

**WINNETKA PLAN COMMISSION SPECIAL MEETING MINUTES
JULY 13, 2023**

Members Present:

Layla Danley, Chairperson
Matthew Bradley
Mamie Case
Chris Foley
John Golan
Liz Kunkle

Members Absent:

Jonathan Alt

Non-Voting Members Present:

Tina Dalman

Village Staff:

David Schoon, Director of Community Development
Ann Klaassen, Assistant Director of Community
Development

Call to Order & Roll Call:

The meeting was called to order by Chairperson Danley at 7:00 p.m. Ms. Klaassen took roll call of the Commission Members present.

Approval of April 26, 2023, Meeting Minutes:

Chairperson Danley asked for a motion to approve the April 26, 2023, meeting minutes. A motion to approve the April 26, 2023, meeting minutes was made by Ms. Case and seconded by Mr. Foley. A vote was taken and the motion unanimously passed, 6 to 0:

AYES: Bradley, Case, Danley, Foley, Golan, Kunkle

NAYS: None

NON-VOTING: Dalman

Public Comment:

No comments were made at this time.

Community Development Report:

Mr. Schoon stated that One Winnetka would be presented to the Planned Development Commission next week and noted the DRB recommended approval of the project's design. He also provided the Commission with an update in connection with the ordinances the Village Council is considering regarding the lakefront and provided the Commission with summaries of each ordinance. Mr. Schoon noted for the bluff ordinance, any permit issued by July 6, 2023 could proceed. Trustee Dalman noted the ordinance as presented may be reconsidered or adopted as is, and she referred to the number of homeowners expressing serious concerns relating to a moratorium. Mr. Schoon also stated the Village is looking to hire a third-party coastal engineer as a consultant to assist with the study of regulations. He advised the Commission that there are three permits pending for work along the bluff.

New Applications:

a. **Case No. 23-07-SU: 564 Lincoln Avenue - Compass Real Estate Office:** An application seeking approval of a Special Use Permit submitted by Compass Illinois, Inc., as the prospective lessee of the property located at 564 Lincoln Avenue to allow a real estate office in the C-2 General Retail Commercial

1 **Overlay District. The property is currently owned by 562-72 Lincoln Avenue, LLC. The Village Council has**
2 **final jurisdiction on this request.**

3 Ms. Klaassen stated the request is for a special use to occupy one of the commercial spaces in the
4 Winnetka Galleria building in the commercial overlay district. She stated the applicant would be relocating
5 into this space and identified the applicant's previously occupied and currently occupied spaces as well as
6 the former tenant of the Subject Property. Ms. Klaassen then referred to illustrations of neighboring
7 spaces, the proposed floor plans and the number of staff and agent occupants of the proposed space. She
8 stated in terms of parking, there would be eight parking spaces on the lower level of the Subject Property
9 with the applicant indicating that their parking demand would be met with their overflow parking using
10 the public parking lot on Lincoln. Ms. Klaassen added the applicant indicated there would be a pop-up
11 retailer in the area identified in yellow in the illustration and identified the office's area in the overlay
12 district.

13
14 Ms. Klaassen stated the Commission is to consider the special use standards and noted no public comment
15 has been received by staff. She stated following the applicant's presentation and Commission discussion,
16 a Commission Member may wish to make a motion to recommend approval or denial as indicated on page
17 nos. 12 and 13 of the agenda packet. Ms. Klaassen then asked if there were any questions.

18
19 Mr. Golan asked if Coldwell Banker (the former tenant of the space) ever had pop-ups in this location and
20 questioned how the Village collected tax revenue. Ms. Klaassen responded that Coldwell Banker did have
21 pop-ups in the space. She explained that initially there was an issue with the pop-up space actually being
22 utilized so Village staff met with Coldwell Banker. Ms. Klaassen explained that after that meeting Coldwell
23 Banker did lease the space to pop-up retailers. She stated that tax revenue would be generated similar
24 to that of any other retailer. Chairperson Danley asked if there were any other questions. No additional
25 questions were raised at this time.

26
27 Chairperson Danley then swore in those speaking to this matter. Cal Bernstein, attorney for the applicant,
28 thanked the Commission for holding the special meeting and stated there was previously a Coldwell
29 Banker tenant in this location with their intent being to utilize half of that space. He referred to previous
30 experiences with pop-up retailers. He also referred to Pillar 2 of the Comprehensive Plan which would be
31 met with the proposal with the special use being desired and needed by the community. Mr. Bernstein
32 stated allowing Compass to move to this location would also help existing successful businesses.

33
34 Jonathan Satz, Compass's Director of Corporate Real Estate, identified their history and how their offices
35 came to be combined in their current location with plans to look for a new long-term home. He stated the
36 new combined space would measure 4,500 square feet which would house 50 agents who work primarily
37 out of the office. Mr. Satz estimated there would be 5-10 people in the office at one time and stated their
38 desire is to have a strong footprint in the marketplace in a brick and mortar location. He also described
39 the office's parking for employees and agents which would satisfy most of their parking needs. Mr. Satz
40 stated they planned to direct clients to street parking or the lot behind the building and described the
41 nature of virtual closings with limited visitor parking demand. He also described their planned
42 continuation for the pop-up retail space.

43
44 Mr. Bernstein addressed the standards noting the use would be less intensive and their plan to lease eight
45 parking spaces on-site which would satisfy the parking requirements and meet their needs. He stated the
46 use would also promote continuity and their continued use of pop-up retailers which would help existing
47 retailers. Mr. Bernstein stated granting the special use would allow existing business to do better and
48 provide economic benefit to the entire community. He then asked the Commission to recommend

1 approval of the special use and asked if there were any questions.
2
3 Chairperson Danley asked if the landlord's representative is present and how long the property has been
4 on the market. Mr. Bernstein responded the landlord is not present. Steve Hudson, 670 Ardsley,
5 responded Coldwell Banker left the office a year ago and the property has been vacant since then.
6 Chairperson Danley asked if there were any other questions. Mr. Golan stated the request met the
7 standards and referred to standard no. 7. He added the Village would like to see more foot traffic. Mr.
8 Bernstein referred to the number of agents accessing the space on a regular basis which would provide
9 the balance of foot traffic and benefit the overlay district while not putting too much burden on it. Mr.
10 Bradley questioned the mix of agents between the old Lincoln Avenue site and Spruce Street site. Mr. Satz
11 responded it would depend on the point in time noting there are not a lot of agents in the office for weekly
12 meetings which are hybrid. He added they did not previously use a lot of the retail parking spaces with
13 public parking being used for overflow.
14
15 Trustee Dalman stated the landlord would have been able to answer questions relating to the amount of
16 time the property was vacant, retail solicitation efforts and address problems relating to the prior real
17 estate tenant. Mr. Satz responded they would sell Compass merchandise along with items sold at other
18 stores and the website. Chairperson Danley suggested the space be broken up with agents in the rear of
19 the building and to have retail in the front. Mr. Satz referred to the building's history in terms of retail
20 users. Ms. Case stated current uses which are not retailers were approved as special uses during a
21 different economic time and identified the standards which were not satisfied. Chairperson Danley also
22 stated she had questions for the landlord. Ms. Case referred to the regret of approving the Coldwell
23 Banker special use in 2018. Mr. Satz stated they understand the Commission's concerns and that the
24 landlord would be present at the Village Council meeting to address the concerns raised.
25
26 Chairperson Danley then called the matter in for discussion. Ms. Case referred to the Valentina retail space
27 and the retail corridor on Lincoln with the proposed use breaking up the retail corridor. She suggested the
28 landlord find a more appropriate tenant and referred to the standards which were not met compared to
29 those which are. Ms. Case added 50 agents in the office on Mondays for meetings would park on the
30 street.
31
32 Mr. Bradley referred to special uses which are allowed by right and stated he agreed with efforts that the
33 landlord should attempt to obtain a retail tenant and referred to the amount of time the property was
34 marketed to such a tenant. He stated if the standards are met for a special use applicant, they should
35 consider that use. Mr. Bradley also stated he is less concerned with parking issues and they would not
36 have a lot of agents in the office. He stated this request is not similar to others such as Engel & Völkers
37 and referred to the amount of foot traffic generated by the use with him tending to be in support of the
38 request due to its location at the end of the overlay district.
39
40 Chairperson Danley stated if they are to reach a consensus, the Commission has to agree as to whether
41 the standards have been met. Mr. Bradley added the pop-up retailer would also help generate retail use.
42 Trustee Dalman reminded the Commission that they previously discussed in connection with the Coldwell
43 Banker approval, when the pop-up went dark, the Commission had no authority in that regard and
44 whether they should impose conditions that should be met. Mr. Schoon confirmed each application is to
45 be evaluated on its own merits whether it is for the same type of use or not. Ms. Case stated she is not
46 in favor of the request and the approval would be for a use that would be there forever. She added a real
47 estate office should not be in such a prominent location. Mr. Bradley referred to the Commission's
48 previous discussions relating to similar uses in similar locations.

1 Chairperson Danley stated she also is not in favor of the request and that standard nos. 7 and 8 have not
2 been met and the use would not bring vibrancy to the area in terms of it being a real estate use compared
3 to retail. Mr. Golan stated the request is different from the Valentina space, and the request is for a
4 location at the end of the retail corridor. He also questioned whether the residential real estate market is
5 so vibrant as to need 5,000 square feet of space for advertising. Mr. Bradley suggested there is a way for
6 the applicant to occupy the space in terms of reaching a compromise with the landlord and stated he
7 would be in favor of the request.

8
9 Mr. Foley stated he agreed with both sides of the argument and referred to the property's history. He
10 then stated he is more cognizant of the vacant storefront and the request is consistent with the previous
11 use and would not be inconsistent with uses in the immediate vicinity. Mr. Foley also stated the
12 application is consistent with several of the standards and he is on fence in terms of recommending
13 approval.

14
15 Ms. Kunkle stated her initial reaction was that the request was consistent and after hearing the discussion,
16 she agreed the Commission should hear from the landlord before a decision is made and the comments
17 with regard to its location at the edge of the overlay district. She also agreed with the suggestion of having
18 the real estate space in the back of the building. The Commission Members discussed alternatives and
19 whether options were explored that did not require a special use. They also discussed whether conditions
20 should be placed on the recommendation.

21
22 Mr. Golan asked Mr. Bernstein to explain how the use would be a great addition for the community. Mr.
23 Bernstein responded the applicant is a thriving business and noted their current lease is expiring. He
24 referred to similar uses directly to the north and agreed with the suggestion to have the landlord present
25 to address the Commission's concerns. He reiterated the space was formerly a real estate office and stated
26 they addressed parking as their main concern in their presentation. Mr. Bernstein also stated 4,500 square
27 feet is a large space for a retailer which would be problematic for a retail use as opposed to the space
28 remaining vacant compared to the applicant's use.

29
30 Chairperson Danley informed the applicant the Commission is in favor of keeping the business here and
31 asked Mr. Bernstein if they looked at other spaces. Mr. Satz stated they have been looking for space since
32 2017 and described another potential space which would have had parking difficulties, as well as other
33 alternative locations. Chairperson Danley asked the applicant if they worked with the Village's Economic
34 Development Coordinator. Mr. Satz responded they primarily worked with their own commercial brokers
35 and with Hoffmann and referred to the upfront capital costs for property conversion. He added they
36 preferred first floor space.

37
38 Chairperson Danley asked if there were any other questions. No additional questions were raised at this
39 time.

40
41 Ms. Kunkle disagreed with the characterization that the space would be a big billboard and stated they
42 need to bring people and customers in the Village. She also stated they may have learned from the
43 previous pop-up retail use, and that she is concerned with regard to the longevity of the special use nature
44 and not having control over it in the future. Ms. Kunkle stated the use would bring agents and additional
45 customers into the business district with there being sufficient parking.

46
47 Chairperson Danley asked the Commission Members if they were prepared to vote. Mr. Golan stated the
48 applicant has a good understanding of the issues they would face when they go to the Village Council.

1 Chairperson Danley referred to the issues related to previous pop-up retailers. Mr. Foley stated he would
2 be less enamored with including conditions. Mr. Bradley referred to the difficulty of parking on Lincoln if
3 all of the spaces were retail and the issue is striking a balance between retail and non-retail uses. He also
4 questioned how pop-up retail would be policed.

5
6 Mr. Golan suggested a motion be made to recommend approval that the request met the criteria with
7 the exception of standard nos. 7 and 10. Chairperson Danley stated the motion should apply to all of the
8 standards. A straw poll of the Commission Members' positions was taken.

9
10 Mr. Bradley moved to recommend approval of the special use to the Village Council as indicated on page
11 nos. 12 and 13 of the agenda packet. The motion was seconded by Ms. Kunkle. A vote was taken and the
12 motion passed, 4 to 2:

13 AYES: Bradley, Golan, Foley, Kunkle
14 NAYS: Case, Danley
15 NON-VOTING: Dalman

16
17 **New Business.**

18 a. July 26, 2023, Meeting – Quorum Check.

19 Mr. Schoon confirmed there are no agenda items for the July 2023 meeting. The Commission Members
20 discussed their availability in August.

21
22 Ms. Case referred to the height of a fence on Meadow Road. Mr. Schoon explained the fence height
23 requirements to the Commission. Ms. Case also asked for hard copies of the Comprehensive Plan. Mr.
24 Schoon responded hard copies can be provided for those who would like them.

25
26 **Adjournment:**

27 Chairperson Danley asked for a motion to adjourn. A motion to adjourn was made by Ms. Kunkle and
28 seconded by several Commission Members. A vote was taken and the motion unanimously passed, 6 to
29 0:

30 AYES: Bradley, Case, Danley, Foley, Golan, Kunkle
31 NAYS: None
32 NON-VOTING: Dalman

33 The meeting was adjourned at 8:34 p.m.

34
35 Respectfully submitted,

36
37 Antionette Johnson
38 Recording Secretary