

MINUTES
REGULAR PLAN COMMISSION MEETING
January 27, 2022

Call to Order and Roll Call

After outlining remote meeting procedure via audio/video conference due to a disaster declaration related to Covid-19 public health concerns, Chairperson Tim Loftus called the meeting to order at 7:02 p.m. He explained the Plan Commission's function and operations, and reviewed public hearing procedures, including protocols for public comments, which, he said, would be recorded. He introduced Village Planning Manager Kelly Purvis and Recording Secretary Barbara Dutton-Thomas, and subsequently noted the presence of Village Board Trustee Steve Thompson and Community Development Director Staci Springer. Roll was called. Besides the Chairperson, Commissioners Brown, Halkyard, Cooper, Saeed and Vondruska were present. Commissioners Berry and Fanella were absent.

Motion to Conduct Public Hearing Remotely

A motion to conduct the Public Hearing remotely was made by Commissioner Saeed and seconded by Commissioner Vondruska. The motion carried unanimously by roll call vote.

Public Comment Non-Agenda Items

None.

413 Main Street – Public Hearing – Acacia Building Residences

A motion made by Commissioner Vondruska and seconded by Commissioner Saeed to open the Public Hearing passed unanimously by roll call vote.

Staff Introduction

Kelly Purvis, Village Planning Manager, 535 Duane St., was sworn in. Ms. Purvis stated that the Petitioner is Nick Vittore of Svigos Asset Management, on behalf of 413 Main LLC, the owner of the property located at 413 N. Main Street. She reported that the petitioner submitted formal applications for a Zoning Map Amendment, Special Use Permit, and Zoning Variations to allow the remodel of the back half of the existing building to accommodate 12 new loft-style apartments. The subject property is located on the east side of North Main Street between Duane Street and Hillside Avenue, she continued, adding that the site is approximately .25 acres. Most of the property is zoned C5A Central Business District, Central Retail Core. The easterly portion of the building is zoned C5B Central Business - Central Service District. Surrounding the site are the Civic Center Parking Garage, Commercial properties to the North; Commercial, and Multi-Family building to the South; and to the East Single-Family Residential; and to the West, Mixed-Use (Commercial and residential) is currently under construction. According to Ms. Purvis, the 2001 Comprehensive Plan shows the property as being part of the downtown pedestrian shopping area, for which it recommends continued improvement as a pedestrian-oriented shopping and business area.

The Plan, she continued, also indicates that multi-family residences uses should continue to be located at appropriate perimeter sites – providing a transition between commercial uses and adjacent neighborhoods – and that such contribute to the character and market of the downtown. Also, she noted, the Plan indicates that “marginal, underutilized and obsolete properties could be redeveloped for new retail, service, office, residential or open space uses.” Ms. Purvis stated that the 2022 Draft Comprehensive Plan indicates that “an emphasis should be placed on maintaining existing character [of the downtown] while facilitating more intensive development that increases the number of people living and working in the downtown,” and further notes that “downtown residents play a key role in reaching a critical mass of potential patrons for local retailers and restaurants. She also referenced language pronouncing a strong multi-family market and a demand for both lower and high-end rental products. She stated that the site is featured as a mixed-use building in the land use plan, and said that the Downtown Strategic Plan suggests that “the downtown is an ideal location for increased housing opportunities,” recommending the construction of a minimum of 450 new dwelling units. While there is nothing specific about this particular site in any of the long-range plans, other than the designation as a mixed-use building, she said, all of the plans support the addition of more residential units downtown.

Ms. Purvis gave a rundown on the existing conditions of the subject property: The building consists of two storefront retail spaces with 16 residential apartments in the front/west end, while the east portion is a former Masonic Hall with two levels. The first level of the Masonic hall has been vacant for several years, following the departure of long-time tenant Dance, Dance, Dance. The second level has been vacant for the better part of 10 years. The Masonic hall is set back approximately 100 feet from Main Street. The only access to the space is through the lengthy interior hallway. After many years of marketing the space for commercial use, explained Ms. Purvis, the Petitioner is now proposing to remodel the space for apartments due to the low visibility of the back portion of the building. The Petitioner, she continued, is proposing to construct 12 loft-style, 1-2 bedroom, 1-1½ bathroom apartments. Each unit will have 14-foot ceilings, central heat and air conditioning, real hardwood floors, in-unit washer and dryer, high-end finishes, ground floor patios and second floor Juliette balconies. Unit sizes would range from 700SF to 900SF, she said. The apartments would be constructed in the location of the Masonic Hall. The front part of the building, including the storefronts along Main Street and existing apartments above, are not included in the scope of work for this project. The building footprint and envelope, stated Ms. Purvis, will not be expanded as part of the project. Patios will be added in front of each of the five lower-level units, with areas between the patios landscaped. Residents, she continued, will be able to enter and exit the building from three locations: Two doors on the north side of the building will provide access to the Pedway, and residents will have access to Main Street through an internal arcade. The majority of the changes to the building façade will take place along the north elevation of the building. The fire escape will be removed, she said. The existing covered porch/balcony structure will remain, but the stairs will be removed so the structure will act more like a balcony. Along the east building façade some inoperable windows will be added, to allow light into units. As previously mentioned, there will be no changes to the building’s west building façade. The only change proposed to the south façade is the filling in of some of the windows. Ms. Purvis said that locating the balconies and patios in the required side-yard setback for the building would require variations.

Because part of the building is changing in use to residential dwelling units, explained Ms. Purvis, the setback requirements also change. A 30-foot rear yard setback and 10-foot side yard setbacks are required for multi-family buildings in the C5B Zoning District. The existing building is constructed up to the south and east property lines and is approximately 6 ½ feet from the north property line. Three Variations from the Zoning Code are being requested for the building setbacks. Screening 6-7 feet in height is required along all property lines shared with residential uses. Since the existing building is constructed up to the south and east property lines, however, screening cannot be installed where the building is adjacent to residential uses, hence, a variation from this requirement is being requested. A portion of the building is within the C5A Central Retail Core, and a portion of the building is within the C5B Central Service Subdistrict, stated Planning Manager Purvis; she explained that the Petitioner is proposing to rezone a center portion of the building from C5A District to C5B District so that the entire apartment project will be within the same zoning district. Since dwelling units are not permitted on the ground floor in the C5A District, she said, the Zoning Map Amendment would be needed for the project to be constructed as proposed, and added that a Special Use is required for dwelling units in the C5B Zoning District. Ms. Purvis outlined conditions of approval to consider, including requiring the developer to pay developer donations to taxing bodies for increasing the number of dwelling units in the Village.

Commissioner Brown asked the legal requirements for the east-facing windows. Ms. Purvis said that, according to the Village's Building & Zoning Official, none are required on the east elevation, as enough light is coming in from the north elevation. Chairperson Loftus wondered the square footage of the portion of the building for which the zoning is requested to be changed from C5A to C5B.

Petitioner's Presentation

Sworn in were Nick Vittore, 1 W. Dundee Rd., Suite 200, Buffalo Grove, Ill.; and Ken DeMuth, Principal with Pappageorge Haymes Architects, 640 N. LaSalle, Suite 400, Chicago, Ill. Mr. Vittore stated that Mr. Svigos purchased the subject property in the late 1990s, impressed with the Village's downtown amenities. Pointing to the historic nature of the 413 building, which features a former Masonic hall, he recounted his company's experience restoring historic properties and described its enthusiasm for doing so. He said he is excited about the 413 building's proximity to the new parking garage, noting that the plan for the subject property includes an artery between the garage and Main Street (through the historic arcade). He suggested that the proposed project is consistent with the Village's plan for a vibrant downtown, and contended that "interesting living spaces" are valuable to a community.

Mr. Vittore stated that the building has been a challenge, and that he has spent considerable time trying to find a commercial solution for the vacant space. Possible uses considered were a banquet space and a concert hall – both difficult – leaving the Petitioner to believe that the best use is residential. He added that, in trying to overcome a challenge associated with exiting the building vis á vis the parking garage, an idea had been hatched to construct a staircase coming out of the second floor to the north (by Nobel House), and while this would be the most cost-effective route for the Petitioner, it was decided for aesthetic reasons to put the stair internally, netting out one less apartment.

Referring to the "gorgeous building and a wonderful resource" represented by the historic subject property, Mr. DeMuth said the plan presented for its renovation offers opportunity to bring the arcade

into the circulation path, reinforcing the pedestrian nature of the downtown. He further praised the building's character, citing among its architectural features, the heavy timber set into the masonry.

Commissioner Halkyard asked if the Petitioner had talked with the neighbors, who have expressed concern about windows in the apartment building "peeking right into their backyard." He also wondered about noise that might be generated from the multi-family building's envisioned patio. Noting brick pavers in place up to the parking garage, Mr. Vittore said that the patio areas are "kind of already there," and being looked at as a second exit from the first floor units (adding that the second floor will have "Juliette" balconies). He said he doesn't perceive the space as a high-traffic area, and that residents would likely be at work 95 percent of the time. While acknowledging that he hasn't talked to neighbors about the windows, Mr. DeMuth opined "the more light the better," saying that even though restricting windows to the West side meets Code, "We like to do better when we can." He said the team proposes putting small light-gathering openings – inoperable and of subdivided glass – on the east side, and offered assurance by saying that much of the window is not fronting on floor space. He added that he is sensitive to privacy concerns, but said that the design's articulation is "friendlier than a big massive wall." Mr. Vittore stated that the Petitioner did delete plans for three corridor windows to the east, and that with the parking garage edifice placement, the apartment building needs as much light as it can get.

Commissioner Cooper said that while windows discussed sound to be at the top end of the units, the drawing doesn't depict windows as being limited to the upper part of the wall space. Having reiterated that windows in the design are intended to emit light (as opposed to frame a view), Mr. DeMuth pointed to one in question that he likened to a clerestory window. Chairperson Loftus asked if the walkway would be open to the public 24/7. In that the Petitioner is encouraging public use, Mr. Vittore stated that the Petitioner would probably work with the Village on a schedule, and indicated that with security in mind is open to ideas as to how to manage the space. The Chairperson asked why, with the expectation of increased traffic, giving up retail space for residential space would be desirable. Mr. Vittore responded that there is already internal retail space in the hallway, and that filling retail space in mixed-use building has been found to be challenging, so believes the best chance for retail success is frontage on Main Street, especially in an Amazon-saturated retail environment. Mr. DeMuth observed that the building owner might be able to get a commercial into the ground floor, but that the second floor is "a real bear" for this application. "Residential," he added, "is doing pretty well."

Commissioner Halkyard asked the implications of rezoning from a tax-dollar perspective, and whether a study had been done as to the type of tenants the proposed apartments are expected to attract. Mr. Vittore stated he's been seeing younger tenants with heavy consumption habits, listing eating out and having food delivered as examples. He said walking is "strong" with apartment dwellers, who want to be "out and about," hence, the appeal of a downtown location. Citing a building in Lake Forest, he said he's seen a mix of young professionals, parents who've downsized, and college kids, and has observed a spread of age groups with similar mindsets.

Chairperson Loftus asked how adding 12 apartments to the building would affect real estate taxes. Planning Manager Purvis stated that while she doesn't have a specific answer to this, the vacant space currently in the building is not generating revenue. She also indicated that property tax revenue is based upon the equalized assessed value of the property and that an improvement increases the value of the

property and therefore the property taxes. Commissioner Brown asked if apartment windows would be outfitted with an internal treatment, and whether the building would have an elevator. Mr. Vittore said every window would have treatments; larger windows are typically adorned with roller blinds, he said, and he sees light filtering applied to those facing north. Mr. Vittore said the building would have no elevator. Chairperson Loftus asked if the ivy on the East façade is still there, and if so would they be retained, to which Mr. Vittore responded he believes they are still there and doesn't have any plans to remove them, unless maintenance prompts doing so. The Chairperson asked, from a constructability standpoint, how would windows be installed on the east side, lacking an easement from the neighbors. Mr. DeMuth indicated that windows can be installed from within, and that the biggest concern is clean up of debris. Referencing affordable housing, Mr. Cooper asked the anticipated rental rate of the units. Mr. Vittore said that while the price hasn't yet been established, the quality of the units will balance out with the accessible price point of the [existing] 413 building apartments, and that the Petitioner will look to the market for pricing the new "slightly nicer" units, but doesn't expect them to be "over-the-top expensive." Mr. DeMuth posited that access to the train is among the resources attractive to lower-income individuals.

Referencing the property line along the patios and public land near the parking garage, Chairperson Loftus asked about requirements for a barrier, such as opaque fencing. Ms. Purvis interjected that screening is not required to the north, but is to the east and south where the subject property abuts residential, though she acknowledged that a 6-ft. high security fence is shown in the plan. Mr. Vittore said a gate to prevent people who don't live in the building from wandering into the site, and indicated a line demarcating resident space. Chair Loftus asked if the gate would be installed on Village property; to which the Mr. Vittore replied affirmatively. Planning Manager Purvis said the gate was part of Civic Center parking garage negotiations, as were parking space allocations for the subject property building. Commissioner Vondruska conjectured that, since the exit is the second one out of the building in an emergency, that egress/ingress down the pathway will have to be easily accomplished. Mr. Vittore said he recalled conversation to the effect that the gates acted as a way to prevent people in an emergency from going east to a dead-end, but that people can exit west through a clear path out, but it prevents somebody in a panic from walking north and going east and getting stuck. Chairperson Loftus asked for confirmation that the corridor that gets out there is intended for the residents, not as part of the public walkway that would be created. Mr. Vittore said this is correct; the public would not have free access to that corridor. He said access would be through a security door, so if you're walking through the Pedway, in an emergency, for example, you would exit north past the parking garage.

Public Comment

Ms. Purvis read the following letter into the record:

Kurt & Kim Lagerloef, 544 Hillside Ave.: "We strongly oppose the windows on the east side of the building facing into our neighbors back yard. It is beyond me that this would be allowed considering the intrusion into their privacy as well as ours. I personally don't believe that obscured glazing should even be allowed due to the light pollution that would intrude on their property.

The other issue being the decks would certainly raise concerns of noise and lead to a degradation of our property values.

Please consider what our little part of Glen Ellyn has endured in the last few years with the parking garage and now another variance being requested.

Thank you for listening and your time.”

Kyle Goerschler, 556 Hillside Ave: *“I am requesting that you do not approve the proposed variances for 413 N Main St. in regards the windows on the east facing wall and the balconies on the north facing wall.*

Regarding the windows on the east wall:

There is a clear hardship and invasion of privacy that would occur to the residents of Hillside Ave, especially for the residents of 538 Hillside. These windows represent an imposed change to the very nature of the back half of the property at 538 Hillside. Privacy, comfort, and the ability to make their home their own will all immediately be stripped away upon installing these windows. The residents of 538 Hillside will be forced to visually share their lives with at least 4 separate family units. There is a clear drop in property value that will occur as a direct result of these windows as well. The subset of people who will be open to buying a house that so intimately shares its property is going to make this a much more difficult property to sell. These windows, beyond any doubt, introduce a significant hardship.

Regarding the balconies on the north wall:

Spending only a small amount of time in the alley adjacent to the north wall would help you understand the significant noise impact that these balconies will create. The construction of the parking garage has created an exceptionally loud sound tunnel for the residents at 538 Hillside. Even seemingly normal sound levels carry without hindrance through the alley and into the backyard space at 538 Hillside. These balconies represent a clear hardship as they directly impact the peace and privacy of the current residents. They would completely drown out the privacy of 538 Hillside.

Furthermore, I feel compelled to take a stand against the way these variances were pushed through without intellectual honesty. There is no evidence of hardship on the builder to suggest the need for these variances. There is no case to be made whatsoever that these changes are minimal and won't impact the current residents. Neither is there a case to be made the changes will be made without the residents of Hillside even noticing that they were there. Finally, I find it conspicuous that the east wall designs were not included with the rest of the changes to the building in the normal plan document. It seems clear here that is no way that the board can believe that these variances are in the best interest of the current residents.

Once again, I am requesting that you do not approve the proposed variances for 413 N Main St in regards the windows on the east facing wall and the balconies on the north facing wall.”

Anna Kreissler, 542 Hillside Ave.: *“I live at 542 Hillside, the house immediately East of the Rhodes. Following are my opinions of the variance requests for 431 N. Main St. for the addition of windows to the East facing wall and five new patios.*

We are private homeowners who choose to live in a house with private yard space and private living—no one directly above us or next to us—and we have privacy in our own yard. This is true even for our house that resides in the busy central business district. Zoning rules are in place so that we can live in the business district and still be afforded privacy. Anyone, actually, who chooses to live in a house as

*opposed to a multi-unit building, is afforded privacy in **and** around the outside space of their house. But if the variance for the new windows at 431 N. Main are approved this is no longer the case.*

If someone places a chair and sits in the Rhodes' backyard, for instance, that would be considered trespassing. But yet what the owner of 431 Main St. is requesting to do is precisely the same. The proposed variance essentially places the tenant of that unit directly in the Rhodes' backyard. And despite rules and restrictions created long ago by the Glen Ellyn Village to protect privacy, here we are with the Village Plan Commission already supporting this request. One supporting statement is the following, quote "The surrounding buildings and neighbors will likely be unaware of the conversion of space." How can you believe this is true?

The above is one of two issues. The addition of five patios is also seeking approval. Since the addition of the garage in our own backyard, noise coming from the North facing corridor between the garage and 431 N. Main has changed drastically. When people are conversing in that corridor I can't discern if they are on my back porch or in that corridor next to the garage, a good distance away, despite trees, fences, and other structures that could act as sound barriers. It's a noise nuisance far beyond what existed prior to the garage. And the owner has written unfound evidence that existing neighbors, quote "will not even be aware." Again, how can you believe this to be true?

There's nothing special about this construction project more so than any other when it comes to protecting existing neighbors' privacy and preventing an added nuisance for a new home construction project.

It's my intent here to sensitize the Plan Commission on these issues and of the current and future situations that may arise from new home owners and builders. Granting this variance completely rocks the privacy of a Glen Ellyn homeowner.

I emphatically request that our own Village Plan Commission, Glen Ellyn residents yourselves, do your job here to respect the existing codes that protect the privacy and prevent added nuisance to existing neighbors of a new living dwelling project, by denying the variance requests noted in this opinion letter."

Todd Kreissler, 542 Hillside Avenue: *"I would like the following noted and read into record during the variation meeting for the apartment building next to the 538 Hillside:*

Regarding the request to break Village code on this property:

- There will be a significant diminution of value to 538 Hillside in value due to the window and patio variation. Many potential buyers will walk away from any house purchase when a neighbor has windows immediately on their property line. The Rhodes backyard is beautiful, but that is lessened with lack of privacy. There are not many people that would want a neighboring multi-unit apartment with windows on their property line at eye level, a clear violation of the village code. This causes a severe lack of privacy creating a clear hardship on the immediate neighbors and decreases their home value.*
- The parking garage that was built 4.5 feet off the property line against code created a noise tunnel that passes through to 538 Hillside and then to 542 Hillside and beyond. Adding patios will add additional noise at many hours of the day and night traveling down the tunnel,*

diminishing the value of these homes, harming the owners without consideration of the hardship they will endure. What is your solution?

- *For years, 413 Main St. building was functioning until this point. I believe the building code requirements were likely in place when the building was last purchased so this is 1 of several reasons the codes should not be broken causing hardship to other neighbors. Essentially, the building is currently being operated as a business and a money maker. Some businesses make more money and some make less, but variations to code should not negatively impact, causing financial or new hardship to a neighbor.*

Please deny the request for variation."

Kim Severyns: *"Good Morning, I am contacting you regarding your proposed renovation at 413 N. Main Street.*

I am very concerned of the enormity of the changes to our "village" as a 4th generation resident of Glen Ellyn. While I believe that it is imperative we stay current with the times & trends, I also feel it is equally important that we respect our community and its residents and most importantly keep the feel of the "village." The addition of these apartments with their windows and patios will vastly change the backyards of residents for quite a span down Hillside Avenue. We have already experienced significant changes in evening lighting and noise from the new parking garage. This will only add to our lack of privacy and peace that we as Glen Ellyn residents hold at a high level of value. This, amongst many others, is why we choose to live in Glen Ellyn.

If Zoning Codes were established for the purpose for protecting and promoting the Comfort, General Welfare, Moral, Property Values & Public Health & Safety then CLEARLY approving these variances goes against that mission, especially for the residents of Hillside Avenue. The Zoning Variation Application Document shows no evidence of the applicant proving his case or demonstrating a hardship which is required for the variance to pass. The hardship that will occur will be to the residents of Hillside Avenue and mostly the residents at 538 Hillside Avenue.

I request that the Plan Commission Members deny the request for the above variations.

It takes a village to preserve 'the village.'"

Commissioner Cooper stated for the record that he rejoined the video portion of the proceedings at about the third letter, after suffering an internet crash at the time Ms. Purvis began reading the letters. He added, however, that he had been able to listen telephonically.

Sworn in, the following gave respective testimony:

Donna Rhodes, 538 Hillside, stated that she and her husband bought their home at this address in 1989, and that her private sanctuary of a back yard is threatened by the prospect of strangers joining them in the space, and potentially eight windows. To demonstrate the plan she suggests would be intrusive, she referenced an exhibit of a rendition that to show that she and her husband will be forced to plant tall bushes or use other methods to block windows, should the proposal go through. She urged the Commission to vote, "No" on the proposed variations.

Gregory Mark Rhodes, 538 Hillside, stated that all stores in the Village don't enjoy street frontage, naming the Little Shops as an example. Expressing concern over the proposed patios and balconies, he complained that the Village garage project has created a conduit for sound transmission directed to his property. He recommends replacing the planned patios with entrances to retail shops, which he insisted would be beneficial to downtown commerce. He expressed hope that the Commission would reject the subject requests for the zoning variations.

Roy Millonzi, 552 Hillside, stated that he is in support of the opposition to the plans for the balconies, windows and patios on the east side. He expressed concern about privacy, noise and character of the community, pointed to a perceived lack of consideration of the residents on Hillside, and recommended a reevaluation of the plan put forth.

Commissioner Questions

Wondering as to the condition of the subject property's basement, Commissioner Brown asked whether there would be storage available to apartment residents. Mr. Vittore replied that it's a typical basement, and that with renovations will present a storage opportunity. Mr. DeMuth said the proposed new central staircase would provide access to the basement, but there's also first-floor space that could accommodate storage. Chairperson Loftus asked how, if the plan is approved, construction equipment and materials would be moved in and out of the building to execute the conversation. Referencing the McMae's renovation, Mr. Vittore said he envisions a dumpster on Main Street, but added that he is open to direction from the Village. Ms. Purvis noted that a construction management plan is a recommended condition for approval and multiple Village Departments would be consulted on the construction plan. Commissioner Cooper asked for clarification as to whether something separated the parking lot from 538 Hillside before the Civic Center garage was built. Glen Ellyn Community Development Director Staci Springer, 535 Duane St., Sworn in, said that a 6-ft. wooden fence had. Commissioner Cooper asked for confirmation that no portion of the variance sought concerns the inclusion/exclusion of the windows. Ms. Purvis stated that this is correct, and that there are no requirements pertaining to the windows in the Zoning Code, but that from a Building Code standpoint they must be inoperable as they are on the property line. Mr. Cooper asked if it is appropriate for the Commission to be considering the issue of the windows which are not subject to the variance in connection with requests for other variances. Ms. Purvis said that because a Special Use is also requested, the question could be viewed through criteria pertaining to neighborhood impact. Mr. Halkyard asked if, this proposal didn't pass, could the owners add windows to the east side of the building for an event hall or retail use. Ms. Purvis replied they could, without coming before the Commission if the use is allowed by-right. To a question from Mr. Halkyard seeking Juliette balcony details, Ms. Purvis stated these do not allow room to step out of the apartments, but promote fresh air. Mr. Halkyard asked why the patio safety door is needed for a public space. Mr. Vittore replied that such prevents people exiting the Pedway from going east and people wandering back that way from restaurants. He said the public need has been determined to be for maintenance on the parking garage. Building staff, does not want an unsightly area, he said, and noted that a heightened fence on the east side could be a solution to buffer sound.

A motion made by Commissioner Cooper and seconded by Commissioner Brown to close the Public Hearing carried unanimously by roll call vote.

Commissioner Discussion

Saying he can't support the loss of 5,500SF of potential retail space on the first floor, Chairperson Loftus said he *would* support residences on the second and third floors. He conveyed that the Special Use requested results in a permanent conversion away from what he sees as a potentially great opportunity for commercial space. Commissioner Vondruska said he is less concerned about retail space so far back from the street, and that retail space will still exist on the subject property's west side. As a fan of preservation, he endorses the idea of reusing old windows. He said he thinks square windows might be raised to combat privacy concerns, and thinks noise might be diminished with landscaping. Encouraging the Board and Staff to work with the next door neighbors on solutions, he said could support the project as it stands. Commissioner Brown said that she appreciates the thought given to historic preservation, and that while she sympathizes with the Rhodes, seconds Commissioner Vondruska's suggestion that the Village Board to work with them. She said that perhaps a landscape credit or window modification could be an effective tradeoff and termed the proposed project a net positive for the downtown. Though the "tricky part" of the proposed is trying to make it work for all parties involved, said Commissioner Halkyard, he is generally supportive of the project, which he called "interesting." He expressed hope that concerns about windows are taken into consideration and said the Village should consider trying to soften the noise.

Declaring that he has reentered the conversation after being disconnected several times, Commissioner Saeed said he is in favor of downtown housing. He pronounced the proposed is a good use of space that has not been used in a long time, and said he supports the project. Commissioner Cooper said he is not concerned about losing the retail space, as it isn't particularly usable for retail. Though the desire for light in the apartment building is appreciated, he continued, there is sensitivity to neighbors' privacy. He said he supports the project. Chairperson Loftus cautioned against setting a dangerous precedent of converting downtown retail space to housing. In response to discussion of potential conditions for windows, Director Springer suggested directing windows be placed a certain point above head/floor level, while Ms. Purvis thought a filter solution might serve as a solution. Commissioner Halkyard wondered about noise issues. Director Springer replied that the Petitioner is required by Special Use to address this, but Staff could perhaps look at the situation since a noise-prone environment has already been created. Commissioner Brown suggested a condition to direct the Petitioner to work with the Historical Society during the renovation. After Commissioner Cooper expressed reluctance to develop an architectural plan in committee fashion, Developer Springer suggested a condition directing Staff to work with the Petitioner on window solutions, and Commissioner Vondruska moved for the following:

After conducting a public hearing and deliberating on the requests of the petitioner, Nick Vittore of Svigos Asset Management, on behalf of 413 Main LLC, for approval of a Zoning Map Amendment, a Special Use Permit and Zoning Variations, all to allow the construction of 12 loft-style apartments within the back half of the existing building located at 413 N. Main Street, the Plan Commission hereby recommends approval based upon the findings of fact, as discussed or amended at the Plan Commission public hearing on January 27, 2022, which are hereby incorporated into this 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 prior to the issuance of a building permit the petitioners will pay the appropriate Developer Donations to Village taxing bodies.
2. 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.
3. That prior to the issuance of a building permit, a construction management plan must be prepared, and reviewed at a pre-construction meeting, and approved by the Police, Fire, Public Works and Community Development Departments.
4. That if any rooftop units are visible from the public right-of-way, they shall be screened as appropriate.
5. That the Developer will work with the Historical Society during construction of the project to pass along any items of interest to the Historical Society.
6. Prior to Village Board consideration of the project, Staff will continue to work with the Architect and Developer to come to a solution for the windows that addresses the neighbors' concerns expressed at tonight's meeting.

Seconded by Commissioner Saeed, the motion passed by roll call vote, with Commissioners Vondruska, Saeed, Brown, Halkyard and Cooper voting, "Yes," and Chairperson Loftus, voting, "No."

Trustee's Report

Steve Thompson said the Board approved the Harding-Glen Townhomes, and that workshop discussion has focused on an Architectural Review Commission process, where to apply American Rescue Plan Act funding, and the Village's lead pipe infrastructure and work Public Works is doing to identify public and private installations. A charrette to redevelop the Roosevelt Road hotel site, he added, is planned.

Chairman's Report

Chairperson Loftus said work continues to find someone to fill the vacant position on the Commission.

Staff Report

Planning Manager Purvis said the Feb. 10th meeting agenda features Special Uses for outside merchandise storage at Pete's Market and the BP TRIO, and a pre-app for an office building across from the Civic Center. A sign variation will be presented on Feb. 24th, she added, and possibly a pre-app for a potential townhome development. Chairperson Loftus asked that plans for the BP consider accessibility of emergency shut-offs for pumps, to which Ms. Purvis replied that accessibility could be made a condition of approval, and that approval for outside storage is specific about location.

Adjournment

Chairperson Loftus adjourned the meeting at 9:31 p.m., following passage by roll call vote of a motion to adjourn made by Commissioner Vondruska and seconded by Commissioner Halkyard.

Respectfully submitted,

Barbara Dutton-Thomas
Recording Secretary