



1200 WILMETTE AVENUE  
WILMETTE, ILLINOIS 60091-0040

**MINUTES OF THE LAND USE COMMITTEE-SPECIAL ZONING COMMITTEE  
MONDAY, OCTOBER 19, 2020  
3:00 P.M.  
REMOTE MEETING**

Members Present: Trustee Peter Barrow, Chairman  
Trustee Kathy Dodd  
Trustee Senta Plunkett

Members Absent: None

Staff Present: John Adler, AICP, Director, Community Development

**I. Call to Order**

Chairman Barrow called the meeting to order at 3:00 p.m.

**II. Approval of the August 19, 2019 Minutes**

Trustee Plunkett moved to approve the minutes of the August 19, 2019 Land Use Committee/Special Zoning Committee meeting. The motion was seconded by Trustee Dodd. Voting yes: Chairman Barrow, Trustee Dodd, and Trustee Plunkett. Voting no: none. The motion carried.

**III. 2020-SZC-01 - Review of how vacant commercial tenant spaces are regulated in the Village's residential Zoning Districts –**

Review and possibly amend how vacant commercial tenant spaces are regulated in the Village's residential Zoning Districts (R, R1, R2, R3 and R4)

Mr. Adler summarized staff's memo explaining that there are commercial tenant spaces located in residential zoning districts and those spaces can be reoccupied if a new tenant is found and that new user gets special use approval before the space is vacant for 180 days. He said there is a commercial tenant space on the first floor of the apartment building at 5<sup>th</sup> and Linden which has been vacant for over 180 days so the space could only be reused for residential purposes. Because it is a first floor space developed for commercial purposes, staff is recommending that a special use be created that would allow such spaces to be

occupied by non-residential use if a special use is granted. Mr. Adler explained this would be the same process as if a new user was found within the 180-time period.

Trustee Plunkett said the amendment seems straightforward but ask what, if any, is an argument against this. Mr. Adler said because of the special use process he didn't believe there was an argument against the proposed amendment. If we trust our special use process, which we should, he felt any issue could be raised during that review.

Trustee Plunkett asked what would happen if one of these vacant spaces is turned back into residential and the residential tenant leaves, can the landlord request to turn the space commercial again. Mr. Adler said the way the amendment is worded that wouldn't be permitted because the previous use would have to have been commercial.

Chairman Barrow asked about meeting the standards.

Mr. Adler said the special use process would protect the public, health, safety and welfare of the Village. Given the expense to reconfigure the space, the amendment could reduce the hardship on impacted landlords while not impacting surrounding properties. Relative to the comprehensive plan, allowing a reuse as commercial doesn't change residential density, but it does allow the historic use to continue on the property. He mentioned 1000 Ridge Road, which is a local landmark, and he liked the fact that the building has been allowed to be occupied with commercial uses as that is the historical nature of the building. These historic commercial uses are part of the character of the neighborhoods they are in.

Trustee Dodd asked if there was something that was bringing this issue to the Village's attention. Mr. Adler answered yes. There is a current Linden Square business owner who would like to do a craft cocktail delivery/carryout business. While such a use is permitted during the pandemic, it is unknown if the state would allow such a liquor license after the pandemic. In addition, staff has been in contact with the listing agent who has had other commercial interest in the space.

Trustee Dodd said looking at the pictures of the non-conforming commercial spaces, especially the Linden and 1000 Ridge spaces, she could see why it would be difficult to convert them to residential.

Chairman Barrow asked for public comment. While there was a resident who emailed staff saying they were having difficulty using MS Teams. After the meeting staff talked with the resident and they indicated they were just interested in viewing a Land Use Committee meeting. Mr. Adler suggested the resident view the meeting video that is posted on the Village's website. There was no additional public comment.

The Committee agreed with staff's recommendation and found that the standards for a zoning text amendment were met. The special use standards will provide the same protections to the surrounding neighborhood as would happen if a new user was found within the 180-day period. The configuration of these nonconforming spaces makes establishing residential use difficult.

Trustee Dodd moved to recommend adopting the amendment to zoning ordinance section 17.3.G.1 as presented in the October 16, 2020 memorandum from staff. Seconded by Trustee Plunkett.

The vote was as follows:

Trustee Dodd                      Yes

Trustee Plunkett                Yes

Chairman Barrow                Yes

Motion approved.

Chairman Barrow closed the public hearing.

**VI. New Business**

Mr. Adler said that the LUC sitting as a SZC will be reviewing building height in the Village Center at their next meeting. The Committee decided on either December 1 or 2 for that review.

**VII. Public Comment**

There was no public comment.

**VIII. Adjournment**

Trustee Plunkett moved to adjourn the meeting, Trustee Dodd seconded the motion and **the motion carried unanimously.** The meeting was adjourned at 3:32 p.m.

Respectfully Submitted,

John Adler, Director  
Community Development