

MINUTES
REGULAR PLAN COMMISSION MEETING
January 13, 2022

Call to Order and Roll Call

Chairperson Tim Loftus called the meeting to order at 7:14 p.m., and explained the Plan Commission's function and operations. He reviewed public hearing procedures including protocol for public comment, explaining that proceedings would be recorded. He introduced Village Recording Secretary Barbara Dutton, Planning Manager Kelly Purvis and Associate Planner Taylor Gendel.

Roll was called. Along with the Chairperson, present were Commissioners Berry Halkyard, Cooper and Vondruska. Commissioners Fanella, Brown and Saeed were absent.

Public Comment Non-Agenda Items

None.

Approval of Plan Commission Meeting Minutes

Commissioner Cooper moved to approve the draft minutes of the December 9, 2021 Plan Commission meeting; seconded by Commissioner Vondruska, the motion passed by voice vote.

515 Crescent Boulevard – Public Hearing – @Properties Real Estate Office

A motion made by Commissioner Vondruska and seconded by Commissioner Cooper to open the Public Hearing passed by voice vote.

Staff Introduction

Associate Planner Taylor Gendel and Planning Manager Kelly Purvis, 535 Duane St., were sworn in. Ms. Gendel stated that the Petitioner, Jeff Proctor, is requesting a Special Use Permit (SUP) to allow a real estate office to operate at 515 Crescent Boulevard in the C5A District, and that no building permits were needed for this office use. The building did file a business registration application, which had been set aside for review upon inspection and not issued or approved, she continued, saying that a process now in place will trigger zoning use review upon application. A sign permit was also applied for, she said, adding that as soon as Planning Staff was aware that a real estate office was occupying the space, the Petitioner was notified that they would need to apply for a SUP to continue to operate at the site.

The subject property, stated Ms. Gendel, is located on the south side of Crescent Boulevard just west of N. Main Street and north of the Metra train tracks in the C5A Central Retail Core, and near dental offices, a public parking lot and a restaurant. An office here, she said, would not break up the pedestrian shopping area. She stated that, according to the Petitioner's application, @Properties is a real estate brokerage company dealing in residential and commercial property, and indicates there will be two people in the office to meet clients by appointment. The space, stated Gendel, was formerly used as a dance studio, which required a SUP, and the exterior of the building has not changed, aside from updated signage. At this time, the Village Code does not permit office uses in the C5A Central Retail

Core Subdistrict by-right and therefore the petitioner is requesting approval of the Special Use Permit that would be required to locate and operate the business at this location. She related Staff-recommended conditions for approval.

Chairperson Loftus asked how much square-footage of retail is in the C5A district. Associate Planner Gendel responded 238,025, and that the subject office represents 2,200SF, to which Ms. Purvis added that the space of the subject property represents less than 1 percent of this volume. Commissioner Halkyard asked if leases are required to be reviewed by the Village, to which Ms. Gendel replied, "No." Ms. Purvis explained that the first point of contact is typically when a business registers with the Village, but that in this case the registration was put aside (in anticipation of the fire inspection) by a staff member that had recently taken on the responsibility for business registrations. The realtor moved in not realizing that the registration was not approved. She noted, we now have a process in place to trigger a zoning review at the time of submittal of the business registration.

Petitioner's Presentation

Sworn in, Jeff Proctor, 515 Crescent Blvd., stated that the Petitioner has offices in towns throughout the Chicago area, and that Glen Ellyn is seen by clients as a desirable location. He related that he had bought a building in town, but the partner with whom it was purchased determined that he needed the entire space. So, continued the Petitioner, he cashed out and leased the subject property – a vacant dance studio – being told by the landlord that there would not be any issues in doing so, and added that @Properties "didn't really change the office space." He stated the Petitioner's intention is to drive residential real estate buyers to Glen Ellyn, a town, he noted, that is in high demand.

Commissioner Halkyard asked about tax revenue relative to a real estate office. Sworn in, Jim Barcelona, VP of Brokerage Operations with @Properties, 605 Nanak Ct., Naperville, stated that @Properties also owns a title company and a mortgage company. He said that beyond a real estate business' ability to generate transactions, it affords ancillary benefits in that people are prone to celebrate a real estate sale or purchase with a meal and drinks, providing tax revenue for a municipality.

Commissioner Cooper encouraged involvement by the Petitioner in the downtown business association and the Chamber of Commerce and to be a part of special activities. Mr. Proctor replied that @Properties has "already been there," listing event participation and mentioning that one of the realtor's brokers is a Village resident. Mr. Barcelona reinforced these comments by stating that @Properties invests in communities by sponsoring various activities.

Public Comment

Associate Planner Gendel read the following letter into the record:

Barb Lemme, President, Alliance of Downtown Glen Ellyn: "During the Downtown Alliance Board Meeting yesterday, concern was expressed about the fact that a real estate office, @properties, had moved into C5A retail space without receiving the required special use permit. He is now requesting that permit. The Alliance Board feels that approval of this request would set a precedent that will be very hard to resist if other businesses (and property owners) choose to subvert the Village zoning code

designed to keep retail space for retail use in the downtown business district. Violating the code and then asking for permission to do so should not be allowed.

Further, the Alliance supports the zoning code for businesses in C5A.

We encourage the Plan Commission to consider the position of the Downtown Alliance in regard to this matter, and we thank you for your consideration.

Commissioner Questions

Chairperson Loftus asked for confirmation that another real estate office operates in the C5A District. Planning Manager Purvis replied that Baird & Warner might be in C5B, but noted that the Village does have other offices in C5A.

Ms. Purvis stated that the Petitioner did not subvert the process, but rather the situation arose partially from Staff missteps and Petitioner unawareness of the process, and that the Petitioner has been cooperative.

A motion made by Commissioner Halkyard and seconded by Commissioner Cooper to close the Public Hearing passed by voice vote.

Commissioner Discussion

Commissioner Halkyard said he understood how the mix-up occurred but thought that @Properties would bring “value added” to that spot. He observed that @Properties is “an outstanding brand,” marked by broker professionalism. He said the location for the office seems appropriate, and that he is comfortable recommending a Special Use Permit. Commissioners Berry and Vondruska agreed.

Chairperson Loftus opined that the sales tax revenue loss from approving the SUP would be small overall, considering the space has been empty for a while. He further said that he isn’t sure the dance studio contributed much sales tax revenue, the proposed is better than an empty storefront, and he could support it. Commissioner Cooper concurred.

Commissioner Vondruska moved for the following:

After conducting a public hearing and deliberating on the request of the petitioner, Jeff Proctor, for approval of a Special Use to allow a real estate office to operate at 515 Crescent Boulevard in the C5A Central Retail Core Subdistrict, the Plan Commission hereby recommends approval based on the findings of fact, as discussed or amended at the Plan Commission public hearing on January 13, 2022, 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 business be operated in substantial conformance with the plans and testimony presented at the Plan Commission public hearing and before the Village Board of Trustees.

Seconded by Commissioner Halkyard, the motion carried unanimously by roll call vote, with all Commissioners present voting, “yes.”

Trustee’s Report

None.

Chairman's Report

Chairperson Loftus announced that the evening's meeting would be the last in-person one for the foreseeable future. He said the 413 Main Street property would be on the January 27th meeting agenda, which will be conducted remotely via Zoom.

Staff Report

Planning Manager Purvis related that assistance with Zoom functionality is available, and that she had sent out links for upcoming meetings. She reported that "packed agendas" are coming up, listing three agenda items for the February 10th meeting: a proposal for an office building at 534 Duane (pre-app); a Planned Unit Development amendment to allow outside storage space at Pete's Fresh Market, and a Special Use for outside displays at the BP TRIO at Roosevelt and Lambert. Commissioner Cooper expressed appreciation for receiving meeting packets in advance enough to allow time for review. Chairperson Loftus suggested signing up for the Village's public notice portal to get an advance look at what's coming up.

Ms. Purvis also reported that two applications had been reviewed for the remaining position on the Commission, but that in light of a request to achieve more diversity among members, it's "back to the drawing board" to identify a candidate, factoring in the new criteria. She added, however, that if the next round of applicants doesn't yield a selection, perhaps the Village can move forward with candidates who were already recommended. Commissioner Halkyard thought local PTAs might present a potential pool of candidates, to which Planning Manager Purvis agreed that some outreach might be in order. Having observed that some initially interested individuals were put off by the time commitment required of a Commissioner, Chairperson Loftus suggested conveying that architects who live south of Roosevelt Road and who want to invest the time necessary to serve are sought. To lessen the time to review meeting materials, Ms. Purvis invited suggestions as to items to leave out of meeting packets.

Chairperson Loftus said that he consulted the Zoning Map, and noted that Baird & Warner is in C5A.

Adjournment

Chairperson Loftus adjourned the meeting at 8:00 p.m. following a voice vote on a motion to adjourn by Commissioner Halkyard, seconded by Commissioner Vondruska.

Respectfully submitted,

Barbara Dutton-Thomas
Recording Secretary