

MINUTES
REGULAR PLAN COMMISSION MEETING
April 28, 2022

Call to Order and Roll Call

After announcing that the wearing of masks in connection with the Covid-19 pandemic is not required, Chairman Tim Loftus called the meeting to order at 7:02 p.m., explaining the Plan Commission's function and operating procedure as an advisory body. He described the public hearing process, and introduced Village Board Trustee Liaison Steve Thompson, Assistant Village Manager Emily Rodman, Planning Manager Kelly Purvis, Planner Atrian Fard, Associate Planner Taylor Gendel, and Recording Secretary Barbara Dutton-Thomas.

Roll was called. Present: Chairperson Loftus, Commissioners Arango, Halkyard, Thakkar and Vondruska; Commissioner Fanella joined the meeting later. Absent: Commissioners Brown, Cooper and Saeed.

Public Comment Non-Agenda Items

None.

Public Hearing – 526 and 528 Duane Street – Special Use Permit request for a yoga studio [“Drip Yoga”] to be located in the C5A Zoning District

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

Staff Introduction

Sworn in, Taylor Gendel, Associate Planner, 535 Duane, stated that the Petitioner, Mary Beth Searls is requesting a Special Use Permit to allow a yoga studio to be located at 526 and 528 Duane Street in the C5A District, in which at this time the Village does not allow service uses “by right.” She said the Petitioner has a lease signed for 526 Duane, which is contingent on approval of a Special Use Permit. And with that lease, added Gendel, Ms. Searls will have the “first right of refusal” to the neighboring space at 528 Duane. Should the current tenant vacate 528 Duane when their lease ends in August of 2023, related Ms. Gendel, the Petitioner would like the opportunity to expand her business into the adjacent unit as well (therefore is applying for a Special Use Permit for both spaces). The subject property, explained the Associate Planner, is on the north side of Duane, east of north Main Street and south of the Prairie Path. She said that the Petitioner notes that the square footage of 526 Duane is under 800SF, and it would be a challenge to bring her full vision of the business to life. By seeking a Special Use Permit for both units, the Petitioner states that Drip's retail department can have a substantial footprint. Vacant for at least six months, she said, 526 Duane Street was previously occupied by a nail salon; 528 Duane Street is currently occupied by a retail clothing store. Besides this boutique, Associate Planner Gendel listed businesses located along Duane on the block which holds the subject properties: a bagel vendor, a travel agent, a bakery, an engineering firm, a dentist office and a restaurant. The subject property, she noted, is across the street from the Civic Center, she added, and said the Petitioner envisions patrons taking advantage of the Village parking garage.

She said the proposed yoga studio would be open seven days a week, and reviewed the studio hours, including the peak times of 6 a.m.-10:30 a.m., and 4:30 p.m.-7:30 p.m.; the retail portion would be open 10:30 a.m. to 5 p.m. Monday through Friday, and 9-12 on Saturdays and Sundays. The business is expected to have one-two staff onsite at any given time, and to initially employ 15 part-time employees, related Associate Planner Gendel. Classes would accommodate up to 15 people, including the instructor, expanded to 30 once the space is expanded. A retail space of 238SF (assuming to double with the space expansion) is planned, to sell yoga apparel and other merchandise.

The Associate Planner related that the Petitioner provided statistics pertaining to the yoga industry and noted that Glen Ellyn residents are leaving town to attend and teach fitness classes and buy apparel in neighboring municipalities. If granted a Special Use Permit, reported Ms. Gendel, the Petitioner plans to partner with neighboring businesses and to host community classes to bring residents together. Ms. Gendel outlined action to be taken by the Plan Commission relative to the Special Use Permit request.

Commissioner Thakkar asked how long the retail shop at 528 has been there. Sworn in, Planning Manager Purvis replied that it has been there a year or less. Commissioner Arango asked if it was known if the current lessee of 528 will forfeit the lease in 2023. Ms. Gendel indicated it is merely speculated that it will. Chairperson Loftus asked if the Special Use is tied to the property, to which Associate Planner Gendel replied, "No," saying it is only for Drip Yoga.

Petitioner's Presentation

Sworn in, Mary Beth Searls, 35149 Arboretum Road, Glen Ellyn, described the business she envisions as "a luxury boutique yoga studio" offering heated yoga classes using popular infrared heat technology (which, she said, directly heats people in the room instead of heating the air, so is more effective at detoxing the body and relieving aches and pains). She said that as she is well-connected in the yoga community, she sees people leave town to participate in yoga, and that while retail is not the emphasis of her business plan, the studio will bring people into the downtown, citing that 44 percent of Americans do yoga two-three times a week. Here, she surmises, they might do some shopping or meet friends for lunch. She said the business will be "community-driven," and described herself as being business focused, and summarized her professional career. She stated that she is looking forward to becoming an active partner in the downtown, and intends to join the Chamber of Commerce.

Commissioner Questions

Commissioner Thakkar asked what option the Petitioner would have if the 528 lessee doesn't give up the space. Ms. Searls said the current lessee has expressed to her that he doesn't have plans to renew the lease, and she has first right of refusal. Chairperson Loftus asked why the retail hours are not the same as class house. Ms. Searls explained that some patrons want to take classes very early in the day, and that the retail hours (which will be manned) are based on typical shopping times in town. Commissioner Halkyard asked if Drip is a franchise, to which the Petitioner replied that this business [Drip] is the first. Mr. Halkyard asked if the middle wall is easy to take down. Ms. Searls stated that she will get into this, but was told by the landlord that it is possible.

Sworn in for the Petitioner, Attorney John Mulherin, 569 Dorset Ave., Glen Ellyn, said that while he understands that the Village Board has some hesitancy in having more service businesses in the C5A District, this business is ideal for this location. He called the chances for having a viable strictly retail business here “slim,” especially with retail space open in the Apex 400 complex. He maintained that the proposed business compatible with the area and the Strategic Plan, and said that the chances of getting the 528 space are “excellent.”

Wondering about resources, Commissioner Thakkar asked if the Applicant is financially prepared to close her business if a build-out to expand her space occurs. Ms. Searls responded that initial work to the space will involve cosmetic upgrades, but her goal is to add showers and more room for mats, and indicated that she will accept a “pause” in operations to achieve this. Chairperson Loftus asked the Petitioner the length of the initial lease; Ms. Searls replied that it is three years (and 15 total).

The Public Hearing was closed upon voice vote following a motion made by Commissioner Halkyard and seconded by Commissioner Arango.

Commissioner Discussion

Commissioner Vondruska said that, in light of retail’s unfavorable trajectory, restaurant and service businesses “seem to be what’s coming in,” and suggested that Drip Yoga is a “good fit.” Citing examples of other downtown retail spaces that have been or are being vacated (e.g., Enclave, Acacia), Chairperson Loftus observed a trend in allowing other types of businesses in the District, though noted that Drip is to have a retail component. As a former member of the Historic Commission, he said, he would like to see the building remain, and could go along with the proposed use. Commissioner Halkyard said he echoes Commissioner Vondruska’s comments, saying the spot makes a lot of sense for placing the yoga studio. Commissioner Thakkar indicated that he thinks the proposed business will contribute to the character/vibrancy of the community, and will drive foot traffic to surrounding businesses. He said the space is a good spot for the studio, noting it’s been sitting vacant, anyway. Commissioner Arango said that the location makes the service convenient to patrons, who can park in the Village public garage. Commissioner Fanella said she has nothing to convey contrary to what the other Commissioners have said, but added that it would be nice to have yoga opportunities in town.

Commissioner Halkyard moved for the following (read by Commissioner Vondruska):

After conducting a public hearing and deliberating on the request of the petitioner, Mary Beth Searls, for approval of a Special Use to allow a yoga studio to locate and operate at 526 and 528 Duane Street in the C5A Central Retail Core Subdistrict, the Plan Commission hereby recommends approval based on the findings of fact, as discussed or amended at the Plan Commission public hearing on April 28, 2022, which are hereby incorporated into the Motion by reference as though fully set forth herein, and a copy of which will be attached to the minutes of this meeting and kept on file as part of the permanent records of the Village. The Plan Commission makes this recommendation of approval with the following conditions:

1. That the business be operated in substantial conformance with the plans and testimony presented at the Plan Commission public hearing and before the Village Board of Trustees.

The motion was seconded by Commissioner Arango, and carried unanimously by roll call vote.

Public Hearing – Electric Vehicle Charging Station Text Amendment

Commissioner Vondruska moved to open the Public Hearing concerning an Electric Vehicle Charging Station Text Amendment to the Zoning Code and Sign Code. Seconded by Commissioner Thakkar, the motion carried by voice vote.

Sworn in, Planner Fard, 535 Duane, explained that currently the Village Code does not have specific standards for electric vehicle (EV) charging stations. With inquiries and permit requests for EV charging stations having been received, she related, Staff is proposing text amendments to the Zoning Code and Sign Code to adopt new EV charging station regulations. The drafted regulations, she continued, are intended to provide access to EV charging stations, to have installations that are safe, as aesthetically pleasing as possible, and practical. Planner Fard reported that Staff reviewed regulations from other municipalities to have a reference point for development of potential EV charging station regulations. The proposed amendments, she stated, define charging stations and allow them in all zoning districts. Signage would be regulated, as well, she added, reviewing permitted size along with proposed information to be displayed. She outlined Commission action relative to the proposed amendments.

Commissioner Questions

Chairperson Loftus asked if the signage allowed is comparable to that of a gas station fuel pump, to which Planning Manager Purvis, sworn in, explained that the Village doesn't regulate the signage on gas pumps, and went on to describe what is considered in calculating sign area for EV charging stations. Planner Fard interjected that permits are required for station installation, and a sign variation would be required for any non-compliant element. Chairperson Loftus wondered about product, specifically a video screen, larger than Code permits. Ms. Fard replied that research found that brands have different equipment, so could fit product into the Village's regulations (which, she said, are in line with normal sign requirements in other communities). Commissioner Thakkar asked if there could be lights around the units. Ms. Fard stated that they would have to meet standards, such as the Village's illumination code; Ms. Purvis said bands are not permitted for this type user.

Commissioner Vondruska remarked that, since EV stations are a new thing and standards a moving target, language should be general, citing as an example language specifying bollards but not the quantity, and asking about the process for approval. Planning Manager Purvis said installation would require a building permit and review. Mr. Vondruska asked if there should be provisions governing video screen audio. If a standard governing maximum noise isn't covered under the "message board" definition, Ms. Fard said a section could be added to address this. After checking, Planning Manager Purvis reported that the regulation contains nothing related to noise, so pertinent language can be added. (She noted that ADA guidance relative to this is minimal.) Commissioner Vondruska voiced concern about commercials playing, suggesting language limiting audibility to 2 ft., or not allowing it. Ms. Purvis said a distance limit could be added. Commissioner Fanella asked whether, given setback requirements, if residential charging stations, can be placed in front, side and rear yards. Ms. Fard indicated that installation in all of these is permitted (to be accessible from a driveway), though in-garage installation is preferred. Ms. Fanella didn't think the Village would want these in a front yard. Ms. Fard stated that private charging equipment is not the same level as commercial.

Commissioner Arango asked if the Village would designate areas for charging stations, to which Planning Manager Purvis replied that charging stations would likely be in parking lots and driveways. Ms. Arango asked if any would be in the public parking garage, to which Ms. Purvis responded that it has one. Chairperson Loftus observed that there are no size limitations on stations, notably for the Commercial District. Ms. Fard explained that a permit applicant would have to submit a landscape plan – showing screening – for review by the Community Development Director. Chairperson Loftus asked who owns the charging stations in the Village parking garage. Planning Manager Purvis said she isn't sure, but added that a private business would need a license agreement to locate equipment in a public right-of-way. Commissioner Halkyard suggested the Village think about zoning provisions to address electric cars, to which Planning Manager Purvis responded that language can be added prohibiting on-street facilities for EV charging stations (to which Commissioner Fanella opined that no one would allow a large station on Main). Commissioner Fanella said screening might not be appropriate for all locations. Ms. Purvis concurred, saying this could be spelled out.

Observing that in the past the Village has granted variations on parking space width to achieve a required number of parking spaces, Chairperson Loftus asked that those dedicated to EVs not be subject to any change in width so to squeeze walking space. Ms. Purvis explained that any parking variation would have to come before the Board for approval, and said that sometimes a variation makes sense. Mr. Loftus expressed concern about affecting access to gas-operated cars. Planner Fard interjected that a space can't be downsized to be nonconforming, so cannot be less than 9 ft. Mr. Loftus said a space could be 8 ft. with a variation, making it conforming. Ms. Fard said anything could be conforming with variation – if it is allowed. Planning Manager Purvis offered a reminder that the Village can't prohibit someone requesting a variance. Commissioner Vondruska commented that if plugs are knocked out of their sockets they are supposed to tell the charging station to cut the power, and that maintenance of the cable is up to the company maintaining the machine. Chairperson Loftus remarked that maintenance can become an issue over time. Ms. Fard said an extension can be added to this section of the Code to say that an existing parking space cannot be made to be non-compliant, and that perhaps extra clearance space could be specified. Mr. Loftus asked the typical length of a cord, to which Mr. Halkyard replied it is 25 ft. Commissioner Arango asked if there are plans for directional signage along roadways. Planning Manager Purvis said not if the station doesn't belong to the Village. Commissioner Fanella said cars will indicate where a charging space is located, but asked where in the Code putting in a station is covered. Saying that at this time the Village is not progressive to have an EV station as a standalone use, Planning Manager Purvis said that proposed text amendment would have to be requested to allow it. Commissioner Fanella said that other than changing wording about landscaping, she is good with the proposed. In response to questions about handicap access, Planner Fard said language requires compliance with the ADA and Accessibility Code.

A motion to close the Public Hearing was made by Commissioner Vondruska; seconded by Commissioner Thakkar, the motion carried unanimously by voice vote. Commissioner Fanella moved to approve the Zoning Code text amendment as presented, with the amended language regarding landscaping and audible sounds, as discussed in tonight's meeting and recorded in the minutes. Seconded by Commissioner Halkyard, the motion passed unanimously by roll call vote.

Trustee's Report

Trustee Thompson reported that the developer that had been eyeing the US Bank property has withdrawn its proposal to build an apartment complex there, and that the Village Board is to discuss options for the site. He said the Architectural Appearance Commission has been appointed with its commissioners and chair. To learn about upcoming Alliance events, he advised checking the Village's social media pages. He said the Chamber of Commerce carnival is returning in May, and that the "Taste" event will be broken up into a series of "First Thursday" music events to accommodate construction activity in the business district. He related that ARPA funds have been allocated to the food pantry, the public library, the Alliance and the Chamber. He also mentioned the new "SeeClickFix" website app on that has been adopted as a method for residents to report non-emergency service issues, and said that input and data are being gathered to create a charrette process for the hotel redevelopment project. (Assistant Village Manager Rodman reported that price estimates to demolish the two buildings have been obtained.) Mr. Thompson announced that the Apex garage is now open, with two points of access.

Chairperson's Report

Chairperson Loftus had nothing to report.

Staff Report

Planner Fard announced that the May 12th meeting will feature a pre-application discussion of a concept for a high-density rowhome development, tagged "Roosevelt Glen." Planning Manager Purvis added that a PUD amendment for the Glenwood Station project is also on the docket, explaining that changes to the building are sought in response to higher costs of building materials. Emily Rodman introduced herself to the Commission, and said she will be attending the Plan Commission meetings going forward. Planning Manager Purvis related that the next day is her last with the Village, as she has accepted a community development position in another suburb. She was applauded for her service.

Adjournment

Chairman Loftus adjourned the meeting at 8:38 p.m., following passage by voice vote of a motion to adjourn made by Commissioner Fanella and seconded by Commissioner Halkyard.

Respectfully submitted,

Barbara Dutton-Thomas
Recording Secretary