Agenda
Village of Glen Ellyn
Plan Commission Meeting
Thursday, April 22, 2021
7:00 PM
Remote Meeting Via Zoom

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*This meeting will be conducted by video conference without a physically present quorum of the Glen Ellyn Plan Commission because of a disaster declaration related to COVID-19 and public health concerns affecting the Village of Glen Ellyn. The Chairperson of the Plan Commission has determined that an in-person meeting at the Civic Center is not practical or prudent because of the disaster. The Chairperson, Commissioners of the Plan Commission, Village Manager, and Village Attorney will not be physically present at the Civic Center because their attendance is unfeasible due to the disaster. Physical attendance at the Civic Center by the public is also not feasible because of the disaster.*

*Please click the link below to join the webinar:*

*https://us02web.zoom.us/j/89821775487?pwd=Q3dpS0V3ZU5KUUhJRU95NmFJV3U5QT09*

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*Or join by telephone:*

*Dial (for higher quality, dial a number based on your current location):*
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*Webinar ID: 898 2177 5487*
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**A. Call to Order**

**B. Chairperson's Statement of Remote Meeting Procedures**

**C. Allow Remote Participation of Plan Commission Members (roll call vote)**

**D. Public Comment (Non Agenda Items)**

**E. Approval of Draft Minutes**

1) Approval of Draft Minutes from the March 18, 2021 Special Plan Commission Meeting
2) Approval of Draft Minutes from the March 25, 2021 Regular Plan Commission Meeting

**F. New Business**

1) A Pre-Application to discuss the potential Minor Subdivision for the Property Located at 919 Ellynwood Avenue

2) A Public Hearing to consider a Zoning Text Amendment and a Special Use Permit to allow a co-working office with business events at the property located at 411 N. Main Street

3) A Public Hearing to consider a Zoning Variation to allow the removal of two parking stalls on the property located at 486 Pennsylvania Avenue to allow outdoor seating

**G. Other Business**

**H. Trustee's Report**

**I. Chairperson's Report**

**J. Staff Report**

**K. Adjournment**

**Glen Ellyn Plan Commission**
535 Duane Street
Glen Ellyn, IL 60137

Meeting 4/22/2021 7:00 PM
Department: Community Development
Department Head: Staci Springer
Category: Minutes
Prepared By: Katie Ashbaugh

**AGENDA ITEM (ID # 2021-1048)**

**DOC ID: 2021-1048**

# Approval of Draft Minutes from the March 18, 2021 Special Plan Commission Meeting

**Statement of the Issue:**
Please review attached draft minutes.

**Analysis:**
Please review attached draft minutes.

**Budget Impact:**
N/a.

**Action Requested:**
Please review attached draft minutes.

**Attachments:**

1. Draft Minutes of the March 18, 2021 Special Plan Commission Meeting

DRAFT MINUTES
SPECIAL PLAN COMMISSION MEETING
March 18, 2021

Call to Order and Roll Call

The meeting was called to order at 7:01 p.m. by Chairperson Mary Loch, who explained procedures – including provisions for public comment – for the evening's meeting which, due to the disaster declaration related to Covid-19 and public health concerns, is being conducted remotely by video conference. She described the Plan Commission's charge and operation, and introduced the meeting's topics, and participants Trustee Liaison Bill Enright, Community Development Director Staci Springer, Planning Manager Kelly Purvis and Recording Secretary Barbara Dutton.

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

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 passed with seven (7) yes votes and zero (0) no votes as follows: Commissioners Heming-Littwin, Mulherin, Berry, Brown, Fanella and Vondruska, and Chairperson Loch voted "yes."

Public Comment Non-Agenda Items

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

## Pre-Application Conference with Brick & Mortar for consideration of a co-working office and event space at 411 N. Main Street

Staff Introduction

Planning Manager Purvis described the potential co-working office space proposed by Brick & Mortar Managing Partners Andrew Nast and Adam Clabaugh as a renovation of the 411 N. Main building, which is on the east side of the street between Duane and Hillside. The subject property, zoned C5A, is in the heart of the retail core amid other such-zoned, mixed-use buildings, though a multi-family building is at the rear of the subject property, with some R2-zoned properties on the outskirts of the downtown. She stated that the Comprehensive Plan highlights this part of downtown as a pedestrian shopping area, and the Plan suggests the Village should "continue to improve and enhance the heart of downtown as a pedestrian-oriented shopping and business area." She also cited Downtown Strategic Plan language on the benefits of office uses, including providing opportunities "for residents to walk to work, having a daytime and early evening population base to eat in Downtown restaurants and shop in stores," and "infusing additional professional and medical offices and service businesses into the Downtown would increase employment and thus the demand for retail and other services." This Plan, she noted, stresses strategic positioning so as not to interrupt retail street corridors, and identifies as an appropriate

location “above or below first floor retail in a mixed use setting or a site that is on the periphery of the Downtown Core.” The subject property, said Planning Manager Purvis, is a 5,350SF mixed-use building containing apartments on the second floor and vacant restaurant space on the first floor.

Planning Manager Purvis stated that the Petitioners, who operate a facility in suburban Park Ridge, propose a co-working office space in a shared environment, with event accommodations as a secondary, but significant, use. At least one event a week, with an estimated attendance of 10-20 people, is anticipated. Holiday parties and networking functions are among those envisioned. The space, she said, is to feature such amenities as fiber-optic Wi-Fi and sit-stand desks, and could offer business people a place to bring clients. Members would have 24-7 access, with peak business hours from 10 a.m. and 3 p.m. (during which the Park Ridge location usually has 15-30 members onsite). Between one and three staff would be present between 8 a.m. and 8 p.m. The Park Ridge location reports 62 members, half of whom are monthly members; 60 percent of the members are drawn from a 20-minute radius. The member profile, she stated, is white-collar professionals in such fields as marketing and law.

No parking is required for the proposed use, continued Planning Manager Purvis, adding that larger events could be served by the Main Street and Civic Center garages. Because the Village Code does not currently allow event venues as a use, she said Staff suggests the petitioners request a Zoning Code Text Amendment to allow event venues in the C5A district. Special Use Permits would be needed for event venue use and for the co-working office use and, she continued, as would approval of the exterior appearance.

Commissioner Heming-Littwin asked if the Petitioner is looking to keep the apartments or to use the entire space for co-working. Planning Manager Purvis replied that Brick & Mortar is planning to renovate the entire building as co-working space. Noting that a building code review has not been performed, Community Development Manager Springer stated that using second-story, walk-up space for assembly uses might be difficult without elevators or a chair lift. Commissioner Vondruska asked whether the number of people permitted in a space would be defined in a text amendment. Planning Manager Purvis stated that the text amendment probably wouldn’t specify this, but that conditions could be attached to a Special Use for an event venue. Commissioner Mulherin asked, “Wouldn’t there be a maximum occupancy based on square footage?” Director Springer indicated that occupancy hasn’t been calculated for this space, but that it would be limited by the building’s limitations. Commissioner Heming Littwin asked if the Brick & Mortar enterprise would require a liquor license, and asked why the Petitioners would need “24-7” access. Responding that about 98 percent of business at the Park Ridge location is during normal business hours, Planning Manager Purvis advised asking the Petitioners about access.

Commissioner Fanella asked why, given that other businesses in town host special events, a Text Amendment and Special Use Permit consideration is being discussed for this proposal. The reason, explained Planning Manager Purvis, is because of the frequency of events anticipated and the activity’s significance in the business model. Director Springer elaborated that the guideline centers on the point at which Village believes that an accessory-type use becomes more of a majority or a certain percentage of the business. She cited examples of a concept for a café-banquet facility that didn’t materialize, and a former photo/art studio that went out of business after its owner faced having to cut back the volume of monthly space rentals that had become its main source of revenue, and which found the operation

"creeping" into a different use. A dollhouse product vendor, she recalled, ran summer camps and small birthday parties but mainly sold goods. Likewise, Fire & Wine occasionally rents out space, though rarely, remaining mostly a restaurant. Commissioner Mulherin thought a seminar or reception of 10 or 20 people would probably not be noticeable, but a party of 50, 60 or 100 people could spill out into the street or patio. Pointing out that there are a lot of residences in the area, he said determination of a hard, verifiable number is needed. Director Springer advised that, because business models can change, it might be desirable to impose limits. In Commissioner Vondruska's estimation, contemplated weekly events equating to networking gatherings would typically not pose a disturbance. Commissioner Brown asked what the Village decided about the hours for Enclave. Director Springer said that because the Plan Commission recommended denying a Special Use Permit, the project did not move forward. Staff met with the Petitioner to look at retail applications, she said, but as this was during the Covid-19 crisis, the effort was put on hold. Commissioner Brown sought clarification relative to 24-hour access to Enclave, to which Ms. Purvis replied that no limitation on hours has been imposed. Commissioner Heming-Littwin recalled their hours only going until 2 a.m. She added that, in her opinion, aspects aside from the retail requirement could be changed.

Petitioner's Presentation

Petitioner Andrew Nast gave a photographic tour of the Park Ridge location, which he said is the oldest building in town. He pointed out the electronic access point at the front entry, and stated that video surveillance is installed throughout the building. Other features he mentioned are a conference room, sound-proof phone booths, and kitchen accommodations. He stated that Brick & Mortar is looking to purchase the Glen Ellyn property and developing it to "have a similar vibe." Unlimited and partial monthly memberships, he indicated, as well as a $25 daily membership would also be available, and said that office space and dedicated desks could be reserved. Maintaining that most offices are, in general, accessible "24-7," though not marketed as such, Mr. Nast emphasized surveillance and electronic access as safety features, adding that Brick & Mortar sees a "valley" in usage from 6 p.m. to 7 a.m. He agreed with Commissioner Vondruska's assessment of the types of events envisioned, and offered as examples SEO seminars that have taken place, and bringing in, post-Covid, guest speakers for the community.

Petitioner Nast explained that in identifying Glen Ellyn as a place to expand, Brick & Mortar looked for demographics akin to Park Ridge, where, he said, the co-working facility has been well-received, and added that he is familiar with Glen Ellyn. He said that his favorite part of the experience heading Brick & Mortar is seeing members take pride in the facility and give tours. As to parking, he said members arrive by Metra, as well as drive, use ride sharing, and walk to the location. He added that members typically spend two to four hours at the facility. Mr. Clabaugh had no remarks to add to the presentation.

Commissioner Heming-Littwin inquired as to the maximum number of people allowed in the Park Ridge building, to which Mr. Nast said there are 60 seats. She then asked how Brick & Mortar has been managing Covid-19 restrictions, to which he stated that seating arrangement and mask protocols were in place. Commissioner Heming-Littwin asked if there were ever more than 30 members on the premises, to which Mr. Nast replied, "No," saying daily averages were 10-15. The Commissioner asked the nature of the access mechanism. Mr. Nast explained that an email-enabled phone app would prevent unauthorized admittance. Commissioner Berry asked if the app was similar to "Open Door," to

which Mr. Nast replied that it's called "Kisi." Commissioner Heming-Littwin asked how the Petitioner would feel about the local police department having access to go into the space at any time. Mr. Nast responded that that would be fine, and said that police personnel in Park Ridge were pleased to see the surveillance system (from which video is stored for 90 days). Commissioner Heming-Littwin asked how events are booked, whether events will be catered with food and drink, and how occupancy levels will be maintained. Nast stated that Brick & Mortar has so far done no such events – which aren't a "make or break" for its business model but offer an opportunity to partner with restaurants. He said Brick & Mortar has an event coordinator who will meet with clients and be present throughout the events. Commissioner Heming-Littwin asked if events would be allowed all days of the week including weekends. Mr. Nast replied that, depending on the type of event, he and his partner are open to Saturdays and Sundays. Chairperson Loch asked how Brick & Mortar would handle a request for an entertainment event. Mr. Nast said these have come up, but were turned down. He cited children's birthday party requests that were rejected. Commissioner Heming-Littwin asked whether for a two-story operation the Petitioner would be committed to installing an elevator for ADA compliance. Mr. Nast said he understands that, as long as the same type of event or "ongoings" can occur on the first floor as they would on the second floor (i.e., same spatial layout), an elevator would not be necessary, so that would be Brick & Mortar's goal.

Declaring that she would not be in favor of the proposed façade treatment – which she articulated doesn't fit the historic Main Street character – Commissioner Heming-Littwin said she anticipates an outcry from the community over a modern design treatment. (Planning Manager Purvis confirmed that the structure is in a listed historic district.) Mr. Nast indicated that Brick & Mortar is open to working with the community to achieve an acceptable design and that the rendering is only illustrative. Commissioner Heming-Littwin asked the Petitioner if he could commit to not looking to the Village for funds for renovation work. Mr. Nast asked if this was an option. Planning Manager Purvis explained that the Village does offer financial incentives for ADA compliance, fire sprinklers and façade improvements. Director Springer elaborated that funding is for elements that cannot be removed, and covers 50 percent of costs up to $30,000. Commissioner Heming-Littwin restated her question. Mr. Nast said Brick & Mortar would be looking for whatever is fair, and doesn't know why they would pass on that.

Commissioner Fanella asked if renting out the entire space was rare; Mr. Nast confirmed this to be the case, saying that Brick & Mortar would be "hard pressed" to close the entire space, out of consideration for members, who are making a commitment on a monthly basis. The Commissioner asked if renting space was restricted to members; Mr. Nast answered, "Not necessarily," adding that event booking, however, could not be done "blindly" (e.g., online). Chairperson Loch said the concept would make for a nice option for businesses that don't have their own spaces to meet. Commissioner Mulherin said he's aware of a need for such meeting space, and views the proposed concept as having potential. Commissioner Brown asked about mail-receiving services at the Park Ridge operation. Mr. Nast explained that mail receptacles separated from member-only space allow for "mail suite"-only clients.

<u>Commissioner Discussion</u>

Perceiving acceptance of the concept, Chairperson Loch asked how the Commission felt about having such a business on Main Street. Planning Manager Purvis related that the Petitioners are looking for a

building to buy, and nothing for sale in the C5B district where the proposed office use would be allowed by right. She mentioned a site off of Main in C5A, but said it doesn't fit the Petitioners' requirements.

Commissioner Heming-Littwin perceived the concept presented by Brick & Mortar as being different than Enclave's in that the focus of Brick & Mortar was co-sourcing work spot rather than serving as a co-working/social club. She did, however, say she struggles with the location, as the Village has been clear that first-floor C5A space has to contain retail or a restaurant. Because there is no retail component proposed, she is "on this fence." The concept, she said, sounds good for the downtown, but approving it could set a precedent. Citing past Commission action requiring businesses adhere to the code, she said she is torn. Commissioner Vondruska said the proposed use is a good one for the narrow building and that he isn't too worried about events. He said he'd leave Text Amendment and Special Use Permit determinations up to Staff. Observing that retail is on a steady decline, he said it would behoove the Village to be open minded about service businesses. Further, he expressed confidence that the architectural details could be worked out. Commissioner Mulherin said he understands Commissioner Heming-Littwin's point, but stated that the building "desperately needs complete renovation." He said the proposed use is unique and responds to a community need as expressed by the Library's decision to create 14 meeting rooms. He said he thinks it will make downtown retail more robust, and that he is impressed with the quality and features presented. He said he has no problem with the location, but agrees with Commissioner Heming-Littwin about the façade treatment. Commissioner Fanella voiced a need for such a space in the Village, and said she likes the façade concept. She said she'd like to see a final proposal before she commits to a decision, but that she isn't bothered by the location. She said she doesn't want to see a Special Use Permit for events to put undue burden on the Petitioner, which was not imposed on other businesses, but will defer to Staff on how best to move forward. She said she is impressed with a story the Petitioner told about accommodating a member who is a first responder. Commissioner Brown said the concept seems to be a good solution for a challenging space, and that she expects interest in the facility and appreciates the investment in the historic Park Ridge building. She said the Comprehensive Plan should probably be reevaluated to consider Commissioner Vondruska's point about retail vs. business use. Commissioner Berry said he expects a lot of people will be looking for such space. As to the exterior, he said he's not "a big white fan" but is "sure we can figure something out," and from that perspective "totally" embraces the concept. Commissioner Heming-Littwin suggested the Petitioners seek input from area business owners, who can be allies. Chairperson Loch pronounced the proposed project a "great idea that would help enhance the retail and restaurants on Main Street." She said she would like to see a "business hub" move forward, and while she expects pressure to try to make the façade blend in, she thinks the architecture on that side of the street needs updating. Commissioner Mulherin speculated that the word "events" evokes parties, but that the type of meetings described doesn't strike him as events. Director Springer said Staff might look at Park Ridge's Special Use, but that an office space at this site will still require Special Use. Commissioner Mulherin pointed to the dentist office below Bridge Communities as an exception to retail use on the first floor in the C5A district.

**<u>Consideration of the Draft Glen Ellyn Zoning Map of 2021</u>**

Planning Manager Purvis explained that by April 1st of each year municipalities are required (by State law) to adopt an official Zoning Map, which should reflect any annexations and zoning map amendments. She stated that this past year (2020) the Village has had six annexations, and two Zoning Map Amendments (which were in conjunction with annexation). She listed the annexations:

- Elliot Properties, an industrial area on Hill Avenue
- 623 Scott Avenue, a single-family residential property
- Cumnor/Acorn Residential Properties
- A piece of the Illinois Prairie Path
- 380 S. Milton Avenue, a single-family residential property
- 715 S. Park Boulevard, a single-family residential lot

A motion to accept the Glen Ellyn Zoning Map as presented for 2021 was made by Commissioner Heming-Littwin, and seconded by Commissioner Fanella. The motion carried with seven (7) yes votes and zero (0) no votes as follows: Commissioners Heming-Littwin, Fanella, Berry, Brown, Mulherin and Vondruska, and Chairperson Loch voted "yes."

Trustee's Report

Liaison Enright had nothing new to report.

Chairman's Report

Chairperson Loch asked if anyone recognized reference she made earlier to a film ("Cool Hand Luke").

Staff Report

Planning Manager Purvis said the agenda for the March 25, 2021 Plan Commission meeting will include Zoning Code amendments for the C5A and C5B districts to amend setback requirements for commercial properties next to properties used for residential purposes, and to consider removing single-family dwelling units from the C5B District.

She also noted that applications for the Associate Planner position close tomorrow. Commissioner Heming-Littwin asked what's in the two-unit strip commercial mall on Pennsylvania where a cleaner and a "pack & ship" had been. Planning Manager Purvis said an office and a private gym. Director Springer reported that the Civic Center Parking Garage and Pedway should be open by May 1, and that the easement agreements with the owner of the Sushi Ukai building and the owner of the Fire & Wine/Katie's building were obtained. Commissioner Heming-Littwin asked the status of the Apex 400 apartment building project. Director Springer replied that the crane was to be installed today, and that once it's assembled the job will start accepting pre-cast deliveries, impacting traffic on Main and Hillside – the latter of which will have a portion closed for a time – and that she expects part of the project's garage to be open for public use in July. Though the tent isn't going up on Main Street this year, restaurants are finding ways to do outdoor seating, she said, adding that the streetscape project has been delayed. Replying to a query from Commissioner Heming-Littwin about the Rue restaurant reopening after a fire earlier this year, Director Springer said a building permit is expected to be obtained soon. Commissioner Mulherin asked when the Avere project would be allowing occupancy; Director Springer said tenants started moving in in February, and that leasing continues.

Adjournment

Chairperson Loch adjourned the meeting at 8:37 p.m.

Respectfully submitted,

Barbara Dutton-Thomas
Recording Secretary

Reviewed by Planning Manager, Kelly Purvis

**Glen Ellyn Plan Commission**
535 Duane Street
Glen Ellyn, IL 60137

Meeting 4/22/2021 7:00 PM
Department: Community Development
Department Head: Staci Springer
Category: Minutes
Prepared By: Katie Ashbaugh

**AGENDA ITEM (ID # 2021-1049)**

**DOC ID: 2021-1049**

# Approval of Draft Minutes from the March 25, 2021 Regular Plan Commission Meeting

**Statement of the Issue:**
Please see the attached draft minutes.

**Analysis:**
Please see the attached draft minutes.

**Budget Impact:**
N/a.

**Action Requested:**
Please see the attached draft minutes.

**Attachments:**

1. Draft Minutes of the March 25, 2021 Regular Plan Commission Meeting

DRAFT MINUTES
PLAN COMMISSION MEETING
March 25, 2021

Call to Order and Roll Call

The meeting was called to order at 7:00 p.m. by Acting Chairperson Tracy Heming-Littwin, who outlined the Plan Commission's charge and operation, and described protocols for the evening's meeting, which, due to Covid-19 restrictions related to a disaster declaration and public health concerns, is being conducted remotely via teleconference. Chairperson Heming-Littwin outlined public participation procedures, and introduced meeting participants Village Trustee Liaison Bill Enright, Community Development Director Staci Springer, Planning Manager Kelly Purvis, Planner Katie Ashbaugh and Recording Secretary Barbara Dutton.

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

Adoption of Emergency Allowance of Remote Participation by the Plan Commission

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

Public Comment Non-Agenda Items

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

Approval of March 11, 2021 Plan Commission Meeting Minutes

Commissioner Mulherin moved to approve the draft minutes of the March 11, 2021 Plan Commission meeting; seconded by Commissioner Saeed. The motion passed with seven (7) yes votes and (0) no votes as follows: Commissioners Mulherin, Saeed, Brown, Fanella, Rodemann and Vondruska and Chairperson Heming-Littwin voted "yes."

**A Public Hearing to Consider Zoning Text Amendments to Section 10-4-17 (C5 Central Business Subdistricts) of the Zoning Code for Setback Requirements from Residential Uses and the Removal of Single-Family Dwellings as a Special Use**

A motion to open the Public Hearing to Consider Zoning Text Amendments to Section 10-4-17 (C5 Central Business Subdistricts) of the Zoning Code for Setback Requirements from Residential Uses and the Removal of Single-Family Dwellings as a Special Use was made and seconded by Commissioners Fanella and Vondruska, respectively. The motion passed with seven (7) yes votes and zero (0) no votes as follows: Commissioners Fanella, Vondruska, Brown, Rodemann and Saeed, and Chairperson Heming-Littwin voted "yes."

Staff Presentation – Part 1

Explaining that the Commission is to consider text amendments to Section 10-4-17 of the Zoning Code related to Setback Requirements and Single-Family homes as a Special Use, Planner Ashbaugh, stated that notice of the public hearing was published in the March 8, 2021 edition of the Daily Herald as required and that additional notice was mailed to 14 properties used as single-family homes in the C5B district. She began by showing a map showing the subject area – the entire C5 district, or "downtown", consisting of the C5A and C5B sub-districts. She said that generally two amendments were proposed: one to the setback requirements in the two districts for properties abutting residential uses and the other to remove single-family detached dwelling units as a Special Use in the C5B Central Service Sub-district.

She continued to show the map of both districts to show which districts to which the amendments to the setback language would apply. She said that currently in both sub-districts, there is a 20-foot setback requirement from interior side and rear lot lines that abut properties "zoned for residential use". She said that the staff had previously interpreted this to mean abutting single-family or other residential uses in residential districts, but in response to threatened litigation during the Civic Center Parking Garage project, Village counsel advised staff to apply this to properties with residential uses on them even if the property was in a commercial district. She said that this interpretation was then applied to the planned unit development application for 414 Pennsylvania, and that the Plan Commission then requested that staff clarify this language. She said the language as proposed explicitly states that a C5A or C5B property, when abutting a property in a residential district that is used for residential purposes, the 20-foot setback is required from interior side and rear lot lines. She then paused her presentation and requested any questions from the Plan Commission pertaining to these amendments specifically.

Commissioner Questions

Commissioner Rodemann asked if a lot is used for another use other than residential, if the development then on the central business district-zoned property would go down to zero. Recognizing exceptions (e.g., schools), he said part of him would rather see that extension of what that residential district requirement might be for a side yard imposed on that adjacent property to retain character, adding that he thought the 20 feet for the potentially affected lots is excessive. Planner Ashbaugh responded affirmatively.

Commissioner Fanella wondered if staff had thought about possibly writing the language so that it strictly applies to a commercial lot, on which one can build to the lot line, and there is no required setback even if it is adjacent to residential property. Planner Ashbaugh replied that she had not; the intent was to keep as much of the existing language intact, and not reduce or eliminate the 20-foot setback requirement. However, she continued, if the Commission would like to consider this – and if it's in a C5B or C5A District and against an R district, and not having a setback requirement or reducing the 20 feet – that the Commission can do so. She said that Staff was trying to tailor the amendment to get rid of the ambiguous "zoned for residential use" language that has created this issue. Commissioner Fanella advocated for simplicity for a commercial developer. Planner Ashbaugh said (periphery) residential properties sharing a lot line with property in the C5B District would have a 20-foot setback.

She said as an example that the Glenwood Station project (460 Crescent) had no rear yard or interior side year setback as it was adjacent to commercial properties and is right in the middle of the district. The C5B District, she indicated, is primarily affected, as properties in C5A are surrounded by mostly C5B properties. Development Director Springer stated that the Commission could change the setback for the commercial uses to either eliminate or reduce it and/or change the language allowing single-family uses as a Special Use or eliminate them from the District, as a separate consideration.

Commissioner Fanella asked, hypothetically, if she bought a C5B lot, which carries a parking requirement, is that parking part of the setback? Planner Ashbaugh explained that because of an impervious surface setback requirement (that is dependent on lot width), relief might be requested due to site planning challenges arising from a considerable amount of hardscape vs. narrow landscape beds at a zero lot line.

Commissioner Saeed asked for clarification on the 20-foot setback requirement. Planner Ashbaugh replied that if a project is being proposed on a C5B property adjacent to an R-zoned one that is used for residential, the setback would apply to the commercial property. To a request from Chairperson Heming-Littwin for clarification as to properties affected, Planner Ashbaugh pointed to the C5B properties shown touching highlighted residential properties on the map, saying the C5B properties are affected, and confirming that most of the residential properties depicted are already developed. Redevelopment of any of these properties not compliant with a previously approved PUD, she added, would necessitate the PUD process.

<u>Staff Presentation – Part 2</u>
Planner Ashbaugh resumed her presentation to explain the proposed amendment to remove single-family detached dwelling units from the C5B district list of Special Uses. She said that single-family homes are already not permitted in C5A by right or as a Special Use, but that they currently are allowed as Special Use Permit in C5B. The proposed amendment, she said, would remove single-family homes as a Special Use in C5B, thereby eliminating them entirely from the “downtown” or C5 districts. Citing Chapter 8, Title 10 of the Zoning Code, she said that if a property being used for a use no longer permitted or which has not been granted a Special Use ceases its current use for 180 days it can then no longer continue in that use. She added, in confirming the Chairperson’s understanding of this reference to non-compliance, that after six months of being unoccupied a house in C5B could only be used for a Special Use permitted in this district.

Director Springer asked what would happen if an owner of a property with a legal non-conforming use wished to make structural alterations to it or build, say, a shed. Planner Ashbaugh replied that she interprets Code as saying that an owner would be able to get an accessory structure but can’t expand the structure itself – as an owner can’t expand the non-conforming condition – without a variation. Planning Manager Purvis elaborated that such alteration would convert the property use into one that is no longer permitted in the District, and, that since a goal of the Zoning Code is to eventually eliminate non-conforming conditions, an owner isn’t permitted to make structural alterations to “extend the life” of that specific use, and to do so would need to be granted a variation. Director Springer displayed Code

section text (10-8-8) on "Special uses not non-conforming" and, acknowledging that a legal interpretation might be needed, said it appears that property owners might need a Special Use Permit for an enlargement or extension.

Commissioner Mulherin wondered if, currently, the owner of an existing single-family home in C5B who wanted to add a second floor and extend the building footprint (but not seeking a variation) could do so without administrative approval. Planner Ashbaugh said today owners of existing homes used as such and which have existed before the adoption of the list of Special Uses could request a Special Use (which governs bulk and use). Planning Manager Purvis said that if they had a Special Use that makes the house legal in the District, the answer is "Yes."

Commissioner Mulherin surmised that the text amendment would require a homeowner in C5B would have to file a petition and come before the Zoning Board for any change. Planning Manager Purvis said her understanding is that any action to extend the life of that use would need additional relief or Commission/Board approval.

Commissioner Mulherin concluded that, in reality, the market has a greater impact than regulations on the use. Expressing concern about amending text, he asked if the proposed change pertaining to use is an integral part of the change pertaining to the setback rule. Planning Manager Purvis answered that the Commission could take one amendment without the other.

Chairperson Heming-Littwin asked if the Commission could maintain the Special Use, to which Planning Manager Purvis, replied, "Absolutely." Director Springer reminded the Commission that these issues came up recently, and could be handled a number of ways.

Planner Katie Ashbaugh, Planning Manager Kelly Purvis, and Community Development Director Staci Springer, 535 Duane Street, Glen Ellyn, were sworn in, affirming the statements they made previously were true.

Public Comment

Sworn in, Pete Ladesic, 615 Scott Ave., Glen Ellyn, wondered if he misheard testimony, asked for clarification as to the length of time a non-conforming home remains vacant; he heard six months but read "90 days." Planning Manager Purvis stated that the limitation is 180 days. (Director Springer subsequently reiterated that she'd begun her explanation displaying the wrong section.) Mr. Ladesic said that even six months isn't an adequate length of time in a bad real estate market, and wondered if a caveat allowing for a six-month extension could be put into the adopted Code text. Mr. Ladesic asked if in the above scenario a property owner could get an extension. Director Springer said she would like to seek legal counsel on the point, but noted that Special Uses in Glen Ellyn expire.

Sworn in, Tom Martin, 450 Duane Street, Glen Ellyn, asked whether, if his neighbor, Tom Rose, was to get a buyer for "the adjacent property located at 454 Duane Street who wants to move into the single-family residence and purchase Mr. Martin's property to expand said buyer's residence, would be

allowed to expand. Planner Ashbaugh replied that since expanding the property would be expanding the use, doesn't think it would be possible. Mr. Martin asked if it would be possible before the proposed text change, to which Planner Ashbaugh replied, "Yes." Mr. Martin asserted the change would preclude him from selling his property so that a single-family residence could expand. Director Springer said this is correct. Mr. Martin concluded that the Village is taking away his right as a property owner in Glen Ellyn. Planner Ashbaugh said he could still request it, but would have to request the text amendment to add it back to the list of Special Uses in the C5B district and also the Special Use Permit. Planning Manager Purvis interjected that the issue came up partly from the granting of the Special Use to 454 Duane, which creates new setback requirements – a potential hardship – upon Mr. Martin's lot. She stated that, while a single-family dwelling unit would no longer be a Special Use in that District and thereby changes the ability for Mr. Martin to have that use on his lot it also opens up his property to be developed in other ways that would not be allowed if a single-family lots were still permitted next to his. Mr. Martin said this makes sense, but that a lot of businesses just like his around C5B that were not invited to this meeting. Director Springer responded that notice for Zoning Text Amendments is provided via newspaper, and in this case, Staff went above and beyond what is required by trying to identify single-family homes within the downtown zoning districts and notify them. Granted 20 seconds more to speak, Mr. Martin asked how many businesses like his were not invited. Director Springer stated that Staff followed State statute for notice. Planning Manager Purvis invited interested property owners to sit down to review how the proposed amendments could potentially impact their lots.

Steven Ruffalo, 358 Oak Street, Glen Ellyn was sworn in. He stated that he represents Patti Murray, 495 Western Avenue, who, he said, didn't get notice of tonight's Hearing. He noted that minutes of the Plan Commission's January 14 hearing indicate Ms. Murray provided testimony and reflects that her address is 620 Midway Park. Citing a 10-day notice requirement under Sec. 10-10-11 of the Zoning Code and, without waiving the notice defects, he said, based on his review of the Code, jurisdictionally, a text amendment requires an application be lodged with the Director of Department of Community Development under 10-10-13(C); only then can a decision can be made upon written findings of fact, which he said wasn't in the materials. He said there also must be statement of how the proposed amendment relates to the Comprehensive Plan or promotes the public health, safety and general welfare under Sec. 10-10-13(C)1. He maintained that these are important but weren't presented in the materials provided, and that if the zoning relative to the home in question, which exists as a C5B Special Use, is changed the property will become legal nonconforming, and no alterations or additions can be made without a variation, and if it's not occupied for 180 days or more would lose its non-conforming status and be rendered commercial only. Other restrictions exist, he stated, which affect the ability to restore non-conforming structures under 10-8-6(D) in the event of a fire or other casualty. He said the cottage is too small to be used as a business and the property lacks parking. He said approval of the proposed text amendment would be tantamount to a constructive condemnation of his client's property, causing her to go from having a well-defined basket of rights as a Special Use to being on the "hit list" as a legal non-conforming use, which, he said, translates into a meaningful diminution in value. He said that when Ms. Murray moved here, historic preservation and charming older homes were what Glen Ellyn stood for, and that she implores that the zoning stay as it is, and that the property text amendment be rejected.

Responding to the notice issue, Director Springer said the section Mr. Ruffalo cited pertains to single or multiple parcels, rather than a zoning change applicable to a much larger area. She said the Village could go back and notify everyone, but doesn't believe doing so was required. As the proposed amendment was initiated by the Village, she added, no application to the Director of Community Development is required.

A motion to close the Public Hearing made by Commissioner Mulherin, and seconded by Commissioner Saeed, passed with seven (7) yes votes and zero (0) no votes as follows: Commissioners Mulherin, Saeed, Brown, Fanella, Rodemann and Vondruska and Chairperson Heming-Littwin voted "yes."

Commissioner Discussion

Commissioner Fanella said she understands and has reservations about eliminating the Special Use and negatively affecting those property owners already in the Central Business District, however, wants to eliminate the issue that emerged with the Dr. Saylor property, so that the Village can commercially develop its Central Business District, so is not sure how to approach this. She said she'd be okay with keeping single-family homes as a Special Use, but is not comfortable with how the Code has been rewritten concerning the setback for the Central Business District, so would vote no on the entire proposal as it's written today. Planner Purvis stated that the Commission can tweak it.

Commissioner Fanella said she didn't think it should matter what a property touches, but rather how it's zoned, and that commercial lots should be allowed to build to the lot line. Director Springer stated that the Commission could change the language of the Code to say, a setback only applies if you are adjacent to an "R" district, and can lower it from 20 feet. She explained that zoning is set up to ensure protections for certain properties (e.g., residential that is next to a "more intensive" use), so setbacks are commons in such scenario. The wording of Glen Ellyn's Code, she said, emphasizes properties' zoning classification over use, which raises questions among Staff.

Commissioner Fanella stated she could be comfortable with a setback, but that a 20-foot one is too large. Commissioner Heming-Littwin asked for suggestions for suitable setbacks. Planner Purvis opined that it would be appropriate to keep some setback in the C5B District for properties next to residential property. Director Springer suggested 6.6 feet – consistent with residential – as a target.

Commissioner Vondruska, noting the house next to Dr. Saylor's property is in C5B, said so he was perplexed as to why it was even applied as residential. Regarding residential buffering, he said 20 feet offers homes a buffer, and asked if the buffer can be divided into rear yard vs. front yard or side yard. The cottage already has nonconforming use, he said, which is a little different than the existing residential properties all around the C5B District that could with a reduced setback be impacted by a large building built, or a garbage pick-up or service drive. Planning Manager Purvis said the proposed amendment clarifies that language, so those setbacks would no longer apply to a single-family lot in the C5 Districts, and that only lots in a residential district surrounding downtown would be affected if the Commission changes the degree of the setback requirement. For any single-family lot in C5B district, there would no longer be a requirement to provide that buffer, she continued, adding that commercial

development on a commercial lot adjacent to other commercial lots (whether a house or commercial building is on it) would not be required to provide setbacks.

Commissioner Rodemann said he thinks the Village needs to retain the 20-ft. setback or slightly reduced for commercial properties adjacent to residential districts, citing concerns about big parking enclosures or large walls. Buffer zones, he said, should have screening requirements: a big flat wall, landscaping; a parking lot, impervious surface; a strip adequate to support low shrubs. As far as non-conforming – or it's no more Special Use [for] single-family home properties – he said he doesn't think that the text as written will impact property owners that are commercial uses in residential homes currently as much as maybe thought, and that development opportunities are probably expanded because the Village is giving less restriction based on what is next to them. He added that he's concerned about getting rid of the setback entirely when it's up against a residential district that doesn't have a single-family home on it (e.g., church or school); he would kind of like to see that reduced but not to zero.

Chairperson Heming-Littwin asked for opinions regarding keeping single-family as a Special Use in C5B or removing it as a permitted use.

Commissioner Rodemann replied that he is okay with removing it, and supports the idea of creating a central business district that is unified, consistent and homogenous.

Commissioner Vondruska admitted that he probably feels "a little muddy for some reason in this" (not knowing if this is due to different directions the evening's conversations have gone and the volume of information in the packet). He said he agrees with a lot of what Commissioner Rodemann said in that he (Vondruska) is comfortable with it. Commissioner Vondruska guessed that existing businesses where somebody could be living on the second floor and have a business beneath aren't affected, and this is really only single-family residences, of which he said there aren't many, and that some of these would require aggregation for development. He said he can support it, adding that he is okay with the 20-foot if the C5B is going to be up against a residential district, and that variance requests can be examined on a case-by-case basis.

Commissioner Mulherin said he's uncomfortable with no setback against a residence, and suggested a 10-foot, he said, only to create a discussion. He said that maybe in some instances there will be no setback whatsoever, and recognized the issue arose from the Saylor case where Staff was conservative in approach, and on which the Board moved ahead. Referencing properties on Anthony between Main and Western, Commissioner Mulherin asked if the condominiums were built on the lot line.
Director Springer recalled that the underground parking garage is built up to the lot line but the buildings above are set back about 20 feet. Commissioner Mulherin said he would support a 10-foot setback. He said he's troubled by the Special Use change, which, he said, adds a burden to homeowners. He said he doesn't know if it's necessary now, would reject it, and wants a separate vote on the proposed amendments.

Commissioner Saeed said he wants to keep the 20-ft. setback as it's a good buffer between commercial and residential, and to retain the Special Use in the C5B District.

Commissioner Brown said that she felt she doesn't have enough experience to weigh in and wants to abstain from voting. She said she is comfortable with the 20-foot setback. Chairperson Heming-Littwin asked if she would be comfortable with a 10-ft. setback. Commissioner Brown asked if someone who wanted to build and modify the setback would need to have a Special Use. Chairperson Heming-Littwin replied that the party would need to request a variance. Commissioner Brown said she'd like to stick with 20, but she isn't comfortable weighing in on the amendment concerning Special Use. Chairperson Heming-Littwin said she'd be okay with a 10- or 20-ft. setback for the residential districts, and that she would be in favor of removing Special Use long term, expressing confidence that the specified time allowance and the petition process afford owners opportunity to maintain the Special Use, and recognized the goal of developing a consistent service district.

Director Springer asked for opinions on the setback to single-family homes currently within the C5 District, specifically whether to eliminate it to zero as proposed. Commissioner Vondruska asked whether, if the existing is in a C5B or A district, there's any setback requirement, regardless. Planning Manager Purvis responded that, traditionally, Staff never applied the setback requirements for C5 Districts, as Staff didn't interpret that as zoned for residential use. But, she proceeded, staff was advised to be more conservative during construction of the Civic Center Parking Garage project, so moving forward thought it would be appropriate to continue that interpretation of our Code. She explained, whether a single-family home is on the lot or not, in a commercial district there would be no setback requirements for adjacent commercial properties in the same district.

Director Springer added that the Adam Saylor project was the first and only, other than the Civic Center, where the Village ever applied a setback in that instance. She stated that if it had happened before the Civic Center Parking Garage, the interpretation of Staff was, it's not a residentially-zoned property, and therefore no setback would have been required for Adam Saylor's property.

Chairperson Heming-Littwin asked if the Commissioners have a problem with keeping language saying that if somebody wants to develop in the C5B District next to a single-family home that's currently Special Used in the District, that they would not be required setbacks. Commissioners Mulherin, Fanella, Vondruska and Rodemann all said they are fine with it. Commissioner Saeed said he was in favor. Planning Manager Purvis interjected that an addition or new construction in C5B has to be developed as a PUD, the regulations of which limit development to 65 percent of the lot, which is a way to control bulk. Plus, she said, parking is required, which also provides a buffer between buildings. Commissioner Brown said she is comfortable with the way it reads.

<u>Motion 1 – Setback Language</u>
Commissioner Mulherin, seconded by Commissioner Rodemann, moved that the Commission adopt the proposed modification to the Zoning Code, as reflected in item numbers 1 and 2, and 5 through 8 in the Proposed Text Amendments attachment. The motion passed with six (6) yes votes and one (1) no vote

as follows: Commissioners Mulherin, Rodemann, Brown, Saeed and Vondruska and Chairperson Heming-Littwin voted "yes," and Commissioner Fanella voted, "no."

Motion 2 – Removal of Single-Family Homes from C5B Special Uses
Commissioner Mulherin, seconded by Commissioner Saeed, moved that the proposed modifications in the zoning text amendments 3, 4 and 9 not be recommended for adoption by the Village Board. The motion passed with four (4) yes votes and two (2) no votes as follows: Commissioners Mulherin, Saeed, Fanella and Vondruska and voted "yes," and Commissioner Rodemann and Chairperson Heming-Littwin voted, "no." Commissioner Brown abstained.

Chairman Heming-Littwin declared that the Plan Commission is recommending to the Village Board keeping single-family homes as a Special Use in the C5B District.

Trustee's Report
Trustee Enright said the Board approved an extensive streetscape plan for downtown Glen Ellyn. He reported that it's going to start in 2022, since the Frieda Kahlo art exhibit is still anticipated to be coming to town this summer. Calling it "sort of a big-ticket item," he said the Village will need to take out additional bond funds to help pay for it.

Chairman's Report
Acting Chairperson Heming-Littwin said that Chairperson Loch should be back for the next meeting.

Staff Report
Planner Ashbaugh said the hiring process for a new Planning Intern is underway.

Planning Manager Purvis reported that the candidate search for a new Associate Planner had narrowed. She said the first meeting of April is cancelled, unless a pre-app sneaks in. The Draft Comprehensive Plan will be reviewed at the Board workshop in April, she said, with a May workshop scheduled to discuss recommendations, such as perhaps parking regulations, height in the downtown, and possible increased residential density. It is hoped, she stated, that the Plan will be approved in June with any Board amendments.

Director Springer suggested showing at the next Plan Commission meeting a presentation on the streetscape, implementation of which, she said, is not starting until 2022: she said that now that Covid restrictions seem to be lifting the Village wanted to give businesses opportunity to reestablish themselves before it "ripped up the streets." The Civic Center Parking Garage approaches completion, she said, and the Pedway should be completed by May 1, and listed expected outdoor seating options for dining.

Adjournment
Following a motion by Commissioner Fanella, seconded by Commissioner Mulherin, and passed by voice vote, Chairperson Heming-Littwin adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Barbara Dutton-Thomas
Recording Secretary

Reviewed by,

Katie Ashbaugh, AICP
Planner

**Glen Ellyn Plan Commission**
535 Duane Street
Glen Ellyn, IL 60137

Meeting 4/22/2021 7:00 PM
Department: Community Development
Department Head: Staci Springer
Category: Discussion Item
Prepared By: Katie Ashbaugh

**AGENDA ITEM (ID # 2021-1051)**

**DOC ID: 2021-1051**

# A Pre-Application to discuss the potential Minor Subdivision for the Property Located at 919 Ellynwood Avenue

**Statement of the Issue:**
Please see attached staff report.

**Analysis:**
Please see attached staff report.

**Budget Impact:**
N/a.

**Action Requested:**
Please see attached staff report.

**Attachments:**

1. 919 Ellynwood - Minor Sub Pre-App - PC Staff Report 4-22-2021
2. Aerial Photo
3. Zoning - Location Map
4. Lot Sizes of Proximate Properties Map
5. Petitioner's Application and Narrative Statement
6. Plat of Survey

**STAFF REPORT**

**TO**: Glen Ellyn Plan Commission

**FROM**: Katie Ashbaugh, AICP, Planner

**DATE**: April 15, 2021

**SUBJECT:** *April 22, 2021 Plan Commission Meeting*
A Pre-Application to discuss the potential Minor Subdivision for the Property Located at 919 Ellynwood Avenue

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**PETITIONER:** The petitioner is Michael Decker of Stafford and Lockwood, Ltd.

**REQUEST:** The petitioners are requesting a Pre-Application meeting to discuss the possibility of splitting the single zoning lot located at 919 Ellynwood Avenue into two separate lots.

**EXISTING CONDITIONS:** The subject property is located on the south side of Ellynwood Avenue, mid-block between Roger Road and Cumnor Avenue in the R1 Residential Zoning District. The property is approximately 150 feet in width and is 0.61 acres or 26,653 square feet in area. It is currently developed with a two-story, single-family home, which is sited on the eastern half of the property.

The surrounding zoning districts and land uses are as follows:

| Land Use | Zoning |
|---|---|
| North across Ellynwood: Single-Family | R1 Residential District |
| South across UP-W RR: Forest Preserve | Unincorporated |
| West: Single-Family | R1 Residential District |
| East: Single-Family | R1 Residential District |

The current public right-of-way to which the subject property has access is a rural street-type, with no curb and gutter. The property does have access to a water main in the Ellynwood right-of-way which crosses immediately in front of the property. The property is within 250 feet of the existing sanitary sewer main also in the Ellynwood right-of-way, which terminates approximately 50 feet from the northwest corner of the property. Overhead utility lines are on the south side of Ellynwood. No sidewalk, street lights, or street trees are present, although the area is overgrown with brush and natural trees.

**COMP PLAN:** The Comprehensive Plan identifies the future land use as single-family

detached residential.

**REVIEW PROCESS:**

Per Section 11-3-9(C) of the Subdivision Regulations Code, the proposed subdivision shall be reviewed as a Minor Subdivision. Minor Subdivisions are required to meet the design standards as outlined in Chapter 11-4 of the Subdivision Regulations Code. Any standards that are not met require variances from the Subdivision Regulations Code, which may be requested with the approval of the Minor Subdivision. Variations from the Zoning Code, specifically the lot size requirements, may also be requested as part of the Minor Subdivision.

Section 11-3-2 of the Subdivision Regulations Code recommends that a Pre-Application meeting be held with the Plan Commission before applying a Major or Minor Subdivision. Following the Pre-Application meeting, the petitioner may then decide whether or not to proceed with the request. Upon receipt of a formal application, the Plan Commission shall conduct a duly noticed public hearing to consider the Minor Subdivision and any associated variances, including those to allow the two lots to be smaller than what is required, and recommend approval, approval with conditions, or denial of the request. The Village Board shall then make a final determination.

**PROJECT SUMMARY:**

The petitioners are proposing to completely demolish the existing single-family home, split the property into two lots, and sell them to be developed as two new single-family homes.

"Two-lot splits" are a type of subdivision that may be reviewed and approved by the Community Development Director per Section 11-3-9 of the Subdivision Regulations Code (attached). Consolidations and land transfers are also subdivisions that may be administratively approved. To qualify for this administrative approval, certain criteria of the proposed subdivision must be met, including that the lots being created meet the minimum standards for the district in which they are located. If the proposed lots do not meet the minimum lot requirements for the applicable zoning district, then the subdivider must request a minor subdivision with variations and go through the public review process (see the Review Process above).

*Zoning Analysis*

The minimum required lot width for interior lots in the R1 district is 90 feet and the minimum required lot area is 14,500 square feet. Per Section 10-3-1 of the Zoning Code, the R1 district is meant to be a large lot single-family district. Comparatively, interior lots in the R2 district (the predominant residential district in the Village) are required to be at least 66 feet in width

and 8,712 square feet in area. Should the subject property be subdivided as proposed, it would create lots conforming to the requirements of the R2 district. However, because the property does not touch the boundaries of the R2 district, it would not be eligible for a Zoning Map Amendment ("rezoning").

The petitioner is proposing to split the 150-foot wide lot into two separate lots. The proposed dimensions of the two lots would be approximately 17 percent less than the required minimum lot width and approximately 8 percent less than the required minimum lot area. The two lots would meet the minimum lot depth requirement of 130 feet, each with a depth of approximately 178 feet. The variations from the Zoning Code that would be required are as follows:

1. *Section 10-4-7(D)(7), Lot area* – to allow a lot area of 13,326.5 square feet where 14,500 square feet is required. Two variations, one per lot, will be needed.
2. *Section 10-4-7(D)(8)(a), Lot width* – to allow a lot width of 75 feet where 90 feet is required. Two variations, one per lot, will be needed.

Note that the petitioner must prove that a practical difficulty or unique circumstance, not present on other lots in the same district, prevents the proposed subdivision from meeting each of the requirements above, per Section 10-10-12 of the Zoning Code. All of the adjacent properties located on Ellynwood Drive that are zoned R1 meet or exceed the minimum lot standards for the district (see attached map).

*Subdivision & Public Improvement Requirements*
Because the proposed subdivision does not meet the minimum zoning requirements for administrative plat approval, the Minor Subdivision requirements would apply. Minor subdivisions must provide for certain public right-of-way improvements, which would be required for the proposed subdivision. If they are not provided, the petitioner must request Variances from the Subdivision Regulations Code and prove a practical difficulty or unique circumstance prevents the requirements from being met. The known required improvements based on what was submitted and known field conditions are below:

1. *Section 11-4-5(C), Sanitary sewer.* Being that the sanitary sewer is closer than 250 feet from the subject property, the owner would be required to extend the main to connect the two new properties. Note that topographic conditions in this area may prevent connection to the sanitary sewer main, in which case the Village may consider allowing installation of a septic system instead (additional information is needed

to make this determination).

2. *Section 11-4-7(A), Sidewalks and Multi-use paths*. While Ellynwood Avenue does not provide a sidewalk or multi-use path, sidewalk installation or any fee in lieu has been waived for properties in this area to maintain the rural character.
3. *Section 11-4-8, Utilities*. All existing overhead utilities in the adjacent right-of-way would be required to be buried, or one variance for each lot would be required.
4. *Section 11-4-9, Street trees*. The minimum number of street trees as determined by the Streets/Utilities Division of Public Works would be required to be planted 40 feet on center in the adjacent right-of-way, or a variance would be required.
5. *Section 11-4-4(M), Street lights*. Street lights would need to be installed per the Village of Glen Ellyn standards for the construction of public improvements, or a variance would be required.
6. *Section 11-4-4(G), (I), Pavement design, edging*. The road would need to be improved to meet the minimum Village standards as determined by Public Works, or variances would be required.

**PLAN COMMISSION ACTION:**

The Plan Commission is requested to conduct a Pre-Application meeting regarding the proposed lot split and provide comments to the petitioner. The Plan Commission should specifically provide feedback on the following items:

1. The proposed sizes of the two lots, their compatibility with the surrounding properties, and the existence of any practical difficulty or hardship preventing the R1 minimum standards from being met.
2. The required public improvements and whether or not the Commission would support relief from the following Subdivision Regulations:
    a. Undergrounding utilities
    b. Installation of street trees
    c. Installation of street lights
    d. Improvement of road pavement
    e. Installation of curb and gutter

**ATTACHMENTS:**

1. Aerial Photo
2. Zoning and Location Map
3. Lot Sizes of Proximate Properties Map
4. Petitioner's Application and Narrative Statement
5. Plat of Survey

CC: Staci Springer, AICP, Community Development Director

Kelly Purvis, AICP, Planning Manager

# GISConsortium | Aerial Photo

**Legend**

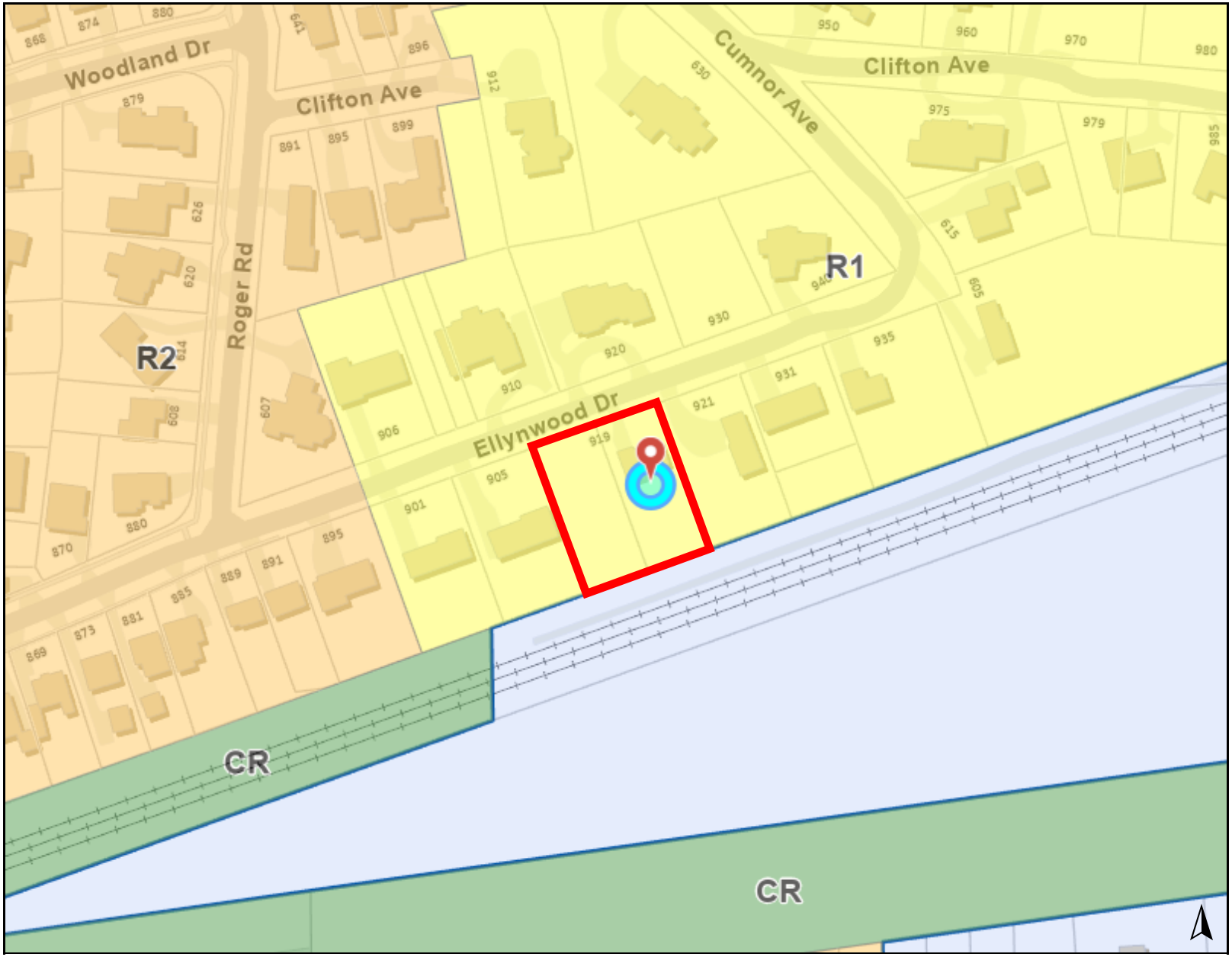
0 50 100 ft

**Print Date: 4/14/2021**

**Notes**

*Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.*

# GISConsortium | Zoning and Location Map




**Legend**

Zoning and Development

Zoning

- CR: Conservation/Recreation District
- R1: Single Family Residential District
- R2: Single Family Residential District

0 300 600 ft

**Print Date: 4/14/2021**

**Notes**

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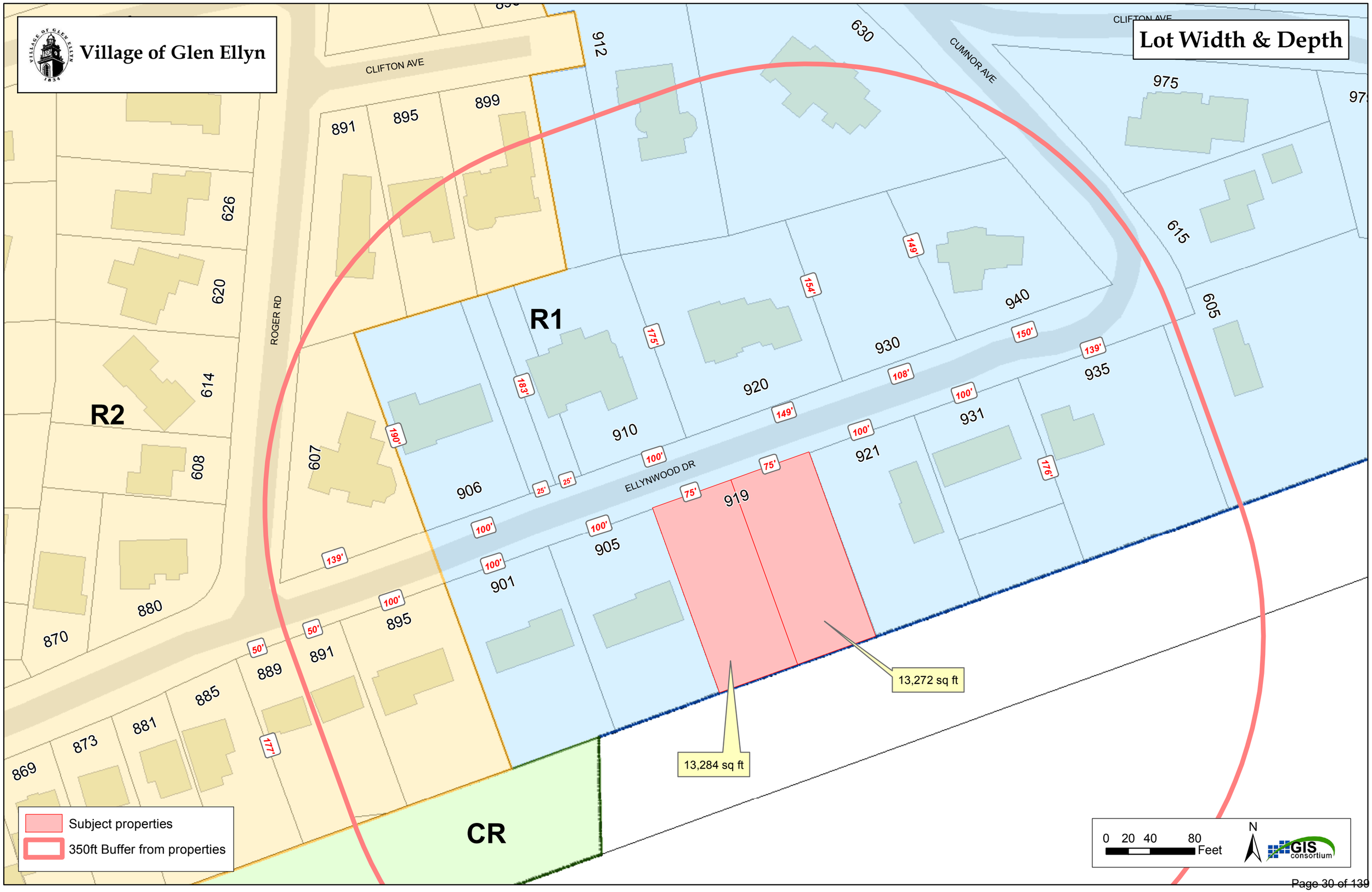

Village of Glen Ellyn
Lot Width & Depth
CLIFTON AVE
CUMNOR AVE
ROGER RD
ELLYNWOOD DR
R1
R2
CR
13,272 sq ft
13,284 sq ft
Subject properties
350ft Buffer from properties
0 20 40 80
Feet
N
GIS consortium

CLEAR PAGE

## Application for Commission Pre-Application Meeting

The purpose of a pre-application meeting is to receive preliminary comments for a proposal before detailed plans are developed and a formal application is submitted.

### I. APPLICATION INFORMATION:

A. Date Filed: 1-19-2021

**B. Project Name:** **919 Ellynwood**

C. Project Description: **Proposed lot DIVISION to allow for 2 sfh's on 2 separate lots**

D. Address of Property: **919 Ellynwood**

E. Permanent Index No: **0512301035 & 0512301034** Zoning: R1

**F. Name of Applicant:** **Michael Decker c/o Stafford & Lockwood, LTD**

G. Address of Applicant: **4211 N Mason Ave Chicago IL 60634**

H. Phone No. (Business): _____ (Home) _____

I. Fax No. (Business): _____ (Mobile) **630 450 1392**

J. E-mail Address of Applicant: **mike@chi-property.com**

**K. Name of Property Owner:** **Stafford & Lockwood, LTD**

L. Address of Property Owner: **4211 N Mason Ave Chicago IL 60634**

M. Phone No. (Business): _____ (Home) _____

N. Fax No. (Business): _____ (Mobile) **630 450 1392**

O. E-Mail Address of Property Owner: **mike@chi-property.com**

### II. SUBMISSION REQUIRMENTS

1. Application Fee - $250.00
2. Application Form
3. Cover Letter describing the project.
4. Plats of Survey or Existing Conditions Plan showing any existing buildings and associated setbacks.
5. Concept Plan showing any proposed buildings and associated setbacks, parking lot dimensions and all landscape/impervious surface setbacks.
6. Preliminary Building Elevations
7. Preliminary Sign Plan and Elevations
8. Any other plans or information for which preliminary feedback is requested.

Signature: _____ Date: 12/4/20

Appl for Pre-Application Meeting 0726171g.docx

ATTORNEY - NICHOLAS FIZKAS - 312-782-1983 / nick@sambanks.la

919 Ellynwood Dr., Glen Ellyn, IL

Hardship Explanation in Support of Lot Division

The subject property located at 919 Ellynwood Dr., Glen Ellyn, IL, consists of a single zoning lot measuring 150 ft. wide by 177.5 ft. deep. It is currently improved with a two-story single family home. The owner is proposing to raze the existing single family home, divide the zoning lot into two (2) separate and independent zoning lots, and develop each resulting lot with a new single family home. The proposed lot division would render two (2) lots that measure 75 ft. in width and contain 13,312.5 sq. ft. in total area.

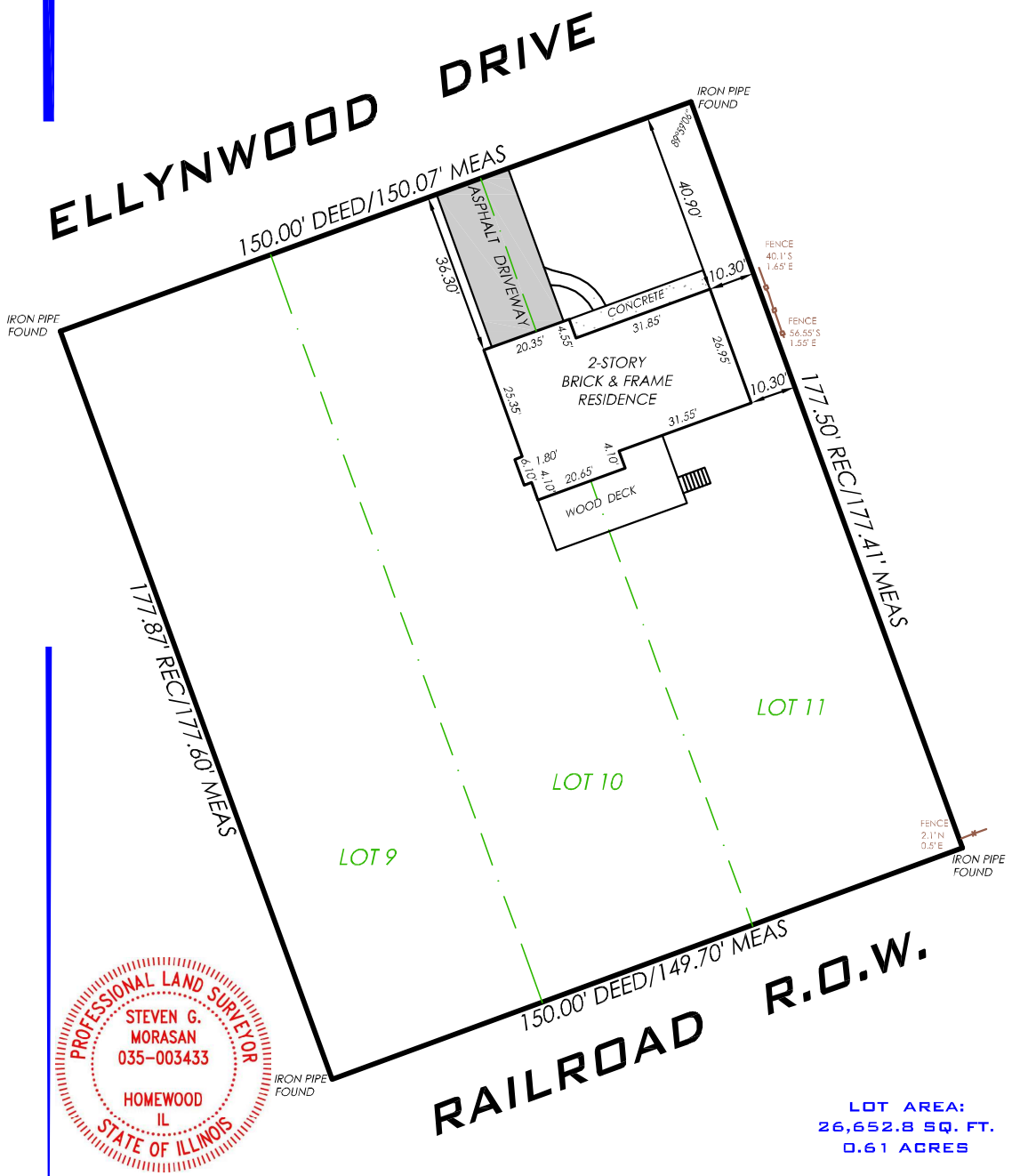
The zoning-based issue is that the subject property is located in a R1 Zoning District. The R1 Zoning District requires 14,500 sq. ft. of total lot area, and 90 ft. of lot width for each development lot. Still, the Applicant believes the proposed lot size and width dimensions will be consistent and compatible with the surrounding land uses. While many of the neighboring lots located in the R1 Zoning District meet the Ordinance's requirements, several lots appear to be nonconforming with respect to lot width and/or lot area totals.

Similarly, the subject property is located approximately five (5) properties to the east of a R2 Zoning District. Development lots in the R2 Zoning District are required to maintain 66 ft. of lot width and 8,712 sq. ft. of total lot area. This is significant because lots located just east and on the same side of the street as the subject property, are held to a less restrictive standard than the R1 zoned lots. Without the request zoning lot subdivision, the Applicant will be forced to maintain a 26,600 sq. ft. lot and compete in a real estate market with lots 65% its size (again, on the same side of the street). Given the existing building and lot conditions in the immediate area, and specifically the neighboring R2 Zoning District, the Applicant respectfully requests consideration of its pending Lot Division Application.

# PLAT OF SURVEY

18148 S. MARTIN AVE. HOMEWOOD, IL 60430 708-I-SURVEY (478-7839) 708-478-4076 FAX

LOTS 9, 10 AND 11 IN BLOCK 6 IN ANDERSON AND PRATT'S SUBDIVISION OF PART OF THE WEST 1/2 OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 18, 1924 AS DOCUMENT 182643, IN DUPAGE COUNTY, ILLINOIS.




PROFESSIONAL LAND SURVEYOR
STEVEN G. MORASAN
035-003433
HOMEWOOD IL
STATE OF ILLINOIS

LOT AREA:
26,652.8 SQ. FT.
0.61 ACRES

☐ AS PER CLIENT/AGENT, MONUMENTS NOT RECOVERED AT THE TIME OF THIS SURVEY WERE NOT RESET.

STATE OF ILLINOIS} S.S COUNTY OF COOK}

STATE OF ILLINOIS REG. # 184-002702

ON BEHALF OF STREAMLINE SURVEY, INC., I HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

STREAMLINE SURVEY, INC.

BY: _____ DATED: JUNE 18, 20 20
REGISTERED ILLINOIS LAND SURVEYOR

DATE OF LICENSE EXPIRATION: NOVEMBER 30, 20 20

DATE OF FIELD WORK COMPLETION: JUNE 18, 20 20

REVIEW YOUR DESCRIPTION AND PHYSICAL EVIDENCE WITH THIS PLAT AND REPORT ANY DIFFERENCES YOU MAY FIND.

ALL DISTANCES AS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF. NO ANGLES OR DISTANCES ARE TO BE DETERMINED BY SCALING.

SCALE: 1"=30'
JOB NO.: 20-0883
ADDRESS: 919 ELLYNWOOD DR. GLEN ELLYN, IL
P.I.N.: 05-12-301-034/035
TOWNSHIP: MILTON
ORDERED BY: MARK R. CAHAN

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**Glen Ellyn Plan Commission**
535 Duane Street
Glen Ellyn, IL 60137

Meeting 4/22/2021 7:00 PM
Department: Community Development
Department Head: Staci Springer
Category: Public Hearing
Prepared By: Katie Ashbaugh

**AGENDA ITEM (ID # 2021-1050)**

**DOC ID: 2021-1050**

# A Public Hearing to consider a Zoning Text Amendment and a Special Use Permit to allow a co-working office with business events at the property located at 411 N. Main Street

**Statement of the Issue:**
Please see the attached staff report.

**Analysis:**
Please see the attached staff report.

**Budget Impact:**
N/a.

**Action Requested:**
Please see the attached staff report.

**Attachments:**

1. Staff Report for Brick & Mortar at 411 N. Main St.
2. Aerial Photo
3. Zoning and Location Map
4. Location Map for Public Hearing Notice
5. Public Hearing Notice
6. Certification of Publication
7. Petitioner's Narrative Statement
8. Petitioner's Application for a Zoning Text Amendment
9. Petitioner's Application for Special Use Permit
10. Business Concept Exhibit
11. Plat of Survey
12. Floor Plans
13. Draft Minutes of the March 18, 2021 Special Plan Commission Meeting

14. Excerpts from 2001 Comprehensive Plan
15. Excerpts from 2009 Downtown Strategic Plan
16. Draft Motion to Recommend Approval
17. Draft Motion to Recommend Denial

**STAFF REPORT**

---

**TO**: Glen Ellyn Plan Commission

**FROM**: Katie Ashbaugh, AICP, Planner

**DATE**: April 15, 2021

**SUBJECT:** *April 22, 2021 Plan Commission Meeting*
A Public Hearing to consider a Zoning Text Amendment and a Special Use Permit to allow a co-working office with business events at the property located at 411 N. Main Street

---

**PETITIONER:** The petitioners are Andrew Nast and Adam Clabaugh, managing partners of Brick & Mortar.

**REQUEST:** Recommendation of approval of the following:

1. A Zoning Text Amendment to add the use 'co-working office with business events' to the list of Special Uses in the C5A Central Retail Core Subdistrict; and

2. A Special Use Permit to allow a 'co-working office with business events' in the C5A Central Retail Subdistrict.

**PUBLIC NOTICE:** Notice of the public hearing was published in the April 7, 2021, edition of the *Daily Herald*, mailed to property owners within 350 feet of the subject property, and a placard was placed on the property, all per state statute and Section 10-10-11 of the Glen Ellyn Zoning Code.

**EXISTING CONDITIONS:** The subject property is located on the east side of Main Street between Duane Street and Hillside Avenue in the C5A Central Retail Core Subdistrict. The property is approximately 0.1 acres or 4,124 square feet. The front half of the building is two-stories, and the rear of the building is one-story with a total building footprint of approximately 3,500 square feet. The gross floor area of the building is 5,350 square feet, with two one-bedroom apartments on the second story and the former restaurant and bar, McMae's, on the ground floor. McMae's closed in fall 2019. A shared patio is located to the rear of the property.

The surrounding zoning districts and land uses are as follows:

| Land Use | Zoning |
|---|---|
| North: Commercial/Mixed Use | C5A Central Retail |

| | | |
|---|---|---|
| South: | Commercial/Mixed Use | C5A Central Retail |
| West: | Commercial/Mixed Use | C5A Central Retail |
| East: | Multi-family Residential | C5B Central Service |

**COMP PLAN:** The Comprehensive Plan highlights this part of the downtown as the pedestrian shopping area and notes that the Village should "continue to improve and enhance the heart of downtown as a pedestrian-oriented shopping and business area" (pg. 48).

**DOWNTOWN STRATEGIC PLAN:** The Downtown Strategic Plan indicates that "the Downtown does not provide significant advantages for major office space users" (pg. 7.2 of 12). On page 8.3 of 8, it is also noted that "the benefits of having office users in the Downtown includes the opportunity for residents to walk to work, having a daytime and early evening population base to eat in Downtown restaurants and shop in stores." It is further suggested that the Village should "provide a net increase in office tenant space in the Downtown, and ensure that it is flexible to allow firms the opportunity to grow in place" (pg. 8.4 of 8).

Page 8.6 of 8 notes that "infusing additional professional and medical offices and service businesses into the Downtown would increase employment and thus the demand for retail and other services. Businesses and offices are typically daytime consumers; however, they can spill over into evening and weekend consumption as well. The location of these businesses must be strategically positioned so as not to interrupt critical retail street corridors. An appropriate location is above or below first floor retail in a mixed-use setting or a site that is on the periphery of the Downtown core."

**BACKGROUND:** On March 18, 2021, the Plan Commission conducted a Pre-Application meeting to consider the proposed shared office/co-working space to be located in the existing vacant building located at 411 N. Main Street. The petitioners, who operate another location in the northwestern Chicago suburb of Park Ridge, shared detailed operational information as to how they plan to use the existing building. The Plan Commission provided informal feedback to the petitioners and generally were supportive of the use in this location (see attached meeting minutes).

Given the positive feedback from the Plan Commissioners, the petitioners are now formally requesting the required zoning approvals to allow the use. The business would be called "Brick & Mortar". The primary use of the building would be a shared office/co-working space. Part of the business model, noted in the petitioners' business concept exhibit (see Attachment X), includes the ability to host seminars, networking events, holiday parties, and corporate off-sites in the space. This would be a secondary, but significant use of the building.

**PROJECT SUMMARY:**

The petitioners are proposing to completely renovate the building, eliminating the two apartments on the second floor and the restaurant on the ground floor, to accommodate the shared office/co-working space. The petitioners have cited a need for workspace for white-collar professionals, other than their homes, now that many companies are shifting to a remote workforce. Brick & Mortar would offer such a space, in a shared environment where people could work and/or bring clients.

*Shared Office/Co-Working Space*
The shared office/co-working space component of the use requires membership, for which multiple packages are offered to allow their members flexibility to use the space as needed. Membership provides not only access to the office space, but also includes the following features: fast, fiber Wi-Fi; soundproof phone booths; fully furnished common areas; offices with electronic sit/stand desks and adjustable chairs; complementary coffee; filtered water; free printing; priority access to community events; and a micro-grocer offering snacks, beverages, and apparel for purchase.

The petitioners anticipate that their operations in this location will be similar to that of their Park Ridge location. Specific information is provided below.

1. Operational Details. Members will have 24/7 access through an electronic control system and video surveillance. During the peak hours of 10 am and 3 pm, between 15-30 members are anticipated to use the space. They anticipate 1-3 staff members being on-site between the hours of 8 am – 8 pm (unless there is a later event).

   According to the petitioner, 98 percent of the time the Park Ridge location is used during normal business hours, with peak hours of 10 am to 3 pm.

2. Membership. The petitioners anticipate that members will be primarily white-collar professionals: attorneys, sales & marketing professionals, entrepreneurs, etc. The membership packages are as follows:

   - Daily private office (reserve by the day)
   - Monthly private office (reserve by the month)
   - Monthly dedicated desk (reserve by the month)
   - Open seating daily membership
   - Part-time membership (8 'day passes')
   - Unlimited membership

   The Park Ridge location has 62 members, 50 percent of whom are monthly members. The other members are day pass users who return monthly. Approximately 50 people sporadically use day passes. Approximately 60 percent of their members live within a 20-minute radius of their Park Ridge

location. The other 40 percent of their member base is drawn from surrounding communities. All members must be 21 or older.

3. Transportation. Similar to the Park Ridge location, the petitioners anticipate that members will use several modes of transportation to get to the co-working space including driving, Metra, biking, walking, and ride-sharing. They have indicated that proximity to the train was an important factor in selecting a location for their business.

4. Parking Impact Analysis. Since the subject property is located within the C5A district, no parking would be required for the use. Based upon the current uses of the building (100 seat restaurant and two one-bedroom apartments) 37 parking spaces would be required if the building were located in a different zoning district. Based upon the primary use of the space as a coworking/office use, 27 parking spaces would be required, if the building were located in another zoning district. The proposed use would likely generate less of a parking demand than the existing uses. On occasions when a larger event might take place, public parking would be available in the Village's Civic Center and Main Street Parking Garages adjacent to the subject property.

*Business Event Venue*
To schedule an event at Brick & Mortar, members must have a daily or monthly membership. Post-Covid, the petitioners, plan to host at least one event per week. They anticipate small networking events or classes with an average of 10-20 people.

At this time, the Zoning Code does not include co-working office spaces as a use, and events are regulated through special event permits which allow up to two events per year. Due to the anticipated frequency of events, the petitioners are requesting a recommendation of approval of a Zoning Code Text Amendment to allow a co-working office with business events in the C5A district, and the subsequent Special Use Permit to allow this use.

**REVIEW PROCESS:**

At the suggestion of staff (due to the unique nature of the business), the petitioners presented their proposed use to the Plan Commission for a Pre-Application meeting.

Because the Plan Commission feedback was positive, the petitioners are now requesting a recommendation of approval of a Zoning Text Amendment and a Special Use. Following a recommendation to approve, approve with conditions, or deny the request, the Village Board will make a final determination.

Exterior appearance review will also be required at such time that the

petitioners propose changes to the exterior of the building.

**PLAN COMMISSION ACTION:**

The Plan Commission should consider the petitioners' requests for approval of the requests below. The Commission should then make a recommendation to approve, approve with conditions, or deny the requests.

1. A Zoning Text Amendment to add the use 'co-working office with business events' to the list of Special Uses in the C5A Central Retail Subdistrict; and

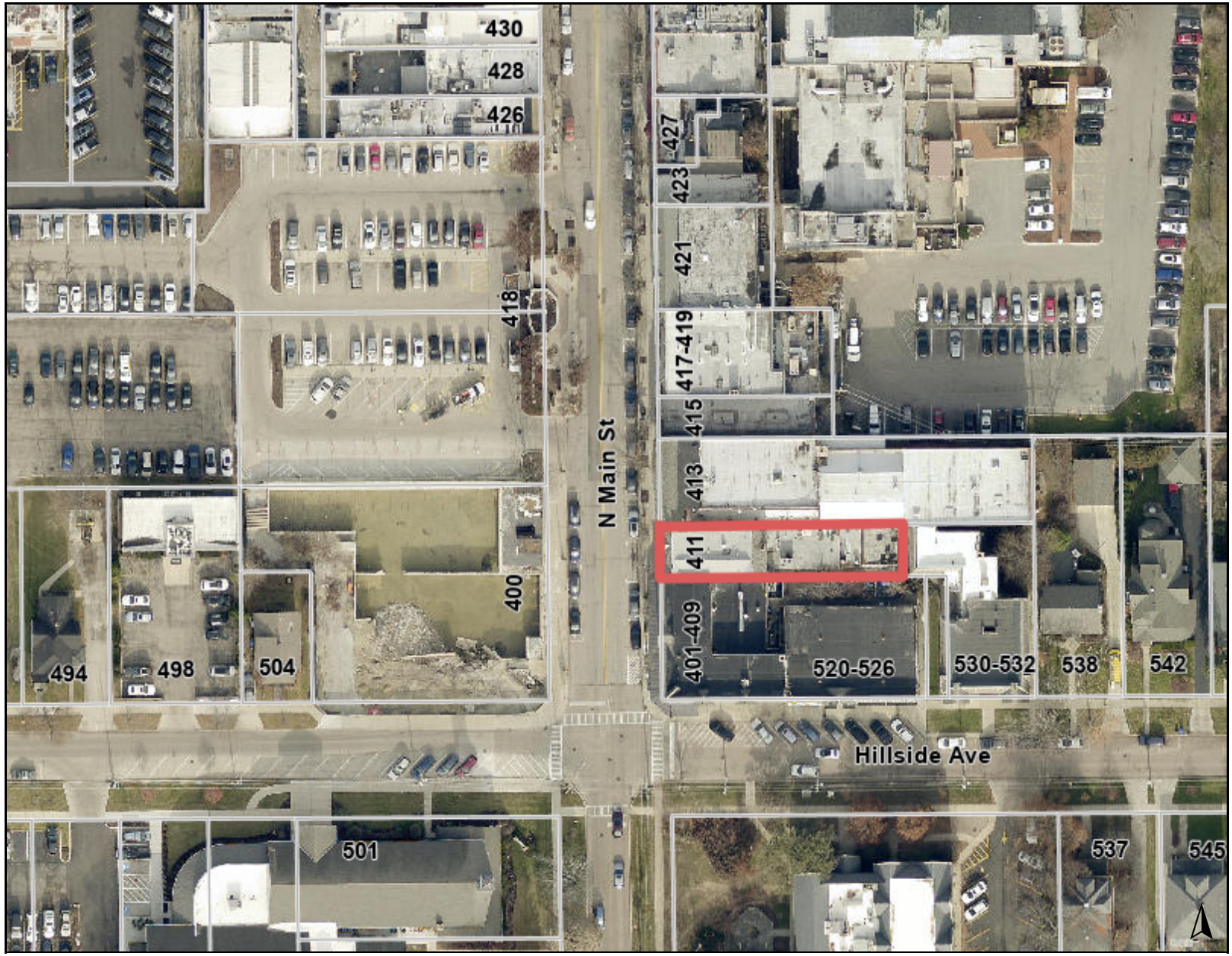
2. A Special Use Permit to allow a 'co-working office with business events' in the C5A Central Retail Subdistrict.

**ATTACHMENTS:**

1. Aerial Photo
2. Zoning and Location Map
3. Location Map for Public Hearing Notice
4. List of Addresses for Public Hearing Notice
5. Public Hearing Notice
6. Certificate of Publication
7. Petitioner's Narrative Statement
8. Petitioner's Application for a Zoning Text Amendment
9. Petitioner's Application for Special Use Permit
10. Business Concept Exhibit
11. Plat of Survey
12. Concept Floor Plans
13. Draft Minutes from the March 18, 2021, Plan Commission Meeting
14. Excerpts from 2001 Comprehensive Plan
15. Excerpts from 2009 Downtown Strategic Plan

CC: Staci Springer, AICP, Community Development Director
Kelly Purvis, AICP, Planning Manager
Andrew Nast, Managing Partner of Brick & Mortar
Adam Clabaugh, Managing Partner of Brick & Mortar

# GISConsortium | Aerial Photo




**Legend**

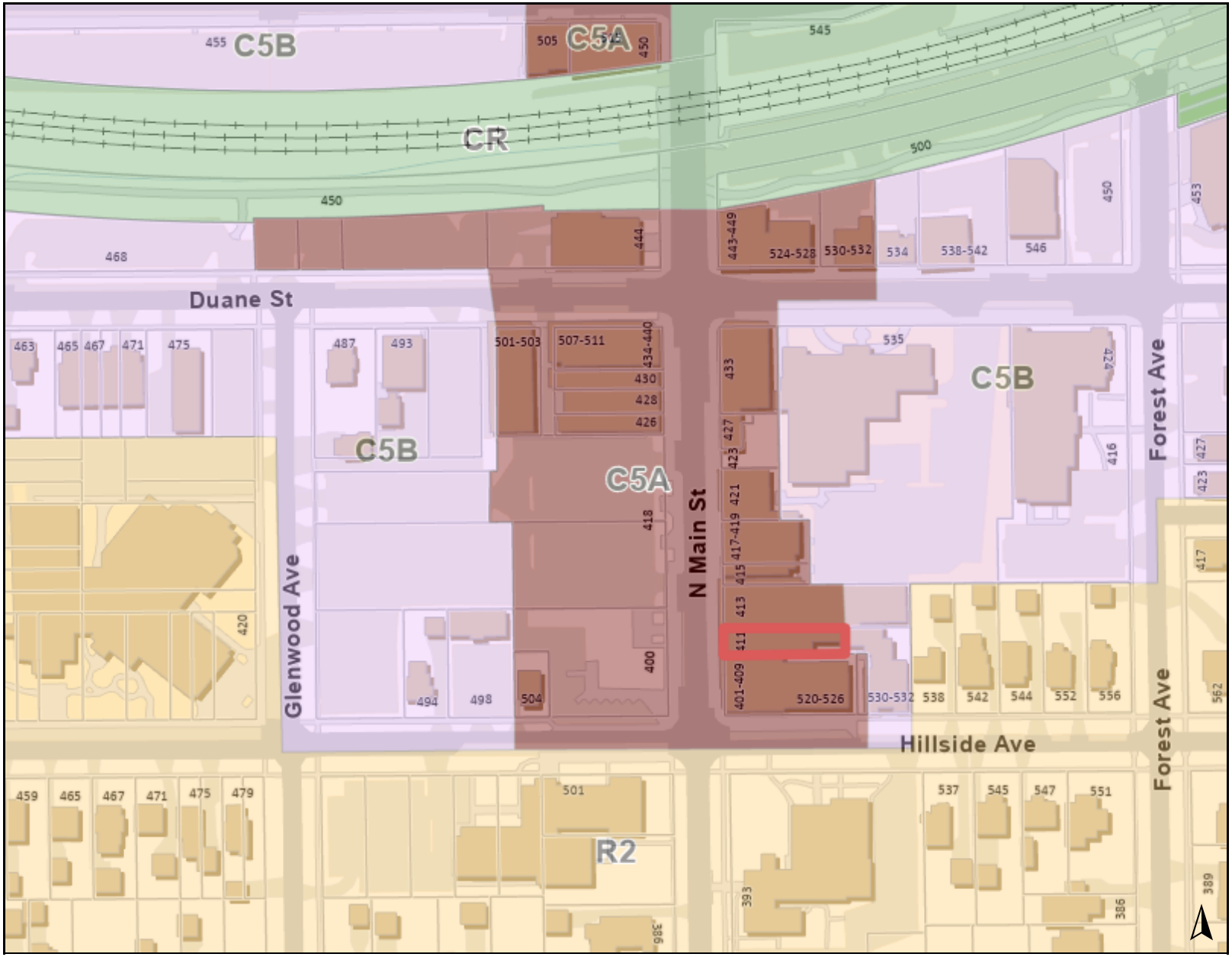
0 150 300 ft

**Print Date: 3/12/2021**

**Notes**

*Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.*

# GISConsortium | Zoning Map




**Legend**

Zoning and Development

Zoning

- C5A: Central Business District (Retail Core)
- C5B: Central Business District (Service)
- CR: Conservation/Recreation District
- R2: Single Family Residential District

0 300 600 ft

**Print Date: 3/12/2021**

**Notes**

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# Village of Glen Ellyn

# 350 Foot Buffer from 411 N Main St

DUANE ST
HILLSIDE AVE
PHILLIPS AVE
GLENWOOD AVE
N MAIN ST
FOREST AVE
APPIAN WAY

Subject properties
350ft Buffer from properties
Parcels within 350ft

0 35 70 140 Feet

N

GIS consortium

# NOTICE OF PUBLIC HEARING

Andrew Nast and Adam Clabaugh of Brick & Mortar, LLC, petitioners on behalf of the property owner Bricks on Main, LLC, are requesting approval of an amendment to Section seventeen (C5 Central Business District) of Chapter four (district regulations) of the Glen Ellyn Zoning Code in accordance with Section 10-10-13 of the Zoning Code to add "co-working office with business events" to the list of Special Uses in the C5A Central Retail Subdistrict. The petitioners are also requesting the requisite Special Use Permit in accordance with Section 10-10-14 of the Zoning Code for the property located at 411 N. Main Street, to allow the co-working office that will hold business events. No changes in area or height are proposed to the existing building. The subject property is zoned C5A (Central Business Retail Subdistrict) and is located on the east side of Main Street between Duane Street and Hillside Avenue.

Before the Glen Ellyn Village Board can consider the request, the Plan Commission must conduct a public hearing. The Plan Commission will consider the request for the amendment to the aforementioned section of the Zoning Code and the Special Use Permit on **Thursday, April 22, 2021, at 7:00 p.m. via the virtual meeting platform, Zoom**.

The subject property is legally described as follows:

THE SOUTH 29.96 FEET OF LOT 2 (EXCEPT THE EAST 75 FEET) OF THE SUBDIVISION OF LOT 6 IN BLOCK 12 IN THE ASSESSMENT DIVISION IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 7, 1906 AS DOCUMENT 87151, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-11-328-009

To view the plans related to the proposed project, please visit the Village website here: http://www.glenellyn.org/246/Public-Notice-Portal. Plans are also on file in the Community Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois, and can be requested by contacting Katie Ashbaugh, Planner at kashbaugh@glenellyn.org. All plans and a staff report will be posted on the Village's website no later than Friday, April 16, 2021, on the Agendas and Minutes page, linked here, http://www.glenellyn.org/734/Village-Agendas-Minutes.

On June 12, 2020, Governor Pritzker signed PA 101-0640 (SB2135) into law. This new law amends the Open Meetings Act ILCS 120 to expressly authorize public bodies to meet remotely without the otherwise required quorum present at the meeting place while a disaster declaration is in place. The COVID-19 disaster declaration satisfies this condition, allowing Plan Commission members to participate electronically in meetings at this time. The public is welcome to observe and participate in all meetings of the Plan Commission.

All persons who are interested are invited to attend the public hearing via Zoom. Any public comments regarding this request can be submitted in advance of the meeting either via the Plan Commission public comment form, linked here,

https://glenellynil.seamlessdocs.com/f/publiccommentplan or via email to Katie Ashbaugh, Planner, at kashbaugh@glenellyn.org. All public comments received by 4:30 pm on Thursday, April 22, 2021 will be read into the record at the public hearing. The public may also observe and participate in the meeting in progress on Zoom. The Zoom information is provided below.

Please click the link below to join the webinar:
https://us02web.zoom.us/j/89821775487?pwd=Q3dpS0V3ZU5KUUhJRU95NmFJV3U5QT09
Passcode: 140168

Or One tap mobile:
US: +13126266799,,89821775487#,,,,*140168# or +16465588656,,89821775487#,,,,*140168#

Or Telephone: Dial(for higher quality, dial a number based on your current location):
US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128
Webinar ID: 898 2177 5487
Passcode: 140168

International numbers available: https://us02web.zoom.us/u/kb0C2gJSxZ

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Passcode: 140168
Or One tap mobile:
US: +13126266799,,89821775487#,,,,*140168# or +16465588656,,89821775487#,,,,*140168#
Or Telephone: Dial(for higher quality, dial a number based on your current location):
US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 253 215 8782 or+1 346 248 7799 or +1 669 900 9128
Webinar ID: 898 2177 5487
Passcode: 140168
International numbers available:
https://us02web.zoom.us/u/kb0C2gJSxZ

Published in Daily Herald April 7, 2021 (4561448)

# CERTIFICATE OF PUBLICATION

**Paddock Publications, Inc.**

**DuPage County**

**Daily Herald**

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DuPage County DAILY HERALD**. That said **DuPage County DAILY HERALD** is a secular newspaper, published in Naperville and has been circulated daily in the Village(s) of:
Addison, Aurora, Bartlett, Bensenville, Bloomingdale, Carol Stream, Darien, Downers Grove, Elmhurst, Glen Ellyn, Glendale Heights, Hanover Park, Hinsdale, Itasca, Keeneyville, Lisle, Lombard, Medinah, Naperville,Oakbrook, Oakbrook Terrace, Plainfield,Roselle, Villa Park, Warrenville, West Chicago, Westmont, Wheaton, Willowbrook, Winfield, Wood Dale, Woodridge

County(ies) of DuPage
and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DuPage County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 04/07/2021
in said DuPage County DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Paula Baltzer
Designee of the Publisher and Officer of the Daily Herald

Control # 4561448

April 9, 2021
Re: Operations Information for:
Brick & Mortar
411 N. Main Street
Glen Ellyn, IL 60137

Brick & Mortar is excited to propose a new coworking space located at 411 N Main Street, Glen Ellyn, IL 60137

**Concept:**
Brick & Mortar is a shared office space that provides our members with access to open seating, dedicated desks, or private offices for rent by the hour, day or month. In addition to the physical space, members also receive free fiber wifi, soundproof phone booths, fully furnished common areas and offices, electronic sit/stand desks, adjustable chairs, complementary coffee and filtered water, free printing, priority access to community events and a microgrocer where snacks, beverages and apparel can be purchased. Members will have access to the space 24/7 through electronically controlled access.

**Operating Hours**
While members will have 24/7 access to the space through an electronic control and video surveillance, 98% of the use typically takes place during normal business hours with peak hours of use being from 10 AM – 3 PM. During these peak hours there are between 15-30 members utilizing the space. Typically there are between 1-3 staff members on site between the hours of 8 AM – 8 PM (unless there is a later event).

**Community Benefit:**
By repurposing the building as coworking space, the new use will benefit downtown Glen Ellyn by drawing professionals downtown to shop, dine and patronize Glen Ellyn's many service businesses (hair/nail salons, tailors, gyms, etc.).

Sincerely,

Andrew Nast
Managing Partner
Brick & Mortar

## APPLICATION FOR ZONING CODE TEXT AMENDMENT

**You may attach separate sheets as needed to answer any of the following questions.**

The undersigned petitions the President and Village Board Trustees of the Village of Glen Ellyn, Illinois, to consider the Zoning Code Text Amendment described in this application.

Date Filed: _____ Application No: _____

**Name of Applicant:** Brick & Mortar I Andrew Nast, Adam Clabaugh

Address of Applicant: 411 N. Main St, Glen Ellyn, IL 60137

Business Phone No.: 847-777-3808 Home Phone No.: _____

Mobile Phone No.: 847-951-2250 Fax No.: _____

Proposed Amendment:

A Zoning Code Text Amendment to allow a coworking office with business events in the C5A Central Retail Core as a Special Use.

Will an existing Section of the Zoning Code be replaced/changed? N/A

Section Reference: N/A

**Narrative Statement** of how the proposed Text Amendment relates to the Comprehensive Plan of the Village of Glen Ellyn, or otherwise promotes the public health, safety and general welfare:

Coworking office space brings new customers downtown during daytime hours—generating greater restaurant and retail traffic to compliment the surrounding establishments.

Bringing new white collar professionals to the downtown will reduce disturbance and improve the neighborhood going forward.

I (We) certify that all of the statements and documents submitted as part of this application are true to the best of my (our) knowledge and belief.

I (We) consent to pay the Village of Glen Ellyn all costs incurred for transcribing the public hearing on this application.

I (We) understand that no final action shall be taken by the Village Board subsequent to the public hearing until and upon payment of transcribing fees.

| Date | Print Name | Signature of Applicant |
|---|---|---|
| 4/2/2021 | Andrew Nast | |
| 4/2/21 | Adam Clasauge | |
| | | |

## Affidavit Affirming No Conflict of Interest

The undersigned, being duly sworn and under oath, states as follows:

1. My name is Andrew Nast, and I hold the position of Managing Partner for Brick & Mortar ("*Applicant*").

2. I have personal knowledge of all facts stated in this Affidavit, and if called to testify, I could and would testify competently thereto.

3. I am authorized by the Applicant to make the representations and statements in this Affidavit on the Applicant's behalf in support of the application for development approval ("***Application***") the Applicant filed with the Village of Glen Ellyn ("***Village***").

4. To the best of my knowledge, and as of the Application's date, no individual that is employed by the Village or sits on an elected or appointed Village board or commission has a financial interest in the Applicant, the Application, or the project proposed by the Applicant.

5. To the best of my knowledge, and as of the Application's date, no individual that is related to any person that is employed by the Village or sits on an elected or appointed Village board or commission has a financial interest in the Applicant, the Application, or the project proposed by the Applicant.

6. I will immediately notify the Village if the Applicant learns of the material inaccuracy of any statement within this Affidavit.

Further affiant sayeth naught.

Name: Andrew Nast

Title: Managing Partner

Applicant's Name: Brick & Mortar

Subscribed and sworn to me this

2nd day of April, 2021

Notary Public

MAZIN AMRO
Official Seal
Notary Public - State of Illinois
My Commission Expires Aug 25, 2021

## APPLICATION FOR SPECIAL USE PERMIT

CLEAR PAGE

The undersigned petitions the President and Village Board of Trustees of the Village of Glen Ellyn, Illinois, to consider the Special Use described in this application.

Date Filed: 03/29/21 Application No: _____

**Name of Applicant:** Brick & Mortar | Andrew Nast, Adam Clabaugh

Address of Applicant: 11 N. Northwest Hwy. Suite 101, Park Ridge, IL 60068

Business Phone: 847-777-3808 Fax: _____

Home Phone: _____ Mobile Phone: 847-951-2250

Email: andrew@yourbrickandmortar.com

Property Interest of Applicant: 411 N. Main St, Glen Ellyn, IL 60137

(Owner, Contract Purchaser, Owner Representative)

**Name of Owner:** Bricks On Main, LLC | Greg Mccaffrey

Address of Owner: 39W650 Benton Ln, Geneva, IL 60134

Business Phone: _____ Fax: _____

Home Phone: _____ Mobile Phone: 630-845-9498

Email: g.mccaffrey@sbcglobal.net

**Property Address:** 411 N. Main St, Glen Ellyn, IL 60137

Legal Description of Property:

**THE SOUTH 29.96 FEET OF LOT 2 (EXCEPT THE EAST 75.00 FEET) OF THE SUBDIVISION OF LOT 6 IN BLOCK 12 IN THE ASSESSMENT DIVISION IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 7, 1906 AS DOCUMENT 87151, IN DUPAGE COUNTY, ILLINOIS.**

Permanent Index No. (PIN): 05-11-328-009 Zoning: C5B

Lot Dimensions: 30' x 138' Lot Area: 0.1 acre

Present Use:

**Permanently closed restaurant**

Requested Use/Construction:

**Modern coworking in downtown Glen Ellyn with thoughtfully integrated retail.**

Estimated Date to Begin New Use/Construction: 08/01/21



Doc ID: fad30214b20a2995a73c99ca2953c977efb1c0b1

Name(s), Address(es) and Phone No(s). of Experts (architects, engineers, etc.): CLEAR PAGE

**N/A**

**Narrative Statement** evaluating the economic effects on adjoining property, the effect of such elements as noise, glare, odor, fumes and vibration on adjoining property, a discussion of the general compatibility with the adjacent and other properties in the district, the effect of traffic, and the relationship of the proposed use to the Comprehensive Plan, and how it fulfills the requirements of paragraph (E) of Section 10-10-14 of the Zoning Code:

Coworking office space brings new customers downtown during daytime hours—generating greater restaurant and retail traffic to compliment the surrounding establishments.

Bringing new white collar professionals to the downtown will reduce disturbance and improve the neighborhood going forward.

**Describe How the Special Use:**

1. Will be harmonious with and in accordance with the general objectives, or within a specific objective of the Comprehensive Plan and/or this Zoning Code:

   **Brick & Mortar brings new customers downtown during the day, which will generate greater restaurant and retail traffic to compliment the surrounding establishments.**

2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area:

   **Brick & Mortar will work hand-in-hand with the city of Glen Ellyn to ensure the building's updated exterior will fit in perfectly with the other businesses in the area.**

   **Note - the footprint of the building and the height are remaining the same.**

3. Will not be hazardous or disturbing to existing or future neighborhood uses:

   **The special use will produce less waste and traffic in comparison to other adjacent uses.**



Doc ID: fad30214b20a2995a73c99ca2953c977efb1c0b1

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4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services:

**Brick & Mortar will produce significantly less burden on public services and facilities than the existing use as a restaurant since the daily attendance will be meaningfully less overall.**

5. Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the Village:

**Brick & Mortar will actually improve the economic welfare of the Village by bringing more white collar professionals to the downtown to eat and shop at local businesses.**

**Additional public facilities/services are not required from the Village to serve the use.**

6. Will not involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors:

**With the special use being a coworking office space, the operation creates significantly less traffic, noise, and inconveniences than the existing use.**

7. Will have vehicular approaches to the property, which shall be so designed as not to create an undue interference with traffic on surrounding public streets or roads:

**With the daily attendance likely being considerably less than the existing use as a restaurant, the new use should reduce the interference with traffic.**

8. Will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief:

**As an office space with less refrigeration, wash stations, etc, there will be far less potential for flood damage than with the existing use as a restaurant.**

***The special use is not requiring the expansion of the building footprint.**

9. Will not result in destruction, loss or damage of natural, scenic or historic features of major importance to the community:

**This special use will not negatively impact natural, scenic, or historic resources.**



Doc ID: fad30214b20a2995a73c99ca2953c977efb1c0b1

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I (We) certify that all of the statements and documents submitted as part of this application are true to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in this application by any authorized official of the Village of Glen Ellyn for the purpose of inspection.

I (We) consent to pay the Village of Glen Ellyn all costs incurred for transcribing the public hearing on this application.

I (We) understand that no final action shall be taken by the Village Board subsequent to the public hearing until and upon payment of transcribing fees.

| | | |
|---|---|---|
| 03 / 30 / 2021 | **Andrew Nast** | Andrew Nast |
| Date | Print Name | Signature of Applicant |
| 03 / 30 / 2021 | **Adam Clabaugh** | |
| Date | Print Name | Signature of Applicant |
| | | |
| Date | Print Name | Signature of Applicant |

**THE BEST INTERESTS OF THE APPLICANT WILL BE SERVED BY COMPLETING THIS APPLICATION IN DETAIL**



Doc ID: fad30214b20a2995a73c99ca2953c977efb1c0b1

## OWNERSHIP BY A CORPORATION

CLEAR PAGE

Date: 03/25/20

Address: 411 N Main St

Legal Description:

**SEE ATTACHED DOCUMENT**

LIST ALL SHAREHOLDERS AND OFFICERS/DIRECTORS (AND % OF INTEREST OWNED IN EXCESS OF 5% OF STOCK)

Name: ~~Greg McCaffrey~~ Address: ~~39W650 Benton Ln Geneva, IL 60134~~ % ~~77~~

Name: ~~Cindy Stutz~~ Address: ~~3 Oxford Ct, South Elgin, IL 60177~~ % ~~23~~

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

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Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

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Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____

Name: _____ Address: _____ %_____



Doc ID: fad30214b20a2995a73c99ca2939c977efb1c001

## AFFIDAVIT OF AUTHORIZATION

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I, **Greg McCaffrey** owner of the property described as

**THE SOUTH 29.96 FEET OF LOT 2 (EXCEPT THE EAST 75.00 FEET) OF THE SUBDIVISION OF LOT 6 IN BLOCK 12 IN THE ASSESSMENT DIVISION IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 7, 1906 AS DOCUMENT 87151 IN DUPAGE COUNTY, ILLINOIS**

verify that **Brick and Mortar Group LLC**

is duly authorized to apply and represent my interests before the Glen Ellyn Plan Commission, Zoning Board of Appeals, and/or Village Board of Trustees. Owner acknowledges that any notice given applicant is actual notice to owner.

OWNER SIGNATURE

Subscribed and sworn to before me this

26th day of March, 20 21

Kelly K. Ranck

Notary Public

KELLY K RANCK
Official Seal
Notary Public - State of Illinois
My Commission Expires Dec 18, 2022

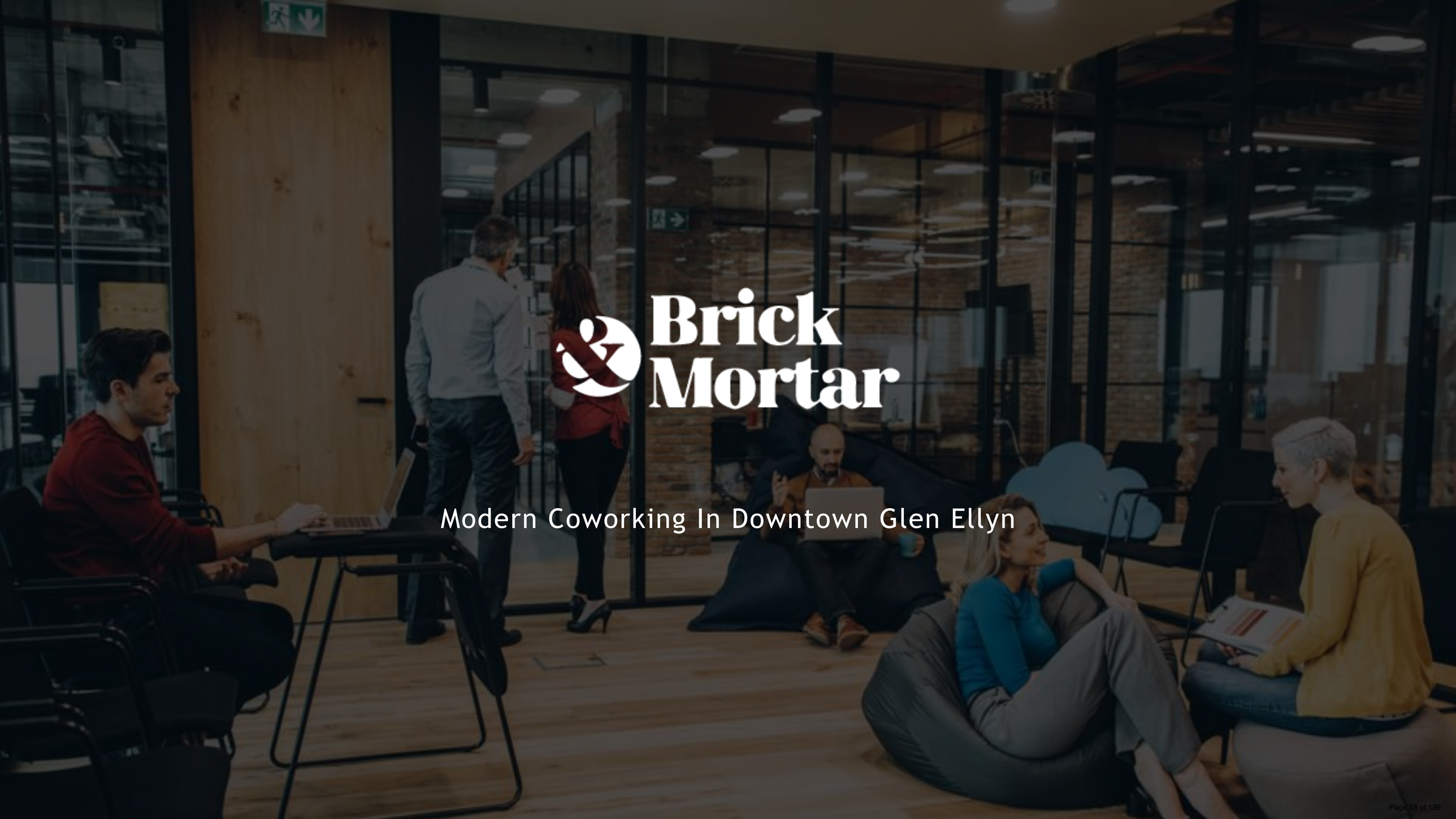


Doc ID: fad30214b20a2995a73c99ca2939c977efb1c001

LEGAL DESCRIPTION

THE SOUTH 29.96 FEET OF LOT 2 (EXCEPT THE EAST 75.00 FEET) OF THE SUBDIVISION OF LOT 6 IN BLOCK 12 IN THE ASSESSMENT DIVISION IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 7, 1906 AS DOCUMENT 87151 IN DUPAGE COUNTY, ILLINOIS


Doc ID: fad30214b20a2995a73c99ca2939c977efb1c001



# Brick & Mortar

Modern Coworking In Downtown Glen Ellyn

WWW.YOURBRICKANDMORTAR.COM

# A Vibrant Business Community In Glen Ellyn

More than simply office or meeting space, Brick & Mortar's coworking environment provides **a vibrant community of professionals, entrepreneurs and businesses** in the heart of downtown Glen Ellyn.

Conceptual Rendering

Brick & Mortar

# Why Glen Ellyn?

When reviewing dozens of locations for a second Brick & Mortar site, we took a large number of factors into account—most important among those were walkability, demographics, **and the opportunity to be a part of a dynamic, growing city.**

Due to the significant investment being made in purchasing and improving the real estate, it was critical that the selected city be one where Brick & Mortar could add value for many years to come. After reviewing all of the criteria, **Glen Ellyn was the obvious choice** for our first expansion outside of the original location.

Park Ridge Location

Park Ridge Location

Brick Mortar

# A Beautiful Place to Work, Meet & Connect

With companies permanently shifting 30%+ of their workforce remote, a huge number of white collar professionals who used to commute to work from the suburbs are **in desperate need of a location to work from, other than their homes.**

These professionals are not simply looking for a place to flip open their laptop—they are looking for a workspace that they are excited to come to, as well as bring their clients.

Park Ridge Location

# Flexible Memberships For Workers Of All Shapes & Sizes

Not everyone needs a dedicated office—or even a desk—every day of the week. By creating flexible membership options we allow workers to pay for what they need—no more, no less.

**Private & Dedicated Spaces:**
- Daily Private Office *(reserve an office for the day)*
- Monthly Private Office *(put your logo on your door)*
- Monthly Dedicated Desk *(call dibs on a desk you love)*

**Open Seating:**
- Daily Membership *(daily on-demand)*
- Part-time Membership *(includes 8 Day Passes)*
- Unlimited Membership *(as much access as you like)*

**Hourly Reservations:**
- Meeting Room
- Private Event

- And More…

Park Ridge Location

WWW.YOURBRICKANDMORTAR.COM

# So Much More Than Just A Desk

In addition to being surrounded by the amazing restaurants and businesses in downtown Glen Ellyn, all Brick & Mortar members receive access to our full suite of services and amenities:

- Super fast fiber wifi
- Electronic access
- Soundproof phone booths
- Fully furnished common areas and offices
- Electronic sit/stand desks
- Adjustable ergonomic chairs
- Complimentary coffee and filtered water
- Printing on the house
- All utilities and cleaning included
- Priority access to community events

# Thoughtfully Integrated Retail For The Coworking Community

To keep our members energized and productive throughout the day, we offer beverages, snacks and even apparel for purchase in our **"micro-grocer" located inside the space.**

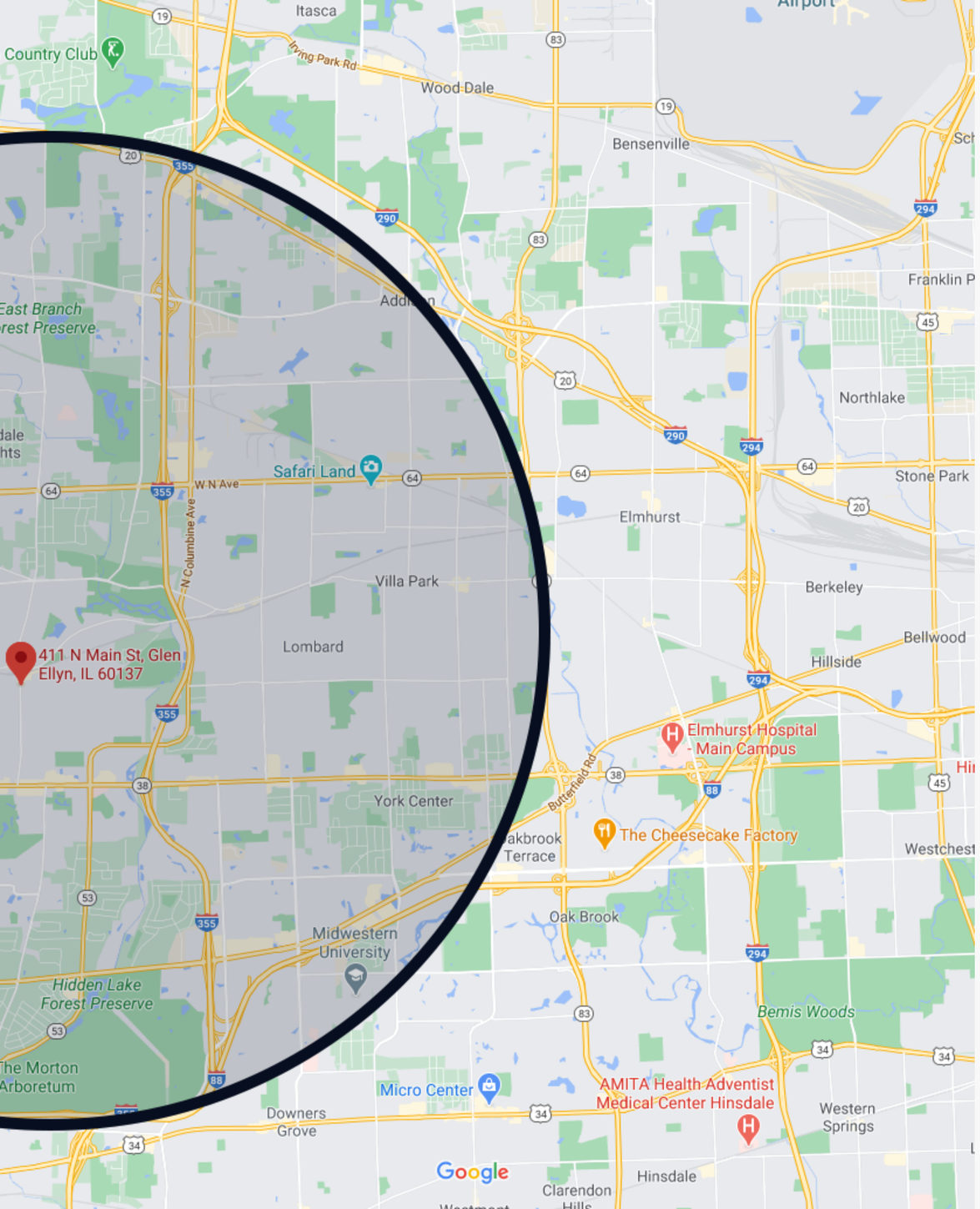
WWW.YOURBRICKANDMORTAR.COM

# Curated Business & Networking Events

Brick & Mortar is also a destination meeting and event space that can be utilized during the work week, evenings and weekends. From seminars and networking events, to holiday parties and corporate off-sites, Brick & Mortar will **introduce new groups of professionals to vibrant downtown Glen Ellyn.**

# Introducing Local Businesses To The Coworking Community

One of the big appeals of coworking space vs. traditional office spaces is the sense of community that the tenant companies share. To help foster this, **Brick & Mortar connects with local restaurants and businesses** to host events and happy hours that introduce coworking members to local options for food, drink, and services.




# Driving Neighboring Communities To Shop Local In Downtown Glen Ellyn

Whether they are coming to Brick & Mortar to work, for an event, to meet an existing member, or for a tour as a potential new member, **the space will draw thousands of professionals**—both locally and from the surrounding communities—**to downtown Glen Ellyn.** Once there, the incredible walkability of the location will allow visitors to:

- Snag a coffee on the way into work
- Eat lunch daily at local restaurants
- Grab dinner or drinks after work/events
- Pick up groceries on their way home from work
- Entertain colleagues/clients at local restaurants
- Get a haircut/nails done/facial after work
- Go to the gym before/after work
- And do so much more…

# Some Nice Things Nice People Are Saying About Us

WWW.YOURBRICKANDMORTAR.COM

**David**
1 review
★★★★★ 5 days ago
Adam and the team at Brick and Mortar took great care of our Chicago market 2021 planning meeting. With multiple locations needing to have face to face discussions, Brick & Mortar was the perfect solution. All of the tools that we needed were provided (and the snack selection was great, too!!) Looking forward to the next visit to Brick & Mortar.
Like

**Bonnie**
2 reviews
★★★★★ a month ago
Brick & Mortar has been an excellent extension of my business & provides a great space to work and meet clients. The accommodations are top-notch and I would highly recommend this space to anyone looking for a great co-working environment in the Northwest suburbs.
Like

**Franco**
1 review
★★★★★ 2 weeks ago
So grateful that Brick & Mortar opened up in Park Ridge. Phenomenal environment to work from. The space is absolutely spotless with so much natural light. Great amenities a true pleasure to spend my days working here. What a great addition to the Park Ridge community. Walking distance to restaurants.
Like

# The Team

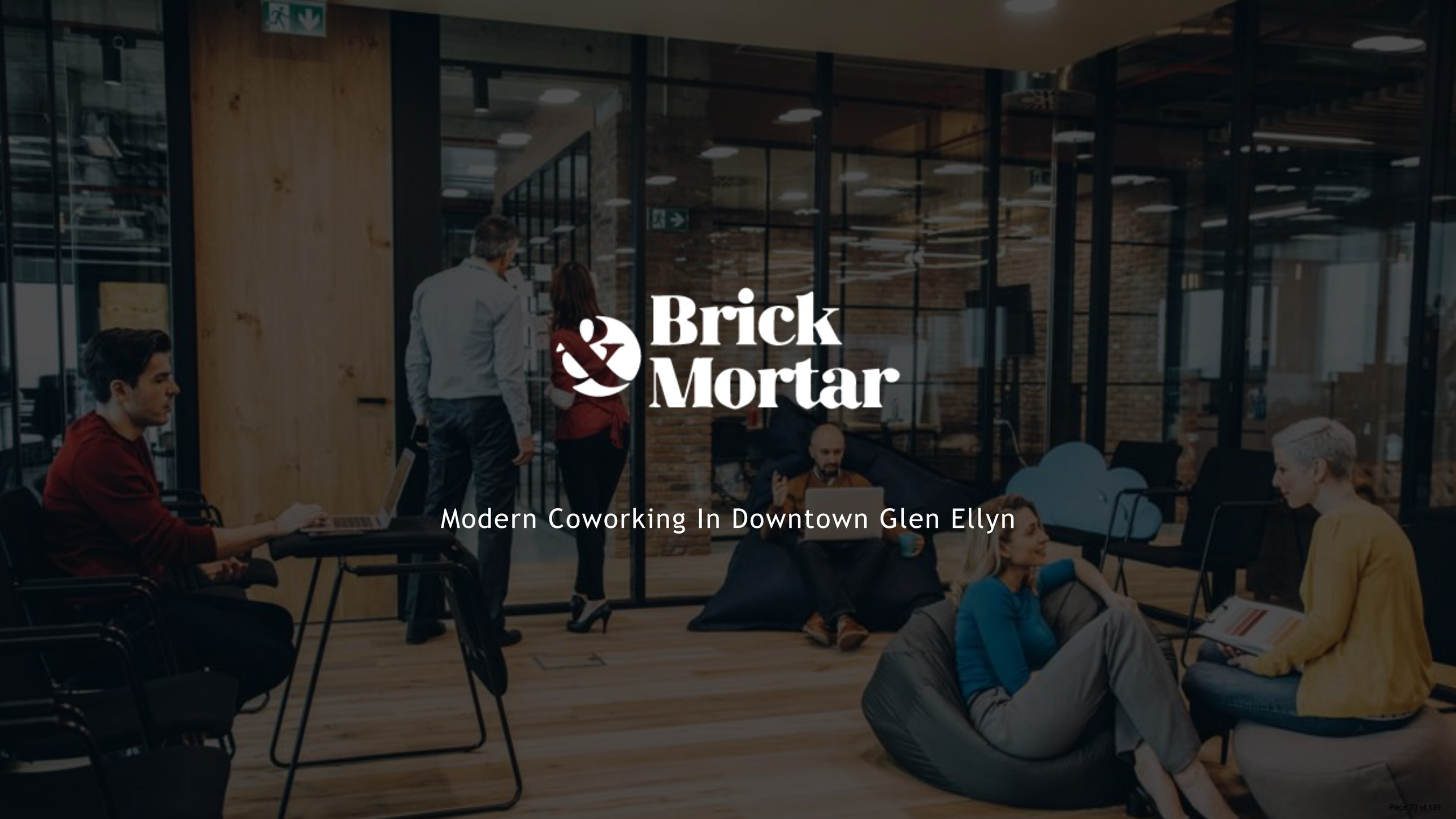
## Andrew Nast & Adam Clabaugh

Brick & Mortar's Managing Partners—Andrew Nast and Adam Clabaugh—are not only long time friends, but serial business partners who have started and grown 3 successful companies together over the years.

Andrew attended Northern Illinois University, receiving a Bachelor of Science in Marketing, while Adam attended Columbia College Chicago with a focus on design. While both Partners had very different career paths—Andrew's heavily involving real estate development and Adam's focused mainly on technology companies—the two came together in 2015 to launch a property management firm, Lofty, that was ultimately acquired in 2017.

Following the sale of that business Andrew and Adam teamed up again to launch a technology enabled construction company—Blue Collar—which has grown to operate in 6 different states. As they were looking for office space for their construction company, they realized that there was a massive lack of flexible workspace in the suburban communities.

So, in 2020 the team set out to provide professionals in the suburbs with beautiful places to work from without having to commute to the city (or try and take conference calls from their kitchen table), and Brick & Mortar was born.



# Brick & Mortar

Modern Coworking In Downtown Glen Ellyn

# ALTA/NSPS LAND TITLE SURVEY

VICINITY MAP
NO SCALE

## LEGAL DESCRIPTION

THE SOUTH 29.96 FEET OF LOT 2 (EXCEPT THE EAST 75.00 FEET) OF THE SUBDIVISION OF LOT 6 IN BLOCK 12 IN THE ASSESSMENT DIVISION IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 7, 1906 AS DOCUMENT 87151, IN DUPAGE COUNTY, ILLINOIS.

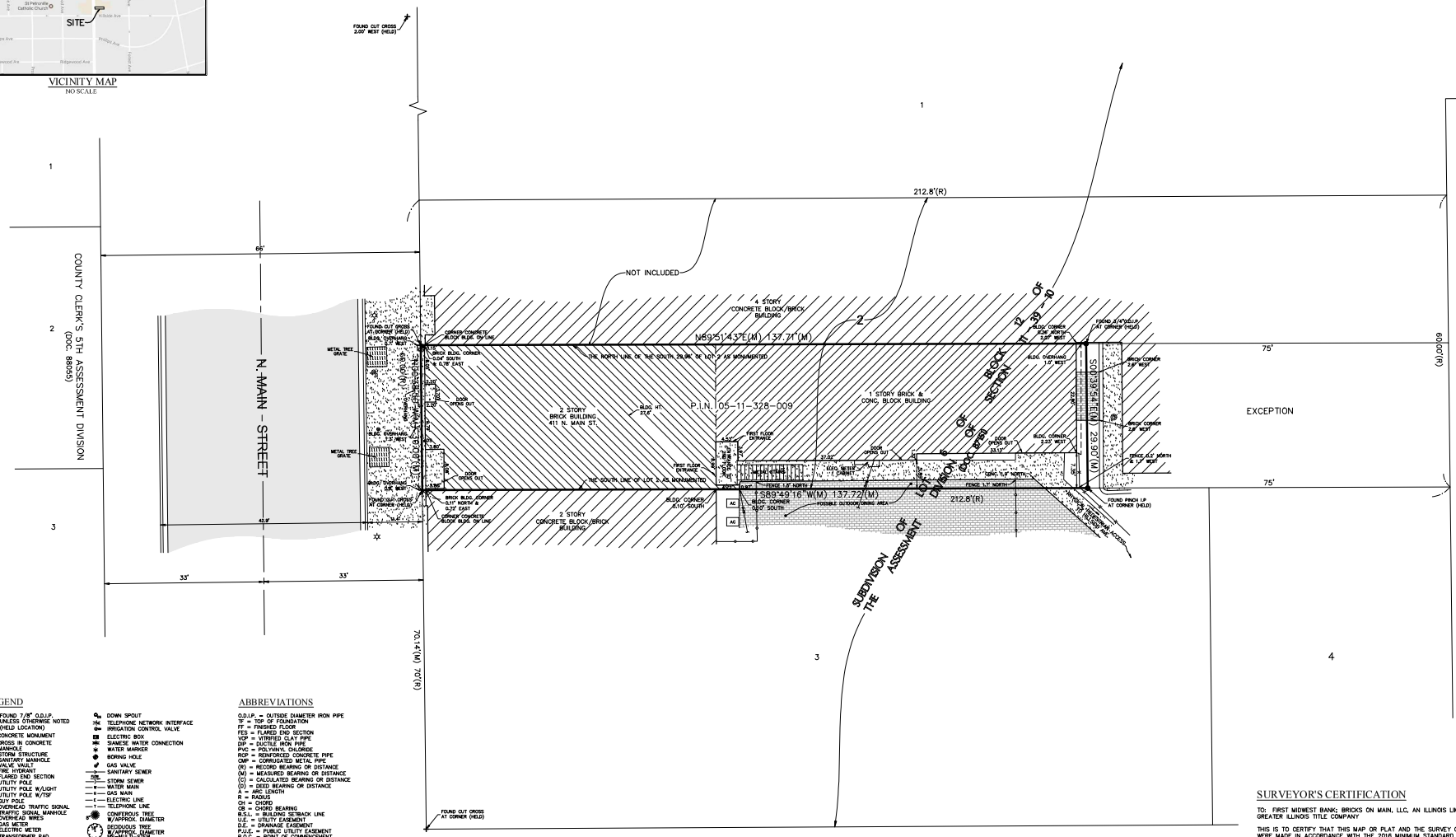
## SCHEDULE B EXCEPTIONS

SCHEDULE B EXCEPTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 AND 22 ARE NOT SURVEY RELATED AND THEREFORE NOT SHOWN.

GRAPHIC SCALE

10 0 5 10 20 40

( IN FEET )
1 inch = 10 ft.




## LEGEND

- FOUND 7/8" O.D.I.P. UNLESS OTHERWISE NOTED (HELD LOCATION)
- CONCRETE MONUMENT
- CROSS IN CONCRETE
- MANHOLE
- STORM STRUCTURE
- SANITARY MANHOLE
- VALVE VAULT
- FIRE HYDRANT
- FLARED END SECTION
- UTILITY POLE
- UTILITY POLE W/LIGHT
- UTILITY POLE W/TSF
- GUY POLE
- OVERHEAD TRAFFIC SIGNAL
- TRAFFIC SIGNAL MANHOLE
- OVERHEAD WIRES
- GAS METER
- ELECTRIC METER
- TRANSFORMER PAD
- TELEPHONE PEDESTAL
- ELECTRIC PEDESTAL
- TELEPHONE MANHOLE
- CABLE TELEVISION PEDESTAL
- ELECTRIC MANHOLE
- VALVE BOX
- B/BOX
- SIGN
- BOLLARD POLE
- LIGHT
- LIGHT POLE
- HAND HOLE
- MAILBOX
- GAS MARKER
- ELECTRIC MARKER
- TELEPHONE MARKER
- FLAG POLE
- POST INDICATOR VALVE
- GATE POST
- DOWN SPOUT
- TELEPHONE NETWORK INTERFACE
- IRRIGATION CONTROL VALVE
- ELECTRIC BOX
- SIAMESE WATER CONNECTION
- WATER MARKER
- BORING HOLE
- GAS VALVE
- SANITARY SEWER
- STORM SEWER
- WATER MAIN
- GAS MAIN
- ELECTRIC LINE
- TELEPHONE LINE
- CONIFEROUS TREE W/APPROX. DIAMETER
- DECIDUOUS TREE W/APPROX. DIAMETER
- MS-MULTI-STEM (DRIP LINE SHOWN IS APPROXIMATE)
- ELEVATION
- BITUMINOUS PAVEMENT
- CONCRETE SURFACE
- DEPRESSED CURB
- GRAVEL SURFACE
- LANDSCAPE AREA
- STONE SURFACE
- DETECTABLE TACTILE WARNING SURFACE
- WOOD FENCE
- CHAIN LINK FENCE
- METAL FENCE
- GUARDRAIL
- OVERHEAD TRAFFIC SIGNAL

## ABBREVIATIONS

O.D.I.P. = OUTSIDE DIAMETER IRON PIPE
TF = TOP OF FOUNDATION
FF = FINISHED FLOOR
FES = FLARED END SECTION
I.P. = IRON PIPE (OR WITHIN)
DIP = DUCTILE IRON PIPE
PVC = POLYVINYL CHLORIDE
RCP = REINFORCED CONCRETE PIPE
CMP = CORRUGATED METAL PIPE
(R) = RECORD BEARING OR DISTANCE
(M) = MEASURED BEARING OR DISTANCE
(C) = CALCULATED BEARING OR DISTANCE
(D) = DEED BEARING OR DISTANCE
A = ARC LENGTH
R = RADIUS
CH = CHORD
CB = CHORD BEARING
B.S.L. = BUILDING SETBACK LINE
U.E. = UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
P.A.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
P.U. & D.E. = PUBLIC UTILITY AND DRAINAGE EASEMENT

## LINE LEGEND

- LIMITS OF LAND PER LEGAL DESCRIPTION
- ADJACENT LAND
- PARCEL LINE
- EASEMENT LINE
- CENTERLINE
- BUILDING SETBACK LINE
- SECTION LINE

## NOTES

1. THIS SURVEY IS BASED ON THE LEGAL DESCRIPTION AND EASEMENTS OF RECORD AS IDENTIFIED IN TITLE COMMITMENT NUMBER 20005852 ISSUED BY GREATER ILLINOIS TITLE COMPANY HAVING AN EFFECTIVE DATE OF NOVEMBER 16, 2016.
2. THIS SITE FALLS WITHIN OTHER AREAS: ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DEFINED BY THE FLOOD INSURANCE RATE MAP, MAP NUMBER 17043C0503H, HAVING AN EFFECTIVE DATE OF DECEMBER 16, 2004.

## AREA SUMMARY

(TO HEAVY LINES)
4,124 SQUARE FEET
OR
0.095 ACRES
(BASED ON MEASURED VALUES)

## SURVEYOR'S CERTIFICATION

TO: FIRST MIDWEST BANK; BRICKS ON MAIN, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY; GREATER ILLINOIS TITLE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(A), 8 AND 9 OF TABLE A THEREOF. THE FIELD WORK WAS CUMPLETED ON JANUARY 4, 2017.

COMPASS SURVEYING LTD
PROFESSIONAL DESIGN FIRM
LAND SURVEYOR CORPORATION NO. 184-002778
LICENSE EXPIRES 4/30/2017

DATE OF PLAT OR MAP: JANUARY 4, 2017

BY: _____
DANIEL W. WALTER
IL PROFESSIONAL LAND SURVEYOR NO. 3585
LICENSE EXPIRES 11/30/18

J:\PSDATA\2017 PROJECTS\17.0002\17.0002 LTS.DWG

811 Know what's below. Call before you dig.

UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING KNOWN RECORDS. SUPPLIED TO SURVEYOR. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH IT IS BELIEVED TO BE CORRECT. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THESE STRUCTURES, HOWEVER HE HAS NOT PHYSICALLY LOCATED THE UNDERGROUND LINES.

| NO. | REVISIONS | DATE | BY |
|---|---|---|---|

DATE: 01-04-17 | FC RWS | DRAWN BY CM | CHECKED BY DW | BOOK 392 PG 75-76

PROJECT
411 N. Main Street
Glen Ellyn, IL 60137

CLIENT
Vanek, Larson & Kolb, LLC
200 Wilson Street
St Charles, IL 60174

COMPASS SURVEYING LTD
ALTA SURVEYS • TOPOGRAPHY • CONSTRUCTION STAKING
2631 GINGER WOODS PARKWAY, STE. 100
AURORA, IL 60502
PHONE (630) 820-9100 FAX: (630) 820-7010 EMAIL: ADMIN@CLSURVEYING.COM

SCALE: 1" = 10'

1 OF 1

PROJ. NO. 17.0002

N
131' 4"
UPPER LEVEL
Office
118.45 ft²
Office
101.12 ft²
Office
119.24 ft²
Bathroom3
35.42 ft²
Bathroom2
37.25 ft²
Conference Room
187.17 ft²
Unnamed Space
812.34 ft²
Unnamed Space
190.86 ft²
Rooftop
1008.69 ft²
MAIN LEVEL
MAIN STREET
Lobby
97.10 ft²
Kitchen
Wall
40.41 ft²
Bathroom
98.23 ft²
Unnamed Space
1732.61 ft²
Bathroom1
116.72 ft²
Office
159.48 ft²
Elevator
75.32 ft²
Conference Room
323.22 ft²
Office
101.13 ft²
Office
140.97 ft²
Office
108.23 ft²
147' 11"
LOWER LEVEL
Storage
374.49 ft²
Recording Studio(s)
153.32 ft²
Mechanical Room
219.65 ft²
Elevator
94.97 ft²
Elevator
95.85 ft²
38' 4"
10' 11"
19' 1"
11' 4"
12' 6"
17' 5"
131' 4"

DRAFT MINUTES
SPECIAL PLAN COMMISSION MEETING
March 18, 2021

Call to Order and Roll Call

The meeting was called to order at 7:01 p.m. by Chairperson Mary Loch, who explained procedures – including provisions for public comment – for the evening's meeting which, due to the disaster declaration related to Covid-19 and public health concerns, is being conducted remotely by video conference. She described the Plan Commission's charge and operation, and introduced the meeting's topics, and participants Trustee Liaison Bill Enright, Community Development Director Staci Springer, Planning Manager Kelly Purvis and Recording Secretary Barbara Dutton.

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

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 passed with seven (7) yes votes and zero (0) no votes as follows: Commissioners Heming-Littwin, Mulherin, Berry, Brown, Fanella and Vondruska, and Chairperson Loch voted "yes."

Public Comment Non-Agenda Items

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

## Pre-Application Conference with Brick & Mortar for consideration of a co-working office and event space at 411 N. Main Street

Staff Introduction

Planning Manager Purvis described the potential co-working office space proposed by Brick & Mortar Managing Partners Andrew Nast and Adam Clabaugh as a renovation of the 411 N. Main building, which is on the east side of the street between Duane and Hillside. The subject property, zoned C5A, is in the heart of the retail core amid other such-zoned, mixed-use buildings, though a multi-family building is at the rear of the subject property, with some R2-zoned properties on the outskirts of the downtown. She stated that the Comprehensive Plan highlights this part of downtown as a pedestrian shopping area, and the Plan suggests the Village should "continue to improve and enhance the heart of downtown as a pedestrian-oriented shopping and business area." She also cited Downtown Strategic Plan language on the benefits of office uses, including providing opportunities "for residents to walk to work, having a daytime and early evening population base to eat in Downtown restaurants and shop in stores," and "infusing additional professional and medical offices and service businesses into the Downtown would increase employment and thus the demand for retail and other services." This Plan, she noted, stresses strategic positioning so as not to interrupt retail street corridors, and identifies as an appropriate

location “above or below first floor retail in a mixed use setting or a site that is on the periphery of the Downtown Core.” The subject property, said Planning Manager Purvis, is a 5,350SF mixed-use building containing apartments on the second floor and vacant restaurant space on the first floor.

Planning Manager Purvis stated that the Petitioners, who operate a facility in suburban Park Ridge, propose a co-working office space in a shared environment, with event accommodations as a secondary, but significant, use. At least one event a week, with an estimated attendance of 10-20 people, is anticipated. Holiday parties and networking functions are among those envisioned. The space, she said, is to feature such amenities as fiber-optic Wi-Fi and sit-stand desks, and could offer business people a place to bring clients. Members would have 24-7 access, with peak business hours from 10 a.m. and 3 p.m. (during which the Park Ridge location usually has 15-30 members onsite). Between one and three staff would be present between 8 a.m. and 8 p.m. The Park Ridge location reports 62 members, half of whom are monthly members; 60 percent of the members are drawn from a 20-minute radius. The member profile, she stated, is white-collar professionals in such fields as marketing and law.

No parking is required for the proposed use, continued Planning Manager Purvis, adding that larger events could be served by the Main Street and Civic Center garages. Because the Village Code does not currently allow event venues as a use, she said Staff suggests the petitioners request a Zoning Code Text Amendment to allow event venues in the C5A district. Special Use Permits would be needed for event venue use and for the co-working office use and, she continued, as would approval of the exterior appearance.

Commissioner Heming-Littwin asked if the Petitioner is looking to keep the apartments or to use the entire space for co-working. Planning Manager Purvis replied that Brick & Mortar is planning to renovate the entire building as co-working space. Noting that a building code review has not been performed, Community Development Manager Springer stated that using second-story, walk-up space for assembly uses might be difficult without elevators or a chair lift. Commissioner Vondruska asked whether the number of people permitted in a space would be defined in a text amendment. Planning Manager Purvis stated that the text amendment probably wouldn’t specify this, but that conditions could be attached to a Special Use for an event venue. Commissioner Mulherin asked, “Wouldn’t there be a maximum occupancy based on square footage?” Director Springer indicated that occupancy hasn’t been calculated for this space, but that it would be limited by the building’s limitations. Commissioner Heming Littwin asked if the Brick & Mortar enterprise would require a liquor license, and asked why the Petitioners would need “24-7” access. Responding that about 98 percent of business at the Park Ridge location is during normal business hours, Planning Manager Purvis advised asking the Petitioners about access.

Commissioner Fanella asked why, given that other businesses in town host special events, a Text Amendment and Special Use Permit consideration is being discussed for this proposal. The reason, explained Planning Manager Purvis, is because of the frequency of events anticipated and the activity’s significance in the business model. Director Springer elaborated that the guideline centers on the point at which Village believes that an accessory-type use becomes more of a majority or a certain percentage of the business. She cited examples of a concept for a café-banquet facility that didn’t materialize, and a former photo/art studio that went out of business after its owner faced having to cut back the volume of monthly space rentals that had become its main source of revenue, and which found the operation

“creeping” into a different use. A dollhouse product vendor, she recalled, ran summer camps and small birthday parties but mainly sold goods. Likewise, Fire & Wine occasionally rents out space, though rarely, remaining mostly a restaurant. Commissioner Mulherin thought a seminar or reception of 10 or 20 people would probably not be noticeable, but a party of 50, 60 or 100 people could spill out into the street or patio. Pointing out that there are a lot of residences in the area, he said determination of a hard, verifiable number is needed. Director Springer advised that, because business models can change, it might be desirable to impose limits. In Commissioner Vondruska’s estimation, contemplated weekly events equating to networking gatherings would typically not pose a disturbance. Commissioner Brown asked what the Village decided about the hours for Enclave. Director Springer said that because the Plan Commission recommended denying a Special Use Permit, the project did not move forward. Staff met with the Petitioner to look at retail applications, she said, but as this was during the Covid-19 crisis, the effort was put on hold. Commissioner Brown sought clarification relative to 24-hour access to Enclave, to which Ms. Purvis replied that no limitation on hours has been imposed. Commissioner Heming-Littwin recalled their hours only going until 2 a.m. She added that, in her opinion, aspects aside from the retail requirement could be changed.

Petitioner’s Presentation

Petitioner Andrew Nast gave a photographic tour of the Park Ridge location, which he said is the oldest building in town. He pointed out the electronic access point at the front entry, and stated that video surveillance is installed throughout the building. Other features he mentioned are a conference room, sound-proof phone booths, and kitchen accommodations. He stated that Brick & Mortar is looking to purchase the Glen Ellyn property and developing it to “have a similar vibe.” Unlimited and partial monthly memberships, he indicated, as well as a $25 daily membership would also be available, and said that office space and dedicated desks could be reserved. Maintaining that most offices are, in general, accessible “24-7,” though not marketed as such, Mr. Nast emphasized surveillance and electronic access as safety features, adding that Brick & Mortar sees a “valley” in usage from 6 p.m. to 7 a.m. He agreed with Commissioner Vondruska’s assessment of the types of events envisioned, and offered as examples SEO seminars that have taken place, and bringing in, post-Covid, guest speakers for the community.

Petitioner Nast explained that in identifying Glen Ellyn as a place to expand, Brick & Mortar looked for demographics akin to Park Ridge, where, he said, the co-working facility has been well-received, and added that he is familiar with Glen Ellyn. He said that his favorite part of the experience heading Brick & Mortar is seeing members take pride in the facility and give tours. As to parking, he said members arrive by Metra, as well as drive, use ride sharing, and walk to the location. He added that members typically spend two to four hours at the facility. Mr. Clabaugh had no remarks to add to the presentation.

Commissioner Heming-Littwin inquired as to the maximum number of people allowed in the Park Ridge building, to which Mr. Nast said there are 60 seats. She then asked how Brick & Mortar has been managing Covid-19 restrictions, to which he stated that seating arrangement and mask protocols were in place. Commissioner Heming-Littwin asked if there were ever more than 30 members on the premises, to which Mr. Nast replied, “No,” saying daily averages were 10-15. The Commissioner asked the nature of the access mechanism. Mr. Nast explained that an email-enabled phone app would prevent unauthorized admittance. Commissioner Berry asked if the app was similar to “Open Door,” to

which Mr. Nast replied that it's called "Kisi." Commissioner Heming-Littwin asked how the Petitioner would feel about the local police department having access to go into the space at any time. Mr. Nast responded that that would be fine, and said that police personnel in Park Ridge were pleased to see the surveillance system (from which video is stored for 90 days). Commissioner Heming-Littwin asked how events are booked, whether events will be catered with food and drink, and how occupancy levels will be maintained. Nast stated that Brick & Mortar has so far done no such events – which aren't a "make or break" for its business model but offer an opportunity to partner with restaurants. He said Brick & Mortar has an event coordinator who will meet with clients and be present throughout the events. Commissioner Heming-Littwin asked if events would be allowed all days of the week including weekends. Mr. Nast replied that, depending on the type of event, he and his partner are open to Saturdays and Sundays. Chairperson Loch asked how Brick & Mortar would handle a request for an entertainment event. Mr. Nast said these have come up, but were turned down. He cited children's birthday party requests that were rejected. Commissioner Heming-Littwin asked whether for a two-story operation the Petitioner would be committed to installing an elevator for ADA compliance. Mr. Nast said he understands that, as long as the same type of event or "ongoings" can occur on the first floor as they would on the second floor (i.e., same spatial layout), an elevator would not be necessary, so that would be Brick & Mortar's goal.

Declaring that she would not be in favor of the proposed façade treatment – which she articulated doesn't fit the historic Main Street character – Commissioner Heming-Littwin said she anticipates an outcry from the community over a modern design treatment. (Planning Manager Purvis confirmed that the structure is in a listed historic district.) Mr. Nast indicated that Brick & Mortar is open to working with the community to achieve an acceptable design and that the rendering is only illustrative. Commissioner Heming-Littwin asked the Petitioner if he could commit to not looking to the Village for funds for renovation work. Mr. Nast asked if this was an option. Planning Manager Purvis explained that the Village does offer financial incentives for ADA compliance, fire sprinklers and façade improvements. Director Springer elaborated that funding is for elements that cannot be removed, and covers 50 percent of costs up to $30,000. Commissioner Heming-Littwin restated her question. Mr. Nast said Brick & Mortar would be looking for whatever is fair, and doesn't know why they would pass on that.

Commissioner Fanella asked if renting out the entire space was rare; Mr. Nast confirmed this to be the case, saying that Brick & Mortar would be "hard pressed" to close the entire space, out of consideration for members, who are making a commitment on a monthly basis. The Commissioner asked if renting space was restricted to members; Mr. Nast answered, "Not necessarily," adding that event booking, however, could not be done "blindly" (e.g., online). Chairperson Loch said the concept would make for a nice option for businesses that don't have their own spaces to meet. Commissioner Mulherin said he's aware of a need for such meeting space, and views the proposed concept as having potential. Commissioner Brown asked about mail-receiving services at the Park Ridge operation. Mr. Nast explained that mail receptacles separated from member-only space allow for "mail suite"-only clients.

<u>Commissioner Discussion</u>

Perceiving acceptance of the concept, Chairperson Loch asked how the Commission felt about having such a business on Main Street. Planning Manager Purvis related that the Petitioners are looking for a

building to buy, and nothing for sale in the C5B district where the proposed office use would be allowed by right. She mentioned a site off of Main in C5A, but said it doesn't fit the Petitioners' requirements.

Commissioner Heming-Littwin perceived the concept presented by Brick & Mortar as being different than Enclave's in that the focus of Brick & Mortar was co-sourcing work spot rather than serving as a co-working/social club. She did, however, say she struggles with the location, as the Village has been clear that first-floor C5A space has to contain retail or a restaurant. Because there is no retail component proposed, she is "on this fence." The concept, she said, sounds good for the downtown, but approving it could set a precedent. Citing past Commission action requiring businesses adhere to the code, she said she is torn. Commissioner Vondruska said the proposed use is a good one for the narrow building and that he isn't too worried about events. He said he'd leave Text Amendment and Special Use Permit determinations up to Staff. Observing that retail is on a steady decline, he said it would behoove the Village to be open minded about service businesses. Further, he expressed confidence that the architectural details could be worked out. Commissioner Mulherin said he understands Commissioner Heming-Littwin's point, but stated that the building "desperately needs complete renovation." He said the proposed use is unique and responds to a community need as expressed by the Library's decision to create 14 meeting rooms. He said he thinks it will make downtown retail more robust, and that he is impressed with the quality and features presented. He said he has no problem with the location, but agrees with Commissioner Heming-Littwin about the façade treatment. Commissioner Fanella voiced a need for such a space in the Village, and said she likes the façade concept. She said she'd like to see a final proposal before she commits to a decision, but that she isn't bothered by the location. She said she doesn't want to see a Special Use Permit for events to put undue burden on the Petitioner, which was not imposed on other businesses, but will defer to Staff on how best to move forward. She said she is impressed with a story the Petitioner told about accommodating a member who is a first responder. Commissioner Brown said the concept seems to be a good solution for a challenging space, and that she expects interest in the facility and appreciates the investment in the historic Park Ridge building. She said the Comprehensive Plan should probably be reevaluated to consider Commissioner Vondruska's point about retail vs. business use. Commissioner Berry said he expects a lot of people will be looking for such space. As to the exterior, he said he's not "a big white fan" but is "sure we can figure something out," and from that perspective "totally" embraces the concept. Commissioner Heming-Littwin suggested the Petitioners seek input from area business owners, who can be allies. Chairperson Loch pronounced the proposed project a "great idea that would help enhance the retail and restaurants on Main Street." She said she would like to see a "business hub" move forward, and while she expects pressure to try to make the façade blend in, she thinks the architecture on that side of the street needs updating. Commissioner Mulherin speculated that the word "events" evokes parties, but that the type of meetings described doesn't strike him as events. Director Springer said Staff might look at Park Ridge's Special Use, but that an office space at this site will still require Special Use. Commissioner Mulherin pointed to the dentist office below Bridge Communities as an exception to retail use on the first floor in the C5A district.

**<u>Consideration of the Draft Glen Ellyn Zoning Map of 2021</u>**

Planning Manager Purvis explained that by April 1st of each year municipalities are required (by State law) to adopt an official Zoning Map, which should reflect any annexations and zoning map amendments. She stated that this past year (2020) the Village has had six annexations, and two Zoning Map Amendments (which were in conjunction with annexation). She listed the annexations:

- Elliot Properties, an industrial area on Hill Avenue
- 623 Scott Avenue, a single-family residential property
- Cumnor/Acorn Residential Properties
- A piece of the Illinois Prairie Path
- 380 S. Milton Avenue, a single-family residential property
- 715 S. Park Boulevard, a single-family residential lot

A motion to accept the Glen Ellyn Zoning Map as presented for 2021 was made by Commissioner Heming-Littwin, and seconded by Commissioner Fanella. The motion carried with seven (7) yes votes and zero (0) no votes as follows: Commissioners Heming-Littwin, Fanella, Berry, Brown, Mulherin and Vondruska, and Chairperson Loch voted "yes."

Trustee's Report

Liaison Enright had nothing new to report.

Chairman's Report

Chairperson Loch asked if anyone recognized reference she made earlier to a film ("Cool Hand Luke").

Staff Report

Planning Manager Purvis said the agenda for the March 25, 2021 Plan Commission meeting will include Zoning Code amendments for the C5A and C5B districts to amend setback requirements for commercial properties next to properties used for residential purposes, and to consider removing single-family dwelling units from the C5B District.

She also noted that applications for the Associate Planner position close tomorrow. Commissioner Heming-Littwin asked what's in the two-unit strip commercial mall on Pennsylvania where a cleaner and a "pack & ship" had been. Planning Manager Purvis said an office and a private gym. Director Springer reported that the Civic Center Parking Garage and Pedway should be open by May 1, and that the easement agreements with the owner of the Sushi Ukai building and the owner of the Fire & Wine/Katie's building were obtained. Commissioner Heming-Littwin asked the status of the Apex 400 apartment building project. Director Springer replied that the crane was to be installed today, and that once it's assembled the job will start accepting pre-cast deliveries, impacting traffic on Main and Hillside – the latter of which will have a portion closed for a time – and that she expects part of the project's garage to be open for public use in July. Though the tent isn't going up on Main Street this year, restaurants are finding ways to do outdoor seating, she said, adding that the streetscape project has been delayed. Replying to a query from Commissioner Heming-Littwin about the Rue restaurant reopening after a fire earlier this year, Director Springer said a building permit is expected to be obtained soon. Commissioner Mulherin asked when the Avere project would be allowing occupancy; Director Springer said tenants started moving in in February, and that leasing continues.

Adjournment

Chairperson Loch adjourned the meeting at 8:37 p.m.

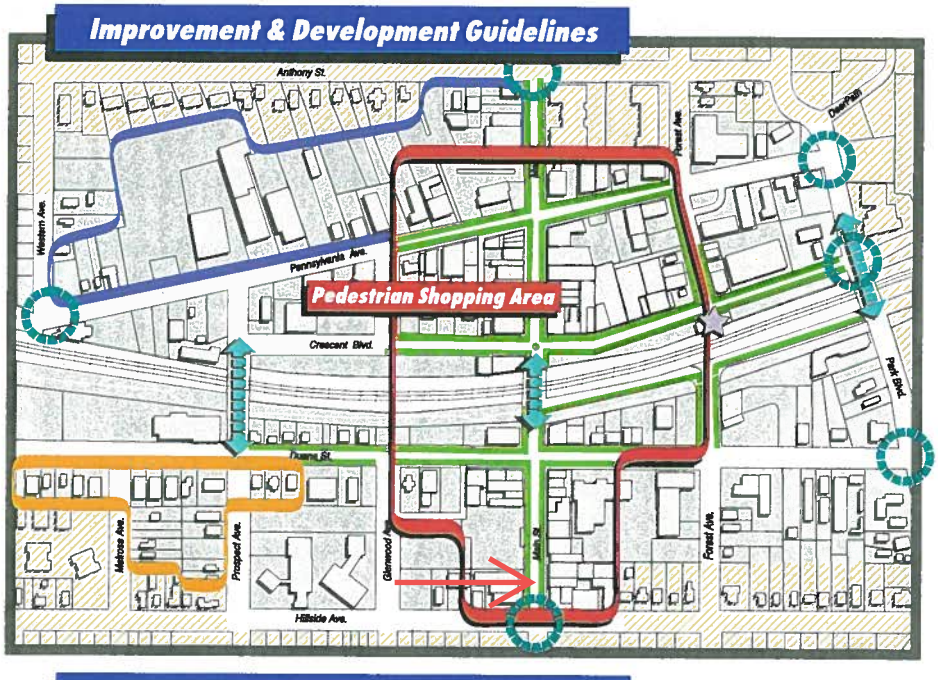
Respectfully submitted,

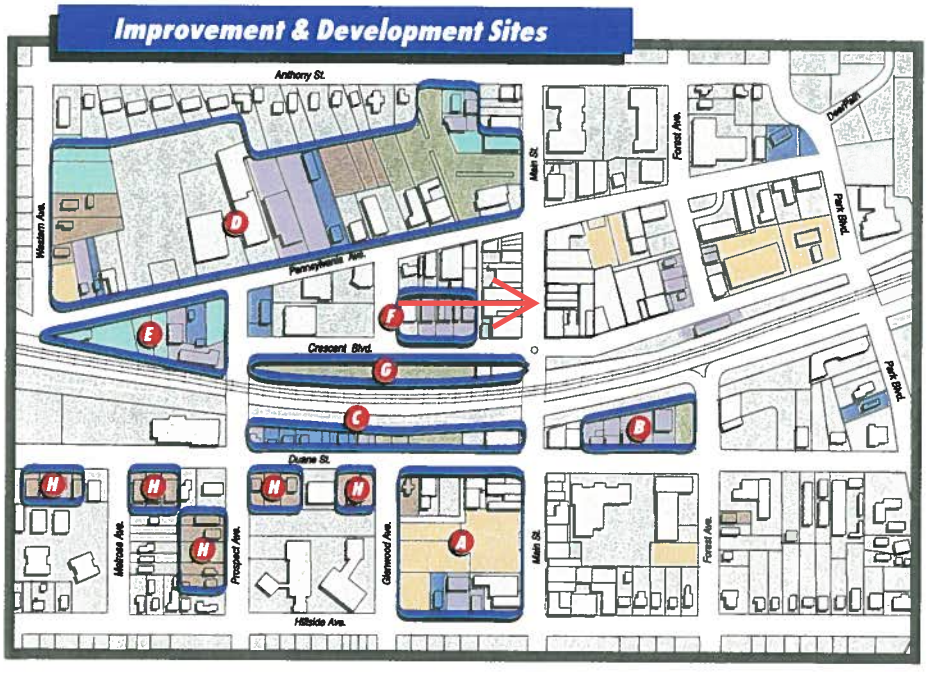
Barbara Dutton-Thomas
Recording Secretary

Reviewed by Planning Manager, Kelly Purvis

*Figure 13*

# **Downtown:** *Improvement Guidelines*




***Improvement Guidelines:***

*Continue to improve and enhance the heart of Downtown as a pedestrian-oriented shopping and business area.*

*Reorganize and redevelop the northwest quadrant of Downtown as an attractive and convenient office and service area.*

*Continue streetscape and other design enhancements, particularly along the east-west streets within Downtown.*

*Provide "gateway" design features that denote entry into the Downtown and delineate its boundaries.*

*Work with Metra to replace the existing commuter station with a new Downtown facility.*

*Improve pedestrian connections between the north and south sides of Downtown.*

*Promote replacement of older structures with high-quality townhomes and similar multi-family developments.*

*Maintain, preserve and protect surrounding neighborhoods.*

*(See text for additional improvement and development guidelines)*

***Improvement & Development Sites:***

*Projects either underway or being discussed (see accompanying text).*

*Vacant buildings and land parcels should be reused or redeveloped.*

*Marginal and underutilized properties should be reused and upgraded or replaced with new development.*

*Residential properties that may be subject to redevelopment.*

*Surface parking lots along the frontage of primary shopping streets should be considered for new development.*

*Sound and viable businesses that would benefit from building or site improvements.*

*Clusters of properties that may represent special opportunities for improvement or develop-*

side of Wheaton. Some existing restaurateurs and specialty merchants attract customers beyond Glen Ellyn including Wheaton, Lombard, Oak Brook, and Downtown Chicago.

The primary market area for Downtown retail uses is estimated to extend two to three miles from the Downtown, generally bound by North Avenue to the north, Butterfield Road to the south, Naperville Road/Main Street – Wheaton to the west, and I-355 to the east.

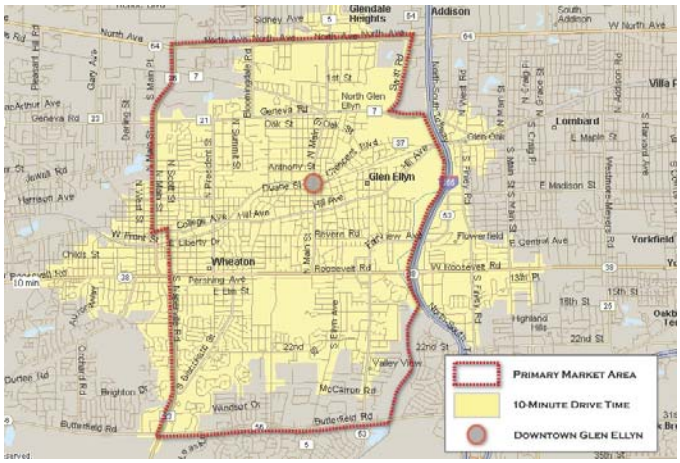



*Figure 21: Primary Market Area*
*Source: Gruen Gruen + Associates*

Youths, seniors, and stay-at-home-moms are primary consumers in the Downtown. Requests made for goods and services during the planning process included shops with basic necessities at affordable prices (including children's clothing), men's stores, and after school activities and events for children (especially when they have half-days off).

## Trends and Issues

In 2008, the largest global, national, and local economic downturn occurred since the Great Depression (which commenced in 1929). Although one could argue that the decline of Downtown Glen Ellyn began back in the mid-1960s, a noticeable change began in 2005. The Downtown retail vacancy rate increased from 2-3% in 2002-05 to 15% by the end of 2008, and the Downtown's share of Village-wide sales dropped from 21% in 2004 to 19% in 2005.

Downtown Glen Ellyn's successes and struggles are consistent with the current national trends:

- Downtown establishments are becoming more service-oriented.
- Transit ridership is on the rise.[1] Metra ridership increased five percent (5%) in the first half of 2008, compared with the same period in 2007. Eight of Metra's "Top 10" ridership months have occurred since July 2007. Metra's weekend ticket sales were up 20% in the first half of 2008.

In addition to reflecting on national trends, there are some notable characteristics for the primary market area of Downtown Glen Ellyn:

- The estimated retail supply in the Downtown's primary market area is double the estimated retail demand.
- The Downtown does not provide significant advantages for major office space users.
- There are not enough potential consumers living in the Downtown.

[1] "Record ridership strains CTA, Metra, Pace – and it's likely to get worse. Lack of capital improvement catches up to transit agencies." Chicago Tribune, September 2, 2008.

4. Increase the amount of Downtown office space that attracts small and growing businesses.
5. Create new Downtown amenities by increasing recreation and parkland opportunities.
6. Increase the number of cultural events and activities that could make Downtown Glen Ellyn a destination for residents and non-residents alike.
7. Eliminate the perception of government-imposed obstacles to operating a business and reinvesting in private property in the Downtown.
8. Establish safe and efficient pedestrian, bicycle, and automobile traffic and access patterns to, through, and from the Downtown.
9. Improve the sufficiency and convenience of the Downtown parking supply north and south of the tracks.
10. Establish a distinguishing feature in the Downtown that differentiates Glen Ellyn's Downtown from other communities' downtowns.
11. Establish a Downtown implementation funding plan to ensure that reinvestment occurs and initiatives are achieved.

# Strategies and Measures

Strategies are important to the implementation of the *Downtown Strategic Plan*, because they identify specific action items to make the goal and objectives a reality. Measures are tangible items that are outcomes of the strategies. The following strategies and measures correspond to the list of objectives:

1. Retail in a mixed-use setting that includes office and housing creates a dynamic environment and multiple-purpose visits. Retain and attract a retail mix for the Downtown that includes unique eating and drinking establishments and also provides outdoor eating and drinking opportunities. Retain and enhance entertainment and recreational uses such as the Glen Art Theatre, Illinois Prairie Path, and Lake Ellyn.

   *Measure: Reduce the Downtown vacancy rates, ensure a no net loss of retail, restaurant, and entertainment tenant space in the Downtown; incorporate such uses in the first floors of mixed-use buildings; ensure that new commercial space is built to meet the needs of modern retailers; and manage the utilization of Downtown core business hours.*

2. New housing opportunities in the Downtown increases the population base in the community without encroaching on the surrounding single family neighborhoods. Since the surrounding area is substantially built-out, and the limited population growth will primarily result from the movement of empty-nester, younger-aged, and smaller-sized households, the Downtown is an ideal location for increased housing opportunities.

   *Measure: Construct a minimum of 450 new dwelling units in the Downtown.*

3. Buildings deteriorate over time in the absence of proper maintenance and renewal. In the past, sufficient maintenance and renewal did not occur. Interior upgrade needs include heating/ventilation/air conditioning systems, telecommunications, electrical, plumbing, and interior finishes. Exterior upgrade needs include historic restorations, historically-sensitive façade upgrades, awnings, signage, and rooftop repairs.

   *Measure: Establish a historic district in the Downtown core area. Make available financial incentives to business owners and property owners in the form of grants, low-interest loans, and/or tax credits, for building maintenance, renovations, and upgrades. This includes incentives for historic or landmarked properties within a historic district. The EDC currently offers grant programs to assist with exterior façade improvements and interior renovations. These programs should continue, and possibly be enhanced.*

4. The benefits of having office users in the Downtown includes the opportunity for residents to walk to work, having a daytime and early evening population base to eat in Downtown restaurants and shop in stores. In

addition, professional office-based businesses can partner with each other and creative businesses can provide goods and services to Downtown merchants.

*Measure: Provide a net increase in office tenant space in the Downtown, and ensure that it is flexible to allow firms the opportunity to grow in place.*

5. Amenities such as a large Downtown open space, the Illinois Prairie Path, sidewalk cafes, and public art, provide active and passive recreation opportunities and create a unique ambiance in the Downtown for citizens and visitors alike.

   *Measure: Reconstruct Main Street and Crescent Boulevard to accommodate the creation of the "Downtown Greenway" open space, the construction of wider sidewalks, and the installation of public art and bicycle racks.*

6. Permanent Downtown venues for the performing arts need to be constructed to maximize setup convenience and minimize temporary stage and tent rental costs. Expand the number of Downtown cultural events and activities by building upon popular events such as the Jazz Fest, holiday parades, and scavenger hunts, and renew events such as the Taste of Glen Ellyn by incorporating Glen Ellyn restaurants and College of DuPage Foodservice Administration students into the program of featured vendors.

   *Measure: Construct a small amphitheater that protects the stage from the weather and minimizes the impacts of train noise in the performance area.*

7. The Zoning Code needs to be updated to reflect the recommendations in the Market Analysis and minimize the perceived burden of government-imposed obstacles in the Downtown business and development review process. The Village's existing Zoning Code requires a special use permit for non-retail uses in the Downtown. Amending the Zoning Code to permit entertainment and cultural uses by right in the Downtown, and amending zoning district boundaries, will reduce the time it takes for businesses to be opened. In addition, the Village should look for opportunities to expand its authority to grant administrative approvals.

   *Measure: Update the Zoning Code, consider writing form-based regulations for the Downtown prior to the development of new mixed-use buildings, and utilize an Executive Director of a new permanent Downtown organization to work as an ombudsman for business owners and developers.*

8. The existing one-way traffic loop around the block located at the northeast corner of Main Street and Crescent Boulevard makes access in and through Downtown inconvenient and confusing, and the large number of trains passing through the Downtown can create backups and be frustrating for motorists. In addition, the Downtown is located one mile north of Roosevelt Road and one mile south of Geneva/St. Charles Roads. Opportunities to improve the traffic flow include converting one-way streets to two-way streets, installing clear wayfinding signage, constructing consistent streetscape features from Roosevelt Road to Geneva/St. Charles Roads, and constructing gateways at key intersections.

   *Measure: Consider converting the Downtown's primary one-way streets to two-way streets; design and install attractive, easy-to-understand, and memorable gateways and wayfinding signage; and design and install streetscaping along the two-mile Main Street corridor. In addition, consider converting the Downtown's one-way neighborhood streets, such as Forest Avenue, Hillside Avenue, and Anthony Street, to two-way streets, and hire a consultant to evaluate the possibility of constructing a vehicular overpass or underpass in the vicinity of the Downtown.*

9. Although the current overall parking supply is generally sufficient for the Downtown, too few spaces are available for Downtown public parking, and the public parking supply that is available is generally inconveniently-located to the Downtown core, and in some cases, requires a fee to park. In addition, the

### Maintain and Build New Downtown Mixed-Use Buildings

Increase the overall density and activity in the Downtown. Retail and restaurant uses should be reserved for first floor space throughout the core of the Downtown, and be contained in mixed-use buildings with residential uses above. The additional residential density will increase the consumer population of the Downtown to fuel the economic engine to support the existing and future retail. Mixed-use redevelopment is a key means for accomplishing this objective. Ensure that any new developments in the core shopping district accommodate residential dwelling units (preferred) or office above first floor retail; that any new developments in the periphery of the core shopping district accommodate residential dwelling units above first floor office; that existing buildings are remodeled and/or renovated; that new infill development and renovations are historically-sensitive; that new commercial space is designed to meet the needs of modern retailers; and that there is a no net loss of retail space in the Downtown.

### Increase Downtown Office and Service Space

Infusing additional professional and medical offices and service businesses into the Downtown would increase employment and thus the demand for retail and other services. Businesses and offices are typically daytime consumers; however, they can spill over into evening and weekend consumption as well. The location of these businesses must be strategically positioned so as not to interrupt critical retail street corridors. An appropriate location is above or below first floor retail in a mixed-use setting or a site that is on the periphery of the Downtown core.

### Increase the Number of Downtown Residential Units

Provide additional dwelling units for different types of households – especially empty-nesters (couples who no longer need a big house but want to remain in Glen Ellyn) and young professionals (individuals and couples who want to live in Glen Ellyn but don't need or want a house at this stage in their lives). There is a demand for Downtown residential living for people who want to enjoy the benefits of the Downtown including its charm, convenience, and the cluster of services available within a comfortable walk from home. In addition, allow the construction of accessory dwelling units[1] on single family properties in and near the Downtown study area. These units can be located above detached garages, or as an addition to – or a remodel of – the single family home.

### Civic and Institutional

Preserve and enhance the visibility of the elegant Downtown civic and institutional buildings. New civic and institutional uses should also be considered and be accompanied with the strictest standards of architectural excellence.

## Circulation and Access

### Maintain and Improve Infrastructure

*Corridors*

Install streetscape improvements that will make the Downtown a vibrant experience, and build upon the existing features to make the Downtown a destination. Improve the safety of dangerous intersections. Create plaza streets[2] in the Downtown core. Choose a bike rack design that coordinates with the street furniture design for the Downtown, and install them along Main Street and at the Glen Ellyn Train Station

[1] Accessory Dwelling Unit (ADU). A small efficiency apartment that typically includes a kitchenette, a bathroom, a combination living/dining/sleeping space, and is approximately 650 square feet in size. It is usually located above a two-car detached garage; however, it could be a part of the single family home – such as in an attic or a basement – as long as the proper building codes are adhered to.

[2] "Plaza Streets" are public streets that have special, decorative pavement, and have the potential to be closed for pedestrian-only use on special occasions.

**"MOTION" (DRAFT) TO RECOMMEND APPROVAL OF A SPECIAL USE PERMIT TO ALLOW A CO-WORKING OFFICE WITH BUSINESS EVENTS AT 411 N. MAIN STREET**

After conducting a public hearing and deliberating on the request of Andrew Nast and Adam Clabaugh of Brick & Mortar, LLC for the property at 411 N. Main Street for approval of a Special Use Permit to allow a co-working office with business events, the Plan Commission hereby makes the following findings of fact:

*(Draft reasons, taken partially from the petitioner's application packet, as to how the project may comply with the necessary findings are shown with an underline, the Commission may wish to consider the underlined reasons but should make your own findings of fact).*

1. The proposed use will be harmonious and in accordance with the general objectives, or within a specific objective of the Comprehensive Plan and/or Zoning Code because an office space intended for co-working with supporting business events increases the amount of office space and is flexible "to allow firms the opportunity to grow in place", as stated in the Downtown Strategic Plan.

2. The proposed project is designed and shall be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area because the footprint of the building will not be increased and any exterior cosmetic changes will be made in accordance with the Exterior Appearance Approval process.

3. The proposed use will not be hazardous or disturbing to existing or future neighborhood uses of the property because the proposed use produces less waste and traffic in comparison to other nonresidential uses.

4. The proposed use will be served adequately by existing public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services because the proposed use is likely to be a lesser burden on public services and facilities than the previous use, a restaurant since the number of customers/occupants will be fewer.

5. The proposed use will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the Village because the proposed use will not require additional public facilities or services beyond what the property is already provided.

6. The use will not involve activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare and odors because the proposed use will not involves any operations that result in the excessive production of traffic, noise, etc.

7. The project will have vehicular approaches to the property which shall be so designed as not to create an undue interference with traffic on surrounding public streets or roads because the proposed use does not require any changes to vehicular access to the property.

8. The project will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief because the proposed use does not require the installation of any additional impervious surfaces to the property.

9. The project will not result in the destruction, loss or damage of natural, scenic or historic features of major importance to the community because the proposed use is within a building located in the South Downtown Glen Ellyn National Register Historic District and no changes are proposed to the building.

Therefore, the Plan Commission recommends that the Village Board approve a Special Use Permit in accordance with Section 10-10-14 of the Glen Ellyn Zoning Code to allow a co-working office with business events at 411 N. Main Street subject to the following conditions:

A. That the co-working office with business events use, to be known as "Brick & Mortar" substantially conform with the testimony presented at the Plan Commission public hearing on April 22, 2021; and

B. _____

Motion by: _____ Seconded by: _____

**"MOTION" (DRAFT) TO RECOMMEND <u>DENIAL</u> OF A SPECIAL USE PERMIT TO ALLOW A CO-WORKING OFFICE WITH BUSINESS EVENTS AT 411 N. MAIN STREET**

After conducting a public hearing and deliberating on the request of Andrew Nast and Adam Clabaugh of Brick & Mortar, LLC for the property at 411 N. Main Street for approval of a Special Use Permit to allow a co-working office with business events, the Plan Commission hereby recommends denial of the request based on the following findings of fact.

In regard to the requested Special Use Permit the Plan Commission finds that *(only one negative finding needs to be made):*

1. The proposed use will not be harmonious and in accordance with the general objectives, or within a specific objective of the Comprehensive Plan and/or Zoning Code because _____ _____ _____.

2. The proposed use is not designed and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will change the essential character of the area because the _____ _____ _____.

3. The proposed use will be hazardous or disturbing to existing or future neighborhood uses of the property because _____ _____.

4. The proposed use will not be served adequately by existing public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers and schools, or that the persons or agencies responsible for the establishment of the proposed use shall not be able to provide adequately any such services because ___ _____ _____.

5. The proposed use could create excessive additional requirements at public cost for public services because _____ _____.

6. The use will involve activities, processes, materials, equipment and/or conditions of operation that are detrimental to any persons, property or the general welfare by reason of the excessive production of traffic, noise, smoke, fumes, glare and odors because _____ _____.

7. The proposed use will not have vehicular approaches to the property which are so designed as not to create an undue interference with traffic on surrounding public streets or roads

because_____
_____.

8. The proposed use will increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief because _____
_____.

9. The proposed use will result in the destruction, loss or damage of natural, scenic or historic features of major importance to the community because _____
_____.

Motion by: _____ Seconded by: _____

**Glen Ellyn Plan Commission**
535 Duane Street
Glen Ellyn, IL 60137

Meeting 4/22/2021 7:00 PM
Department: Community Development
Department Head: Staci Springer
Category: Public Hearing
Prepared By: Kelly Purvis

**AGENDA ITEM (ID # 2021-1069)**

**DOC ID: 2021-1069**

# A Public Hearing to consider a Zoning Variation to allow the removal of two parking stalls on the property located at 486 Pennsylvania Avenue to allow outdoor seating

**Statement of the Issue:**
See attached Staff Report.

**Analysis:**

**Budget Impact:**

**Action Requested:**

**Attachments:**

1. PC Staff Report
2. 1. Site Aerial
3. 2. Location & Zoning Map
4. 3. Public Hearing Notice - 486 Pennsylvania Avenue
5. 4. Map of Properties Noticed
6. 5. List of Addresses Notified
7. 6. Section 10-10-12
8. 7. Petitioner's Application Packet
9. 8. Narrative Statement
10. 9. Outline of Dining Area on Site Plan
11. 10. Proposed Dining Area Layout
12. 11. Awning Elevation
13. 12. Rendering

14. 13. Findings of Fact - 486 Pennsylvania - Approval ZV
15. 14. Motion to Approve - 486 Pennsylvania - ZV

# STAFF REPORT

**TO**: Glen Ellyn Plan Commission

**FROM**: Kelly Purvis, AICP – Planning Manager

**DATE**: April 13, 2021

**FOR**: April 22, 2021 Plan Commission Meeting

**SUBJECT**: Public Hearing – 486 Pennsylvania Avenue – Two Hound Red Brewpub Parking Variation Request

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**PETITIONER:** The petitioner is Jon With, one of the owners of Two Hound Red Brewpub located at 486 Pennsylvania Avenue.

**REQUEST:** The petitioner is requesting approval of a variation from Section 10-4-17-2(G) of the Zoning Code to allow 15 parking stalls where a minimum of 45 parking stalls are required for the restaurant use. A variation to allow 17 parking stalls on the property was previously granted in 2017. The removal of 2 additional parking stalls is requested in order to allow space for outdoor seating along the east side of the building in the private parking lot.

**LOCATION:** The subject property is located on the north side of Pennsylvania Avenue, between Main Street and Glenwood Avenue, in the C5B Central Service Sub-district.

**ZONING:** The surrounding zoning and land uses are as follows:

| Surrounding Land Uses | Surrounding Zoning |
|---|---|
| North: Residential | C5B Central Service Sub-district |
| South: Commercial | C5A Central Retail Core |
| East: Commercial | C5B Central Service Sub-district |
| West: Commercial | C5B Central Service Sub-district |

**EXISTING CONDITIONS:** The subject property is approximately .42 acres and is the site of the former Schmid's Pharmacy. In 2017-2018, the property owners completely renovated the 7,900 square foot building for the use of the existing brewpub and restaurant on the site. The restaurant provides seating for 135 people. There are currently 13 ninety degree parking stalls on the site

(including 1 accessible parking stall) and 4 parallel parking stalls located along the east side of the building.

**BACKGROUND:** Two Hound Red had originally proposed a roof top dining area as part of their project design. This part of the project has been determined to be financially infeasible due to the requirement to install an elevator for ADA compliance. The sidewalks in front of the business are approximately 7.5 feet-wide and would not allow enough room for an outdoor sidewalk café, which is required to provide a 5-foot clear pedestrian path. Over the last year, while the Village allowed expanded outdoor dining opportunities for restaurants, due to Covid-19, Two Hound Red has been using 2 of their parking stalls for an outdoor dining area. They are now proposing to make the dining area permanent by improving the area with an awning structure. The petitioners have indicated that the parallel parking spaces are seldom used and that outdoor dining would be a better use of the space.

The Zoning Code requires that restaurant uses provide 1 parking stalls per each 3 seats. With 135 seats in the restaurant, 45 parking stalls would be required on the site. However, in the C5B district, there is a unique parking provision that allows a parking credit in cases where a building has been renovated rather than demolished and reconstructed. A credit of 32 parking stalls applies to the site, therefore the restaurant use would only need to provide 13 parking stalls in addition to the 17 that were existing when Schmid's owned the property.

In 2017, when the project was originally proposed a variation was granted to allow 17 parking stalls on the property. The removal of an additional 2 parking stalls is now being proposed.

**PROJECT SUMMARY:** The petitioner is proposing to remove 2 of the parallel parking stalls along the east side of the building to make room for an outdoor dining area. An awning structure would be attached to the building to cover the dining area and barriers would be placed around the dining area to protect diners from cars in the adjacent lot. No part of the dining area would encroach beyond the existing limits of the parking stalls and the existing aisle width of 24 feet 6 inches would be maintained. There is a 5 foot accessible route along the east side of the building that will also need to be maintained. No tables, chairs, barriers or any other obstructions will be permitted in the accessible route. Included in the petitioner's application packet (attached to the staff report) is a narrative statement providing additional information about the request, a rendering of the proposed dining area and awing, an elevation of the awning structure and a site plan sketch indicating the general layout of the dining area.

**COMMISSION ACTION:**

The Plan Commission is being asked to conduct a public hearing and consider the requested variation from the Zoning Code. The Plan Commission may approve, approve with conditions or deny the requested variation. In reviewing the application, the Commission should consider the criteria set forth in Section 10-10-12(E) and (F) of the Zoning Code. Staff has prepared draft findings of fact for a recommendation of approval of the Zoning Variation (attached). Plan Commissioners should feel free to modify the findings based upon information provided at the public hearing. If the Commission members wish to recommend denial of the request and would like staff to prepare a motion to deny, please contact staff in advance of the meeting. A draft motion to approve has been attached for the Plan Commission's review and use.

Should the Plan Commission make a recommendation to approve the parking variation, staff would suggest the following conditions of approval for the Commission's consideration:

1. That all outstanding items from the original remodeling project permit be closed out prior to the issuance of a building permit for the awning structure. Please note the following remaining items:

    a. A compliant handrail be installed on the west side of the stairs.
    b. A sign indicating that the exit door at the top of the stairs must remain unlocked while the building is occupied be installed on the inside face of the door.
    c. A minimum 10-inch high kick plate must be added at the bottom of the door.
    d. A landing must be added at the exterior side of the door, set at the same level as the floor surface immediately inside the door.
    e. Panic hardware must be installed at the gate on the fence at the northwest corner of the building.
    f. A report be provided from the mechanical contractor certifying that the exhaust cmfs have been adjusted.
    g. Completion of parking lot modifications to bring the accessible parking space, adjacent access aisle and accessible path from the parking stall to the building entrance into compliance with ADA requirements.

2. That the barriers surrounding the outdoor dining area include landscape plantings.

3. That all tables, chairs, barriers and parts of the awning remain within

the limits of the existing parking spaces.

4. That no obstructions shall be permitted in the accessible route.

**ATTACHMENTS:**

- Site Aerial
- Location & Zoning Map
- Public Hearing Notice
- Map of Properties Provided Notice
- Mailing Labels for Public Hearing Notice
- Section 10-10-12 (E) and (F) of the Zoning Code
- Petitioner's Application Packet
- Narrative Statement
- Outline of Dining Area (on Site Plan)
- Proposed Dining Area Layout
- Awning Elevation
- Rendering
- Draft Findings of Fact
- Draft Motion to Approve

cc: Staci Springer, Community Development Director
Steve Witt, Building & Zoning Official
Amy McKenna, Senior Civil Engineer
John With, Petitioner/Owner

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GIS consortium MapOffice™

## Site Aerial-486 Pennsylvania Avenue

Map created on April 16, 2021.

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Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently conf for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

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## *Location & Zoning Map*

Map created on April 16, 2021.

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Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently conf for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

## Zoning

Zoning

- CC - Community College
- C2 - Community Commercial
- C3 - Service Commercial
- C4 - Office District
- C5A - CBD Retail Core
- C5B - CBD Service
- C6 - Commercial/Multi-use
- CR - Conservation Recreation
- I1 - Light Industrial
- RE - Residential Estate
- R0 - Single Family Residential
- R1 - Single Family Residential
- R2 - Single Family Residential
- R2B - Single Family Residential
- R3 - Multi-family Residential
- R4 - Multi-family Residential
- R5 - Planned Residential
- U - Unincorporated

# NOTICE OF PUBLIC HEARING

Jon With, Owner and Managing Partner of Two Hound Red Restaurant and Brewery is requesting approval of a variation from Section 10-4-17-2(G) of the Glen Ellyn Zoning Code to allow 15 parking stalls where 45 parking spaces are required on the property located at 486 Pennsylvania Avenue. The variation is requested in accordance with Section 10-10-12 of the Zoning Code. A previous parking variation was granted for the subject property, allowing 17 parking stalls. An additional 2 parking stalls are proposed to be removed to create an outdoor seating area. The subject property is located in the C5B Central Service Subdistrict on the north side of Pennsylvania Avenue between Glenwood Avenue and Main Street.

Before the Glen Ellyn Village Board can consider the request, the Plan Commission must conduct a public hearing. The Plan Commission will consider the variation request on **Thursday, April 22, 2021, at 7:00 p.m. via the virtual meeting platform, Zoom**.

The subject property is legally described as follows:

LOT 39 IN BLOCK 17 IN COUNTY CLERK'S SECOND ASSESSMENT DIVISION IN GLEN ELLYN, IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 3, 1906 AS DOCUMENT 88052, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-11-310-050

Plans are on file in the Community Development Department, Civic Center, 535 Duane Street, Glen Ellyn, Illinois, and can be requested by contacting Kelly Purvis, Planning Manager at kpurvis@glenellyn.org. All plans and a staff report will be posted on the Village's website no later than Friday, April 16, 2021, on the Agendas and Minutes page, linked here, http://www.glenellyn.org/734/Village-Agendas-Minutes.

On June 12, 2020, Governor Pritzker signed PA 101-0640 (SB2135) into law. This new law amends the Open Meetings Act ILCS 120 to expressly authorize public bodies to meet remotely without the otherwise required quorum present at the meeting place while a disaster declaration is in place. The COVID-19 disaster declaration satisfies this condition, allowing Plan Commission members to participate electronically in meetings at this time. The public is welcome to observe and participate in all meetings of the Plan Commission.

All persons who are interested are invited to attend the public hearing via Zoom. Any public comments regarding this request can be submitted in advance of the meeting either via the Plan Commission public comment form, linked here, https://glenellynil.seamlessdocs.com/f/publiccommentplan or via email to Kelly Purvis, Planning Manager, at kpurvis@glenellyn.org. All public comments received by 4:30 pm on Thursday, April 22, 2021 will be read into the record at the public hearing. The public may also observe and participate in the meeting in progress on Zoom. The Zoom information is provided below.

Please click the link below to join the webinar:

https://us02web.zoom.us/j/89821775487?pwd=Q3dpS0V3ZU5KUUhJRU95NmFJV3U5QT09
Passcode: 140168

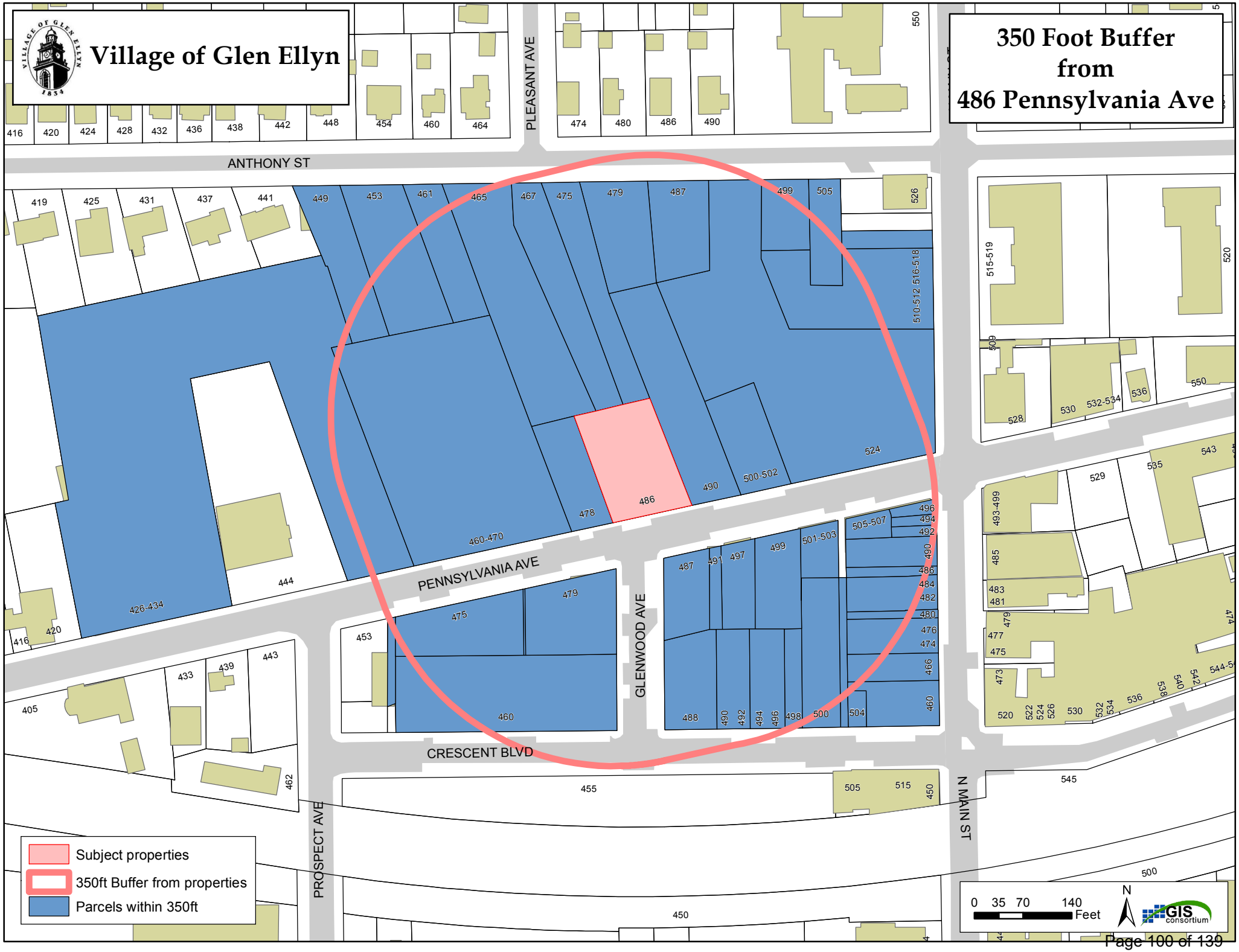
Or One tap mobile:
US: +13126266799,,89821775487#,,,,*140168# or
+16465588656,,89821775487#,,,,*140168#

Or Telephone: Dial(for higher quality, dial a number based on your current location):
US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128
Webinar ID: 898 2177 5487
Passcode: 140168

International numbers available: https://us02web.zoom.us/u/kb0C2gJSxZ

# Village of Glen Ellyn

# 350 Foot Buffer from 486 Pennsylvania Ave



**List of Addresses for Public Notice**
**486 Pennsylvania Ave.**

| Recipient | Street # | Street Direction | Street Name | Apt # | City | State | Zip |
|---|---|---|---|---|---|---|---|
| 460-66 NORTH MAIN STREET | 4520 | N | DOVER DR | | CHICAGO | IL | 60640 |
| 479 PENNSYLVANIA AVE LLC | 479 | | PENNSYLVANIA AVE | | GLEN ELLYN | IL | 60137 |
| 488-490 N MAIN ST LLC | 490 | N | MAIN ST | | GLEN ELLYN | IL | 60137 |
| 490 PENN LLC | 490 | | PENNSYLVANIA AVE | | GLEN ELLYN | IL | 60137 |
| ALCOCK, GARRETT & KATHRYN | 492 | N | MAIN ST | | GLEN ELLYN | IL | 60137 |
| ALLEN, RANDALL R TR | 462D | | PENNSYLVANIA AVE | 4S | GLEN ELLYN | IL | 60137 |
| ANDERSON, STEPHANIE | 464A | | PENNSYLVANIA AVE | | GLEN ELLYN | IL | 60137 |
| ATKINSON, MICHAEL & ANNE | 461 | | ANTHONY ST | | GLEN ELLYN | IL | 60137 |
| AYO, ROBERT | 468-F | | PENNSYLVANIA AVE | 9 | GLEN ELLYN | IL | 60137 |
| BALL FOUNDATION | 526 | N | MAIN ST | | GLEN ELLYN | IL | 60137 |
| BLUEBIRD COMMUNICATIONS | 512-18 | N | MAIN ST | | GLEN ELLYN | IL | 60137 |
| BURRELLO, JOSEPH & JANET | 468 | | PENNSYLVANIA AVE | H | GLEN ELLYN | IL | 60137 |
| CHUNG, Y & S BAEK | 3239 | | SAN AMADEO | B | LAGUNA WOODS | CA | 92637 |
| CLEWLOW, ROBERT & DEBBIE | 465 | | ANTHONY ST | | GLEN ELLYN | IL | 60137 |
| COSTELLO, JOSEPH N | 9S371 | | STEARMAN DR | | NAPERVILLE | IL | 60564 |
| CROWLEY, STEPHEN | 468A | | PENNSYLVANIA AVE | 14 | GLEN ELLYN | IL | 60137 |
| DAVIS, DONNA J | 462 H | | PENNSYLVANIA AVE | | GLEN ELLYN | IL | 60137 |
| DB-GE CRESENT LLC | 2920 | W | EUCLID AVE | | ARLINGTON HGTS | IL | 60005 |
| DOLPHIN, JAMES & KENDALL | 407A | | PENNSYLVANIA AVE | 4 | GLEN ELLYN | IL | 60137 |
| DUPAGE MEDICAL GROUP | 1100 | W | 31ST | 300 | DOWNERS GROVE | IL | 60515 |
| EVANS JR, JOHN P | 500 | | PENNSYLVANIA AVE | | GLEN ELLYN | IL | 60137 |
| FAMILY SERVICE OF DU PAGE | 402 | W | LIBERTY DR | | WHEATON | IL | 60187 |
| FISCHER LIVING TRUST | 460B | | PENNSYLVANIA AVE | | GLEN ELLYN | IL | 60137 |
| GE480 N MAIN ST LLC | 480 | N | MAIN ST | | GLEN ELLYN | IL | 60137 |
| GIOVENCO, VINCENZO | 571 | S | LA LONDE | | LOMBARD | IL | 60148 |
| GRAY, RICHARD & COLLEEN | 470 | | PENNSYLVANIA AVE | B | GLEN ELLYN | IL | 60137 |
| HASTINGS, STEVEN & DIANE | 466A | | PENNSYLVANIA AVE | | GLEN ELLYN | IL | 60137 |
| INGARDONA, ALEX & KRISTY | 468D | | PENNSYLVANIA AVE | 11 | GLEN ELLYN | IL | 60137 |
| KENT, GARY & VIRGINIA | 462 | | PENNSYLVANIA AVE | 1N | GLEN ELLYN | IL | 60137 |
| KIEF, CAROLYN & GRANT | 464B | | PENNSYLVANIA AVE | 23 | GLEN ELLYN | IL | 60137 |
| LAVERY, THOMAS &CATHERINE | 449 | | ANTHONY ST | | GLEN ELLYN | IL | 60137 |
| LORDS AUTO | 453 | | PENSYLVANIA AVE | | GLEN ELLYN | IL | 60137 |
| LYNN JR, FRANCIS A | 462 3S | | PENNSYLVANIA AVE | 31 | GLEN ELLYN | IL | 60137 |
| MARBERRY, PETER | 315 | E | MAIN ST | | ST CHARLES | IL | 60174 |
| MARKUM, JAMES G | 462 | | PENNSYLVANIA AVE | 3N | GLEN ELLYN | IL | 60137 |
| MC LAUGHLIN, JAMES & L | 487 | | ANTHONY ST | | GLEN ELLYN | IL | 60137 |
| MERRICK, BARBARA | 468B | | PENNSYLVANIA AVE | 13 | GLEN ELLYN | IL | 60137 |
| MIKEZ, STEPHEN & MICHELLE | 466 | | PENNSYLVANIA AVE | 21 | GLEN ELLYN | IL | 60137 |
| MOELLER, JAMES C | 466F | | PENNSYLVANIA AVE | 17 | GLEN ELLYN | IL | 60137 |
| MOREY, GENE | 462A | | PENNSYLVANIA AVE | 29 | GLEN ELLYN | IL | 60137 |
| MURPHY, HARRY & PATRICIA | 466 | E | PENNSYLVANIA AVE | 18 | GLEN ELLYN | IL | 60137 |
| O REILLY, J & K TRYNER | 8929 | | GIBRALTAR GLEN C | | FISH CREEK | WI | 54212 |
| PETRY, T & M CLIFFORD | 460 | | PENNSYLVANIA AVE | A | GLEN ELLYN | IL | 60137 |
| PUCCINI, JASON & CARLA | 467 | | ANTHONY ST | | GLEN ELLYN | IL | 60137 |
| PUGLIA, SUSAN D | 460-C | | PENNSYLVANIA AVE | 3 | GLEN ELLYN | IL | 60137 |
| ROOT, RANDALL C | | | PO BOX 550 | | BROOKLYN | MI | 49230 |
| SAMPSON, RICHARD D | 470 | | PENNSYLVANIA AVE | C | GLEN ELLYN | IL | 60137 |
| SEGEBARTH, JEFFREY & M A | 479 | | ANTHONY ST | | GLEN ELLYN | IL | 60137 |
| SLOTT, E & A FRANK | 475 | | ANTHONY ST | | GLEN ELLYN | IL | 60137 |
| SOUND PROPERTY INVESTMENT | 4602 | | SUNNYSIDE AVE | | WOODSTOCK | IL | 60098 |
| STANO, DENISE | 466 | | PENNSYLVANIA AVE | G | GLEN ELLYN | IL | 60137 |
| SVIGOS, PAUL | 1 | W | DUNDEE RD | 200 | BUFFALO GROVE | IL | 60089 |
| TERMOSJ LLC | 1315 | | CINDY LN | | SANDWICH | IL | 60548 |
| TOTH, CHRISTINA | 505 | | ANTHONY ST | | GLEN ELLYN | IL | 60137 |
| TRANS HOLDINGS CORP | 811 | | BUTTERFIELD RD | 115 | WHEATON | IL | 60189 |

**List of Addresses for Public Notice**
**486 Pennsylvania Ave**.

| | | | | | | |
|---|---|---|---|---|---|---|
| V PROPERTIES LLC | 4N602 | MOUNTAIN ASH DR | | WAYNE | IL | 60184 |
| VAN STRYDONCK, FREDERICK | 468E | PENNSYLVANIA AVE | 10 | GLEN ELLYN | IL | 60137 |
| VENEZIA, JEANNINE H | 462-F | PENNSYLVANIA AVE | 26 | GLEN ELLYN | IL | 60137 |
| VENTURE PROPERTIES | 478 | PENNSYLVANIA | 103 | GLEN ELLYN | IL | 60137 |
| VILLAGE OF GLEN ELLYN | 535 | DUANE ST | | GLEN ELLYN | IL | 60137 |
| VINYARD, G & J SHEPELAK | 468C | PENNSYLVANIA AVE | 12 | GLEN ELLYN | IL | 60137 |
| WAGNER, JUDITH | 466C | PENNSYLVANIA AVE | 20 | GLEN ELLYN | IL | 60137 |
| WALSH, K & V DRAZDYS | 466D | PENNSYLVANIA AVE | 19 | GLEN ELLYN | IL | 60137 |
| WEBSTER, STEPHEN & MARSHA | 468 | PENNSYLVANIA AVE | G | GLEN ELLYN | IL | 60137 |
| WEILER, MICHAEL & E | 466 | PENNSYLVANIA AVE | H | GLEN ELLYN | IL | 60137 |
| WILLSEY, FRANCIS &KANELLA | 218 | HERRICK RD | | RIVERSIDE | IL | 60546 |
| WITH, JON | 2915 | KELLY DR | | ELGIN | IL | 60124 |
| YA HOLDINGS LLC | 1065 | THORNDALE AVE | | BENSENVILLE | IL | 60106 |
| YOUNG TR, THOMAS V | 6 | SEQUOIA RD | | HAWTHORN WOODS | IL | 60047 |
| ZEMENAK, JOHN R & CARA E | 453 | ANTHONY ST | | GLEN ELLYN | IL | 60137 |

## 10-10-12. Variations.

(E) The Community Development Director shall not vary the provisions of this title, nor shall the Zoning Board of Appeals recommend, and the Village Board vary, the provisions of this title, except in cases where there are practical difficulties or particular hardship in the way of carrying out the strict letter of any regulation of this title relating to the use, construction or alteration of buildings or structures or the use of land, and unless it shall have made findings based upon the evidence presented to it in the following cases:

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; and that the variation, if granted, will not alter the essential character of the locality; or

2. That the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality;

(F) For the purpose of supplementing the above standards, in consideration of granting an administrative variation or recommending approval of a variation, the Community Development Director or the Zoning Board of Appeals shall also take into consideration the extent to which the evidence establishes or fails to establish the following facts favorably to the applicant:

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would bring particular hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out;

2. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district;

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;

4. That the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property or by the applicant;

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;

6. That the proposed variation will not:

   (a) Impair an adequate supply of light and air to adjacent property;

   (b) Substantially increase the hazard from fire or other dangers to said property or adjacent property;

   (c) Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;

   (d) Diminish or impair property values within the neighborhood;

   (e) Unduly increase traffic congestion in the public streets and highways;

   (f) Create a nuisance; or

   (g) Result in an increase in public expenditures;

7. That the variation is the minimum variation that will make possible the reasonable use of the land, building or structure;

8. In the case of a planned unit development, that the granting of the variation will not significantly compromise the character and concept of the planned unit development;

# VILLAGE OF GLEN ELLYN

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# Zoning Variation Request Packet

***Community Development Department***
***535 Duane Street – Glen Ellyn, IL 60137 – Telephone 630.547.5250 – Fax 630.547.5370***

**VILLAGE OF GLEN ELLYN, ILLINOIS**
**Community Development Department**
**535 Duane Street**
**Glen Ellyn, Illinois 60137**
**(630) 547-5250**

# ZONING VARIATION REQUEST PACKET

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**VILLAGE OF GLEN ELLYN, ILLINOIS**

# INFORMATION SHEET
# FOR
# POTENTIAL ZONING VARIATION REQUESTS AND RELATED OPTIONS

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Note: This Information Sheet should be provided to each person who has been advised by a staff member of the Village Community Development Department, acting in his or her official capacity, that the project proposed by such person requires the granting of one or more variations from the Glen Ellyn Zoning Code.

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This Information Sheet lists options available to you now that you have been officially advised by the staff of the Community Development Department that your proposed project requires the granting of one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended). The options listed below are not intended to be exhaustive nor are they mutually exclusive. (For example, you could decide to proceed under options 1 and 2 below as alternatives). You may wish to contact an attorney to discuss the options listed or explore other options that may be available to you.

OPTION 1 - You could (1) decide not to revise your proposed project to reduce or eliminate the required zoning variation(s); and (2) apply for the required zoning variation(s). If this option is chosen, you will need to apply for approval of a zoning variation.

OPTION 2 - You could (1) revise your proposed project to reduce the number and/or size of the required zoning variation(s) or (2) reduce the degree of your variation request; and (3) apply for the required zoning variation(s) for your revised proposal. If this option is chosen, you should proceed as described under Option 1 above.

OPTION 3 - You could revise your proposed project to eliminate the need for the required zoning variation(s).

OPTION 4 - You could decide not to revise or proceed with your proposed project. If this option is chosen, no zoning variation will be required.

OPTION 5 - You could appeal the Village's staff interpretation of the zoning code to the Glen Ellyn Zoning Board of Appeals (ZBA) per Section 10-10-9, all appeals go to ZBA. If this option is chosen, you must file, within 45 days after the decision by Village staff that your proposed project requires one or more zoning variations, a notice of appeals specifying the grounds therefore and containing the information required by Section 10-10-9 of the Zoning Code

with the Director of the Village Community Development Department and the Zoning Board of Appeals.

Such an appeal would be governed by Section 10-10-9 of the Zoning Code and applicable State law. In general, the appeal process entails (1) a public hearing before the Zoning Board of Appeals following reasonable notice to interested parties and (2) a decision by the Zoning Board of Appeals, based on the evidence presented at the hearing, within a reasonable period of time after the conclusion of the hearing. Under the Zoning Code, the Zoning Board of Appeals has the authority to affirm or reverse, wholly or in part, or modify the decision of Village staff being appealed. Unlike the decision of the Zoning Board of Appeals on a variation application (which constitutes a recommendation to the Village Board), the decision of the Zoning Board of Appeals on such an appeal is the final Village action on the matter in question.

Regardless of the option you choose, members of the Village staff will be available to continue working with you in an effort to bring your proposed project to a conclusion.

**Please note:** All zoning code variation requests for single-family and two-family homes and accessory structures are reviewed by the ZBA with a recommendation to the Village Board. All other zoning code variation requests are reviewed by the Plan Commission (PC) with a recommendation to the Village Board.

**VILLAGE OF GLEN ELLYN, ILLINOIS**

**SAMPLE SCHEDULE FOR A ZONING VARIATION**

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1. Application submitted and reviewed by staff

   - Consult with staff for the number of copies for Plan Commission (PC)
   - 2 copies for Zoning Board of Appeals (ZBA)

2. After the application is determined complete, it is placed on next available ZBA or PC Agenda

   - 15-30 days for public hearing notice in local newspaper
   - Usually about 6 weeks from the date of submittal to the public hearing

3. Hearing before ZBA or PC

4. Minutes/Transcripts from hearing prepared and forwarded to the Village Board

5. Variation considered by the Village Board

Steps 1 – 5: Approximately 90 to 120 days

Zoning variations that are reviewed by the Plan Commission in association with a requested Special Use Permit or proposed Subdivision may take longer to process than what is represented by the above sample schedule.

**VILLAGE OF GLEN ELLYN, ILLINOIS**

**DESCRIPTION OF THE ZONING VARIATION REQUEST PROCESS AND INSTRUCTIONS**

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I. OVERVIEW:

A. Introduction:

In general, the zoning variation process involves the following three steps (each of which is described in more detail below):

STEP 1 - Application:

Zoning variation requests are initiated by filing a completed Application for Variation form, together with other supporting documents and materials, with the Director of the Village Community Development Department.

Prior to completing the Application for Variation form, applicants and their representatives, if any, are strongly encouraged to carefully review the Glen Ellyn Zoning Variation Request Package and to become familiar with the applicable provisions of the Zoning Code.

STEP 2 - Public Hearing before the ZBA or PC which both make Findings of Fact and Recommendation to the Village Board:

After notice has been published and mailed to the surrounding property owners, a public hearing on the requested zoning variation(s) will be held before the ZBA or PC. Based on the evidence presented at the hearing by or on behalf of the applicant or by others, the ZBA or PC is required to make specific findings of fact to support its recommendation to the Village Board regarding the requested zoning variation(s). See Section I. B. below for a brief description of the findings/standards for a variation under the Zoning Code.

STEP 3 - Village Board Action:

After the minutes or transcript of the public hearing containing the Commission's findings of fact and recommendation have been delivered to the Village Board, the Village Board will consider the requested zoning variation(s). Under the Zoning Code, the Village Board has the final authority to act on the requested zoning variation(s).

A sample schedule for a zoning variation is included in this Zoning Variation Request Package. The actual schedule for particular requested zoning variation(s) may differ from the representative schedule for a wide variety of reasons.

Questions regarding the zoning variation process should be directed to the Community Development Department at (630) 547-5250.

B. Required Findings of Fact/Standards for a Variation:

Set forth below is a short summary of the three principal findings of fact or standards which must be met in order for the ZBA or PC to recommend, and the Village Board to grant, a requested zoning variation from the Zoning Code. This summary is a simplified version of Section 10-10-12(C) of the Zoning Code, which the applicant is referred to for the governing legal language.

All three of the following findings of fact or standards must be established and met to support a requested zoning variation (since #2 below consists of two alternatives, only one of the two is required; however, the applicant may present evidence on both alternatives):

1. There would be practical difficulties or particular hardship for the applicant/owner resulting from the characteristics of the property in question if strict compliance with the Zoning Code were required (i.e., if no zoning variation were granted); and

2. Either:

   A. The property in question cannot yield a reasonable return without a zoning variation, or

   B. The plight of the applicant/owner is due to unique circumstances relating to the property in question; and

3. Granting the requested zoning variation will not alter the essential character of the locality of the property in question.

Applicants are also referred to Section 10-10-12(D) of the Zoning Code for a list of supplemental findings.

The primary purpose of both the Application for Variation form and the public hearing before the ZBA or PC is to elicit evidence relating to these findings of fact or standards upon which the ZBA or PC and the Village Board can base their actions on the requested zoning variation(s).

## II. APPLICATION FOR VARIATION AND RELATED MATTERS:

### A. Application for Variation:

The following items must be submitted to the Director of the Village Community Development Department to begin the process for a zoning variation:

1. A properly completed Application for Variation form, together with all supporting documents and materials.

   Applicants should note that Section 10-10-10(B) of the Zoning Code contains a list of requirements that should be carefully reviewed and includes submitting disclosure of ownership interests and authorization letters depending on the type and capacity of the person or entity holding fee title to the property in question or acting as the applicant for the zoning variation (e.g., representatives, land trusts, corporations, partnerships, other business entities, etc.).

   **Disclosure of Interest and Affidavit of Authorization forms are attached with this packet.**

   Applicants should also note that they are obligated to notify the Village in writing of any change in the requirements relating to the applicant under Section 10-10-10(B) of the Zoning Code (e.g., new 5% or more stockholder in a corporate applicant or new partner in a partnership applicant) that occur at any time after the Application for Variation has been submitted and before final action by the Village Board on their requested zoning variation(s).

2. An application fee must be paid at the time the application is made. Staff will inform the Petitioner of the amount. Depending on the type of application, an escrow (amount to be determined by the Community Development Director) may also be required to pay out of pocket Village expenses related to public notice costs, recording costs and other items related to the project application.

3. A site plan (at a scale of no less than 1 inch = 100 feet) showing:
   --Site dimensions and area
   --Location of any existing buildings and/or structures on the lot
   --Lot location
   --Placement of proposed building(s)/structure(s) on the lot
   --Street width, sidewalks and curb cuts
   --Easements
   --Type of construction
   --Floor layout
   --Building elevations
   --Parking area and layout
   --Front, rear and side yard setbacks, and
   --Other data that may be necessary for the review of the application

4. Proof of ownership from the most recent title insurance policy, deed or commitment covering the property in question.

5. A plat of survey of the property in question, with a topographical map containing a statement made by a registered Illinois land surveyor that the property is or is not in a flood plain or other type of special management area.

6. Reimbursement of Fees Agreement (for Plan Commission cases).

B. Village Review:

The Village staff will examine each Application for Variation and accompanying items within a reasonable time after filing. When the Application for Variation and accompanying items appear to be complete and in good order, the requested zoning variation(s) will be scheduled for consideration at a public hearing before the ZBA or PC.

C. Public Hearing Notices and Related Matters:

Village staff will produce a legal notice of the public hearing before the ZBA or PC to be published not more than 30 or less than 15 days before the beginning of the hearing in one or more newspapers generally circulated within the Village. Such legal notice will state the time, date and location of the hearing and the particular location of the property in question and briefly describe the applicant's requested zoning variation(s).

Not less than 10 days prior to the public hearing, the Village Community Development Department will cause notice of the public hearing to be mailed to all property owners within a 250-foot radius of the property in question.

The Village will place one or more placards on the property in question not less than 15 days prior to the date of the public hearing. The placard(s) must remain until completion of the public hearing, at which time it will be removed by the Village. The placard(s) will be provided by the Village and will contain such information as is directed by the Director of the Village Community Development Department. Jurisdiction of the ZBA or PC to hold a hearing will not be affected by the absence of the placard(s), if the absence is not the result of the applicant's act or omission.

The Community Development Department will submit the Application for Variation and all accompanying and related items to the ZBA or PC for the public hearing.

Applicants are advised that members of the ZBA or PC and Village Board may visit the property in question to inspect it for themselves prior to the hearing.

## III. PUBLIC HEARING:

### A. Time, Date and Location:

Regularly scheduled meetings of the ZBA are on the 2nd and 4th Tuesday of each month and the regularly scheduled meetings of the PC are on the 2nd and 4th Thursday of each month both at 7:00 p.m. on the third floor of the Civic Center at 535 Duane Street, Glen Ellyn, Illinois.

### B. Public Hearing:

The public hearing for the ZBA or PC is typically divided into five separate stages (which are described in more detail below) – (1) Staff Presentation, (2) Petitioner's Presentation, (3) Public Participation, (4) Commission Deliberation, and (5) Findings of Fact & Recommendation by the Commission.

#### 1. Staff Presentation:

The Village staff will present a general overview of the applicant's request based on applicant's submittals and/or adherence to the Village's Zoning Code, review guidelines, stormwater standards and other relevant data.

#### 2. Petitioner's Presentation:

After the Village staff's presentation, the applicant is given the opportunity to present his or her case. Applicants should note that it is the responsibility of the applicant and/or his or her representatives to present evidence supporting the requested zoning variation(s) in a complete and logical manner and to have all supporting documentation available at the hearing.

#### 3. Public Participation:

The purpose of the public participation portion of the hearing is to give the public an opportunity to testify and to present evidence related to the requested zoning variation(s). Pursuant to State law, all testimony by witnesses in the hearing must be given under oath.

#### 4. Commission Deliberation/Finding of Fact:

The Commission then discuss whether the evidence presented at the hearing is sufficient to establish and meet the findings/standards required under the Zoning Code to support a requested zoning variation. (See Section I.B. above for a short summary of the requisite findings/standards for a variation under the Zoning Code). Following this discussion, the Commission makes its recommendation and findings of fact under the Zoning Code and State law, based on the evidence presented during the public participation portion of the hearing to the Village Board concerning the requested zoning variation(s) by vote.

5. Vote:
An affirmative vote of four (4) members of the ZBA and five (5) members of the PC is necessary to recommend the granting of a requested zoning variation to the Village Board.

Under the Zoning Code, the Commission may recommend to the Village Board a lesser variation than the requested zoning variation. In addition, the ZBA or PC may recommend to the Village Board such conditions and restrictions upon the property in question as may, in the opinion of the Commission, be necessary (1) to comply with the standards for a variation set forth in Section 10-10-12 of the Zoning Code, (2) to reduce or minimize the injurious effect of the variation upon other property in the neighborhood, and/or (3) to implement the general purpose and intent of the Zoning Code.

## IV. VILLAGE BOARD ACTION:

After a record of the public hearing containing the Commission's findings and recommendations has been delivered to the Village Board, the Village Board considers the requested zoning variation(s) against the findings/standards required under the Zoning Code for a variation. The Village Board may choose to consider the requested zoning variation(s) at a workshop meeting before a request is considered at the regular meeting of the Village Board. The Village Board has final authority to act on the requested zoning variation(s).

The Village Board holds its meetings on the second (2nd) and fourth (4th) Mondays of every month at 7:00 PM. On the third (3rd) Monday of the month, the Village Board holds a workshop, where it discusses various requests but does not act on any applications.

Without further public hearing, the Village Board may grant, deny or amend the recommendation for variation or refer the requested zoning variation back to the ZBA or PC for further consideration.

A zoning variation may only be granted by an ordinance which is duly passed and approved by the Village Board and President. Pursuant to state law, passage of an ordinance granting a zoning variation which failed to receive a recommendation for approval from the ZBA or PC requires the affirmative vote of two-thirds of all Trustees on the Village Board.

After final action by the Village Board, the Village Clerk will notify the applicant, the Director of the Village Community Development Department, the Village Building and Zoning Official and the Director of the Village Public Works Department of the decision of the Village Board.

Applicants should note that unless a building permit to begin construction is applied for within 24 months after the approval of an ordinance granting a zoning variation, the ordinance granting the zoning variation becomes null and void (unless the 24-month time limit is expressly extended by the Village Board by ordinance).

# Zoning Code Variation Guidelines for Particular Hardship and Practical Difficulty Criteria

Seeking a variation is a legal process that allows property owners to build structures or use land in a way that is contrary to the local zoning regulations. Variations are meant to be used sparingly. Granting a variation should be based on a practical difficulty or a particular hardship that is directly related to the property and related uses. The Glen Ellyn Zoning code reads:

> *"The Zoning Board of Appeals shall not recommend, and the Village Board shall not vary, the provisions of this Zoning Code, except in cases where there are practical difficulties or particular hardship in the way of carrying out the strict letter of any regulation of this Zoning Code relating to the use, construction or alteration of buildings or structures or the use of land."*

It is very important to consider what constitutes a practical difficulty or particular hardship. Unfortunately, there is more information about what is not a practical difficulty or particular hardship than there is to define one. This is probably because there are an infinite number of variation probabilities and scenarios.

The courts have ruled that a practical difficulty or particular hardship cannot be self created, cannot be just showing that the property would be worth more if a variation were granted, and it cannot be just a demonstration that a property is better suited for a use that is prohibited than a use that is permitted.

In trying to define the practical difficulty or particular hardship the person making the decision on whether or not to support the variance will need to evaluate if:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; or

2. The plight of the owner is due to unique circumstances; and that the Variation, if granted, will not alter the essential character of the locality;

The first test above essentially applies to the variety of uses that could be developed on the land. The applicant or owner must show more than a loss. The applicant or owner must demonstrate that there would be a loss or lack of reasonable return from each and every permitted use on the property. The second test implies that the hardship conditions shall not be generally applicable to a similar situation in the same zoning district. If that were the case, then the zoning of the district would be materially changed. Uniqueness relates to hardship, which refers to the land and not to the personal circumstances of the applicant or owner.

Furthermore, the Zoning Board must also consider other standards prescribed in the Glen Ellyn Zoning Code when deciding on variations:

1. That the particular physical surroundings, shape or topographical condition of the specific

property involved would bring particular hard-ship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out;

2. That the conditions upon which the petition for Variation is based would not be applicable generally to other property within the same zoning district;

3. That the purpose of the Variation is not based exclusively upon a desire to make more money out of the property;

4. That the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property or by the applicant;

5. That the granting of the Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;

6. That the proposed Variation will not:

    a. Impair an adequate supply of light and air to adjacent property;
    b. Substantially increase the hazard from fire or other dangers to said property or adjacent property;
    c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;
    d. Diminish or impair property values within the neighborhood;
    e. Unduly increase traffic congestion in the public streets and highways;
    f. Create a nuisance; or
    g. Result in an increase in public expenditures;

7. That the Variation is the minimum Variation that will make possible the reasonable use of the land, building or structure.

A zoning variation runs with the land indefinitely. This reinforces that variations should not be granted based on personal circumstances; while the people eventually will go away, the variation does not. The New York Supreme Court defined a variance as:

> *"An authority to a property owner to use the property in a manner forbidden by the ordinance."*

The owners seeking variations are expected to bear a "higher burden of proof". Where a request for a variation is not unique or changes the essential character of the area, the petitioner should seek an amendment to the zoning code that would then apply throughout the district, rather than a variation. Variations are meant to be used sparingly, which is intentional as suggested in a reference from the case of *Real Properties v. Board of Appeals of Boston* that reads:

> *"The power of variances is to be sparingly exercised and only in rare instances and under exceptional circumstances peculiar in their nature and with due regard to the main purpose of a zoning ordinance to preserve the property rights of others."*

Here are a couple of examples of variation requests that have hardships:

1. A platted lot that is uniquely shaped and when the zoning code is applied, interferes with the buildable area of the lot.

2. Unusual topography or natural conditions within a parcel.

These are a few variations requests that do not include hardships:

1. The cost of a project would be greater if it were constructed in an area that would be otherwise permissible.

2. Request to accommodate the size of one's family or personal health issues.

3. Request to expand beyond conditions created by a previous owner. For example, the previous owner may have elected to build the structure up to the setback line even though there was ample space to provide more distance from the property line.

In conclusion, a hardship is not just ordinary inconvenience or difficulty and the owner must be able to show that there is an inability to make reasonable use of the land. The hardship or difficulty must be unique and should not generally apply to other properties. Hardships cannot be self-created, which even applies to action taken by previous owners, including work performed without a permit. According to the courts, a hardship does not include a potential for economic loss or less than maximum return. Finally, the use or modification must not alter the essential character of the area. The ultimate question that must be asked is "Is the property owner deprived of rights or deprived of their desires?"

**VILLAGE OF GLEN ELLYN**
**535 Duane Street**
**Glen Ellyn, Illinois 60137**
**(630) 547-5250**

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# APPLICATION FOR VARIATION

For the property at 486 Pennsylvania Ave Glen Ellyn, IL 60137

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Note to the Applicant: This application should be filed with, and any questions regarding it, should be directed to the Director of the Village Community Development Department.

**You may attach separate sheets if additional space is needed for the following answers.**

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The undersigned hereby petitions the Village of Glen Ellyn, Illinois, for one or more variations from the Glen Ellyn Zoning Code (Ordinance No. 3617-Z, as amended), as described in this application.

I. APPLICANT INFORMATION:

(Note: The applicant must comply with Section 10-10-10(B) of the Zoning Code).

Name: Jon With

Address: 2915 Kelly Drive Elgin IL 60124

Home Phone No.: _____ Cell Phone No.: 6303376520

Fax No.: _____

E-mail: general@2houndred.com

Ownership Interest in the Property in Question:

Owner/managing partner

II. INFORMATION REQUIRED BY SECTION 10-10-10(B) OF THE ZONING CODE, IF APPLICABLE:

NOTE: All parties, whether petitioner, agent, attorney, representative and or organization et al. must be fully disclosed by true name and address in compliance with Section 10-10-10(B) of the Zoning Code. Disclosure forms are attached for your convenience.

Name and address of the legal owner of the property (if other than the applicant):

486 PENNSYLVANIA AVE LLC
486 PENNSYLVANIA AVE
GLEN ELLYN IL 60137-4402

Name and address of the person or entity for whom the applicant is acting (if the applicant is acting in a representative capacity):

486 PENNSYLVANIA AVE LLC
486 PENNSYLVANIA AVE
GLEN ELLYN IL 60137-4402

Is the property in question subject to a contract or other arrangement for sale with the fee owner? (Choose "Yes" or "No")

○ YES ◉ NO

**If YES,** the contract purchaser must provide a copy of the contract to the Village and must either be a co-petitioner to this application or submit the attached Affidavit of Authorization with the application packet.

Is the property in question the subject of a land trust agreement? (Choose "Yes" or "No")

○ YES ◉ NO

**If YES,** (1) either the trustee must be a co-petitioner or submit the attached Affidavit of Authorization from the trustee to represent the holders of the beneficial interests in the trust and (2) the applicant must provide a trust disclosure in compliance with "An Act to Require Disclosure of All Beneficial Interests", Chapter 148, Section 71 et seq., Illinois Revised Statutes, signed by the trustee.

III. PROPERTY INFORMATION:

Common address: 486 Pennsylvanie Ave Glen Ellyn, IL 60137

Permanent tax index number: 05-11-310-050

Legal description:

LOT 39 IN BLOCK 17 IN COUNTY CLERK'S SECOND ASSESSMENT DIVISION IN GLEN ELLYN, IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 3, 1906 AS DOCUMENT 88052, IN DUPAGE COUNTY, ILLINOIS.

Zoning classification: Commercial/Business

Lot size: 112.5 ft. x 166 ft. Area: 18675 sq. ft.

Present use:

Restaurant and brewery; See attached Plat Survey for lot size

IV. INFORMATION REGARDING THE VARIATION(S) REQUESTED:

Description of the variation(s) requested (including identification of the Zoning Code provisions from which variation is sought) and proposed use(s):

We want to provide an outdoor dining space instead of two seldomly used parallel parking spots in our private parking lot. This is the best location to provide outdoor dining due to lack of space in front/street side of our building. The cost to build out a rooftop dining space to meet ADA and other requirements is cost prohibitive especially during and as a result of COVID. An outdoor dining option will provide a safer dining experience during COVID as well as provide additional tax revenue for the Village going forward. We will comply with Village codes in building this outdoor space and maintenance afterwards. This will be a significant improvement on dining options in the Village. There are several lots nearby for additional parking in PENNSYLVANIA WEST and CRESCENT & GLENWOOD lots as well as several street parking options up and down Pennsylvania Ave. We will still provide 15 parking spots which is more than any restaurant in zone C5A which does not have a parking lot requirement. A variation from Section 10-4-17-2(G) is being requested to allow 15 parking spaces where 45 spaces are required. Please note the Village previously approved an exception to use 17 parking stalls on the site when 42 were required (numbers at the time were estimated due to construction not being completed.)

4/15/2021

Estimated date to begin construction: _____

Names and addresses of any experts (e.g., planner, architect, engineer, attorney, etc.):

Nuyen Awning Co
850 Ridgeway Ave
Ste C
Aurora IL 60506
Contact: Rick Lawerence
630.892.3995

V. EVIDENCE RELATING TO ZONING CODE STANDARDS FOR A VARIATION:

The following items are intended to elicit information to support conclusions by the ZBA or PC and the Village Board that the required findings/standards for a variation under the Zoning Code have been established and met. Therefore, please complete these items carefully.

A. Standards Applicable to All Variations Requested:

1. Provide evidence that due to the characteristics of the property in question, there are practical difficulties or particular hardship for the applicant/owner in carrying out the strict letter of the Zoning Code:

Due to COVID-19, we are in a financial hardship to add a roof deck for outdoor dining as originally planned. The cost alone to add a handicap lift is $20k and is required by law. We are looking to provide outdoor outside using two of the current parellel parking spots.

2. a. Provide evidence that the property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the Zoning Code (i.e., without one or more variations):

Due to COVID, outdoor dining is even more important. Having the dining area in the parking lot (vs. the originally planned rooftop) will minimize flow through the building which will help during COVID. Having an outdoor dining area will also provide necessary revenue to help ensure we are able to stay in business in Glen Ellyn. Unlike many other restaurants in town, we followed the mandate and didn't allow indoor dining while others did which did affect our income.

OR

b. Provide evidence that the plight of the applicant/owner is due to unique circumstances relating to the property in question:

Our private parking lot was used for retail in zone C5B. We are now a restaurant and want to (within our infield footprint) better utilize the space. We have only been open since 8/1/19 or just over a year and a half. And during that time we were closed several times due to state COVD mandates. We need to maximize our revenue while complying with COVID restrictions.

3. Provide evidence that the requested variation(s), if granted, will not alter the essential character of the locality of the property in question:

The essential character of the property will be enhanced with the ability to allow outdoor seating. We will comply with Village codes in building this space. We will extend to the outdoors the same quality and aesthetic aspects we have provided indoors. There is no impact to surrounding businesses or residences.

B. For the purpose of supplementing the above standards, the ZBA or PC, in making its recommendation that there are practical difficulties or particular hardships, shall also take into consideration the extent to which the evidence establishes or fails to establish the following facts favorably to the applicant:

1. Provide evidence that the particular physical surroundings, shape or topographical condition of the property in question would bring particular hardship upon the applicant/owner as distinguished from a mere inconvenience if the strict letter of the Zoning Code were to be carried out:

We would not be able to offer rooftop outdoor dining as originally planned in the buildout due to the financial hardship COVID has brought about. The rooftop dining space would require customers to walk through the building and up the stairs to the rooftop or use a cost prohibitive wheelchair lift. (quotes range between $15-25k JUST for the lift and installation). This outdoor dining option will provide much needed revenue for our business.

2. Provide evidence that the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district:

We are one of a few restaurants/businesses in the Village with an infield parking option for customers. Most restaurants in zone C5A do not have on site parking and have no parking requirements. We will still provide sufficient and similar parking options as other businesses in zone C5B. We will better utilize 2 seldomly used parking spots.

3. Provide evidence that the purpose of the variation is not based exclusively upon a desire to make more money out of the property in question:

Providing outdoor dining was part of the initial plans submitted to the village. (See rooftop dining references above)

4. Provide evidence that the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property in question or by the applicant.

Our private parking lot was formerly used for retail, not a restaurant. Additionally, COVID has prevented us from having the necessary funds to follow through with our initial plans of adding a rooftop deck.

5. Provide evidence that the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property in question is located.

The outdoor dining in our parking lot will not be detrimental to others We are removing two seldom used parallel parking spots and will still have 15 parking spots including one handicap spot. There are no parking requirements in zone C5a. There are alternative lots very close by in our zone C5B. We will adhere to the Village codes in the building and maintenance of this space, including ensuring the 5 foot strip access way along the building remains unobstructed.

6. Provide evidence that the proposed variation will not:

a. Impair an adequate supply of light and air to adjacent property;

The plan is to not change the light or air quality of adjacent properties. Our property and project already intended to have outdoor dining. Having it instead on our parking lot instead of the roof will have an even smaller lighting impact.

b. Substantially increase the hazard from fire or other dangers to the property in question or adjacent property;

The proposal and buildout will be reviewed and inspected by the Village and adhere to Village codes. The fire hazard or chances of other dangers should be minimized. Having the dining on the side of the business will be an even smaller risk

c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village;

Providing outdoor dining will actually improve the public health, safety and welfare of the Village, especially during COVID.

d. Diminish or impair property values within the neighborhood;

Adding the outdoor dining will improve the lot overall and help property values within the neighborhood as it provides a much needed outdoor dining opportunity in the village.

e. Unduly increase traffic congestion in the public streets and highway;

Our parking lot is private & removing 2 parking spots while still providing 15 parking, will not create additional congestion on Pennsylvania. PENNSYLVANIA WEST & CRESCENT & GLENWOOD offer free parking during our business hours.

f. Create a nuisance; or

The outdoor dining will operate in accordance to Village requirements so as to not create a nuisance. Additionally, the awning will be removed per Village requirements no later than November 30th each year.

g. Results in an increase in public expenditures.

This will actually increase revenue from the Village food and beverage tax as it provides an opportunity for additional business/customers. We kindly as the Village to consider any potential assistance in funding this outdoor dining space as it

7. Provide evidence that the variation is the minimum variation that will make possible the reasonable use of the land, building or structure.

We have only been open for 1.5 years. During this time the 2 parking spots in question are seldomly used. They are parallel to the building and not as easy to park in compared to the perpendicular parking spots in the logt. This is a better use of the space and an overall improvement for the Village.

8. Please add any comments which may assist the commission in reviewing this application.

There are other parking options available almost next door to (PENNSYLVANIA WEST and CRESCENT & GLENWOOD). Due to COVID we want to provide the safest dining option while enhancing the outdoor dining experience in the Village as a whole. Additionally, the Village had previously approved an outdoor dining space as part of our original plans.

## VI. CERTIFICATIONS, CONSENT AND SIGNATURE(S)

I (We) certify that all of the statements and documents submitted as part of this application are true and complete to the best of my (our) knowledge and belief.

I (We) consent to the entry in or upon the premises described in the application by any authorized official of the Village of Glen Ellyn.

I (We) certify that I (we) have carefully reviewed the Glen Ellyn Zoning Variation Request Package and applicable provisions of the Glen Ellyn Zoning Code.

I (We) consent to accept and pay the cost to publish a notice of Public Hearing as submitted on an invoice from the publishing newspaper. I (we) understand that our request will not be scheduled for a Village Board agenda until and unless this invoice is paid.

| | | |
|---|---|---|
| | Jon P. With | |
| Date | Print Name | Signature of Applicant |
| Date | Print Name | Signature of Applicant |
| Date | Print Name | Signature of Applicant |

**AFFIDAVIT OF AUTHORIZATION**

I, _____ owner of the property described as

verify that _____

is duly authorized to apply and represent my interests before the Glen Ellyn Plan Commission, Zoning Board of Appeals and/or Village Board. Owner acknowledges that any notice given applicant is actual notice to owner.

_____
Owner Signature

Subscribed and sworn to before me this
_____ day of _____, 20_____

_____
Notary Public

**OWNERSHIP BY A CORPORATION**

Date: 2/21/2021

Address: 486 Pennsylvania Ave Glen Ellyn IL 60137

Legal Description:

LOT 39 IN BLOCK 17 IN COUNTY CLERK'S SECOND ASSESSMENT DIVISION IN GLEN ELLYN, IN SECTION 11, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 3, 1906 AS DOCUMENT 88052, IN DUPAGE COUNTY, ILLINOIS.

LIST ALL SHAREHOLDERS AND OFFICERS/DIRECTORS (AND % OF INTEREST OWNED IN EXCESS OF 5% OF STOCK)

| Name: | Address: | % |
|---|---|---|
| Kevin Meadows | St Charles, IL | 16.5 |
| Dan Swinford | Glen Ellyn, IL | 16 |
| John Lindstrom | Batavia, IL | 15 |
| Jon With | Elgin, IL | 12 |
| Jamie Taylor | Glen Ellyn, IL | 6 |
| Tim Rodine | Glen Ellyn, IL | 16 |
| Kenneth Grommon | Sugar Grove, IL | 7.50 |
| Rick Levy | Glen Ellyn, IL | 6 |
| Unassigned/Two Hound Red | | 5 |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

## OWNERSHIP BY LAND TRUST

Date: _____

Address: _____

Legal Description:

| |
|---|
| |

TRUSTEE: _____ TRUST NO._____

Address: _____

**LIST ALL BENEFICIARIES**:

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

**Affidavit Affirming No Conflict of Interest**

The undersigned, being duly sworn and under oath, states as follows:

1. My name is _____, and I hold the position of _____ for _____ ("***Applicant***").

2. I have personal knowledge of all facts stated in this Affidavit, and if called to testify, I could and would testify competently thereto.

3. I am authorized by the Applicant to make the representations and statements in this Affidavit on the Applicant's behalf in support of the application for development approval ("***Application***") the Applicant filed with the Village of Glen Ellyn ("***Village***").

4. To the best of my knowledge, and as of the Application's date, no individual that is employed by the Village or sits on an elected or appointed Village board or commission has a financial interest in the Applicant, the Application, or the project proposed by the Applicant.

5. To the best of my knowledge, and as of the Application's date, no individual that is related to any person that is employed by the Village or sits on an elected or appointed Village board or commission has a financial interest in the Applicant, the Application, or the project proposed by the Applicant.

6. I will immediately notify the Village if the Applicant learns of the material inaccuracy of any statement within this Affidavit.

Further affiant sayeth naught.

Name: _____

Title: _____

Applicant's Name: _____

Subscribed and sworn to me this

_____ day of _____, 20____.

_____
Notary Public

TWO HOUND RED
486 PENNSYLVANIA AVE
GLEN ELLYN, IL 60137
630-474-9595

February 23, 2021

Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137

Dear Planning Committee:

Two Hound Red wants to provide an outdoor dining space instead of two seldomly used parallel parking spots in our private parking lot. This is the best location to provide outdoor dining due to lack of space in front/street side of our building. The cost to build out a rooftop dining space to meet ADA and other requirements is prohibitive especially during COVID. An outdoor dining option will provide a safer dining experience during COVID as well as provide additional tax revenue for the Village going forward.

We will comply with Village codes in building this outdoor space and maintenance afterwards. This will be an overall improve on dining options in the Village. These two parallel parking spots are rarely used and we still have sufficient parking in our lot. There are several lots nearby for additional parking in PENNSYLVANIA WEST and CRESCENT & GLENWOOD lots. We will still provide 15 parking spots which is more than any restaurant in zone C5A which does not have a parking lot requirement.

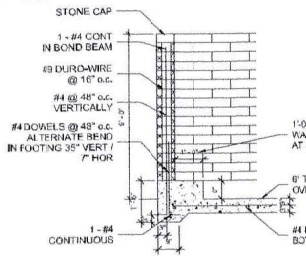
We are requesting the variance to provide a safer environment for the customer, more cost effective for our business, which will extend to our parking lot the rejuvenation we have accomplished indoors. We urgently need this to increase revenue due to the impacts of COVID.

Sincerely

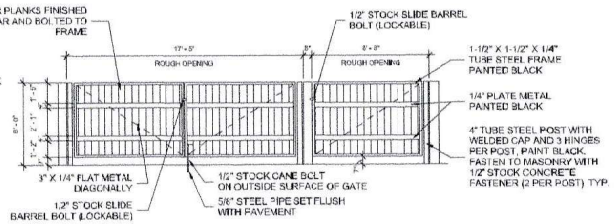
Jon With
Managing Partner
Two Hound Red Brewery & Restaurant

THR_Variance_Feb2021

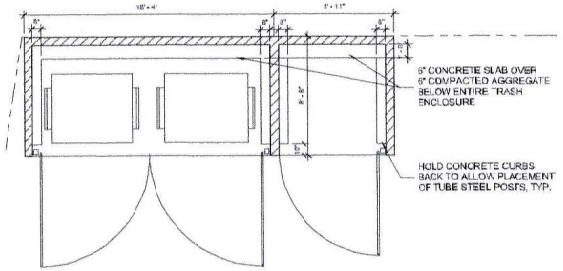
# Exhibit "B"




4 TRASH ENCLOSURE REAR WALL SECTION
1/2" = 1'-0"




3 TRASH ENCLOSURE ELEVATION
1/4" = 1'-0"



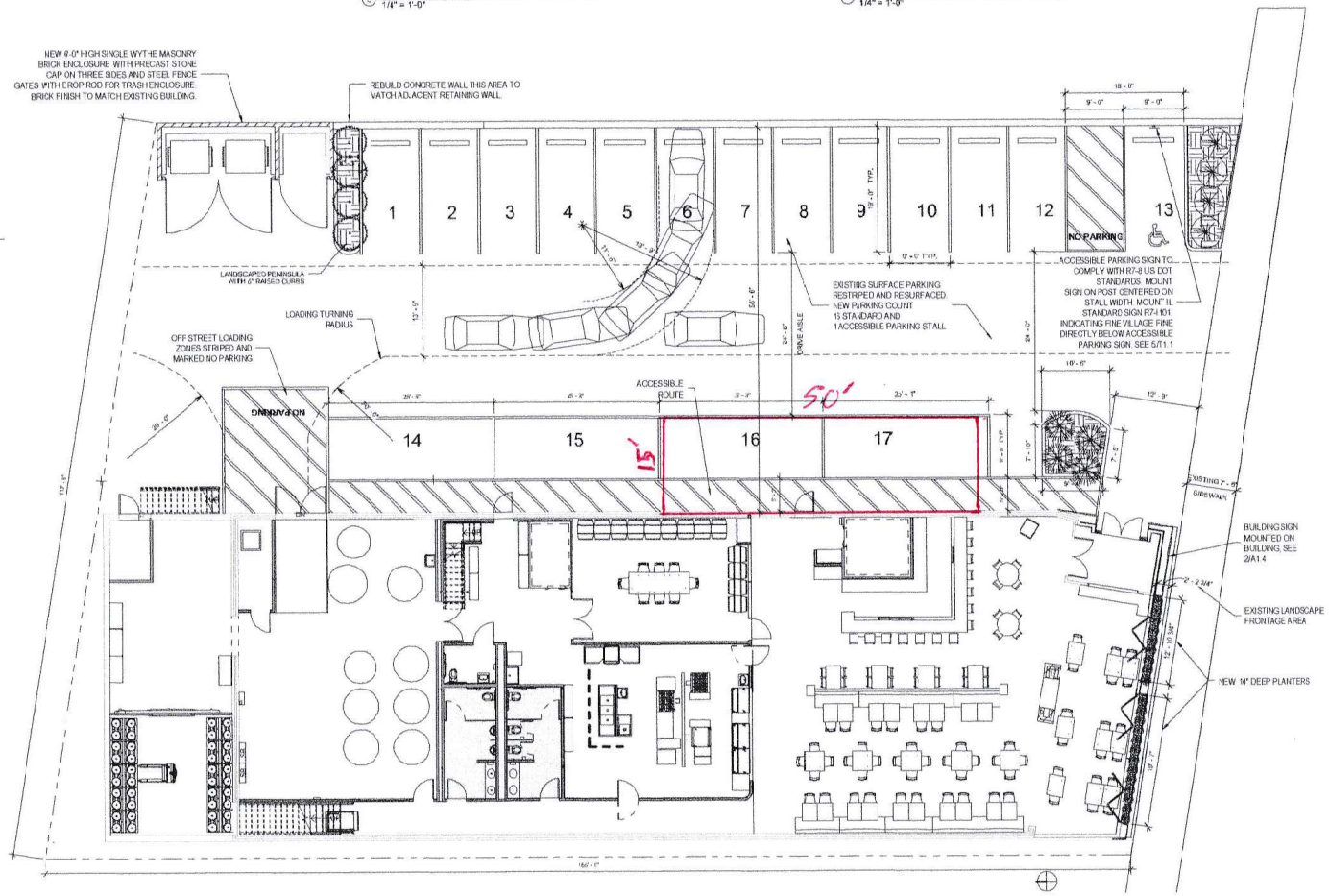

7 TRASH ENCLOSURE ENLARGED PLAN
1/4" = 1'-0"

PLANTING LEGEND

NOTE: SEE T1.2 FOR PLANTING DETAILS

- ALPINE CURRANT — RIBES ALPINUM
- CHICAGOLAND GREEN BOXWOOD — BUXUS GLENCOE
- FOUNTAIN GRASS — PENNISETUM ALOPECUROIDES
- ARBORVITAE — SPRING GROVE THUJA COLORCHOICE
- ARBORVITAE — SPRING GROVE THUJA COLORCHOICE

5 ADA WALL SIGN
1 1/2" = 1'-0"




1 SITE PLAN
1/8" = 1'-0"

| ISSUED | |
|---|---|
| FOR APPROVAL | |
| FOR PERMIT | X |
| FOR BID | |
| FOR CONST. | |

PROJECT: **Two Hound Red Brew Pub**
**486 Pennsylvania Ave, Glen Ellyn, IL 60137**

CLIENT: **John Lindstrom**

DATE 8/13/17

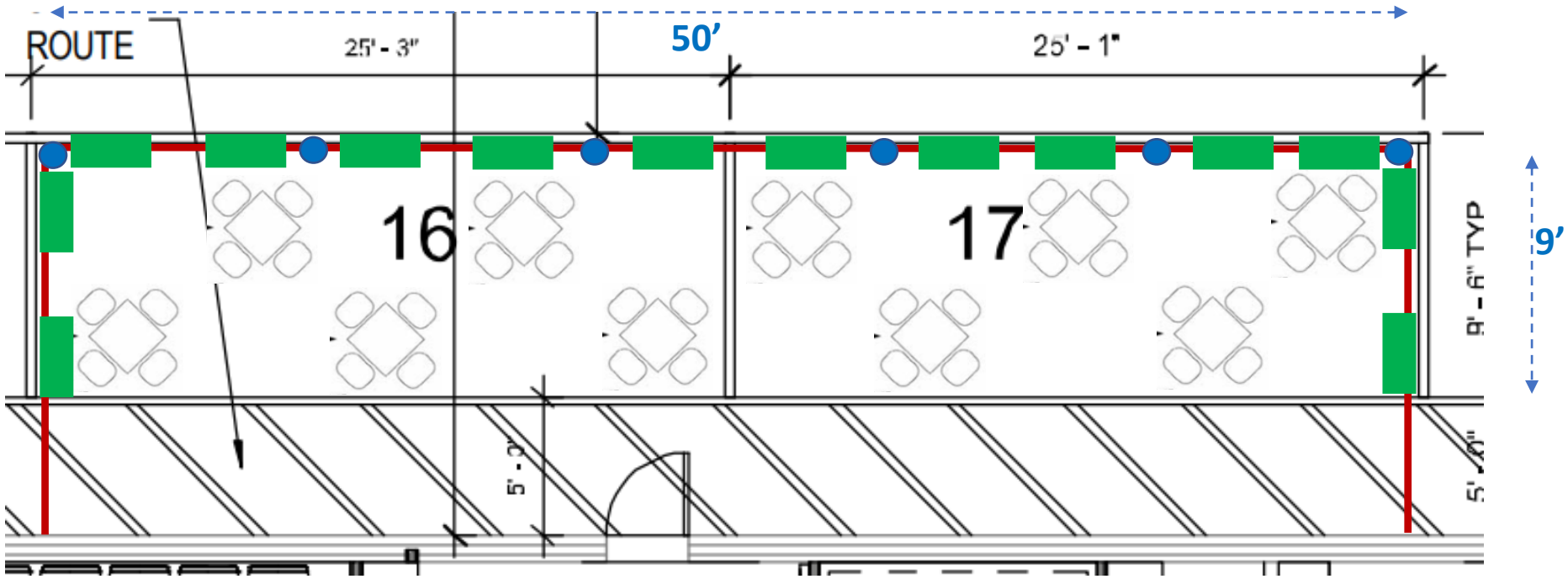
PLOT SCALE: As indicated

SHEET TITLE

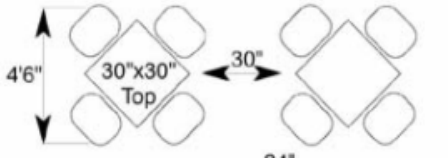
SITE PLAN

SHEET NUMBER

T1.1




Standard pub/restaurant layout/spacing

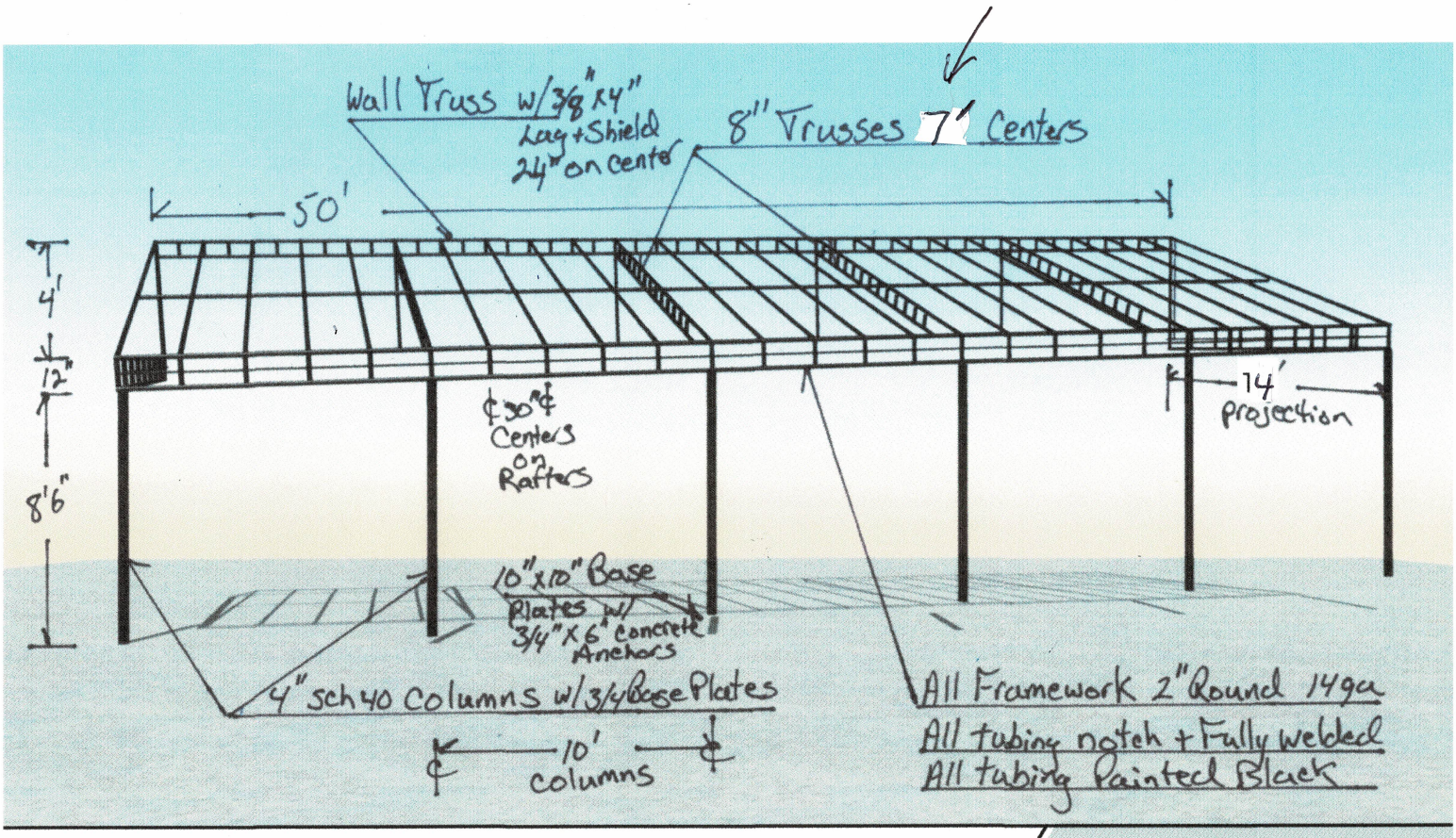



This space (outlined in red) can be considered as 5 9’x9’ in which we can fit the two 4-tops with 30”x30” tables and the chairs

The outside barrier (in green) will be ~ 48”L x 24”W x 30”H and filled with Village approved plants. We are in contact with Bohlmann Inc (provided for Rue) to line this up.

All barriers/posts (blue circles) will be placed within the current area striped for parking. Posts will be protected by the barriers

Note: We plan to have an electrical outlet for use in lighting the space. We will follow building codes for this.




# Two Hounds Red

- Meets all International Building Codes
- Snow Load: Minimum of 45 pounds per sq foot
- Wind Load: 90 mile per hour gusts of 3 seconds

NUYEN INDUSTRIES INC. SINCE 1941
Rick Lawrence, CEO
630-995-1390
850 Ridgeway Ave Suite C
Aurora, IL 60506

**(DRAFT) FINDINGS OF FACT TO SUPPORT A MOTION TO RECOMMEND APPROVAL OF A ZONING VARIATION TO ALLOW 15 PARKING STALLS WHERE 45 ARE REQUIRED FOR A RESTAURANT USE ON THE PROPERTY AT 486 PENNSYLVANIA AVENUE**

Related to the request of the petitioner, Jon With of Two Hound Red Brewpub and Restaurant, for approval of a variation from Section 10-4-17-2(G) of the Zoning Code to allow 15 parking stalls where 45 parking stalls are required for a restaurant use and 40 stalls are required for the site, and in accordance with Section 10-10-12 of the Glen Ellyn Zoning Code, the Plan Commission hereby makes the following Findings of Fact:

*(Draft reasons, taken partially from the petitioner's application packet, as to how the project may comply with the necessary findings have been drafted by Staff; the Commission may wish to consider the findings but should feel free to amend the below reasons to make your own findings of fact based upon information provided at the public hearing).*

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would bring particular hardship upon the owner as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out because the property is located in the C5B Zoning District where parking is required to be provided. Due to the original project being an infill redevelopment of an existing business, the project was limited to existing parking lot dimensions. There is also not ample space for the restaurant to have outdoor dining on sidewalks in front of the business due to the narrow sidewalks. Most other restaurants in the downtown do have some sort of outdoor dining space available for their use. The original design of the rooftop dining area was determined to be infeasible due to the cost of that project.

2. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district because most of the downtown restaurants are not required to provide parking (because they are in C5A) and most have some sort of space for outdoor seating.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property because outdoor dining was always part of the design for the project. Unfortunately the original rooftop dining option is infeasible. Using two parking stalls that are rarely ever used for outdoor dining will allow the restaurant to offer outdoor seating within a reasonable budget.

4. That the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property or by the applicant because the site was

formerly used for a retail business. Since the restaurant reused the existing building the parking design was existing. The layout of the parking lot is such that the parallel parking spaces are seldom used.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located because the improvements will enhance the property and there will still be 15 parking stalls remaining in the parking lot. The restaurant is also next to parking lots that allow public parking.

6. That the proposed variation will not:
   a. Impair an adequate supply of light and air to the adjacent property because there will be no change to the neighbor's light and air. Outdoor dining was always planned as part of the remodeling project for the restaurant. Having the dining area in the parking lot instead of on the rooftop, will have even less impact.

   b. Substantially increase the hazard from fire or other dangers to said property or adjacent property because the dining area will be reviewed and inspected by the Village and will adhere to Village Codes. There should be no increase to fire hazards.

   c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of the Village because having outdoor dining will improve public health, safety and the welfare of the Village, especially during Covid.

   d. Diminish or impair property values within the neighborhood because the proposed outdoor dining area will improve the appearance of the parking lot and increase property values within the neighborhood.

   e. Unduly increase traffic congestion in the public streets and highways because the proposed outdoor dining area will not impact traffic on the streets. There will still be 15 parking stalls on site and ther are two public parking lots adjacent to the restaurant that allow public parking.

   f. Create a nuisance because the outdoor dining area will operate in accordance with Village reuirements so as to not create a nuisance.

   g. Result in an increase in public expenditures because the improvements for the dining area will increase revenue for the Village food and beverage tax by increasing business and customers.

7. That the variation is the minimum variation that will make possible the reasonable use of the land, building or structure because the restaurant has only been open for 1.5 years. During this time, the 2 parking stalls proposed to be eliminated have been seldomly used. They are parallel to the building and are not as easty to park in compared to the perpendicular parking spots in the lot. The proposed use of the space is a higher and better use and will be an overall improvement for the Village.

X:\Plandev\PLANNING\DEVELOPMENT PROJECTS\Pennsylvania\Pennsylvania 486, Two Hound Red, ZV\PC\Findings of Fact - 486 Pennsylvania - Approval ZV.docx

**(DRAFT) MOTION TO RECOMMEND APPROVAL OF A ZONING VARIATIONS FOR THE PROPERTY LOCATED AT 486 PENNSYLVANIA AVENUE TO ALLOW TWO HOUND RED BREWPUB AND RESTAURANT TO HAVE 15 PARKING STALLS WHERE 45 PARKING STALLS ARE REQUIRED ON THE SITE**

After conducting a public hearing and deliberating on the request of the petitioner, Jon With, for approval of a Zoning Variation to allow 15 parking stalls on the property at 486 Pennsylvania Avenue where 45 parking stalls are required for a restaurant use, the Plan Commission hereby recommends approval based on the findings of fact, as discussed or amended at the Plan Commission public hearing on April 22, 2021, which are hereby incorporated into the Motion by reference as though fully set forth herein, 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. The Plan Commission makes this recommendation of approval with the following conditions:

1. That the project be constructed in substantial conformance with the plans and testimony presented at the Plan Commission public hearing and before the Village Board of Trustees;

2. That all outstanding items from the original remodeling project permit be closed out prior to the issuance of a building permit for the awning structure. Please note the following remaining items:

    a) A compliant handrail be installed on the west side of the stairs.
    b) A sign indicating that the exit door at the top of the stairs must remain unlocked while the building is occupied be installed on the inside face of the door.
    c) A minimum 10-inch high kick plate must be added at the bottom of the door.
    d) A landing must be added at the exterior side of the door, set at the same level as the floor surface immediately inside the door.
    e) That Panic hardware be installed at the gate on the fence at the northwest corner of the building.
    f) A report be provided from the mechanical contractor certifying that the exhaust cmfs have been adjusted.
    g) Completion of parking lot modifications to bring the accessible parking space, adjacent access aisle and accessible path from the parking stall to the building entrance into compliance with ADA requirements.
3. That the barriers surrounding the outdoor dining area include landscape plantings.

4. That all tables, chairs, barriers and parts of the awning remain within the limits of the existing parking spaces.

5. That no obstructions shall be permitted in the accessible route.

Motion by: _____ Seconded by: _____