

APPROVED 5/23/11

VILLAGE OF DOWNERS GROVE
PLAN COMMISSION MEETING
PUBLIC HEARING

MAY 2, 2011, 7:00 P.M.

Vice Chairman Webster called the May 2, 2011 meeting of the Plan Commission to order at 7:00 p.m. and asked for a roll call:

PRESENT: Vice Chairman Webster, Mr. Beggs, Mr. Cozzo, Mr. Matejczyk, Mr. Quirk, Mrs. Rabatah, Mr. Waechtler

ABSENT: Chairman Jirik

STAFF PRESENT: Tom Dabareiner, Community Development Director; Jeff O'Brien, Planning Manager; Stan Popovich, Planner; Devin Lavigne, Houseal Lavigne & Associates

VISITORS: Ms. Marge Earl, 4720 Florence, Downers Grove; Mr. Mark Thoman, 1109 61st Street, Downers Grove; Art and Karen Fletcher, 4700 Stonewall; Dr. Kathleen Goepfinger with Midwestern University; Mr. Dwight Todd with DWL Architects, 2333 N. Central Ave., Phoenix, AZ; Dave Shindoll and Ed Hamilton with Mackie Consultants, Inc.

Vice Chairman Webster led the Plan Commissioners in the recital of the Pledge of Allegiance.

APPROVAL OF THE APRIL 25, 2011 MINUTES

MR. QUIRK MADE A MOTION TO APPROVE THE MINUTES, AS PRESENTED, SECONDED BY MR. COZZO. ROLL CALL:

AYE: MR. COZZO, MR. QUIRK, MR. BEGGS, MR. MATEJCZYK, MRS. RABATAH, MR. WACHTLER, VICE CHAIRMAN WEBSTER

NAY: NONE

MOTION CARRIED: VOTE 7-0.

Vice Chairman Webster reviewed the protocol for the meeting. A change in the agenda followed:

Vice Chairman Webster swore in those individuals who would be speaking on File PC-11-11.

File PC-11-11 A petition seeking a partial right-of-way vacation of the 83-foot wide unimproved Chicago Avenue right-of-way running east and west immediately north of and adjacent to the property commonly known as 4700 Stonewall Avenue, Downers Grove, IL (PIN 09-07-100-010). Art and Karen Fletcher, Petitioner and Owner.

Mr. Jeff O'Brien, Village Planning Manager, summarized the petition before the commissioners was for the unimproved, but dedicated, right-of-way ("ROW") vacation for Chicago Avenue running between Woodward and Stonewall Avenues. The ROW sits at the southwest corner of the intersection of Chicago and Stonewall Avenues. It is 83 feet wide and the areas east and west of the site are 66 feet long. The petitioners are requesting to purchase the south 53 feet immediately adjacent to their property. Total ROW to be vacated is 53 feet by 220 feet long. The utilities located on the south side of the ROW will be located in a public utilities and drainage easement and, therefore, no construction of structures (except fences or driveways) would be allowed. The sidewalk within the northern 30 feet of the right-of-way will remain and be maintained because it is part of a regional trail way plan.

The petition complies with the Village's Land Use Plan and Zoning Ordinance. However, setback changes will include a six-foot side yard setback, or, 10% of the lot width.

To date, no objections have been received for this petition from the village's police department, public works department, or other agencies. However, staff did receive a phone call requesting that the sidewalk remain open to the public and that no new homes be built on the property, wherein Mr. O'Brien confirmed the sidewalk would be public and access would remain. The easements would prohibit any new construction of structures.

Directing commissioners' attention to the dais, Mr. O'Brien noted two emails he received from the residents of 4702 Woodward who opposed the petition. He clarified that the current shed, under construction, was on the petitioner's property. To date, all four property owners adjoining the alley have consented to the vacation and their letters were attached to the packet. Staff called attention to the fact that staff and the Plan Commission were making findings as to whether the vacation is a necessary use for the ROW in the future, and staff has determined that the public interest can be protected with the easement in the 53 foot section that is being vacated.

Staff recommended compensation for the alley and referenced its monetary figure in the staff report. Staff recommended approval of the petition with the three conditions on page 4 of its staff report.

Vice Chairman Webster opened up the petition for commission comment. Mr. Matejczyk inquired about staff's statement that "the easement will prohibit any construction within the vacated right of way except for driveway or fence" and whether it would preclude an addition to petitioner's home, wherein Mr. O'Brien confirmed it would preclude the statement. Petitioners could construct up to the old property line, however. Mr. Matejczyk also confirmed with staff that vacating the section would permanently close the street, to which Mr. O'Brien confirmed in the positive, stating the matter was addressed prior with the Public Works Department. He summarized some of the dialog that took place with the Public Works Department.

Regarding the shed under construction and its location, Mr. O'Brien explained that the matter was addressed earlier in the year and the petitioners were made aware of their options, which the vacation was one of staff's options to make the shed a legal construction. The current shed is 6 feet off the north and west property lines and will be legal with the vacation. The owners' permit application was dependent upon the outcome of this petition.

For clarification purposes, Mr. O'Brien stated the parcels would likely be given identification numbers for taxation. He indicated the lots would be separate – the existing lot where the home is

and the vacated parcel. He noted the petitioners could consolidate the properties by filing a request for a plat of consolidation. He did not think that was necessary in this case. Concerning staff's recommendations, Mr. Waechtler asked staff if it was appropriate to mention that "Nothing is to be built on the vacated land" even though mentioned earlier in staff's report, wherein Mr. O'Brien stated that he uses the standard easement language for all vacations unless the applicant is seeking something special. Per another question, staff clarified the required setbacks, to date, were 25 feet from the east property line, 20 feet from the west property line, 6 feet from the south property line, and 24 feet from the north property line. In the future, the petitioner would get to use the 10%, i.e., 6 feet from the north property line, while the other setbacks would remain the same.

Asked if any other lots in the area went through from one street to another, Mr. O'Brien pointed out that one existed to the north at the northern edge of Coopers Hollow Park, with a 14 ft. wide alley. Mr. Beggs further asked whether the two lots would be end-to-end, wherein Mr. O'Brien responded in the negative. Further clarification followed by Mr. O'Brien that the lot itself would exist, along with a right-of-way lot, and each lot would have a pin number and each could be sold separately. However, he reported the county Assessor's Office would have to address such a matter. Since it was not a buildable lot, a lot consolidation could be done if the petitioners desired.

Per Mr. Quirk's question, there was one neighbor (2000 Chicago Avenue) that inquired about purchasing the remaining land but the person did not follow through with the process. Per Mr. Waechtler's question, staff confirmed the sidewalk at north of 4701 Stonewall travels to Hooper's Hollow Park and continues on to Chicago Avenue.

Petitioner, Mr. Art Fletcher, 4700 Stonewall, Downers Grove, summarized that the reason for his petition was to expand more on his property and, initially, when he purchased the property, there was concern about the street continuing through the property. He believed by taking this step it would not allow the street to continue through. In speaking with other neighbors, they agreed that having a through street was not a very good idea. Mr. Fletcher stated he did not realize that because he had a corner lot that the north property line would be 25 feet; he assumed it would be a 6-foot setback like everyone else. He explained the shed at the northwest corner of his property that was being constructed replaced an old shed. However the new shed, being larger than 100 sq. feet, had to meet village code and when he was constructing it, the village visited on-site and communicated to him that it was in violation of code and they explained the setbacks. Mr. Fletcher explained that, currently, as his house sits, he cannot build a walk-out deck on his property but by acquiring the property to the north, it will allow him that. He commented on the landscaping he was proposing and also mentioned the monetary benefits the village was receiving by him purchasing the property, i.e., up front money and the fact that the village will not have to maintain the vacated property.

Regarding the emails not supporting the ROW vacation, Mr. Fletcher stated that had he known earlier, he would have invited 10 to 15 of his neighbors in support of the petition. He thanked the commissioners for their consideration.

Per Mrs. Rabatah's question regarding the shed, Mr. Fletcher explained he was replacing a dilapidated shed with a larger shed and it was his mistake. His family includes four children and many bikes and no room exists to "hang out" in the yard.

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Vice Chairman Webster opened up the meeting to public comment. No public comment followed. Public comment was closed.

Petitioner had no closing comments.

Mr. Matejczyk appreciated petitioner's professional-looking petition and supported the proposal. Mrs. Rabatah, recognizing the petition met the village's requirements, the appropriate neighbor consents were provided, and the utility companies were notified, she supported the proposal also. Mr. Webster agreed the petition met the findings of fact and entertained a motion.

WITH RESPECT TO FILE PC-11-11, MR. MATEJCZYK MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL, WITH THE FOLLOWING CONDITIONS:

- 1. THE VACATION SHALL SUBSTANTIALLY CONFORM TO THE STAFF REPORT DATED MAY 2, 2011.**
- 2. PRIOR TO FINAL VILLAGE COUNCIL CONSIDERATION, A MYLAR COPY OF THE FINAL PLAT OF VACATION INDICATING A 53-FOOT PUBLIC DRAINAGE, UTILITY AND UTILITY ACCESS EASEMENT ALONG THE ENTIRE LENGTH AND WIDTH OF THE RIGHT OF WAY TO BE VACATED.**
- 3. PRIOR TO EXECUTION OF THE PLAT, THE PETITIONERS SHALL PAY A TOTAL OF \$15,527.23.**

SECONDED BY MRS. RABATAH.

ROLL CALL:

AYE: MR. MATEJCZYK, MRS. RABATAH, MR. BEGGS, MR. COZZO, MR. QUIRK, MR. WAECHTLER, VICE CHAIRMAN WEBSTER

NAY: NONE

MOTION CARRIED. VOTE: 7-0

File PC-13-11 A petition seeking a Final Planned Development Amendment to P.D. #31 Esplanade for the construction of a five-story office building for a medical and dental clinic and a six-level parking garage on the property located on Lacey Road approximately 230 feet south of the intersection of Lacey Road and Woodcreek Drive, commonly known as 3450 Lacey Road, Downers Grove, IL (PINs 06-31-103-007 and 05-36-200-011); Midwestern University, Petitioner and Owner.

Vice Chairman Webster swore in those individuals who would be speaking on File PC-13-11.

Mr. Popovich, Village Planner, summarized that the petition is for a Final Planned Development Amendment to Planned Development #31, Esplanade at Locust Point, for the construction of Midwestern University's five-story medical and dental teaching clinic and a six-level parking garage at 3450 Lacey Road. Mr. Popovich noted the petitioner's preliminary proposal was reviewed by the Plan Commission at their December 6, 2010 meeting and subsequently received Preliminary Planned Development approval from the Village Council in late December 2010.

Mr. Popovich reviewed the existing zoning on the property and noted tonight's approval was for the portion of the development on the central and eastern side of the overall site. Mr. Popovich reviewed the site layout and noted the clinic building will house classrooms, laboratories, clinic spaces, exam rooms and office. The exterior will be clad with precast concrete panels, face brick, blue-tinted windows. A mechanical penthouse will be located on the roof. The main building entrance will be on the west façade while a service drive and entrance are located in the basement on the south side of the building. Mr. Popovich noted the slight differences in the site plan from the previous December submittal and how the current clinic building proposal complies with the Zoning Ordinance are shown in the staff report.

Mr. Popovich reviewed the six level parking garage next. He noted all six-levels will be above grade, the garage and stair towers will be clad with sandblast textured concrete panels and blue-tinted windows. All vehicular access will now be from the east façade, as opposed to the north and east in the December submittal. Mr. Popovich noted the slight differences in the site plan from the previous December submittal and how the current parking proposal complies with the Zoning Ordinance are shown in the staff report.

It was staff's belief that the proposal complies with the Future Land Use Plan and the Village's Zoning Ordinance.

Mr. Popovich noted the petitioner is proposing two entrances from Woodcreek Drive, the existing entrance adjacent to the day care site and a new western entrance. He noted the existing drive will be improved to include two exit lanes and a single entrance lane. The western drive will be used as the construction entrance and will remain in place after construction is complete. Mr. Popovich noted the construction entrance was a point of concern during the December approval process and the western construction entrance addresses this concern.

Mr. Popovich noted an east-west boulevard connects the two Woodcreek Drive entrances and provides access to the parking garage, circle drive and service drive. Mr. Popovich noted the service drive on the south side of the building would be open only to service and emergency vehicles and will be gated or fenced to prohibit other vehicles from entering the area. He noted the service drive exits onto Lacey Road and will be designed to ensure that it does not appear as an entrance for vehicles traveling south on Lacey Road. Mr. Popovich stated an existing raised landscape median within Lacey Road will prohibit exiting service and emergency vehicles from turning left (north) onto Lacey Road. It will also prohibit northbound traffic from attempting to enter the drive as well.

Per staff's request back in 2010, the petitioner completed a comprehensive traffic study.

Mr. Popovich noted the study examined circulation based on the existing day care, the proposed Midwestern developments and the ASGE development. The study found all four intersections surrounding the site would operate at acceptable levels of service and the surrounding streets have sufficient capacity for the anticipated traffic. Mr. Popovich noted the study recommends back-to-back turn lanes on Woodcreek Drive, a widened exit drive adjacent to the day care, and the service drive exit to be designed to discourage illegal entry to the service drive. Staff concurs with those recommendations.

Continuing, the stormwater overland flow routes and storm sewers have been modified since the December approval, so the Village's previous concern about storm water flow pinch points has been

addressed with rain gardens and retaining ponds. The proposal will meet the Village's Stormwater Ordinance and Best Management Practice requirements.

Mr. Popovich pointed out the proposed sidewalk from the clinic to the Lacey Road sidewalk. The trash enclosure was previously located in the front yard but has now been moved further west in the service area. Mr. Popovich noted the new utility services and that conceptual approval from the Downers Grove Sanitary District has been granted. Regarding concerns from the public safety agencies as to providing access to two sides of the building, the petition provides access on three sides of the building (north side, circle access drive, and the south side). All lanes have been designed appropriately for emergency equipment access and both the clinic and parking garage will have a manual and automatic detection system and an automatic sprinkler system.

Per the Forest Preserve's concerns regarding non-native plantings becoming invasive, staff agrees with the Forest Preserve and agreed that the plans should reflect more native plantings.

No other public comment was received by staff regarding this project. Staff believed the proposal was substantially similar to the preliminary approval previously granted in December 2010 and believed the standards for planned development approval were met along with the village's bulk requirements and Zoning Ordinance. Overall, staff believed the proposal was "in harmony" with other developments in the Esplanade and would not impede other developments in the area. Staff recommended the Plan Commission forward a positive recommendation to the Village Council with the conditions listed on page 7 of staff's report.

Asked if the Forest Preserve recommended any types of non-native plant species or limiting them, Mr. Popovich believed the Forest Preserve did not recommend that the petitioner completely not use any non-native but were more concerned about those that can become invasive. He referenced the list that was provided by the Forest Preserve. Mr. Beggs noticed that there was a discrepancy of what was being recommended by the Forest Preserve and to what was being proposed. He believed consistency in discussing invasive plants was necessary.

Mr. Beggs shared his concerns about the topography of southbound Lacey Road, just to the north of the intersection of Woodcreek Drive, and asked whether the traffic study addressed the service trucks exiting south from the driveway, given the curve and hill and the speed of traffic. Mr. Popovich stated the traffic study did not address the topography issue at that intersection and the traffic consultant did not appear concerned about it due to the infrequency trucks would be exiting the service drive. He believed enough distance existed to see a truck exiting. Mr. Waechtler shared the same concern and mentioned the addition of signage to warn motorists about construction trucks or general traffic entering/exiting that drive. Mr. Popovich, however, clarified that there would be no construction trucks entering/exiting on Lacey Road because construction traffic would only be using the northwest construction entrance. Also, if vehicles exiting the site on Lacey Road did become an issue, Mr. Popovich and Mr. O'Brien agreed that the Traffic and Parking Commission would address it through a site/distance analysis, if this commission desired.

Mr. Popovich confirmed the village's traffic engineer did review the traffic study but he did have some initial concerns about the traffic counts being done in December, i.e., holiday traffic. More recently, the study was amended in April and the village's traffic engineer was fine with the findings in the addendum traffic study. On Page 2 of the traffic study, Mr. Waechtler pointed out that his understanding was that the village's unposted speed limit was 25 MPH and not 30 MPH, as

stated in the traffic study. Mr. Popovich was not sure. Mr. Waechtler further inquired about the various acronyms being used relating to traffic levels of service.

Per Mr. Cozzo's question regarding the first entrance off of Woodcreek Drive having a raised median (north end of the site), Mr. Popovich believed the raised median would not extend far and there would be the ability to turn into the daycare facility. Mr. Cozzo asked if it would be desirable not to have a left turn lane into the driveway at that point and direct traffic to the daycare center to the south drive. Mr. Popovich stated that was the intention, with the idea that cars exit from the northern entrance. He would have to confirm in the plans where the median ended. Regarding the one-way in and one-way access to the parking garage and the circle drop off area, staff was comfortable with the design of the internal roadway system, and reminded Mr. Cozzo that the Fire Prevention Division did review the plans and was fine with them. Mr. Cozzo also confirmed with staff that there was a raised landscaped median between the north- and south-bound traffic on Lacey which would prohibit a left turn into the other access drive. Mr. O'Brien explained for Mr. Cozzo that emergency vehicles would only enter from the western or eastern entry drive off of Woodcreek. Mr. Cozzo voiced concern that if there was an obstruction at the service entry, how would emergency vehicles get into the site? Mr. Matejczyk also shared his concern on this point.

Petitioner, Dr. Kathleen Goepfinger, President and CEO, with Midwestern University, recalled the commissioners' discussion in December 2010, and she recalled the commissioners were concerned about traffic, and to meet commissioners' request, a second drive was added to provide better traffic flow to leave the site. As to the median near the daycare facility, it was provided to direct families into one entrance and out the other. She mentioned that Midwestern has had discussions with the daycare about that arrangement and there were supportive. Additionally, she stated that if ASGE needed entrance/exit access, she wanted to be able to accommodate them. She was available to answer questions.

Regarding an earlier question about explosives on site, Dr. Goepfinger clarified there was a limited number of oxygen tanks on the site but no explosive materials or compounds.

Mr. Beggs brought up the invasive plants discussion and, after looking at the list herself, Dr. Goepfinger admitted she would take the question to her landscape architect and be open to any modifications the commissioners suggest.

Because the traffic consultant was not present, Mr. O'Brien provided an explanation of the traffic levels of service for Mr. Waechtler. Mr. Waechtler asked staff to confirm the regulatory speed limit for the village. Mr. O'Brien concurred. In general, Mr. Waechtler agreed with Mr. Matejczyk in that the proposal was designed well and it was a good addition to the community.

Vice Chairman Webster asked to point out the exact location of the trash enclosure and the nearby retaining walls, wherein Dr. Goepfinger pointed them out on the overhead, noting the enclosure would be hidden with vegetation for screening purposes and the bottom of the retaining wall would be nine feet below Lacey. The top of the retaining wall would be six feet high. Mr. Popovich further explained how the enclosure would be situated lower than the grade and unless a person was looking specifically for the trash enclosure, it would not be seen from Lacey Road.

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On the site plan, staff clarified it made the recommendation that the northern part of the driveway be increased from 18 feet to 20 feet to meet the village's standard to allow for fire truck access. The petitioner was fine with staff's recommendation.

Vice Chairman Webster opened up the petition for public comment. No public comment. Public comment was closed. A motion was entertained.

WITH RESPECT TO FILE PC-13-11, MR. BEGGS MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSTIVE RECOMMENDATION TO THE VILLAGE COUNCIL, AND INCLUDE STAFF'S RECOMMENDATIONS ON PAGE 7 OF ITS STAFF REPORT. SECONED BY MR. MATEJCZYK.

ROLL CALL:

AYE: MR. BEGGS, MR. MATEJCZYK, MR. COZZO, MR. QUIRK, MRS. RABATAH, MR. WAECHTLER, VICE CHAIRMAN WEBSTER

NAY: NONE

MOTION CARRIED. VOTE: 7-0

File PC-17-10 (continued from April 4, 2011) The purpose of the request is to consider the draft Downers Grove Comprehensive Plan, which, if adopted will become the official plan for the Village as required by Section 1.12 of the Municipal Code. The proposed comprehensive plan will replace the 1965 Comprehensive Plan; Village of Downers Grove, Petitioner.

Mr. O'Brien drew commissioners' attention to the draft comprehensive plan, noting it contained the changes from last month. The only outstanding item that was not included was the drawing for the Butterfield Road catalyst sites, which Mr. Lavigne provided tonight. Staff indicated that if there were no other comments from the commissioners staff recommended taking final comments from the public.

Commissioners had no specific comments as to the document content.

Vice Chairman Webster reconvened File PC-17-10 for public comment and swore in those individuals who would be speaking.

Ms. Marge Earl, 4720 Florence, Downers Grove, discussed the hard work that went into the document. She noted that the process allowed for a great deal of public input. She noted that input was received from the public, the Comprehensive Planning Commission, TCD 3 participants and the Plan Commission. She encouraged the commissioners to support the document when it comes before the Village Council and to let them know that "the document is a good document."

Mr. Waechtler also agreed much work and good thought went into the document.

Mr. Matejczyk concurred. and stated he was impressed with the document. He went on to state that he was more impressed with the process that went into creating the document, which was a credit to the Village.

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Vice Chairman Webster entertained a motion.

WITH RESPECT TO FILE PC 17-10, MRS. RABATAH MADE A MOTION THAT THE PLAN COMMISSION FORWARD A POSITIVE RECOMMENDATION TO THE VILLAGE COUNCIL AND ADOPT THE COMPREHENSIVE PLAN, AS PRESENTED. SECONDED BY MR. COZZO. ROLL CALL:

AYE: MRS. RABATAH, MR. COZZO, MR. BEGGS, MR. MATEJCZYK, MR. QUIRK, MR. WAECHTLER, VICE CHAIRMAN WEBSTER

NAY: NONE

MOTION CARRIED. VOTE: 7-0

As to next steps, Mr. Dabareiner stated that the document may possibly move to a standing committee prior to the Village Council meeting in order to review the material in depth.

Mr. O'Brien informed the commissioners that the next meeting will be May 23rd with three items on the agenda. A discussion ensued regarding whether those items could be combined with the June 6th meeting. Staff noted that the public hearing notices had already been published but that no additional second meetings were scheduled for the remainder of the year.

THE MEETING WAS ADJOURNED AT 8:50 P.M. ON MOTION BY MR. BEGGS, SECONDED BY MRS. RABATAH. MOTION CARRIED UNANIMOUSLY BY VOICE VOTE OF 7-0.

/s/ Celeste K. Weilandt

Celeste K. Weilandt

(As transcribed by MP-3 audio)