

MINUTES
Glen Ellyn Plan Commission
Thursday, September 26, 2024 at 7:00 PM
Glen Ellyn Civic Center
Galligan Board Room
535 Duane Street

A. Call to Order and Roll Call

Chairperson Tim Loftus called the meeting to order at 7:00 PM and explained the Plan Commission's function and operating procedure as an advisory board. He described the public hearing protocol including for public comment and announced that comments would be recorded.

Roll was called.

PRESENT: Chairperson Tim Loftus, Plan Commissioners Connie Arango, Peter Cooper, Ian Dawson, Adam Kreuzer, Sumita Makherjee, Gianni Pesce and Robert Wyant

ABSENT: Commissioner Laura Brown.

Also in attendance: Trustee Steve Thompson; Daniel Harper, Planning Manager and Julie Settles, Recording Secretary.

B. Public Comment (non-agenda items)

None.

C. Approval of Minutes

Commissioner Dawson moved to approve the amended draft minutes of August 22, 2024 Plan Commission meeting; seconded by Commissioner Cooper, the motion passed by voice vote all ayes.

D. New Business

1. Public Hearing – 596 Crescent Boulevard and 670 Crescent Boulevard – Biester Gymnasium Parking Lot – Amendment to a Special Use Permit for Planned Unit Development and Zoning Variations

Commissioner Dawson moved to open the Public Hearing. Commissioner Mukherjee seconded the motion and the motion passed by an all ayes voice vote.

Sworn in, Daniel Harper, Planning Manager for the Village of Glen Ellyn, introduced the request: 596 Crescent Boulevard and 670 Crescent Boulevard – Biester Gymnasium Parking Lot – Amendment to a Special Use Permit for Planned Unit Development and Zoning Variations. He

stated this includes a construction of a sidewalk on the northside of Biester Gymnasium and to construct and expanded parking area with retaining wall and updated landscaping to accommodate proposed sidewalk construction. The following items are being requested:

- Amend Special Use Permit for Planned Unit Development (Ordinance No. 4682) to allow for parking lot expansion
- Variations from Glen Ellyn Zoning Codes:
 - 10-5-5 (C)(1) to allow new impervious surface to be set back 19.2' from the lot line in lieu of 28.55' or 5% of the lot width.
 - 10-5-5 (B)(4)(39)(2) to allow for a retaining wall approximately 4' in height to be set back 8.6' from the lot line in lieu of the required 10% of the lot width or 57.4' setback.
 - 10-5-8 (F) to allow for parking stalls to be 18' in length in lieu of the required 19' minimum.
 - 10-5-8 (H) to not construct an intermediate landscape island in a parking row of 21 parking spaces.
 - 10-5-8 (I) to allow an aisle width of 22' in lieu of the required 25'.

Mr. Harper showed the site plan of the current conditions and the proposed improvements. He stated that the current conditions there are a required number of 27 trees, but there are only 14. The current conditions are 18' parking stalls, an impervious surface setback of 17.7', an existing retaining wall with a maximum height of 5.6' and a 22' drive line. The proposed path will move east and west without going into the drive aisle. The path will connect to the existing sidewalk on the east side of the gym. The proposed parking surface will expand 7' north. The new design will have an impervious surface of 19.2', a proposed maximum retaining wall height of 4', 18.5' parking stalls on the north side, 18' on the south side and a 22' drive aisle. This proposed design will lose 4 or 5 parking stalls but will be within the minimum parking requirement. Every 20 spaces requires a landscape island, however Glenbard West wishes to not have the islands to keep parking. There will be a storm water detention area and 25 trees will be planted. Mr. Harper stated the Plan Commission action is to consider and vote on recommendation to amend the previously approved Special Use Permit and Zoning Variations to the Village Board of Trustees. In reviewing the project, the Plan Commission should consider criteria in Sections: 10-10-15 to Amend Special Use Permit for Planned Unit Development (Ordinance No. 4682) to allow for parking lot expansion.

Variations from Glen Ellyn Zoning Codes:

- 10-5-5 (C)(1) to allow new impervious surface to be set back 19.2' from the lot line in lieu of 28.55' or 5% of the lot width.
- 10-5-5 (B)(4)(39)(2) to allow for a retaining wall approximately 4' in height to be set back 8.6' from the lot line in lieu of the required 10% of the lot width or 57.4' setback.
- 10-5-8 (F) to allow for parking stalls to be 18' in length in lieu of the required 19' minimum.
- 10-5-8 (H) to not construct an intermediate landscape island in a parking row of 21 parking spaces.
- 10-5-8 (I) to allow an aisle width of 22' in lieu of the required 25'.

Chairperson Loftus asked if the increase from the building to the wall is 7'. Mr. Harper answered yes.

Commissioner Wyant asked if there is history of any flooding on Deerfield. Mr. Harper answered that the Village does not have any records of flooding. He stated there maybe

complaints, but there is no records. Commissioner Wyant asked if there was any history of pedestrian accidents. Mr. Harper stated there were no major accidents. Commissioner Kreuzer asked if the school provided any statistics on accidents. Mr. Harper answered no.

Sworn in, Craig Lamp, Petitioner for Glenbard West. Mr. Lamp stated that the main reason for the proposed change is student safety through the parking lot to the school and to keep as much parking as possible. He stated that yes they are losing some parking with the proposed changes, but the school is more concerned for the safety of the students and staff.

Commissioner Wyant asked Mr. Lamp if he has a record of any accidents. Mr. Lamp answered that in his two years being employed at Glenbard West he hasn't heard of any accidents.

Commissioner Cooper stated that the Commission is going to hear from neighbors of the school and that flooding has gotten worse for them in the past couple years. He asked how these improvements will make flooding better.

Sworn in, Mark Zaprzalka, Jacob & Hefner Associates, Inc., answered that the impervious area is being added to. The detention will hold 6,000 gallons of water. The water will still drain towards the neighbors but the detention can handle the water coming from the parking lot, but the water coming from the west of Park Blvd. will still come through.

Chairperson Loftus asked if the parking spots pitch to the storm sewers. Mr. Zaprzalka answered yes. Chairperson Loftus asked if when Jacob & Hefner was doing their study, they studied the Park Blvd. flow. Mr. Zaprzalka answered no.

Commissioner asked Kreuzer asked if there was any other purpose for the proposed changes other than safety. Mr. Lamp answered that the safety is their #1 priority and hope it helps with flooding. Commissioner Kreuzer asked if there is a continuous sidewalk from the lot to west of the football field. Mr. Lamp answered yes. Commissioner Kreuzer asked if there is a continuous sidewalk between the school and the football field. Mr. Lamp answered no. He stated that area is the bus drop off area. Commissioner Kreuzer asked how the sidewalk will reduce injuries when there are no injuries documented.

Commissioner Pesce asked where there is the biggest flow of students. Mr. Lamp answered before school, during lunch and after school.

Commissioner Kreuzer asked if all the parking spaces are being used. Mr. Lamp answered yes. Commissioner Kreuzer asked if the school could survive with less spaces if the sidewalk was on the north side of the gym. Mr. Lamp answered that would kill us.

Chairperson Loftus asked Mr. Harper if there were any written comments. Mr. Harper answered no.

Sworn in Margaret and Bill Giffin, 4 Ellen Ct. Mrs. Giffin stated they live at the top corner of the zoning map shown on the screen and are lower than lots 3 & 4. She stated they have done a lot of

landscaping to keep the water away. She stated in 1999 when the school did improvements, they didn't do a proper job with drainage. Mr. Giffin stated that wherever the water is coming from they have to live with it. He asked who is liable if it floods. He stated the school is trying to solve a problem where there isn't a problem.

Sworn in Jeff Bosdal, 575 Deerpath Rd, stated the study shows where the water is being help by the development, but what about the problem that already exists. He asked if the water draining from the parking lot is to go into the pond. Mr. Zaprzalka answered yes.

Sworn in Bob Everson, 522 Deerpath Rd., stated his issue is more a safety issue at Deerpath and Park. He stated he has seen multiple accidents. He stated this area should be looked at before any construction is done.

Commissioner Kreuzer asked where they think the water is coming from causing their flooding. Mr. Bosdal answered that there wasn't a lot of storm sewers put in. Glenbard West put in a massive building and now the water has nowhere to go except Deerpath. Commissioner Kreuzer asked what direction the water is coming from, more specifically where is the most flooding. Mrs. Giffin answered between lots 3 & 4. Commission Kreuzer stated that maybe the water will now pool in the retention pond. Mr. Bosdal stated maybe a 10,000 gallon pond would be better.

Commissioner Cooper asked if the Commission asked the school for a deeper retention would that be ok or would you say you don't want it that big. Mr. Bosdal answered that the pond isn't the issue. Mrs. Giffin asked if there was a way to add more drains. She stated there are no drains by her house.

Mr. Harper stated that the proposed plan would meet the Glen Ellyn Code. If the Commission wants to address overall storm water, they could make a recommendation for the Village Board to ask staff.

Sworn in, Clint Moore, 570 Crescent, asked what the current height of the retaining wall is. Mr. Harper answered the current maximum is 5.5'. Mr. Moore asked what the grade north of the retaining wall is. Mr. Harper answered it goes 721' down to the north. Mr. Moore stated that if you move something out and down, how is it the same height.

Commissioner Wyant stated there should have been a collaboration with the Village, school and neighbors. Mr. Harper stated the Village was approached by the school and met them on site to look at the project. He stated they went through three revisions to the plans. He stated the Village encouraged the school to speak to the neighbors but he doesn't think that was done.

Commissioner Dawson stated that Glen Ellyn did a 10-year plan of improvements from west to east and attended a meeting where the Village offered storm stubs to pump directly to the storm sewer. He asked if this could be offered to the neighbors.

Sworn in Jennifer Henaghan, Community Development Director, answered that could be a solution based on what the specific issues are. She stated the Village is currently doing an

assessment on Anthony. She stated a storm study was done with consultants and they worked with residents. She stated this could be an option for this area as well.

Chairperson Loftus asked if this would warrant a traffic study. Ms. Henaghan answered no. Chairperson Loftus stated that the kids will still go through the parking lot. Ms. Henaghan stated the Commission could request that the applicant does a traffic study.

A motion was made by Commissioner Arango to close the Public Hearing; Commissioner Dawson seconded the motion; which passed by an all ayes voice vote.

Commissioner Deliberation and Recommendation

Commissioner Cooper stated that he has some skepticism of the sidewalk on north side of the gym. Asking if there have been any accidents is not the question the Commission should be asking. There is another governing body saying they are concerned for the safety of the students and staff. He stated the Commission shouldn't be second guessing the school on the kids' safety

Chairperson Loftus suggested a study should be done to see how the kids cross. He stated that it seems to him that the one stretch of the sidewalk won't be used. He'd like to see what a traffic study would say.

Commissioner Wyant stated everyone cares about safety. If there was a legitimate issue, it would have been fixed by now. He stated that kids swarm across Ellyn. He suggested a barrier be placed so they have to walk up to Crescent. He stated that the gorilla in the room is storm water and the Commission does not have the facts to figure that out now.

Commissioner Kreuzer stated that even though an accident hasn't happened, it doesn't mean it won't happen. He stated he wants to make sure the neighbors are taken care of and an assessment is done.

Mr. Harper stated that the application is to amend the site plan. The application meets Glen Ellyn's requirements. He stated the application has met Du Page County storm water requirements.

Chairperson Loftus stated this application meets the requirements. It is not for the petitioner to do a storm water study for all the neighborhood. He stated it is not the petitioner's responsibility to solve the neighborhood issues.

Commissioner Dawson stated that no one knows if the proposed improvements are going to make the situation better or worse. He suggested the school should come back with answers to the questions brought up tonight.

Sworn in, Steve Thompson, Village Trustee, stated the Village had a workshop regarding Anthony. He stated the Village Engineer stated there are other areas that have flooding. The Village is aware of other flooding areas and they should be studied. He stated the Village may

find French drains or other types of drains may solve the problem. He stated if the Commission makes a recommendation to the Board that would be powerful to study flooding in this area.

Commissioner Kreuzer made the motion:

After conducting a public hearing and deliberating on the requests of the petitioner, Glenbard West High School, for approval of a special use permit for planned unit development and zoning variations at 670 Crescent Blvd. and 596 Crescent Blvd. at the Plan Commission public hearing on September 26, 2024, 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 hereby makes the following findings of fact:

- 1. The proposed use will be harmonious and in accordance with the general objectives, or within a specific objective of the Comprehensive Plan and/or Zoning Code.**
- 2. The proposed project is designed and shall be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.**
- 3. The proposed use will not be hazardous or disturbing to existing or future neighborhood uses of the property because:**
- 4. The proposed use will be served adequately by existing public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.**
- 5. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the Village.**
- 6. The use will not involve activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare and odors.**
- 7. The project will have vehicular approaches to the property which shall be so designed as not to create an undue interference with traffic on surrounding public streets or roads.**
- 8. The project will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief.**

9. The project will not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance to the community.

The Plan Commission makes this recommendation of approval with the follow condition:

1. That the construction substantially conforms with the plans and testimony presented at the Plan Commission public hearing on September 26th, 2024.

2. An overall storm water assessment be performed as received by this Commission before the Village Board approves the application.

Commissioner Cooper seconded the motion. Chairperson Loftus asked for a roll call vote. The motion passed 6-2 on a roll call vote with six “yes” and two “no” by Commissioners Dawson and Wyant.

2. Public Hearing – 540 Duane Street – Five Forty Duane, LLC – Parking Lot Zoning Variations

Commissioner Cooper moved to open the Public Hearing. Commissioner Kreuzer seconded the motion and the motion passed by an all ayes voice vote.

Mr. Harper stated this location is located in the C5B district and the petitioner is requesting to resurface and strip the existing parking lot with the addition of an ADA space that reduces the overall parking count. The following variations are requested:

- Section 10-4-17-2(G) to allow for a reduction in parking count from 19 spaces to 17 spaces.
- Section 10-5-8 (I) to allow for a parking lot aisle width of 21-feet, in lieu of the 25-foot required aisle width.

Mr. Harper stated that the overall design remains the same. The ADA space they are requesting will reduce the parking spots from 19 to 17 due to requirements of a loading zone. The applicant has reached an agreement with the owners of the adjacent property 546-548 Duane St. to allow the portion of the parking lot on their property line to be resurfaced. The proposed drive aisle width is 21’. The minimum allowed drive aisle width is 25’.

Commissioner Kreuzer asked if there were any concerns about traffic flow going in or out. Mr. Harper answered that it’s a dead end in the lot so there is no concern. Commissioner Kreuzer asked if the lot is primarily for private parking. Mr. Harper answered yes.

Sworn in Marv Ridder, 540 Duane Street, stated he is a twenty year tenant. He stated that parking lot was deteriorated then and gotten worse. The property is landlocked so there is no way to increase the lot.

Chairperson Loftus stated that due to the reduction in the drive width he feels the area along the building east of this property should be striped no parking.

Commissioner Kreuzer asked Chairperson Loftus if he was suggesting the trucks be parked in designated parking spaces. Mr. Ridder stated the trucks park along that building after 5 and are out by 7. There are more tenants in the building that have designated spots so there are not enough spots. He stated they back the trucks up together to prevent robbery.

Chairperson Loftus stated he would recommend no parking along the building.

A motion was made by Commissioner Dawson to close the Public Hearing; Commissioner Pesce seconded the motion; which passed by an all ayes voice vote.

Commissioner Kreuzer stated he has no concerns with the applicant's request. He stated the lot is empty in the evening.

Commissioner Cooper made the motion:

After conducting a public hearing and deliberating on the requests of the petitioner, Five Forty Duane, LLC, for approval of a parking lot zoning variations at 670 Crescent Blvd. and 540 Duane St. at the Plan Commission public hearing on September 26, 2024, 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 hereby makes the following findings of fact:

- 1. The proposed use will be harmonious and in accordance with the general objectives, or within a specific objective of the Comprehensive Plan and/or Zoning Code.**
- 2. The proposed project is designed and shall be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.**
- 3. The proposed use will not be hazardous or disturbing to existing or future neighborhood uses of the property because:**
- 4. The proposed use will be served adequately by existing public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.**
- 5. The proposed use will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the Village.**
- 6. The use will not involve activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the**

general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare and odors.

7. The project will have vehicular approaches to the property which shall be so designed as not to create an undue interference with traffic on surrounding public streets or roads.

8. The project will not increase the potential for flood damage to adjacent property or require additional public expense for flood protection, rescue or relief.

9. The project will not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance to the community.

The Plan Commission makes this recommendation of approval.

Commissioner Kreuzer seconded the motion. Chairperson Loftus asked for a roll call vote. The motion passed on a roll call vote 7-1 with Chairperson Loftus voting “no”.

3. Public Hearing – 546-548 Duane Street – Marinella’s Ristorante – Construction Necessitated Variation for Pergola

Commissioner Cooper moved to open the Public Hearing. Commissioner Arango seconded the motion and the motion passed by an all ayes voice vote.

Mr. Harper stated a deck permit was issued to the restaurant. An unpermitted pergola was constructed over the approved deck without a permit and in violation of pergola restrictions in the Village Zoning Code, a construction necessitated zoning variation is required for the pergola to remain. The following variations are requested:

- 10-5-5 (B)(4)(3) to allow an 821 square foot pergola to exceed the maximum allowed 250 square feet.
- 10-5-5 (B)(4)(3) to allow for a 64- long pergola to exceed the maximum allowed length of 20 feet.
- 10-5-5-(B)(4)(3) to allow for an 11-foot-tall pergola to exceed the maximum allowed height of 10 feet.

Mr. Harper showed the site plan ad stated that a deck seating and lighting plan was provided in April 2024. The plan details 8’ posts for string of lights to connect to existing outdoor electric. The plan details cross-sections of railing and 8’ posts labeled as light post. He stated that although posts are 8’ high at the easterly most point, the tallest point of the pergola reaches 11’ and the maximum height allowed for a pergola is 10’. He stated the pergola covers vast majority of deck area at approximately 821 sq. ft. and the allowed sq. ft. per Village code is 250 sq. ft. He

stated it is the Plan Commission action to consider and vote on recommendation to approve Zoning Variations to the Village Board. The Commission should consider criteria in Section 10-10-12 for the following requests:

Variations from Glen Ellyn Zoning Codes:

- 10-5-5 (B)(4)(3) to allow an 821 square foot pergola to exceed the maximum allowed 250 square feet.
- 10-5-5 (B)(4)(3) to allow for a 64- long pergola to exceed the maximum allowed length of 20 feet.
- 10-5-5-(B)(4)(3) to allow for an 11-foot-tall pergola to exceed the maximum allowed height of 10 feet.

Commissioner Dawson asked if the application instigated a CNV. He also asked if the Village had any safety concerns with the lighting. He also asked if the structure had a roof such as canvas would there be a CNV. He asked if the Village looked at similar structures. He stated that he views Tutto Bene's and Two Hound Red's just like this with very similar structures that both exceed the requirements. He asked if the Village is being consistent. Mr. Harper answered that the outdoor dining of Two Hound Red meets the requirements and was approved by Special Permit. Mr. Harper stated that after COVID they asked to have two parking spaced removed for outdoor dining. This is an attached canopy structure. In reference to Tutto Bene's, it is not a pergola and they have been in the adjudication process for months for the addition of canvas siding. Commissioner Dawson asked how the Village defines a pergola. Mr. Harper answered that there is no specific definition, but that pergola is included under the requirements of an Arbor in 10-5-4 Accessory Structures and uses which limit the construction to open materials and restricts size and area.

Sworn in, Entela Ilo, owner of Marinella's, stated she acquired the property five years ago. They have done an enormous amount of work to the building and the business. Two years ago they started with the deck that had to change due to the streetscape. The patio is what keeps them in business. She stated they brought this corner to one of the places residents want to go. She stated they did what the Village wanted and there is no additional lighting. She stated they don't deserve all of this. She had the beams put up to support the lights and did it the safest way possible. She stated she was shocked when she got the violation about the pergola and they are just beams.

Sworn in Robert Margetts, 520 Hillside Ave., stated they are here because a permit was missed. The Village states that the pergola code is for residential so why would a permit be needed. He stated this is a code language issue that has no basis so he asked the Commission to vote in favor of the variance. He stated it would be a huge benefit to approve this.

Sworn in Juanita Margetts, 570 Hillside, stated she is a retail consultant. She stated the Village needs to support small business and put this to rest.

Sworn in George Passias, 586 Crescent Boulevard, stated his support for the application.

A motion was made by Commissioner Mukherjee to close the Public Hearing; Commissioner Cooper seconded the motion; which passed by an all ayes voice vote.

Chairperson Loftus stated he thinks it is a great improvement and will be a beautiful backdrop for the new park.

Commissioner Arango stated she approves. She stated she would like Community Development to consider the fees to be refunded. Chairperson Loftus stated it was not in the Commission's purview to recoup funds.

Mr. Harper stated he wanted to clarify that pergolas are in the Village code.

Commissioner Dawson stated that pergolas are in the code subject to residential regulations. He asked to have a definition of a pergola and stated the two other places that have them didn't need a variance. *Commissioner Dawson made a suggestion that the fees associated with the application should be waived the Village Board of Trustees as part of their deliberation and the Plan Commissions recommendation.*

Chairperson Loftus stated that he believes the Village Board and staff need to define what a pergola is.

Commissioner Pesce made the motion:

After conducting a public hearing and deliberating on the requests of the petitioner, Marinella's Ristorante, for construction necessitated variation for pergola at 546-548 Duane Street at the Plan Commission public hearing on September 26, 2024, 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.

Commissioner Cooper seconded the motion. Chairperson Loftus asked for a roll call vote. The motion passed on a roll call vote with all ayes.

E. Trustee Liaison's Report

Trustee Thompson stated that the City of Wheaton want to annex two properties around Anthony Street. Glen Ellyn is doing an Anthony Street stormwater and flooding study, so the boundary line agreement is on hold.

F. Chairman's Report

None.

G. Staff Report

Mr. Harper stated that there will be three items coming to the Commission soon. They include 580 Duane parking, a dog daycare and a sign variation on Roosevelt.

G. Other Business

None.

H. Adjournment

Commissioner Arango made a motion to adjourn the meeting: Commissioner Mukherjee seconded the motion and the motion passed by voice vote at 10:03 PM.