

MINUTES
REGULAR PLAN COMMISSION MEETING
October 22, 2020

Call to Order and Roll Call

The meeting was called to order at 7:01 p.m. by Chairperson Mary Loch, who explained the Commission's role in the review process, and enumerated methods used to notify the public of the evening's hearing. She presented procedures for conducting the meeting remotely due to the Covid-19 pandemic, outlining the approach using the Zoom platform, including how public input would be accommodated.

Chairperson Loch introduced meeting participants Village Community Development Director, Staci Springer, Village Planners ,Kelly Purvis and Katie Ashbaugh, and Recording Secretary Barbara Dutton.

Roll call was taken. Present: Chairperson Loch, and Plan Commissioners Lloyd Berry, Angela Fanella, Tracy Heming-Littwin and John Mulherin, Mohammed Saeed and Jamie Vondruska. Absent: Plan Commissioners Laura Brown and David Rodemann.

Adoption of Emergency Allowance of Remote Participation by the Plan Commission

A motion to allow remote participation in the meeting was made by Commissioner Heming-Littwin, and seconded by Commissioner Mulherin. The motion carried with seven (7) yes votes and zero (0) no votes as follows: Commissioners Heming-Littwin, Mulherin, Berry, Fanella, Saeed and Vondruska and Chairperson Loch voted "yes."

Public Comment Non-Agenda Items

There was no public comment pertaining to non-agenda items.

Approval of September 10, 2020 Plan Commission Meeting Minutes

Commissioner Heming-Littwin moved to approve the draft minutes of the September 10, 2020 Regular Plan Commission meeting; seconded by Commissioner Mulherin, the motion carried with seven (7) yes votes and zero (0) no votes as follows: Commissioners Heming-Littwin, Mulherin, Berry, Fanella, Saeed and Vondruska and Chairperson Loch voted "yes."

Public Hearing - Zoning Map Amendment for Certain Property in the Glen Oak Industrial Park

A motion to open the Public Hearing to consider a Zoning Map Amendment for Certain Property in the Glen Oak Industrial Park was made and seconded by Commissioners Heming-Littwin and Saeed, respectively. The motion carried with six (7) yes votes and zero (0) no votes as follows: Commissioners Heming-Littwin, Saeed, Berry, Fanella, Mulherin and Vondruska and Chairperson Loch voted "yes."

Staff Introduction

After being sworn in, Kelly Purvis, Village Planner, Village of Glen Ellyn, 535 Duane Street, explained that the petitioners, Elliot & Elliot LLC, Phillips & Johnston Inc., and Glen Hill LLC, were requesting approval of a Zoning Map Amendment to zone the subject properties I1 Light Industrial District upon annexation to

the Village. The properties, which comprise approximately 7.59 acres of land along Hill Avenue, are currently zoned I-1 Light Industrial District in unincorporated DuPage County, are generally located on the south side of Hill Avenue, west of I-355 and east of Walnut Road. Proper notification of this Public Hearing was issued, she noted, going on to describe the surrounding land use and zoning: Village I1, conservation-recreation in the Village, and County R4, an unincorporated county residential district.

Referencing the Comprehensive Plan's specification to maintain a "light industry" designation for the subject property, Planner Purvis also noted a Commercial Area Policy specifying that the Village should "maintain the small cluster of business uses along Hill Avenue as a limited light industrial area" and "explore the possibility of annexing nearby unincorporated commercial and business areas." She noted, it is also designated as a potential development area.

Planner Purvis related that a utility extension project along Hill Avenue is forthcoming, so an annexation agreement has been negotiated with the subject property owners, and a zoning designation must be determined. Four residential lots will be incorporated as part of the annexation. The Plan Commission, she advised, should consider and make a recommendation to the Village Board regarding which zoning district the Commission finds most appropriate for the subject properties. The body should consider criteria from Section 10-10-13 in granting an approval for a Zoning Map Amendment.

Commissioner Berry asked whether Planner Purvis would be going through the various industrial designations available, to which she responded that light industrial district is the only industrial zoning designation, and that is the district staff is recommending. She noted it is the closest match to the properties' current zoning – to avoid non-conforming conditions being created upon annexation.

Commissioner Mulherin asked if the property would be fundamentally conforming, to which Planner Purvis responded that it is not, but that the petitioners did not want to request variations or special uses at this time. Therefore, the property would come into the Village as non-conforming. She added that although there are some non-conforming conditions, the properties could remain as they are and that if the owners want to make significant structural changes they would need to seek relief.

Petitioner's Presentation

After being sworn in, Petitioner Robert Elliot, 1650 Wilmette Street, Wheaton, Ill., complimented Planner Purvis in presenting the synopsis, and referred the Commission to the written application for further evidence.

Also sworn in for the Petitioner was Kevin Carrara, Attorney with Rathje Woodward, 300 E. Roosevelt Road, Wheaton, Ill.

Commissioner Questions

Commissioner Berry asked whether plans were to leave existing structures in place and operating in their current condition, and was given an affirmative answer by Petitioner Elliot.

Public Comment

Planner Purvis read the following received written comment into the record:

Kevin Stough, Land Preservation Manager, Forest Preserve District of DuPage County, 35580 Naperville Road, Wheaton, IL 60187: *"Chairperson Loch: The Forest Preserve District of DuPage County recently received a Notice of Public Hearing regarding a petition by Elliot & Elliot, LLC, Philips & Johnson, Inc., and Glen Hill, LLC requesting a zoning map amendment for the aforementioned properties upon their annexation to the Village. We appreciate receiving timely notification of such requests that may have an impact on District property and thank you for the opportunity to comment.*

District Staff has reviewed the information provided and does not have any comments. Please do not hesitate to call."

Commissioner Mulherin moved to close the Public Hearing; seconded by Commissioner Heming-Littwin, the motion carried with seven (7) yes votes and zero (0) no votes as follows: Plan Commissioners Heming-Littwin, Mulherin, Berry, Fanella, Saeed and Vondruska and Chairperson Loch voted "yes."

Commissioner Discussion

Commissioner Mulherin stated that in his long-time residency in the area, he passed the site many times and always wished it was in the Village limits. He considers the annexation a "win-win," and endorses Mr. Elliot, who he holds in high esteem, and thereby strongly supports the application.

Commissioner Heming-Littwin moved for the following:

After conducting a public hearing and deliberating on the appropriate zoning classification to apply to the properties at 21W201 Hill Avenue, 21W203 Hill Avenue, 21W211 Hill Avenue, 21W167 Hill Avenue, 21W165 Hill Avenue, 21W169 Hill Avenue, 21W161 Hill Avenue, 21W 159 Hill Avenue, 21W167 Hill Avenue, 21W155 Hill Avenue, 21W153 Hill Avenue, 21W151 Hill Avenue, 21W179 Hill Avenue, and 21W171 Hill Avenue, the Plan Commission hereby recommends I1 Light Industrial zoning for the properties in accordance with Section 10-10-13(E) of the Zoning Code based on the findings of fact attached to the Staff Report, dated October 7, 2020, and discussed at the Plan Commission public hearing on October 22, 2020, and a copy of which will be attached to the minutes of this meeting and kept on file as part of the permanent records of the Village (Findings Attached).

Seconded by Commissioner Saeed, the motion carried by roll call vote with four (7) yes votes and zero (0) no vote as follows: Plan Commissioners Heming-Littwin, Saeed, Berry, Fanella, Mulherin and Vondruska and Chairperson Loch voted "yes."

Public Hearing - 21W536 Acorn Avenue & 0N282 Cumnor Avenue – Minor Subdivision with Subdivision Code and Zoning Code Variations

A motion to open the Public Hearing for a Minor Subdivision with Subdivision Code and Zoning Code Variations for 21W536 Acorn Avenue & 0N282 Cumnor Avenue was made and seconded by Commissioners Heming-Littwin and Mulherin, respectively. The motion carried with seven (7) yes votes and zero (0) no votes as follows: Commissioners Heming-Littwin, Mulherin, Berry, Fanella, Saeed and Vondruska and Chairperson Loch voted "yes."

Staff Introduction

Village Planner Purvis, Village of Glen Ellyn, 535 Duane Street, Glen Ellyn, was once again sworn in.

Planner Purvis stated that the petitioners – David and Sandra Crane, owners of the property at 21W536 Acorn Avenue, and Dennis Anest and Susan Nies, owners of the property at 0N282 Cumnor Avenue – have submitted applications for a Minor Subdivision with Subdivision Code and Zoning Code Variations. In order for the property to be resubdivided as proposed, the petitioners will need to receive approval of a Final Plat of Subdivision (minor subdivision) with variations from the Subdivision Code to allow the creation of a flag lot, and to not install street lights and sidewalks, and to not bury utility lines or plant trees, as well as a variation from the Glen Ellyn Zoning Code to allow a lot width of 20 feet for Lot 2 in the proposed subdivision. The minor subdivision will result in the creation of one new lot for a total of three.

She explained that, aside from the aforementioned approvals that are before the Plan Commission for consideration, the Petitioners are seeking approval from the Village Board for annexation agreements, petitions for annexation, a right-of-way vacation and a sidewalk waiver. She reviewed the review process and history of the project to date, and listed the means of public notice employed in support of this evening's hearing.

Planner Purvis described the surrounding zoning and land uses adjacent to the subject properties, which lie just east of the Enclave subdivision and are zoned R4 in unincorporated DuPage County. Besides County and Village residential zoning, other proximate land uses are conservation recreation. She related that meetings with neighborhood residents have been held over the years to discuss incorporation. Water and sewer was extended from Hill Avenue up Cumnor and Fairway Street to accommodate the Enclave subdivision, Planner Purvis related, and the Village has decided to install water and sewer service on Cumnor Avenue north to Acorn Avenue.

Planner Purvis displayed images from the final plat of subdivision depicting the proposed subdivision, which upon incorporation calls for the vacation of a portion of land that will become Village right of way (ROW). The ROW would become part of the new "Lot 2" created when the two existing lots combined with the ROW are resubdivided into three lots. The proposed resubdivision would render Lot 2 as "flag lot" with limited frontage, hence the requested lot-width variation. Public Works suggested that incorporating a shared, private driveway would relieve the owners of having to meet Village roadway standards as part of the subdivision. Staff has reviewed a shared driveway agreement that would run with the property. Lot 2, she noted, would contain an existing pedestrian easement that connects Acorn Avenue with a path to Whittier Avenue.

Planner Purvis stated that staff is supportive of the proposed subdivision configuration and also supportive of the variations required for the subdivision. She noted that the subdivision includes two existing lots with existing homes and only creates one new lot. Additionally, the surrounding neighborhood is established and does not have sidewalks, streetlights, parkway trees planted 40 foot on center, or undergrounded utilities. Planner Purvis provided that the variations requested would not be out of character with the neighborhood, but would be in-keeping with the more rural streetscape.

Planner Purvis also noted that there were a number of items listed in the staff report that were not requested of the petitioners. She noted that the subdivision Code is written to address typical subdivisions which generally include construction of some sort. She stated, in this case, the property owners are simply shifting lot lines to create one new lot. Planner Purvis indicated that staff provided a

reason for each omission in the packet provided for the meeting. She gave the Plan Commission the opportunity to request additional information or to ask any questions about the submittals that had not been provided.

Commissioner Fanella asked what would happen to the pedestrian easement if the property were to be developed. Planner Purvis indicated that the easement would run with the property, and that it would be maintained by the Village in perpetuity. Commissioner Fanella then asked if a driveway could be constructed on the easement, to which Purvis said she believed it needs to remain a woodchip path, at least along the west property line. Commissioner Fanella asked if the Petitioners were fine with that Plan; Planner Purvis responded that they were, and provided some clarification on the delineation of the path and space envisioned for a driveway, the latter of which she expected would be used by pedestrians. The path, she noted, is already used, although is not clearly defined in anyway.

Commissioner Berry asked for clarification on ownership of the existing driveway and maintenance and potential replacement of it; Planner Purvis pointed to a shared driveway easement that would govern Lots 2 and 3, and stated that maintenance and potential replacement costs would be borne by the two owners. Chairperson Loch asked why in the plat of survey being displayed no buildings were depicted on Lot 3 (as there is a house there). Planner Purvis wasn't sure, but thought that it might be because she'd had questions about Lot 1's setbacks, and in response to her query the surveyor had included a building image in the illustration of that lot. She noted, both Lot 1 and Lot 3 have existing homes on the lots.

Petitioner's Presentation

Sworn in was Petitioner Dennis Anest, 0N282 Cumnor Avenue, Glen Ellyn, Ill., who thanked Village staff and expressed appreciation for the utilities being installed currently. He explained that the pedestrian easement is a woodchip path, and that the shared driveway will be maintained by the current owners of the property and Lot 2. He noted that they would also be responsible for snow removal, and that there would be no Village maintenance or liability for the shared driveway.

Petitioner Sandra Crane, 21W536 Acorn Avenue, Glen Ellyn, Ill., was sworn in. She did not have anything further to add.

Commissioner Questions

Commissioner Heming-Littwin asked when, once the property was split, how soon the owners would try to sell or develop the third lot. While Mr. Anest indicated "as soon as possible," Ms. Crane said it would probably be considered in the next year to two. Commissioner Heming-Littwin asked if the newly created lot would be jointly owned by the two parties until it is sold or developed, receiving an affirmative answer from the Petitioners. Commissioner Heming-Littwin asked if utilities would be run down the shared driveway; Planner Purvis responded, "yes."

Public Comment

There was no public comment.

Commissioner Heming-Littwin moved to close the Public Hearing; seconded by Commissioner Vondruska, the motion carried with seven (7) yes votes and zero (0) no votes as follows: Plan

Commissioners Heming-Littwin, Vondruska, Berry, Fanella, Mulherin, Saeed and Chairperson Loch voted “yes.”

Commissioner Discussion

Commissioner Heming-Littwin expressed that she was generally okay with the subdivision proposed, but hoped that a redevelopment would not have a bunch of variances. Planner Purvis explained that any variances sought would have to undergo review by the Zoning Board of appeals to be approved.

Commissioner Heming-Littwin wondered if a paved pedestrian path might be a good idea. Development Director Springer suggested to Planner Purvis that she should check the easement agreement to see if there was a clause allowing the Village to change the path surface, and thought it a good idea to consider for the connection gap between the pedestrian easement and a potential driveway.

Commissioner Heming-Littwin wondered if a house could be built close up to the easement.

Commissioner Vondruska thought a new owner would be aware of the easement issue would have to decide where they would want to build. Commissioner Fanella concurred.

Referencing waiving the undergrounding, Chairperson Loch asked if a new owner building on the lot would be required to bury utilities. Planner Purvis said the requirement doesn’t apply to a single-family homes. Director Springer interjected that undergrounding wouldn’t be required for existing services, only proposed services.

Planner Purvis advised the Commission that it could attach conditions to an approval of the proposal under consideration. She suggested two potential conditions: the removal of accessory structures from Lot 2 prior to recordation of the plat, and developer donations be paid prior to the issuance of a building permit for a construction of a new home on the lot. Commissioner Heming-Littwin wondered if attaching a time frame for removal of buildings was in order, and if Commissioners agreed with the condition requiring developer donations prior to permit issuance. Commissioner Fanella asked what these structures were, to which Planner Purvis replied, a garden patch with a planter box, a retaining wall and a fence, among other items.

Commissioner Heming-Littwin moved to recommend approval of a minor subdivision with subdivision and zoning code variations, as such:

After conducting a public hearing and deliberating on the requests of David and Sandra Crane and Dennis Anest and Susan Nies, for a Minor Subdivision with Subdivision and Zoning Code Variations to allow the resubdivision of their properties located at 21W 536 Acorn Avenue and 0N282 Cumnor Avenue, the Plan Commission hereby recommends approval based on the findings of fact attached to the Staff Report, dated October 2, 2020, and discussed at the Plan Commission public hearing on October 22, 2020, a copy of which will be attached to the minutes of the meeting and kept on file as a permanent record of the Village.

The Plan Commission makes this recommendation of approval with the following conditions: Prior to recording the final plat of subdivision, all accessory structures must be removed on Lot 2; and payment of developer donations must be made prior to issuance of construction permits for a new home.

Seconded by Commissioner Mulherin, the motion passed by roll call vote with seven (7) yes votes and zero (0) no votes as follows: Plan Commissioners Heming-Littwin, Mulherin, Berry, Fanella, Saeed and Vondruska and Chairperson Loch voted “yes.”

Trustee’s Report

None.

Chairman’s Report

Chairperson Loch offered a reminder about the upcoming national, state and local elections on November 3, and a Civic Betterment Party election on November 14, and encouraged people to vote.

Staff Report

Planner Purvis stated that the streetscape mock-ups at Main and Crescent should be wrapping up, explaining that the effort was undertaken to discern community preference of new streetscape materials. An open house to present the draft Comprehensive Plan, she announced, has been scheduled for November 18. The event will be held in the Civic Center gymnasium, which will be set up to meet Covid-19 safety protocols. Advance registration is required to attend, but a remote presentation of the draft Comprehensive Plan will also be held at a later date. She added that, at this time, Plan Commission meetings will remain remote.

Village Planner Katie Ashbaugh said that Staff hopes the Glenwood Station development project for the McChesney-Miller site will be a topic before the Plan Commission at a Public Hearing on November 12th. She reported that Staff met with the Historic Preservation Commission Chair and the Glen Ellyn Historical Society Executive Director to get feedback on the project. Planner Ashbaugh also reported that Staff is targeting the Village Board making a final determination on the final PUD for the Main Street Pedway connecting the Civic Center parking garage to Main Street, so the subject could appear on an agenda as soon as the December 3 meeting. Planner Purvis said a public hearing concerning the draft Comprehensive Plan might be scheduled for late November or early December.

Commissioner Heming-Littwin asked for an update on the Apex and parking garage projects. Planner Purvis related that utility connections were currently being made for the Apex development, and that she thought the project was moving along. Planner Ashbaugh said the lower tier of the south-side wall of the parking garage was finished, that materials were being put in place, and that the contractor was ahead of schedule on the project. She added that masonry work has begun, and that the east entrance to the Civic Center was closed.

Other Business

None.

Adjournment

Following a motion to adjourn by Commissioner Heming-Littwin, seconded by Commissioner Mulherin, Chairperson Loch concluded the meeting at 8:37 p.m.

Respectfully submitted,

Barbara Dutton
Recording Secretary

Reviewed by,
Planner Purvis