

VILLAGE OF

Glen Ellyn ILLINOIS

Village of Glen Ellyn

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FOR IMMEDIATE RELEASE

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**DUPAGE COUNTY JUDGE ISSUES ORDER PERTAINING TO APEX 400
DEVELOPMENT**

Glen Ellyn, IL – On September 18 and 23, hearings were held in DuPage County Court in a lawsuit filed by Schoub Properties, Anne and Jonathan Brazier and Citizens for Glen Ellyn Preservation, related to Apex 400, a development to be located at the northwest corner of Main Street and Hillside Avenue in Glen Ellyn's Central Business District. Defendants GSP Development, the Village of Glen Ellyn, the Catholic Diocese of Joliet and St. Petronille Parish all filed Motions to Dismiss in response to the Amended Complaint.

The Trial Judge granted ten of twelve Motions to Dismiss and found that the group Citizens for Glen Ellyn Preservation has not demonstrated it has standing to sue under any of the claims asserted in the Amended Complaint. Furthermore, the court ruled on the following:

- That the Historic Preservation Commission was not required by state law or the Village Code to review any aspects of the Apex 400 development because the development is not in an historic district and involves no landmarked buildings.
- That all claims related to the demolition of the former Giesche Shoes site are moot.
- That a public hearing was not required for the Village Board to approve the transfer of the Village owned Main Street parking lot to GSP Development.

The Diocese and St. Petronille were dismissed from the case with prejudice and are no longer a party to the case. The Plaintiffs were ordered to file a Second Amended Complaint on or before November 4, 2019, when the parties will next return to court.

In April 2019, the Glen Ellyn Village Board approved the Planned Unit Development (PUD) plans for the \$40 million project that features a mixed-use building including 8,844 square feet of first floor commercial space and 107 luxury apartment units on the second through fifth floors.

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Additionally, as part of the project, a two story parking garage will incorporate public parking on the first floor and residential parking on the second floor. Following construction of the public parking garage at the developer's expense, the public garage portion of the development will be owned and operated by the Village with no net loss of public parking on site.

The Village Board approved this project due to the overall benefits of private investment in the Central Business District (CBD) and what the project would achieve for the community, including:

- **Help Sustain Downtown Businesses:** By increasing density in the CBD, downtown businesses benefit as new residents support retail and restaurants and sustain the new commercial mix in the downtown.
- **Housing Diversity:** New rental units create a more diverse housing stock and create more “age-in-place” housing options for residents and non-residents.
- **Capital Investment in Public Facilities:** The developer has agreed to improve the Main Street parking lot and incorporate covered public parking back into the project with no loss of parking on site.
- **Expand the Tax Base:** This \$40 million development is estimated to be the fifth largest-valued property in Glen Ellyn, growing the tax base in perpetuity, and generating significant tax dollars for all taxing bodies in the future
- **Financial Benefits:** In addition to the tax benefits above, this development is projected to generate \$7.3 million to assist the Village in paying for other capital projects downtown such as the Civic Center Parking Garage, Streetscape Improvements and new Pedestrian Tunnel/Train Station projects, if and when these projects are approved.

In July 2019, the Citizens for Glen Ellyn Preservation filed an emergency motion for a Temporary Restraining Order to stop the demolition of the former Giesche Shoe site. The motion was denied and consequently demolition of the site took place in August 2019. Construction of the Apex 400 development remains on hold pending the outcome of the lawsuit.

For more information on the Apex 400 development, including a listing of frequently asked questions, please visit the Village's website www.glenellyn.org/646/Apex-400

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