

MINUTES
REGULAR PLAN COMMISSION MEETING
NOVEMBER 14, 2019

Call to Order

The regular meeting of the Plan Commission was called to order by Chairperson Mary Loch at 7:03 p.m. Plan Commissioners Phillip Hartweg, John Mulherin, David Rodemann and Jamie Vondruska were present. Commissioners Lloyd Berry, Angela Fanella, Tracy Heming Littwin and Mohammed Saeed were excused. Also present were Community Development Director Staci Springer, Village Planner Kelly Purvis, Village Planner Katie Ashbaugh, Associate Planner Cole Jackson and Recording Secretary Debbie Solomon.

Public Comment

No general comments on non-agenda items were made by the public at this Plan Commission meeting.

Approval of June 20, 2019 Special Plan Commission Minutes

Commissioner Mulherin moved, seconded by Commissioner Vondruska, to approve the minutes of the October 10 Regular Plan Commission minutes. The motion carried unanimously by voice vote.

Chairperson Loch explained the changes on the meeting's agenda as the Plan Commission would only be considering the Zoning Text Amendments.

Public Hearing – Illinois Prairie Path – Zoning Map Amendment

On the agenda was a public hearing to review a Zoning Map Amendment for the Illinois Prairie Path.

PUBLIC HEARING – ILLINOIS PRAIRIE PATH

PUBLIC HEARING WITH DISCUSSION, CONSIDERATION, AND RECOMMENDATION REGARDING A ZONING MAP AMENDMENT FOR THE ILLINIOS PRAIRIE PATH.

Commissioner Hartweg moved, seconded by Commissioner Mulherin, to open the public hearing at 7:05 p.m. The motion carried unanimously by voice vote.

Commissioner Mulherin moved, seconded by Commissioner Vondruska, to continue the public hearing to the next regularly scheduled Plan Commission Meeting on December 12, 2019. The motion carried unanimously by voice vote.

Public Hearing – Zoning Text Amendments

On the agenda was a public hearing to review the proposed 2019 Zoning Code text amendments prepared by staff.

PUBLIC HEARING – ZONING TEXT AMENDMENTS

PUBLIC HEARING WITH DISCUSSION, CONSIDERATION, AND RECOMMENDATION REGARDING THE PROPOSED 2019 ZONING TEXT AMENDMENTS PREPARED BY STAFF.

Commissioner Rodemann moved, seconded by Commissioner Hartweg, to open the public hearing at 7:07 p.m. The motion carried unanimously by voice vote.

Staff Introduction

Sworn in for the Village were Village Planner Purvis and Associate Planner Jackson.

Associate Village Planner Jackson provided an overview of the proposed 2019 Zoning Text Amendments and stated they would review each section then have the Plan Commission discuss, hear public comment and vote on each set of amendments separately.

Amendments #1 & #2

Associate Planner Jackson stated Amendments #1 and #2 will amend the definition of Beauty/Barber Shop to include permanent makeup and create a definition for permanent makeup. Associate Planner Jackson stated permanent makeup is also known as microblading, and many beauty salons are now offering this treatment. Associate Planner Jackson stated a person has to be State-licensed to do microblading.

Plan Commission Questions

Commissioner Vondruska asked how the staff came up with the definition. Associate Planner Jackson stated the staff based this definition off what the Village of Glenview did. Village Planner Purvis stated a person who does microblading does need to update their license annually in order to stay in business. Village Planner Purvis stated the current definition in the code calls out that a permanent makeup business is not allowed.

Public Comment

None

Commissioner Mulherin moved, seconded by Commission Vondruska, to amend the Zoning Code to amend the definition of Beauty/Barber Shop to include permanent makeup and create a definition for permanent makeup. The motion carried unanimously by voice vote.

Amendments #3, #5, #6, #7 & #8

Associate Planner Jackson stated there has been concern from the residents around tobacco and vape shops, and there are currently 3 vape shops in the Village. Associate Planner Jackson stated this would amend the Code to clearly define tobacco, vape and smoke shops and limit their location to commercial districts with a special use only.

Plan Commission Questions

Commissioner Vondruska asked if this would include a cigar shop as well. Village Planner Purvis stated it would; when staff requested information from legal counsel, it was recommended that vape shops and tobacco shops, including any tobacco related products be regulated the same way.

Commissioner Hartweg asked what process was done for the current vape shops that came to the Village. Village Planner Purvis stated there currently is no process required as these uses are allowed by-right in certain districts.

There was discussion regarding the standards and buffer zones for these types of shops. Village Planner Purvis stated the staff can provide buffer maps for boundaries if this helps. Commissioner Mulherin stated it feels like the Village could be singling out a certain product for consideration.

Commissioner Rodemann asked what the standards will be for how close these shops can be to schools. Commissioner Mulherin stated without standards, he feels uncomfortable with the approach on this. Chairperson Loch asked what other communities have done. Village Planner Purvis stated she did not have this information, but there has been a lot of concerns voiced by the residents, which is why the amendment has been proposed.

Public Comment

Anne Gould, who resides at 609 Newton Avenue, asked if a customer in a vape shop is allowed to consume on site. Associate Planner Jackson stated they should not be smoking on the premises.

The Plan Commission agreed to continue this discussion to the next regularly scheduled Plan Commission meeting so the staff can provide more research to the Plan Commission.

Amendment #4

Associate Planner Jackson stated this will amend the Code to allow the Community Development Director to automatically zone property Conservation Recreation (CR) upon annexation to the Village. Associate Planner Jackson stated Conservation Recreation is the most restrictive zoning district and only allows open space uses and passive recreation areas.

Plan Commission Questions

There were no questions from the Plan Commissioners.

Public Comment

None

Commissioner Rodemann moved, seconded by Commissioner Mulherin, to amend the Zoning Code to allow the Community Development Director to automatically zone property Conservation Recreation (CR) upon annexation to the Village. The motion carried unanimously by voice vote.

Amendment #9

Associate Planner Jackson stated this would amend the Code to clarify that accessory structures within 10 feet of the principal structure must adhere to the required setback of the principal structure. Associate Planner Jackson stated this text amendment would clarify that the accessory structures on a lot must meet the required setback in the zoning district, whether or not the principal structure conforms to the required setback for the district.

Plan Commission Questions

There were no questions from the Plan Commissioners.

Public Comment

None

Commissioner Mulherin moved, seconded by Commission Vondruska, to amend the Zoning Code to clarify that accessory structures within 10 feet of the principal structure must adhere to the required setback of the principal structure. The motion carried unanimously by voice vote.

Amendments #10 & #12

Associate Planner Jackson stated this would amend the Code to further clarify requirements for dumpster enclosures. Associate Planner Jackson stated these amendments are meant to clarify that any property other than a single family property is required to enclose dumpster/refuse areas on the lot.

Plan Commission Questions

There were no questions from the Plan Commissioners.

Public Comment

None

Commissioner Vondruska moved, seconded by Commission Mulherin, to amend the Zoning Code to further clarify requirements for dumpster enclosures. The motion carried unanimously by voice vote.

Amendment #11

Associate Planner Jackson stated this would amend the Code to clarify that the accessory structure chart in Section 10-5-5(B)4 applies to both attached and detached encroachments. Associate Planner Jackson stated the regulations in this section are intended to apply to all obstructions in yards, not just those that are detached from the principal structure.

Plan Commission Questions

There were no questions from the Plan Commissioners.

Public Comment

None

Commissioner Vondruska moved, seconded by Commission Mulherin, to amend the Zoning Code to further clarify requirements for dumpster enclosures. The motion carried unanimously by voice vote.

Amendment #13

Associate Planner Jackson stated this would amend the Code to include requirements for landscaping maintenance. Associate Planner Jackson stated this will help to empower staff to ensure that properties continually upkeep the health and variety of plant materials as approved by the Village Board.

Plan Commission Questions

There were no questions from the Plan Commissioners.

Public Comment

None

Commissioner Hartweg moved, seconded by Commission Mulherin, to amend the Zoning Code to include requirements for landscaping maintenance. The motion carried unanimously by voice vote.

Amendment #14

Associate Planner Jackson stated this would amend the Code to change the limitations on light pole heights. Associate Planner Jackson stated the language in this section of the Code is unclear as to whether light poles can be the same height as the proposed building or if the poles can be the maximum height that a building is permitted to be. Associate Planner Jackson stated staff is recommending a maximum height of 20-foot light poles in residentially zoned districts and 25-foot light poles in all other zoning districts.

Village Planner Purvis stated this does not include light poles in the right-of-way, and she did find that the standard for light poles in the right-of-way is generally 25 feet in height.

Plan Commission Questions

There were no questions from the Plan Commissioners.

Public Comment

None

Commissioner Mulherin moved, seconded by Commission Vondruska, to amend the Zoning Code to change the limitation on light pole heights. The motion carried unanimously by voice vote.

Amendment #15

Associate Planner Jackson stated this would amend the Code to eliminate the lot coverage limitation for planned unit developments in the Central Business District. Associate Planner Jackson stated this section of the Zoning Code contradicts the district regulations for the C5 zoning districts which allow for commercial structures to be built to the limits of their lot lines when they are not located next to residential properties.

Plan Commission Questions

There were no questions from the Plan Commission on this.

Public Comment

Anne Gould stated this text amendment seems to be a substantive change to the Zoning Code, and she feels this should be tabled so the properties within a certain zone that might be affected can be notified. Chairperson Loch stated she is going to take issue with the discussion of the idea of substantive change. Chairperson Loch stated based on what staff is recommending, the district regulations already allow them to do this, and elsewhere in the Zoning Code, there is a contradiction to this so the staff is trying to make this consistent with the PUD code. Ms. Gould stated she feels this is a substantive change due to 65% lot coverage going to 100% lot coverage and said there is precedence for this.

Village Planner Purvis stated Glen Ellyn's Code does not require, based on substantive changes that the public notice be different. Village Planner Purvis stated the whole Village was notified of these text amendment changes via newspaper to which Ms. Gould stated according to the

State of Illinois case she is referring to, the newspaper notification is considered insufficient for this type of change. Village Planner Purvis stated Glen Ellyn's Code requires for a text amendment that the Village send notice via newspaper which was done for these amendments.

Plan Commission Deliberation

Commissioner Rodemann stated he feels C5A and C5B are different, and he has some concerns about this text amendment. Village Planner Purvis asked if Commissioner Rodemann would be fine with just C5A in this text amendment to which Commissioner Rodemann stated he would be. There was a discussion regarding the differences between C5A and C5B.

Commissioner Rodemann moved, seconded by Commission Mulherin to amend the Zoning Code to eliminate the lot coverage limitation for planned unit developments in the C5A Zoning District. The motion carried unanimously by voice vote.

Commissioner Mulherin moved, seconded by Commissioner Hartweg, to close the public hearing at 8:00 p.m. The motion carried unanimously by voice vote.

Commissioner Mulherin exited the meeting.

Trustee's Report

None

Chairperson's Report

Chairperson Loch stated the Illinois Prairie Path public hearing and the Pre-Application for the Glen Ellyn Food Pantry would be on the December 12, 2019 Plan Commission agenda.

Staff Report

Village Planner Purvis stated at the December 12th meeting, the Civic Center Parking Garage would be on the agenda as well, and the discussion regarding Architecture Review may be on hold until the January meeting when more Plan Commission Members are in attendance.

Other Business

None

Adjournment

Plan Commissioner Hartweg moved, seconded by Plan Commissioner Vondruska, to adjourn the meeting at 8:03 p.m. The motion carried unanimously by voice vote.

Respectfully Submitted,

Debbie Solomon
Recording Secretary

Reviewed by,
Staci Springer
Community Development Director