



1200 Wilmette Avenue
Wilmette, Illinois 60091-0040

MEETING MINUTES

ZONING BOARD OF APPEALS

WEDNESDAY, MAY 16, 2018

7:30 P.M.

COUNCIL CHAMBERS

Members Present: Chairman Patrick Duffy
Mike Boyer
John Kolleng
Christine Norrick
Reinhard Schneider
Bob Surman

Members Absent: Michael Robke

Staff Present: Lisa Roberts, Assistant Director of Community Development

I. Call to Order

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

II. Ms. Roberts announced that case 2018-Z-22, 444 Skokie Boulevard, had been withdrawn by the applicant. No action by the board was necessary.

III. 2018-Z-18 34 Canterbury Court

See the complete case minutes attached to this document.

IV. 2018-Z-20 1601 Elmwood Avenue

See the complete case minutes attached to this document.

V. 2018-Z-24 617 Linden Avenue

See the complete case minutes attached to this document.

VI. 2018-Z-21 1428 Wilmette Avenue

See the complete case minutes attached to this document.

VII. 2018-Z-23 517 Green Bay Road

See the complete case minutes attached to this document.

VIII. Approval of the April 4, 2018 Meeting Minutes

Mr. Kolleng moved to approve the April 4, 2018 meeting minutes.

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

IX. Public Comment

There was no public comment.

X. Adjournment

The meeting was adjourned at 9:44 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 Ms. Deirdre Toner, landscape architect, representing the applicants

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a revised request for a 1.0' fence height variation to permit the replacement of a 7.5' tall solid fence in a side yard and a rear yard. The Village Board will hear this case on June 12, 2018.

3.22 The landscape architect said they are requesting a 1' height variance to the existing fence with an average height of 7'3". The finished height would be 7'5". They are also asking to put a retaining wall 1' in from the property line. It would start 16" in from the property line because it is on a spread footing. That would be 2'6" high and the fence would be on top of that.

The reasons for the variation are as follows:

- Existing fence is old and decrepit
- House next door has a 13' grade change from old carriage drive that goes down into existing house – water rushes down – that is the area of the applicant's patio and only outdoor space

A channel drain will be on the outside of the retaining wall on her client's property well within the 12" of the 1'. That will help a lot with water issues. That will hold water and connects into the drainage system.

3.23 Chairman Duffy referenced the diagram on 1.10. It shows a 2'6" retaining wall with the fence on top. Having been at the site, the northwest corner of the site has 12' to 16' of existing retaining wall. The ground slopes up from there and there is no retaining wall. Are they digging out the whole area all the way to the gate at the end of the existing fence?

The landscape architect said are going to create a retaining wall that goes all the way across and dig that out, so grade is level. The fence would be attached to that and supported with steel poles.

3.24 Chairman Duffy said that the request was presented two weeks ago. It was an 8.5' fence height request. When the board members went to the site, they found that the highest point was 8' so they are only reaching 8' in height if they measure from the northwest corner to the top of the fence.

The landscape architect said they are requesting an overall height of 7'5". Right now, the average height was 7'3-1/2". From the south to the north, it will be across the top at 7.5'.

- 3.25 Mr. Surman referenced the north end. Are they filling in the area that now steps down?

The landscape architect said that there would still be steps down, but the retaining wall will be lower in that location. The grade steps down there 1'.

- 3.26 Mr. Surman said instead of 30" at the far north end, it might be 42".

The landscape architect said it was not 42".

- 3.27 Chairman Duffy said he went to the site and measured the existing fence. Mr. Surman also measured. In the packet is a photo of what he measured, which is about 8'. At one point in time, at the northwest corner, it was 8'. He clarified that they are not exceeding that height.

- 3.28 Mr. Boyer referenced 1.6. He clarified that the overall fence height is 8'6" which is the retaining wall plus the fence. Is this inaccurate? They are asking for 7'6".

Ms. Roberts said that exhibit is from the last meeting. Exhibit 1.10 is the new submission and what the board should reference for this evening's case.

- 3.29 Mr. Schneider asked to see 1.10. From the southern to the northern point of the fence, what is the height of the fence, starting at the south end – height that is proposed?

The landscape architect said that it is 7'6". There will be a 30" retaining wall.

- 3.30 Mr. Schneider clarified that it is 7'6" on the south end.

The landscape architect said it would end at 7'6" on the north end.

- 3.31 Chairman Duffy said that on the diagram they are saying that it is 6'8" to 7'11".

The landscape architect said those are current heights and not proposed. They want to build the retaining wall 1' off of the property line, 30" high, with the 5' fence on top so the overall height is 7'6" all the way across. It will look like the lower diagram. That would be the view from the applicant's side from the east to the west.

- 3.32 Mr. Schneider said that the top section is not the same view. That is the view from east to west.

The landscape architect said they wanted to show current site conditions.

- 3.33 Mr. Surman noted that the confusion for the board was what was being done at the north end to be able to level it out. On the drawing, it appears to be 1' lower.

The landscape architect said that the retaining wall will drop down to hit existing grade. It will be deeper at that end. It drops from 607 at the north end – that is the grade – and it goes up to 608 to 608.4. On the south end, it is 609. There is a 2' grade change. The retaining wall evens out the grade change.

- 3.34 Mr. Boyer asked where the drain tile terminated.

The landscape architect said that the drain tile will be pulled in. There is a gravel walkway on the west side of the house. There is a 6" PVC drain tile that pulls out to the front and it will connect with that. It bubbles out at the edge of the front yard. The drain tile is a channel drain, perforated, and set in gravel with a sock so that it can slowly take on water and slowly move and disburse water. Hopefully this will take care of the problem for the north resident and the resident behind the applicants' house. Right now, the water flows down and goes into their backyard and on both sides of the house.

- 3.35 Mr. Schneider referenced the view from the west to the fence as proposed. What is the fence height when viewed from the west?

The landscape architect said that looking from west to east would be 7'6" above grade.

- 3.36 Chairman Duffy noted that it is lower on the west side right now than it is on the east side. One can see the top of the garage at the south end per the photos.

The landscape architect said that there are antique water jugs that move the water away and help it pool. It will be a smooth solid cedar fence with a 1.5' topper. There will be a decorative element to it. It will be stained gray.

- 3.37 Mr. Boyer asked when they made the measurements for existing conditions and they measured up to the picket, a lot of the pickets are worn. Were they measuring to the best condition pickets?

The landscape architect said they took the measurement where the pickets were located. They took eight measurements across that footage. Some of the high and low ones were included. They wanted a good average.

- 3.38 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 that the hardship is the topography of the land and there is a water issue. This project corrects the problems and makes the condition much better. The

request is fairly minimal. It is almost the existing condition. They are close to what they are asking for in average height. Standards of review are met.

5.2 Mr. Surman agreed with above comments. He can now support the revised request.

5.3 Mr. Kolleng said it is an odd section of land. At one point in time the area was one large estate. The land slopes towards the lake. The intent is to leave the fence at the same height and the proposed retaining wall will block water. Drawings show that the fence is better looking than the current fence. It is a nominal request. He can support the request.

5.4 Chairman Duffy agrees with above comments. At the last hearing, the board asked the applicant to replace existing height and that the board would support this new proposal. Efforts made by the applicant are appreciated. Standards of review are met.

6.0 DECISION

6.1 Mr. Boyer moved to recommend granting a revised request for a 1.0’ fence height variation to permit the replacement of a 7.5’ tall solid fence in a side yard and a rear yard at 34 Canterbury Court in accordance with the revised plans as submitted.

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

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	Yes
Christine Norrick	Yes
Michael Robke	Not Present
Reinhard Schneider	Yes
Bob Surman	Yes

Motion carried.

6.2 Mr. Boyer moved to authorize the chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2018-Z-18.

6.21 Ms. Norrick seconded the motion and 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 variation standards of Section 5.4.F and the fence variation standards of Section 5.4.F.h of the Zoning Ordinance.

The physical conditions of the property, the steep grade change and the resulting water issues, impose upon the owner a practical difficulty. The plight of the owner was not created by the owner and is due to the unique circumstances of the lot. The difficulty is peculiar to the lot in question and not generally shared by the others. The difficulty prevents the owner from making reasonable use of the property with a safe and effective barrier between the lots and with a means to address water runoff. The proposed variation will not impair an adequate supply of light and air to or otherwise injure adjacent property. The variation, if granted, will not alter the essential character of the neighborhood.

The proposed fence replaces an existing non-conforming fence. Because of the grade change between the properties, the fence will sit atop a new retaining wall, which will also incorporate new water drainage. The proposed fence will be more attractive in appearance than the existing fence. The lot size of the neighboring properties will result in the fence having little impact on those properties.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a revised request for a 1.0' fence height variation to permit the replacement of a 7.5' tall solid fence in a side yard and a rear yard at 34 Canterbury Court in accordance with the revised plans as submitted.

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

3.1 Persons appearing for the applicant

3.11 Mr. Lance Klein, applicant

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a request for a 2.34' front yard stoop setback variation and a 6.51' front yard stair setback variation to permit the installation of a new stoop and steps on the legal non-conforming structure. The Village Board will hear this case on June 12, 2018.

3.22 The applicant said they are tearing down the current stairs and building new stairs but facing them forward instead of sideways.

3.23 Chairman Duffy asked the applicant to explain the difference between the current condition and the proposed deck they are adding in the front. Not necessarily the orientation, but the footprint of what exists and is being replaced by what.

The applicant said that existing is larger than what they are proposing because it has two decks, one high and one low, with stairs connecting them. They are proposing a 3' deep and 6' wide stoop with stairs.

3.24 Chairman Duffy clarified that there will be a 3' x 6' landing in front of the front door with stairs leading up to it.

3.25 Mr. Schneider asked if changes were being made to make access easier.

The applicant said the stairs that exist do not look good. They thought if they were rebuilding the stairs, they want to have the stairs go straight out like other houses on the street. They wanted a to-code staircase with a 3' stoop and stairs.

3.26 Chairman Duffy said his initial thought was that it was odd that they had an enclosed front porch that was originally open. Then someone put on the deck in the front. The applicant did not do that.

3.27 Mr. Boyer asked if the front porch was conditioned space.

The applicant said that there is no heat or air conditioning in the space.

3.28 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. Kolleng said that the request remedies a situation that was put in place. The request is nominal, and the stairs will face like others on the block. There is no excessive stair width being requested. Standards of review are met and he supports the request.
- 5.2 Mr. Schneider said he spoke with the neighbor to the west. He does not object to the proposal. Mr. Schneider can support the proposal.
- 5.3 Other board members said they could support the request.
- 5.4 Chairman Duffy said they are eliminating some of the front yard impervious surface. Standards of review are met, and he can support this.

6.0 DECISION

6.1 Mr. Kolleng moved to recommend granting a request for a 2.34' front yard stoop setback variation and a 6.51' front yard stair setback variation to permit the installation of a new stoop and steps on the legal non-conforming structure at 1601 Elmwood Avenue in accordance with the plans submitted.

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

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	Yes
Christine Norrick	Yes
Michael Robke	Not Present
Reinhard Schneider	Yes
Bob Surman	Yes

Motion carried.

6.2 Mr. Boyer moved to authorize the chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2018-Z-20.

6.21 Mr. Surman seconded the motion and the voice 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 variation standards of Section 5.4.F of the Zoning Ordinance. The physical conditions of the property, the siting of the

house on the lot and the design with the enclosed porch, impose upon the owner a practical difficulty. The plight of the owner was not created by the owner and is due to the unique development of the lot. The difficulty is peculiar to the property in question. The difficulty prevents the owner from making reasonable use of the property with a new stoop and stairs that meet the building code. The proposed variations will not impair an adequate supply of light and air to or otherwise injure adjacent property. The variations, if granted, will not alter the essential character of the neighborhood. The proposed modifications will enhance the neighborhood by allowing a new stoop and stair consistent with others in the neighborhood.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for a 2.34' front yard stoop setback variation and a 6.51' front yard stair setback variation to permit the installation of a new stoop and steps on the legal non-conforming structure at 1601 Elmwood Avenue in accordance with the plans submitted.

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

3.1 Persons appearing for the applicant

3.11 Mr. Marc Anderson, architect

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a request for a 1.56' west side yard setback variation and a 6.49' combined side yard setback variation to permit the construction of a second-story addition on the legal non-conforming structure. The Village Board will hear this case on June 12, 2018.

3.22 The architect said he was before the board one year ago and at that time he requested a floor area increase variance and a side yard setback variance. They have an existing 1.5 story home that they want to add a second story addition to. At that time, both requests were approved.

Two hardships were noted at the time, one of which is a narrow lot. The lot is 35' wide. Neighboring properties are 40' and 70' wide. Down the block is a 100' wide property. They are the narrowest lot on the block. The house was built 80 years ago at 3.5' from the property line at that time. There is financial difficulty in bringing the house into compliance. They would have to tear it down and build a new house, which is not financially reasonable.

After they were approved last time, they put the project on hold. They came back to it nine months later with fresh eyes. The west elevation is boring. It is visible as one drives the street. The property to the west is 20' away. The façade needs a material break to make it more interesting. They added two stucco dormers. They don't stick out. They are in line with the board and batten siding that is proposed. They added baby dormers that are 3' above the current roof line. They provide interest to the roofline.

They understand the value of the zoning process. Because they made changes to the design, it is appropriate for neighbors to know what they are doing. They think that their request is totally reasonable.

3.23 Chairman Duffy said that the only real change is that they are adding dormers that do not change the floor area. He said that the applicant had to come to the board because the change in design is significant.

3.24 Mr. Schneider referenced 1.18, which shows the change that they are making.

3.25 Mr. Boyer referenced 1.8, west elevation. There is a longer window that is being eliminated. What about the two windows on ground level?

The applicant said those windows are also eliminated. Two of the windows on the second floor are aesthetic. One cannot see through them. There is no window on the inside. He called them faux windows. Three of the old windows match up with the new windows. He showed which windows were 'real' windows.

- 3.26 Mr. Boyer said that the neighbor might say that there are more windows facing their living space. But then he said that the windows are faux windows. He clarified that there is no additional viewing of the neighbor.

The applicant said that a neighbor left a note supporting the request. The note was added to the record.

- 3.27 Chairman Duffy said that there is communication from a neighbor at 700 Linden who also supports the request.

- 3.28 Colored renderings were shown at the meeting.

- 3.29 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. Surman said he liked the original design but agrees that this is an architectural improvement. It is a very minimal request to add dormers. FAR is not impacted. He can support the request.

- 5.2 Mr. Boyer said he originally supported this. The hardships still remain. He supports the design element change.

- 5.3 Chairman Duffy said that the board provided a positive recommendation on the case last year. They are not changing previous requests. By going up to a second story, they are still in the side yard and combined side yard setbacks. It would be difficult if the first and second floors did not match up. He will support this.

6.0 DECISION

- 6.1 Mr. Surman moved to recommend granting a request for a 1.56' west side yard setback variation and a 6.49' combined side yard setback variation to permit the construction of a second-story addition on the legal non-conforming structure at 617 Linden Avenue in accordance with the plans submitted.

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

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	Yes
Christine Norrick	Yes

Reinhard Schneider	Yes
Michael Robke	Not Present
Bob Surman	Yes

Motion carried.

6.2 Mr. Boyer moved to authorize the chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2018-Z-24.

6.21 Mr. Kolleng seconded the motion and the voice 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 variation standards of Section 5.4.F of the Zoning Ordinance. The physical conditions of the property, the narrow lot width and the siting of the house on the lot, impose upon the owner a particular hardship. The plight of the owner was not created by the owner and is due to the unique circumstances of the development of the house and lot. The hardship is peculiar to the property in question and is not generally shared by others. The hardship prevents the owner from making reasonable use of the property with improvements to the second floor of the existing home. The proposed addition maintains the existing setbacks of the home. The proposed variations will not impair an adequate supply of light and air to adjacent properties. The variations, if granted, will not alter the essential character of the neighborhood, which consists of similar two-story homes. The modified elevation will enhance the character of the neighborhood.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for a 1.56’ west side yard setback variation and a 6.49’ combined side yard setback variation to permit the construction of a second-story addition on the legal non-conforming structure at 617 Linden Avenue in accordance with the plans submitted.

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

3.11 Mr. Jason Reiner, applicant

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a Request for a 2.0' side yard garage setback variation and a 188.5 square foot (26.74%) rear yard pavement impervious surface coverage variation to permit the construction of a detached two-car garage. The Village Board will hear this case on June 12, 2018.

3.22 The applicant said that he and his wife bought the building over a year ago. It was in bad condition. They gut rehabbed the space and made it into two living units. Two families are moving in and both have children between 3 and 6 years old. There is a dilapidated one-car garage. There is no parking in front of the house. They want to add a two-car garage. Their lot is irregular. At one point in time, Earlywine Park took a large chunk of the lot. The lot is only 14' wide at the alley. Their only option is to put the garage in the useless back yard. The yard widens to 26' for at least 100'.

3.23 Chairman Duffy said he noticed the insulation hanging out of the garage.

The applicant said it is not really even a garage at this time. It is drywall with insulation. There are skunks living in there.

3.24 Chairman Duffy said it was not clear on the drawing where the garage would end up. It is 40' from the alley.

The applicant said it would end up about 100' from the alley to the garage door and another 22' to the back of the garage.

3.25 Chairman Duffy said that the 100' gives enough lot width to fit the 20' width of garage. There is also some space on either side.

The applicant said that the front of where they want to put the garage is about 28' so it leaves them a 20' garage and 3' on either side. That is why it is so far back in the yard. According to the survey, the fence is shown in the park. He does not know where the park's property line really is. He is not sure if the park owns the fence.

3.26 Mr. Boyer said they have more than 3' to the fence.

The applicant said they have about 5' to the fence, but possibly 1' is not his property.

3.27 Mr. Boyer said he was concerned that they might not have enough room to bring anything, but there is room on either side.

3.28 Chairman Duffy asked about a door on the south end of the garage.

The applicant said there is a secondary access door. He said they have a big side yard in the front. The shed on the plan is actually not there. They could come in from the front if they needed to get machinery through there.

3.29 Mr. Boyer said he did not see downspouts or gutters on the elevation. How will this be guttered?

The applicant said that the downspouts will go on the north side down the driveway and the driveway is pitched towards the alley.

3.30 Mr. Schneider clarified that this is the R2 zoning district, so they can have two rental units.

The applicant said that the building was a grocery store at one time in history, but it was previously a two flat. They were allowed to redo the building to a two unit building.

3.31 Mr. Kolleng asked if the garage height was high enough for mini vans or SUVs.

The applicant said the builder said it was a standard size garage.

3.32 Mr. Kolleng said that standard size garages cannot fit larger cars.

The applicant said he wants each tenant to have one garage spot.

3.33 Mr. Kolleng said he was not sure if one car could get past another car.

The applicant said that for the first 25' of the driveway is two lane and then it narrows to one lane.

3.34 Mr. Schneider asked if the two units were rented.

The applicant said that both units are rented.

3.35 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. Kolleng said that this is one of the stranger shaped lots that the board has seen. The village is in favor of two-car garages. The only way to do that is to move it as far south as they are doing. It creates an impervious surface issue, but there is a

definite hardship due to lot shape. Standards of review are met. He can support the request.

5.2 Mr. Schneider said that this is the most unusual lot he has seen in a while. There are no guidelines for doing less impervious surface in building driveways. He wished there were guidelines that could be applied to this case. One has to have a driveway to get to the garage. He can support the request.

5.3 Chairman Duffy said that one of the reasons for impervious surface coverage variation issue is because of the lot width in the rear yard is only 14' wide. The driveway is 10' wide so there will be an impervious surface coverage request. He can support the request. It is a unique lot and he commended the applicant on the rehab. Standards of review are met.

6.0 DECISION

6.1 Mr. Kolleng moved to recommend granting a request for a 2.0' side yard garage setback variation and a 188.5 square foot (26.74%) rear yard pavement impervious surface coverage variation to permit the construction of a detached two-car garage at 1428 Wilmette Avenue in accordance with the plans submitted.

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

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	Yes
Christine Norrick	Yes
Michael Robke	Not Present
Reinhard Schneider	Yes
Bob Surman	Yes

Motion carried.

6.2 Ms. Norrick moved to authorize the chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2018-Z-21.

6.21 Mr. Boyer seconded the motion and the voice 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 variation standards of Section 5.4.F of the Zoning Ordinance. The physical conditions of the property, the lot size and shape, impose upon the owner a particular hardship. The plight of the owner was not created by the owner and is due to the unique development of the lot. The hardship is

peculiar to the property in question and not generally shared by others. The hardship prevents the owner from making reasonable use of the property with a new and larger detached garage that will better serve the property occupants. The proposed variations will not impair an adequate supply of light and air to or otherwise injure adjacent property. The variations, if granted, will not alter the essential character of the neighborhood. The detached garage is not visible from the street but a new garage will enhance the property appearance from neighboring properties.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for a 2.0' side yard garage setback variation and a 188.5 square foot (26.74%) rear yard pavement impervious surface coverage variation to permit the construction of a detached two-car garage at 1428 Wilmette Avenue in accordance with the plans submitted.

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

3.1 Persons appearing for the applicant

- 3.11 Mr. Chris Bordeaux, applicant
- 3.12 Ms. Shuchi Sharma, applicant
- 3.13 Mr. Dan Manis village engineer
- 3.14 Mr. Alex Garvey, traffic consultant
Hampton, Lenzini and Renwick (HLR)
- 3.15 Mr. Robert Hollander, landlord
- 3.16 Mr. Steve Woodall, owner
CrossFit Wilmette

3.2 Summary of presentations

- 3.21 Ms. Roberts said that this is a request for a special use for an arts studio (Codeverse). The Village Board will hear this case on June 12, 2018.
- 3.22 Mr. Bordeaux said that Coverse is an interactive coding studio. They launched their first studio in Lincoln Park a year ago with great success. They are looking to expand in various suburbs. Wilmette will be their second home.

He explained the business and how they redeveloped the space. It has been vacant for a few years. Children who attend are ages 6 to 13.

Ms. Sharma said that they work in partnership with schools and nonprofits. A lot of students who don't do well in school thrive in this environment. They have over 300 members at their original location and many come from the North Shore. They will help increase foot traffic in the area and will be a catalyst for additional activity. They want to help enhance the Village Center area. They have worked with village staff to develop policies to ensure a high level of safety. There should be minimal traffic associated with the business.

- 3.23 Chairman Duffy said one of the questions has to do with parking. There is limited street parking. Parking on Green Bay Road is on the other side of the street. There is a side drive. What is class size? Explain how people come and go. Is it good to have the side drive for drop off? Or is it better out of the rear?

Ms. Sharma said they developed a drop off/pick up policy. There are 6 on-site parking spaces assigned to their business. On average, 20 families will come to a

class. The 6 spaces are for trial families. There will be a staggered drop off and pick up. Trial families come earlier than current families. The older children will come first and they will assign them times. They will only be able to come southbound. They will enter into a queue going southbound on Green Bay Road. The drive will be one way. They will add signage about one-way entrance only. There will be a loading area in the back. They will identify the car line entrance. The front entrance is for pedestrians. They are adding an incentive for those who do not drive in a monthly membership discount.

3.24 Chairman Duffy what is queueing like?

Ms. Sharma said that there will be staff to help with the line. They expect 16 cars total. Six could be trial families. That leaves 10. They will stagger by age group which is 3 to 4 cars every 2 to 3 minutes. Parents will put a sign on their dashboard. Staff will help unload students. Parents cannot exit their vehicles.

3.25 Mr. Kolleng asked how they would stop a car going northbound that wants to turn left into the queue.

Ms. Sharma said they could add more signage. Similar to schools, as long as they are making the policy clear and saying what is and is not allowed, parents cannot join a car line by turning left into the line.

3.26 Mr. Kolleng noted that the business is open during heavy traffic times on Green Bay Road.

Mr. Bordeaux said they were willing to put up a sign that said no left turn.

Ms. Sharma asked what the board would recommend.

3.27 Mr. Kolleng said it is a tough spot to do what they envision due to traffic.

3.28 Ms. Norrick asked how long the classes were.

Ms. Sharma said classes are 75 minutes long. They offer after school classes Monday through Friday at 4:00 p.m. and 6:00 p.m.

3.29 Mr. Boyer asked if they spoke with the cross fit tenant.

Ms. Sharma said a representative from CrossFit Wilmette was at the meeting.

3.30 Mr. Surman asked if CrossFit Wilmette had half of the parking.

Ms. Sharma said she wasn't sure.

- 3.31 Mr. Surman said that from a traffic perspective, there is a light at Linden and possibly they could reverse the traffic flow where they could down the alley and enter from the alley and then drive out, existing onto Green Bay Road. They could then exit and do a right-hand turn. This would have less impact on traffic.

Ms. Sharma said that their traffic consultant was at the meeting he could speak to that.

- 3.32 Chairman Duffy asked the village engineer to speak on the above suggestion.

Mr. Manis said that a one-way entrance into the site from Green Bay Road is a benefit. It is an easier and safer movement to make. It is also a pedestrian benefit. It helps move the queue line faster.

- 3.33 Chairman Duffy clarified that in Mr. Manis's opinion it is better to have people trying to make the bad left hand turn off of Green Bay Road into the site then having people trying to make a left out of the site.

Mr. Manis said that their traffic engineering consultant was at the meeting and they did the capacity analysis for Green Bay Road.

Mr. Garvey said they did a traffic study for the site. They did look at a capacity analysis of the driveway. Their analysis showed that for the northbound left, there is no queue at all. That is assuming that all 20 students arrive at the site in a vehicle and half come from the south and half from the north. That would be 10 left turns in. He observed traffic between 4:00 p.m. and 6:00 p.m.

- 3.34 Mr. Surman asked if testing was done at 5:00 p.m. At 5:00 p.m., Green Bay Road is a parking lot. People will start coming down the alley and drop their kids in the back and drop them everywhere.

- 3.35 Mr. Boyer asked if thought was given to reaching out to Jewel because they are the lot owners. Perhaps people could park in there.

Mr. Manis said that a report recommendation was that the applicants reach out to Jewel and try to get permission to use 10 spaces.

Mr. Bordeaux said they are in discussion about the financial burden. Jewel is concerned about the capacity of their lot. Upon investigation, he saw that the lot is not used 100%.

- 3.36 Chairman Duffy said regarding parking, the code requires them to have a specific number of spaces. How does parking and traffic work at the current location in Lincoln Park? Do the parents stay or leave?

Mr. Bordeaux said that at their current facility in Lincoln Park, there are zero designated parking spots. There are about 17 children per class. They have had no issues to date and there is less public parking.

3.37 Ms. Norrick asked if most parents drove to the site.

Ms. Sharma said that most drive and there are identified lots for parking.

Mr. Bordeaux said about 60% drive. In Wilmette, parents will not drive home and then come back. They will remain in the area. They are not typically looking for parking.

Ms. Sharma said that in Lincoln Park, families coming to the weekend classes especially go grocery shopping.

3.38 Chairman Duffy referenced trial spaces.

Ms. Sharma said that they offer free trials for prospective students. A lot of families need to experience the program to understand it.

3.39 Mr. Kolleng asked where staff would park.

Ms. Sharma said that similar to Lincoln Park, staff will arrive 30 minutes before the class and they will recommend that staff park in the village lots or take Metra.

Mr. Bordeaux said that some will take public transportation.

3.40 Mr. Kolleng said that parking on Green Bay Road is not always conducive on the weekend.

3.41 Chairman Duffy said people can park in public lots on the weekend.

3.42 Mr. Surman said there is currently parking across the front of the space.

3.43 Chairman Duffy said he noticed that between the driveway of Illinois Bone & Joint and the beginning of the right turn lane to turn right onto Linden southbound there are only 2 on-street parking spaces. One would need to be north of Illinois Bone & Joint to take advantage of street parking on the west side of the street.

There are two spaces in front of the building. The Illinois Bone & Joint driveway cuts off anything beyond that. There is also an extended right turn lane onto Linden. He does not think queuing will be too much of a problem. The building itself is 100' deep. If a car is 12' long, 8 cars could queue in the drive on the side of the building. As they make that turn, there are 1 to 2 cars in the drop off area. He does not think they will end up queuing on the street. The bigger problem is those who want to make the left turn even though they are not supposed to do that.

Mr. Manis said that there are 3 spaces in front of Illinois Bone & Joint and it is striped and not signed as no parking in front of the applicant's site.

- 3.44 Mr. Schneider asked about developments regarding parking at Jewel.

Mr. Bordeaux said that it takes time to work with a company the size of Jewel. He presented some options to the executives. He said they could have clear signage regarding time limits. They will consider different options but have to make sure that the cost makes sense. Research on other such listings have suggested that the going price would put an undue financial burden on them. They got data points from their broker. They presented Jewel with an initial offer and are waiting to hear their response.

- 3.45 Mr. Schneider said it would appear to benefit Jewel because parents could very well shop during the 75 minutes.

Mr. Bordeaux said that Jewel's parking lot is split and most people do not want to walk across the street after they shop.

- 3.46 Mr. Schneider said that employee parking is south of the store. Some of it is north.

Mr. Bordeaux said he does not know where staff parks.

- 3.47 Mr. Boyer said he has seen overflow parking on very busy days like holidays but that does not occur often.

- 3.48 Mr. Surman said that their concept is great. He is not sure how to deal with the loading/unloading issue but the applicant is making a commitment that they are not impacting parking. Like Loyola Academy, they will have to revisit this with staff if there is an issue.

- 3.49 Mr. Boyer talked about class hours. Are there plans to add hours?

Mr. Bordeaux said that the hours are after school, on weekends and during the summer. He said there is some flexibility to stagger class times relative to CrossFit Wilmette.

Ms. Sharma said they are currently offering 4:00 p.m. and 6:00 p.m. programs. On Saturdays, they offer classes at 10:00 a.m., 12:00 p.m., and 2:00 p.m. They would consider adding a 4:00 p.m. and a 6:00 p.m. class based on demand. There are 12:00 p.m. and 2:00 p.m. classes on Sunday in Lincoln Park. They would consider adding 10:00 a.m., 4:00 p.m., and 6:00 p.m. classes if needed.

- 3.50 Mr. Kolleng asked if they would consider earlier classes when students are not in school.

Ms. Sharma said they offer camps from 9:00 a.m. to 3:00 p.m. A lot of families add a class after camp for an extended day.

- 3.51 Mr. Boyer clarified that the schedule they had been discussing was for when school is in session during the year.

Ms. Sharma said that after school classes do not change in summer and in addition they offer camps.

- 3.52 Mr. Surman said that parents learn the 'system.' They learn what works.

- 3.53 Chairman Duffy said that the board has heard school cases like St. Francis and Loyola Academy and a group using the church on Wilmette Avenue will be returning. They all have similar queuing issues. It's about training the parents.

- 3.54 Mr. Kolleng noted that those schools are more on side streets while tonight's request is on Green Bay Road, which is one of the busiest streets in Wilmette.

- 3.55 Chairman Duffy said that another concern had to do with CrossFit Wilmette being there. People run to CrossFit Wilmette and his concern is about cars and pedestrians.

Ms. Sharma said they have spoken with CrossFit Wilmette. They will share each other's hours. As part of the employee policy, staff has to go out to make sure the lot is clear and ready for the loading and unloading.

- 3.56 Ms. Norrick asked if CrossFit Wilmette had a certain number of spots.

- 3.57 Chairman Duffy said that CrossFit Wilmette has 6 spots per Ms. Roberts.

- 3.58 Mr. Surman said that the spots are located above the loading zone as shown on the plan.

Mr. Hollander said that he had a diagram of the parking showing designated spaces.

Mr. Garvey showed which spaces were for the applicant and which were for CrossFit.

- 3.59 Chairman Duffy said that the applicant has 12 outdoor spaces. They are designating six to CrossFit and six to the applicant.

Mr. Hollander said that there are 15 spaces minus 2, so 13 outdoor spaces.

- 3.60 Chairman Duffy asked if the second floor was still vacant.

Mr. Hollander said that he made a large investment in rehabbing this unit. Those tenants park in the garage on the property.

3.61 Mr. Kolleng said when comparing the drawing submitted by the applicant to the drawing Mr. Hollander was showing, it appeared as if the loading zone was smaller than the other drawing. Which is more accurate?

3.62 Chairman Duffy said that the loading zone covers where the tree is in Mr. Hollander's drawing.

Mr. Hollander said the site plans looked the same to him.

3.63 Mr. Kolleng said it looks like the parking spaces come to the middle of the building and it looks like the loading zone goes further.

3.64 Mr. Surman said that the landlord's drawing encompasses the handicap space. The other drawing shows 6 spaces beyond the handicap, which is required by code.

3.65 Chairman Duffy said that the eastern edge of the building where CrossFit Wilmette is at the edge of the highlighting or is there a space next to the building?

Mr. Hollander said that it is on the edge of the building.

3.66 Chairman Duffy said the applicant is getting the four spaces even with the edge of the CrossFit Wilmette building as well as the handicap space and the one next to it.

3.67 Mr. Kolleng said he understood that, but one picture seems to show the loading zone as a larger element than the other drawing. He was just wondering which drawing was more accurate.

Ms. Sharma said they included some of the driveway in the loading zone. They are going to be loading and unloading one car at a time. They based the drawing off of the lot and it might look larger. They do not know the actual measurement of the loading zone but know that they need it and that it should only accommodate one car at a time.

3.68 Mr. Schneider asked about number of employees there at one time.

Ms. Sharma said they have a 1:8 teacher/student ratio so it depends on the number of students coming to class. They expect to have at least 3 managers who are not instructors. They expect 2 to 3 instructors who arrive 30 minutes prior to class.

3.69 Mr. Boyer asked how this would work with CrossFit Wilmette. Does the applicant hold any classes outside? How would it work if there was a class outside?

Mr. Woodall said that 98% of CrossFit Wilmette training is inside the walls. They do some running outdoors. He explained how they do this by going through the neighborhoods, which are marked for different mile increments. People will be in the parking lot for 10 seconds. His classes are one-hour long. Only a small part of the hour is cardiovascular. There is no weight lifting or other weight-like equipment in the parking lot. Everyone at the gym is from the village and is professional and respectful and most have kids who might want to go to the applicant's business. He supports the proposal.

- 3.70 Chairman Duffy asked Mr. Woodall if he thought that there would be a conflict with the way they use the lot and the way the applicant will use the lot.

Mr. Woodall said that signage identifying spaces is important. He can also email his athletes about parking and where to specifically park. Most of his business is in the early morning; his busiest class is at 5:00 a.m. His evening classes are the slowest times. At 4:30 p.m., it might get a little busier, but if he and the applicant work together on scheduling, it will be simple to keep traffic going and keep people safe.

- 3.71 Mr. Kolleng asked how the times worked for Mr. Woodall's peak times.

Mr. Woodall said that the busiest class times are from 5:00 a.m. to 7:00 a.m. He has classes at 4:30 p.m., 5:30 p.m., and 6:30 p.m. Those are not as busy as the morning classes. He reiterated that proper signage is important but believes that the parking will work.

- 3.72 Mr. Kolleng asked if customers parked in CrossFit Wilmette spaces or do they park somewhere else?

Mr. Woodall said that his customers park in those spaces. He talked about another area for 1 to 2 cars and that is where he parks or his coaches park when he is not there.

- 3.73 Mr. Surman asked if the 6 spaces were always filled.

Mr. Woodall said they are always filled. If they are filled he tells people to park on Green Bay Road.

- 3.74 Mr. Surman asked if there are two exits from the basement. He thought that the International Building Code requires a space over 1,200 square feet to have two exits. The plan shows a lounge area and meeting room in the basement.

Ms. Sharma said that they do not comply with the standards, so they will not be using the basement. They are giving it to the landlord to use as storage. Everything is on the first level.

- 3.75 Mr. Surman said that when one is within the space where it says studio lab and computer lab, there is only one entrance. The applicants will need to check the code because the doors might be too close to each other. They might have the directions. They may need one by the area called computer lab.

(After section 4.0)

- 3.76 Mr. Bordeaux said he appreciated all concerns raised. They want to be a good neighbor to residential and commercial. When dealing with children, one has the highest standard of care. Mr. Woodall seems amenable to working together. He (Mr. Woodall) has a child and understands that style of care. He said with the addition of his business, he can help solve some of the pre-existing conditions. A lot of concerns did not have to do with his business. But having staff in the parking lot will add structure. They can alleviate the issue of people working out where they should not be. A lot of what he is proposing as a solution works for his business and pre-existing conditions.

- 3.77 Mr. Kolleng said Green Bay Road used to be two lanes in each direction, which was narrowed to one lane at one point in time. When was that? Maybe ten years ago?

Mr. Manis said it was a little longer than ten years ago. He does not know the timeframe.

- 3.78 Chairman Duffy asked why it went from two lanes to one.

Mr. Manis said it was before his time and he is not sure.

- 3.79 Mr. Schneider said Site Plan Review made some recommendations. Would the applicant perform these recommendations?

- 3.80 Chairman Duffy asked if all recommendations should be addressed.

- 3.81 Mr. Schneider asked the applicant if he saw the recommendations.

The applicant said he saw them. Out of the six recommendations, they can commit to items three through six. Regarding items #2, Illinois Bone & Joint is not willing to rezone or approve rezoning for a loading zone. Regarding item #1, renting spaces from Jewel is a question mark right now. It would be an undue burden on financials based on data points. Jewel has shown a willingness to work with them so they hope to be able to make that work.

There are some residents who have offered to lease parking spaces to him. Two residents have two spaces. These are not firm commitments in writing. But it provides more parking for them.

- 3.82 Chairman Duffy said the applicant got a commitment from CrossFit Wilmette that the parking lot will not be used for classes when the applicant's business is in session. The applicant presented a solution that if the spaces are clearly identified and staff is in the parking area during pickup and drop off. They have provided clear information for traffic flow. Those are the areas that in the above-referenced numbers from Site Plan Review.

Mr. Bordeaux said that they came up with ten solutions for four elements. They reviewed solutions. They have clear communication in newsletters and through staff. Staff will communicate to parents in the car line. They encourage staff to take public transportation. They have staggered drop off time. They will stagger schedules with CrossFit Wilmette within reason. They talked about a speed bump recommendation. They talked about being a community partner. They talked about Jewel. And there are neighbors who might lease spaces.

She said that members and staff will be steered out of residential areas.

4.0 INTERESTED PARTIES

4.1 Persons speaking on the application

4.11 Ms. Sally Cummings
510 Park Avenue

4.12 Ms. Vicki Kaywood
1126 Linden Avenue

4.2 Summary of presentations

- 4.21 Ms. Cummings said she and another neighbor spoke with Mr. Bordeaux. She completely supports the business. But she is very concerned about traffic and also compliance by CrossFit Wilmette. There are parking signs now that they do not comply with. There are always groups of their clients running through the alley. They do activities in the middle of their parking lot. They are a disruptive neighbor. She encouraged that the board to reconsider the traffic and parking studies.

Mr. Surman asked where she lived.

Ms. Cummings lives right behind the property to the west. Another neighbor is at the meeting and other neighbors oppose the request but could not attend the meeting. Illinois Bone & Joint used to be a problem but the neighbors worked closely with them and they are now good neighbors. CrossFit Wilmette is not a good neighbor. Bringing children into the neighborhood with the proposed business and improving the health of the alley are things she would highly support, but she does not see how they can do this together.

Mr. Surman asked for clarification as to the health of the alley.

Ms. Cummings said that having one way off of Green Bay Road and a healthy environment regarding cars, traffic and cut through. If you speak with the police department, there are regular complaints about CrossFit Wilmette.

Chairman Duffy asked if Ms. Cummings thought this would be better because it is more organized.

Ms. Cummings said that was the reason – more organization. CrossFit Wilmette does not comply or listen. They might comply for a short time period, but it never lasts. She works from home and they have classes all day long.

Mr. Schneider asked if Ms. Cummings was concerned about vehicular traffic or people jumping up and down.

Ms. Cummings is concerned about runners, vehicles, Illinois Bone & Joint customers who also use the alley, and people cutting through the alley. There are a lot of issues on that one corner. Every day she is scared that someone will get hit.

Mr. Boyer asked Ms. Cummings to separate CrossFit Wilmette and the applicant as they are not part of the application. If she was just looking at the applicant, could she support this?

Ms. Cummings said she spoke with Mr. Bordeaux and she felt encouraged that employees would take children into the site. That is a respectful way of doing business. She could support that.

Mr. Kolleng clarified the combination of CrossFit Wilmette activity and Illinois Bone & Joint cars with the high usage by the applicant is of great concern to Ms. Cummings.

Ms. Cumming said they had to use their own no parking signs so that CrossFit Wilmette customers did not park in certain areas and they ignored the signs and parked there. Officer Parisi came and the CrossFit Wilmette person lied and said she was told she had permission to park there. It is a total abuse of the area. Her other concern is that people use the area as a cut through to avoid the lights on Green Bay Road.

Mr. Surman asked if it would help if the alley was one way, whichever direction.

Ms. Cummings said that really wouldn't help and there could be bottlenecks. She is lucky because she knows about pedestrian and running traffic and car traffic. Another neighbor who has a garage, she's not sure how her neighbor even pulls out of her garage.

Mr. Boyer said he heard Ms. Cummings say she would support the applicant per the plans and information shared.

Mr. Kolleng said that one has to look at it as cumulative uses, which is what Ms. Cummings is saying is the problem. The applicant will now be adding more traffic.

Mr. Schneider said there are issues with commercial on one side of the alley and residential on the other. This is all the way up and own Green Bay Road. Going further north, where there is Walgreens, a lot of traffic goes through the alley. That is part of the situation of having commercial on one side and residential on the other. To some degree that cannot be eliminated. Those are natural conflicts.

Ms. Cummings is not saying that she thinks it can be completely eliminated. But when people run out of an alley and the applicant's clients are coming in, she does not see how they can coexist in that one parking lot.

- 4.22 Ms. Kaywood thinks that the business concept is wonderful. There is a big issue with the alley's condition. The one by Walgreens is in great shape. This alley is bumpy and people park where they shouldn't. One day the garbage truck could not get through because someone was double parked. Maybe if the alley was widened and the parking was better. She has a curb cut driveway on Linden. Sometimes she doesn't know how she will get out of her driveway due to the runners. There are problems. The condition of the alley is bad. Asphalt patches do not work. She is in support of this kind of business. She said she pays for the convenience of living near the VC. But sometimes things could be better than they are.

Mr. Surman asked if the alley was improved, would things be worked out.

Ms. Kaywood said that maybe there are areas where they can widen the alley. It's really the illegal parking there that is a problem.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

- 5.1 Mr. Schneider said that his general view is that there is a potential conflict of issues between parking, circulation, density, traffic. He said that this use will bring people to the Village Center. There is amazing amount of resilience among users in that they adapt to situations. To insist that everything be perfect regarding parking and circulation means that there are Edens Plazas with parking lots around retail. He likes the kind of density of the applicant. But it can be worked out and people can adapt. This is a good use for the village at this location. He hopes they can work out something with Jewel. Regarding the alley's condition, the village engineer heard the comments. Mr. Schneider said he can support the request.
- 5.2 Mr. Kolleng said that the actual business is great and is happy they are bringing it to the village, but he thinks that the location is wrong. He drives Green Bay Road every day between 5:00 and 6:00 p.m. and it is brutal. There are the new apartments

on Green Bay Road and the applicant will be adding more traffic during peak hours. For those reasons and some of what the neighbor brought up relating to CrossFit Wilmette, other traffic, the runners, and people parking in the alley; things that are not directly related to the application. When you bring in more people and more traffic, those types of things can happen related to Codeverse. It's not that much different from the alley issues the board heard related to the adult day care at a church. It's a great thing for the village but it's in the wrong location. He cannot support this request.

- 5.3 Chairman Duffy asked Ms. Roberts if the board recommends the proposal as presented, the board is saying that as presented, the board is okay with the parking situation and the plan for drop off and pick up. Can it be recommended but the board says they think that the applicant needs three more spots? If they have six spots, it is recommended they get ten more spots. Is there a way to find a gray area? Or is this just no or yes as presented.

Ms. Roberts said the board could make a motion to add a condition. It's then up to the Village Board to accept or reject it. Or it can be left until discussion for each board member to comment if they would strongly recommend more parking or whatever is may be.

- 5.4 Mr. Kolleng said that there is no parking variation as part of this.

Ms. Roberts said that is correct because it is part of an existing building in the Village Center.

- 5.5 Chairman Duffy noted that there are no specific parking requirements, but it is recommended that more parking be attained by the applicant.

Ms. Roberts said that the Site Plan Review comments will be forwarded to the Village Board. It is not uncommon for the Village Board, when granting approval, to make the approval conditioned upon those recommendations/conditions.

- 5.6 Mr. Boyer asked what condition would be made on this motion.

- 5.7 Chairman Duffy said he brought this up because each board member's position is understood, but there could be some gray area among the four board members who have not commented. He wants to make sure that each board member has the chance to say where they are comfortable having this work so that the Village Board can hear comments. And if there is a consensus, a recommendation could be made to the Village Board that if six more spots are found, the board will support this.

- 5.8 Chairman Duffy referenced Mr. Boyer's above question regarding a possible condition on the motion. He said there are 6 on-site spaces for the proposed use. He is a little more concerned about how the parking lot is used by the other tenant. He thinks that the parking situation could be worked out with good communication

between tenants and their clients. He does not think that parents will hang around that they need 10 more parking spaces. Green Bay Road has on-street parking for staff. There is sufficient parking on the other side of the train tracks. He wants to wait and see how the use and site impact parking and traffic. This is a great business for the village. There is demand for this. Kids would like it and works with what is trying to be achieved in the Village Center.

- 5.9 Mr. Surman said that from a discussion point, he looks at the space and thinks that Wilmette spaces need to be filled. He looks at other spaces in the area. He considers retail spaces as convenience locations or destinations. Illinois Bone & Joint and Jewel are destinations. CrossFit Wilmette is a destination. The space should be filled with a business that is a destination. It can't be more of a convenience type of space. There is not a lot of foot traffic. What else could go in that building? What is the village requirement for office parking?
- 5.10 Mr. Kolleng said there have been banks in that location.
- 5.11 Mr. Surman said the space is 3,800 square feet and by code you figure 100 square feet per person. They could put a little less than 38 people in the building. What happens to parking? Some uses would require people there all day. Where will those people park? If the board does not think that this is the right tenant for this location, then who is the right tenant?
- 5.12 Chairman Duffy said that Mr. Surman is running on a slippery slope with that question because of the way users of retail space are disappearing. Maybe 20 years ago this was a true retail space. You don't see as many brick and mortar retail stores. Most of spaces are occupied by service businesses. Whoever will go in there will generate traffic. If the board is going to dictate what type of user can use the space, then the owner is limited to who he can rent to and it is a small pool. Is this the optimum space? Are there other spaces of that size available near the Village Center with parking? He does not think that there are. Is Green Bay Road the impediment for this type of business to be in the village? What business could thrive in that space on Green Bay Road.
- 5.13 Mr. Surman said if it was more of a convenience tenant, where will they park.
- 5.14 Mr. Kolleng said that there is street parking.
- 5.15 Mr. Surman said that what goes in might have a higher demand.
- 5.16 Mr. Kolleng talked about the traffic pattern that is being set up.
- 5.17 Mr. Surman said he understands Mr. Kolleng's point, but people have to plan for extra time to get to the site on time.

- 5.18 Chairman Duffy said he falls back to the school scenario where parents are being trained as to how to drop off and pick up. The plan presented tonight is similar to the school plans that the board sees regarding drop off and pick up. The key here is communicating with CrossFit Wilmette. There could be a safety issue, but if there is communication it could work.
- 5.19 Mr. Surman talked about a site where there was going to be a preschool near 4th and Linden. There would be no parking. They were going to use a loading area.
- 5.20 Chairman Duffy said drop off would occur in the alley.
- 5.21 Mr. Surman asked if the board denied that request.
- 5.22 Chairman Duffy said that the board approved that request.
- 5.23 Mr. Boyer said that the area for this case and the areas for school is totally different. Linden and Green Bay Road are not the same in terms of traffic volume.
- 5.24 Mr. Surman said CrossFit Wilmette could have clients park a mile away and run there and then the applicant could have all the other spots.
- 5.25 Mr. Boyer said he opposed Illinois Bone & Joint because it was a reuse of an existing building and a new use. This is an existing condition with a new tenant.
- 5.26 Mr. Kolleng said that Illinois Bone & Joint put in significant parking.
- 5.27 Mr. Surman asked what time Illinois Bone & Joint finished their day.
- 5.28 Chairman Duffy said they are open later into the evening.
- 5.29 Mr. Boyer said this is a tough area. There is residential against commercial and there is no buffer here. Usually there is a buffer. Either the board restricts the owner on tenants, which puts an undue hardship on the property owner. Or the board allow the variance for a new tenant, which seems to be working hard on issues before they arise.
- 5.30 Chairman Duffy asked board members if they voted in favor of this should there be additional parking spaces supplied by the tenant.
- 5.31 Mr. Schneider said he did not think it would make a material difference. It will not impact traffic pattern or demand at peak times. It would not materially impact the situation.
- 5.32 Chairman Duffy agreed with the above comment. He does not think they will run out of spaces. There is parking on the west side of the street to the north on Green

Bay Road for an overflow. He leans towards the idea that people can be trained for drop off and pick up. He thinks that the board should give this business a chance.

- 5.33 Mr. Surman said he is not sure if the other traffic approach would not work.
- 5.34 Mr. Schneider asked how that would improve the situation.
- 5.35 Mr. Surman said that people could only turn right when exiting. The back up would not impact Green Bay Road.
- 5.36 Chairman Duffy said that one would run into what Mr. Kolleng brought up. Someone will want to turn left when they are going northbound on Green Bay Road. Even with signs, someone might turn left out of the site instead of right turn only. Business to business communication is key as is business to customer communication.
- 5.37 Mr. Surman pointed out that if the applicant is not in the village, they will go to Winnetka. Then who will go in the space the tenant wants.
- 5.38 Mr. Kolleng said there could be other sites to fit the business use.
- 5.39 Chairman Duffy said that the other good space was taken by the Escape room.
- 5.40 Mr. Surman noted that one cannot find 4,000 square feet with parking in the Village Center.
- 5.41 Ms. Norrick said she is concerned that there is a lot of in and out with both businesses. Both businesses are 8-5 type businesses. She said that she has concerns.

6.0 DECISION

- 6.1 Mr. Schneider moved to recommend granting a request for a special use for an arts studio (Codeverse) at 517 Green Bay Road in accordance with plans submitted. The use shall run with the use.

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

Chairman Patrick Duffy	Yes
Mike Boyer	Yes
John Kolleng	No
Christine Norrick	No
Michael Robke	Not Present
Reinhard Schneider	Yes
Bob Surman	Yes

Motion carried.

6.2 Mr. Boyer moved to authorize the chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2018-Z-23.

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

Motion carried.

7.0 FINDINGS OF FACT UPON WHICH DECISION WAS BASED

A majority of the Zoning Board of Appeals finds that the request meets the variation standards of Section 5.4.F of the Zoning Ordinance. The proposed use in the specific location is consistent with the goals and policies of the Comprehensive Plan to attract business to commercial districts and especially the Village Center. Other such uses have already been approved in the Village Center. Therefore, the establishment and operation of the proposed use will not be detrimental to or endanger the public health, safety and welfare. The proposed use will not be injurious to the use or enjoyment of other property in the neighborhood. The establishment of the use will not impede the normal and orderly development of surrounding properties, which are already developed. The proposed use will not substantially diminish property values in the neighborhood. The use will occupy an existing building and site where adequate utilities, road access, drainage, and other facilities already exist. The applicant is aware of the parking and loading concerns and is prepared to take steps to mitigate these concerns, therefore the applicant is taking adequate measures to provide ingress and egress in a manner that minimizes traffic congestion. The development of the proposed use will not adversely affect a known archaeological, historical or cultural resource on or off the site. No buffers or landscaping needs to be provided. No additional standards of Article 12 of the Zoning Ordinance apply.

A minority of the Zoning Board of Appeals finds that the request does not meet the variation standards of Section 5.4.F of the Zoning Ordinance. Specifically, the proposed use in the specific location, particularly in combination with the existing CrossFit tenant, may be detrimental to or endanger the public health, safety and welfare. The proposed use in the specific location may be injurious to the use or enjoyment of other property in the neighborhood such as the residential neighbors. There is reason to believe that it will not be possible to provide adequate ingress and egress to the proposed use in a manner that minimizes traffic congestion on public streets. The applicant has attempted to address these concerns and the recommendations provided in the traffic study and by the Site Plan Review Committee but it is unknown yet what can actually be put in place and it is unclear whether this will be sufficient to address the stated loading/unloading and parking concerns.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for a special use for an arts studio (Codeverse) at 517 Green Bay Road in accordance with plans submitted. The use shall run with the use