

MINUTES
REGULAR PLAN COMMISSION MEETING
November 10, 2022

Call to Order and Roll Call

Chairman Tim Loftus called the meeting to order at 7:00 p.m., and explained the Plan Commission's function and operating procedure as an advisory body. He went over protocol for public comment and introduced Village Board Trustee Liaison Steve Thompson, Senior Planner Atrian Fard, Associate Planner Taylor Gendel and Recording Secretary Barbara Dutton-Thomas. Director of Community Development Marty Scott was also introduced.

Roll was called. Present: Chairperson Loftus, Plan Commissioners Arango, Brown, Dawson, Kreuzer, Saeed, Thakkar and Wyant; Absent: Commissioner Cooper.

Public Comment Non-Agenda Items

None.

Approval of Minutes

Commissioner Brown moved to approve as amended (to correct an address) the draft minutes of the September 22, 2022 Plan Commission meeting; seconded by Commissioner Saeed, the motion passed by voice vote. Commissioner Dawson moved to approve the draft minutes of the October 6, 2022 meeting; seconded by Commissioner Arango, the motion passed by voice vote.

Public Hearing – 400 N. Main

Commissioner Arango moved to open the Public Hearing to consider a Special Use Permit (SUP) to allow European Wax Center at 400 N. Main. Seconded by Commissioner Thakkar, the motion passed by voice vote.

Staff Introduction

Sworn in, Taylor Gendel, Associate Planner, 535 Duane, said the Petitioner, Illinois Wax Ventures IV, DBA European Wax Center, is requesting a Special Use Permit to allow a beauty shop to be located in the C5A Zoning District. The subject property is located on the west side of Main Street, north of Hillside Avenue and south of Duane Street in the C5A Central Retail Core, she said. Michael and Karen Previti own Illinois Wax Ventures IV, and own and operate six European Wax Center locations in the area, including Naperville, Elmhurst, Bloomingdale, Bolingbrook, and South Elgin, with two more in development in Oswego and Aurora, with two more in development, she said, adding that the Petitioners both grew up in Glen Ellyn and have spent the past 27 years in the western suburbs and desire to own a successful business in downtown Glen Ellyn.

Ms. Gendel said the Petitioners hope to positively impact the local economy with new jobs, create additional visibility to the area, and make downtown a more vibrant destination to spend time. European Wax Center currently has over 850 locations in the U.S. and over 200 in development, owned and operated by separate franchisees, with over \$800 million in total network sales, related the Associate Planner, who added that the Petitioners estimate European Wax Center to be approximately 13 times larger by systems-wide sales than the closest waxing-focused competitor. Currently, said Ms. Gendel, 38 European Wax Centers are operating in the Chicago metro area, with 10 more in development. The retail storefront that the Petitioners seek to operate within the Apex 400 building has been vacant since the building's opening, and if granted a Special Use, European Wax Center would be the first to occupy the space, stated Ms. Gendel. The only retail space in the building occupied at this time is ZzaBaby Pizza, a restaurant on the corner of Main Street and Hillside Avenue, she noted.

According to the Petitioners' application, related Associate Planner Gendel, European Wax Center is a personal care franchise brand that offers waxing services administered by licensed and trained estheticians. They also provide an automated appointment scheduling system, which allows for remote check-in, and a pre-paid package program for frequent guests. The Petitioners plan to have up to 15 employees total, with no more than eight mostly part-time employees working per shift, continued Ms. Gendel. This includes licensed estheticians and wax specialists, guest service associates, and a center manager. The store will also offer retail products, typically representing up to 20 percent of their business model. The 1,400SF business, she continued, will be open seven days a week with proposed hours listed as 9:00 a.m.-9:00 p.m. Monday through Friday, 9:00 a.m.-4:00 p.m. Saturdays, and 10:00 a.m.-4:00 p.m. Sundays. The Petitioners, she said, have indicated that they have the flexibility to change these hours an hour earlier or later on both the opening and closing times. According to the Petitioner, stated Ms. Gendel, European Wax Center's guests generally reside within a two-mile radius of their locations, and approximately 70 percent of guests return on a regular basis every three to five weeks. The Petitioners' lease term, which is contingent upon the granting of the Special Use, is a 10-year lease with two five-year options, reported Associate Planner Gendel. The Petitioners, she said, state they are making a long-term commitment, with financial guarantees to this location.

According to the Zoning Code, for the purpose of minimizing disruptive curb cuts and driveways, and to encourage the consolidation of parking spaces in appropriate locations, accessory off-street parking is not required within the C5A core retail area. The Apex 400 building has an attached garage with approximately 136 public parking spaces. Further parking spaces are available along Main Street in front of the retail space, stated Ms. Gendel, who also noted that the Civic Center parking garage is also within walking distance. According to the Zoning Code, she explained, the C5 Central Business District is comprised of two distinct sub-districts, including the C5A Central Retail Core and the C5B Central Service Sub-district. A principal purpose of the C5 District is to maintain and protect the primary retail core of the "downtown," generally bounded by Pennsylvania, Forest, Hillside and Glenwood (C5A sub-district), explained Associate Planner Gendel, who noted that the Zoning Code states that this compact area should be intensely developed and oriented to pedestrian shopping.

While the remaining spaces in the Apex 400 building have yet to be rented (except for ZzaBaby Pizza), related Ms. Gendel, the block of Main Street between Hillside Avenue and Duane Street is home to several restaurants, a nail salon, a stationary store, a barber shop, a wine shop, and an optometrist. In addition to the nail salon at 413 Main Street, she said, a lower-level beauty salon operates out of 430 Main Street, and a medical spa was recently granted a Special Use and will operate at 507 Duane Street, around the corner. There's also a beauty salon on Hillside Avenue, she said.

In Apex 400's Redevelopment Agreement, related Ms. Gendel, the following uses are listed as prohibited on the subject property: drycleaners, interior decorating establishments, printing establishments, shoe repair establishments, tobacco shops/vape stores, day care facilities, and adult day care facilities. It notes that any use that requires approval of a special use permit shall be responsible for obtaining approval of such special use in accordance with the Zoning Code, she added, saying that, currently, the Village Code does not permit service uses in the C5A Central Retail Core Sub-district by right; therefore the Petitioner is requesting approval of the SUP to open and operate a wax center (beauty shop) at this location. Ms. Gendel outlined Plan Commission action for the case.

Commissioner Questions

Associate Planner Gendel confirmed to Chairperson Loftus that business in question would be a permitted use in C5A if it were on the second floor. Commissioner Thakkar asked if there are other units available for lease. Ms. Gendel said she believed there is one more. Commissioner Kreuzer asked if another business has expressed interest, to which Ms. Gendel replied that an ice cream shop has. Commissioner Kreuzer asked the level of interest. Ms. Gendel stated that she didn't know. The Commissioner asked why no services are permitted in this area. Ms. Gendel said that the decision was made before her time, but suspects a focus on retail and restaurants, so to bring in sales tax. Mr. Kreuzer asked if the Village would be missing sales tax by having the applicant. Ms. Gendel said 20 percent of the wax salon's business is to be retail. Mr. Kreuzer asked if this means the Village is losing 80 percent, to which Ms. Gendel replied, "Potentially," though said it's not known who might apply for the space. Figuring that the space hasn't been vacant that long, Mr. Kreuzer asked, "Why not wait?" He asked what is directly across the street from the subject site. Ms. Gendel listed restaurants, a barber shop, a nail salon, a stationery store, and another beauty salon. Commissioner Dawson asked if there are any C5B locations suitable for the wax service. Ms. Gendel said she didn't know. Mr. Dawson asked if the Petitioners were the same owners as a waxing salon on Roosevelt Road. Ms. Gendel said it's not the same owner, and that the business moved to Wheaton, but she doesn't know the operation status.

Petitioner's Presentation

John Kosich, 1111 E. Touhy Avenue, Des Plaines, Ill., of the ownership group, and Jacob Dell, 4725 Middaugh Avenue, Downers Grove, Ill., representing the Privitis, were sworn in. Mr. Kosich referenced a plan outlining the pizza restaurant, the lease for which, he said, has been expanded to include a Kimmer's ice cream component. He said the wax center would be to the north.

Mr. Dell disclosed that, besides being the Petitioners' broker, he is a minority owner in the European Wax franchises with the couple, whom he called "top notch" operators. Mr. Dell confirmed that the Roosevelt Road franchisee sold that outlet and relocated to Danada, where, he said, sales increased from the previous, poor spot. In comparing traffic volume on Roosevelt Road to the lesser amount in downtown Glen Ellyn, Chairperson Loftus asked how much success is expected in the latter location. Saying, "We're more of a community operation," Mr. Dell expressed confidence in the downtown, citing its restaurants and pedestrian activity, and said visits to the waxing salon are not time intensive. Mr. Kreuzer wondered if patrons would be sensitive about being observed coming and going from a waxing operation, to which Mr. Dell said he thinks it's "a pretty socially accepted process now."

Commissioner Brown asked if the Petitioners had identified any suitable locations in the C5B district. After searching, said Mr. Dell, the Petitioners were not able to find any interesting locations. Chairperson Loftus asked how the retail portion of the business would function. Mr. Dell said a dedicated section in the lobby would display products such as lotions and creams. The chairperson asked if the plan presented is final, to which Mr. Kosich replied that no variation requests are anticipated, but the plan is being modified based on the pizza and ice cream set-up. Mr. Loftus suggested disingenuousness on the part of the building owner as far as understanding codes, given previous changes requested. Mr. Kosich contended that the owner only came back for a black-iron duct, while Mr. Dell stated, "This plan works for us."

Commissioner Kreuzer asked how many windows the wax center would occupy, to which Mr. Kosich replied, "Probably two." Commissioner Saeed asked how many customers the waxing spa can accommodate at one time. Mr. Kosich said there are five or six exam rooms, and noted that such customers have discretionary income and would find opportunities to otherwise shop in the downtown. Commissioner Brown asked the estimated annual revenue. Mr. Dell replied, "\$1 million." Commissioner Wyant asked if the franchise has a development district, to which Mr. Dell said this outlet would control Glen Ellyn. Remarking that he's professionally familiar with European Wax, Mr. Wyant called it a "quality operation," and asked if there is a radius restriction; Mr. Kosich replied, "No." After Mr. Wyant expressed concern about usage potentially evolving should the usage clause permit modification, Mr. Kosich indicated the parties would work together to address this, though said the agreement was fairly specific. Mr. Wyant expressed surprise at the 10-year lease with two five-year options on prime real estate for a use that is "hot today" but may not be in some years. The Petitioners said it is standard retail practice, while Mr. Dell said that sans the two options, the deal would die. Responding to a question about assignment rights, Mr. Kosich said the tenant has the right, subject to owner approval. In response to a question from Chairperson Loftus on special use restriction, Ms. Gendel read the Code definition of beauty/barber shop, and said that an SUP runs with a business as it was presented and she believes a significant change would require an amendment to the ordinance. Sworn in, Sr. Planner Atrian Fard, 535 Duane, said the Commission could add a condition limiting operations to that described tonight. Mr. Kosich said the owner would approve this, and he wouldn't want the use to change from "classy" to "scary things" mentioned. He said the wax salon would occupy 15.6 percent of the retail

space. Expressing concern about lighting compromising the “vintage” look of the street, Mr. Kreuzer was advised that Code regulates illumination level. Mr. Wyant noted the lease permits alteration of services.

Public comment

Associate Planner Gendel read the following letter into the record:

Jacquelyn Casazza, 386 N. Main Street: *I am writing to the Plan Commission regarding the intended use of the property at 400 N. Main Street for European Wax Center (EWC).*

My understanding is the applicants are local to the Glen Ellyn area and western suburbs and own other EWC franchises nearby. They appear to have a genuine desire to contribute to the economic development of the downtown. My concern with this particular project is tied with the fact that the application is for the Apex building, which is a gateway to downtown Glen Ellyn.

Other EWC franchises nearby operate in strip malls, including a location formerly located on Roosevelt Road. With this area being the entrance to the downtown, Glen Ellyn has a unique opportunity to showcase what makes Glen Ellyn unique to other nearby communities: historic character infused into one of a kind small businesses. Consider just a few of the other businesses on this block - like Blackberry Market and Fire and Wine - 2 of the busiest places in all of downtown, as well as shops like Busy Bee and Cabernet and Co, where the owners have known their customers for decades.

I can understand the desire to fill an empty storefront at Apex, as this building was promised to bring increased foot traffic to the downtown area. However, I would ask the Plan Commission and the Village to consider what additional value this franchise would bring to our downtown and particularly, this location. European Wax Salon is not going to bring the historic character of one of our local small businesses. Within the Glen Ellyn downtown area alone, a google map search will show there are 4 other waxing businesses, including one 3 doors down at Bare All Beauty Bar. Therefore, they are also seeking to operate in an area that appears to be saturated with this service offering already. Finally the exterior lighting of the EWC, based on other locations, appears to be large, illuminated signage, that would be inconsistent with the lighting and signage on the rest of the block. This lighting also would add to the bright lights in the downtown which has already had a significant influx of additional night time light from the 2 parking garages.

While this business may bring additional economic opportunity to Glen Ellyn, I ask the plan commission to consider 1) Why the previous location on Roosevelt Rd closed, and if that would be an issue for this proposed location, 2) If there is a need for this business in this area given the surrounding salons and 3) Whether this would be the highest and best use of this location, especially considering that the exterior facade of the business (based on others that operate in the area) is inconsistent with the look and feel of a gateway to our downtown.

The following individuals, sworn in, made respective comments:

Barb Lemme, president of the Alliance of Downtown Glen Ellyn, 688 N. Park, expressed concern about another SUP in the C5A District, in which, she indicated, retail is to be emphasized to foster a vibrant downtown. Mr. Thakkar asked her if she thought the proposed wax salon would draw foot traffic that would benefit nearby shops; she replied, "It's hard to really know."

Shannon Burgess, one of the owners of The Bookstore, 475 N. Main St., attributed new downtown restaurants and stores with "a flavor of uniqueness that brings people back to Glen Ellyn." She noted an existing wax salon two miles away, and suggested the Village encourage unique, traditional retail.

Amie Cantarella, Alla Moda, 524 Duane St., stated that patrons of the yoga studio next door to her business already put a strain on parking, and recommended the community consider retailer/restaurant needs. Mr. Dell contended that the waxing salon is not a parking-intensive use and clients are in and out.

A motion to close the Public Hearing was made by Commissioner Dawson; seconded by Commissioner Brown, the motion passed by voice vote.

Commissioner Discussion

Commissioner Brown said she'd love to see the concept in C5B, and that the retail core should be protected. Commissioner Wyant said the proposed is not the right use for such a prominent location, and identified risk in what he called a "totally irresponsible" use clause. Commissioner Thakkar said the proposed is contrary to the concept of a charming downtown, while Commissioner Dawson said the salon doesn't fit with the ROI for such prime real estate. Commissioner Kreuzer said the wax center sounds like "a wonderful business" but not for Main Street, and urged the Apex owner to be optimistic. Commissioner Arango said the business is not in keeping with the vision for the downtown. Concurring, Commissioner Saeed, said he can't support the wax center here. The Chairperson said he could support it in a location not on Main, citing insufficient sales tax. Commissioner Dawson moved for the following:

After conducting a public hearing and deliberating on the request of the petitioner, Illinois Wax Ventures IV, LLC dba European Wax Center, for approval of a Special Use to allow a beauty shop to locate and operate at 400 N. Main Street in the C5A Central Retail Core Subdistrict, the Plan Commission hereby recommends denial of the request based on the findings this evening.

Seconded by Commissioner Thakkar, the motion passed by roll call vote, with Commissioners Dawson, Thakkar, Arango, Brown, Kreuzer, Saeed and Wyant, and Chairperson Loftus, voting, "Yes."

Trustee's Report

Trustee Thompson said the Board is in the budget process and determining if there will be a levy, and reported that the streetscape project is wrapping up and that Park should be finished (with asphalt) soon. He praised the value of the town's public art in creating an attraction. Commissioner Brown said it would be helpful to Commission members to see a list outlining the history of recently approved SUPs.

Chairperson's Report

Chairperson Loftus gleefully noted that we finally have a fully staffed Plan Commission.

Staff Report

Sr. Planner Fard gave the following update she received for the Glenwood Station project: Permit plan review is complete and awaiting payment of fees and letter of credit for public improvements and related items; loan commitment is in place and loan documents are being finalized for execution; construction project budget and Guaranteed Maximum Price is \$800,000 over budget; and work on the project can begin in early January with completion in October 2024. She said JetBrite Car Wash will be the subject of the one December Plan Commission meeting. A pre-application for a Popeye's chicken establishment and a SUP for a cell tower along Roosevelt are also anticipated Plan Commission matters. She confirmed that starting next year the Plan Commission will meet once a month (instead of twice), on the fourth Thursday.

Adjournment

Chairman Loftus adjourned the meeting at 9:06 p.m., following passage by voice vote of a motion by Commissioner Thakkar and seconded by Commissioner Brown.

Respectfully submitted,

Barbara Dutton-Thomas
Recording Secretary