

Chairman Pro Tem McCormick called the March 7, 2005 meeting of the Plan Commission to order at 7:30 p.m.

ROLL CALL:

PRESENT: Mr. McCormick, Mr. Nicholaou, Mr. Quandt, Mrs. Rabatah,

ABSENT: Mr. Matejczyk, Mr. Waechtler, Chairman Jirik (arrived 7:50 p.m.), Mr. Griesbaum (arrived 8:00 p.m.)

STAFF: Amanda Riordan, Planner
Alice Dornan, Recording Secretary

Chairman Pro Tem McCormick announced a quorum was not present, therefore the public hearing cannot commence; however, Chairman Jirik and Mr. Griesbaum are expected within 30-45 minutes.

Chairman Pro Tem McCormick asked that all cell phones be turned off for the duration of the meeting. Mrs. Riordan is allowed to keep her cell phone on as she is waiting for a call from Chairman Jirik to advise us that his plane has landed and he is on his way to the meeting.

Chairman Pro Tem McCormick noted while we are waiting he would take care of some of the preliminary business. For the benefit of the members of the audience, Chairman Pro Tem McCormick pointed out copies of the Agenda and Staff Reports are available on the shelves on each side of the Council Chamber. Chairman Pro Tem McCormick advised two of the hearings will be conducted in accordance with the procedure outlined by the Illinois Supreme Court in the case of Klaeren versus the Village of Lisle. Any petition that has either a request for a Variation or a Special Use will be conducted under the following procedures:

1. Village Staff will present their report regarding a particular petition, after which the Plan Commission may ask questions of the Staff.
2. The Petitioner will then present testimony their petition, after which the Plan Commission may question the Petitioner and any of the Petitioner's witnesses.
3. Those individuals wishing to testify will be sworn in.
4. Members of the public may question the Petitioner and/or any of the Petitioner's witnesses.
5. After the public has completed its questioning of the Petitioner, sworn testimony whether it be questions, comments, opinions, etc. may be presented by members of the public.
6. After the public has completed its commentary, the Plan Commission may question any member of the public who has spoken regarding their testimony.
7. The Petitioner may then cross-examine any member of the public who has spoken.

Chairman Pro Tem McCormick advised there are a number of people present this evening and the Plan Commission wants everyone to have an opportunity to speak. He asked those wishing to speak to limit their comments to five minutes and avoid redundancy. After everyone has had an opportunity to speak, those wishing to speak again will be afforded that opportunity as long as they are presenting new information.

8. The Petitioner is then allowed to present a summary or a closing statement.
9. Any interested persons can also give a summary or a closing statement.
10. The Petitioner is then afforded time for rebuttal.
11. The final step is deliberation by the Plan Commission. With regard to the first item on the agenda, the Plan Commission can provide a positive recommendation to the Village Council, they can provide a recommendation with modifications or they can provide a negative recommendation to the Village Council.

Chairman Pro Tem McCormick indicated he would entertain a motion to Recess until such time as the Chairman arrives, and the Commission has a quorum.

MOTION: MR. NICHOLAOU MOVED THAT THE PLAN COMMISSION RECESS UNTIL 8:15 P.M. DENISE RABATAH SECONDED THE MOTION.

Mrs. Rabatah asked if the Chairman arrives before 8:15 p.m., can the meeting reconvene. Plan Commission members were in agreement.

VOTE:

AYE: Mr. Nicholaou, Mrs. Rabatah, Mr. Quandt, Chairman Pro Tem McCormick.

NAY: None

The motion passed unanimously.

Chairman Jirik arrived at 7:50 a.m. With five members the Plan Commission has a quorum to proceed. He thanked everyone for their patience. The first order of business is review of the January 17, 2005 Draft Plan Commission Minutes. He asked if there were any additions, deletions or corrections to the Draft Minutes. There were none.

MRS. RABATAH MOVED TO APPROVE THE DRAFT PLAN COMMISSION MINUTES OF JANUARY 17, 2005, AND MR. QUANDT SECONDED THE MOTION. THE MOTION PASSED UNANIMOUSLY.

FILE NO. PC-04-05 (Continued from February 21, 2005 meeting) Petition seeking 1) Annexation into the Village; 2) Subsequent Rezoning From County R-4, Single Family Residence District to Village R-5A, Townhouse Residence District; and 3) Final Plat Approval subject to Certain Exceptions from Code including but not limited to Public Improvements and Lot and Bulk Regulations for The Villas of Maple Avenue Woods Subdivision; Property Located on the South Side of Maple Avenue Between Elinor Avenue and Chase Avenue; Sievers Development Company, Inc., Petitioner/Owner

Chairman Jirik reconvened the Public Hearing and asked if there were any questions regarding the Public Hearing Procedure outlined by Chairman Pro Tem McCormick earlier. There were no questions.

Chairman Jirik asked anyone in the audience who intended to testify in this Public Hearing to rise and be sworn in.

Chairman Jirik asked Staff for their presentation.

Amanda Riordan, Senior Planner, stated as outlined in the Staff report, the Petitioner was previously granted approval for annexation, rezoning and a Preliminary Plat of Subdivision for a portion of the subject property. She highlighted the parcels involved on the locator map displayed on the overhead screen. Because the Petitioner has expanded subject property to include additional properties fronting along Maple Avenue and along Elinor Avenue, the Petitioner is now seeking annexation and rezoning of those parcels shown on the overhead screen and is seeking Final Plat of Subdivision approval for the entire subject property. The Petitioner is also seeking a Reclassification of these additional properties on the Village's Future Land Use Map from a single family designation of Residential at 0-6 dwelling units per acre to what essentially equates to a townhouse residential designation of Residential at 6-11 dwelling units per acre. He is also seeking Annexation of the newly added properties; Rezoning of the newly added properties to R-5A, Townhouse Residence District upon their annexation; and Final Plat of Subdivision approval for the entire subject property.

Mrs. Riordan advised the Petitioner is also seeking certain Exceptions from Code to allow four lots with lot depths less than the minimum required 140 feet, as well as other Exceptions pertaining to public improvements which she will review shortly during the Public Works portion of the Staff Report. Mrs. Riordan noted Mike Millette, Assistant Director of Public Works – Engineering was present to answer any questions in that regard as well.

In general, regarding the Petitioner's requests, Mrs. Riordan stated the proposed development is intended to accommodate 16 townhouse buildings with a maximum of 57 dwelling units. The subject site itself is approximately 11.45 acres and is located on the south side of Maple Avenue and east of Elinor Avenue. The proposed Final Plat of Subdivision depicts the dedication and construction of a new street, Durand Drive, stemming south from Maple Avenue and connecting to Elinor Avenue to the west of the subject property.

Mrs. Riordan stated the Future Land Use Plan designates the subject property as Residential at 0-6 dwelling units per acre, which is a single family residential designation. The Petitioner is proposing to re-designate the property to Residential at 6-11 dwelling units per acre, which equates to the townhouse zoning designation of R5A.

As outlined in the Staff report, Mrs. Riordan explained the area in general was discussed in Strategic Land Use Planning Workshops with the Plan Commission and the Economic

Development Commission in the context of the Maple Avenue corridor. This joint committee was of the opinion the townhouse designation may be desirable at this location as a transition between the commercial designation and zoning at the intersection of Belmont Road and Maple Avenue in relation to the surrounding single-family residential areas. The joint committee concurred that the townhouse designation should be favorably considered on the south side of Maple Avenue, so long as it did not extend any further west than Elinor Avenue or any further south than College Road, which includes the area of the subject property.

With respect to overall density, Mrs. Riordan advised the proposed designation would accommodate a density of 6 to 11 dwelling units per acre, whereas the Petitioner's proposal of 57 units would constitute an effective density of 4.98 dwelling units per acre.

With respect to the bulk characteristics of the Final Plat of Subdivision, Mrs. Riordan noted all proposed lots would exceed the minimum lot area requirement which in the R5A zoning district is 4,000 square feet of lot area per dwelling unit. Lot areas would range from over 17,000 square feet to over 26,000 square feet.

Mrs. Riordan advised all the lots would also exceed the minimum lot width requirement of 80 feet for the R5A zoning district with lot widths ranging from 115 feet to 175 feet. The Petitioner is, however, requesting Lot Depth Exceptions pertaining to Lots 3, 4, 11, and 15. The minimum lot depth requirement is 140 feet, and the proposed width reductions range from 4 feet to 15 feet as outlined in the chart in the Staff Report.

The Petitioner is requesting certain Public Improvements Exceptions as follows:

For the proposed new street, Durand Drive, the Petitioner is seeking an exception to not connect the proposed new street to the Janes Avenue right-of-way which is located to the south of the Petitioner's subject property. The right-of-way dead-ends at the southerly edge of the subject property. As you may recall from the previous petition, there is no through street constructed within this right-of-way. To not connect that right of way to the new right of way requires a Public Improvements Exception.

Also for Durand Drive, the Petitioner is seeking to reduce the right-of-way width to 50 feet versus the minimum requirement of 70 feet in width; to decrease the street pavement width from 30 feet to 29 feet, which is measured back of curb to back of curb; to allow a mountable curb design in lieu of a barrier curb design; and to allow sidewalk widths of 4.5 feet in lieu of the minimum required five feet.

For Elinor Avenue adjacent to the subject property to the west, the Petitioner is requesting to not dedicate additional right-of-way along the easterly side of the right-of-way and to allow the existing right-of-way width of 60 feet versus the minimum requirement of 70 feet; to decrease street pavement widths from 30 feet to a range of 25-27 feet; to allow a mountable curb design; to provide 4.5 foot wide sidewalks on the east side of the street in lieu of the minimum requirement of 5 feet and to not provide sidewalk on the west side of the right-of-way.

Lastly, the Petitioner is also seeking to install a two-inch copper water service for each of the 16 buildings in the proposed development as opposed to a one-inch service to each unit.

Mrs. Riordan explained the criteria for the consideration of Exceptions as required by the Subdivision Ordinance were included in the Staff report and will be addressed by the Petitioner during his presentation this evening.

All other public improvements requirements are proposed to be satisfied for the subject development, including the dedication of an additional 17 feet of width to the Maple Avenue right-of-way along the north side of the subject property as was consistent with the previous preliminary plat of subdivision approval. Interior to the subject site, the Petitioner is proposing to dedicate a ten foot wide public easement on either side of the proposed 60 foot right-of-way to accommodate sidewalks on both sides of the new street, which is consistent with what was approved in the Bending Oaks Subdivision, which was developed by the Petitioner on the north side of Maple Avenue, as well as in the Preliminary Plat of Subdivision for this development.

Mrs. Riordan indicated Public Works has reviewed the Petitioner's proposal, and they are satisfied the plans substantially meet the Village's standards for Final Plat approval, subject to the resolution of certain items. Public Works objects only to the requested Exception pertaining to sidewalk width, and they are recommending all sidewalks meet the minimum width requirement of 5 feet and not the Petitioner's requested 4.5 feet.

With respect to stormwater management, Mrs. Riordan stated the Petitioner is proposing to create an outlot, Lot 17, which is intended to fully accommodate on-site stormwater in a detention basin. The Stormwater Management Division has reviewed the proposed plans and found that they meet the Village's standards for approval with respect to stormwater detention.

Regarding traffic, Mrs. Riordan advised the Traffic Division of Public Works has also reviewed the Petitioner's proposed plans as well as the traffic analysis submitted by the Petitioner. The Traffic Division found the current proposal addresses traffic circulation and safety issues in a satisfactory matter, and they have no outstanding issues to address.

Mrs. Riordan further explained the Forestry Division of the Public Works Department has established a series of planting requirements for trees that are going to be located within the public right-of-way, which were outlined in detail in the Staff report.

With respect to the Fire Prevention Division of the Fire Department, Mrs. Riordan noted they have also reviewed the proposed plans, and the identified items within their report are required to be satisfied at the Building permit review phase.

With respect to the School and Park District Donations, Mrs. Riordan advised the Petitioner is also required to pay School and Park District Donations as outlined in the

chart within the Staff report. The amount totaled \$78,350.96 payable prior to final consideration by the Village Council.

In conclusion, Mrs. Riordan stated Staff recommends that the Plan Commission forward a favorable recommendation to the Village Council, subject to the following conditions:

1. No more than 16 buildings or more than 57 dwelling units be developed on the subject site;
2. Compliance with all identified Public Works related requirements and conditions;
3. Compliance with all identified Fire Prevention Division requirements and conditions;
4. The installation of 5 foot wide sidewalks and not the 4.5 foot wide sidewalks, with plans being required to be submitted to the Public Works Department for review prior to Council consideration;
5. The submission of proposed Subdivision Codes, covenants, and restrictions for the development prior to Council consideration;
6. The standard condition regarding any future changes to the plans; and
7. The standard condition of the Petitioner's obligations of compliance.

Mrs. Riordan advised she would address any questions from the Plan Commission. Chairman Jirik asked if there were any questions of Staff at this time.

Mr. Nicholaou asked Mr. Millette to explain the two inch water line to each building rather than one inch. Mr. Millette explained it would be enough water to serve the units if that is what Mr. Nicholaou is asking. The only difference is each unit would have one shut-off box for the whole building which could be an issue if one person within the building was delinquent. The Village would not want to shut off the whole building. This issue was identified several years ago, especially in townhouses. Public Works is now insisting each unit have its own "B" box.

Mr. Nicholaou asked if the Fire Department had any issues with the street width. Mrs. Riordan responded that Fire Prevention did not comment with respect to the street width.

There were no further questions of Staff at this time.

Chairman Jirik explained the next step is for the Petitioner to make his presentation.

Ronald Sievers, President of Sievers Development Company, 5201 Walnut Avenue, Downers Grove, stated he has been building in this Village for approximately 30 years and has brought many projects before the Plan Commission for approval. Mr. Sievers commented he is very proud of all of those projects, and they have been very successful.

Mr. Sievers stated this particular project is a continuation of a project that was recommended for approval by the Plan Commission in December, 2003. At that time, the project was for a 41 unit, cul-de-sac subdivision of town homes. At that meeting, the Plan Commission mentioned they felt Elinor Avenue would be a good stopping point for

the subdivision of town homes, not necessarily the one in which he was involved. Elinor Avenue would be the westerly border, and College Road would be the southerly border. Mr. Sievers continued after that meeting and some public input, some of the neighbors west of the existing property approached him and asked him if he would be interested in purchasing their property. Mr. Sievers responded to them he would only be interested if all of the neighbors would come together at one time. Mr. Sievers advised after about six months of negotiations, Sievers Development was able to acquire the other four acres. Since that time, they have closed on those properties, and Sievers Development is now the owner of the entire 11 acres of property.

Mr. Sievers indicated the next step was to have their engineers and planners come up with a plan they felt would be acceptable to the Village of Downers Grove. Meeting with the Planning and Engineering Departments and based on their previous approved plan, they felt it would be advantageous to extend their road. Instead of a 1,000 foot cul-de-sac, the road would be entered and exited in two areas of the subdivision, Elinor Avenue and Maple Avenue.

Mr. Sievers stated the Fire Department is more pleased with this particular layout.

Mr. Sievers complimented Staff on its presentation and noted it may sound as though they are asking for a little bit more than average with respect to Exceptions. He stated the Exceptions are the same as were done across Maple Avenue in the Villas of Bending Oaks. They had great success with that; 96 units were built. Mr. Sievers noted he did not know if any units were currently for sale.

Mr. Sievers indicated there is a demand for this product in the Village of Downers Grove. He pointed out his client base is a more mature group, and some of them are here this evening.

Mr. Sievers acknowledged the residents near his proposed subdivision will get up this evening and talk about traffic. Mr. Sievers advised he lived in the Villas of Bending Oaks for eight years with 95 other residents, and there was never a traffic issue. Most of the clients he built for had children in college. Very few children live in the Villas of Bending Oaks; there are no proverbial soccer moms or swim team moms. There are not ten trips a day coming out of the units. In fact, most of the units have only one car. He does not consider traffic an issue for this proposed subdivision.

Mr. Sievers noted he would be happy to answer any questions.

Chairman Jirik asked if he had anyone else who would be presenting information this evening. Mr. Sievers responded his engineer, Edward Siefert from Intech, is here and his Attorney, Mr. James F. Russ, Jr., is also present.

Chairman Jirik asked the Recording Secretary if she had noted the time of Mr. Griesbaum's arrival, and the Recording Secretary advised his time of arrival would be shown in the minutes. Mr. Nicholaou pointed out Mr. Griesbaum arrived at the

beginning of conversations relative to this project, thus he is eligible to vote. Chairman Jirik concurred and thanked Mr. Griesbaum for making the effort to attend this evening's meeting despite having been out of town.

Chairman Jirik asked the Plan Commission members if they had any questions of the Petitioner or anyone representing the Petitioner.

With respect to the sidewalks, Mr. Griesbaum asked if the Village's insistence on five foot wide sidewalks would be a problem. Mr. Sievers responded the same question came up 13 years ago with the Villas of Bending Oaks. At that time there was a lot of discussion that Public Works considered five foot wide sidewalks necessary. Mr. Sievers indicated it really has to do with the ten foot easement behind the curb. They are trying to put as much green space as they can within the property. With respect to the client base, Mr. Sievers indicated they do not have tricycles, scooters, etc. This will not be a subdivision for young families, not that there may not be some. He would rather see an extra six inches of grass. The street is a foot narrower. Mr. Sievers also recalled roll curbs were an issue 13 years ago. It turned out not to be an issue, and Staff concurs with that now. With an older client base, drivers are generally not driving over the curbs, and their cars generally are not parked in the driveway but in the garage. Mr. Sievers concluded they would like to stay with 4.5 foot sidewalks.

As a point of reference, Mr. McCormick stated the density being requested is 4.98 dwelling units per acre. He asked Mr. Sievers for the density of the Villas of Bending Oaks subdivision. Mr. Sievers responded there were 5.5 units per acre; this project is approximately 10% less. There will be more square footage and more green space in the proposed subdivision.

Chairman Jirik stated he had several questions regarding traffic and asked who would be the right person to respond. Mr. Sievers advised Mr. Siefert, his engineer, is present and can answer those questions. Mr. Sievers noted they had a traffic study done, and the Village also did their own traffic study. Chairman Jirik asked for a succinct background of their study with regard to the capacity of the roads to handle the traffic, trip generation, peak hours, what were the study's conclusions.

Edward Siefert, Intech Consultants, 5413 Walnut Avenue, Downers Grove, stated he is one of the principals of the company. Mr. Siefert stated in general the conclusions were that they do not have any problems related to this development either in terms of the internal or external roadway systems or the amount of traffic that will be generated. Mr. Siefert indicated like most traffic studies, their study was prepared using trip generation figures prepared by the Institute of Traffic Engineers. That is all published material based on nation-wide surveys of various projects and installations. Mr. Siefert noted it is a very authoritative source of generation of traffic. They generated the traffic as it related to what this size development would produce. Based upon the area road network and the various traffic attractors like schools, access to Tollways, access to train stations, shopping, etc., you can fairly well predict the general percentages of directions that people are going to go. After assigning those factors, they came up with the trip

generations contained in the report which indicate various peaks at the morning peak hour and the evening peak hour. The highest number was 12 vehicles per hour on any one given motion and that was off of Maple Avenue. The highest motion was 8 cars per hour onto Elinor Avenue at peak hour. Such relatively low numbers have no impact on an area road network. It is really occasional use type traffic. In terms of their construction and design, the interior roadways are more than adequate to handle that type of traffic either from a volume standpoint or from simple width of roadway and geometrics.

Chairman Jirik stated the study finds the number of trips to be modest. He asked if the majority of the movements are Durand and Maple Avenue. Mr. Siefert agreed. He stated if you look at the orientation of the plan and the location of most of the units, most of the people within that development are going to opt for Durand and Maple Avenue and use that as their point of access. Some people on the western end of the development will opt to go to Elinor Avenue to head on out towards Maple Avenue. A few people will journey south on Elinor Avenue as well, but as southbound Elinor Avenue does not really go to any major traffic attractors, there would only be occasional traffic headed in that direction.

Amidst much laughter from the audience at that comment, Chairman Jirik asked the members of the audience to afford everyone respect.

Chairman Jirik asked because the level of service is low, would the Maple Avenue be impaired by the additional traffic. Mr. Siefert responded the addition of 10 or 12 cars per hour to the volumes on Maple Avenue will not be discernable. Chairman Jirik next asked about the ability of Maple Avenue to accommodate this much traffic from Durand. Mr. Siefert responded affirmatively and acknowledged there will always be a little bit of waiting at particular times for a left turn motion out, but that occurs at Elinor Avenue, at Walnut Avenue or any of the other roadways along Maple Avenue. Mr. Siefert indicated there is plenty of gap time on Maple Avenue.

Chairman Jirik stated trip generation is a fairly standard calculation and asked, if one were to look at a robust assessment, say double what was going on Durand and Maple Avenue; would there be any problems. He also wanted to know if the estimates are low, are we on the edge of some difficult congestion. Mr. Siefert responded Durand is perfectly capable of handling more than double the traffic that will be generated by this development. The volumes themselves as a percentage of the area road network are really small.

Chairman Jirik referred to the Plan Commission packet where there was a page labeled "Figure Three Site Generated Traffic". He asked if that was from the traffic study, and Mr. Siefert responded affirmatively. Chairman Jirik asked if the number in parentheses is the evening peak hour, and the numbers not in parentheses are the day time hours. Mr. Siefert agreed. Chairman Jirik asked if the arrow shown was the direction of movement, and Mr. Siefert agreed.

As he looked at Figure Three and listened to Mr. Siefert's testimony, Chairman Jirik stated it would appear making the exit onto Elinor Avenue right out only would not cause any difficulty with the Maple Avenue and Durand ingress/egress. Mr. Siefert stated from a pure traffic standpoint the Chairman was entirely correct. Whether or not that would suit the Fire Department and the Police Department relative to access, Mr. Siefert indicated he would have to defer to their opinion since they are responsible for answering the emergency calls. Based on the volumes that are there, Mr. Siefert stated there really is no need for a right out only turn; however, he understood the point of the Chairman's question. Chairman Jirik stated the figure shows 22 movements on Durand to Elinor Avenue. With a right out only, 50% would still be accommodated; 50% would need to seek Durand to Maple Avenue. It appears technically it could be accommodated. Mr. Siefert agreed.

Chairman Jirik stated various other units of our Village expressed interest for the additional access. He asked Staff if they could comment if a right out only onto Elinor Avenue suits those needs or is that a question Staff needs to reserve. Mrs. Riordan responded she understood the question but would defer to an additional review from the Fire Prevention Division with respect to emergency vehicle access. She asked if the Chairman was suggesting physically altering the intersection to preclude or deter northbound turning movements or was he is looking to post a sign which could take into account the necessity and the ability for emergency vehicle access.

Chairman Jirik stated he anticipates hearing some comments from the public regarding traffic. He agreed the Plan Commission would not want to create a life safety issue. Various designs can more strongly prevent a turning motion, but to what degree those are merited and to what degree those present interference to safety have to be balanced. Chairman Jirik commented from a pure traffic standpoint something like that is something that could be considered subject to other information and assessment.

Mr. Nicholaou stated looking at the map; it seems to him the nearest fire station that would take care of this proposed subdivision would be the station on Main Street. He asked if that was correct. Mr. McCormick advised the station in the Ellsworth Industrial Park would be the station serving this proposed subdivision. Mr. Nicholaou noted fire and emergency vehicles would come down Belmont Road. He was advised that was not necessarily true; such vehicles would come down Walnut Avenue to Maple Avenue. Mr. Sievers noted there is another fire station at 59th Street and Belmont Road. Mr. McCormick noted that is the Darien-Woodridge fire station. After studying the map, Mr. Nicholaou stated even if the emergency vehicles chose to come down Walnut Avenue, they would probably still access via Durand and Maple Avenue unless there was an emergency on the western end of the subdivision.

Chairman Jirik asked if there were other questions for the Petitioner from the Plan Commission members. There were no further questions.

Mr. Sievers commented he wanted the Plan Commission members to understand the client base he is working with is not your typical rush hour group of residents. They are

generally retired; generally drive their vehicles at mid-day. Mr. Sievers stated their traffic studies are based on dwelling units and pointed out this is not your typical dwelling unit. Mr. Sievers indicated he wanted to impress upon the neighbors that the proposed subdivision is not a high traffic issue. Mr. Sievers stated if no left turns were allowed onto Elinor Avenue or right turns only, then it becomes an enforcement issue if no barriers are going to be built. Mr. Sievers expressed his opinion that it was a little excessive, but if comes to the point where they put a right turn only or no left turns it becomes an enforcement issue, and Elinor Avenue will have to be patrolled.

Chairman Jirik noted it is also possible to design a lane that accommodates the right turn only and makes it physically almost impossible to turn left. It can be done by signage which is a lesser method and an enforcement issue, or you can do it with the physical design. Chairman Jirik emphasized he was not advocating anything because there could still be some issues that need some understanding. He reiterated he was looking at this from a pure traffic justification standpoint, and the Commission heard some evidence in that regard.

Mr. Sievers asked the Commission to be aware when the 39 units turned into a 41 unit subdivision, they asked for two outbound lanes and one inbound lane on Maple Avenue. He supposed it could have been possible that they could have gone back to just two lanes outbound onto Maple Avenue, but they chose to leave it that way because they figured there was going to be some issues with some of the residents who might not have liked what they were doing. There is a left and right turn out onto Maple Avenue, let alone the incoming vehicles. Mr. Sievers expressed the hope they would not have to put up any barriers on Elinor Avenue.

Chairman Jirik reserved the right for further questions. He asked anyone speaking tonight to please stay in case the Plan Commission has any questions of them.

Chairman Jirik announced the next step is for any member of the public to pose questions to the Petitioner regarding this development. He emphasized this portion of the Public Hearing is for questions only; comments will be heard later. Chairman Jirik asked anyone who has questions to come forward, state their name and address and indicate if they were sworn in and then ask their questions of the Petitioner.

Mike Morris, 2517 College Road, Downers Grove referred to the Plan Commission minutes of the November 4, 2003 meeting where it stated "Mr. Sievers noted prior to coming here this evening, he had thought of connecting the rights of way and improving Janes Avenue all the way through to College Road. Mr. Sievers indicated his thought was if there was an exit there, residents (Mr. Morris thought he was referring to the town home development) could drive down College Road to Walnut Avenue and then turn north at the traffic light and make a safe turn onto Maple Avenue." Mr. Morris asked Mr. Sievers if that statement was referring to this development. Mr. Sievers responded that was the old plan not the current plan. Mr. Morris asked if that was for the old plan with the three original lots and did Mr. Sievers make that statement. Mr. Sievers agreed.

Mr. Morris then read from the traffic study which states the estimated traffic volumes generated by this site can be expected during the two peak hours a.m. and p.m. on a typical week day as shown in Table 1. Mr. Morris commented his interpretation of that sentence is that it is a little vague. He asked if Mr. Sievers' engineers were referring to two hours, an a.m. hour and a p.m. hour, or two hours in the a.m. and two hours in the p.m.

Mr. Siefert, Intech Consultants, explained the traffic report refers to the peak morning hour of traffic and the peak afternoon hour of traffic. Mr. Morris asked for confirmation that it is a single hour of traffic in the a.m. and a single hour of traffic in the p.m., and Mr. Siefert agreed.

Chairman Jirik reiterated everyone will have an opportunity for commentary upon completion of the questioning.

Patricia Trowbridge, 2508 College Road, Downers Grove stated she was sworn in. She thanked the Plan Commission for the opportunity to come before them. She asked if the Plan Commission had on record the proposed development of Maple Avenue from Belmont Road to Walnut Avenue. The prior proposal had the industrial park, multiple family and then single family on the south side of Maple Avenue. She asked if the Master Plan changed. Chairman Jirik asked her if she was referring to the Future Land Use Plan, and Mrs. Trowbridge answered yes.

Mrs. Riordan stated the Petitioner is seeking that change in designation from single family which is Residential at 0-6 dwelling units per acre to what is essentially the townhouse designation at Residential at 6-11 dwelling units per acre. Currently the subject property and the area on the south side of Maple Avenue are still designated on the Future Land Use Map as Single Family Residential. Mrs. Trowbridge indicated she understood that, but her questions to the Plan Commission were how does this impact the rest of Maple Avenue, is there a plan for it or would this be a spot rezoning. Chairman Jirik responded the request is to amend the Future Land Use Plan commensurate with the outline. The discussion and review is commensurate with the current adopted Future Land Use Plan. In that respect, the request is accurate with what has been adopted by the Village as of this time. Mrs. Trowbridge stated she is looking into the future and what the people further down Maple Avenue propose to do with their properties. Other people further down Maple Avenue wanted to develop certain things and were denied. Mrs. Trowbridge indicated she was curious as to what the Village has in mind. Mrs. Trowbridge asked if the Village planned to improve Elinor Avenue down to College Road or would the development stop at the exit of Durand.

Mr. Sievers responded they are going to improve Elinor Avenue to the south border of their property. They are annexing the road and the right of way and bringing it into the Village of Downers Grove. Mrs. Trowbridge asked if the east side of Elinor Avenue would have a curb, but the west side would not. Mr. Sievers concurred. Mrs. Trowbridge asked if half of Elinor Avenue would stop being improved with sidewalks and curbs at the proposed southerly property line. Mr. Sievers agreed. Mrs. Trowbridge

commented the street would be half improved on one side and on the other side totally unimproved. Mr. Sievers explained the road is going to be widened and will be more aligned than what it is right now, and a sidewalk is going to be installed on the east side of the road. Mrs. Trowbridge asked if the whole street would be widened or just the part that is being annexed. Mr. Sievers responded the part that is being annexed would be widened.

Mrs. Trowbridge noted the Staff report does not contain any information regarding sewers. She asked Mr. Sievers what his plans are and is the Sanitary District able to provide for that kind of density. Mr. Sievers informed her they have approval from the Downers Grove Sanitary District. She noted such approval was not contained in the Staff report and asked if it was forthcoming. Mr. Sievers explained the Downers Grove Sanitary District is a different governing body, and Mrs. Trowbridge indicated her understanding of that. Mr. Sievers stated their approval is not relevant to this Plan Commission hearing. Mrs. Trowbridge noted there are stormwater, lighting and fire issues. Mr. Sievers said those things are relevant to the Village of Downers Grove, but the Downers Grove Sanitary District is a separate government. Mrs. Trowbridge again expressed her understanding of that and noted they also have a master plan on how much their wastewater treatment plant can handle. Mr. Sievers again stated they have approval from the Sanitary District. She again stated that approval was not a part of the packet. Mr. Sievers noted he did not have the approval with him but agreed to provide Mrs. Trowbridge with a copy of Sanitary District's approval. Mrs. Trowbridge thanked Mr. Sievers and thanked the Plan Commission for its patience.

Mike Morris, 2517 College Road, Downers Grove, advised he had been sworn in. He had two follow-up questions. He asked if Mr. Sievers believes the traffic patterns for this development are going to be significantly different than the previous plan with regard to people seeking a safe exit at Walnut Avenue.

Mr. Sievers indicated he was not following Mr. Morris' question. Mr. Morris explained he earlier read a statement Mr. Sievers made with regard to the previously proposed townhouse plan saying people would continue on to Janes Avenue, to College Road to Walnut Avenue to have a safe exit for the previous proposed townhouse plan. With the new proposed plan, does Mr. Sievers believe that statement is accurate where people would also go to Elinor Avenue, to College Road and on to Walnut Avenue to seek a safe exit?

Mr. Sievers expressed what he would do and what is approved here might not all be the same thing. If the Plan Commission chooses to make this a no left turn onto Elinor Avenue or a right turn only, he is o.k. with that. He felt it was safer to go down College Road to Walnut Avenue to make a left-hand turn onto Maple Avenue, and he thought Mr. Morris would do the same thing. Mr. Sievers noted we are all looking for safety. There will be two lanes exiting onto Maple Avenue and one lane exiting onto Elinor Avenue. There are three lanes exiting this subdivision. Their traffic report does not refer to three lanes; it refers to two lanes. Mr. Sievers stated he could not tell Mr. Morris if it is not signed or it is not one way that people are not going to go down that way. Mr. Sievers

noted the area has more traffic problems from an apartment building down on Walnut Avenue than they will have from this subdivision. Mr. Sievers expressed his opinion that there are not enough stop signs on College Road. He is not a traffic engineer which is why he leaves that up to the experts.

Mr. Morris expressed his belief that the Belmont Road train station is going to be moving once the underpass is built. Mr. Morris thought this would occur in 2006. He asked Mr. Sievers if his traffic survey had taken that into consideration. Mr. Sievers acknowledged he could not say it was taken into consideration. He reiterated his client base generally is retired and is not train oriented.

Kevin Vought, 5703 Elinor Avenue, Downers Grove stated he had been sworn in, and he appreciated the Plan Commission's time. In the trip generation report, it states the report was based on 1997 data. He also thought he saw some other revised information that had a different date. He asked if 1997 was the most up-to-date traffic data.

Mr. Siefert explained 1997 is the date of the Manual's publication. It only includes data up to 1997, but this is data for a multitude of uses ranging anywhere from single family to multi-family to industrial, etc. Mr. Siefert stated the Manual is filled with studies, averages, charts, etc. Data from 1997 to date is very similar and would not change the results published in 1997 or the factors that were used in the report. Mr. Siefert indicated this is the standard manual used by traffic engineers throughout the entire United States.

Mr. Vought asked if an actual traffic study was done for this area. The traffic report is based on estimates from the 1997 data. Mr. Siefert explained this is a traffic generation and assignment study that identifies how much traffic this particular development is going to generate and in which directions it is going to go. Mr. Siefert stated they did not go out and do car counts on Maple Avenue, Belmont Road or Elinor Avenue and every place in the surrounding road network to determine what the existing case conditions are. Mr. Vought asked if there were a traffic situation in that area, does their traffic study address how much traffic would be added to that traffic situation. Mr. Siefert agreed. Mr. Vought thanked Mr. Siefert.

Mr. Vought commented traffic seems to be a large issue with this proposed subdivision, and he asked if the Petitioner had looked at the plat itself and instead of exiting onto Elinor Avenue do a u-shaped entrance and exit back out onto Maple Avenue.

Mr. Sievers responded there is a situation with drainage and stormwater. Also, having another entrance onto Maple Avenue so close to Elinor Avenue necessitates a certain amount of distance between roadways be maintained, and he thought it was over 300 feet. If he did that, the entrance would be located right in the middle of the retention area. Mr. Vought again asked if that u-shaped possibility had never been looked at, and Mr. Sievers agreed. Mr. Vought asked Mr. Sievers if the reason for that was because Mr. Sievers believed, but did not know, there has to be at least 300 feet between roadways. Mr. Sievers told Mr. Vought not to put words in his mouth. He went on to explain it was not considered because of the drainage and the lay of the land. Mr. Sievers noted you do not

build a road in the lowest part of the land.

Mr. Vought asked if there was a topographical study placed in the packet because he did not see one. Mr. Sievers indicated extensive engineering has been done with extensive topographical plans.

Mr. Vought noted currently on Lot One there are no exits onto Elinor Avenue. With this proposal there would actually be three additional exits onto Elinor Avenue. Mr. Sievers indicated Mr. Vought was not telling the truth. There are four homes that exit onto Elinor Avenue. Mr. Vought told Mr. Sievers not to put words in his mouth because that is not what he said. He reiterated on Lot One where there currently are no exits onto Elinor Avenue, Mr. Sievers is proposing to add three exits. He did not say anything about Lot Two or where he is exiting onto Elinor Avenue. For clarification, Mr. Sievers stated there are currently four homes and a vacant lot that enter onto Elinor Avenue, and they are going to be putting a three lots onto Elinor Avenue, so they are actually taking one lot off of Elinor Avenue. Mr. Sievers indicated he further explained this so the Plan Commission understands there will be a negative effect for what they are putting onto Elinor Avenue.

Chairman Jirik suggested moving on to further questioning. Mr. Vought pointed out the driveways would actually be closer to the intersection of Elinor Avenue and Maple Avenue. That is not what is there currently, and that is his concern.

Chairman Jirik advised those members of the audience who have not yet spoken that the Plan Commission likes to give everyone a first chance and then if there are new or additional information the Commission will allow individuals to speak for the second time.

Joe Giuffre, 5533 Durand, Downers Grove stated he had been sworn in. He asked for clarification purposes if the sewers will be connected into existing Bending Oaks Subdivision sewer system, through the first building and through the parkways. He asked if they will bore under the driveways so the driveways will not be disrupted. Mr. Sievers confirmed the sanitary sewer connection will be through the Bending Oaks Subdivision, but he indicated he did not know if boring under the driveways had yet been determined. The sewer is extremely deep in many areas, and it has to be done to meet OSHA standards. Mr. Giuffre asked if one or two buildings would be impacted. Mr. Sievers responded only the first building. Mr. Sievers stated the driveways may be replaced. Mr. Giuffre asked Mr. Sievers if he knew how long the process would take. Mr. Sievers answered less than a day. Mr. Giuffre reiterated the driveways would be broken up, sewer laid and the driveways put back together in less than a day. Mr. Sievers explained the driveways would first be graveled, and when the area has settled, the gravel would be taken out and concrete poured. This would be done as quickly as possible. Mr. Giuffre asked for confirmation that there would be minimal disruption to the first building, and Mr. Sievers agreed. Mr. Giuffre asked if there would be any disruption in the water service, and Mr. Sievers indicated there would be no disruption to the water or sewer service.

Donna Sandberg, 2404 Maple Avenue, Downers Grove, stated she had been sworn in. Ms. Sandberg stated she lives directly across from the proposed drainage and retention pond. She referenced the maps that were available at the last meeting and noted on those maps it looked like there were some drains out to sewers. Her concern is the drainage pipe that runs under Maple Avenue and between her home and the home to the east of their property and into the woods behind her house. Ms. Sandberg noted this pipe drains a great deal of water from the entire area on the south side of Maple Avenue. Ms. Sandberg stated when there is a lot of water running through that pipe, and their sump pump operates non-stop. She asked Mr. Sievers what is going to happen when the retention pond is full.

Mr. Sievers responded her sump pump will no longer be running. He explained there is a storm sewer that runs down the center of Maple Avenue. There are several inlets just behind the curb on the south side of Maple Avenue that are going to be intercepted. The proposed storm sewer will not go on Ms. Sandberg's property but enter farther down Maple Avenue to connect into the storm sewer. Mr. Sievers further explained DuPage County has given them permission. The County says there is enough volume to take their retention pond which will be put in at a released rate. Mr. Sievers stated water running down there now from the area on the south side of Maple Avenue will be retained for a period of time and will be slowly released through a restrictor. Any flooding issues the Sandbergs have had in the past will now be dammed, and there will be a restrictor and a manhole that will let the water out into the DuPage County storm sewer system at a certain released rate. Mrs. Sandberg asked if that water will be drained by Mr. Siever's project into the storm sewer system. Mr. Sievers agreed and noted they are required by the County to capture as much water as humanly possible into their project and retain it.

Mrs. Sandberg asked that the previous aerial photo again be displayed on the overhead screen. With regard to the lines indicating potential annexation, Mrs. Sandberg noted the line extends across Maple Avenue to the north side so that it can connect to Mr. Sievers' previous development, the Villas of Bending Oaks. She asked does that mean the easement on the north side of Maple Avenue in front of their house will actually be Downers Grove and questioned how that would that affect their services. Mr. Sievers stated the annexation would be to the property line and not beyond the property line. He asked Mr. Millette to confirm his statement. Mr. Millette responded Maple Avenue is still County right of way. Mrs. Riordan further explained the proposed annexation would extend to the far side of Maple Avenue. Mrs. Sandberg asked technically would the sidewalk running in front of their house be a part of Downers Grove, but their property would not be a part of Downers Grove. Mr. Millette answered as long as the sidewalk is currently within the County right of way, it would transfer to the Village. Mrs. Sandberg stated right now Lisle Township Highway Department actually takes care of the road in front of their home. With regard to the property to the west of their property, Mrs. Sandberg asked if the County will stop plowing, and the Village take over. Mr. Sievers stated the County and the Village of Downers Grove have reciprocal arrangements. The County plows some of the Village's streets, and the Village plows some County roads. Mrs. Sandberg asked if all the way down Maple Avenue, the sidewalk, etc. would be seamless, and Mr. Sievers agreed.

Jane Myczek, 5714 Chase Avenue, Downers Grove, indicated she was going off on a tangent to talk about the Future Land Use Map. She asked who develops that map and what criteria did they originally use to determine this to be single family. She also asked what situations would occur such that the Map would have to be modified from single family to another type of rezoning.

Chairman Jirik explained the Map, as well as the text which gives additional background, was adopted by the Village of Downers Grove. From time to time as the Village sees fit, there are processes by which the Future Land Use Plan and Map are reviewed. Such reviews occur at public meetings where the public is welcome to come and make comments. Chairman Jirik recalled the Plan Commission went through a detailed review of the entire Map. Several ideas were generated and presented to the Village Council for final approval. The Future Land Use Map and Plan are living documents and have been in force since the 1960's. Chairman Jirik further explained the purpose of the Map is to guide future development. It is not binding but can be updated from time to time. Chairman Jirik noted the Petitioner has requested a change be made to the Future Land Use Map as part of his petition so that the zoning and the Future Land Use Map and Plan would be consistent. Chairman Jirik asked Staff if they wanted to add additional information or explanation.

Mrs. Riordan responded she had nothing to add to the Chairman's explanation.

Chairman Jirik asked Mrs. Myczek if he had answered her question. She responded not really. She stated she had looked at the latest revision to the Future Land Use Map and everything is still zoned single family. She asked why it was necessary to change these parcels to multi-family. She again asked what are the criteria and why is it so imperative that it be changed. Chairman Jirik indicated her question should be answered by the Petitioner because his petition contains a request that the Future Land Use Map be amended, and it is his burden of proof.

Mr. Sievers stated after he met with the Plan Commission the townhouse zoning is R-5A. In reality, town homes are no more than single family homes joined together in three and four units. This is all about density. Their proposed project is less than five units per acre, and they still fall under the single family zoning issue. The Village of Downers Grove has placed town homes in this particular zoning classification R-5A. In this particular case R-5A, Townhouse Residence is not any different than R-4, Single Family Residence.

Mrs. Myczek stated she understood Mr. Sievers' plan does not increase that many people but changing the property to a different zoning classification provides the opportunity to have a lot more than what Mr. Sievers is proposing. It also changes the dynamics and character of the neighborhood. Mrs. Myczek stated that is a big issue for most people. Single family homes have a different look than town houses. Mrs. Myczek reiterated she still did not understand why Mr. Sievers feels he needs to modify these pieces of property other than because he cannot fit his original plan on the property.

Chairman Jirik stated within government there is a process by which one applies for changes. The Petitioner supplies the burden of proof, and the Plan Commission deliberates and either agrees or disagrees.

Deborah Scouten, 5939 Janes Avenue, Downers Grove stated she had been sworn in. Ms. Scouten stated she heard statements made about the demographics of the town homes, and she would like to find out how those demographics were determined. She also wanted to know the statistics between retired people, families and single people that would be moving into this development.

Mr. Sievers said he lived across the street in the Villas of Bending Oaks for eight years. Although there are 96 units, for easier calculations let us use the figure of 100 units. If he had to go through the records of everyone who bought units there and determine how many were over 50 years of age, he could do that. Mr. Sievers stated two of the residents of the Villas of Bending Oaks are here this evening, and they can verify his estimates of they so choose. Mr. Sievers indicated probably 50% to 75% of the owners are over 50 years of age. There are a few divorced residents. He did not know if there was even one child under the age of 18 in the 96 units. Ms. Scouten asked Mr. Sievers if he was going to market to the older community. Mr. Sievers responded that was correct. Ms. Scouten asked if two married lawyers want to purchase a town house, would he sell to them. Mr. Sievers responded he cannot discriminate against possible purchasers. Ms. Scouten agreed. Ms. Scouten asked if he had any real statistics about how this particular property will be sold. Mr. Sievers responded only from 30 years experience building in Downers Grove. Mr. Sievers indicated he knows Downers Grove very well; his children went to school here, and he has been involved in various boards and commissions while living here. Ms. Scouten asked if there was a possibility it could change. It could be different than 50 to 75 year old residents buying into these homes. Mr. Sievers stated he was sure Ms. Scouten knows the value of her home on Janes Avenue has gone up in the last three years. Ms. Scouten agreed. Mr. Sievers stated he paid an extremely high price for these properties which also helps to determine the price of Ms. Scouten's property. Based on the land values, the cost of lumber going up 25%, steel going up 30%, concrete 27% in the last year and not even factoring in labor, the price of these town homes will help determine his market.

Chairman Jirik stated absent Mr. Sievers' annunciation that he would be putting in a deed restriction, which he does not believe Mr. Sievers intends on doing, then it is useful for him to offer an opinion. The Plan Commission does not have authority nor does any suggestion or indication bind the Petitioner to a particular plan of marketing. It is illustrative for Mr. Sievers to share his relevant experience, but to infer it could be made binding is beyond the scope of the Plan Commission.

Ms. Scouten explained her point is we really do not know if 50-75% of the owners will be over the age of 50. Ms. Scouten further explained that goes to the traffic issue which will be discussed further this evening.

Chairman Jirik asked for confirmation that the trip generation was based on number of bedrooms not the demographics. Mr. Sievers agreed. Chairman Jirik stated regardless of the Petitioner's marketing plan, the numbers in the traffic study would not change. Again, Mr. Sievers agreed.

Ms. Scouten referred to earlier statements as to how many cars are going to be entering and exiting this subdivision at a certain time of the day. If you have a young demographic that number is going to increase. Ms. Scouten emphasized without firm statistics you cannot say how many cars are going to be going in and out of this subdivision at a certain time of the day. She wants to make sure everyone here knows there is a question about how many cars are going to be coming in and out. The group and the Plan Commission have to decide if the information in the traffic study is viable.

Chairman Jirik encouraged Mr. Sievers to have his engineer briefly address the methodology by which the Trip Generation Manual generates trips. Chairman Jirik expressed his belief it was an objective test and not based on demographics, but he is not the expert. Such testimony from Mr. Siefert would be useful.

Mr. Sievers stated as he understood the question we are going back to the accepted 1997 Manual based on the number of bedrooms. Chairman Jirik asked for an explanation as to how the Manual was used to generate the trips.

Mr. Siefert reiterated what he said in his earlier testimony. The Manual is a digest of studies that have been done on similar types of developments of varying sizes throughout the United States, so there is a weighing factor for small developments versus large developments, etc. It does not distinguish in any way, shape or form by age. It is an average of every type of development including age restricted communities. All of those things are identified in the Manual and are part of the average, so to speak. Mr. Siefert suggested earlier this evening some confusion may have arisen that the report generated for this particular project is based on an average which includes a fairly healthy representation of young folks who generate more trips. Mr. Sievers was trying to explain that although the report says this, the actual demographics he sells to and will be selling to here is an even older crowd that what the report could be said to encounter. His project will be generating effectively even less traffic than what the study says because the study assumed a more active, young group as part of the base average.

Steve Creagen, 2400 College Road, Downers Grove said he had been sworn in. He asked the Plan Commission if Downers Grove has any ordinances related to the tear-down of a single family home relative to the square footage of what would replace it. Mrs. Riordan responded the Village does not have such an Ordinance. Mr. Creagen stated essentially single family homes are being torn down to put up a larger home in its place. He asked how would this relate to that or any proposed Ordinances the Village might be considering. Mr. Creagen indicated he had been to the previous meeting, and nobody has really answered that question. He knows why the developer wants to change the zoning; it is obviously more profitable. His question to either the developer and/or the Commission is how does this zoning change really improve our community.

Chairman Jirik stated the deliberation will be the ultimate conclusion.

Kevin Luke, 5702 Katrine, Downers Grove, indicated he had been sworn in. In discussing the traffic study, the comment was made there was really nothing to draw the residents of the proposed development through their residential area. Mr. Luke recalled members of the audience laughed at that comment. Mr. Luke stated everything goes through their residential area, and he sees it every morning. Cars come up from Woodridge, down Elinor Avenue, and they do not go out to Maple Avenue. They cut down College Road right past his house over to Walnut Avenue and then out to the traffic light to go to I-355 or the train station. The same situation occurs on Chase Avenue. Residents in the neighborhood and from the Bristol Club come down College Road to Chase Avenue, Hobson or Belmont Roads to go to Dominick's, Sam's Club and everything else in the Woodridge area. Mr. Luke wanted to know what would keep this development of 57 town homes with 100 new cars from doing the same thing.

Mr. Sievers responded Mr. Luke stated people from Woodridge, the Bristol Club apartments and County residents all drive down these roads. Mr. Sievers stated he was sorry, but he could not help that situation. Mr. Luke responded the neighbors just do not want any more traffic on their roads. Mr. Sievers asked Mr. Luke what he would say if the developer who built his house said he was sorry that he could not put another driveway in there. Mr. Sievers indicated Mr. Luke would say that is not fair. Mr. Sievers stated they have 11 acres that are going to be developed one way or another at less zoning than is possible. The density is less, and it is only because of certain zoning restrictions Downers Grove has, that they are going for a zoning class change. If not, they could go through a Planned Unit Development with six units per acre with 66 units on that property. Mr. Sievers asked the audience not to take into account that there are 57 units here. They are tearing down seven homes each of which have three bedrooms. The net effect is not 57; the net effect is closer to 50 and if you take the bedrooms into effect it is probably closer to 42.

Mr. Luke suggested Mr. Sievers could do single family residences at a higher density, which could also be enclosed within one area, not necessarily directing traffic out into their community. Mr. Sievers responded with 11 acres and a corner property, the Fire and the Public Works Departments all want two entrances to this subdivision. Mr. Luke commented he knew two entrances were not required.

Mr. Sievers stated if it is not required, it has been recommended by those Departments.

Mr. Luke recalled his meeting with Mr. Sievers where they discussed the right turn only access on Elinor Avenue. Mr. Luke commented the problem with that is there will be more stop signs. As it is now, people going through the neighborhood currently do not obey the stop signs. Chairman Jirik reminded Mr. Luke he should be asking questions not making statements. Mr. Luke asked what the chances were for a stop light at Durand and Maple Avenue at both ends of the development. Mr. Sievers expressed his opinion a stop light will not be warranted because the traffic study does not warrant it. Mr. Luke stated such a stop light would pull traffic from his area out through the proposed

subdivision.

Chairman Jirik explained that the concept of a “warrant” for a traffic signal is not an opinion. There is a standard test, and warrant is the word to describe that test. You have to meet a particular standard to get either a stop sign or a traffic signal. Warrants are used to provide an orderly means for vehicle control.

Mr. Luke asked instead of the two-way access into the development off of Elinor Avenue onto Durand to satisfy the Fire Department, could there be a roadway one way into the subdivision from the intersection. Chairman Jirik asked Mr. Luke if he was asking the developer if he had considered ingress only. Mr. Sievers responded he did not consider that. Mr. Luke wanted to know why not. Mr. Sievers answered he did not think it was warranted.

Joseph Gentiluomo, 2423 College Road, Downers Grove stated he had been sworn in. He indicated he has lived there for 50 years. He moved out here because of the rural location. He came from a small town, and the area gave him a sense of being in the country again. With respect to the traffic issue, Mr. Gentiluomo noted he did not know how much people realize the traffic they see coming down Elinor Avenue is not from the Woodridge subdivision at the south end of Elinor Avenue. Mr. Gentiluomo stated he has talked to people trying to find their way through that maze. Those people come all the way from Romeoville and Bolingbrook and are cutting through the area. Mr. Gentiluomo recalled some years ago when that subdivision was built in Woodridge, Elinor Avenue was never supposed to go through. It was supposed to be blocked, and according to Mr. Gentiluomo, during the night it was opened it up, and it never closed.

Mr. Gentiluomo next addressed the issue of flag lots. He noted there is a piece of property on Chase Avenue that was called a flag lot. Chairman Jirik interjected to remind Mr. Gentiluomo this portion of the Public Hearing is dealing with questions and comments will come later. Mr. Gentiluomo expressed concern more flag lots are going to be developed. Chairman Jirik explained there is a standard definition of a flag lot, and the lots being proposed are not flag lots. Mr. Gentiluomo acknowledged that and asked if homes are going to continue being torn down and big townhouses built in their place. Mr. Gentiluomo noted there are big lots in this area.

Chairman Jirik stated the Plan Commission is a recommending body as he explained earlier. The Commission listens to all testimony and then makes a recommendation to the Mayor and Council. The Mayor and Council ultimately act on petitions and enact Ordinances. When the Plan Commission reviews a petition, it reviews it based on the laws and Ordinances on the books today. That is what a project is judged by. The Commission’s advice to the residents, who want to have something modified or changed, is to speak to the Mayor and Council. He suggested Mr. Gentiluomo address his concerns to the Mayor and Council. Mr. Gentiluomo stated his concern is whether the character of his neighborhood is going to be destroyed.

Carl Jamison, 2512 59th Street, advised the Chairman he had also been sworn in. Mr.

Jamison asked if \$78,000 was going to be donated to the school and park districts. He asked Mr. Sievers how much he will be saving by saving six inches of concrete throughout the subdivision, how much is he saving with smaller roads and how much is he saving between 16 lines of copper going in instead of 64 lines as the regulations state he should be doing.

Mr. Sievers stated he did not know if he could actually answer Mr. Jamison's first question. It is not necessarily saving dollars but giving green space. With respect to the water, Mr. Sievers indicated it has been proven many times to be much more efficient to put one copper water service in with one meter. The tap fees are the same. The Village government gets the same amount of money as it would with four taps. There would be one line going across the street, one buffalo box and one automatic meter reader that is automatically drafted from the Association bank account so there are no collection fees, nor does the Village have to send utility trucks out to turn off people's water because they did not pay their bill. It is a matter of efficiency as far as the Water Department is concerned.

Mr. Jamison asked if it is efficient to have narrower roads and narrower sidewalks. Mr. Sievers responded no, his answer to Mr. Jamison's first question was green space.

Mr. Jamison asked if the Petitioner is worried about green space why not erase all those trees he is planning on doing and put little saplings up. Mr. Jamison stated if he read the report correctly, the Petitioner is planning on destroying all those trees and putting up smaller trees. He asked Mr. Sievers if that was his plan. Mr. Sievers said he tries to keep as many trees as he can. Obviously, some are going to have to be moved; some will be transplanted, many of them will be replaced. Mr. Jamison asked if the replacement trees would be the same size as the original trees. Mr. Sievers responded if he was God, but he is not. Mr. Sievers further explained he does not plant two inch trees. If you go over to the Villas of Bending Oaks, you will see that he did not plant the standard two-inch tree required by the Village of Downers Grove. You will see there are three-inch caliper trees because that is what he believes in. Mr. Jamison went back to his original question as to how much money he would be saving and noted Mr. Sievers' response had been that he did not know. Mr. Sievers stated he could not tell him the answer.

Bruce Johnson, 5850 Chase Avenue, Downers Grove indicated he had also been sworn in. Mr. Johnson asked the Petitioner if he developed Bending Oaks Court off of Elmore. Mr. Sievers stated he developed anything that has Bending Oaks in the name. Mr. Johnson asked how many exits Bending Oaks Court has. Mr. Sievers responded there is one exit. Mr. Johnson noted the Petitioner also developed Bending Oaks Place and asked how many exits that has. Mr. Sievers responded one exit. Mr. Johnson asked the same question regarding Challen Place and Maplewood, and Mr. Sievers answered one exit for each development. Mr. Jamison stated he was trying to understand why Mr. Sievers feels it is in his benefit to have two exits from the subdivision when so many of the other subdivisions he created have only one exit. Mr. Sievers stated none of those subdivisions were on a corner, and most of those properties were 300 feet wide so it was not possible to connect with two roads. Mr. Sievers indicated to the best of his recollection there were not more than 20 units in any one of those subdivisions, while the proposed subdivision

would have 57 units. With double the number of units, it only makes sense there would be an additional exit. Mr. Jamison noted Mr. Sievers has built much of his argument on the fact that it is bedrooms and older people. The other subdivisions have younger families and more bedrooms. Mr. Jamison stated he was trying to understand how Mr. Sievers can now all of a sudden make the distinction on density when before he had been telling them that it not that much more dense, etc. Mr. Jamison concluded he just wanted to confirm all those other subdivisions had one exit. The Village approved them, Mr. Sievers was able to build them and he was able to sell all the units. Mr. Sievers stated those have been built since 1978, almost 30 years ago; times change. All those people are now buying town houses.

Jim Koleff, 2525 College Road, Downers Grove indicated he too had been sworn in. Mr. Koleff stated he moved into the neighborhood liking the larger lots and single family homes, not town homes. He asked the Village not to consider changing the zoning on the properties on Maple Avenue and Elinor Avenue. He expressed his opinion the proposed rezoning would drastically slow down the appreciation of the single family homes in that area.

Chairman Jirik reminded Mr. Koleff this portion of the Public Hearing was for questions of the Petitioner. Comments and statements will be next. Mr. Koleff responded he was leading into a question. He asked Mr. Sievers to consider his request and asked the Village to consider that Elinor Avenue remain single family, and Mr. Sievers be allowed to put up single family homes there or a berm. Mr. Koleff reiterated the proposed subdivision would drastically affect the appreciation of the neighborhood. In his opinion, the neighborhood will appreciate, but not quite as fast because of the proposed town homes.

Mr. Sievers responded he had considered that, and the answer is no. Mr. Koleff asked him why not, and Mr. Sievers stated he did not believe in million dollar homes. He does not believe in tearing down \$300,000-400,000 homes to build million dollar homes from lot line to lot line and totally changing the character of Elinor Avenue. Mr. Koleff commented that was for Mr. Sievers' pocketbook, not the neighborhood.

Chairman Jirik advised the speaker and those waiting to speak that the Plan Commission wants to hear objective questions, and there will be an opportunity for opinion and commentary. Mr. Koleff responded the Petitioner is giving his opinions. Chairman Jirik told Mr. Koleff he was asking questions that begged that type of answer from the Petitioner.

Mr. Koleff next asked Mr. Sievers what it would cost him to change his plan back to the original plan, leave the zoning alone and install a berm along the west side of the property. Mr. Sievers stated he could not answer that. Chairman Jirik explained the Plan Commission's Public Hearing this evening is to hear this application on its merits. It is not to speculate on widely differing matters, such as not purchasing other land. To the extent Mr. Sievers has assembled a parcel and is proposing to develop it, Chairman Jirik stated that is material and the Plan Commission will entertain questions. To ask him to

sell land is beyond the scope. Mr. Koleff responded he was not asking Mr. Sievers to give back the land. He is asking him to change his plan so those lots stay single family. Chairman Jirik asked Mr. Sievers if that was feasible. Mr. Sievers stated the plan before the Plan Commission is the plan for which he is seeking a positive recommendation to the Village Council.

Mr. Nicholaou stated he did not want to cut off public comment or concern, but the question portion of the Public Hearing has been going on for more than one hour, and the Commission continues to hear the same refrain over and over again. He encouraged the public to present additional information that would help the Commission in its decision making process. Chairman Jirik noted it is in the Commission's authority to limit redundant or duplicative questions, or equally redundant or duplicative comment when we get to that portion of the Public Hearing.

Joel Wilcox, 5716 Elinor Avenue, Downers Grove advised the Chairman he had not been sworn in, and Chairman Jirik proceeded to swear him in. Mr. Wilcox asked how the retention pond works. Mr. Sievers explained it would be a dry bottom pond. He acknowledged he could not tell Mr. Wilcox how many acre feet it would be, but all 11 acres of that property drain to that pond. In a one hundred year storm event, the pond will fill up to approximately 4-5 feet of depth. If it was beyond a one hundred year storm event, the overflow is directed to go onto Maple Avenue and down towards the creek area. The retention pond is in compliance with the DuPage County stormwater standards. Mr. Wilcox indicated he was not quite sure he understood Mr. Sievers' answer. Mr. Sievers went on to say the pond fills up, and if the storm sewer is 12 inches in diameter there is a plate in there that has a two inch hole in it. That two inch hole lets out only so much water. Mr. Wilcox stated with kids living in the neighborhood such a retention pond would be an attractive nuisance.

Mr. Wilcox commented if Mr. Sievers' clients are more geriatric and given that geriatric people have more time, would it make sense to even have an Elinor Avenue exit if in fact there are not that many trips and any trips would be taken during non-peak hours. Mr. Sievers again responded that is his marketing but that does not necessarily determine who will buy these town homes.

Steve Creagan, 2400 College Road, Downers Grove, noted the Forestry Department's report stated none of the existing trees would survive the excavation. He asked if that was just the trees in the middle of the property or trees around the perimeter. Mr. Creagan explained his property backs up to the subject property, and there are quite a few old trees right along the southerly lot line, some are shared, some are not. Chairman Jirik advised the Petitioner does not have an obligation with respect to the trees as trees are personal property. Chairman Jirik told Mr. Creagan whatever Mr. Sievers says in response is purely voluntary and not binding.

Mr. Sievers explained typically the easement required around the perimeter of the property is ten feet. Because of the heavy hedge row in the surrounding boundaries, they opted to grant an additional ten feet so there will be a 20 foot easement. That moves all

of their utilities and any sewer work into that last five to seven feet of the property so there is a ten foot buffer area before any construction would ever begin. Mr. Sievers emphasized that is an additional easement they placed around the boundary of their property to keep the damage to a minimum. Mr. Creagan stated if the lot line runs through the middle of a tree, the tree will not be cut down, and Mr. Sievers agreed with that statement. He indicated they moved lines away from trees. Mr. Sievers noted the trees have a great value to them. Mr. Creagan noted there are some beautiful black Walnut trees around the perimeter.

Michael Millette, Assistant Director Public Works – Engineering indicated he wanted to clarify the Forester’s statement. She was specifically referring to the trees within the proposed right-of-way and detention area.

Jane Myczek, 5714 Chase Avenue, Downers Grove, asked if Mr. Sievers had a working plan for the original parcels before he was able to acquire these additional parcels, or did he not having a working plan so he needed these additional parcels to make something work.

Chairman Jirik stated the Petitioner has come forward tonight with this particular plan. There was a prior plan that was reviewed and approved by the Village Council. He is now asking that a recommendation from the Plan Commission be forwarded to the Mayor and Council regarding this particular plan.

Eric Gallagher, 5823 Chase Avenue, Downers Grove, advised the Chairman he had not been sworn in, and Chairman Jirik issued the oath. Mr. Gallagher noted the traffic concerns expressed by the neighbors and asked if the Village is considering putting in speed bumps or stop signs to deter people. Mr. Gallagher stated the biggest traffic problem in the area is that everybody cuts through their subdivision. He did not think 25 more vehicles would be a big deal, but it is the 300-400 vehicles that are already going through the neighborhood. Chairman Jirik asked if Mr. Gallagher was asking for speed bumps and/or stop signs outside of the subdivision. Mr. Gallagher indicated there are other people from Chase Avenue here this evening that are not going to be directly affected. Ten more vehicles is not what is irritating everybody, it is the 300 people currently driving 100 miles per hour down all the side streets. Chairman Jirik asked who had jurisdiction over those roads. Mr. Millette and Mrs. Riordan interjected to explain that Lisle Township has jurisdiction over those roads and streets. Mr. Gallagher asked where would Downers Grove’s jurisdiction end, and Chairman Jirik noted the property line of the subject property. Mr. Gallagher asked if the Village had any suggestions regarding putting in speed bumps to deter some of the traffic down on College Road to go over to Walnut Avenue. Mr. Gallagher recalled Mr. Sievers earlier had expressed his opinion that perhaps there are not enough stop signs. Chairman Jirik stated if the road network Mr. Gallagher is referencing is predominantly within the Township’s jurisdiction, then a solution should be sought from Lisle Township because they have authority to affect physical changes. Mr. Gallagher indicated he understood that and then asked if this proposed subdivision is approved would that be an option. Mrs. Riordan stated only the roadway in front of the parcels on Elinor Avenue would become Downers

Grove's jurisdiction.

Kevin Vought, 5703 Elinor Avenue, Downers Grove, asked the Petitioner if there was a reason why he was asking for annexation versus doing this project in Lisle Township. Mr. Sievers responded he wanted his residents to have a library card. Mr. Vought asked if the reason he is seeking approval from Downers Grove is because Lisle Township had denied his original proposal. Chairman Jirik tried to interject, but Mr. Vought stated Mr. Sievers' response could bear on the Plan Commission's decision. Mr. Vought commented if another jurisdiction does not feel it makes sense in their community and he is trying to annex it into Downers Grove that information should weigh heavily on the Commission's decision.

Chairman Jirik stated there is no background or evidence, and the Commission does not even know if Lisle Township considered this application. The Plan Commission reviews each petition on its own merits. Mr. Vought asked would the Plan Commission look at such things as part of their due diligence or just based on the merits of the petition. Chairman Jirik responded if there are relevant facts and information specific to this application, the Plan Commission will consider them but will not consider hearsay. Mr. Vought asked if this proposal or another proposal was taken to Lisle Township and if they did not feel it was appropriate for this property, is the petitioner going through other channels to try to get this approved. Chairman Jirik stated Mr. Vogt's question was speculative at this point because he did not know whether or not that occurred. Chairman Jirik explained it is within the Petitioner's right to seek annexation and come before the Village of Downers Grove. Chairman Jirik advised Mr. Vought if he has facts and data, when the Commission gets to the next step in the Public Hearing, he can present them to the extent they are relevant to this petition. Mr. Vought asked the Plan Commission in their due diligence would they do such things as look at prior petitions that may have been filed with Lisle Township. Chairman Jirik responded Lisle Township has different rules, standards and requirements. The Plan Commission is considering a petition to annex into the Village of Downers Grove and build under the Village of Downers Grove's standards, and this petition will be judged on those standards.

Mrs. Riordan explained the planning jurisdiction for planning and zoning related matters in the unincorporated area is DuPage County, not Lisle Township.

Ray Quitschau, 5707 Elinor Avenue, Downers Grove advised the Commission he had been sworn in. He asked Mr. Sievers if Lisle Township rejected his proposal of extending the roadway to College Road and to Janes. Mr. Sievers indicated he could not really tell him whether they rejected it or not because there was never an application to DuPage County or to Lisle Township. Mr. Quitschau admonished Mr. Sievers and told him he knew better. Mr. Quitschau stated Mr. Sievers requested a road straight down to College Road, and Mr. Sievers indicated he did not.

Chairman Jirik told announced to those still wishing to speak that the Plan Commission only wanted to hear new questions at this time.

Jeff Agner, 5714 Chase Avenue, Downers Grove told the Chairman he had been sworn in. Mr. Agner stated his biggest concern is the rezoning of Elinor Avenue, which would destroy the integrity of their single family neighborhood. Mr. Agner asked Mr. Sievers if he surveyed the neighbors and if so, did he get any feedback from anyone in the neighborhood. Mr. Sievers responded "Do I care, yes I do". Mr. Agner asked Mr. Sievers if he was aware of the discontent he is causing by asking to have a single family street rezoned to town homes. Mr. Sievers stated he understood Mr. Agner had some concerns. Mr. Agner asked Mr. Sievers if he thought he was the only one with those concerns or would he say it is the sentiment of the neighborhood. Mr. Sievers stated there are several residents who have traffic concerns. Mr. Agner asked Mr. Sievers if he thought it was only traffic concerns or did he think the discontent could be because of the concern for the integrity of a single family block. Mr. Sievers stated most of the questions he heard were about traffic. Mr. Agner suggested if Mr. Sievers asked most of the people present here this evening, they would beg to differ with him. Mr. Agner next asked how important is it to the Petitioner and the Plan Commission to maintain the integrity of their single family neighborhood. Mr. Sievers responded it was just as important to him to maintain the integrity of his subdivision. Mr. Agner pointed out the residents were all here first. He said the petitioner is changing a whole neighborhood strictly for his monetary benefit. Mr. Agner asked the Commission to respond to his question as to how important is it to maintain the single family neighborhood.

Chairman Jirik stated all comments will weigh on the Commission's decision.

Chairman Jirik recessed the meeting at 9:50 p.m., and the meeting reconvened at 10:03 p.m.

Before continuing the Public Hearing on File No. PC-04-05, Chairman Jirik asked if the Commission feels it is unlikely that the other three petitions on this evening's agenda will be heard this evening, and if so, he would recommend that those Public Hearings be opened and then continued to a date certain. Chairman Jirik noted the next scheduled meeting is April 4, 2005 with the Park District's petition previously continued to that date. He asked the Commission to consider not moving both of the remaining agenda items to the same date in order to have a manageable agenda. Chairman Jirik indicated the Council Chambers is available March 14, is not available on March 21 and is available on March 28, 2005. He noted March 28 occurs during spring break which could be an issue for some Commissioners. Chairman Jirik summarized the options are to continue with the Public Hearing for File No. PC-04-05 or to entertain a motion either individually or in total to move the remaining three items. If that were the case, each Public Hearing would have to be opened, and a motion made to continue it to date certain. Chairman Jirik asked if any of the Plan Commission members were opposed to opening the remaining three Public Hearings for the benefit of those petitioners who are present this evening. There was no response. Chairman Jirik next asked how many of the Plan Commission members could attend on March 14. He noted File Nos. PC-06-05 and PC-08-05 appear to be less complex, and those two might make a logical grouping.

With regard to File No. PC-05-05, Mrs. Riordan explained the Petitioner had requested a

continuation to the April 4, 2005 Plan Commission meeting prior to this evening's meeting.

Mr. Nicholaou indicated before determining if the Plan Commission will be meeting on March 14th, they need to know if there will be a quorum. Chairman Jirik stated he can make the March 14 date but cannot make the March 28 date. Mr. Griesbaum, Mr. McCormick, Mr. Quandt and Mrs. Rabatah all indicated they could be present on March 14. Mr. Nicholaou commented if he says yes, there would be a quorum.

Chairman announced for the record the Public Hearing for File No. PC-04-05 will be held in abeyance.

FILE NO. PC-06-05 A petition seeking 1) an Amendment to a Special Use for an addition to a school in the R-2, Single Family Residence Zoning District; and 2) a Variation to reduce the minimum required side yard. The Property is located at the northwest corner of the intersection of Maple Avenue, 55th Street and Dunham Road, commonly known as 1400 Maple Avenue, Downers Grove, IL (PIN Nos. 09-07-405-001, 09-07-402-033, 09-07-405-008, 09-07405-012, 09-07-405-011, 09-18-200-002); The Avery Coonley School, Petitioner/Owner

Chairman Jirik asked if there was a motion to continue this Public Hearing to date certain.

MOTION: WITH RESPECT TO FILE NO. PC-06-05, MR. GRIESBAUM MOVED THAT THE PLAN COMMISSION CONTINUE THIS PETITION TO MARCH 14, 2005 AT 7:30 P.M. MRS. RABATAH SECONDED THE MOTION.

Chairman Jirik asked if there was any discussion regarding the Motion, Mr. Nicholaou asked if there was any possibility that the meeting could commence at 7:00 p.m. Mr. Griesbaum indicated he could not start at 7:00 p.m. Chairman Jirik noted the Plan Commission is currently short one member and if a quorum issues arises, it could jeopardize the continuation to date certain. Mr. Nicholaou withdrew his request to start at 7:00 p.m.

ROLL CALL:

AYE: Mr. Griesbaum, Mrs. Rabatah, Mr. McCormick, Mr. Nicholaou, Mr. Quandt, Chairman Jirik

NAY: None

The motion passed unanimously.

Chairman Jirik thanked those people in the audience this evening for the Avery Coonley petition for their patience. No action will be taken on that Petition this evening. The

Public Hearing has been continued to Monday, March 14, 2005 at 7:30 p.m. here in the Council Chambers.

FILE NO. PC-07-05 A petition seeking 1) a Text Amendment to the Zoning Ordinance establishing requirements for Multi-Family Residential Uses as Planned Developments in the Office-Research-Manufacturing (O-R-M) District; and 2) Preliminary Approval of an Amendment to Planned Development No. 31 for a multi-family residential component to the Esplanade office complex. The property is located west of Lacey Road and south of Wood Creek Drive, Downers Grove, Illinois, (part of PIN 05-36-200-011 and part of PIN 06-31-103-004); Gary Mori, Petitioner; HP/AG Esplanade at Locust Point Land Limited Partnership, Owner

Chairman Jirik indicated the Commission's packet contains a request to continue this Public Hearing to date certain, that being April 4, 2005 after the Park District's petition which had been previously continued. Chairman Jirik explained File No. PC-07-05 would be the second item on that agenda. He further explained it was necessary to specify that to create an expectation. April 4, 2005 is the regularly scheduled Plan Commission meeting date so the date and time are set. He asked for a motion to continue. Mr. McCormick asked if there was anything else other than the Park District on that agenda. Mrs. Riordan indicated nothing has been filed and completed in order to be placed on that agenda at this time. The deadline for placement of a complete application on the Agenda is March 10, 2005. Mr. Nicholaou asked how many items there will be on the April 4th agenda, and Mrs. Riordan confirmed to date there are two petitions on the April agenda.

MOTION: WITH RESPECT TO FILE NO. PC-07-05, MR. NICHOLAOU MOVED THAT THE PLAN COMMISSION CONTINUE THIS PETITION TO APRIL 4, 2005 AT 7:30 P.M. WITH THIS PETITION BEING THE SECOND ITEM ON THE AGENDA. MR. MCCORMICK SECONDED THE MOTION.

Chairman Jirik asked if there was any discussion regarding the motion. There was none.

ROLL CALL:

AYE: Mr. Nicholaou, Mr. McCormick, Mr. Griesbaum, Mr. Quandt, Mrs. Rabatah, Chairman Jirik

NAY: None

The motion passed unanimously.

Chairman Jirik thanked those members of the audience who were in attendance for this petition for their patience. He further advised this matter will be heard April 4, 2005.

FILE NO. PC-08-05 A petition seeking a Lot Split for property located on the southeast corner of Douglas Road and 41st Street, commonly known as 4103 and 4111 Douglas Road, Downers Grove, IL (PIN Nos. 09-05-214-001,-002); Kenneth J. Rathje, Agent; Bradford & Kent Properties, LLC, Owner

Chairman Jirik called the Public Hearing to order and asked if there was a motion to continue this Public Hearing to date certain as the second item on the March 14, 2005 Plan Commission agenda.

MOTION: WITH RESPECT TO FILE NO. PC-08-05 MR. GRIESBAUM MOVED THAT THE PLAN COMMISSION CONTINUE THIS PETITION TO MARCH 14, 2005 AT 7:30 P.M. WITH THIS PETITION BEING THE SECOND ITEM ON THE AGENDA. MR. QUANDT SECONDED THE MOTION.

Chairman Jirik asked there was any discussion on the motion. There was none.

ROLL CALL:

AYE: MR. GRIESBAUM, MR. QUANDT, MR. MCCORMICK, MR. NICHOLAOU, MRS. RABATAH, CHAIRMAN JIRIK

NAY: NONE

The motion passed unanimously.

Chairman Jirik also thanked those members of the audience who were in attendance for this petition for their patience. He further advised this matter will be heard March 14, 2005.

Chairman Jirik reconvened the Public Hearing on File No. PC-04-05 at 10:12 p.m. and announced the public's questioning of the Petitioner and the Petitioner's witnesses has been completed. Public testimony will now commence. Chairman Jirik extended his highest regards to members of the audience. He noted democracy succeeds when people with very strong emotions can respectfully engage in dialog. He encouraged everyone to continue to do that because it is the principle of our Village and our nation. Chairman Jirik paraphrased a famous saying "we may disagree but will defend to the death a person's right to free speech and the ability to state their position".

Chairman Jirik reminded those individuals still present that the Plan Commission does not want to hear duplicity of testimony. To the extent that the Plan Commission is aware of the facts and the issues, there is not a need to restate those facts and issues.

Chairman Jirik announced the floor is open for public comment.

Michael Dow, Lisle Township Highway Commissioner, 4719 Indiana Avenue, Lisle, Illinois, told the Chairman he had been sworn in. Mr. Dow indicated he would try to

make his statement as brief as possible. Mr. Dow advised his only jurisdiction in this as Highway Commissioner is the maintenance and control of the roads and the parkways. Mr. Dow stated the Township already has a dire, serious traffic problem in that subdivision. Mr. Dow indicated he did not care if this new subdivision had one car or 12 cars, it will create more traffic problems. Mr. Dow stated his preference is to not have the proposed subdivision, but his first choice would have been to have a stop and go light on Maple Avenue. Mr. Dow expressed the opinion eventually that will have to come. His second choice would have been to put in two entrances on Maple Avenue. The fact is tonight is the first time he is hearing no left turns onto Elinor Avenue being proposed, and he expressed an interest in that concept. He suggested if the Petitioner could further discuss that possibility with him maybe the situation of traffic coming down Elinor Avenue into the rest of the subdivision could be resolved. Mr. Dow recalled they first received notice about the proposed subdivision back in October, 2004, and they received the subdivision plans. Mr. Dow asked if the plans they were given back in October had been changed somewhat, and Mr. Sievers responded the plans are the same.

Mr. Dow stated the developer has his rights, and, of course, the people who live in the existing subdivision would like to have the area remain as it is. Mr. Dow acknowledged tear-downs are now occurring there. For years there have been serious storm water problems. He expressed concern about that issue but noted the County has spent upwards of three-quarters of a million dollars for flood plain control in that subdivision in the last five to seven years. Mr. Dow stated the streets are not adequate because most of them were built in the 1920's. He acknowledged he was not sure if they even had a good road base. Mr. Dow pointed out they just resurfaced College Road for the second time in twelve years and parts of some of the other streets in that subdivision. The existing streets are too narrow, and they have deep ditch lines. Mr. Dow indicated he would not go any further into the maintenance issues tonight because he gave a report to the Mayor and Village Council in November. He asked if that information had been given to each of the Plan Commission members for their review.

Mr. Dow noted Mr. Sievers does not want to improve that road on Elinor Avenue. Mr. Dow asked if Mr. Sievers doesn't, who does. Mr. Dow expressed the opinion that the Village will not want to bear the cost of improving the other half of the Elinor Avenue. Mr. Dow said if this was a brand new subdivision, Downers Grove would insist that the roads be built with curb and gutter on both sides even though he is not annexing the other side. Mr. Dow noted this happened last year in the Village of Lisle. The developer did not want to completely develop the road because the other half of the road was the City of Naperville. Lisle won. Mr. Dow asked Mr. Sievers to consider giving the residents in that area the same benefit of the road, and then the Village of Downers Grove would not have to improve that road in the foreseeable future. Mr. Dow noted those roads are in bad condition, and the Township is doing a band aid approach in the way of repairs right now.

Mr. Dow suggested if the Plan Commission forwards a positive recommendation for the rest of this plan, they should ask Mr. Sievers to put in the agreement that he would have

to complete both sides of Elinor Avenue. It would benefit Mr. Sievers' proposed subdivision; it would benefit the existing subdivision and the Village of Downers Grove. Mr. Dow concluded his comments by stating he would be glad to answer any questions from the Plan Commission.

Chairman Jirik explained the Plan Commission normally lets everyone speak and then asks questions of the speakers. Mr. Dow stated he had a time limit this evening and would not be around too much longer. Chairman Jirik asked, in due respect of Mr. Dow's office, did any of the Plan Commission members have any questions for Mr. Dow.

Mr. Nicholaou indicated he heard everything Mr. Dow said. He stated if it were a right turn only coming out of the proposed subdivision, he heard that would be something Mr. Dow could support, and it would help control at least the traffic from the proposed subdivision. Mr. Dow said Mr. Nicholaou's interpretation was true, but he would have to qualify that because some of the traffic patterns have to be approved by the County to assure that they also meet the State codes. Mr. Dow indicated he was not sure if that would even fit. He would like to look into this proposal and discuss it further with Mr. Sievers and the Village of Downers Grove.

There were no further questions of Mr. Dow.

Roger Testin, 5641 Elinor Avenue, Downers Grove told the Chairman he had been sworn in. Mr. Testin had a prepared statement which he read into the neighborhood. "Overall, our neighborhood is against this plan to add town homes on Elinor Avenue and the access road on Elinor Avenue. They submitted a petition to the Planning Commission that was signed by a majority of the residents in the area. The two main objections they have with this plan is that we think it will increase traffic, and second we do not think it is appropriate to replace single family homes with town homes because it could start a domino effect in their neighborhood.

In regard to traffic, one point he would like to make is that traffic will be affected on College Road. Town home residents will exit Elinor Avenue, and they will go down to College Road to get to the light on Walnut Avenue. Mr. Testin indicated he knew that because he lives right next to the proposed road, and in the morning he could easily go to Elinor Avenue, but he actually goes south down to College Road to get to Walnut Avenue because he knows it is very difficult to turn left onto Maple Avenue and the town home residents will very quickly figure out that it is the same for them.

Mr. Testin indicated he wanted to focus on the exceptions requested by Mr. Sievers. When the initial proposal was recommended for approval, there was a statement that the petitioner should continue to explore means to reduce or eliminate exceptions. With the original townhouse plan, there were no exceptions based on lot sizes. With the additional purchase of land there are now at least 4 lot size exceptions."

Mr. Nicholaou interrupted and asked the Chairman to instruct those people in the audience who are carrying on a conversation to go out into the hallway as he is having a difficult time following Mr. Testin's statement.

Mr. Testin continued some of the exceptions in the new plan did not exist with the original plan. Mr. Testin advised he had a special interest in Lots 15 and 16 which are on the lower left hand corner of the proposed Plat of Subdivision. These lots would be directly next to his property, and the petitioner is asking for the lot sizes to be 125 feet deep, and the regulations say they should be 140 feet deep. Mr. Testin noted the initial plan provided a buffer to the current neighborhood of single family homes and he asked where is the buffer when right next to his property is going to be two town homes and these lots are going to be on smaller than normal lot sizes. Basically, they will be crunched in right next to his property. Mr. Testin said at minimum they should have to meet the 140 foot depth. Mr. Testin expressed the belief that this exception would hurt my property value and is not acceptable.

Mr. Testin next addressed the 50 foot right of way at the Maple Avenue entrance. The rules state it should be 70 feet. The engineering note from the original plan noted that the exception was allowable because the proposed plan was self contained. With the access road to Elinor Avenue, this plan is no longer self contained, and he did not think it should be allowed.

Mr. Testin pointed out Mr. Sievers asked for an exception based on a street width of 29 feet and the sidewalks of 4.5 feet. He argues the development of Villas of Bending Oaks had the exceptions so it should carry over. Mr. Testin expressed his belief that the exception should stop at the Villas of Bending Oaks. If the exceptions are allowed at the Villas of Maple Woods, we are setting a precedent for all future developments in the area that this is acceptable.

Mr. Testin stated he believed changes could be made to remove all these exceptions without undue hardship to Mr. Sievers. Yes, maybe he cannot build as many town homes, but he thought the regulations were developed for a reason and should not be broken just so a developer might maximize his profits.

Mr. Testin asked the Planning Commission to provide reasons why they would allow these exceptions for lot size, right-of-ways, street size and sidewalk size.”

Dolores Zimmerman, 5831 Elinor Avenue, Downers Grove, stated the topic of traffic keeps coming up. Mrs. Zimmerman stated the issue is not traffic, the issue is safety. Mrs. Zimmerman brought real-time photographs of children standing on the street waiting for the school buses, and children walking down the street while cars are coming at them. She noted no matter what you do in terms of the traffic, even one more car is going to have an effect. Mrs. Zimmerman indicated she presented the photographs to the Recording Secretary, and she expressed the hope the Plan Commission would take time to look at them. The Recording Secretary told the Chairman that per previous instructions from the Plan Commission about not wanting to accept additional information during a public hearing, she told Mrs. Zimmerman the photographs would be

included in the information transmitted to the Mayor and Village Council. She asked the Chairman if he wanted her to distribute them now. The Plan Commission members indicated they did not have a problem looking at the pictures now, and the Recording Secretary passed the three pages of pictures (two per page) to the Chairman.

Mrs. Zimmerman told the Chairman she would try not to be redundant but she felt it was important in terms of the no shoulders; no street lights and very narrow streets have made a very hazardous condition for adults and children. Mrs. Zimmerman stated the photos will show the evidence of those streets. Mrs. Zimmerman stated she would like the public record to show they are extremely concerned about safety in our neighborhood with additional traffic inherent with multi-family housing and any additional roads being added.

Mrs. Zimmerman referenced Photo #1 which shows children must stand on the street to wait for the school bus. She asked the Commission to keep in mind that in the winter children are walking in the dark in the morning and in the evening. To add to this, Elinor Avenue is also a route for the Pace commuter buses.

Mrs. Zimmerman next referenced Photo #2 on the first page, which shows a child along the road pulling a school bag with a car approaching because there is no shoulder and no sidewalk.

Mrs. Zimmerman stated Photos #3 and #4 show a hill that creates a blind spot going both north and south and south to north on Elinor Avenue between Maple Avenue and College Road. Those two photos show you cannot see from one end of the street to the other because of that blind spot. It creates an even worse situation, and it would be unspeakable to think of another road being added there.

Mrs. Zimmerman noted there are other issues of concern. A number of people new to Belmont Park, as was stated previously, moved here from the city to avoid traffic, congestion, noise and pollution. Adding townhouses to their community would only increase traffic, congestion, noise and pollution changing their quality of life for us and our children. Since there are many other areas on the future planning map that are designed for multi-family, it makes no sense to take away from the single family areas, especially where there are unique situations such as larger lots in Belmont Park.

Mrs. Zimmerman stated she can only assume these are factors that go into consideration when the Planning Commission designates an area to remain single family. Mrs. Zimmerman commented she had not looked up the Plan Commission's Mission Statement, but again she assumed their goal is to be proactive and study carefully the impact the future planning has on our community and that is why the future planning map includes Belmont Park as remaining as single family.

Mrs. Zimmerman noted there is no question Sievers Development is a quality builder, and they would welcome his construction of single family homes on Elinor Avenue as has been done at the south end of Elinor Avenue as shown in Photo #6. Mrs.

Zimmerman pointed out those are not million dollar homes. She recalled that was farm area that has been put into single family homes and adds to the community.

Mrs. Zimmerman stated in keeping with Mr. Sievers' previous comments reported with his original proposal which was without the Elinor Avenue tract; she quoted from Page 10 of the November 4th minutes: "Mr. Sievers referred to the Staff report that talked about the possibility of a three-lane turning section out onto Maple Avenue. Mr. Sievers acknowledged at first he was not inclined to agree with that; however, since the neighborhood is concerned about the traffic entering onto College Road Avenue, he would agree that perhaps that perhaps the wisest thing to do." Mrs. Zimmerman advised this statement referred to the Janes Avenue connection which would be no different than the connection to Elinor Avenue in this instance. Mrs. Zimmerman next quoted from Page 13 of those minutes "Mr. Sievers asked what is the sense of putting in a road if the neighborhood does not want it. Mr. Sievers stressed he does not want to be a good neighbor..."

Mrs. Zimmerman commented she believes Mr. Sievers does want to be a good neighbor.

Mrs. Zimmerman told Mr. Sievers they would like Elinor Avenue to remain single family as is designated in the future planning map, and they do not want an access road onto Elinor Avenue or any other street in their neighborhood. Mrs. Zimmerman noted this is consistent and appropriate, and they would like the Planning Commission to maintain its original plan to keep Belmont Park and Elinor Avenue single family. Mrs. Zimmerman stated Sievers Development can go forward with the exception that was made to the future planning map for his town homes on Maple Avenue also knowing that there will be ample opportunity for him to develop in the future as there are many areas already designated for multi family.

Howard Petty, 5708 Elinor Avenue, Downers Grove, advised the Chairman he had been sworn in. Mr. Petty stated he and wife bought their house on Elinor Avenue in 1987. They have seen Elinor Avenue change dramatically since they have been there. Maple Avenue changed from two lanes to four lanes, Belmont Road changed from two lanes to four lanes, Hobson Road was closed, I-355 was added in and Jackson Road was added underneath I-355 which continues from Walnut Avenue over to Hobson on the south side in Woodridge. These changes have probably minimally quadrupled the traffic on Elinor Avenue. All of the Woodridge residents from 59th Street back to Hobson Road take Jackson Road onto Elinor Avenue to come up to Maple Avenue, go down College Road. Mr. Petty stated for the last nine and one-half years he has walked his children to the bus stop at Elinor Avenue and College Road. He sees the traffic. Mr. Petty said adding the access road out onto Elinor Avenue, knowing the traffic patterns that go through here to Hobson Road back to shopping, down to 75th Street, getting into Naperville, adding another 57 townhouses will probably add another 100 cars or more, at least 50 more cars a day from that subdivision will go through the Elinor Avenue and College Road intersection, which is a conservative estimate in his opinion. Mr. Petty stated Mr. Sievers is not going to create a problem there; he is going to add to an existing problem. Mr. Petty reiterated the neighborhood does not need more traffic on Elinor Avenue. Mr. Petty

acknowledged that Mr. Sievers builds a quality unit, and he does not have a problem with him building on that site, he would just like to see some other access than on Elinor Avenue.

Jane Myczek, 5714 Chase Avenue, Downers Grove, stated her home is off the intersection of College Road and Chase Avenue. Mrs. Myczek read the following statement into the record. "It was the large, treed, single family lots with varying styles of homes and abundant wildlife, like owls and hawks that attracted her to the area. She noted recently changes in her neighborhood which disturb her; land being subdivided, new homes being crunched together, and now this final issue of rezoning from single family to multi-family. When will someone step up, whether it be the County, Lisle Township or the Village and stop the destruction of the unique characteristic of our area. For many of us, this neighborhood represents peace and tranquility, an escape from a busy and chaotic life. There is a great opportunity to shape this area into a more exclusive neighborhood – like Denburn or Lyman woods – with unique homes on larger lots instead of redeveloping it to look like another cookie-cutter subdivision. The residents accepted the initial plan of 41 town homes because they chose "the lesser of the evils", based on comments and discussions, some of which I believe were scare tactics to present the worst case scenario for development of this parcel on Maple Avenue. Regardless of the reasons why the community accepted this town home scenario, I think it can be clearly seen through the previous objection and subsequent denial of the Janes Street passway, and through the current numerous petition signatures, that the residents want the original plan of a self contained townhouse subdivision, with the only entrances and exits being on Maple Avenue – and not to have this development spill over onto the adjoining Elinor Avenue, Janes or Chase Avenue. I fear that the decision at hand tonite could have a grave impact on the future development of this area by setting the wrong precedent (sic.) for which builders can rely on further town home development. This must be stopped! I hope that tonite you will truly listen to the concerns of my neighbors – concerns that range from rezoning, increased traffic, and water drainage problems, to the dissection of larger single family lots and the destruction of older trees. Change is inevitable – but let it be positive for my neighborhood. I ask that you deny the builder his rezoning request and persuade the builder not to pursue putting any street through to our neighborhood. Too much time and aggravation have already been spent just to end up having to meet again to discuss this town home project. But rest assured, if we, as residents, are once again forced to defend our neighborhood, we will do so."

The Recording Secretary asked the Chairman to ask those people reading a prepared statement to give her a copy for the record. Chairman Jirik explained the Plan Commission is fact finding, and any written statement will be included in the information transmitted to the Mayor and Village Council.

Michael Morris, 2517 College Road, Downers Grove, noted he had been sworn in earlier. He advised the Chairman he had two pieces of paper containing statistics and a map he would like to circulate to the Plan Commission members. Mr. Morris explained the first page is a map of an area that is bounded on the north by the Burlington Northern Santa Fe railroad tracks, on the east by Belmont Road, the south 63rd Street and the west by I-355.

Mr. Morris stated Mr. Sievers has presented a case, and he asked how much of that case is based on fact. Mr. Sievers passed off demographics he had taken himself possibly through original transactions, but we have not seen that. Mr. Morris stated the second page is an actual study he performed on Wednesday, March 2, 2005. He parked his vehicle in the Villas of Bending Oaks bend area of the internal road and was able to observe both the Belmont Road exit and the Maple Avenue exit. He was able to determine which way the vehicles were turning onto Belmont Road as well as onto Maple Avenue. He indicated he was also able to determine the number of vehicles coming in on Belmont Road and on Maple Avenue; however, he was not able to determine the direction they were driving. Mr. Morris further explained he was not able to do this study during evening hours because it was too dark; it would have been impossible to have an accurate view. Mr. Morris explained the Tables highlighted in yellow are the Villas of Maple Avenue Woods and the Tables highlighted in green are the Villas of Bending Oaks. Mr. Morris noted Mr. Sievers has been using the Villas of Bending Oaks as his precedent for a lot of his facts for this new town home development. Mr. Morris referenced Table A1 and indicated that data came directly out of the traffic study provided by Intech Consulting. Mr. Morris stated he would not go into those numbers as the Plan Commission can see the numbers for themselves. Mr. Morris stated Table A2 is the result of his traffic study where he actually witnessed 78 cars leaving and 24 cars coming in. His peak one hour for that subdivision was... Mr. Morris went back and corrected his earlier statement Table A1 is actually taking the Villas of Maple Avenue Woods and adjusting it for the Villas of Bending Oaks' size, so basically it was multiplying by 96 dividing by 57 units to get to equivalent numbers. Mr. Morris continued his explanation of Table A3 of what he was able to observe in the peak hour. He noted the numbers are relatively accurate with the Intech study as far as the estimated site generated traffic. Mr. Morris next referenced Table A4, the actual numbers he observed back to the Villas of Maple Avenue Woods dividing by 96 multiplied by 57 for the number of units, and the numbers there again are roughly there. They said there would be 30 total units entering and exiting, and he came up with 32 observed. Mr. Morris indicated this is where the plan deviates. He directed the Plan Commission to look at the Table B1 which was also from Intech Consulting's survey where they sort of list out which way people will be going; 15% would be going west on Maple Avenue, 50% going east on Maple Avenue, 30% would be going north on Elinor Avenue which is impossible because it is a dead-end. You either go east or west on Maple Avenue. Five percent would go south on Elinor Avenue. Mr. Morris next referenced Table B-2 and indicated it basically is a culmination of the Table B-1 based on the fact that no one can go north on Elinor Avenue, you are either going to go east on Maple Avenue or west on Maple Avenue. There are two case scenarios. The first case scenario assumes everyone going south on Elinor Avenue is going towards 63rd Street. The second case scenario is everyone who went south on Elinor Avenue actually is going to go to Walnut Avenue, back up to Maple Avenue and probably go west at the traffic light. Mr. Morris stated the new percentages are west on Maple Avenue almost 22% to a maximum of 26%; east on Maple Avenue would be 73% and 5% would possibly go south towards 63rd down Chase Avenue and around. Mr. Morris stated the actual observed ratios from 6:30 a.m. to 9:08 a.m. , 41% of the vehicles observed turned west onto Maple Avenue. Mr. Morris stated you have to ask yourself why would you turn west on Maple Avenue; I-355, the Belmont

Road train station via the Walnut Avenue stop light. East on Maple Avenue, 5%. Mr. Morris stated he could not tell the Commission why people would be going east on Maple Avenue, and he speculated maybe they work in Westmont, Clarendon Hills or downtown Downers Grove. South on Belmont Road, 24% coming out of the Villas of Bending Oaks onto Belmont Road going in the opposite direction of the train station, possibly going to 63rd Street, possibly going to Target, Dominick's, Home Depot, etc. and another 29% are going north on Belmont Road which is the direction of the train station and further industries down Belmont Road/Finley.

Mr. Morris continued if you take those numbers and compare them with what Mr. Sievers' plan shows of only 22% of the people going west on Belmont Road his study already shows more people do that. Mr. Morris acknowledged going west you would have to cross traffic. Mr. Morris commented he might take an alternative which is to go south on Elinor Avenue, west on College Road, go north on Walnut Avenue to the stop light, a safe exit and entrance. Mr. Morris recalled Mr. Sievers pointed that out in the original plan for the three parcels last year. Mr. Morris stated it is unfortunate that Mr. Sievers has presented a lot of things as fact. He asked where the back-up is; statistical data is nice, but this is anywhere, any place in the United States regarding any type of housing. Mr. Morris indicated his data is generated from the Villas of Bending Oaks, his prototype for the demographic of the purchasers of these new town homes.

Mr. Morris advised this does not take into consideration the new train station possibly moving toward Walnut Avenue. The people who would possibly be taking an east on Maple Avenue and then north on Belmont Road would probably no longer do that. A left turn arrow at the intersection of Walnut and Maple Avenues has been introduced which actually deters traffic from going left because you can only make a left-hand turn on a green arrow. Mr. Morris applauded whoever in Downers Grove made that change because it was a death trap. Right now it is a deterrent, and he questioned if that was taken into consideration. If the train station is moved to Walnut Avenue, that will just be another incentive for people to go south on Elinor Avenue, west on College Road and north on Walnut Avenue right to the train station as opposed to waiting in line and making a left hand turn onto Maple Avenue.

Mr. Morris recalled Mr. Siever's statement that he was not aware of any children in the Villas of Bending Oaks. Mr. Morris stated a school bus came through, and he actually saw one person get on the bus. Mr. Morris recalled he also saw another child in full uniform and was driven off towards one of the parochial schools.

With reference to some of the exceptions asked for by Mr. Sievers, Mr. Morris referred to Exception No. 4 – the street pavement widths of 25 to 27 feet for Elinor Avenue. Mr. Morris referenced Mr. Dow's earlier testimony that the roads in their area are too narrow. Mr. Morris indicated he had conversations with Mr. Dow who told him they are about 20 feet wide. Mr. Sievers is willing to add five to seven feet. Mr. Morris noted his understanding is that the standard is a 30 foot wide road. Mr. Morris commented we are not talking about a road where only eight cars per hour will use that road. Mr. Morris pointed out Elinor Avenue gets traffic from two sections of the subdivision to the south,

one on the east side of I-355 and one on the west. Mr. Morris emphasized Mr. Sievers is doing the bare minimum and stressed he should at least put in the three turning options like he did for his own development. Mr. Morris asked why he should be allowed to skimp here. That road will be part of the Village if this annexation goes through. Mr. Morris asked why would the Village not step up to the plate and say yes, there is a traffic problem, and we want you to rectify this traffic problem the best you can. Mr. Morris acknowledged it was obvious Mr. Sievers would not pave College Road or Elinor Avenue all the way south of 59th Street, but he should be required to deal with the current situation if that is his responsibility.

In conclusion, Mr. Morris stated no one knows what the criteria are that the Plan Commission uses to allow rezoning. They would like for the neighborhood to count, but it is not clear they will count. Mr. Morris stated there have been many discussions with Village employees that this is a done deal. He asked if this is a done deal. Mr. Sievers has stated he has 30 years of experience in the Village. Mr. Morris asked how does his 30 years of experience weigh over the residents who are present this evening and the residents who signed the petition. Those residents collectively have lived in this area more than 30 years.

Chairman Jirik expressed appreciation for Mr. Morris' comments. He again emphasized each petition is judged on its merits without precedent or prejudice, and the standards for approval for exceptions for which the petitioner needs to establish reasonable cause and basis can be found on Page Five in the Staff report, Standards for Approval for Exceptions, to which the petitioner has offered his views. Chairman Jirik noted to the extent Mr. Morris can speak to the items at the bottom of Page Five that would be relevant testimony.

Kevin Luke, 5702 Katrine, Downers Grove informed the Chairman he too had been sworn in. Mr. Luke stated he was the owner and managing broker of Delta Real Estate Company in Addison, Illinois. Mr. Luke stated he was here tonight because he is worried about the safety of his children. Mr. Luke stated if his two boys are riding their bikes in the driveway, he and his wife have to park one of their cars across the end of the driveway to protect them so they do not accidentally go onto College Road. Mr. Luke commented people drive up and down College Road at 50 miles per hour with no concern for what is going on around them. Mr. Luke agreed with previous comments regarding their narrow roads. He believes if nothing is done or if this development goes through, with the increased traffic some day some child will be killed out there.

Mr. Luke advised the Plan Commission members he became involved in this proposed subdivision at the last Plan Commission meeting. Mr. Luke noted he has experience with Village politics as he is in real estate. He pointed out he is usually on Mr. Sievers' or the developers side. He has worked as a consultant on many projects around the area.

Mr. Luke pointed out this plan sounds similar to what Mr. Sievers proposed for the first phase of this development with the access point onto Janes Avenue. Mr. Luke stated he had been told that plan had been shut down by the Township Highway Commissioner

because of the adverse effect the higher traffic would have in the Belmont Park subdivision. Mr. Luke asked the Plan Commission if it was not acceptable on a street a block away why would it now be acceptable in this area. There are no significant changes except for adding more town homes thereby creating a greater hazard.

Mr. Luke explained after the last Plan Commission meeting, he saw the turnout and decided to call Mr. Sievers to see if a compromise, if any, could be reached. They met the very next day, but it did not go much beyond that. In his opinion, Mr. Sievers was very confident his plan would be approved by the Plan Commission. Mr. Sievers told him he is a developer bringing a nice new development to the community. Mr. Luke agreed it looked very nice. Mr. Sievers also told him he would be bringing tax revenue to the community. Mr. Luke stated, on the other hand, except for himself, the majority of the residents who oppose this plan are not Village residents, and they have no vote in the Village of Downers Grove, so they really have no voice.

Mr. Luke stated he has been told Mr. Sievers never contacted anyone in the community especially after having his first plan turned down because of the adverse impact on the surrounding community. Mr. Luke noted Mr. Sievers then proceeded to purchase homes and devised a new plan for another access, which he wanted to begin with, into his development. He never addressed the community's issues which were the very same reasons why his first plan was turned down, and those issues still exist today. Mr. Luke stated Mr. Sievers has no concern for the families and the community surrounding his development.

Mr. Luke acknowledged the Plan Commission has heard a lot about traffic tonight. In Belmont Road Park, two cars cannot pass one another going in opposite directions without one driving on the shoulder. Mr. Sievers wants to open this road to 57 new town homes, maybe 150 to 200 more cars a day coming out of there, maybe multiple trips. Mr. Luke agreed they may not be soccer Moms, but 50 to 60 year olds still go to work, they may be going shopping, to the grocery store, going to the grandkids' house, the grandkids coming to their town home to visit. It is a major traffic issue. Mr. Luke noted when he discussed the traffic issue with Mr. Sievers, Mr. Sievers told him the access to Elinor Avenue at Durand was needed because the residents of his community would prefer not to make a left turn onto Maple Avenue with no stop light, rather they would go down College Road to Walnut Avenue and exit by the light. Chairman Jirik interrupted Mr. Luke for a point of order. The Plan Commission cannot allow hearsay testimony. "He said, she said" are words the Commission cannot accept. Chairman Jirik further noted unless Mr. Luke has something in writing and can prove that is what Mr. Sievers said, hearsay testimony is not allowed.

Mr. Luke continued noting there had been discussion about a cul de sac. He stated Public Works is worried about the size of the cul de sac. Mr. Luke indicated he has heard comments the cul de sac may be too small or too long and whether a fire engine would be able to turn around in the cul de sac. Mr. Luke pointed out there are four acres. There are three lots each 20,000 square feet. Mr. Luke expressed the opinion that a cul de sac

could be put in there for a turnaround for health safety vehicles to exit out at Durand and Maple Avenue.

Mr. Luke asked what is the highest and best use of those properties along the east side of Elinor Avenue. There are single family homes to the west and to the south, and there are multi-family town homes to the east. Three nice single family homes could be built on those lots as a buffer between the multi-family and the rest of the single family development. The rear yards could match up to the multi-family creating that buffer zone. Mr. Luke advised the Plan Commission that some very nice homes are being built in the area. Some of these homes are million dollar homes.

Mr. Luke said when he brought up ideas to Mr. Sievers he was told no, it cannot be done, they do not want to do that, if he builds a cul de sac, he would lose a buildable lot. Staff does not want to pursue different options. Mr. Luke said Village Staff said any changes would require Mr. Sievers to go through the planning and approval process again. Mr. Luke asked what is more important, his time or the safety of our kids, our families and even our housing values.

Mr. Luke stated as people start tearing down the old houses in the area and building new homes, their values will go through the roof. Mr. Luke commented Mr. Sievers' town homes may be worth \$450,000 now, and he asked will they increase at the same rate as their single family homes. Mr. Luke expressed his opinion that he did not think so; \$450,000 townhomes versus \$800,000 to one million dollar homes.

Chairman Jirik stated the economics of the project are beyond the Commission's purview.

Roger Testin, 5641 Elinor Avenue, Downers Grove wanted to point out on the map at the corner of Elinor Avenue and Maple Avenue, right now there is one house that has a driveway to Maple Avenue. The property just to the south is a vacant lot. In reality, Mr. Sievers is only tearing down three houses on Elinor Avenue so there are three driveways. There is no driveway on the corner lot or the one just to the south. Currently there is no access onto Elinor Avenue very close to the corner of Elinor Avenue and Maple Avenue. If town homes are put in there, there will be all these driveways where people will have to back out onto Elinor Avenue, and the road is only going to be 27 feet wide. Mr. Testin noted cars already line up at that intersection if someone wants to take a left or a right turn onto Maple Avenue. Mr. Testin stated he wanted to point out that there definitely is going to be a lot access right at that intersection where currently there are no driveways there.

Mr. Testin pointed out right across the street from the proposed project there are two single family homes that are putting up large additions. Mr. Testin commented there definitely is interest to build single family homes in this community. Mr. Testin stated the neighborhood would like to see these lots stay single family, and the neighborhood is losing a buffer area with this proposed project.

Mike Morris, 2517 College Road, Downers Grove, stated an additional point was made by Staff about wanting to have a buffer between the commercial area and the rest of Belmont Road Park which would be single family residential. Mr. Morris indicated he was not sure if Staff was currently aware of the development that is actually on Chase Avenue directly next to the commercial. One house has been completed on Chase Avenue and a second house is being built right next to it on Chase Avenue, one house away from the commercial area they are talking about and the two houses on Chase Avenue next to College Road are also being built. On Katrine, two streets to the west, at about the same location a new house is being built. In the last three years, a single family home was built south of that new house. Mr. Morris stated that this area needs a buffer from the industrial on the other side, the proposed townhouses on the Future Land Use Map for this area is absurd. The buffer is already there. The new houses on Chase Avenue are evidence that a buffer from the commercial area is not necessary. Mr. Morris recalled the residents originally agreed to this proposed townhouse development because it was contained, it was the lesser of many evils. Had they known at the time Mr. Sievers attempted to buy three lots on Chase Avenue and have egress on that side of the development onto Chase Avenue or purchase these six lots on Maple Avenue and Elinor Avenue, the neighborhood would have been dead against the townhouse development from the very beginning.

Mr. Morris noted there has been some discussion this evening about preventing people from making a left hand exit from Durand onto Elinor Avenue. Mr. Morris stated the neighbors' concern would be the 114 residents in Mr. Sievers' town home complex a year from now saying it is a safety hazard for us to get out onto Maple Avenue. We need that barrier removed so that we can get to... Chairman Jirik interrupted Mr. Morris and pointed out his comments are speculative. Mr. Morris commented the Plan Commission would say that compromise is acceptable. The neighbors would say that compromise is not acceptable.

Mr. Nicholaou pointed out the Plan Commission has not said anything. Mr. Morris stated the Commission is proposing that kind of compromise. Chairman Jirik stated the Commission has not proposed anything yet. Mr. Morris reiterated that somebody proposed it. Mr. Morris stressed that type of thinking is not a permanent thing.

Jim Koleff, 2525 College Road, Downers Grove stated he called the Village to see if he could get e-mail addresses for the Plan Commission members, and he was told he could not get those e-mail addresses, but the Recording Secretary gave him her e-mail address and he e-mailed her his statement which she was going to pass on. Mr. Koleff stated his concerns with the town homes is that they would drastically slow down the appreciation of single family homes in a three to four block radius, the properties along Elinor Avenue. He commented giving the rights to change those particular lots to town homes would possibly change the zoning of the two homes located on the north side of College Road between Elinor Avenue and Lemond of which he would not approve. Mr. Koleff further stated allowing an access road on Elinor Avenue would just increase the traffic on College Road and Elinor Avenue which is congested enough especially when there are larger vehicles such as CTA buses, school buses or garbage trucks coming through the

area. Mr. Koleff noted he has had several close calls with the CTA buses already. Mr. Koleff expressed concern for all the children in the area and the aesthetics of the neighborhood. Mr. Koleff thanked the Commission for listening to his concerns.

Chairman Jirik asked if there was anything the Plan Commission had not heard. Anyone wishing to speak should present new ideas so as to avoid redundancy.

Susan Schoch, 5805 Chase Avenue, Downers Grove, asked that the other graphic be shown on the overhead screen. She noted this is an area where houses were built one at a time by families. It is not a development; it is not a subdivision; it is a neighborhood in the old fashioned sense of the word. Ms. Schoch noted it is diverse architecturally. She commented it is fun to drive or walk down the street and see all the different houses. Most of them are ranches. Ms. Schoch advised the Commission they even have a geodesic dome. Ms. Schoch noted Lot No. 1 faces Elinor Avenue, Lots 2 and 16 face each other. They are going to look exactly the same. Aesthetically, relative to the rest of the neighborhood, it does not fit.

Ray Quitschau, 5707 Elinor Avenue, Downers Grove recalled when the meeting started it was brought up right from the beginning Mr. Sievers made a donation to Downers Grove so much money. Mr. Quitschau asked if that was said so that it would influence the Commission. He asked if that is a donation or can we call that something else. Several Commission members noted Mr. Quitschau is referring to the School and Park Donation. Mr. Nicholaou explained that is a required payment. Mrs. Riordan further stated that is a requirement for any subdivision generating dwelling units. Chairman Jirik noted it is only payable upon approval, and Mrs. Riordan agreed. Chairman Jirik pointed out nothing has been paid at this point. This is an obligation the developer would incur should this move forward.

Mr. Quitschau stated he moved to this area about 33 years ago and built his house on Elinor Avenue. He recalled at that time if he would go north on Elinor Avenue he could make a turn on Maple Avenue without even looking or stopping because there might be a car every half hour. Now, he has to sit there about a half an hour in order to make a turn. Mr. Quitschau recalled Mr. Sievers saying his residents would be older. Mr. Quitschau stated that was a crock. He is retired; before he would leave Belmont Road Park once in the morning to go to work and then return home. Now he goes ten times out of his driveway. What Mr. Sievers stated about the older people driving around does not hold any water.

Larry Agner, 5714 Chase Avenue, Downers Grove indicated he had a written statement and asked if he could just give it to the Recording Secretary. Chairman Jirik responded he could either read the entire statement or summarize it. The Plan Commission needs his thoughts. Mr. Agner read the following statement: "This matter is of utmost importance to me and virtually every resident in my neighborhood. We bought our home here last year. We were looking for a unique area with larger lots and trees, if you can imagine that. We knew going into an area like this that there would be some change, tear-downs, additions, etc. We spoke with a woman at the Village regarding this area,

and she said we should check the Future Land use Map. This would tell us what to expect. We saw that this area was (and still is) yellow – R-1, single family homes. We couldn't wait to get into this beautiful neighborhood. We then spoke heard from our new neighbors that Sievers Construction had purchased a large parcel of land on Maple Avenue and was proposing a large townhome complex. We couldn't understand how or why this would happen. The Future Land Use map allows for townhomes north of Maple Avenue, from Belmont Road all the way to Walnut Avenue. That's a lot of townhomes. Why put more townhomes on the south side? This area is zoned R-1. They don't belong here. Mr. Sievers' original proposal was not out of necessity. It is not that single family homes wouldn't succeed here. There was a similar property on Maple Avenue just west of I-355 in which a cul de sac of nice homes was successfully built. Mr. Sievers wants to rezone this parcel for townhomes strictly for bigger profits at the neighborhood's expense. If Mr. Sievers truly cares for the Village, why not take this beautiful property and put 10 estate type houses on it. Everybody would be in favor of this. Obviously it would be more aesthetically pleasing. There would be more green space and less trees destroyed. Why not be known as an environmentally responsible developer as opposed to a developer who will gladly over-develop just for larger profits. I have spoken with 2 builders currently building large homes in this neighborhood (Hartmann & Everlast) and they both reiterated the fact that these townhomes are a detriment and slow what is just becoming a hot area." Mr. Nicholaou interjected to say that was hearsay, and Chairman Jirik agreed. He said is a good key that the Plan Commission cannot attribute comments to others without them being here to verify it. Mr. Agner stated the developers were going to be here tonight, but for some reason could not make it. He continued reading "Why should the residents not get to reap the benefits of this spurt because a developer decides to rezone. Though there was a lot of resistance Mr. Sievers was able to forge ahead with his proposal. The original plan was accepted because, due to what you might call scare tactics, residents were lead to believe this was the lesser of the evils. Why were single family homes never even considered. The original proposal had the townhome complex being a separate entity with access roads only to Maple Avenue. It would most certainly impact our neighborhood aesthetically and financially, but at least it would not create any safety issues. Now Mr. Sievers has decided that even after the discontent he has caused, it would be a good idea to buy single family homes on Elinor Avenue and proposed not only an access road to our neighborhood, but rezoning those homes to expand his townhome complex. What is the reason for this proposal? Really there is no good reason. Whether to increase his profits or because his original plan doesn't work, these are not acceptable reasons for changing the face of this beautiful area. This area has endured well contamination as well as the addition of the Bristol Club which has helped over-tax the streets of this neighborhood. Many people have a lot invested here. We as a group have a lot more invested than Mr. Sievers. But much more importantly, we have invested our lives in starting and raising families here. Why should this be destroyed so Mr. Sievers can have his townhome complex? I understand Mr. Sievers proposed project and past projects provide revenue to the Village. He has made me aware of that, but the residents of this area provide quite a bit of revenue as well. I understand that not all of this area is incorporated yet, but it will be. Even so, we pay Downers Grove for our water, and furthermore most of our shopping is done here, a large revenue source in itself. More importantly, this should not be a financial matter. Mr.

Sievers told me he is bringing in revenue and that's what matters. That can't be all that matters. To have a unique, upscale area like this is an asset to the Village. More so than a townhome complex. Our houses have children. We use the Park District and the library. Even Mr. Sievers said that some of these townhome residents may spend the winters in Florida. How does that benefit the Village? There are new homes being built here, some close to a million dollars. Mr. Sievers is not ridding our area of old, unkept homes, as he would have us believe. This is happening already. I've heard it said that the residents really don't have a voice in Downers Grove. I hope they are wrong. This is not just a statistical or code based decision. At some point the Village needs to step in on our behalf and show that the current residents are their #1 priority. Mr. Sievers builds nice homes, that's great. Let him build single family homes on Elinor Avenue. He will still make money. He claims to care about the Village. Then why didn't he correspond with our neighborhood before changing his plans. Why did he put both the residents and the Village in this tumultuous situation. He could have saved us all a lot of time. He should have left well enough alone. He became greedy. We are greedy, too. Greedy about our trees and our greenspace, and about our houses with families and kids. I ask that you value the integrity of our neighborhood over the revenue from the developer and keep Elinor Avenue R-1 single family. Please tell Mr. Sievers to pull back his expansion proposal. I believe I speak for many as our petition will show. Thank you very much. Chairman Jirik directed the Recording Secretary to make a copy of all written statements for the record and return the original statements to the people who read them.

Chairman Jirik asked if there were any further comments. Hearing none, he stated the Commission would move on to the next step which is questions by the Plan Commission to any one from the public who spoke here this evening.

There were no questions from the Plan Commission. Chairman Jirik next asked the Petitioner if he had any questions of any members of the public who spoke this evening.

The Petitioner had no questions.

Chairman Jirik asked the Petitioner if there were any facts he wanted to emphasize regarding his position he could do. The public would get a chance, and then the Petitioner would get the last say in terms of a closing statement.

Chairman Jirik asked the Petitioner if he had any rebuttal to what he had heard or did he want to reserve it for his closing statement. Mr. Sievers indicated he would reserve it for his closing statement.

Chairman Jirik stated the members of the public have by and large summarized and made closing comments. He offered one opportunity for brief synopsis and closing comments to the extent they have not already been provided. Chairman Jirik asked if there were any closing comments from the public. There was no response.

Chairman Jirik advised the Petitioner he would be limited to a closing statement.

Mr. Sievers stated he takes to heart very seriously what the neighbors have been saying tonight. He cares about what goes on in this subdivision and in this neighborhood. He recalled that he has lived in the neighborhood albeit across the street. Mr. Sievers indicated he understands they have traffic issues. He is sorry for that. Mr. Sievers also stated he understands they have inadequate roads, no sidewalks and drainage problems. He indicated he was sorry for that, but he cannot control that. He can and he has implemented a project he believes with three turn lanes onto Maple Avenue will help eliminate some of the traffic concerns. Mr. Sievers stated he is willing if the Village will allow it to make either a no left-hand turn or a right-hand turn only onto Elinor Avenue.

Mr. Sievers commented he has addressed in his plans the safety issue with the children on the sidewalks. He is providing a sidewalk on Elinor Avenue and he is providing a finished curb and gutter on his side of the street. Mr. Sievers noted Mr. Dow was incorrect. He is finishing the entire street; however, there is a curb and a sidewalk on his (east) side. Mr. Sievers stated he felt it would be more in character to the neighborhood not to put a curb and a sidewalk on the other side. Mr. Sievers noted he is up here with a very thick breastplate of armor on right now. Mr. Sievers indicated he has been in this position before, and he truly respects that. This is not the first time people have thrown everything at him. Mr. Sievers stated he is not hanging his hat on his history, but he believes he turns out a quality product, and he believes he puts together a quality subdivision with quality people in it, and he does not de-value the neighborhood. He believes he increases the valuation of the neighborhoods. Mr. Sievers indicated he takes exception to the fact that the neighborhood was not notified or responded to. Mr. Sievers stated he received two telephone calls from the initial notification of 67 people within the 250 foot area of his proposed subdivision. Mr. Sievers the notification area went almost all the way down to Woodridge. The majority of the people sitting in this audience do have a concern. The majority of them live outside of a 500 foot radius of this property. Mr. Sievers acknowledged he did have conversation with Kevin Luke who referenced that he was representing the neighbors. Mr. Sievers indicated he told him to bring them together and...Chairman Jirik again interrupted indicating hearsay is not permitted. Mr. Sievers stated he understood the neighbors are upset. He indicated he has to believe it is not just at him; they are upset about existing conditions in their area.

Mr. Sievers concluded by stating with that being a consideration, he asked for the Plan Commission's recommendation for the subdivision as it has been presented with the Exceptions.

Chairman Jirik announced the next phase of the Public Hearing is the Plan Commission's deliberations. Any questions should be directed to the appropriate party.

Mr. Nicholaou recalled the Plan Commission recently had a petition before them relative to the Golf View Subdivision where it became knowledge after the hearing that there was a contingency to the contract if it got approval, etc. He asked the Chair if such a question of Mr. Sievers would be appropriate. Chairman Jirik stated he would answer the question he thought Mr. Nicholaou was asking. Chairman Jirik stated this is a general answer as it applies in all cases. To the extent the Petitioner is authorized to represent and bring

forward the petition, that is his authority, and it is beyond the Commission's purview to ask about any deals, relationships or transactional aspects. Mr. Nicholaou indicated he understood what the Chairman was saying. He only knows what came back to the Commission from the Village Council. Had the Plan Commission asked that question of the Petitioner the Plan Commission's deliberation might have been different. Mr. Nicholaou reiterated if the Chair deems his question to be inappropriate, he will not ask it. Chairman Jirik responded the question is inappropriate and expressed his belief that the same question would also have been inappropriate in that previous petition.

Chairman Jirik asked if Staff agreed with his interpretation, and Mrs. Riordan indicated her agreement.

Chairman Jirik asked if there was any discussion.

Mr. Griesbaum noted nothing is ever easy, and the Plan Commission has some things to be discussed as a group including traffic concerns. Mr. Griesbaum stated from a neighborhood standpoint he was hearing they already know they have traffic problems. What they are concerned about is adding to the traffic problems. This is an issue the Plan Commission should talk through because whether it is one car or 50 cars it will add to an already existing problem. This is a serious issue when you talk about children's lives. Mr. Griesbaum noted the Petitioner is asking for Exceptions, and the traffic concerns should be considered. Mr. Griesbaum stated the look and character of the surrounding neighborhood is another concern of the neighbors. The original plan which showed more containment was acceptable to a degree. The proposed expansion to the corner of Elinor Avenue and Maple Avenue is now a concern of the neighbors. Mr. Griesbaum noted there had been lots of discussion around lots of different things this evening, but these are the two areas on which the Commission should focus. Mr. Griesbaum noted he had not yet come to a conclusion on these concerns, and he is still deliberating these concerns in his own mind. The Commission has to give credit to the neighborhood for bringing up these concerns. Mr. Griesbaum recognized the residents had been fair in recognizing that Mr. Sievers builds quality product and has done so for many years in the Village.

Chairman Jirik recalled he asked a series of questions of the traffic expert, and it was his response that the traffic could be very easily accommodated on Maple Avenue and Durand. If someone would ask him where he is at, his response would be he is between hard curb, right only, which is traffic forcing physically to absolutely nothing which is the current plan. Chairman Jirik stated the dialogue with the traffic expert indicated to him there was no traffic-based reason to have the movements south on Elinor Avenue, and he said there was enough spacing to shift that traffic to Durand and Maple Avenue. The level of service was acceptable. From a traffic basis, that can be accommodated. The hard right-out is actually on the improved road surface exclusively because it is only on those lanes. Mr. Griesbaum asked if he was referring to such a turn on Elinor Avenue, and Chairman Jirik agreed. Chairman Jirik noted if that was implemented, it would take 50% of the projected trip generation and shifts it to Maple Avenue and Durand and leaves 50%, 8 and 3 at peak hour on the one series of lanes on the east side exiting only right to Maple Avenue. Chairman Jirik emphasized not signage because signs would be ignored,

and he would recommend hard curb, right turn only. Chairman Jirik expressed his opinion that would address the greatest foundation of harm, concern or threat which was developed by all participants in the area of traffic. Chairman Jirik recalled the concern was for increased traffic even if it was only a few cars. There already is an existing difficulty and any exacerbation of an existing hazard can be affectively precluded. Chairman Jirik stated he is envisioning a curved curb which could not be defeated unless a vehicle drove over it.

Chairman Jirik agreed with Mr. Griesbaum that the next item of concern was the neighborhood. The difficulty he had was that he heard a lot of "I don't like it", but he did not get a lot of quantification. He acknowledged the emotion, but the Commission acts on facts, data and information. He recalled there was almost a suggestion that its quality is going to raise the value which is not harm; it would seem to be good. Chairman Jirik acknowledged he heard a lot of discussion, but it was opinion. What the Council will be looking for is the Plan Commission's basis for saying yes or no. Chairman Jirik stated in comparison to the traffic issue, this was somewhat less common, although strongly heart-felt for those who brought it forward. Chairman Jirik stated he was trying to get to neighborhood harm from this type of development. The Commission respects the opinion and the concern, but how do you quantify it. Chairman Jirik acknowledged he is somewhat soft on this concern in terms of a rational basis to deny, but he is still thinking and considering.

Mr. Griesbaum noted there are single family homes on the west side of Elinor Avenue.

Mr. Quandt agreed that traffic and safety is the largest issue with a number of residents here tonight. Mr. Quandt stated it sounds to him as though they do not want a town home development in their community, but he also has not heard any other reason beyond "they just don't want it". Mr. Quandt expressed his opinion that it goes back to the safety issue. Mr. Quandt indicated he concurred with the Chairman's thoughts about a forced right turn out on Elinor Avenue. He thought such a turn would alleviate a lot of the problems. There already is an existing traffic problem in many places in Downers Grove. He did not know how that is ever going to be reined in, but it seems that in light of the number of units and an attempt to try to divert traffic away from the neighborhood, this could, hopefully, be a compromise solution for the residents and the petitioner.

Mrs. Rabatah stated we definitely need a solution to the traffic problem. Her concern is that they do not have sidewalks for the children in the neighborhood. It is also a safety issue, and Mrs. Rabatah concurred one of the options would be a hard right out turn onto Elinor Avenue. As far as the aesthetics, Mrs. Rabatah recalled she was hearing that the residents do not agree it supports the character of the neighborhood. She also noted there is not anything to separate the town homes from the residences such as a berm. She asked Mr. Sievers to confirm whether or not he has provided for such a separation.

Mr. Sievers explained there is a natural shrub barrier along the east and south sides of the property. He noted the only immediate neighbor on the west side of the property is Mr. Testin. Mr. Sievers noted there is a 20 foot easement plus the building is another ten feet.

The town house would be 30 feet from an existing six foot fence that separates Mr. Testin's property from Lots 15 and 16. If it were a single family unit, the Code allows a five foot side yard. Mr. Sievers pointed out his setback is six times the difference. Mr. Sievers stated because of the grade, it is impossible to put a berm in that area. Mr. Sievers noted the six foot stockade fence, which is turned with the rails on the side of his property. Mr. Sievers pointed out that fence could have not been erected that way under the Village's Code. The rails would have to be to the inside. Mr. Sievers stated he will be planting bushes on his side of that fence to help camouflage the fence for his potential customers so they would have a buffer from the rail side of that fence.

Mr. Testin asked if he could respond to that statement. Chairman Jirik advised him the Commission is now at the portion of the Public Hearing where the Plan Commission deliberates and/or asks questions.

Mr. McCormick also concurred with the Chairman's comments on the traffic. He does not see where the Plan Commission or the Village Council can prevent anybody from any neighboring suburb from cutting through this area via Elinor Avenue. Mr. McCormick suggested the residents should keep in mind that if the property on Elinor Avenue is annexed, the Village of Downers Grove Police Department will be patrolling at least that portion of the street. Mr. McCormick noted the DuPage County Sheriff's Department has a lot more territory to cover than just this one particular area. The Downers Grove Police Department will have more of a presence on this kind of street and could more easily monitor vehicles speeding up and down that street. As far as the development itself is concerned, Mr. McCormick stated this project is in line with what has been discussed time and time again in the joint Plan Commission-Economic Development Commission proposed Future Land Use for the Maple Avenue corridor. Mr. McCormick indicated the Exceptions to the Subdivision Control Ordinance to be consistent with other projects; for example, the ten percent depth Exception has been seen in such developments as Ponstein's subdivision on Fairview Avenue just south of 59th Street. Mr. McCormick recalled the Village Council was amenable to that depth Exception. The four and one-half foot sidewalks were approved as part of the Villas of Bending Oaks Subdivision. Mr. McCormick indicated four and one-half feet is still wide enough for people walking back and forth. Mr. McCormick also noted there is the townhouse development called Chasewood on the north side of Maple Avenue, and east of the BP gas station at the intersection of Maple Avenue and Belmont Road there is a new development going in there.

Mr. Nicholaou agreed with the Chairman's proposal relative to safety and the need to have a hard turn there on Elinor Avenue. Mr. Nicholaou stated he drove this area on several occasions, and this area like many of the areas on the periphery of Downers Grove, are in residential transition. Aesthetics is a highly subjective matter as the Plan Commission knows from previous petitions throughout the Village. If there were all new single family homes there, there would be all styles, types, heights, etc. The Plan Commission can only focus on its purview which limits our creativity. The personal views of any Commissioner need to be balanced against the interpretation of the rules in the various sections of the Downers Grove Subdivision Control Ordinance or the Zoning

Ordinance. Mr. Nicholaou stated comments made by the residents that property values in this area will decrease fall on deaf ears as far as he is concerned as this area is in transition. Mr. Nicholaou noted the proposed subdivision falls within the purview of what the Village has outlined for the Plan Commission. This particular project had previously been before the Plan Commission. The current proposal has some additional property added to it. Mr. Nicholaou indicated he heard the concerns of the public loud and clear relative to safety. If it was in our power, the Commission would have Elinor Avenue stubbed or bumped so that people could not drive south and we would block off College Road, etc. Mr. Nicholaou emphasized that is not within the Commission's purview. What is within the Commission's purview is to make that particular area safer. With respect to Lot 15, he encouraged Mr. Sievers, even though the fence faces the other way, to maybe use some permanent berming in there such as 6-7 foot arborvitae. Mr. Nicholaou recognized that would entail additional cost, but he thought such plantings would salve the situation or show some good will.

Chairman Jirik asked if there was any other discussion from the Plan Commission members.

Mr. Millette asked the Chairman if he was suggesting a right in, right out solution from the proposed street onto Elinor Avenue. Chairman Jirik responded he had suggested right out only. Mr. Millette told the Plan Commission Public Works would need to take a good look at that for snow plowing purposes. Chairman Jirik responded they can look at it; that is how he feels the traffic concerns should be handled. Mr. Millette noted a right in, right out solution is a little bit easier to work with. Chairman Jirik indicated his concern is the greater width with the double right in and right out might facilitate some mischief. He thanked Mr. Millette for asking that question so he could be clear as to why he was limiting it in his concept to right out only. It is pretty hard to do right in, right out on that narrow topography; right turn only is self limiting and self policing which then engenders the behavior we are all asking our citizens to follow. Chairman Jirik commented the traffic study did not seem to justify the need for a right in. With a pork chop creating right in, right out, somebody will run head on the wrong way. Chairman Jirik told Mr. Millette he recognizes there could be some issues; he feels so strong regarding his proposal that he would buy those issues because the area needs to be protected.

Mr. Nicholaou stated if the Plan Commission elects to go with the four and one-half foot wide sidewalk rather than the five foot wide sidewalk recommended by Staff, he would definitely like to see a five foot wide sidewalk on Elinor Avenue for safety reasons.

Chairman Jirik stated as a general method of planning there is some reasonableness and appropriateness to entertain higher density along roads of greater capacity. This is a question the Plan Commission wrestles with in terms of that. With Elinor Avenue basically precluded, not fully, but largely, the proposed subdivision does tend to be more island-like in nature. Chairman Jirik indicated that helps him somewhat in terms of its isolation and its ability to function.

Chairman Jirik told Mr. Nicholaou he liked something he had said but he would like to take it a little further. If this is envisioned as buffer between the higher capacity road, then taking Mr. Nicholaou's idea and extrapolating it a little harder and further in terms of that entire run, that entire south side needs a little more benefit so you are engendering the kind of buffer you are look at, whether it is a little more elaborate plantings or a gentler kind of effect. Chairman Jirik noted it is in everybody's interest to protect the trees. A little more detail and elaboration of the treatment may be how we make sure that this does have that buffering effect. Mr. Nicholaou pointed out there could be a significant benefit on Lot 16. Mr. Nicholaou noted that is not different that what the Commission has been saying to a number of petitioners whether they be commercial or residential. The Plan Commission has been making this point about increasing berms, landscaping, etc. to make the development friendlier or softer.

Mr. Nicholaou recalled when the Plan Commission looked at the proposed subdivision the first time in 2003, we were sensitive to traffic when we looked at Janes and blocked Janes and gave the benefit of an additional unit or two to the petitioner. That is why the proposed plan shows 12 buildings because Janes will not open out onto College Road.

Mr. Griesbaum agreed and recalled that change really came from the Plan Commission's deliberations. Chairman Jirik stated the Plan Commission wanted the proposed subdivision to be isolated from the single family residential neighborhood.

Mr. McCormick recalled the original suggestion came from the neighbors, and other Plan Commission members agreed. Mr. Griesbaum stated the point on the berm and additional screening is very appropriate to have as part of the recommendation.

Chairman Jirik noted he did not want to be quite that specific. Berms have certain lateral stabilities, but some attention to the detail to that with an explanation how does this affect an appropriate interface with those neighboring properties. Chairman Jirik noted these are all great ideas, but he would not limit it to just those ideas. There are so many different ways that can be accomplished. He wanted to be general in the accomplishment but specific in the issue he wanted addressed. The accomplishment should be left to the petitioner's creativity. The motion should include language such as supplemental information regarding appropriate treatment along the entire southern border to address the issue.

Mr. Nicholaou agreed he did not want to be site specific. Mr. Griesbaum expressed the belief that all the Plan Commission members were in agreement.

Chairman Jirik asked if there was any more discussion.

Mr. Nicholaou stated we have a proposal where all the driveways enter onto itself within the confines of the development. Yet Building One will enter out onto Elinor Avenue which is a concern of his. Mr. Nicholaou indicated only the developer is going to be able to answer that. This is the only other thing we have not addressed based on what we heard from the residents relative to safety and traffic concerns. The residents living in those proposed units are going to have to back their cars out onto Elinor Avenue which

will only be 25 to 50 feet from the intersection of Elinor Avenue and Maple Avenue. Mr. Nicholaou stated he did not have an answer to that situation.

Mr. Nicholaou, at the Chairman's request, pointed to the area he was concerned about as shown on the site plan displayed on the overhead screen. Mr. McCormick asked Mr. Nicholaou where would he suggest those driveways be located, and Mr. Nicholaou responded he did not know and suggested the Petitioner is the only one who can answer that question.

Chairman Jirik asked how many units are proposed for Building One. Mrs. Riordan answered three units. Mrs. Rabatah asked if the people living in Building One will be make to make a left turn or a right turn out onto Elinor Avenue if we put the hard right turn only from Durand onto Elinor Avenue. She expressed the opinion they could not be prevented from turning left onto Elinor Avenue. Chairman Jirik pointed out there are also three single family homes across the street that currently can turn left or right onto Elinor Avenue.

Mr. Nicholaou stated the concern is that the cars from Building One would be entering onto Elinor Avenue, and he asked the Petitioner if he had an alternative plan.

Mr. Sievers stated the Plan Commission's packets show where the units are proposed to be set. He just realized that he would be able to move Building One farther to the south. Currently there is about 80 feet between the driveway and the curb on Maple Avenue. The driveway could be moved approximately another 20 feet which would then be close to 100 feet between the curb and the first driveway which would also make it in line with the driveway immediately across the street. Mr. Sievers pointed to where the driveways are proposed to come in and he showed the location of the building. The driveway would be on the right-hand side. There is about a 25 foot side yard on the south side of the building. Mr. Sievers indicated he could take the building because the pad is large enough and he can shift the building down to perhaps a 20 foot side yard instead of a 25 foot side yard. By doing that the driveway would be moved down another 15 feet. He pointed out the location of the driveway across the street which would then be directly across from the driveway as he proposes to relocate it.

Mr. Nicholaou asked Mr. Millette if such a proposal would get approval from Public Works. Mr. Millette responded moving the building so that its driveway is 100 feet south of Maple Avenue would work.

Chairman Jirik asked for confirmation that there would be three units in Building One, and Mr. Sievers agreed. Chairman Jirik asked if there was any way to take one unit out and fit it in somewhere else. Mr. Sievers responded they are already exceeding the square footage bulk regulations for every lot. Some of the lots are double the size they need to be. Mr. Sievers expressed his belief that it is necessary to have a third unit in Building One. Chairman Jirik stated if you are on the west side of Elinor Avenue and you look at 2 and 16, they are on side. Chairman Jirik stated he thought the visual was not as different because there is a narrower view. Building One presents a bigger

silhouette. Chairman Jirik asked the Petitioner hearing these concerns is there a way to reduce the silhouette of Building One but with all of the other lots still maintain the number of units or is that way to complex to answer. Mr. Sievers stated the silhouette of Building One will have a different aesthetic view and now we are crossing that line and talking about aesthetics. Chairman Jirik acknowledged the Plan Commission does that once in while. Mr. Sievers stated the side views of Buildings 2 and 16, whether they will be an Ash unit or a Durand unit, are both attractive. They are side entrances, and they look like a single family home. Chairman Jirik acknowledged that is where he is headed with Building One. Mr. Sievers responded Building One will be about 90 feet wide, and he has seen some homes currently being built in the area that are probably pretty close to that. Chairman Jirik stated characteristically Building One does not present that different of a silhouette. Mr. Sievers pointed out there are several three unit buildings in the Villas of Bending Oaks, and they have a much narrower silhouette than the four-unit building. Mr. Sievers stated they are designing the buildings to be as soft as they can.

Chairman Jirik explained any motion by the Plan Commission can be one of three varieties; a motion to recommend approval, recommend approval with changes or recommend denial. Chairman Jirik advised the Commission members that he will continue our normal practice of polling the Commission members after their vote because the Council has expressed interest in the reasons for their votes.

Mrs. Rabatah pointed out the Plan Commission would have to make two motions with the first motion being to rezone the property. Mr. Nicholaou commented the first motion should be to annex the property. Chairman Jirik recalled that the Village Council had an interest for certain aspects that the Commission make individual motions, and he asked Staff if that would be applicable in this case. Mrs. Riordan stated the Commission can certainly consider it for the various requested action items, Future Land Use Map, the annexation, the rezoning and the final plat of subdivision. She further added they can even do the Exceptions individually. Mrs. Rabatah indicated she was specifically asking about the rezoning. Mrs. Riordan stated because the Council would be considering the requested actions in different actual Ordinances; there would be an Ordinance rezoning the property and a separate Resolution for consideration of the Final Plat of Subdivision. Mr. Nicholaou noted a total of three motions will be needed; one to annex, one to rezone the property and one to recommend final plat approval. Mrs. Riordan pointed out that there also is the request to change the Future Land Use Map. Chairman Jirik stated annexation and rezoning are customarily handled in one motion, and Mrs. Riordan agreed. Chairman Jirik expressed his opinion that the Future Land Use Map merits its own motion.

Mr. Griesbaum asked for a brief review of what has been discussed and agreed to by the Plan Commission. He noted the hard right at Elinor Avenue and Chairman Jirik interjected that was the term he coined because he did not know what the term of art would be; curb control right out only was what he was envisioning. There was a suggestion of five foot wide sidewalks on Elinor Avenue but four and one half foot wide sidewalks through the proposed subdivision are alright. Mr. Nicholaou pointed out the recommendation by Staff is for five foot wide sidewalks throughout the proposed subdivision as well as on Elinor Avenue. Mr. Griesbaum recalled he heard something

different from that as part of the discussion. Mr. McCormick recalled that his comment was to keep it consistent with the Villas of Bending Oaks Subdivision at four and one half feet, and Mr. Nicholaou came back and said the sidewalk on Elinor Avenue should be five feet for school buses and kid traffic. Mr. Griesbaum noted it is just a matter of how strong everyone is on that and whether there really would be a school bus stopping there. Mr. Nicholaou responded by stating if there is going to be a sidewalk there it will be a natural gravitation point whether or not a school bus would be stopping there so we should make the sidewalk on Elinor Avenue five feet wide. Mr. Griesbaum next noted he heard some type of screening on the southern border of the property. Mr. Nicholaou added setting Building One back 20 feet to the south.

Mr. Nicholaou stated the first motion should be to annex the property. Chairman Jirik recommended such a motion should also include the rezoning of the property because those two are normally coupled in one consideration as like subjects. Mr. McCormick asked if the motion regarding the Future Land Use Map should be the first motion.

MOTION: WITH RESPECT TO FILE NO. PC-04-05 – VILLAS OF MAPLE WOODS, MR. MCCORMICK MOVED THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL FOR A RECLASSIFICATION OF PARCELS CURRENTLY CLASSIFIED AS RESIDENTIAL 0-6 DU/ACRE ON THE VILLAGE’S FUTURE LAND USE MAP TO RESIDENTIAL 6-11 DU/ACRE TO BE CONSISTENT WITH THE PROPOSED TOWNHOUSE DEVELOPMENT. MR. NICHOLAOU SECONDED THE MOTION.

Chairman Jirik asked if there were any questions regarding the intent of the motion. There was no response. The Chairman next asked if there was any discussion regarding the motion. Again, there was no response.

ROLL CALL:

AYE: Mr. McCormick, Mr. Nicholaou, Mr. Griesbaum, Mr. Quandt, Mrs. Rabatah, Chairman Jirik

NAY: None

The motion passed unanimously.

Chairman Jirik explained this motion is a recommendation to the Mayor and Council. He asked the members if they wanted to explain their vote after each motion or at the end of the three motions. It was agreed to save the explanation until all three motions have been voted upon.

Chairman Jirik suggested the next motion should consider the annexation and rezoning.

MOTION: WITH RESPECT TO FILE NO. PC-04-05 – VILLAS OF MAPLE WOODS, MRS. RABATAH MOVED THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION FOR THE ANNEXATION OF A PORTION OF THE SUBJECT PROPERTY (2411, 2409, 2407 MAPLE AVENUE AND 5639, 5637, 5636 ELINOR AVENUE) PER VILLAGE COUNCIL POLICY/RESOLUTION NO. 96-40 AND APPROVAL OF THE PROPOSED REZONING OF A PORTION OF THE SUBJECT PROPERTY UPON ANNEXATION TO R-5A, TOWNHOUSE RESIDENCE DISTRICT PER CHAPTER 28, SECTION 28-1701. MR. GRIESBAUM SECONDED THE MOTION.

Chairman Jirik asked if there were questions regarding the intent of the motion. There was no response. The Chairman next asked if there was any discussion regarding the motion. There was no response.

ROLL CALL:

AYE: Mrs. Rabatah, Mr. Griesbaum, Mr. McCormick, Mr. Nicholaou, Mr. Quandt, Chairman Jirik

NAY: None

The motion passed unanimously.

Chairman Jirik noted this motion is a recommendation to the Mayor and Council.

With regard to the last motion, Chairman Jirik advised there are three possible motions that could be made; recommend approval, recommend approval with changes or recommend denial.

MOTION: WITH RESPECT TO FILE NO. PC-04-05 – VILLAS OF BENDING OAKS, MR. GRIESBAUM MOVED THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDTION AND FINDING OF FACT TO THE VILLAGE COUNCIL WITH RESPECT TO THE PETITIONER’S REQUESTED ACTION FOR APPROVAL OF THE FINAL PLAT OF SUBDIVISION WITH EXCEPTIONS SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. NOT MORE THAN 16 BUILDINGS NOR MORE THAN 57 TOWNHOUSES SHALL BE LOCATED ON THE PROPERTY;**
- 2. COMPLIANCE WITH ALL ISSUES AS OUTLINED IN THE PUBLIC WORKS MEMORANDUM DATED FEBRUARY 10, 2005 PRIOR TO PERMITTING WITH THE EXCEPTION OF THE RECOMMENDED FIVE FOOT SIDEWALKS THROUGHOUT THE SUBDIVISION.**
- 3. FIVE FOOT SIDEWALKS ON ELINOR AVENUE AND PERMITTED FOUR AND ONE-HALF FOOT SIDEWALKS THROUGHOUT THE REMAINDER OF THE SUBDIVISION AND OPEN TO THE PUBLIC AT ALL TIMES;**

4. CURB CONTROLS SHALL BE PROVIDED TO ALLOW RIGHT OUT ONLY TURNING MOVEMENTS FROM DURAND DRIVE ONTO ELINOR AVENUE ;
5. SCREENING SHALL BE PROVIDED ALONG THE PROPERTY LINE AT THE SOUTH END OF THE PROPERTY ALONG LOTS 11 THROUGH 16 INCLUSIVE; AND
6. MOVING THE UNIT ONE BUILDING 20 FEET TO THE SOUTH TO BETTER ALIGN THE DRIVEWAYS FURTHER SOUTH OF MAPLE AVENUE ALONG ELINOR AVENUE; AND
7. COMPLIANCE WITH ALL FIRE PREVENTION DIVISION REQUIREMENTS AND CONDITIONS AS OUTLINED IN THEIR MEMORANDUM DATED JANUARY 24, 2005;
8. PROPOSED SUBDIVISION CODES, COVENANTS AND RESTRICTIONS FOR THE DEVELOPMENT MUST BE PROVIDED FOR STAFF REVIEW PRIOR TO VILLAGE COUNCIL CONSIDERATION;
9. ANY CHANGES TO THE CONDITIONS AS REPRESENTED BY THE PETITIONER AS BASIS FOR THIS PETITION, WHETHER THOSE CHANGES OCCUR PRIOR TO OR AFTER VILLAGE APPROVAL, SHALL BE PROMPTLY REPORTED TO THE VILLAGE. CHANGES MAY REQUIRE ADDITIONAL REVIEW;
10. THIS RECOMMENDATION IS FURTHER CONDITIONED THAT IT IS THE PETITIONER'S OBLIGATION TO MAINTAIN COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND VILLAGE LAWS, ORDINANCES, REGULATIONS, AND POLICIES.

MR. NICHOLAOU SECONDED THE MOTION.

Chairman Jirik asked if there were any questions regarding the intent of the motion. There were no questions. He next asked if there was any further discussion regarding the motion. There was no response.

ROLL CALL:

AYE: Mr. Griesbaum, Mr. Nicholaou, Mr. McCormick, Mr. Quandt, Mrs. Rabatah, Chairman Jirik

NAY: None

The motion passed unanimously.

Chairman Jirik stated it is now customary to poll each of the Plan Commission members for any additional insight they wish to impart to the Mayor and Village Council.

Mr. Griesbaum thanked everyone who came out tonight. He noted these types of petitions are always difficult situations, and the Commission has purview on some things but can only go so far. Our personal views and emotions cannot enter into our decisions. Mr. Griesbaum noted everyone did a great job in highlighting the things about which the Plan Commission should be concerned. Mr. Griesbaum stated in his opinion the Plan Commission focused on those things. He recognized that not everyone will be appeased with everything the Plan Commission went through. Mr. Griesbaum expressed his belief that the Commission focused on the things they had the right to comment on. From his perspective, the discussion helped him to realize where the Plan Commission could make some changes to help the neighbors and the entire community. This is why he voted yes.

Mr. McCormick concurred with Mr. Griesbaum's comments. He thought the members of the public were some of the best prepared people he has seen testifying before the Plan Commission. They highlighted their concerns. Mr. McCormick stated in his opinion this project is consistent with all the discussions the Commission had over the summer with regard to gateways and the Future Land Use Plan. Mr. McCormick noted the variations that developer sought were not inconsistent with what has been seen in the past, both with projects in and around the area as well as some of the other ones like the ten percent variation (referring to the Fairview Avenue subdivision). This is why he voted yes.

Mr. Nicholaou concurred with his fellow commissioners. The public did a very good job of presenting their concerns, and he noted they will have the opportunity to present that same excellent information to the Council. Mr. Nicholaou complimented the members of the audience for keeping their emotions in check and sticking to the facts. Mr. Nicholaou noted the Commission's recommendation stays within our purview. While we do not always agree with our purview, that is our job as commissioners. The recommendation is consistent with what the Commission has recommended in the past, and it is consistent with the hours and hours of meetings relative to the gateways to this community and the Future Land Use Map.

Mr. Quandt agreed with his colleagues and thanked the residents for coming out and stating their position so strongly. He expressed the belief that the recommendation is within the Future Land Use Map – Maple Avenue. He was hopeful that the Commission had addressed the traffic and safety issues expressed by the residents. With respect to the density, Mr. Quandt thanked the Petitioner for keeping it under 5 dwelling units per acre when the rezoning would have allowed for even greater numbers.

Mrs. Rabatah also thanked the public for the input and stated that it helped her a great deal in voting for a favorable recommendation. Mrs. Rabatah concurred with the reasons expressed by the other Commissioners.

Chairman Jirik stated the primary issue was the traffic. Understanding there could be some concerns from Public Works and given human nature he feels very comfortable with the strength of the remedy which is the right-hand turn as opposed to something that could really allow people to do things we do not want them to do. In this circumstance, the road then provides a greater degree of isolation from the rest of the area. There is a reasonableness and appropriateness to having higher density along the road and the

isolation does create that type of distinctness. The Commission talked about the southerly buffer which helps in terms of the transition. Chairman Jirik noted he would like the Petitioner to supplement the record so there is a very clear record to forward to the Mayor and Council. The comment for the silhouette for 1, 2 and 16, if the south line is buffered these would remain unbuffered. Chairman Jirik recalled that the Petitioner offered that verbally but he would like to see something that would provide some additional facts. He stressed his comments were advisory only. Mr. Sievers responded that they would work on that.

Chairman Jirik explained all three motions are recommendations. All of this information including all of the materials and very lengthy and detailed minutes will go to the Mayor and Council. He asked Staff for an estimate of when this would happen. Mrs. Riordan responded the recommendation could tentatively be scheduled for the second Tuesday in April. Chairman Jirik advised at that time there will be further deliberation with the Mayor and Council. Those of you wishing to be involved and have continuing input are more than welcome to attend that Workshop meeting. All of this information will be made available, and the packet will be quite lengthy. The Mayor and Council determine the final action.

Chairman Jirik congratulated the members of the audience for their thoughtful comments which helped the Plan Commission hear all the facts. Chairman Jirik indicated he believed the Council would be very satisfied with the information provided.

Meeting adjourned at 12:25 a.m., Tuesday, March 8, 2005.