

DU PAGE COUNTY  
AD-HOC ADULT BUSINESS COMMITTEE

ROOM 3500B

April 9, 2019

12:19 p.m.

PROCEEDINGS HAD and testimony taken before the  
AD HOC ADULT BUSINESS COMMITTEE, taken at the DuPage County  
Administration Building, 421 North County Farm Road,  
Wheaton, Illinois, before LINDA M. CIOSEK, C.S.R. No.  
084-002892, a Notary Public qualified and commissioned for  
the State of Illinois.

Ad-Hoc Adult Business Committee  
April 9, 2019

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1 MEMBERS PRESENT:

2 MS. JULIE RENEHAN, Chair.

3 MS. DAWN DE SART, Member.

4 MR. SAM TORNATORE, Member.

5 MR. JAMES ZAY, Member.

6 MR. TIM ELLIOTT, Member.

7 MR. SEAN NOONAN, Member.

8 ALSO PRESENT:

9 MR. CONOR MC CARTHY, Assistant State's Attorney.

10 MR. PAUL HOSS, Planning and Zoning Administration  
Coordinator.

11

MR. JIM STRAN, Building & Zoning Department Manager.

12

MR. KEITH BRIGGS, Chief of Security, DuPage County  
office of Homeland Security.

13

14 MS. JOAN OLSON, Chief Communications Officer.

15 MR. DENNIS BRENNAN, Health Department.

16 MR. EVAN SHIELDS, DuPage County Board.

17 MS. SHEILA RUTLEDGE, DuPage County Board.

18 MS. DEBORAH HOUDEK, Code Enforcement Officer.

19 MS. JESSICA INFELISE, Zoning Administration  
Coordinator.

20 MR. GRANT ECKHOFF, County Board Member.

21 MR. ANTHONY HAYMAN, Assistant State's Attorney.

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MS. EILEEN SCHWALM, Clerk.

Ad-Hoc Adult Business Committee  
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1 CHAIR RENEHAN: The time is 12:19 p.m. I would like  
2 to call the sixth meeting of the Ad Hoc Adult Business  
3 Committee to order. My name is Julie Renehan, and I am the  
4 Committee Chair.

5 Would the clerk please call the roll.

6 THE CLERK: Member DeSart?

7 MEMBER DE SART: Here.

8 THE CLERK: Member Elliott?

9 MEMBER ELLIOTT: Here.

10 THE CLERK: Member Noonan?

11 MEMBER NOONAN: Here.

12 THE CLERK: Member Tornatore?

13 (No response.)

14 THE CLERK: Member Zay?

15 (No response.)

16 THE CLERK: And Chair Renehan.

17 CHAIR RENEHAN: Here.

18 As we continue to look at all the issues  
19 surrounding adult business and the impacts they have on our  
20 communities, we've chosen to hear from legal adult business  
21 owners on how adult business licensing regulation works, and  
22 maybe how it doesn't.

1 Roselle does have an adult business  
2 regulation, and we will explore whether adoption of an  
3 explicit set of regulations could minimize negative  
4 secondary impacts that we have heard about that relate to  
5 adult business.

6 We will first hear from Raj Kamruddin of  
7 Exotic Adult Books & Videos in Roselle, and our second group  
8 we will hear from Kenneth Polach Appraisal Group and how an  
9 adult business can affect property values, salability,  
10 rentability in commercial and residential venues.

11 So thank you all for your appearances  
12 today. Your testimony helps inform our committee's policy  
13 decision on licensing. It is most appreciated.

14 I would like to move to public comment.  
15 There is no public comment?

16 THE CLERK: No.

17 CHAIR RENEHAN: Can I entertain a motion to approve  
18 the minutes of March 26th?

19 MEMBER DE SART: So moved.

20 MEMBER NOONAN: Second.

21 CHAIR RENEHAN: Any additions or changes?

22 (No response.)

1 CHAIR RENEHAN: All in favor say aye.

2 (Whereupon, all members present  
3 responded aye.)

4 CHAIR RENEHAN: Approved. We also have, I would like  
5 to mention, Mansur Kamruddin also here with Exotic Adult  
6 Books.

7 If I could both swear you in. Raise your  
8 right hand.

9 (Whereupon, the oath was duly  
10 administered.)

11 CHAIR RENEHAN: Okay. Thank you very much, and if  
12 you could just both state your name and office for the  
13 record, and then proceed with statements if you have a  
14 statement you would like to give, and then we would ask you  
15 questions. Or if you don't have a statement, we can just go  
16 straight to questions.

17 MR. RAJ KAMRUDDIN: Okay. Raj Kamruddin, I am vice  
18 president of the business. Mansur Kamruddin, my father,  
19 he's the president.

20 Paul gave us a little bit of a heads up  
21 of what the organization is looking into. I'll give you a  
22 brief background about our business and what we do and how

1 it started. My dad opened the business back in 1987 in  
2 Roselle. We weren't in the same location, but we started  
3 out as a liquor store, and back then it was cigarettes,  
4 Lotto, liquor. And in the plaza that we were in, we were  
5 the only ones in that plaza. A few businesses came at the  
6 same time, but then they did construction up and down the  
7 road, which was a big project. A lot of the businesses  
8 left, and we were the only ones there. Then eventually a  
9 Blockbuster came in. And when they came in, we were  
10 struggling with business, and we had the idea, let's have  
11 some VHS adult videos. So we had a little partitioned area  
12 off, and we had the sign that said, you know, adult VHS for  
13 rent. So we actually got a lot of our customers coming from  
14 the Blockbuster, and that built up a substantial amount of  
15 business to keep the business afloat. We eventually had  
16 other businesses come in. We had a women's salon that moved  
17 in the very next unit next to us, even though we had a sign  
18 that said adult VHS tapes.

19 (Whereupon, Member Zay entered  
20 the hearing.)

21 MR. RAJ KAMRUDDIN: We had a diner come in, and  
22 eventually pizza places. All the businesses did come in,

1 despite the fact that we were advertising we had adult VHS.  
2 We were unincorporated Cook County at that time, and when  
3 Roselle annexed that area, we could have still stayed there,  
4 but then they wanted to do an adult business, they wanted to  
5 try and get adult businesses over into the industrial areas.  
6 And even though we could have stayed where we were at, we  
7 decided let's go along with that. We decided it's a good  
8 decision, let's go over there, we'll buy our own building,  
9 and we went. We didn't want to fight with them, we said we  
10 understand what you're trying to do. So we moved over into  
11 the industrial area where it's all commercial buildings,  
12 it's away from businesses, away from schools, away from  
13 parks, away from churches, pretty much a lot of the things  
14 that the State or counties are looking to do.

15                   It worked for us at that time because we  
16 had a built-in business already from the rental customers.  
17 When we moved over there in -- 1999?

18                   MR. MANSUR KAMRUDDIN: We bought the building in  
19 1999.

20                   MR. RAJ KAMRUDDIN: When we moved, we were able to  
21 make that transition because we had built-in rental  
22 customers already at that time. Most of them followed us

1 over. The drawback was that once we moved over there, we  
2 didn't get the drive-by traffic. So Zebulon, being on Lake  
3 Street, they would get the drive-by traffic that we don't  
4 get. That's a drawback to us. The advertising that you can  
5 do is online through Google basically, just search engines,  
6 so we don't have that available window dressing.

7           Where we're at now, we don't have any  
8 problems with it. The village has their licenses, we pay  
9 the licenses. We pay the amusement tax, which is 3 percent  
10 of all our video rentals, and 3 percent of our arcade, the  
11 money that we get from the revenue, from the arcade revenue.  
12 So, about 7,000 in the amusement tax, and another 3,000 for  
13 licenses.

14           It works out well for us. We have a good  
15 relationship with the village. We have a good relationship  
16 with the neighbors. We don't have too many problems with  
17 neighbors. We don't have unoccupied buildings around us.  
18 As a matter of fact, we've had people building new  
19 buildings, even though we had some spaces available right  
20 next door to us. Yardmax moved in, bought a big property  
21 and renovated the entire thing, and they're doing well. I  
22 think they supply Home Depot.

1                   The building to the left of us, they  
2 recently built a new one, and everything seems to be  
3 occupied. We haven't had any complaints from neighbors in  
4 the commercial area.

5           MR. MANSUR KAMRUDDIN: It's industrial area.

6           MR. RAJ KAMRUDDIN: Yeah, it's an industrial area.  
7 Everything works out well. Roselle police, they come  
8 around, they keep an eye on the parking lot, things like  
9 that, just like they probably do with any other building  
10 they would go to.

11                   And we have a -- we actually have a 3,000  
12 square foot unit that was vacant for a while, and one of our  
13 neighbors is a carpet and floor tiling company. They're  
14 actually leasing that from us, and they come back and forth  
15 all day long and have their trucks coming in, they're  
16 loading up their equipment. They've been there a long time,  
17 they know us. They know the customers, the base, whatever  
18 is going on, that we don't have any issues. It's not a  
19 sketchy place where they have to worry about their inventory  
20 or somebody breaking in or things happening in the parking  
21 lots, or anything like that. They're paying us rent now as  
22 well.

1                   We do have a good relationship with the  
2 Roselle police. We have security cameras all over our  
3 building on the outside and on the inside; the arcade,  
4 rental area, the retail portion, if anything happens, which  
5 very rarely we have any issues. We don't have any violent  
6 issues, we don't have any -- we really don't have anything  
7 that we can't take care of ourself. If we do have an issue,  
8 we call the police right way. We just tell them, "Hey, this  
9 person's causing a problem" or "Hey, this person is  
10 wandering the parking lot, he's just loitering. We've asked  
11 them to leave". They'll come back, they'll say, "Okay,  
12 leave." We worked it out with the police where if we have  
13 an issue, we tell somebody to leave, we write down the  
14 person's information, we give it to them, and the next time  
15 they come back, if we have to, we'll put it down for  
16 trespassing, but very rarely has that happened.

17                   MEMBER DE SART: Raj, I want to get an idea of your  
18 business, if I could. So you've got an arcade now?

19                   MR. RAJ KAMRUDDIN: Uh-huh.

20                   MEMBER DE SART: And then what is your business?  
21 You're no longer selling liquor, is that what I hear?

22                   MR. RAJ KAMRUDDIN: No longer doing liquor.

1 MEMBER DE SART: So what do people do when they go  
2 into your business?

3 MR. RAJ KAMRUDDIN: When we moved into the new  
4 location, we decided -- well, at that time we couldn't  
5 compete with Jewel Osco for the liquor, and we couldn't  
6 compete with cigarettes anymore. We thought what's the only  
7 thing that's really doing well for us was the adult business  
8 portion of it.

9 When we moved into the new location, we  
10 had videos that we rent and we sell.

11 MEMBER DE SART: Still videos?

12 MR. RAJ KAMRUDDIN: We still do videos.

13 CHAIR RENEHAN: You have no live entertainments?

14 MR. RAJ KAMRUDDIN: No live entertainment.

15 MR. MANSUR KAMRUDDIN: We never had.

16 MR. RAJ KAMRUDDIN: We never had that. It's always  
17 been video rental, video sale, which we still do, video  
18 novelties and toys, magazines, and then we have the arcade,  
19 where people will go in the arcade, there's booths, they put  
20 their dollars bills in there, and they can watch movies, and  
21 then that's it.

22 MR. MANSUR KAMRUDDIN: One thing we would like the

1 County to do, is like the Village of Roselle is making  
2 substantial income from us. We are paying them more than  
3 \$3,000.00 a year just to renew the license. I just paid  
4 \$3,000.00 a year just to renew the license, and then we pay  
5 more than \$7,000.00 a year to them in amusement tax. We are  
6 to pay 3 percent amusement tax to them on our revenue in  
7 arcade and video rental and everything.

8 (Whereupon, Member Tornatore  
9 entered the hearing.)

10 MR. MANSUR KAMRUDDIN: If you are going to make some  
11 regulation, you can also make some income and put it -- put  
12 us on the same level as other business like Zebulon.  
13 He is our competitor. He doesn't have to pay a dime to  
14 anybody. He doesn't have to pay for the license, he doesn't  
15 have to pay any taxes to Roselle, nothing, because he is  
16 unincorporated DuPage County, and DuPage County has no  
17 licensing. And they don't have to buy the license from  
18 them, they don't have to pay any tax to them, nothing. But  
19 if you can regulate that, it will be good for us because  
20 then we will be in the same level, but right now we are at a  
21 substantial disadvantage literally.

22 MEMBER DE SART: But I'm still trying to understand

1 your business. The arcade, what you're calling an arcade,  
2 is like an adult arcade?

3 MR. RAJ KAMRUDDIN: Yes, it's a preview booth. We  
4 have the booth, and they play 200 different types of movies  
5 we have in there. And just kind of like a hard drive in a  
6 computer that goes into each booth. They have a TV in  
7 there, they have a little bench, they have a door. They  
8 close the door, they put their \$1.00 bill in, their \$5.00  
9 bill in there, and they're basically paying per minute to  
10 watch a video of the movie. The same movie that we would  
11 have on the shelf that we're renting or selling, we have it  
12 where it goes to the hard drive and it goes to different  
13 booths and they can just preview and watch it. They're just  
14 basically paying to watch it there. We get a lot of people  
15 who might be on their lunch break, they put the money in  
16 there and watch it and leave.

17 But we do not have any live entertainment  
18 or anything like that. There is no dancers, there is no  
19 girls behind glass or anything like that.

20 MR. MANSUR KAMRUDDIN: We never had a prostitution  
21 problem in the last 20 years since we move. We have never  
22 ever had a prostitution problem. All the children from the

1 area, they don't want to come into the industrial area --

2 THE COURT REPORTER: I'm sorry, can you speak up?

3 MR. MANSUR KAMRUDDIN: They don't want to spend money  
4 on this, kids who are in school or college or anything.

5 They don't want to spend money on this pornographic. They  
6 get it for free on internet. Why would they spend the  
7 money? They don't have that kind of money to spend.

8 MR. RAJ KAMRUDDIN: That being said -- 18 year old.

9 MR. MANSUR KAMRUDDIN: And we also have a sign on the  
10 door that says no one under 21 allowed, even though people  
11 under 18 or 18-year-old are allowed, but we don't allow  
12 anybody. But the thing is, they don't want to come. They  
13 are not interested in that. They don't have that kind of  
14 money to spend on video you get for free.

15 CHAIR RENEHAN: I can understand why they might want  
16 to watch at home versus in public. I mean, have you had  
17 occasion to have sexual offenses like exposure or --

18 MR. RAJ KAMRUDDIN: No.

19 CHAIR RENEHAN: -- what's called lewd behavior?

20 MR. MANSUR KAMRUDDIN: No.

21 CHAIR RENEHAN: That does not happen within the  
22 booths?

1 MR. MANSUR KAMRUDDIN: No, not 20 years.

2 CHAIR RENEHAN: Member Elliott?

3 MEMBER ELLIOTT: Yeah, I just want to -- so you're in  
4 Roselle? You're in unincorporated Roselle?

5 MR. RAJ KAMRUDDIN: Yeah.

6 MEMBER ELLIOTT: And it sounds like, I gather from  
7 what you said, that since about 2000, maybe 1999, you've  
8 been operating under a license in a particular  
9 industrial-zoned area, and that's been the case for the  
10 last, I guess at this point, 19 years or so, and your  
11 business is doing just fine?

12 MR. RAJ KAMRUDDIN: Correct.

13 MR. MANSUR KAMRUDDIN: We have been in business for  
14 32 years since 1987. We move into this present place in  
15 2000.

16 MEMBER ELLIOTT: Under a licensing regime?

17 MR. MANSUR KAMRUDDIN: Yes.

18 MEMBER ELLIOTT: In an industrial area?

19 MR. MANSUR KAMRUDDIN: Yes.

20 MEMBER ELLIOTT: As part of the license, does Roselle  
21 have a health inspector, a building inspector, anything like  
22 that that comes in?

1 MR. MANSUR KAMRUDDIN: Yes.

2 MEMBER ELLIOTT: Tell me about that. How often do  
3 they come?

4 MR. MANSUR KAMRUDDIN: Every year.

5 MR. RAJ KAMRUDDIN: We've got the building inspector  
6 that comes. The fire marshall will come through and do the  
7 building inspection. The health inspector, no.

8 MR. MANSUR KAMRUDDIN: We don't have food license.

9 MEMBER ELLIOTT: You got rid of the liquor?

10 MR. MANSUR KAMRUDDIN: We don't sell liquor.

11 MR. RAJ KAMRUDDIN: Yes. But the fire inspector does  
12 come once a year and he will check out the property, he  
13 checks out everything.

14 CHAIR RENEHAN: So you have no specific health code  
15 that you have to work under within the licensing?

16 MR. RAJ KAMRUDDIN: No.

17 CHAIR RENEHAN: How do you kind of clean out the  
18 booths? I'm just curious.

19 MR. RAJ KAMRUDDIN: We've got a cleaning staff that  
20 comes multiple times a day, and then the clerks that are  
21 there, we're constantly making rounds and checking things,  
22 and if anything needs immediate attention, it's getting

1 immediate attention. And then we do have somebody that  
2 comes two times a day for the full entire building clean-up,  
3 not even just booths, everywhere besides the booths,  
4 garbage, everything.

5 CHAIR RENEHAN: And could you just review again how  
6 many employees do you have in there? How does the  
7 management work?

8 MR. RAJ KAMRUDDIN: Four. We have four employees.

9 CHAIR RENEHAN: Is there a manager on-site that's  
10 kind of checking in on the people in the booths, or what's  
11 going on?

12 MR. RAJ KAMRUDDIN: What we do --

13 MR. MANSUR KAMRUDDIN: We have surveillance cameras  
14 all over the booths.

15 MR. RAJ KAMRUDDIN: Not in the booths, no, but all  
16 around.

17 MR. MANSUR KAMRUDDIN: Not everything inside the  
18 booth, but the whole area, it's 3,000 square feet area where  
19 we have the booths. And we have about 15 or 20 cameras  
20 right inside that area where people are moving around, and  
21 if we can see them what they are doing. And we can also see  
22 them leaving or coming or anything because we have about 25

1 cameras altogether.

2 MR. RAJ KAMRUDDIN: And we're also back there with a  
3 presence, too. We're all constantly walking around. We're  
4 not just standing at the front desk. If there's nobody at  
5 the front desk, we're constantly making our rounds and  
6 checking on everything --

7 MR. MANSUR KAMRUDDIN: -- something like that on our  
8 surveillance system which is right by the cashier, the  
9 cashier will right away go and tell the guy, "Hey, you are  
10 not using the arcade, you are loitering, you are just  
11 creating a nuisance, so leave." And if they don't, we call  
12 the police.

13 CHAIR RENEHAN: Okay. I missed what was the age of  
14 entry to the business?

15 MR. RAJ KAMRUDDIN: 18.

16 CHAIR RENEHAN: How do you screen for that?

17 MR. RAJ KAMRUDDIN: Check I.D.'s. Honestly we don't  
18 -- I mean you check it, and it's just like if somebody went  
19 to the liquor store, but -- I mean, I don't know how they  
20 deal with it anymore, but mainly the average customer of our  
21 business is probably in their 40's. We don't meet anybody  
22 at -- I'm 41 now, so anybody who looks 30 probably looks 18

1 to me now, so we're checking I.D.'s because the older you  
2 get, everybody looks younger.

3 CHAIR RENEHAN: And what is your policy on alcohol or  
4 drugs?

5 MR. RAJ KAMRUDDIN: Zero.

6 CHAIR RENEHAN: They cannot bring it in?

7 MR. RAJ KAMRUDDIN: Zero. They cannot do it. I  
8 believe that's a State law as well. I believe that all  
9 adult businesses -- I thought it was a State law that said  
10 no alcohol.

11 MR. MANSUR KAMRUDDIN: I think it's a DuPage County  
12 law, not State law.

13 CHAIR RENEHAN: So if you had somebody come in and  
14 they maybe brought a bottle of alcohol, that's never  
15 happened?

16 MR. RAJ KAMRUDDIN: No. They can't bring it in  
17 there.

18 MR. MANSUR KAMRUDDIN: If we find it, we tell them to  
19 leave.

20 MR. RAJ KAMRUDDIN: We monitor --

21 MR. MANSUR KAMRUDDIN: No smoking, no drinking, no  
22 drugs, no nothing.

1 MR. RAJ KAMRUDDIN: We've never caught anybody in the  
2 store drinking or anything like that. We kind of monitor --  
3 we monitor the parking lot, even in the evenings, to make  
4 sure nobody is hanging out in their cars loitering, make  
5 sure nobody is drinking or whatever. If they're not in the  
6 business spending money, we don't want them parking, just  
7 hanging out in the parking lot just drinking or doing  
8 anything like that, but we haven't had any problems like  
9 that.

10 CHAIR RENEHAN: You mentioned you don't like the  
11 amusement costs, the costs of the amusement. What else?

12 MR. MANSUR KAMRUDDIN: I'm not saying that we don't  
13 like it. You should, when you have other business in  
14 unincorporated DuPage County, you should make them pay their  
15 amusement tax like we are paying.

16 CHAIR RENEHAN: So you're recommending that if DuPage  
17 County does a licensing program, they also adopt an  
18 amusement tax?

19 MR. MANSUR KAMRUDDIN: Right. That's the way you can  
20 afford to regulate them. The cost of regulating them is,  
21 you know, offset by the tax you collect and the licensing  
22 fee you will collect. Roselle is collecting \$10,000.00 from

1 us. So if they are coming in helping us, or any other  
2 customer or anything, they are not doing us a favor.  
3 They're using that because they know we are paying this much  
4 money to them. It's not free. We are not living there for  
5 free.

6 And the other thing, we are paying about  
7 certain \$2,000.00 a month in sale tax. They get cut of  
8 that, too, don't they? They get a cut from that.

9 CHAIR RENEHAN: So what else would you recommend to  
10 DuPage County in regards to adult licenses?

11 MR. MANSUR KAMRUDDIN: You should have licensing, and  
12 you should also have a tax on these people so that way you  
13 can offset the cost of regulating them.

14 MR. RAJ KAMRUDDIN: Besides the tax, I mean, we're in  
15 the industrial area, the commercial area, and it works just  
16 fine for us. We have no problems with that. The entire  
17 area is well lit up, the police still make their normal duty  
18 rounds around there, placed security and cameras, and we're  
19 away from the residents. We're away from the kids, we're  
20 away from schools, we're away from parks. Nobody even knows  
21 we're there. If you were to walk up to an average person in  
22 Roselle, they wouldn't even know we were there. They could

1 live three blocks away from us in the residential area  
2 because they don't go through the industrial area. Their  
3 kids don't even go through there.

4 I would say -- I'm a parent, too. I have  
5 two kids. I would say, yeah, it would be smart to do that.  
6 Every business going forward, an adult business, have them  
7 be in the commercial or industrial area. We drive by Lake  
8 Street and they see a boutique or something, they ask  
9 questions about it. They're going to see it. The  
10 businesses like us, we can still operate just fine in the  
11 industrial area. We don't get the drive-by traffic, but  
12 it's the nature of the business.

13 CHAIR RENEHAN: Does Roselle distinguish between if  
14 you're in a commercial area or if you're on a main street?  
15 Do you get to stay open later? Any benefit to being in an  
16 industrial area?

17 MR. RAJ KAMRUDDIN: No. If we wanted to, we could be  
18 open 24 hours, but we don't do it. It didn't make sense.

19 CHAIR RENEHAN: What kind of hours do you guys have?

20 MR. RAJ KAMRUDDIN: It fluctuates between the winter  
21 season and the summer, but we're typically open till 1:00  
22 a.m. on weeknights. Friday and Saturday we might be open

1 until 2:00. If business is slow, my employees have the  
2 permission to close up early. If there's nobody coming in  
3 in the late evening, instead of staying open till 2:00,  
4 close at 1:00 and go home. No sense in staying there.

5 MEMBER DE SART: And what time do you open?

6 MR. RAJ KAMRUDDIN: 8:00 a.m. If the weather is bad  
7 and the snow is coming, close up and go home. We give them  
8 that leeway. We don't want to work 24 hours either. How  
9 much money could we possibly make, and what's the benefit to  
10 do that versus --

11 MR. MANSUR KAMRUDDIN: Zebulon is open 24 hours a  
12 day.

13 CHAIR RENEHAN: I'm sorry?

14 MR. MANSUR KAMRUDDIN: Zebulon is open 24 hours a  
15 day, the one on Lake Street. It's open 24 hours a day. It  
16 has been there -- they have been like that forever, as long  
17 as I have seen. They are open 24 hours.

18 MR. RAJ KAMRUDDIN: If that works for them, great.  
19 If it works for them and they're getting business, great.  
20 But for us, it doesn't make sense.

21 MR. MANSUR KAMRUDDIN: -- because they have too much  
22 exposure. There is a lot of traffic on -- Lake Street is a

1 very busy highway, and there's a lot of traffic, and they  
2 just pull the people, they see the sign and go out.  
3 Otherwise they won't be able to afford to open 24 hours a  
4 day, but they are open 24 hours a day because people do go  
5 there at 3:00 and 4:00 and 5:00, and, you know, people leave  
6 the work from -- and some people leave the work at 2:00 at  
7 night and they go, but we don't have that kind of traffic in  
8 the industrial area.

9 CHAIR RENEHAN: You don't get the impulse person  
10 driving by who just decides --

11 MR. MANSUR KAMRUDDIN: Right.

12 CHAIR RENEHAN: Is that a disadvantage?

13 MR. RAJ KAMRUDDIN: That is a disadvantage, but we  
14 understand it. We get it. If we were on Roselle Road, we'd  
15 get a lot of drive-by traffic, people coming up and down.  
16 We might get customers that would never know we were there,  
17 but it is what it is.

18 MEMBER DE SART: Since you've been there for almost  
19 20 years, do you remember any complaints at all that you  
20 perceive from your neighbors? Any complaints?

21 MR. RAJ KAMRUDDIN: No.

22 MR. MANSUR KAMRUDDIN: No.

1 MEMBER DE SART: Not one?

2 MR. RAJ KAMRUDDIN: No.

3 MEMBER ZAY: I work in Roselle. I work on Central.

4 I didn't know until we started this you were still open,  
5 honestly, because you're back in the industrial area where  
6 you should be. You're saying that that works. That's how  
7 we're trying to model our ordinance, that's where it's  
8 supposed to work, in an industrial area where you're not by  
9 homes, not by schools, not by other things.

10 MR. MANSUR KAMRUDDIN: It's not easy for any business  
11 to open up in the industrial area or commercial area, or any  
12 area. I tell you what, when I bought this building in 1999  
13 when Roselle told us to move, I was looking for a space in  
14 the industrial area where I asked them which area would you  
15 suggest for the adult business. And they said Roselle  
16 Commons Center in the industrial area. And there's a lot of  
17 buildings over there, you can move over there, we have no  
18 problem. I said okay. And at that time there was a lot of  
19 buildings with empty spaces and for rent. Every building  
20 has a sign for rent. I asked everybody, will you rent it to  
21 me? They said, "What do you want to do?" I said, "I want  
22 to open an adult business." "Oh, no, forget it." Nobody



1 head every which way we can to do a licensing program, how  
2 do we do it the best way? And you're in the best position  
3 to tell us that.

4 MR. RAJ KAMRUDDIN: They seem to have it down.

5 MR. MANSUR KAMRUDDIN: We can show you the copy --

6 MR. RAJ KAMRUDDIN: Obviously zero percent is better  
7 than paying anything in amusement tax, but it's fine.

8 MR. MANSUR KAMRUDDIN: They are charging us \$85.00  
9 for booth. Someone who has ten booths, he has to pay  
10 \$850.00. And they are charging us by the booth. That's how  
11 much, \$85.00. They call it coin operated amusement machine.  
12 It's for coin-operated amusement machines.

13 MR. RAJ KAMRUDDIN: We put a sticker on the booth  
14 door, just like you would have your car sticker you put on  
15 there you buy from the village. You put it on the door, it  
16 just says you paid for that year.

17 MEMBER ZAY: I have one of those, too, but I only  
18 have pop in it.

19 MR. MANSUR KAMRUDDIN: They charge for the business  
20 license, and then they charge us again for the amusement  
21 thing, and then they charge us \$85.00 per booth. Altogether  
22 it's something like more than \$3,000.00 for us every year.

1 I have been paying them for the last 20 years.

2 CHAIR RENEHAN: Are you a cash business, or do you  
3 accept credit cards?

4 MR. RAJ KAMRUDDIN: Both.

5 MEMBER DE SART: So who goes in and makes sure the  
6 sticker is on the booth door? Who checks that? You said  
7 the fire department comes once a year?

8 MR. RAJ KAMRUDDIN: Yeah.

9 MEMBER DE SART: But is there a licensing person that  
10 comes in once a year to make sure there's a sticker on the  
11 door?

12 MR. MANSUR KAMRUDDIN: Yeah.

13 MEMBER DE SART: And making sure it's current?

14 MR. MANSUR KAMRUDDIN: Because every year at the  
15 beginning they came to us and they check out how many  
16 booths. You have 28 booths. Early on we had 32 booths, and  
17 then later on we closed four of them because there's not  
18 enough business for that many booths. We closed four of  
19 them. So now we have 28 booths, and we've had them for  
20 last, say, 15 or 20 years, 28 booths. And every year they  
21 sent in the application for that much, and we just pay them  
22 and they know that we have many booths. And when their

1 inspector comes, they take a count that every booth has a  
2 sticker on it.

3 MR. RAJ KAMRUDDIN: They'll send a renewal and  
4 they'll say, "Based on last year's numbers". So they know  
5 that. I imagine the fire chief when he walks by or the  
6 marshall when he walks by --

7 MEMBER DE SART: Is it the fire department or it's  
8 the licensing inspectors?

9 MR. RAJ KAMRUDDIN: It's the fire department.

10 MEMBER DE SART: Still the fire department, and  
11 they'll check on your licensing stickers permits?

12 MR. RAJ KAMRUDDIN: I'm assuming he checks the  
13 stickers. I don't know if he's verifying that or not, or if  
14 just the village is taking it by the word. That's  
15 something.

16 MR. MANSUR KAMRUDDIN: He checks out the booths.  
17 He checks all the booths.

18 MR. RAJ KAMRUDDIN: Yeah, he checks every booth  
19 inside and outside, trying to make sure whatever he's  
20 looking for, but I don't know for certain that he's counting  
21 the tally of all the stickers or not. That's something you  
22 would have to check with the village to see.

1 MR. MANSUR KAMRUDDIN: Every month when we file our  
2 taxes, at the same time we have to fill out our amusement  
3 tax return, and we have to send the check to the village  
4 every month, along with the return, how much money we  
5 collected from the arcade, how much money we collected from  
6 the video rental, and this is the tax.

7 MEMBER DE SART: Every month?

8 MR. MANSUR KAMRUDDIN: Yeah.

9 MR. RAJ KAMRUDDIN: Every month. They have a form we  
10 fill out. We write down what our total revenue was for the  
11 month for the rentals and the amusements, the arcade, and  
12 then what the 3 percent is after that. We just kind of  
13 check. They have that for their purposes.

14 CHAIR RENEHAN: Any other questions from the  
15 committee?

16 (No response.)

17 CHAIR RENEHAN: I would like to thank you gentlemen  
18 very much for coming. Perspectively it's very helpful in  
19 terms of what we're going to be doing here.

20 MEMBER DE SART: Thank you so much.

21 CHAIR RENEHAN: We had also sent a request from some  
22 other businesses, so I would call -- if we have someone from

1 Zebulon Adult Boutique, Adult Fun or Hotshots.

2 MR. FAWELL: I'm here for Zebulon.

3 CHAIR RENEHAN: Okay.

4 MR. FAWELL: My name is Jeff Fawell, F-a-w-e-l-l. I  
5 have a prepared letter that was drafted in conjunction with  
6 Mr. Clyde DeWitt, D-e-W-i-t-t. He's been Zebulon's attorney  
7 for 30-plus years. We do have a letter to submit for the  
8 record. And I have double-sided copies.

9 I just wish to make a statement on behalf  
10 of Mr. DeWitt. As we speak now, he's undergoing radiation  
11 treatment for cancer. He's got prostate cancer. He's in a  
12 hospital in Los Angeles. He offices out of Las Vegas,  
13 Nevada, but five days a week, Monday through Friday now, his  
14 wife's driving him to a hospital in Los Angeles. He gets an  
15 hour of radiation treatment every day. That's going to go  
16 on till May 2nd. He just found out about this on April 1,  
17 and he immediately called Mr. Hoss, spoke with Mr. Hoss  
18 actually, and then he called me, emailed me. I spoke with  
19 Mr. Hoss.

20 Mr. DeWitt is a nationally recognized  
21 expert in First Amendment speech. And, as I said, he's  
22 represented Zebulon for 30 years. As noted in page 2 of

1 this handout, he's been involved in organizations that --  
2 like, for instance, the Association of Club Executives, a  
3 trade organization for gentlemen's clubs, that's working  
4 with the Department of Homeland Security to address the  
5 problem of human trafficking. He says he can't imagine that  
6 there's any human trafficking issue that Zebulon would have  
7 any -- would, in any way, know of or be involved in, but  
8 he's -- I mean I worked with him 20 years ago, and he is a  
9 gentleman, he really knows his First Amendment law, and he  
10 really would like to have some say in this matter.

11 Unfortunately, like now, he can't until his treatment ends  
12 May 2nd or May 3rd. He said he could. He would love to  
13 address the committee here in May. I said to him, it seems  
14 a bit optimistic you're going to bounce right from the  
15 radiation booth to here, and he says no, he's working every  
16 day anyway, he just can't be here today because he's got to  
17 take his radiation.

18                   He's concerned about the lack of notice  
19 as set forth in the letter here, but he wants to work with  
20 the committee. He wants to -- he's already talked to Mr.  
21 Hoss, I don't know, probably a couple times knowing Mr.  
22 DeWitt, and he would -- that's about all I really have to

1 say. I don't know much about Zebulon, so I can't really  
2 answer any questions.

3 I am local counsel for Mr. DeWitt who  
4 has been his attorney for 30 years.

5 CHAIR RENEHAN: Okay. I appreciate that. We started  
6 our committee in January, and we have done everything we can  
7 do to let as many people know as possible about what we were  
8 doing here.

9 MR. FAWELL: They did not know.

10 CHAIR RENEHAN: We've been in the news quite a bit  
11 and we've --

12 MR. FAWELL: I didn't know either. I live in Glen  
13 Ellyn. I've lived in Glen Ellyn for 40 years, and I was not  
14 aware of the existence of this committee.

15 CHAIR RENEHAN: Okay. We've worked hard at that  
16 portion of it, and I do wish Mr. DeWitt could be here today  
17 because I think he would be very informative because he was  
18 actually personally involved in many of these cases we've  
19 been studying as a group.

20 Member Elliott?

21 MEMBER ELLIOTT: I just had a -- I'm a little  
22 confused because the people that -- we're in the business of

1 taking testimony, sworn testimony from people, not really  
2 arguments of counsel. And Mr. DeWitt, as I understand it,  
3 isn't the owner of the business. He's not the operator of  
4 the business, he's legal counsel nationally. And he is a  
5 nationally recognized expert, I agree with that. I was  
6 hopeful to have a fact witness that is familiar with  
7 Zebulon, someone who can address, for example, the reports  
8 we heard from city officials in Roselle about heightened  
9 police presence, about crime and rubbish caused by the  
10 business. I don't understand how Mr. DeWitt could or  
11 couldn't give us testimony on that. He could give us  
12 arguments for sure. Is anyone from Zebulon that could  
13 actually offer testimony on those issues, they're not  
14 undergoing cancer treatment --

15 MR. FAWELL: You know, the last thing you want to do  
16 is get a call to immediately show up, especially if you're  
17 undergoing cancer treatment, try to get together with your  
18 client. You don't want to just tell your client go before a  
19 committee. I think Mr. DeWitt, I find him to be a very  
20 reasonable guy. He's a very polite guy and very -- just an  
21 all-around gentleman, but he's not going to just tell his  
22 client to come in without having a little time to --

1           MEMBER ELLIOTT: I understand he's not going to be  
2 offering the testimony, but someone from Zebulon would show  
3 up with Mr. DeWitt in attendance?

4           MR. FAWELL: Right. I would imagine. I haven't had  
5 that -- I just got this notice last week, so it's all kind  
6 of a rush. He has some concerns. I think maybe the letter  
7 comes off a little like we're feeling ambushed. I don't  
8 think he does. Well, I think a little bit he does. He's  
9 just an out-of-town guy and not knowing what's going on  
10 here. And he had no notice, and I had no notice and I live  
11 in -- like I say, I live in Glen Ellyn and I didn't know  
12 this committee existed or was looking into this stuff. He  
13 would like some time to address the committee's concerns,  
14 and so I'm here today to state, hey, he can't be here  
15 unfortunately.

16           CHAIR RENEHAN: Well, thank you. I appreciate that  
17 you came today, even to speak for the speaking of Zebulon.  
18 I do appreciate that. I think our committee, these  
19 complaints have been going on for so long in our community,  
20 I think we feel some responsibility to act on this and to  
21 bring forth some sort of licensing agreement now versus if  
22 we wait two months, are we going to wait three months until

1 he's better? Of course I wish him well with his health  
2 concerns. I think what I would like to do is we're going to  
3 be closing our testimony for the most part today, but  
4 possibly leave that open if he would like to submit a  
5 statement of some sort, we're certainly amenable to that as  
6 we go through our deliberations in the coming weeks and  
7 months.

8 Any objection to that by the committee?

9 MEMBER ZAY: No.

10 MEMBER NOONAN: No.

11 MEMBER DE SART: I would like to hear from somebody  
12 from Zebulon, like Member Elliott suggested.

13 MEMBER ELLIOTT: I don't have an objection, Madam  
14 Chairman, to holding open the possibility of someone from  
15 Zebulon coming, but -- because my understanding is the  
16 person from Zebulon doesn't have the health issue, it's Mr.  
17 DeWitt, and he wants to be represented by a highly capable  
18 national counsel, but I would like someone from Zebulon  
19 here. They just submitted a statement. The members of the  
20 committee can't ask them questions, and they can't offer  
21 answers under oath. I don't mind holding it open to see if  
22 Mr. DeWitt, or in Mr. DeWitt's absence, if Mr. Fawell, also

1 a very highly-capable competent counsel, could represent  
2 someone from Zebulon. I don't mind giving them extra time.

3 CHAIR RENEHAN: At this point we do not have any more  
4 hearing dates scheduled for fact finding. I suppose we  
5 could add an additional one if Zebulon wants to come forward  
6 in the next week or two, but at this point that's not  
7 scheduled. We're trying to move to the next phase.

8 MR. FAWELL: I could talk with Mr. Hoss, and Mr.  
9 DeWitt could talk to Mr. Hoss about when.

10 CHAIR RENEHAN: If somebody can come within the next  
11 two weeks at our next meeting, maybe we could hold it for  
12 hearing purposes.

13 MR. FAWELL: When is that?

14 CHAIR RENEHAN: Two weeks from today.

15 MR. MC CARTHY: The 23rd.

16 CHAIR RENEHAN: The 23rd is an alternative date for  
17 them to come or, you know, we will just move forward with  
18 the limited information we have. And we did hear some great  
19 information today from our first witness group regarding  
20 adult bookstores.

21 Any other questions to Mr. Fawell?

22 (No response.)

1 MR. FAWELL: Thank you.

2 CHAIR RENEHAN: Thank you for being here.

3 I would just, for the record, like to --  
4 before we hear from our next witness, I would like the  
5 record to reflect that the County has extended an invitation  
6 to a number of business owners, and of course we heard from  
7 one, but Paul Hoss personally from our zoning department  
8 made personal visits to Zebulon Adult Boutique, Adult Fun in  
9 Roselle, Hotshots in Wheaton, also sent certified mail and  
10 domestic main mail. And, again, I'll call if there's anyone  
11 here from Adult Fun or Hotshots, we'd love to hear from you.

12 (No response.)

13 CHAIR RENEHAN: Let the record reflect we have no one  
14 appearing from Adult Fun or Hotshots, and no personal  
15 appearance by Zebulon.

16 Can we call our next group of Kenneth  
17 Polach from Polach Appraisal Group.

18 Thanks for being here today.

19 MR.POLACH: Certainly. Good afternoon.

20 CHAIR RENEHAN: And if you could raise your right  
21 hand and I'll swear you in.

22

1 (Whereupon, the oath was duly  
2 administered.)

3 CHAIR RENEHAN: Thank you. Please state your name  
4 and your position for the record.

5 MR. POLACH: Kenneth Polach, P-o-l-a-c-h. I'm  
6 president of Polach Appraisal Group with offices in Wheaton  
7 and Chicago.

8 CHAIR RENEHAN: Okay. And you're here to talk to us  
9 about property values, so I will let you begin with your  
10 statement.

11 MR. POLACH: Correct. By way of introduction, some  
12 of you know me, some of you don't. My background includes a  
13 Bachelor's Degree, as well as a Master's Degree in business  
14 administration, as well as courses given by the Appraisal  
15 Institute and other organizations involved in the appraisal  
16 and financing of real estate. I've been involved in  
17 appraising for 48 years now, all types of properties;  
18 commercial, residential, industrial, special purpose  
19 properties throughout the Chicago area primarily, but also  
20 in several other states around the country.

21 I have an MAI designation, as well as the  
22 SRA designation given by the Appraisal Institute. The MAI

1 is the commercial, the SRA is the residential designation.

2           As I said, I have appraised numerous  
3 properties throughout DuPage County, as well as the  
4 surrounding area. These appraisals include appraisals as  
5 well as impact studies in connection with zoning cases,  
6 court cases, litigation involving various types of uses.  
7 Included in the impact studies that I have performed are  
8 impacts on properties as a result of landfills, gravel  
9 mines, halfway houses, power lines, cellular towers, water  
10 towers, any number of various properties that could have an  
11 impact on surrounding properties.

12           One of the properties that I have  
13 appraised are adult use types of properties. This is  
14 something that I've done throughout the area, including  
15 communities such as Bellwood, Franklin Park, Stone Park, as  
16 well as within DuPage County.

17           I have completed impact studies at the  
18 request of the County in the past with regard to zoning  
19 regulations for these types of uses. I've also worked on  
20 the Zoning Ordinance for Bloomingdale in connection with  
21 their ordinance in the past.

22           My assignment briefly in this case was to

1 review the information that was available through reading  
2 the previous minutes of the committee hearings, as well as  
3 to look at the documentation that has been provided in  
4 connection with those hearings. So I did that, I reviewed  
5 those, reviewed the documentation, and I was asked to  
6 comment on whether or not adult-type uses would have an  
7 impact, in my opinion, on the surrounding properties, and  
8 what types of properties might be more impacted than others.

9           In order to do that, as I said, I'm  
10 familiar with these types of properties. I reviewed the  
11 studies that have been included in your documentation.  
12 There are a number of detailed studies that I'm sure you've  
13 at least looked at. I, myself, have not read every word of  
14 them, but there are a number of studies that have been  
15 included, and there are other studies that are available  
16 that have been done over the years of these types of  
17 properties and their impact on surrounding property values.

18           I've discussed these topics in the past  
19 with other appraisers, real estate brokers, in connection  
20 with the various assignments that I've had over the years,  
21 and I've considered these studies and my experience in  
22 arriving at my opinions and my conclusions.

1           In respect to the impact on property  
2 values, the studies that I'm aware of and that I've had a  
3 chance to review have pretty overwhelmingly indicated there  
4 is an impact on some types of properties in connection with  
5 these types of uses.

6           Many communities restrict these types of  
7 uses, restrict them to certain areas, have other  
8 restrictions, regulations, that apply to these uses. And  
9 that's not unusual for these various types of uses. It not  
10 only applies to adult uses, but also various industrial  
11 uses, for example, that might be considered incompatible  
12 with residential uses, or even commercial uses.

13           Other restrictions have been put in place  
14 by these communities to limit the location of these, to  
15 limit the various signage that can be put on it. I believe  
16 it's screening that can be put in place in an effort to  
17 protect surrounding property values.

18           With regard to residential, that's the  
19 most sensitive to these types of uses. It's pretty common  
20 to find that they are not allowed, or very severely  
21 restricted, in the areas that are primarily residential in  
22 nature. And this is not uncommon. I mean, it's a fact that

1 people that are buying residences where they may have  
2 children who are out playing, coming and going from their  
3 homes, coming and going to schools, going to the libraries,  
4 other facilities in the area, do not necessarily want their  
5 children exposed to these types of uses. So, these uses are  
6 generally restricted to a certain distance away from  
7 residential areas. A lot of the common ones are a thousand  
8 feet, 1,200 feet, of that nature. Once you find that you  
9 get beyond those areas, those distances, the effect, in most  
10 cases, drops off fairly rapidly. People that are further  
11 away may object to having it in their area at all. They may  
12 object to having it in their community, but as far as  
13 factual data, it's like many other impacts that you see  
14 where once you get beyond a certain distance, any real  
15 impact on property values drops off.

16           There are other issues involved, moral  
17 issues and community issues that may affect these  
18 properties, but as far as the price that people are willing  
19 to pay for properties, that effect drops off fairly rapidly  
20 once you get beyond a certain distance.

21           Commercial, a little more conducive to  
22 these types of uses. Again, it depends on the area. I mean

1 it's hard to make a blanket statement and say every one of  
2 these uses is going to have an impact on every single  
3 property. There are locations where you can incorporate  
4 these uses within a community within an area and they will  
5 have little, if any, impact, depending on the surrounding  
6 properties, the surrounded uses, the community that it's  
7 located in. Urban areas are more likely to be amenable to  
8 having these type of uses as a neighbor. As you get further  
9 away from the densely-populated areas, it becomes more and  
10 more of a factor of having impact on the surrounding  
11 properties.

12           Commercial uses do have some issues with  
13 these types of uses adjoining them. They are issues of  
14 customers, if you have certain uses, an example might be a  
15 Chick-fil-A which is a very religiously-oriented business,  
16 would probably have an objection to being located near an  
17 adult use. Other businesses may not be as sensitive to  
18 this. But you still have people, property owners,  
19 commercial property owners that say I don't want to be next  
20 to these uses because my customers are going to have to pass  
21 them in order to get to my use, and that's going to prohibit  
22 some customers from coming to my business. And you want to

1 make it as accessible to as many customers as you can. The  
2 more accessible it is, the more valuable the property is.  
3 So, it does have an impact on property values.

4           You can also have issues with rentals if  
5 you have a strip shopping center, for example, and you have  
6 a tenant that's an adult use business, that can, again, have  
7 an effect on the types of tenants that are willing to come  
8 and rent property in your location. So, it does have an  
9 effect on property values, even commercial properties.

10           Industrial, it can also have an effect.  
11 It's less likely because of the types of uses that you find  
12 in industrial areas, the lack of a lot of traffic, the less  
13 foot traffic involved, and generally even less drive-by  
14 traffic, auto traffic involved in those types of areas. So,  
15 as a result, these uses are more compatible with industrial  
16 locations, as had been described earlier today. You can  
17 locate them in that area with little signage that would be  
18 visible from most of the traffic in the area and most of the  
19 residents in the area, and they can be regulated and coexist  
20 with those types of uses fairly well.

21           Types of uses, of course, that are  
22 compatible with it are site specific. It's hard to make,

1 again, blanket statements. You can, depending on the  
2 specific locations, find a location that could have little  
3 or no impact on surrounding property value. But the vast  
4 majority of uses and areas would have some impact as a  
5 result of having these types of uses in the area.

6           Methods that can be used to minimize the  
7 impact of these type of uses as far as a real estate  
8 standpoint would include building sign regulations, noise  
9 regulations, security requirements, limiting the hours of  
10 operation. These all help to control these types of uses  
11 and their impact. Also screening, fencing, berming,  
12 landscaping, another factor that is considered when  
13 relocating these types of businesses. The distance, as I  
14 talked about, is a very important factor. As I said, the  
15 further away, the less of an impact you're going to find  
16 with these types of uses.

17           Zoning restrictions again have an  
18 important factor. They incorporate many of these factors in  
19 the zoning that allows these types of uses to exist in a  
20 specific area. And then there are other regulations such as  
21 the licensing that's being considered that also serve to  
22 make sure that these have little or no impact on the

1 surrounding property values.

2                   In conclusion, it's my opinion that these  
3 uses can have an impact, can have a substantial impact on  
4 property values unless they are established in conjunction  
5 with these types of restrictions and regulations.

6 Regulations will help protect property values in the area,  
7 and it allows also for appropriate use of the property and  
8 control of that use.

9                   If there are any questions, I would be  
10 happy to answer them.

11           MEMBER TORNATORE: I have a question.

12           CHAIR RENEHAN: Go ahead, Member Tornatore.

13           MEMBER TORNATORE: Did you find, or do you think it's  
14 relevant, that the type of business use, the type of adult  
15 use affects property values differently? In other words,  
16 does an adult bookstore affect the property values less than  
17 live entertainment, or vice versa?

18           MR. POLACH: Yes. I think if you look at most of the  
19 studies that have been done, you'll find that they make a  
20 distinction between the type of use that's taking place at  
21 that location. So, yes, some are going to be less  
22 disruptive than others. You've got a night club that's open

1 24 hours a day, that's going to have a substantially  
2 different impact than a bookstore that's open a limited  
3 amount of time.

4 CHAIR RENEHAN: If we could bring this to DuPage  
5 County specifically, do you have an example of where  
6 something was open and you found that there was -- it was  
7 less salable or less rentable because there was an adult  
8 business located nearby?

9 MR. POLACH: I don't have a specific example because  
10 there haven't been that many in DuPage. We had Diamonds,  
11 which was more of an industrial location, up on North  
12 Avenue. So there weren't a lot of residential. There  
13 weren't hardly any residential in that immediate area.

14 CHAIR RENEHAN: What about like the Lake Street  
15 corridor in your experience with zoning?

16 MR. POLACH: The Lake Street corridor, we had, I  
17 think, Bloomingdale was more on North Avenue, but there was  
18 a North Avenue issue a number of years back where there were  
19 people that were objecting to the use that was taking place  
20 there, and a lot of them were the surrounding, even the  
21 commercial property owners, that were in the area because  
22 they were detracting from their use and their businesses in

1 the area.

2 CHAIR RENEHAN: When you say detracting from their  
3 use, I mean do people not want to come to their business?  
4 Was it affecting their business? Was it affecting their  
5 ability to rent?

6 MR. POLACH: That was their testimony in that  
7 instance was that driving away customers from going to their  
8 location because people didn't want to go past that location  
9 or be in that same general area.

10 DuPage County is hard because there  
11 aren't that many to be able to do a sufficient study. You  
12 don't have enough data to be able to prove it as far as  
13 statistically. I think if you look at the studies that have  
14 been provided, there are a number of them that go into great  
15 detail as far as the statistics, and they do indicate that  
16 different types of uses affect the property values  
17 differently.

18 CHAIR RENEHAN: There was one study in particular  
19 that caught my eye. It said adult businesses are magnets  
20 for lower-quality businesses such as pawn shops, liquor  
21 stores, check cashing establishments. In your experience,  
22 is that the case?

1 MR. POLACH: I think if you look around at those  
2 areas where there are adult uses that have been established,  
3 you will find more of those types of uses that congregate in  
4 those areas. I don't think that's unusual. They seem to  
5 benefit from those locations, and so they do tend to be  
6 established next to an adult use or close to an adult use.

7 CHAIR RENEHAN: Member Elliott had a question?

8 MEMBER ELLIOTT: Yeah. I think you said there's just  
9 not enough data from DuPage County because of the sort of  
10 the lack of number of uses over the years, but comparing  
11 DuPage County to the other areas that you've looked at, and  
12 that others have looked at and done these studies on, would  
13 you consider DuPage County to be substantially similar to  
14 those other areas that you have looked at or studied?

15 MR. POLACH: In what way? I mean, if you look at  
16 certain communities, you're going to have, say, Stone Park,  
17 for example, for years has had a number of adult uses in  
18 that area. As a result, they've been allowed in that area,  
19 to congregate in that area, and you find that you have more  
20 liquor stores, and you have more uses that would benefit  
21 from proximity to those types of uses. That's a different  
22 situation than you find in DuPage County. I don't know that

1 you would find a similar area in DuPage County to compare it  
2 to that way.

3 MEMBER ELLIOTT: Sure, but do you have, based on your  
4 expert opinion and many years of experience and appraising  
5 and evaluating real estate in DuPage County, do you have any  
6 reason to believe if a similar area to what you just  
7 described in Stone Park were allowed to exist in DuPage  
8 County, that you would see a similar impact and erosion of  
9 values?

10 MR. POLACH: I believe you would just because of the  
11 economics. There's money to be made, people that can run  
12 businesses that would benefit.

13 MEMBER ELLIOTT: With the corresponding corrosion in  
14 nearby property values up until that particular distance;  
15 right?

16 MR. POLACH: That's correct.

17 MEMBER ELLIOTT: Okay.

18 CHAIR RENEHAN: Other questions from the committee?

19 (No response.)

20 CHAIR RENEHAN: So I just want to -- If I could just  
21 run through really quick. So is it your testimony that an  
22 adult business could decrease rental values of business

1 properties?

2 MR. POLACH: Yes.

3 CHAIR RENEHAN: And it could possibly decrease the  
4 income of business revenue in the vicinity?

5 MR. POLACH: Yes.

6 CHAIR RENEHAN: Okay. And you said more so an impact  
7 on residences than commercial properties?

8 MR. POLACH: That's correct.

9 CHAIR RENEHAN: Okay. Well, thank you so much. I  
10 appreciate your expert testimony here.

11 MR. POLACH: Thank you.

12 MEMBER DE SART: Thank you.

13 MR. POLACH: Thank you.

14 (Which were all the proceedings  
15 had at the above-entitled  
16 meeting.)

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<b>A</b>	<p><b>affect</b> 5:9 44:17                      48:16 50:16  <b>afford</b> 21:20                      25:3  <b>afloat</b> 7:15  <b>afternoon</b> 39:19  <b>age</b> 19:13  <b>ago</b> 33:8  <b>agree</b> 27:10 35:5  <b>agreement</b>                      36:21  <b>ahead</b> 48:12  <b>alcohol</b> 20:3,10                      20:14  <b>all-around</b>                      35:21  <b>allow</b> 15:11  <b>allowed</b> 15:10                      15:11 43:20                      51:18 52:7  <b>allows</b> 47:19                      48:7  <b>alternative</b>                      38:16  <b>altogether</b> 19:1                      28:21  <b>ambushed</b> 36:7  <b>amenable</b> 37:5                      45:7  <b>Amendment</b>                      32:21 33:9  <b>amount</b> 7:14                      49:3  <b>amusement</b> 9:9                      9:12 13:5,6                      21:11,11,15,18                      28:7,11,12,20                      31:2  <b>amusements</b>                      31:11  <b>Angeles</b> 32:12                      32:14  <b>annexed</b> 8:3  <b>answer</b> 34:2</p>	<p>48:10  <b>answers</b> 37:21  <b>ANTHONY</b>                      2:21  <b>anybody</b> 13:14                      15:12 19:21,22                      21:1 27:1,2  <b>anymore</b> 12:6                      19:20  <b>anyway</b> 33:16  <b>appearance</b>                      39:15  <b>appearances</b>                      5:11  <b>appearing</b> 39:14  <b>application</b>                      29:21  <b>applies</b> 43:10  <b>apply</b> 43:8  <b>appraisal</b> 5:8                      39:17 40:6,14                      40:15,22  <b>appraisals</b> 41:4                      41:4  <b>appraised</b> 41:2                      41:13  <b>appraisers</b>                      42:19  <b>appraising</b>                      40:17 52:4  <b>appreciate</b> 34:5                      36:16,18 53:10  <b>appreciated</b>                      5:13  <b>appropriate</b>                      48:7  <b>approve</b> 5:17  <b>Approved</b> 6:4  <b>April</b> 1:3 32:16  <b>arcade</b> 9:10,11                      11:3,18 12:18                      12:19 13:7                      14:1,1,2 19:10                      31:5,11</p>	<p><b>area</b> 7:11 8:3,11                      10:4,5,6 11:4                      15:1,1 16:9,18                      18:18,18,20                      22:15,15,17                      23:1,2,7,11,14                      23:16 25:8                      26:5,8,11,11                      26:12,14,14,16                      40:19 41:4,14                      44:4,11,22                      45:4 46:17,18                      46:19 47:5,20                      48:6 49:13,21                      50:1,9 51:18                      51:18,19 52:1                      52:6  <b>areas</b> 8:5 43:7                      43:21 44:7,9                      45:7,9 46:12                      46:14 47:4                      51:2,4,11,14  <b>arguments</b> 35:2                      35:12  <b>arriving</b> 42:22  <b>asked</b> 11:10                      26:14,20 42:5  <b>asking</b> 27:20  <b>assignment</b>                      41:22  <b>assignments</b>                      42:20  <b>Assistant</b> 2:9,21  <b>Association</b> 33:2  <b>assuming</b> 30:12  <b>attendance</b> 36:3  <b>attention</b> 17:22                      18:1  <b>attorney</b> 2:9,21                      32:6 34:4  <b>auto</b> 46:14  <b>available</b> 9:6,19                      42:1,15  <b>Avenue</b> 49:12,17</p>	<p>49:18  <b>average</b> 19:20                      22:21  <b>aware</b> 34:14                      43:2  <b>aye</b> 6:1,3</p> <hr/> <p style="text-align: center;"><b>B</b></p> <hr/> <p><b>Bachelor's</b>                      40:13  <b>back</b> 7:1,3 10:14                      11:11,15 19:2                      26:5 49:18  <b>background</b>                      6:22 40:12  <b>bad</b> 24:6  <b>base</b> 10:17  <b>based</b> 30:4 52:3  <b>basically</b> 9:5                      14:9,14  <b>beat</b> 27:9  <b>beginning</b> 29:15  <b>behalf</b> 32:9  <b>behavior</b> 15:19  <b>believe</b> 20:8,8                      43:15 52:6,10  <b>Bellwood</b> 41:15  <b>bench</b> 14:7  <b>benefit</b> 23:15                      24:9 51:5,20                      52:12  <b>berming</b> 47:11  <b>best</b> 28:2,2  <b>better</b> 27:21                      28:6 37:1  <b>beyond</b> 44:9,14                      44:20  <b>big</b> 7:7 9:20  <b>bill</b> 14:8,9  <b>bills</b> 12:20  <b>bit</b> 6:20 33:14                      34:10 36:8  <b>blanket</b> 45:1                      47:1</p>
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		<b>Zay</b> 2:5 4:14 7:19 26:3 27:9 28:17 37:9					

Ad-Hoc Adult Business Committee  
April 9, 2019

<hr/> <b>8</b> <hr/> <b>8:00</b> 24:6 <b>85.00</b> 28:8,11,21 <b>850.00</b> 28:10 <hr/> <b>9</b> <hr/> <b>9</b> 1:3				
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