

MINUTES
REGULAR PLAN COMMISSION MEETING
October 14, 2021

Call to Order and Roll Call

The meeting was called to order at 7:05 p.m. by Chairperson Tim Loftus, who, in light of COVID-19 pandemic requirements, asked all present to wear masks during the meeting. He explained the Plan Commission's advisory role and activities and public hearing procedures, and introduced Village Board Trustee Liaison Steve Thompson, Planning Manager Kelly Purvis, and Recording Secretary Barbara Dutton-Thomas.

Roll was called. Present: Chairperson Loftus and Plan Commissioners Laura Brown, Angela Fanella, Matt Halkyard and Peter Cooper. Absent: Commissioners Lloyd Berry, Mohammed Saeed and Jamie Vondruska.

Public Comment Non-Agenda Items

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

Approval of Plan Commission Meeting Minutes

Commissioner Brown moved to approve the draft minutes of the September 23, 2021 Plan Commission meeting; seconded by Commissioner Fanella. The motion passed by voice vote.

Public Hearing - Jenna Court - Brookshire Subdivision HOA, Sign Variation request

Staff Introduction

Sworn in, Planning Manager Kelly Purvis, 535 Duane St., Glen Ellyn, stated that the Petitioner in this matter is the Brookshire Subdivision Homeowners Association (HOA), which is requesting a variation to install a free-standing sign at the entrance to Jenna Court to help drivers better find it. The variation is to allow the sign to be posted at a nine residential lot subdivision, whereas the sign Code specifies a minimum of 20 residential unit is required. She recounted public notice action taken and the continuations granted for the hearing leading up to this evening's. The subject property, she stated, is at the southwest corner of Jenna Court and Sunnybrook Road in the R1 residential district. Improved as a detention basin, but otherwise vacant, the parcel was annexed into the Village in 2014. A small, legally non-conforming stone sign bearing the subdivision name, she said, was installed prior to this annexation, but would be removed prior to installation of the proposed sign. Since the parcel is located in a public utility and drainage easement, Planning Manager Purvis said Staff suggests that the new sign be installed above the high-water level of the detention basin. She displayed an image depicting the location envisioned for the sign, which is in a space that she said Staff determined appropriate, as placement would be outside of the sight triangle and avoid Village utilities. The HOA has agreed to a sign with dimensions compliant to Code, she stated, and went on to review recommended conditions for approval of the variation request.

Chairperson Loftus asked if only the existing “Brookshire” sign lettering has to be removed, or if the base does as well. Planning Manager Purvis explained that the lettering couldn’t be removed, and wasn’t sure how the remaining stone piece would be maintained if the portion of the sign with the name is removed.

Commissioner Halkyard asked about Brookshire courts’ precedent. Planning Manager Purvis replied that she was not aware of other courts along Sunnybrook that have a sign, but said she’d researched previous variations granted for residential signs. She explained that acreage was previously used to determine whether a variance was needed, but that the Code was changed in 2014 to instead consider number of units, and no variations have been granted since.

Commissioner Cooper asked if Village Staff assesses whether the proposed sign meets the Sign Code’s statement of purpose that indicates signage helps people find what they need without difficulty or confusion. Planning Manager Purvis responded that the Petitioner contends that the sign will help people find the court.

Petitioner’s Presentation

Sworn in, James Madary, 901 Jenna Court, Glen Ellyn, said the HOA, of which he is treasurer, voted for a special assessment to enhance the entryway, and replace the existing sign. He stressed attention to compliance, added that enhanced landscaping is also planned, and said that improvements will distinguish Jenna Court from another cul de sac now under construction.

Commissioner Questions

Chairperson Loftus asked if trees along Sunnybrook belong to the HOA or the Village. Planning Manager Purvis said parkway trees are Village property; the Petitioner stated that trees inside the sidewalk are HOA property.

Commissioner Cooper asked how the proposed sign would help with wayfaring. He noted that the Jenna Court sign is visible, and that in 2021 most wayfaring navigation is accomplished by electronic means, noting ones he said can all find Jenna Court. He also wondered how drivers could look at a sign placed parallel to Sunnybrook. The Petitioner replied that the sign doesn’t have to be placed parallel, but could be placed at an angle, and that the HOA is looking to enhance the entry way to its community with a more attractive solution. Commissioner Brown perceived that the drivers behind the sign effort are that the Brookshire sign causes confusion and understands that the Petitioner is seeking clarification and beautification.

Wondering whether there is leeway for placing the sign at an angle, Chairperson Loftus asked the width of the strip wherein sign placement is allowable. Planning Manager Purvis stated that it is approximately 5 feet. Chairperson Loftus asked the Petitioner if the cursive lettering of the proposed sign could be read by all. The Petitioner replied that he suspects the vast majority of people would be able to read it, and that others would have mobile apps. Commissioner Fanella said she thought the proposed sign coordinates with other signs in Glen Ellyn, specifically the historical plaques on houses in town.

Public Comment

None.

Motion to Close the Public Hearing

Commissioner Fanella, seconded by Commissioner Halkyard, moved to close the Public Hearing. The motion passed by voice vote.

Commissioner Discussion

Commissioner Cooper said that, while the sign looks lovely and that he commends the HOA for its pursuit of aesthetic changes, he reads the sign Code to promote wayfaring, so finds the application's mention of this not particularly credible. The request, he maintained, amounts to one for sign alteration for beautification purposes, something he doesn't think the Commission has the authority to grant. The Commission's office, he continued, is to determine whether a sign meets code, and he is not convinced the proposed does. Commissioner Fanella countered by saying that the Commission has approved signage more for beautification than wayfaring, citing a mural at Chocolaterie Stam. She conveyed that she takes a broad interpretation of Code and pointed to precedent allowing signage for beautification. She added that she thinks it commendable that the Petitioner wants to improve the property, and that she is confident that the sign will be installed to Code. Chairperson Loftus declared that he is "stuck in the middle" on the issue, saying that while the sign would offer navigation assistance, he fears trees being cut to see it would be trimmed in a way to make them unsightly. Commissioner Brown said the proposed sign "makes good sense" in that the current signage is confusing. Expressing a broader interpretation of Code, Commissioner Halkyard applauded the Petitioner's investment in the effort. The Chair suggested attention needs be given to trees obscuring views at intersections.

Commissioner Halkyard moved for the following:

After conducting a public hearing and deliberating on the request of the petitioner, Brookshire Subdivision/Jenna Court Homeowners Association, for approval of a Sign Variation to allow the construction of a sign on the south side of Jenna Court fronting Sunnybrook Road in the R1 Residential District, the Plan Commission hereby recommends approval based on the findings of fact, as discussed or amended at the Plan Commission public hearing on October 14, 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 sign shall be constructed in substantial conformance with the testimony presented at the Plan Commission public hearing and before the Village Board of Trustees; and
2. Other than the variation requested, the proposed sign shall otherwise be compliant with the Village's Sign Code; and
3. That the sign shall be installed in a location on the property that is compliant with the Village's Sign Code; and
4. That the HOA President sign a utility easement affidavit acknowledging the sign would be installed in a recorded easement; that all affected easement holders will be notified of and approve the installation of the sign in the easement; that the HOA will be required to remove the sign at their own expense in the event that any easement holder requires access to the

premises; and that the utility easement affidavit be recorded prior to the issuance of a sign permit; and

5. That 2 square feet of landscaping will be installed and at the base of the sign, for each 1 square foot of signage; that the landscaping around the sign base be maintained in perpetuity; and
6. That the non-conforming “Brookshire” sign be removed prior to the installation of the proposed sign; and
7. That it is the obligation of the HOA to maintain the sign in good condition in perpetuity.

Seconded by Commissioner Fanella, the motion passed by roll call vote: Commissioners Halkyard, Fanella, Brown and Chairperson Loftus and voted “yes;” Commissioner Cooper voted “no.”

Public Hearing - 437 Duane Street & 424 Prospect Avenue – Avere on Duane PUD Amendment, Zoning Map Amendment and Lot Consolidation Requests

Staff Introduction

Sworn in, Planning Manager Kelly Purvis, 535 Duane St., stated that the Petitioners are seeking an amendment to the Planned Unit Development (PUD) associated with the recently constructed Avere on Duane 48-unit luxury apartment building, as well as a Zoning Map Amendment and Lot Consolidation approval. She listed the public notice action for the hearing, explaining that the business before this evening’s (continued) hearing consideration of the requests put forth by the Petitioner, who wishes to create an outdoor amenity space for use by the tenants of the multifamily building. Planning Manager Purvis summarized continuances of the evening’s Public Hearing (including public notice action), and related the Avere on Duane project’s history, highlighting milestones in the PUD approval process. She stated that the Petitioner seeks to change the zoning (from R2 to C5B) of the vacant .17-acre parcel it acquired at 424 Prospect Avenue, which sits to the south of and is adjacent to the Avere on Duane property. The Petitioner, she explained, hopes to consolidate the two properties and install on the now vacant lot the following amenities: two grills, a fire pit and seating area, a pergola, a putting green, and raised garden beds. An existing wood fence along the south property line is proposed to remain, and a cedar fence is specified for along the east property line, she said. Trees would screen the amenity area from the single-family residence to the south, she said. One bollard for lighting would be added, and string lights hung from the pergola, she said. The outdoor amenity area would have limited hours of use, and take six to eight weeks to complete. Ms. Purvis reviewed suggested conditions for approval of the Petitioner’s request.

Commissioner Questions

Chairperson Loftus asked whether, if lot consolidation is not approved, the Petitioner could still build the amenity space as a separate piece of property. Noting that consolidation approval doesn’t fall within the Plan Commission’s purview, Planning Manager Purvis replied that Code requires consolidation because the one property serves the other. Commissioner Fanella asked what the fence along the east property line is to look like and if a fence is required by Code. Ms. Purvis replied that that particular part of the fence is not required by Code, but along the south property line screening is required (though she thinks the foliage would be adequate). Commissioner Cooper asked if the proposed fence corresponds to Code

with respect to fences along street fronts, to which Ms. Purvis responded affirmatively. Chairperson Loftus asked how the hours of operation coincide with other noise regulations for single-family residential units in the neighborhood, depending on the type of use. Planning Manager Purvis said she can look it up, but the police can be called if there is a nuisance. Commissioner Halkyard observed that the listed hours are the same as the Village curfew. Planning Manager Purvis referred to the Petitioner for questions concerning a potential berm on the east edge, regulation of fire pit operation, and tending of planting beds.

Petitioner's Presentation

Sworn in, Warren James, Reva Development, 116 W. Illinois St., Chicago, Ill., related that the Petitioner had evaluated different uses for the subject lot, and determined that it was in the best interest of the community to develop it as a park, and added that Reva is seeking no variances in connection with this plan. The controls on the gas, he stated, provide for emergency shut-off to the grills and fire pit, and a solenoid valve actuated by a timer will turn gas on and off during permitted hours of operation. He stated that if the elevated planter boxes don't get used, the boxes would be maintained by the landscaping maintenance company. Speculating that the fence proposed for the east of the lot was for privacy and safety, Commissioner Fanella asked if it was necessary. The Petitioner explained that it is only to prevent "cut through." Commissioner Brown asked the Petitioner if a berm treatment had been considered. Mr. James replied that a berm (on the east side) is not feasible due to the slope of the site. The Commissioner then asked if pets would be allowed to wander free, and what would be the consequence of a pet messing the putting green. The Petitioner stated that pets would not be permitted off leash, and that pet mess should be picked up and hosed off the putting green. Commissioner Cooper commended the developer on the plan to augment green space in the Village.

Public Comment

None.

Motion to Close the Public Hearing

Commissioner Fanella, seconded by Commissioner Cooper, moved to close the Public Hearing. The motion passed by voice vote.

Commissioner Discussion

Chairperson Loftus said he'd support what he called "a nice plan." Commissioners Brown, Fanella and Cooper concurred.

Commissioner Fanella moved for the following:

After conducting a public hearing and deliberating on the requests of the petitioners, Warren James and Matt Nix, for approval of an Amendment to the Special Use Permit for a Preliminary and Final Planned Unit Development plan, as approved by Ordinance No. 6705 and Ordinance No. 6706 and a Zoning Map Amendment to rezone the property located at 424 Prospect Avenue, all to allow the construction of an outdoor amenity space for the Avere on Duane property, the Plan Commission hereby recommends approval of the requests based on the findings of fact, as discussed or amended at the Plan Commission public hearing on October 14, 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 of the requests 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 it is the obligation of the owners of the development to install, maintain, and replace all landscape materials in accordance with the approved landscape plan on a continuing basis.

Seconded by Commissioner Cooper, the motion passed by roll call vote: Commissioners Fanella, Cooper and Brown and Chairperson Loftus and voted “yes;” Commissioner Halkyard recused himself from voting (due to affiliation with the subject property).

Trustee’s Report

Trustee Thompson reported that Monday’s workshop has been cancelled, and that the Apex 400 amendment and perhaps the McKee House agreement will be on the agenda of the October 25th Board meeting. The McKee House property agreement, he said, has been amended to add the SOARRING Foundation, an organization that will potentially redevelop the site. The group, he said, proposes to raise funds to rehabilitate the building and transform it into a Native American cultural, educational and museum facility. The Village, he explained, would still use the maintenance facilities on the east side of the property. Commissioner Brown asked if there’s been any discussion about adding a sidewalk to access the site from Riford Road. Trustee Thompson said he’d add the idea to the notes. Planning Manager Purvis interjected that, in the interest of preserving green space, the Forest Preserve District might not desire a sidewalk.

Chairman’s Report

Chairperson Loftus had nothing to report.

Staff Report

Planning Manager Purvis said that a November 4th meeting is scheduled in lieu of one on November 11th, which is the Veteran’s Day holiday. Glen Estates on Hill Avenue is on the docket, she said, and she anticipates one meeting in December, discussing a proposed 23-unit townhome development.

Other Business

None.

Adjournment

Chairperson Loftus adjourned the meeting at 8:27 p.m. following a voice vote on a motion to adjourn by Commissioner Cooper, seconded by Commissioner Halkyard.

Respectfully submitted,

Barbara Dutton-Thomas
Recording Secretary