more stores.

**Commissioner McConnell** noted that Fry's Electronics is an unusual situation. She suggested considering the amount of roadway in determining the sign size. She said she would be amenable to giving shopping centers a greater distance in determining the size of their signs. She said she would like to move forward on the sign ordinance.

The Mayor suggested pulling the Butterfield Road area out of the ordinance.

**Commissioner Urban** said he appreciates the magnitude of an impact study. He asked how many sign permits have been issued.

Ms. Sommers said there are approximately 2000 businesses in Downers Grove. She agreed that 80% of the businesses would have to modify their signs in some way.

Commissioner Urban asked if there is enough staff in place today to enforce the ordinance.

Mr. Rosenthal said he estimates that Code Services would need one full-time person for the next seven to ten years to do nothing but sign enforcement.

Commissioner Urban said that while he understands Commissioner Schnell and the Mayor's concerns about Butterfield Road, he does not want to have special areas.

**Commissioner Tully** said the review of the sign ordinance started five years ago when Council was receptive to concerns about signage on Ogden Avenue. This has taken a considerable amount of hard work. Initial discussions concerned cleaning up signage on Ogden Avenue, but as the issue was discussed, it became broader. He noted that a variation process is built into the ordinance for those who have a hardship. The ordinance is not designed to be one size fits all. Different situations deserve different treatment, but for objective reasons. He noted that there is a TIF district on Ogden Avenue and those dollars can be used to improve the aesthetics on Ogden Avenue. He suggested exploring the possibility of using TIF funds to assist those businesses wanting to come into compliance with the ordinance prior to the amortization period.

Commissioner Tully said he wants the ordinance to be balanced. He noted that this is not a perfect process but with minor changes, we are close to getting this done. He said the moratorium is not intended to stop people from putting up signs. He suggested that with a sign ordinance on the table perhaps the moratorium should be modified.

**Don Scheidler**, Code Enforcement, said that with respect to the moratorium, people are waiting to see what decisions are made to the sign ordinance. Most people want to be sure that what they put up is allowed so they are waiting to see the final ordinance. He noted that people are allowed to put up signs, but they are waiting to see what happens with the ordinance. He noted that the Saab dealer put up a sign regardless of the final decision on the ordinance.

Commissioner Tully suggested that staff explore the use of Ogden Avenue TIF funds with respect to funding a full-time position.

**Mike Baker**, Assistant Village Manager, said the EDC met a few weeks ago and the Ogden Avenue Subcommittee will be discussion the use of TIF dollars in future meetings.

Commissioner Tully thanked the businesses and residents for their input.

Mayor Krajewski asked how the size of the wall signs was determined.

Ms. Sommers said the language in the moratorium is one square foot per one linear foot of frontage. People did not seem to have a problem with this.

The Mayor said this seems small. Ogden Avenue businesses are on top of each other. He suggested that Ogden Avenue may need different regulations due to its uniqueness.

Commissioner Sandack said the ordinance is starting from the macro level. He said he feels it is pro business. He acknowledged that changes will cost money and no one is downplaying that. He noted that the ordinance has a variance proposal. He said they are trying to draft a simplified ordinance. He agreed with Commissioner McConnell to move forward with a vote. He said he is against lifting the moratorium until the current ordinance is replaced.

Commissioner Tully said he agreed with Commissioner Sandack that carving out sections of the Village would not be preferred, but he said it would be useful to recognize the physical attributes of sections of the Village like parcels with a particular setback or frontage in determining the regulations. The proposed ordinance already recognizes that different parcels are treated differently in order to achieve an aesthetic vision. He agreed that there should be objective criteria to determine regulations.

The Mayor asked for comments from the public.

- 1) **Barb Wysocki**, CEO, Chamber of Commerce, said the Chamber agrees with cleaning up the town. She said she appreciates all the efforts put forth so far. She noted that the Sign Committee said the ordinance needed to be loosened up and she does not think that has been done. She said no one has had the resources to look at the impact of this ordinance. She suggested that ill will may negate the positive aspects of this ordinance. She said she agreed with increasing the footage ratio to 1 ½ square feet of sign per one linear foot of frontage. She said regarding awnings, nothing other than the name is permitted. She said allowing additional lettering or logos would not take away from the aesthetics. Regarding districts, she

agreed that the Butterfield Road area is different and noted that many of those businesses are unaware of this ordinance. She said she would vote to lift the moratorium. She suggested looking for opportunities for incentive dollars to encourage businesses to change their signs before the seven-year amortization period. She noted that businesses would like ten years rather than seven for implementation. She said the Council has an obligation to get this right.

- 2) **Steve Hrbek**, Highland Oaks, 31<sup>st</sup> & Highland, noted that Lisle, Lombard and Naperville are competitors. He said the sign ordinance needs to be liberal enough to stay competitive with other communities. He noted that populated buildings bring in people who go out for lunch and shopping. The sign ordinance should be less restrictive so as to keep people in the buildings. He suggested a separate section of the ordinance for office complexes and buildings. He said he would be happy to work on this.

**Commissioner Zabloudil** asked about the value signs bring.

Mr. Hrbek said they bring traffic and are noticed. It is also advertising. It allows owners to be competitive.

Ms. Sommers said the signs described by Mr. Hrbek would not be eliminated under the new ordinance.

Commissioner Tully asked about the awnings.

**Village Attorney Enza Petrarca** said that in addition to the name, address and logo, businesses want to put additional advertising on the awning.

- 3) **Jim Hayles**, 140 Ogden Avenue, Downers Plaza, said the plaza has approximately 12 retailers. The shopping center is set back from Ogden Avenue. His business has 20 feet of frontage and his sign is not visible from Ogden Avenue. He showed pictures of signs for Office Depot and See's Candies from 50 feet and from 380 feet away on Ogden Avenue. He referenced the purpose of the ordinance and suggested that small signs are dangerous. He said many of the businesses in Downers Plaza feel they are being penalized being part of a shopping center rather than being on Ogden Avenue as a stand-alone business. They would like a level playing field.

Commissioner Zabloudil asked about monument signs at Downers Plaza.

Mr. Hayles said there is one such sign and provided the dimensions.

Commissioner Urban said he sympathizes with the tenants. He asked if the sign on See's Candies is the same size as that of Trader Joe's. He said if a business does not have the frontage, the height will distort the sign.

Mr. Hayles said his business is a franchise and he is required to use the franchise name, which is 20 letters. He asked for leeway to have a larger sign that is more visible.

- 4) **Angelo Boulougouris**, owner of the DuPage Inn, Ogden Avenue, said he depends on signs for advertising. He said businesses need signs for their name and to advertise their product. He suggested a setback for five feet from the property line rather than ten feet.

- 5) **Dwight Olson** said he is the Manager of Meadowbrook and University Plaza. He said two of his tenants cannot make simple changes due to the moratorium. They were told they cannot re-letter their signs.

The Mayor said Lombardi's was told they could put up a sign.

Attorney Petrarca said Roundhead's would have to come into compliance. An exception was made for shopping center signs with multiple tenants, but not freestanding signs. Roundhead's would have to comply with the current regulations, as it is not part of a shopping center.

Mr. Olson said Meadowbrook is a PUD and is set back from the street. He said a sign based on one square foot per one linear foot of frontage makes it difficult for people to advertise their businesses. He said signage is important.

- 6) **George Kalem** bought the Odie's restaurant at Ogden & Finley. He said the sign does not reflect what he sells and it is hurting his business.
- 7) **Lee Eisenberg**, Bill Kay Nissan, 1601 Ogden, said he sent the Council members an e-mail urging the Council to look at the sign ordinance again. He said Mr. Nicholaou stated the purpose was to draft something extreme and as far to the right as possible and it would be the Council's job to bring the pendulum back to reality. He said he feels that not enough time has been spent on this and it is unfair to businesses. He said this is not ready to be voted upon. He suggested ramping up enforcement of the current ordinance with a full-time person. He further suggested rescinding the moratorium as there are businesses in dire need. A seven-year amortization period is not unreasonable, but if the Village cannot clean up what we have now, he asked how the Village will bring businesses into compliance within the seven year period. He said enforcement is the key.

The Mayor said Mr. Nicholaou suggested that the Council might want to keep 75% of the proposed ordinance.

Mr. Eisenberg said he does not want to be at a disadvantage.

Commissioner Sandack said there are businesses that have complied with the proposed ordinance. He said spending time and money enforcing the existing ordinance is not a good idea. He said he is against lifting the moratorium. He asked Mr. Eisenberg for specific suggestions.

Mr. Eisenberg said he has come with suggestions for language. He said the car dealer that complied with the proposed ordinance is not on "car row."

Commissioner Sandack said the Council made a very fair deal with Bill Kay.

Mr. Eisenberg said he wants to change his sign face.

Commissioner Tully said the sign ordinance has always specified that if a business wants to change a sign, the entire sign has to be brought into compliance with the ordinance. He said he takes issue with the statement that not enough time has been spent on this.

The Mayor said he thought Mr. Eisenberg meant that not enough time had been spent on bringing the ordinance back to reality.

## DRAFT

Ms. Sommers said the Sign Committee went through various steps whereby additional changes were made.

- 8) **Dominic Pugliani**, owner of Pugi Mazda, 2020 Ogden Avenue, said his concern is his frontage along the I-88 corridor as a ten-foot sign would not be seen. He said his goal is to bring revenue to the Village and he wants people to know where his business is located. He said the point is to bring people to Downers Grove to spend money.

Ms. Sommers said he could put up a sign. It would be calculated against their frontage.

- 9) Mr. Kalem asked as to his alternatives. The Mayor said he could put up a sign that meets the terms of the moratorium. Mr. Kalem asked if he could change the face of his sign. Attorney Petrarca said he would have to have a new sign. Mr. Kalem said he would have to do this at his own expense.

- 10) **Marilyn Weiher**, Chuck's Meat Market, said she e-mailed her concerns to the Council. She asked how a sign is to be measured.

Ms. Sommers read the surface area definition.

Ms. Weiher noted the setback requirement and said most of her new customers are by foot traffic.

- 11) Ms. Wysocki said there was not a Chamber of Commerce member on the Sign Committee. She said no one on the Committee would have to live with the changes. She said this has not been studied for a year. She urged the Council not to vote on this right away, and further urged the Council to lift the moratorium.

- 12) **George Nicholaou**, chairman of the Sign Committee said this is a complex ordinance. The Committee tried to infuse the Council's wishes. He gave examples of changes made to the ordinance as the Committee received input. He said it is misleading for someone to say there was not an opportunity for input. He said that because people did not take time to come to the meetings is not the fault of the Committee. He said auto dealerships were invited. This ordinance levels the playing field and is enforceable. He said it never took away signs on tall buildings.

The Mayor agreed that there was opportunity for input.

Mr. Nicholaou said changes were made on a weekly basis and were sent to the Downtown Management and to the Chamber on a weekly basis.

The Mayor asked if Mr. Hrbek could put signs on the side of his building. Attorney Petrarca said she will look into it.

- 13) Mr. Hrbek asked when the seven-year amortization period begins. He suggested it be a floating period beginning when one is notified that they are out of compliance.

Commissioner Sandack said this has been the situation for the last 20 years. It would be an unenforceable provision.

Mr. Scheidler said other staff would help the full-time person as they could. The plan is to start a letter campaign once the ordinance is passed, which will be reinforced periodically. He said signs will change through attrition.

Commissioner Schnell said signs for many businesses on Ogden Avenue do not comply with the current ordinance let alone the new ordinance.

Mr. Scheidler said he does not know of illegal signs on Ogden Avenue. He said there are about 20 signs grandfathered in and still in existence.

14) Ms. Wysocki said the Chamber will help with the education process once the ordinance is passed.

The Mayor said he would like to see the sign ordinances for Lisle, Naperville and Lombard. He reiterated his concern about the measurement formula and asked that monument signs be addressed.

Commissioner Schnell noted that tollway signage includes more than car dealerships.

2. **Temporary Use/Sidewalk Cafe.** The Manager asked Village Attorney Enza Petrarca to address this item.

Attorney Petrarca said staff is proposing changes to the existing Sidewalk Café, Special Commercial Event and Temporary Use ordinance, and proposing establishing a policy with regard to the use of the Special Events area of the parking deck. With respect to temporary use, the amendments will standardize documentation. In addition, the ordinance proposes to limit temporary use permits to not-for-profit organizations unless the use is accessory to the principal use of the property.

Ms. Petrarca said sidewalk café licenses are required when public property is being used. Staff is proposing a standard application submittal process, a \$150.00 application fee, a rental charge for the use of the property at \$1.00 per square foot of space utilized, inspection fees, a letter of credit and five feet of sidewalk clearance. She said a major change is that application would be made to the Village Manager who would make a recommendation and place the application on file with the Council. If there were no objections, it application would be deemed approved. She said the flat fee standardizes the process.

Special commercial events are events that occur on public property. Staff is proposing standardizing the application submittal process, establishing a \$150 application fee, a security deposit, inspections as well as reimbursement for Village personnel involved in the event such as police, public works, etc. Special Commercial Events licenses would be handled on a case-by-case basis and would be brought to the Council for approval. She said the Friday night car shows would be a special event.

Regarding the parking deck rental policy, Ms. Petrarca said this is based on the rental policy for the Public Works facility. The policy limits the deck use to governmental institutions and not-for-profit organizations. It prohibits alcohol, and charging fees or admission. The policy sets forth a rental charge of \$.10 per square foot of area utilized.

The Mayor asked about parking lots. Ms. Petrarca said they were covered in the special commercial events area.

## DRAFT

The Mayor asked about not charging fees in the parking deck, but doing so in parking lots. Ms. Petrarca said the parking deck was treated as a public facility while parking lots were treated as open spaces.

The Mayor suggested the policies be uniform as he said he does not see a distinction. He said he would not have a problem charging admission on either one.

The Mayor asked if block parties would be part of this ordinance. Ms. Petrarca responded that they are not.

The Mayor asked about sidewalk sales. Ms. Petrarca said they are special commercial events.

The Mayor asked about the fee structure. Ms. Petrarca said it is based on current charges. Staff tried to recoup fees. The Mayor said this puts the Village at the high end in the comparisons. Ms. Petrarca said some of the other communities have business licenses with associated fees.

The Mayor asked if the Rotary Club could still do its Oktoberfest on Village-owned property. Ms. Petrarca said they could. He asked that the Rotary be notified of any changes to the ordinance with which they would have to comply.

The Mayor asked about any municipalities that rent out public property. Ms. Petrarca said some allow people to rent out meeting rooms.

Commissioner Sandack said fees should correlate with the work involved. He asked about indemnity language and insurance requirements. Ms. Petrarca referenced the Public Parking Facility Rental Agreement.

In response to the Mayor, Ms. Petrarca said she will add standard language regarding the amount of insurance coverage required.

The Mayor asked about a policy regarding waiving fees for non-profit organizations. He said all fees could be waived for temporary use licenses. Ms. Petrarca said that was correct.

Commissioner McConnell asked how many parking spaces in the deck would be affected when an organization rents the parking deck. Ms. Petrarca said it would be a total of 61 spaces – 56 regular spaces and five handicapped spaces.

Commissioner McConnell asked about the hours the deck is available for rent. Ms. Petrarca said that was taken from the Public Works agreement. She said she would look at this further.

Commissioner McConnell questioned renting the deck to non-resident, not-for-profit organizations.

Commissioner Tully suggested the Village Attorney review proposed Section 19.50 (a) and (c) with respect to specifically excluding the parking deck from these sections.

Commissioner Tully asked about the duration of the sidewalk café licenses. Ms. Petrarca said they would need to be renewed annually.

Commissioner Tully noted that we are one of the only communities with event space in our parking deck. He suggested not renting it out during normal business days unless there is a holiday.

Commissioner Schnell asked about the provision prohibiting alcohol in the deck. Ms. Petrarca said it is item #17 in the agreement.

Commissioner Schnell suggested limiting the rental hours on weekdays to 11:00 p.m.

The Mayor asked why alcohol is allowed in parking lots, but prohibited in the deck. Ms. Petrarca said the Village does not allow alcohol in our facilities.

Commissioner Sandack said the Rotary Oktoberfest is held in a contained area, while the parking deck is open and there would be traffic.

Commissioner Tully said the deck was discussed as a rain or shine place for the Rotary Oktoberfest. It may work for other groups as well.

Commissioner McConnell asked that the rental hours be reviewed. She said she does not have a problem with allowing alcohol in the deck as long as there are regulations regarding this.

**Tim Burns**, Emmett's Ale House, commented on the high rental rate. He said sidewalk cafes add ambiance, but there are added costs. He said he does not mind an application fee, but noted that there are other towns with no rental fee.

- 3. Parking & Traffic Recommendation: Review of Sidewalk Programs & 2005 Sidewalk Matrix Update.** The Manager asked Dave Barber, Director, Public Works, to address this item.

**Dave Barber**, Director, Public Works, said staff has been working on changes to the Sidewalk Matrix for some time. They have worked with the Parking & Traffic Commission in reviewing this program.

Mr. Barber said there are currently four programs that address sidewalk construction activities: Sidewalk repair & replacement program; gap sidewalk program; new sidewalks program; and cost share sidewalk program. He said staff reviewed Section 19.14.1 of the Code as well as the sidewalk policy. Mr. Barber then reviewed the proposed modifications.

Mr. Barber explained that the gap program is based on completing sidewalk on both sides of Village streets where "gaps" exist, while the matrix program addresses a goal of providing sidewalks along one side of Village streets where no sidewalks exist. In reviewing this program, larger projects were moved to the sidewalk matrix. Staff has completed the projects on the gap list and is recommending that the gap program is no longer necessary and should be dropped.

The Parking & Traffic Commission supported amending the sidewalk matrix to remove State and county roadway segments and track them separately. Staff will work to secure separate funding from the State and county for these segments.

Regarding the collection of fees for new developments, Mr. Barber said the Village Code was amended in 2004 such that all properties that redevelop that have no existing walk or existing walk installed at Village cost will either install a new walk or pay a fee to the Village.

The Parking & Traffic Commission supported the concept of collecting fees for new sidewalks as a part of annexation requests.

Staff has recommended developing a layer in the Village's GIS to address sidewalks. This would show where sidewalks exist, their condition, areas in need of improvement, and show more clearly where sidewalks do not exist. He said the Village currently has in excess of 5.1 million square feet of sidewalk in place throughout the Village. The Parking & Traffic Commission supported the recommendation for the development of the GIS sidewalk database and staff has included a request for two seasonal employees for FY 2005/06 to perform this work.

Mr. Barber said staff is recommending eliminating the cost share program as a separately funded program in the Capital Improvement Program, but to continue to address these requests as they arise through the funding provided for new sidewalks.

Mr. Barber then reviewed the scoring factors on the sidewalk matrix. He explained that segments are used on the matrix rather than individual blocks. Segments can be as small as one block, but most consist of several blocks. The matrix has six major and six minor factors. He reviewed the individual factors.

Staff proposes elimination of the pedestrian volume factor, the existing sidewalk factor, and the roadway lighting factor. It is recommended to combine the roadside sight obstruction and blind hill signs posted factors. Staff recommends eliminating the state hazard busing factor and proposes adding a new continuity factor. Staff further proposed the need for updated vehicular data collection.

Regarding the 2005 proposed sidewalk matrix, Mr. Barber said the Parking & Traffic Commission asked staff to determine if any projections on the matrix were unique or presented any special problems for consideration. Staff identified 13 segments that present unique problems with construction and suggested these segments be removed from the matrix and added to the supplemental list until the special issues on each of these segments was addressed.

Mr. Barber said the 2005 proposed sidewalk matrix has 130 segments. He reviewed the top three projects to be included for construction in 2005: Gilbert Avenue from Lee Street to Gilbert Park, Palmer from Saratoga to Main, and Sterling from 39<sup>th</sup> to Ogden. Mr. Barber said \$360,000 has been allocated for new sidewalks in the proposed capital improvement plan. He said the cost of these projects exceeds the budget as the Gilbert Avenue work is estimated to be approximately \$300,000. He said staff will come back to Council within the next 30 days with specific information. If Gilbert Avenue is not done, they could add five or six other segments.

Mayor Krajewski said the matrix shows a cost of \$700,000 for Gilbert Avenue. Mr. Barber said the original budget included structural and bridge work. By moving the road slightly to the north, some of this will be eliminated.

Mr. Barber said staff reviewed Section 19.14.1 of the Code as well as the sidewalk policy. He said the policy has been superseded. He recommended that the policy be repealed and the proposed ordinance be adopted. He further recommended elimination of the quadrant funds such that all fees collected for sidewalks be deposited into the capital projects fund.

The Mayor asked if the bidding will be done in phases. Mr. Barber said they would take the three blocks and also bid in alternates.

With respect to the matrix, the Mayor said he would like to see extra weight given to areas near grade schools. Mr. Barber referred to the matrix-scoring factor regarding proximity to a grade school. The Mayor said he would like those areas near schools to get extra points. He asked to see information regarding the unique segments.

Commissioner Schnell commented that Douglass is a walking route to a school. She suggested this be considered in determining the points for the grade school factor, as it has a score of 6 for the grade school factor. It would then be closer in points to Sterling and perhaps the Village could get better prices for construction due to their close proximity to each other.

Commissioner Schnell asked Mr. Barber to describe the unique features of the 13 segments he referenced.

Mr. Barber said they looked at “constructability” issues. These issues included roadway deterioration, waterways, ditches, and right-of-way issues that need to be addressed. He said sidewalks for these segments would be addressed when the roadway is addressed. The Parking & Traffic Commission recommended that these projects be kept on the matrix.

Commissioner Schnell said they are artificially ahead of other streets and asked if they could be classified as unique if they are not removed from the matrix. Mr. Barber said he could create a factor of “constructability” or uniqueness and they could be given a negative score for that factor.

Commissioner Zabloudil said the matrix provides good direction. He said wetland and right-of-way issues should cause segments to go to the bottom of the list. They could then be reviewed as the roadway is addressed.

Commissioner Sandack commended Mr. Barber and staff for their work. He agreed that the 13 segments should go to the bottom of the list as they cannot currently be done due to their particular circumstances. He said he feels that schools trump all other attributes.

Commissioner McConnell said the work that has been done is very beneficial. She said she is reluctant to move the 13 unique segments to the bottom of the list as there may be safety issues. She suggested that they be marked and that staff be more creative in addressing these. She feels this would maintain the original intent of the matrix.

Commissioner Tully agreed with not moving the unique segments to the bottom of the list, but designating them as unique. He suggested providing an explanation on the matrix as to why they are not being done. Regarding the quadrant funds, Commissioner Tully asked if the funds going into the capital projects funds could be designated for sidewalks. Mr. Barber said they could be.

Commissioner Tully asked about the park associated with the street segment ranked 44<sup>th</sup>. He asked if Hoopers Hollow Park is considered a major park. Mr. Barber said they used the Park District’s designation of major and minor parks.

Commissioner Tully asked why the pedestrian volume factor is proposed to be removed. Mr. Barber responded that every number was estimated and was not based on actual counts. He said without real numbers the value of this factor is meaningless. Commissioner Tully said he feels it is important to capture pedestrian volume.

## DRAFT

In regard to Gilbert Avenue, Mr. Barber said he hopes to get back to the Council in May or June with a recommendation.

Commissioner Zabloudil asked about the effect of repealing the policy and changing to an ordinance. Attorney Petrarca said Council would be adopting the form, not the content of the matrix.

- 1) **Gordon Goodman**, 5834 Middaugh, said he suggested the matrix ranking. He said he supports the recommendations. He noted that he believes there are 14 unique areas including Gilbert Avenue. He discussed some of the unique issues along Gilbert. He said a sidewalk here would not be in compliance with the ADA due to the slope. He supports the suggestion that negative scores be put in for unique feature components and noted that this would lower the priority given to Gilbert Avenue. He said he agrees with Commissioner Zabloudil regarding his concerns about changing from a policy to an ordinance and asked why an ordinance is recommended.

Attorney Petrarca said the policy is in conflict with the Code and with practice.

Dr. Goodman said he would recommend that this be revised in the opposite way and have a sidewalk policy.

- 2) **Rena Kuratko**, 4917 Stonewall, said her segment of Stonewall is #21 on the matrix. She said they have been bounced around since 1997. They have a blind hill and a busing issue. They have paid into the system. There are 45 children on the street. People in the neighborhood frequent two parks. She expressed concern that the Belmont underpass will bring more traffic on their street.
- 3) **Ken Kuratko**, 4917 Stonewall, said the street has bounced around on the matrix. He said it is difficult to park off street due to the ditches.
- 4) **Lori Breit**, 4826 Stonewall, said she moved here from Clarendon Hills. Stonewall is what Village life should be, however, she will not walk on the streets at night. She has to park her car parallel on her driveway to protect her children when they are playing. She said she walks and has had three near accidents. She said she will not get her daughter a bike as the street is too dangerous.
- 5) **Kelly Aguayo**, 4811 Stonewall, said she loves her neighborhood and the only bad point is the lack of sidewalks. She said she does not understand how the street can be moved on the matrix. She said she has limited peripheral vision and sidewalks would be a godsend.
- 6) **Norm Sidler**, 4840 Stonewall, asked that the Council and the matrix take into account the fees paid into the sidewalk fund.
- 7) **Steven Stanton**, 4923 Stonewall, said he has five children and would like to keep all five of them. He said he wants to eliminate tragic events.

Mayor Krajewski asked about major vs. minor parks. Mr. Barber said staff met with the Park District and those are the Park District's designations. In further response to the Mayor, Mr. Barber said staff looked at usage. He said these are factors that have been in place for years.

## DRAFT

The Mayor said the biggest issue is the limited amount of money available to put into sidewalks. The sidewalk fund has been the subject of much discussion at budget time. To get this done quicker, more dollars are needed.

Commissioner Schnell asked if Stonewall would have qualified for the gap sidewalk program if the ten homes that paid into the fund had put in sidewalks. She suggested this be incorporated into the matrix.

Mr. Barber said sidewalks are only being installed on one side of the street. He said he understands the concerns but noted that there are concerns with most of the segments on the matrix. He said the matrix represents \$5-6 million of work and the Village is doing approximately \$365,000 of work per year. Much of the construction is in neighborhoods such as Stonewall.

Commissioner McConnell said some percent of the properties have paid fees in lieu of sidewalks. She suggested this be figured into the matrix.

Commissioner Tully outlined actions taken to increase sidewalk funds. He said his block is 44<sup>th</sup> on the matrix and his street is almost identical to Stonewall.

8) Ms. Kuratko said there are some unique issues on Stonewall including sight and busing issues.

The Mayor asked about points for proximity to parks. He noted that the further away you are from a park the more likely you would be to drive to it. He suggested four points if a street is 1000 feet from either a major or minor park. Mr. Barber said he will take a look at this. He is concerned about compressing projects.

9) Ms. Aguayo asked if Belmont is considered a commercial area. Mr. Barber said it was. Ms. Aguayo referenced Woodward and Pershing getting sidewalks. She asked how her street has been changed in rank on the matrix.

The Mayor said staff would look into this. He said speed testing was reviewed and put those streets higher on the matrix.

10) Dr. Goodman, 5834 Middaugh, said he agreed with the suggestion to rank all parks equally. He suggested that segments with the same score be ordered and sorted by priorities such as school proximity. He said it is a good thing to separate State and county roads, but they may be in most need of sidewalks for safety reasons. He suggested the Council give priority to seeking funding for these roads.

The Mayor asked about the projections for the general fund.

**Mike Baker**, Assistant Village Manager, said he would check with Rita Trainor, Finance Director.

Mr. Barber said more money was put into the street program. The sidewalk program was kept at \$360,000 and \$400,000 of undesignated funds was added. The Mayor suggested adding \$200,000 to the sidewalk program.

- 11) **Gary Wahlgren**, 5325 Brookbank, said he represents the Denburn Woods Homeowners Association. He said he appreciated the work done by Mr. Barber and the Parking & Traffic Commission. He said his association supports the Denburn Woods area being placed at the bottom of the matrix.
- 12) **Christine Fregeau**, 1918 Elmore, said she viewed this as a major public safety concern and not a street specific issue. Every time changes are made in the matrix many people are affected. She noted that in 2002 only three parks were part of the matrix and additional parks were added. She said she has addressed sidewalks for ten years. The matrix was established in 1998. She is concerned with the criteria and the application of the criteria. She said in the past the Village has had people counting pedestrians. She acknowledged Commissioner Schnell's comments with respect to streets used as routes to schools or other locations. Regarding the issue of uniqueness, she noted that to ignore Gilbert Avenue year after year is frustrating and difficult to watch. Many of the issues on Gilbert have been addressed. She asked Council to provide direction. She agreed that it is appropriate to drop Denburn Woods to the bottom of the matrix.

The Mayor said Gilbert Avenue is #1 on the matrix.

4. **Villas of Maple Woods PC 04-05**. The Manager asked Keith Sbiral, Planner, to address this issue.

**Keith Sbiral**, Planner, said the petitioner is seeking a designation change to the Future Land Use Map, annexation, rezoning to R-5A and final plat approval of a subdivision for 16 lots and one stormwater out lot that would accommodate a maximum of 16 buildings with a maximum of 57 townhouses. The property is approximately 11.45 acres located at the southeast corner of Maple Avenue and Elinor Avenue. The petitioner is requesting exceptions regarding lot depth, an exception to eliminate the requirement to connect to the Janes Avenue right-of-way, and exceptions to some of the required public improvements.

Regarding land use, Mr. Sbiral said the current land use is classified as residential, 0-6 dwelling units per acre. He said the petitioner is requesting rezoning to match that to the north of the subject property, 6-11 dwelling units per acre. He said the density of the proposed project is 4.98 dwelling units per acre and is consistent with the current zoning. He noted that the lower density is for single family residential while the medium density of 6-11 dwelling units per acre is a townhouse residential designation.

Mr. Sbiral noted a correction in the staff report. He said the required school and park district donations were calculated incorrectly and the total amount is approximately \$100,000.

Commissioner Schnell asked about the utility easement and vegetation.

Mr. Sbiral said the Plan Commission forwarded unanimous positive recommendations to approve the requested actions. He said they added conditions regarding adding five foot sidewalks on Elinor Avenue, curb controls to allow right out only turning movements from Durand Drive onto Elinor Avenue, screening to be provided along the property line at the south end of the property along lots 11 through 16 inclusive, and moving the unit one building 20 feet to the south to better align the driveways further south of Maple Avenue along Elinor Avenue.

Commissioner Schnell said utility easements are normally ten feet. She noted that the petitioner is adding an additional ten feet and asked if that is where the utilities would be put. Mr. Sbiral said it was.

Commissioner Schnell asked about the buffer on the southeast corner. She asked about the transition of the utility lines on Janes and the removal of trees and the driveway alignment issue. By way of an overhead slide, Mr. Sbiral answered the question regarding the driveway alignment. He asked the petitioner to address the other matters.

**Ron Sievers** 5201 Walnut, said that regarding the buffers, a 20-foot easement has been put in all around for stormsewer and utility. If there is a conflict between trees and storm sewer he will expand the easement to save quality trees. He said the trees off of Janes are in the right-of-way and some will be removed. He noted it is in his best interest to keep as many trees as possible. Regarding the utility lines, he said the poles served the homes that are under demolition. The homes on Cottage are not fed off of this line. Regarding the trees on Elinor, he said they are working around them and will save several of the large trees on Elinor Avenue.

Commissioner McConnell asked about the trees and the retention area. Mr. Sievers said the retention is at a low area and to move the retention area would cause considerably more damage to the trees.

Commissioner McConnell asked about the appearance of the structures. She said she was concerned that they be diverse. Mr. Sievers said there will be 4.9 units per acre. He noted he does not have to rezone the property. The density is less than that of the Villas of Bending Oaks. He said the units are a little larger but in the same price range to which the Villas of Bending Oaks have escalated. He said there are three and four unit buildings. The end units have entrances from the side. The net result on Elinor Avenue is five units.

Commissioner McConnell noted the location of units on Elinor and Durand. She said to mitigate traffic concerns there will be a right out only turning movement from Durand Drive onto Elinor Avenue. She said the Fire Department expressed concern about constructing curbs such that fire apparatus could not enter the street. She noted that the staff does not believe the traffic impact of the proposed project necessitates a right-out only configuration. She said they will have to consider curbs vs. signage and enforcement.

Commissioner Tully said this is a unique situation in that the petitioner has already submitted plans that were approved. The petitioner has now incorporated additional property and is proposing final plat approval with a revised subdivision site plan. He said four items are being requested: 1) A change in the Future Land Use Map; 2) An annexation of property; 3) Rezoning of property; and 4) Approval of a final plat with exceptions.

Regarding the change in the Future Land Use Map, Commissioner Tully said he does not see a reason to change the Future Land Use Map as the density of the project is lower than the map designation. Regarding the annexation, he said it was discretionary and up to the Council. If it is not annexed, it does not change the project as it could be done with the current zoning. Regarding the rezoning, Commissioner Tully noted that if the property is annexed but not rezoned, this project could not be done because it would be zoned R-1. The rezoning is at the discretion of the Council. The approval of the final plat with exceptions pertains to provisions for exceptions as provided by the Subdivision Ordinance. He noted that the zoning in the surrounding area is County R-4 with the exception of County B-2 zoning to the northeast.

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**Mr. Sbiral** said County R-4 zoning is single family lots of 10,000 square feet. The number of dwelling units per acre is approximately 4.5.

With respect to the traffic issues, Commissioner Tully said the potential impact on Maple Avenue from traffic on Elinor are legitimate questions for the Council to address. To make the right turn out only really work it would have to be constructed as such. Commissioner Tully suggested the possibility of constructing a curved road.

Mr. Sbiral said the Fire Department made note in the cover memo that they prefer the full access intersection.

Commissioner Tully said Public Works recommended against the exception to reduce the sidewalk width from 5 feet to 4.5 feet.

With respect to the land use, Mr. Sbiral said the Future Land Use Map is used as a roadmap to look at where we take our land uses and zonings in the future. To rezone this from what it is now to R-5A would imply that other areas that are zoned with the 0-6 dwelling unit designation would be acceptable for town homes.

Commissioner McConnell clarified that the sidewalk exception was for 4.5 feet sidewalks internally, but 5-foot sidewalks on Elinor. Attorney Petrarca concurred.

Commissioner Schnell asked if Elinor on the east side will be fully developed and on the west side it would be full pavement but not curb and gutter. Mr. Sievers said they would overlay the road from Maple Avenue to past their southern boundary. The road would be widened, curb and gutter would be put in on the side of the development as well as five-foot sidewalk. There will be a ditch and culvert shoulder on the west side. There is an exception for width due to the grade. Maple would have two lanes.

Commissioner Schnell asked if a barrier was considered such that emergency vehicles could enter but traffic could not come out.

**Mike Millette**, Assistant Director, Public Works, said pavers, etc. could be used. He said they were concerned about snowplows as well as emergency vehicles. He said staff prefers that the intersection of the proposed Durand Drive and Elinor Avenue be constructed as right-in, right-out only.

The Mayor asked about the land use plan. Mr. Sbiral said that under the current County code, they would have to get approvals. He said yellow on the Future Land Use Map designates an area as a single-family area unless the Village takes an action to change it. Petitioners use the Future Land Use Map to propose a particular petition. In cases like this property rezoning may not be completely consistent with the map. There have been planning discussions regarding designating the area west to Elinor and south to College for town homes, but they have not yet made the map changes. He said it makes sense in a technical aspect to make the change so that the land use is consistent with the rezoning and consistent with the land use plan so that we do not do things that are inconsistent and encourage someone to do something we don't agree with.

The Mayor said he did not see the reason one way or another to change the land use map.

The Mayor asked if the preliminary plat was unanimously approved. Attorney Petrarca said it was.

The Mayor asked about the exceptions. Mr. Sbiral said lot depth exceptions were required for lots 3, 4, 11, and 15 to allow a lot depth of less than the required 140 feet.

The Mayor asked to see background information regarding reasons for not approving a lot depth exception for the cul de sac off of Fairview.

Commissioner Sandack asked if the property was rezoned to R-5A for the preliminary plat. Mr. Sbiral said it was.

The Mayor asked for comments from the public.

- 1) **Roger Testin**, 5641 Elinor, said there is a great deal of opposition to this proposal. His property is directly opposite the project. His concern is so great he hired an attorney to represent him.
- 2) **Mark Daniel**, attorney, Rathje & Woodward, 300 East Roosevelt, Wheaton, said he represents Mr. & Mrs. Testin. He presented a letter to the Council. He discussed the density on the parcel, distinct changes this would make to the neighborhood, the number of new driveways and a change in the appearance this project would present. Mr. Daniel reviewed prior planning and said that both DuPage County and the Village have designated the vicinity in which this parcel is located as single family detached house with 0-6 dwelling units per acre. He noted that the area north of Maple is considerably different from the area south of Maple. He said the area south of Maple is a great residential area. He said County and Village zoning do not support town home zoning here. He referenced the Testin's graded property and stormwater concern. He said a written protest and addendum has been filed by 20 percent of the lot owners. The effect of the filing is to cause a failure of the proposed development is there is a vote of less than 2/3 of the trustees holding office. He provided information as to the "LaSalle/Sinclair factors" relevant to a rezoning decision, and discussed the effect to which the change in zoning would effect property values. He said that currently the area is under the most restrictive zoning as single family detached residential zoning. He noted potential traffic conditions and traffic impacts.

Mr. Daniel said they are looking for relief from the Council. He said Mr. Testin's lot is not the only one to be impacted. This will result in changing Elinor Avenue and the residential area. He said the exceptions are substantial. The value of single family homes is affected. He asked Council to consider their letter. The Testins ask that the rezoning be denied. He said the exceptions have significant impact on six or seven neighbors.

Commissioner Tully asked about the Casalino case. He asked if the case involved the impact upon an area by the proposed parcel to be rezoned that was within the same corporate limitations. Mr. Daniel said the case was mentioned to give the factors. The facts may not be the same.

Commissioner Tully asked for the legal authority for Mr. Daniel's statement that the Council has a duty to take into account the impact on non-residents when entertaining a petition from a resident. Mr. Daniel said it was throughout the Zoning Code.

Commissioner Tully noted that this is a unique situation.

- 3) **Jayne Miczek**, 5714 Chase, said she wished to show Council some transparencies of her backyard on the overhead projector. She said the size of the lot and the maturity of the trees

are typical for this area. In March 2003, the Strategic Planning Committee had a meeting to discuss the possible development of the Belmont Park area. Some felt the transit and commercial sector should be focused on along with high-density housing. Others recognized the single-family residential development that continues to emerge. The end discussion left her area as "undetermined" with the future revealing what will happen to this area, if allowed to take a natural course. What has evolved is the existing neighborhood of single family homes.

She said that she drove through the neighborhood using the most recent copy of the Future Land Use Map and highlighted on the map the location of new homes and major additions to homes. The area highlighted in orange is Mr. Sievers' development. Aside from these items highlighted in yellow, there are 12 additional homes that have had major updating. Even though the future Land Use Map shows that it is designated for town homes to the north, there have been no townhouses developed aside from Mr. Sievers'. The residents are very happy with the existing single family character of the neighborhood.

She said she would show on the overhead projector a few examples of the varied architecture of both the old and the new homes in the area. Some homes are in need of repair; some of these have been bought by builders and are to be rebuilt.

This is not a place for town homes as town homes have a crowded city look and are occupied by retirees or harried professionals. Most town home residents will not be patronizing the restaurants or partaking in the festivals on Main Street. Mr. Sievers agreed this will not be a subdivision for young families. She said the neighborhood is being threatened by this developer who wants to put these town homes in her area and onto a family street. If this project is approved, it will set a wrong precedent that other builders will take advantage of. All the Land Use maps, past, present and future show the area south of Maple as single family and it should remain that way. Other single-family homes in the Village have been built on thoroughfares like Belmont, Maple and 63rd Street.

Whether or not Belmont Park becomes incorporated into the Village, she said, we are still neighbors. We need to be respectful of each other, work together and with some compromise achieve a result that is good for all.

- 4) **Diane Taft**, 2521 College, read a statement from Susan Schoch. This is revised from the version in the neighborhood response packet. We believe there are errors in the staff report to the Planning Commission. We feel the town homes would not fit into the character of the neighborhood. We found no other town home development in the southwest quadrant of Downers Grove that existed in a single-family neighborhood. Town homes located on a non-arterial street, such as Springside, usually face a park, an office building or an athletic field. Another objection concerns the garages as the prominent architectural features of Mr. Sievers' proposed town homes. Some row houses in Downers Grove, including those on 63rd Street and those between Curtiss and Gilbert streets, have garages in the rear. On Carpenter at Curtiss, the garages of those town homes are at sub grade level. The garages are not the prominent architectural feature of any of these existing units.

The Planning Commission voted yes for the rezoning and preliminary plat approval partly to introduce a conceptual buffer between the Belmont Maple commercial components and the Belmont Park neighborhood. With the annexation, rezoning and plat approval of the original Villas of Maple Woods in January 2004, this buffer was established. If the current request is approved, the Village will set a precedent for the invasion of other single family areas by town

homes, provide the potential for row houses along the north side of College, and set a precedent for the domino effect. She asked that the Council maintain the single-family zoning and deny the preliminary plat approval.

- 5) **Kevin Luke**, 5702 Katrine, said he is a citizen and a developer. Many factors play into determining the highest and best use of a property. He said it is important to look at the surrounding community to determine if the planned development is cohesive with the surrounding area. Further, one should determine if the new property will add to or diminish the value of existing properties and the effect it will have on the tax base. He said this plan for Elinor and Maple is not consistent with most of the surrounding single-family homes. The narrow streets cannot handle the proposed increased traffic. Mr. Sievers met only two of the five determining factors, that being his profit and the tax issue. This plan should be modified to so that all five factors are met. Five single-family homes could be built and they would serve as a buffer between the town home development to the east. Traffic issues would be reduced. Council should represent the residents and not the developers.
- 6) **James Koleff**, 2525 College, said he is a realtor and a resident. If the Village grants the rezoning of these properties, there will be two effects. Single family homes have appreciated 6-8% per year. The Bending Oaks town homes have appreciated only 4.5-5% per year. Average sales prices for Bending Oaks town homes were \$386,800. The average sales price for a single-family home in Downers Grove less than five years old is \$679,919.

Mayor Krajewski asked if the single family homes closest to Bending Oaks town homes were studied. He said Mr. Koleff's analysis just shows that town homes don't appreciate as fast as single family homes.

Mr. Koleff replied that the number of single family homes close to Bending Oaks is limited by the industrial development that predominates nearby. In his opinion, Mr. Testin's home would decrease in value 10-15 % if the proposed development is built. He asked Council to please deny the rezoning of this parcel.

- 7) **Dick Weber**, 2521 59th, said he has lived here 29 years. The traffic problems on Elinor are significant, without this added development. The streets are narrow and there are no sidewalks. He asked that the Council not allow any development that would increase traffic in the area. This development would only benefit the builder. He asked that the Council maintain the character of the area.
- 8) **Delores Zimmerman**, 5831 Elinor, said she wanted to mention the grading. The streets are narrow but there is also an incline, so backing vehicles out of those town homes would be very dangerous. The children stand on the road at College and Elinor to wait for the school bus. The streets are approximately 15 ½ feet wide; the school bus is 7 feet 9 inches wide. The average car is six feet wide, which leaves only inches of clearance between the vehicles on a 15-foot wide street. It makes no sense to add more traffic on a street that is so narrow, when there is a four-lane highway across the street that they could go to. She asked the Council to think seriously about mixing multi-family complexes with single family housing and to vote no to rezoning Elinor and Maple.
- 9) **Susan Schoch**, 5805 Chase, said early in March, the Plan Commission indicated that the local neighborhood had "not quite made their case," but acknowledged the neighbors had made valid points. Commission Tully stated in January 2002, "It's Council's job to think about what might happen in the future - that is what they are elected to do." She asked that

## DRAFT

the Council listen carefully. Regarding traffic at College and Elinor, the Plan Commission chairman admits there is an existing hazard. Rezoning equals town homes. If safety, traffic and character considerations don't apply here they won't be applicable anywhere. There exist on Maple some lovely homes and some with lots of potential for rehabilitation. The neighborhood is continuing to revitalize. She asked what this western gateway to the Village will look like in a few years. If the town house development is declined, the default zoning of single family would encourage that revitalization. She asked that the Council vote no on the rezoning, and yes on the annexation.

- 10) **Lynn Goodsell**, 2605 College, said her family built their home about three years ago. She said she e-mailed Council. She would like to maintain the single-family nature of the neighborhood. The traffic down College to I-355 is already a serious issue. She asked Council to vote no on this rezoning.
- 11) **Michael Morris**, 2517 College, said he will e-mail Council a statement. He said the meeting of the Strategic Planning Committee of March 17, 2003 was very disturbing to the neighborhood. They discussed the Maple west corridor. Mr. Rockwell's statement said that although the Village has jurisdiction on the Land Use map, the Village does not have zoning jurisdiction so the area will be annexed in six to ten years and then the Village will need to rezone some parts of the area. That is very scary. He asked the Council to be honest with the residents. The properties in the area are being revitalized. The revitalization is coming from the south side of College towards Maple. Before the water issue, Mr. Morris said he hooked up to the Village's water system. The properties in the neighborhood are being fragmented into a mix of single family houses, town homes and dilapidated properties.
- 12) **Dennis Masarik**, 5605 Katrine, said he moved out of Chicago to move to a single-family neighborhood, not to a town house neighborhood. He said he didn't understand the logic of a buffer between the small businesses and his property. He doesn't need a buffer. He doesn't understand the logic of allowing this town house development to happen. The traffic on the narrow streets has increased threefold in three years.
- 13) **Affif Leonor**, 5609 Katrine, said he moved from Naperville to Downers Grove. He said he wanted to live in the place represented by the Downers Grove Village logo, which is a little country looking, and peaceful. Right now that's what he has. He'd like it to remain that way. When he purchased his home on Katrine, it appeared the area had a correct mix of multi-family and single family housing. There are many people who would like to be annexed. When he bought his lot he did so because of the size of the lot and the open area around it.
- 14) **Jeff Agner**, 5714 Chase, said he'd just like to echo what's already been said, that being that the residents don't want to lose the character of the neighborhood. Approval of Mr. Sievers' project would begin a domino effect leading to more multi-family housing. He suggested Council ask Mr. Sievers if this additional property is necessary to develop his original property. This proposal causes distress to the neighborhood, while offering nothing in return. He asked that Council deny Mr. Seivers' proposal, and help the neighborhood work out a compromise that all can be happy with.

## STANDING COMMITTEE REPORTS

### Public Safety

Commissioner McConnell said the Public Safety Committee met, and talked about a recent

revised proposal from BTI, the old Proscan group, but the committee felt there was no benefit in pursuing that. The Committee discussed the data collection report, which is due in July. There is a need to coordinate our data with DuPage County. The vehicle seizure, impoundment and booking fee proposal will be coming to the Council in May. Council members will receive a revised Police Department mission statement in the packet on Friday.

**MANAGER'S REPORT**

Manager Ginex said he attended the DuPage Mayors and Managers dinner last Wednesday, and Mayor Hartwig of Addison was selected as President, Mayor Pradel of Naperville as Vice-President and Manager Joseph Block from Addison as Secretary.

**ATTORNEY'S REPORT**

Village Attorney Enza Petrarca said she was presenting 13 items to the Council: 1) A resolution to opt-out of compliance with the provisions of the Federal and Illinois Health Insurance Portability and Accountability Acts for the Village health plan year beginning May 1, 2005; 2) A resolution authorizing submittal of grant application to the Illinois Law Enforcement Alarm System (ILEAS) for the 2005 ILEAS Local Law Enforcement Homeland Security Grant Program; 3) A resolution authorizing submittal of grant application to the Illinois Department of Transportation for the Mini-Grant Alcohol Enforcement Program (MAP); 4) A resolution authorizing agreement with the Indian Boundary YMCA for the 2005 Downers Grove Farmers' Market; 5) An ordinance amending sign provisions; 6) An ordinance amending the use of public property and temporary use provisions; 7) An ordinance adopting a policy regarding rental of public parking facility; 8) An ordinance amending provisions concerning sidewalk improvements; 9) a resolution repealing the sidewalk construction and replacement policy; 10) An ordinance amending the future land use map; 11) An ordinance annexing 2407, 2409, 2411 Maple Avenue and 5635, 5637, and 5639 Elinor to the Village of Downers Grove; 12) An ordinance rezoning property located at 2407, 2409, 2411 Maple Avenue and 5635, 5637, and 5639 Elinor from R-1 to R-5A; and 13) A resolution approving the final plat of subdivision for the Villas of Maple Woods subdivision with exceptions.

**COUNCIL MEMBERS**

Commissioner Zabloudil noted this would be his last Workshop meeting. He noted that it's been an interesting four years. He thanked the Village staff for all their help and cooperation. He also thanked the Mayor and Council, and he extended his thanks for all the trust residents have shown him over the last four years. He thanked his wife and children for their support.

Commissioner Sandack said he would miss Commissioner Zabloudil's contributions especially in finance and administrative matters, and he would miss him as a friend, too.

Commissioner Schnell added her thanks to Commissioner Zabloudil for his time on the Council and for his service to the community.

Commissioner McConnell added her thanks to Commissioner Zabloudil for his contributions to the Council.

Commissioner Urban said he will miss Commissioner Zabloudil's smiling face at the other end of the Council table.

## **DRAFT**

Commissioner Tully said it has been a privilege to serve on the Council with Mr. Zabloudil over the past four years. His considerable business skills and acumen have been a tremendous asset to this Council. All Council members at one time or another have looked to him for guidance on complex issues. He will definitely be missed.

Mayor Krajewski added his thanks and recalled that Commissioner Zabloudil was the first recipient of the Gold Shovel award for his contributions to the Economic Development Commission.

There being no further discussion, the Workshop meeting was adjourned at 1:05 a.m.

April K. Holden  
Village Clerk