



1200 Wilmette Avenue
Wilmette, Illinois 60091-0040

MEETING MINUTES

ZONING BOARD OF APPEALS

WEDNESDAY, DECEMBER 16, 2015

7:30 P.M.

COUNCIL CHAMBERS

Members Present: Acting Chairman Bob Surman
Mike Boyer
John Kolleng
Reinhard Schneider

Members Absent: Chairman Patrick Duffy
Bill Merci
Lynn Norman

Staff Present: Lisa Roberts, Assistant Director of Community Development

I. Call to Order

Chairman Schneider called the meeting to order at 7:31 p.m.

II. 2015-Z-58 411 Linden Avenue

See the complete case minutes attached to this document.

III. 2015-Z-57 414 Linden Avenue

See the complete case minutes attached to this document.

IV. Approval of the November 4, 2015 Meeting Minutes

Mr. Schneider moved to approve the November 4, 2015 meeting minutes.

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

V. Public Comment

There was no public comment.

VI. Adjournment

The meeting was adjourned at 8:32 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 Kenneth Milin, DDS
1510 Wincanton Drive, Deerfield

3.2 Summary of presentations

3.21 Ms. Roberts said that this is a request for a special use for a medical/dental clinic, large to allow a dentist office. The Village Board will hear this case on January 26, 2016.

3.22 He has been in practice for over 30 years at 732 Elm Street, Winnetka. His current location is planned for demolition. The building at 411 Linden Avenue is about 5,500 square feet. He hopes to use half of that space for his dental practice and to improve the other half to attract a retail tenant.

Currently his practice has 8 employees including two dentists, two dental hygienists and four staff. They see four patients at a time with an average visit being one hour. They schedule patients Monday through Thursday from 8:00 a.m. to 5:00 p.m. The rear of the building has parking for 10 cars, which would satisfy employee parking. He would anticipate that his patients would require a maximum of eight spaces. It is rare for their practice to have four appointments ending at the same time. Most of his current patient base is from outside the Village. Patients will now be introduced to the Linden Square neighborhood retail enhancing business revenues in the area. He looks forward to moving to the Village and becoming a part of the business community.

3.23 Mr. Boyer clarified that there was parking in the rear for employees. How many patients will they see per day?

The applicant said it depends on the day, but approximately 22 patients per day. They do not see patients on Friday and there is one staff member on site on Friday. They do not see patients on Saturday or Sunday.

3.24 Mr. Boyer asked how this location compared to the current location in terms of parking. Did they have parking problems at the current location?

The applicant said it is comparable or perhaps there is more parking in the Wilmette location because there is the CTA lot. They had no parking problems at the current location.

3.25 Mr. Boyer asked if the practice would increase with the move.

The applicant said he might lose some patients and gain some patients with the move.

3.26 Mr. Schneider asked about the current use of the space.

The applicant said it was a hardware store. It was Linden Street Hardware and they are going out of business. He is buying the building from them.

3.27 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 request meets the special use standards. He can support the request.

5.2 Mr. Kolleng agreed. It’s good that some of the space can be reconfigured for retail since retail will be lost. He can support the request. Standards of review are met.

5.3 Mr. Schneider has no objection to the request and it is an appropriate addition for the Village. Hopefully the other portion of the space will be a retail use. He can support this request.

5.4 Acting Chairman Surman agreed with the above comments.

6.0 DECISION

6.1 Mr. Boyer moved to recommend granting a request for a special use for a medical/dental clinic, large to allow a dentist office at 411 Linden Avenue in accordance with the plans submitted. The use shall run with the use.

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

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

Motion carried.

6.2 Mr. Schneider authorized the Chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2015-Z-58.

- 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 special use standards of Section 5.3.E of the Zoning Ordinance. The proposed use in the specific location will be consistent with the goals and policies of the Comprehensive Plan to encourage a vibrant commercial district in the Fourth and Linden commercial district. The proposed dentist office will attract new customers to the commercial district. The proposed use will not be detrimental to or endanger the public health, safety or general welfare nor will it be injurious to the use or enjoyment of other property. The proposed use will not impede the normal and orderly development and improvement of surrounding properties nor will it diminish property values. The proposed use will complement existing businesses. Adequate utilities, road access, and other facilities already exist. Adequate measures already exist to provide ingress and egress with the lot to the rear of the building. The proposed use will be consistent with the community character. No known archaeological, historical or cultural resources will be impacted. No buffers, landscaping or other improvements are necessary. No other standards of Article 10 apply.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for a special use for a medical/dental clinic, large to allow a dentist office at 411 Linden Avenue in accordance with the plans submitted. The use shall run with the use.

3.0 TESTIMONY, COMMENTS AND ARGUMENTS ON BEHALF OF THE APPLICANT

3.1 Persons appearing for the applicant

- 3.11 Ms. Allison McMahon, part-owner and applicant
321 Park Lane, Lake Bluff
North Shore Preschool
- 3.12 Ms. Sharon Kozak, part-owner and applicant
- 3.13 Mr. Ray Pesavento, owner of previous business located at 414 Linden
1231 Greenwood Avenue, Wilmette
- 3.14 Mr. Dan Weese, architect
Weese Langley Weese Architects

3.2 Summary of presentations

- 3.21 Ms. Roberts said that this is a request for a special use for a preschool (child day care center). The Village Board will hear this case on January 26, 2016.
- 3.22 The applicant said that the other co-owner, Sharon Kozak, is also at the meeting as well as their architect Dan Weese. They are requesting a special use permit.

This will be a sister school to Lincoln Park Preschool and Kindergarten. They are very confident that this business would be an asset to the Linden Square neighborhood and the Village. They are excited to come to the Village to serve children and families in the Village. There were questions/comments/concerns about parking. They have addressed those concerns and passed out a document to the Board.

Ms. Kozak said that what was distributed is their parking policy and each parent receives this document.

Ms. McMahon said that between 7:30 a.m. and 9:30 a.m. is drop off. There is not one specific time when all 56 families have to drop off. They have a 12:30 p.m. to 1:00 p.m. transitional period and families can pick up children. There is another period from 3:30 p.m. to 4:30 p.m. that is also a transitional period for pick up.

Ms. Kozak said that their city school has the same square footage and the same number of children in a high density area in Lincoln Park. They have three designated drop off spots with 5 minute loading. They have not had any problem. If parents need to be in the school for longer than 15 minutes they have to find a parking spot. The highest density drop off is between 8:45 a.m. and 9:30 a.m. They perceive this to occur in the Wilmette location also. Many of their parents have

moved from the city to the North Shore. They will be dealing with the same clientele of parent – some who work, some who don't work.

Ms. McMahon said they have provided families with endless parking possibilities – parking in front on Linden Avenue or parking in the back. They have strict parking rules that parents sign off on and have to agree to do this. She will be the onsite director and will monitor drop off.

- 3.23 Acting Chairman Surman asked the applicants to review the parking policy.

Ms. Kozak said that there is a sticker on their car, the area is a 5 minute loading zone. They come in and drop off their child and go back to their car and leave. If they are going to a coffee shop, they have to find alternate parking. Drop off is done at 9:30 a.m. so the neighborhood residents can use that space.

- 3.24 Acting Chairman Surman asked how many spaces in the back were dedicated for the business use.

Mr. Pesavento said that the parking layout in the back does not allocated parking spaces to a specific tenant. It is used by Alchemy Coffee Shop, where most people are in and out quickly. Most people who frequent that business do not park back there and will use street parking. Growth Spurts is another business, but they do not park in the rear. They park on Linden or 4th. There is Daniels Auto Body Shop. Eight spaces closest to that business on the north end of the lot would belong to that business. It leaves about 15 to 20 spaces for parking, which is used for the four second floor tenants. None have clients coming up to the second floor. Two out of the four have used that area to park.

- 3.25 Mr. Kolleng said that CTA parking is crowded but he is not sure if that is still the case.

Mr. Pesavento said that is pay parking and there are generally spaces available for non-commuter parking. In the back parking lot there are about 30 spaces back there.

Ms. Kozak said that the rear parking area has been empty when she has been on site. Parents could use that space. Some Northwestern fans park there when games are being played on a Saturday.

Ms. McMahon said they are gone at 5:30 p.m. and are not there on the weekend. They are a great use for retail and restaurants.

- 3.26 Mr. Schneider asked about the location of the outdoor play space.

Ms. Kozak said they take children out for walks, there is a park nearby. There is a lot of green space in the area. There is no outdoor play space on site.

Ms. McMahon said that staff will not park on site. They will be required to park elsewhere. They will have 12 staff at this site.

- 3.27 Mr. Kolleng said that under Wilmette use standards, it says that adequate open space and recreation areas must be provided, outdoor play space must be fenced in.

Ms. Kozak said that is not a requirement under the standards they are licensed for.

Ms. Roberts said that if it not required by the state, then it won't be required by the Village.

Ms. Kozak said it is taken very seriously when children go outside. The ratio is 1:7. They have strict policies when children are outside. Fenced in areas is not a need for them.

- 3.28 Mr. Schneider asked the ages of the children.

Ms. Kozak said the children are 2 to 5 years old.

- 3.29 Mr. Boyer asked if the Lincoln Park location was located on a two-way or one-way street.

Ms. Kozak said that the streets are two-way. They have three schools and the largest has five classrooms and that school is on a cul de sac. The street where parents drop off is one-way. The other two locations are two-way streets. All parking is parallel in the city.

- 3.30 Acting Chairman Surman asked about the six spaces on the north side of Linden and clarified that these are public spaces.

- 3.31 Mr. Boyer clarified that employees parking off-site would be part of the parking policy.

Ms. Kozak said that would be part of the parking policy.

- 3.32 Mr. Weese said he has worked on the most recent project in Lincoln Park. Regarding the parking at the Wilmette site, he showed the six public parking spaces on the site plan. They are parallel parking spaces along the north side of Linden directly in front of the site and extending east towards the corner. There are 28 spaces along the west side of the property line. As part of the parking policy, they would be instructed to go in on Linden and out through the alley at the back side. Traffic is going in one direction.

- 3.33 Acting Chairman Surman clarified that those are public spaces and asked Ms. Roberts how that would work.

Ms. Roberts said if someone is parked there, the parents will work around them. The applicants could make a request of the Transportation Commission to have a change in parking requirements.

- 3.34 Acting Chairman Surman asked what would happen if he tried to park there to get a cup of coffee.

Ms. Kozak said she has to pay for three loading zones. They are 15 minute flasher loading zones, but anyone can park in those zones. Then parents have to wait or find another parking space. If a person is parked there for two hours, the parents would go in the back to find parking. It is a bonus to have a back parking lot for parents to park. They do not feel that it is necessary to ask for dedicated loading zone spaces in Wilmette, but they have to do this in the city.

Ms. McMahon said if there parents were to park in one of those six spaces they can pull in, put on flashers, make sure the school sticker is visible, escort their child into school and leave.

Ms. Kozak said they can monitor their parents, but if more and more people are coming to that area of the Village, the Village might want to consider 15 minute loading zone. It keeps people moving. They do not have to have this at this time.

- 3.35 Mr. Schneider asked if the Transportation Commission would handle this.

Ms. Roberts said she thought it would be that commission.

Ms. Kozak said that they are required to have three loading zones in the city, but not in the Village.

- 3.36 Acting Chairman Surman said that under use standards, it also lists that they have to have adequate on site drop off zones. The Board's role is to interpret the codes.

- 3.37 Mr. Schneider asked about dedicated loading zones in the Village.

Ms. Roberts said that Panera just got two 15-minute spots in the public lot. It is the Village parking lot. It might have been done administratively, but she is not 100% sure.

Ms. Kozak asked for Board suggestions about loading zones.

- 3.38 Acting Chairman Surman said he looks at Ronald Knox Montessori, which has a drop off line and they loop around the building.

Ms. Kozak said they are next to Francis Parker in the city, as well as Latin School and they also have a drop off line. Their school has an extremely different drop off procedure. They have a two-hour drop-off period and a 1.5 hour pick-up period.

- 3.39 Mr. Boyer asked about drop off in the city.

Ms. Kozak said there are 57 students at one location during the day. There is a two-hour drop off period and a 1.5 hour pick-up period. She said that the high volume time is not more than three cars.

- 3.40 Mr. Boyer said there would be 57 cars in a two-hour period with the highest time period being between 8:45 a.m. and 9:30 a.m. Maybe 30 cars might come during the latter time period.

Ms. Kozak said that there would not be as many as 30 cars. There might be some people who walk to the school instead of driving.

Mr. Weese said that at Lincoln Park Preschool on Webster, 25% of the families walk.

Ms. Kozak said that when she spoke with the directors today and they are the ones who monitor drop off, they said that there are never more than three cars at a time. And if there are more than three cars, parents go around the block. But they have never had a parent complain about drop off. At the Wilmette site, the on-site director can see every parent getting out of their car. She does not foresee drop off as a problem. In the city, when they were looking to get zoning for parking, if drop off becomes a problem, the directors get children from the car and bring them in so parents only had to stop for a short time period. It has never gotten to that place in the city, which is high density.

- 3.41 Mr. Boyer said about 20 cars in that 45 minute period. He clarified that pick-ups were staggered throughout the day.

Ms. Kozak said that other programs in the Village are only two to three hours programs. Their initial pick up is 1:00 p.m. and a lot of parents select that pick up time. Pick up starts again at 3:00 p.m. Afternoons are less congested. Pick up ends at 4:30 p.m.

- 3.42 Acting Chairman Surman referenced a document – please do not double park on Linden Avenue. Do they have this problem in the city with double parking?

Ms. Kozak said there is not a problem with double parking in the city.

- 3.43 Acting Chairman Surman said he would like to see a queue line and that is what they are trying to do along the public sidewalk although this might be a problem. Did they consider putting an entrance in the rear? There could be stacking in that area.

Mr. Weese said that there is preliminary plan, sheet 2. The main entrance is on Linden and there is a secondary door in the back. That would be available for

people coming in off of the parking lot. It is was important to the applicants that the street be the place that felt like the front of the building and was welcoming. The public parking in the front ties in with having the building in the front.

- 3.44 Acting Chairman Surman asked if parking become a problem, would they modify the entry if needed.

Mr. Weese said it would not be a problem architecturally. It is an accessible building. Operationally, it is a question for the applicants

Mr. Kozak said that they are very community-oriented. They would have to figure it out if there was a problem with drop off. All of their schools are centered towards the office and classrooms up front. The back would not have the warm feel they are seeking.

- 3.45 Mr. Kolleng said there will be more traffic going around and exiting via the alley. Will that create disruption for other tenants?

Mr. Pesavento said that the present mix of tenants includes a barber shop where people come in for half hour and leave. There is transitional parking in that no one is there for extended times. There is Growth Spurts where moms or dads come with their children and stay for about 45 minutes. No one is parked there for longer than an hour. Parking on Linden is restricted to one or two hours. The neighborhood could accommodate the additional traffic. No one really uses the back area except for a few trucks at Daniels Autobody. When he owned his business, he had 10 trucks per day that delivered to his business. In response to Mr. Kolleng's question, he said that he operated his business. He had they averaged 20 customers per hour. The average length of stay was less than 45 minutes. No one complained about parking problems.

- 3.46 Mr. Boyer said that Linden True Value was in operation when Mr. Pesavento owned his business.

Mr. Pesavento said that his business and Linden Hardware contributed to 80% to 90% of vehicle traffic going through the neighborhood. The average time in the hardware store was 15 to 30 minutes. He had both foot and vehicle traffic and there was never a problem with parking on Linden.

Ms. Kozak said that they receive a Sysco delivery every two weeks. Otherwise they have catered lunches from a small van. That is daily. Most of their deliveries are via UPS and they are not a heavy delivery business once the furniture has been delivered.

- 3.47 Mr. Kolleng asked about other day care east of Green Bay Road.

Ms. McMahon said Wilmette Community is on 11th, there is one at Central and Lake, and two other ones perhaps in a church. There is Rose Hall Montessori School. None of them are a day school. The others operate on a 2, 3 or 4 day program, maximum of 3.5 hours. The other schools tell parents which days the children can attend; the applicants offer flexibility to their families.

Ms. Kozak said that there are healthy competitors in the city. Every parent has a different need and they will meet their needs. There are all-day school programs, but the environments are large. The applicants' classes are boutique-y and small. Parents who were in the city and moved to the suburbs could not find what they had in the city. They feel confident that they would provide something different for Wilmette families and not competing with current businesses.

Ms. McMahon asked if it was in their best interest to get a loading one if it is best for the neighborhood. Is that their job to do? They want to be a good neighbor and do the right thing.

Ms. Roberts said that they could have the Site Plan Review Committee look at what has been submitted. They could submit the plan as proposed.

5.0 VIEWS EXPRESSED BY MEMBERS OF THE ZONING BOARD OF APPEALS

- 5.1 Mr. Schneider said that he is sorry that a grocery store and hardware store are being lost in that neighborhood. The demands for traffic and parking from those two uses overwhelms the use of the proposed preschool. He has three grandchildren that go to Chiaravalle in Evanston. The school is preschool through 8th grade. The area around that school is residential. Pick-up is not an issue at that school. He does not think that drop-off and pick-up will be an issue with the proposed school. The additional people will provide some impetus for other retail uses in that area. He can support the request.
- 5.2 Mr. Boyer said that all standards of review and the one that was the sticking point was the traffic. After discussion, he is comfortable that this will not be an issue. There are staggered arrival and pick up times in place. The grocery and hardware operated at the same time and had no problem with parking. There will be fewer truck deliveries. It seems like there could be problems when one looks at this on the surface, but those problems are not as great as what was there or what could be there. Traffic will not be that great of an issue. He can support this.
- 5.3 Acting Chairman Surman asked about the applicant applying for a loading zone. Should that be a suggestion?
- 5.4 Mr. Schneider said that should not be a condition of approval, but they should be encouraged to proceed if necessary.

- 5.5 Mr. Boyer agreed with above comment. It is outside of the Board's purview to decide.
- 5.6 Mr. Kolleng said if there was a loading zone it could be from 7:30 a.m. to 9:30 a.m. and 3:00 p.m. to 4:30 p.m. He agrees with above comments and he had initial concerns about parking and traffic which have been eliminated. It may be more congested at certain periods, but there will be less traffic. He can support this and standards of review are met.
- 5.7 Acting Chairman Surman said his initial take was one of concern, but the discussed has allayed his concern. He can support this request.

6.0 DECISION

- 6.1 Mr. Schneider moved to recommend granting a request for a special use for a preschool (child day care center) at 414 Linden Avenue in accordance with the plans submitted. The use shall run with the use.

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

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

Motion carried.

- 6.2 Mr. Kolleng moved authorize the Chairman to prepare the report and recommendation for the Zoning Board of Appeals for case number 2015-Z-57.

- 6.21 Mr. Schneider seconded the motion. 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 special use standards of Section 5.3.E of the Zoning Ordinance. The proposed use in the specific location will be consistent with the goals and policies of the Comprehensive Plan to encourage a vibrant commercial district in the Fourth and Linden commercial district. The proposed preschool will attract new customers to the commercial district. The proposed use will not be detrimental to or endanger the public health, safety or general welfare nor will it be

injurious to the use or enjoyment of other property. The proposed use will not impede the normal and orderly development and improvement of surrounding properties nor will it diminish property values. The proposed preschool has a morning drop-off window of two hours, so that cars will be distributed during this time rather than coming at once. The applicants will require all clients to follow a written parking policy. Cars will circulate through the parking lot, reducing the stacking that might otherwise take place on the street. With the recent loss of a grocery store and a hardware store, traffic in the area is reduced, with less chance of conflict with the proposed use. The parking lot is available for those who need to stay longer than a few minutes. Employees will park in the parking lot or at the public CTA lot. Adequate utilities already exist. The proposed use will be consistent with the community character. No known archaeological, historical or cultural resources will be impacted. No buffers, landscaping or other improvements are necessary. No other standards of Article 10 apply.

8.0 RECOMMENDATION

The Zoning Board of Appeals recommends granting a request for a special use for a preschool (child day care center) at 414 Linden Avenue in accordance with the plans submitted. The use shall run with the use.