



1200 Wilmette Avenue
Wilmette, Illinois 60091-0040

MEETING MINUTES

ZONING BOARD OF APPEALS

WEDNESDAY, FEBRUARY 17, 2016

7:30 P.M.

COUNCIL CHAMBERS

Members Present: Chairman Patrick Duffy
Mike Boyer
Reinhard Schneider
Bob Surman

Members Absent: John Kolleng
Bill Merci
Lynn Norman

Staff Present: Lisa Roberts, Assistant Director of Community Development

I. Call to Order

Chairman Duffy called the meeting to order at 7:30 p.m.

II. 2015-Z-54 161 Prairie Avenue

See the complete case minutes attached to this document.

III. 2016-Z-07 819 Michigan Avenue

This case has been rescheduled to March 16, 2016

IV. 2016-Z-08 535 Green Bay Road

See the complete case minutes attached to this document.

V. Approval of the January 20, 2016 Meeting Minutes

Mr. Schneider moved to approve the January 20, 2016 meeting minutes.

Mr. Surman seconded the motion and the voice vote was all ayes and no nays. Motion carried.

VI. Public Comment

There was no public comment.

VII. Adjournment

The meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Lisa Roberts
Assistant Director of Community Development

3.0 TESTIMONY, COMMENTS, AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

3.11 None

3.2 Summary of presentations

3.21 Ms. Roberts said that the applicant was requesting that the case be continued to January 7, 2016

6.0 DECISION

6.1 Mr. Boyer moved to continue the case to the April 6, 2016 meeting.

6.11 Mr. Surman seconded the motion and the voice vote was all ayes and no nays (Ms. Norman and Messrs. Kolleng and Merci were not present).

Motion carried.

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

3.11 Mr. Dan Marguerite, applicant

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a request for a special use for a brew pub and a variation from the requirement that all business operations must be conducted within a completely enclosed building to permit the operation of a brew pub and an outdoor sales display (The Backyard Barbecue Store). The Village Board will hear this case on March 8, 2016.

3.22 The applicant was born and raised in the Village and has lived here again since 1988. About 12 years ago, he opened a store at Poplar and Greenleaf called the Backyard Barbecue Store. He now purchased the property at 535 Green Bay Road. He does a lot of parties and events. He currently has a liquor license. He enjoys beer. He said that proposed site is a wide open space and he wants to keep it fairly wide open.

He referenced the plan that his architect drew. In the back corner he wants to put in a 3.5 barrel brewery. He would then have to sell beer on demand. This space is bigger than his current space. It will draw more people to the Village through the brewery. He has no parking at his current location and will have 9 spaces at his new location. He has been a good neighbor and wants to continue to be a good neighbor. He wants to be able to sell to someone walking in during the hours requested. He will have to provide food and he said that the outdoor kitchen will be partially for display and to also prepare food. He wants to put a gas-fired pizza oven out there. He will take a part of one parking space for that. He is putting out a nicer grill in that area. He has parking spaces as well as access the alley. There is also a lot of parking on Green Bay, most on the east side almost all day.

He said that he wants to add a map to his website showing where allowed parking is located. A lot of his events are at night. Last year he hosted 82 events at night. He wants to continue with that part of his business.

Regarding the standards, he is taking an old car wash and is developing it into a great space. He is investing a lot of money into the business.

3.23 Mr. Boyer asked about hours of operation and busiest times.

The applicant said he said that retail is a strange business, but weekends are the busiest. Last summer Sunday was busier than Saturday, but both days are busy. In his current building he is the only one open on Sunday. He is not sure about peak

hours. He is closed on Mondays. He is asking for the maximum amount of days. He will not be open every Saturday night till 10:00 p.m., but he plans on being open some Saturday nights. He has to serve food on demand. He loves his private events because he knows the number of guests and what he is serving, how long it will last and knows the price outside of beverages. He said that he wants to be open every Saturday night although he is not sure.

3.24 Chairman Duffy asked about the number of employees.

The applicant said he has nine employees at this time and it's seasonal. In the summer sometimes all nine are there at one time. Regarding parking, he has two trucks, but he can park on Green Bay Road. Four of his staff are either dropped off or ride their bikes. Another employee takes the train. The other employees can park on Green Bay or in a parking lot. He plans on hiring someone to brew and run the tap room.

3.25 Mr. Surman asked if the spaces he has are designated for customers.

The applicant said that is correct. Most of his events are at night. He also holds classes at night. Where he is now parking is not really an issue except at lunch due to Panera. He has the train lot on the weekends. People can park there if he holds a Saturday night event. He plans to educate his customers about parking. He reiterated that he is a Village resident.

3.26 There was no one in the audience to speak on this case.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

5.1 Mr. Boyer said this is a great repurposing of the building. The building is a difficult property. It is an owner/user type property. Being an owner/user with a client base is perfect. The business is a great addition to the building. The special use standards are met and the application fits within the comprehensive plan, goals 1 and 2. For the variance, he sees no issue with having outdoor activities. There are restaurants that operate on sidewalks. The request is not detrimental to the neighbors. All standards of review are met.

5.2 Mr. Schneider said that he agrees with the above comments. Standards of review for a special use and the variation are met. The business will be an improvement to the Village Center. He can support the request.

5.3 Mr. Surman agrees and can support the request.

5.4 Chairman Duffy said it is difficult to visualize what would be a good use for the building and when he read the application, he said that it was an excellent reuse of the building. This is an established business owner. He will need a nice sign so people can find him but the sign is not within the ZBA's purview. Regarding

special use standards and variation standards, he talked about the east side of the building, the separation between parking and the building, it is hard to visualize the distance on the plans, but there is a lot of room. How safe will that area be but after he saw the area, he felt that the area would be safe. He can support the request and it is a great reuse of the building.

6.0 DECISION

6.1 Mr. Boyer moved to recommend granting a request for a special use for a brew pub and a variation from the requirement that all business operations must be conducted within a completely enclosed building to permit the operation of a brew pub and an outdoor sales display (The Backyard Barbecue Store) at 535 Green Bay Road in accordance with the plans submitted. The use shall run with the use.

6.11 Mr. Schneider seconded the motion and the vote was as follows:

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	Not Present
Bill Merci	Not Present
Lynn Norman	Not Present
Reinhard Schneider	Yes
Bob Surman	Yes

Motion carried.

6.2 Mr. Schneider moved to authorize the Chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2016-Z-08.

6.21 Mr. Surman seconded the motion the vote was all ayes and no nays.

Motion carried.

7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED

The Zoning Board of Appeals finds that the request meets the special use standards of Section 5.3.E and the variation standards of Section 5.4.F of the Zoning Ordinance. The proposed use of a brew pub is within a retail establishment that has been in the village for many years. The store is now relocating and expanding. The proposed use of a brew pub in this location is consistent with the goals and policies of the Comprehensive Plan. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, and welfare nor will the use be injurious to the use or enjoyment of other property in the neighborhood. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding properties. The special use will not substantially diminish property values in the neighborhood. Adequate utilities, access, and other necessary facilities already exist.

Adequate measures already exist and will be unchanged regarding ingress and egress to the proposed use. The proposed use is consistent with the community character of the neighborhood. Development of the proposed use will not adversely affect a known archaeological, historical, or cultural resource. The proposed use will take place inside the existing building and will not require the provision or development of any buffers, landscaping, public open space or other improvements. No other standards in Article 12 apply.

The physical condition of the property, the fact that it does not have frontage on the street, presents a unique opportunity. To provide an adequate demonstration, the product must be used outside. This situation is unique to the applicant's business. Without an outdoor display, the applicant is not able to effectively display and sell his products. The display is entirely on private property and not directly visible from the public way. The variation will not impair an adequate supply of light or air or otherwise injure other property. The display is modest in size, and because of the lot location, will not alter the essential character of the neighborhood.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for a special use for a brew pub and a variation from the requirement that all business operations must be conducted within a completely enclosed building to permit the operation of a brew pub and an outdoor sales display (The Backyard Barbecue Store) at 535 Green Bay Road in accordance with the plans submitted. The use shall run with the use.