Village of Winnetka

Plan Commission Regular Meeting

January 24, 2024 at 7:00 PM
Winnetka Village Hall Council Chambers
510 Green Bay Road

AGENDA

1. **Call to Order & Roll Call**
2. **Approval of Minutes**
   a. November 29, 2023, Special Meeting Minutes
3. **Public Comments**
4. **Community Development Report**
5. **New Applications**
   a. **Case No. 23-22-SU: 565 Lincoln Avenue - Chase Bank:** An application seeking approval of a special use permit to allow a financial counseling office to temporarily locate at 565 Lincoln Avenue, within the C-2 General Retail Commercial Overlay District. The Village Council has final jurisdiction on this request.
6. **Old Business**
7. **New Business**
   a. February 28, 2024, Regular Meeting - Quorum Check
8. **Adjournment**

NOTICE

Public comment is permitted on all agenda items at the meeting. If you wish to provide testimony or comments prior to the meeting, you may provide them one of two ways: (1) by sending an email to planning@winnetka.org; or by sending a letter to Community Development, Village of Winnetka, 510 Green Bay Road, Winnetka, IL 60093. All agenda materials are available at www.villageofwinnetka.org/agendacenter.

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities contact the Village ADA Coordinator at 510 Green Bay Road, Winnetka, Illinois 60093, (Telephone (847) 716-3543; T.D.D. (847) 501-6041).

WINNETKA PLAN COMMISSION SPECIAL MEETING MINUTES
NOVEMBER 29, 2023

Members Present:	John Golan, Acting Chairman Jonathan Alt Matthew Bradley Mamie Case Chris Foley
Members Absent:	Layla Danley Liz Kunkle
Non-Voting Members Absent:	Tina Dalman
Village Staff:	David Schoon, Director of Community Development Ann Klaassen, Assistant Director of Community Development Christopher Marx, Associate Planner

Call to Order & Roll Call:
The meeting was called to order by Acting Chairman Golan at 7:00 p.m. Ms. Klaassen took roll call of the Commission Members present.

Approval of September 27, 2023, Meeting Minutes:
Chairman Golan asked if there were any changes or for a motion to approve the September 27, 2023, meeting minutes. A motion was made by Mr. Bradley and the motion was seconded by Mr. Foley. A vote was taken, and the motion unanimously passed, 5 to 0:
AYES: Alt, Bradley, Case, Foley, Golan
NAYS: None

Public Comment:
No comments were made at this time.

Community Development Report:
Mr. Schoon provided the Commission with an update regarding the online survey for streetscape improvements in Hubbard Woods as well as on the Village Council discussion regarding lakefront development regulations and establishing a special use process for consolidations resulting in out of character lots.

New Applications:

a. **Case No. 23-13-TX: 808 Oak Street: An application seeking approval of (i) a Text Amendment to the Zoning Ordinance, and (ii) Special Use Permits to allow construction of a four-story, three-unit, multifamily residential building at 808 Oak Street. The text amendment would allow residential uses in the C-2 General Retail Commercial Zoning District (the "C-2 District"), on the ground floor that are less than 50 feet from the front street line, as a special use. The special use permits would allow (a) a residential use in the C-2 District, on the ground floor and less than 50 feet from the front street line; and (b) off-street parking at street level. The Village Council has final jurisdiction on this request.**

Ms. Klaassen described the request for a four-story multi-family building with ground floor parking and

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three floors of single-level condominiums above as well as the requested text amendment and special use permits. She noted the Village Council has final jurisdiction on the request. Ms. Klaassen identified the vacant property's location, size and zoning classification, noting that a planned development is not applicable in this instance due to the lot's size. She then referred to the site's photos and noted the proposed development did not include ground floor commercial space and explained the reasoning for the text amendment request.

Ms. Klaassen identified the proposed text amendment language and referred to the special use standards provided by the applicant. She stated the Commission may also want to consider other areas in the C-2 District where this use may be appropriate. Ms. Klaassen identified a ZBA member's concern relating to the proposed language for the text amendment being too narrow and too vague. She stated the ZBA ultimately voted to recommend approval of the text amendment language and outlined the specific language applied to the request with the applicant agreeing to the language change.

Ms. Klaassen then described the proposed building's elements, parking and its access, the screen wall on the lot line, and the upper story setback. She informed the Commission the applicant requested a front yard setback variation to allow the setback to be greater than the maximum amount allowed of 3 feet for which the ZBA recommended approval. Ms. Klaassen also identified the proposed second floor plan which contained an interior courtyard and three-bedroom units measuring approximately 3,700 square feet as well as the proposed third and fourth floor plan, and the proposed building elevations, noting the request complied with the height requirement. She then referred to renderings of views from Oak Street, the front entrance, the west side, and rear.

Ms. Klaassen informed the Commission of the DRB's discussion of the request and their comments with an ultimate recommendation of approval. She outlined the ZBA's discussion of the request which recommended approval of both special use permits and the front yard setback variation. Ms. Klaassen explained the Village Council's initial consideration of the request in August relating to the text amendment and the Council's decision for both the Plan Commission and ZBA to hold public hearings on the requested text amendment. She stated following the applicant's presentation and public comment, a Commission Member may wish to make a motion as indicated on page nos. 22 and 23. Ms. Klaassen noted that staff received one additional letter from the public regarding this application since the packet was distributed, the letter was provided to the Commission via emails and a hard copy is also on the dais, all other public correspondence was included in the agenda packet. She then asked if there were any questions.

Mr. Foley asked for clarification in terms of the C-1 and C-2 districts which Ms. Klaassen and Mr. Schoon provided to the Commission and referred to the Table of Uses.

Chairman Golan asked for the applicant's presentation. He swore in those speaking to this matter.

Paul Konstant introduced himself to the Commission as the architect and project designer along with Heather Niehoff. He described the difficulties of the project regarding parking and bridging the building facades of the neighboring properties with this project and asked if there were any questions. Chairman Golan asked if the second-floor balcony is larger than those above. Mr. Konstant identified the extra space as green space and described the units' balcony depths as being the same. Chairman Golan then asked how they will address the concerns from the neighboring buildings. Mr. Konstant explained how they planned to work with the neighboring buildings in terms of their concerns relating to vents, the transformers, parking, and potential impacts during construction. Mr. Konstant informed the Commission

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he met with the neighboring property owners of 812 Oak prior to the start of the project and explained how the project was amended. He added they planned to be neighborly and have addressed their concerns. Mr. Konstant then described the 6-inch side yard setback and explained how the electrical elements for the 800 Oak building would not be affected, because they are initially stopping the building short in order to avoid those electrical elements.

Mr. Alt asked how the screen wall would provide a benefit and its necessity. Mr. Konstant explained how the screen wall was used to marry the neighboring buildings' facades along with recessing the building which would provide green space. Ms. Niehoff explained how the garage would be accessed from the front and exited through the rear and how they addressed the neighbors' concerns in that regard. Mr. Alt asked how the two parking spaces being eliminated on Oak Street are being accommodated. Ms. Klaassen confirmed that the code required number of parking spaces would be provided for the residential units within the building.

Chairman Golan then asked for public comment. Bill Schermerhorn, the building manager for both 800 and 812 Oak Street, stated the applicant addressed their concerns relating to the vents and stated with regard to their conversations relating to 812 Oak, he questioned the 6-inch separation. He agreed there were challenges regarding existing conditions and there are still existing conditions that need to be addressed as well as stormwater concerns. Mr. Schermerhorn stated if the special use is granted, he asked if the applicant would be held accountable to there being no negative impact to the neighbors and referred to windows being blocked at the 800 Oak building. He also asked how the alley would be maintained for the three buildings that use it.

Ms. Case asked what was previously on the lot. Mr. Schoon responded that the lot has been vacant for decades and explained the history behind the 800 Oak Street approval when it was built and the legal lot's creation. Chairman Golan referred to water storage vaults underneath the building and asked if there were any other comments from the public. No additional comments were made at this time.

Chairman Golan called the matter in for discussion and ask the applicant if they would like to respond to the public's comments. Mr. Konstant stated regarding the light wells on the west wall of the 800 Oak building, due to the limited width of the property and the courtyard to the west, there is no space in which to deal with it and create additional light transmission. He also described how stormwater water would be accommodated with the use of drain tile and a compensatory storage tank underneath the garage. No additional questions were raised at this time.

Mr. Bradley summarized the ZBA's discussion regarding the application for the Commission. Mr. Alt referred to page 67 and stated he would vote against the request since the design of the building would not conform to the surrounding neighboring buildings and the community. Mr. Foley stated after hearing the ZBA's consideration of the request, he would be in favor and would support the text amendment. He then referred to parking and safety issues and stated he would be less concerned with them compared to other projects the Commission has considered. Mr. Foley then stated the request met the remaining requirements although standard (b) relating to the request being substantially injurious gave him pause and agreed the space is difficult with any other alternative being equally difficult. He concluded by stating the request addressed the diversity of housing stock the Commission discussed in the Comprehensive Plan.

Ms. Case stated she is in favor of the text amendment and appreciated the summary of the ZBA's position. She described the manner in which parking is addressed as a great compromise and noted the

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Commission's scope is narrow compared to that of the DRB and ZBA. Ms. Case stated something would be built on the site and commented that she hoped the architect continued to be a good neighbor to the surrounding properties. She concluded by stating she would be in favor of the request. Chairman Golan referred to the manner in which the text amendment was written and agreed the building's design elements are not within the Commission's purview. He stated from his personal perspective he did not think find that the proposed building did fit in with other buildings in the Village and specifically referred to the fence above the lobby extending across the entire property which hid the second-floor landscaping. Given design is the purview of the Design Review Board, Chairman Golan concluded he would be in favor of the project for a space which needed to be developed and which fulfilled one of the Comprehensive Plan's goals of providing mix of housing opportunities.

Chairman Golan then asked if there were any other comments from the Commission. No additional comments were made at this time. He then asked for a motion. Mr. Foley moved to recommend approval of the request as indicated on page nos. 22 and 23 of the agenda packet. Ms. Case seconded the motion. A vote was taken, and the motion passed, 4 to 1.

AYES: Bradley, Case, Foley, Golan
NAYS: Alt

b. <u>Case No. 23-16-SU: 962 Green Bay Road - North Shore Events</u>: An application seeking approval of a special use permit to allow the existing event planning business office to remain in its current location at 962 Green Bay Road, within the C-2 General Retail Commercial Overlay District. The Village Council has final jurisdiction on this request.

Chris Marx explained the background regarding the application to the Commission and identified the applicant, the property's location, size and zoning classification. He also explained how the request came to the Village's attention in terms of compliance with zoning. Mr. Marx then referred to the building's photos and surrounding businesses, the proposed floor plan and size with the applicant being the sole operator with part-time employees. He described the proposed business plan in terms of visitors, staff and clients, duration and parking. Mr. Marx also stated the interior received minimal changes and other basic requirements for office use with the exterior to remain unchanged other than signage requiring DRB approval. He then asked if there were any questions.

Ms. Case asked who and for how long was the space empty prior to the applicant's occupation. Mr. Marx responded they were not able to establish what occupied the space beforehand and described the surrounding businesses' occupation history.

Megan Estrada of NSWE Events informed the Commission a hair salon occupied the space prior to her for 15 years. She stated she was not aware of the need for a special use permit for an office use when she moved in. Ms. Estrada informed the Commission she has been in the Hubbard Woods business district since 2014 and identified her prior location. She described the difficulty for a retail space to occupy the space and how it would be a good fit for her type of use for event planning and the lack of a similar business in the area. Ms. Estrada asked if there were any questions.

Mr. Alt asked if her clients interacted with other businesses in the district. Ms. Estrada described the effect of her business on the community and clients who partook in goods and services of other businesses in the district. She confirmed she has occupied the space since September 25th (2023) and identified the landlord. No additional questions were raised at this time.

Chairman Golan asked if there were any public comments. Craig Smith stated as a nearby resident and

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residential property owner he received the public notice and described the space as narrow and the nearby vacant spaces. He stated he is in favor of the request.

Chairman Golan informed the Commission of his history with the location and the applicant. Mr. Alt stated he is in favor of the request and commented it would be a great service business. Ms. Case agreed with the comments made and stated she would be in favor of the request and that it met the standards. Mr. Foley agreed with the comments made. Chairman Golan agreed the request met the standards and would be an asset to the community. Mr. Bradley informed the Commission he would normally not support such an application and that he preferred to have service uses on the C-2 periphery. He then identified the standards which were not met and stated he is not in favor of when applicants seek forgiveness after the fact rather than permission before they occupy a space. Mr. Bradley then stated he would be in favor of the request and referred to the challenges of the space and parking in the area. Chairman Golan referred to the fact that the business blended with the design district and would have received the Commission's approval if presented in the proper manner. He questioned the landlord's awareness of the special use process. Mr. Schoon noted the landlord is aware of the process due to previous applications.

Chairman Golan then asked for a motion. A motion was made by Mr. Alt to recommend approval of the special use as stated on pages 97 and 98 of the agenda packet. The motion was seconded by Mr. Bradley. A vote was taken, and the motion unanimously passed, 5 to 0:
AYES: Alt, Bradley, Case, Foley, Golan
NAYS: None

New Business.

a. December 20, 2023, Meeting – Quorum Check.

The Commission Members discussed their availability and alternative meeting dates. Mr. Schoon explained the number of Commission Member vacancies and asked for suggestions to fill the vacant positions.

Adjournment:

Chairman Golan asked for a motion to adjourn. A motion to adjourn was made by Mr. Bradley and the motion was seconded by Ms. Case. A vote was taken, and the motion unanimously passed, 5 to 0:
AYES: Alt, Bradley, Case, Foley, Golan
NAYS: None
The meeting was adjourned at 8:28 p.m.

Respectfully submitted,

Antionette Johnson
Recording Secretary

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MEMORANDUM
VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: PLAN COMMISSION

FROM: CHRISTOPHER MARX, AICP – ASSOCIATE PLANNER

DATE: JANUARY 19, 2024

SUBJECT: 565 LINCOLN AVENUE – CHASE BANK OFFICE SPECIAL USE PERMIT (CASE NO. 23-22-SU)

INTRODUCTION

On January 24, 2024, the Plan Commission is scheduled to hold a public hearing to consider an application submitted by JP Morgan Chase Bank (the "Applicant"), as the prospective lessee of the property located at 565 Lincoln Avenue (the "Subject Property"), **to allow a financial counseling office to temporarily locate on the Subject Property.** The property is currently owned by 565 Lincoln LLC, under the care of Hoffman Commercial Real Estate.

The Applicant has filed an application seeking approval of a Special Use Permit in accordance with Chapter 17.56 [Special Uses] of the Winnetka Zoning Ordinance to permit a financial counseling office in the C-2 General Retail Commercial Overlay District at the Subject Property. The Applicant is seeking the Special Use Permit for temporary space for some of its banking functions while their main office at 791 Elm Street is reconstructed.

A sign has been posted on the Subject Property and a website notice has been posted on the Village website indicating the time and date of the Plan Commission public meeting. A mailed notice has been sent to property owners within 500 feet of the Subject Property. As of the date of this memo, staff has received one written comment from the public regarding this application (See Attachment B).

PROPERTY DESCRIPTION

The Subject Property is in a space on the south end of a one-story commercial building at 565 Lincoln Avenue, which is located on the east side of Lincoln Avenue between Elm Street and Prospect Avenue in the East Elm Street business district. The vacant storefront is approximately 1500 square feet of commercial space with 15 feet of street frontage along Lincoln Avenue and previously housed *Compass Real Estate's* realty office. The overall building contains other tenants including *Sara Campbell*, *J. McLaughlin, Mirani's, Stefanich Antiques,* and *Skyline Window Coverings*. Figures 1 through 5 on the following pages identify the Subject Property and neighboring businesses.

The Subject Property is located within the Village's **Commercial Overlay District,** which allows non-retail uses, such as general offices and professional uses; however, the Zoning Ordinance requires that they be evaluated by the Plan Commission and Village Council as a special use.

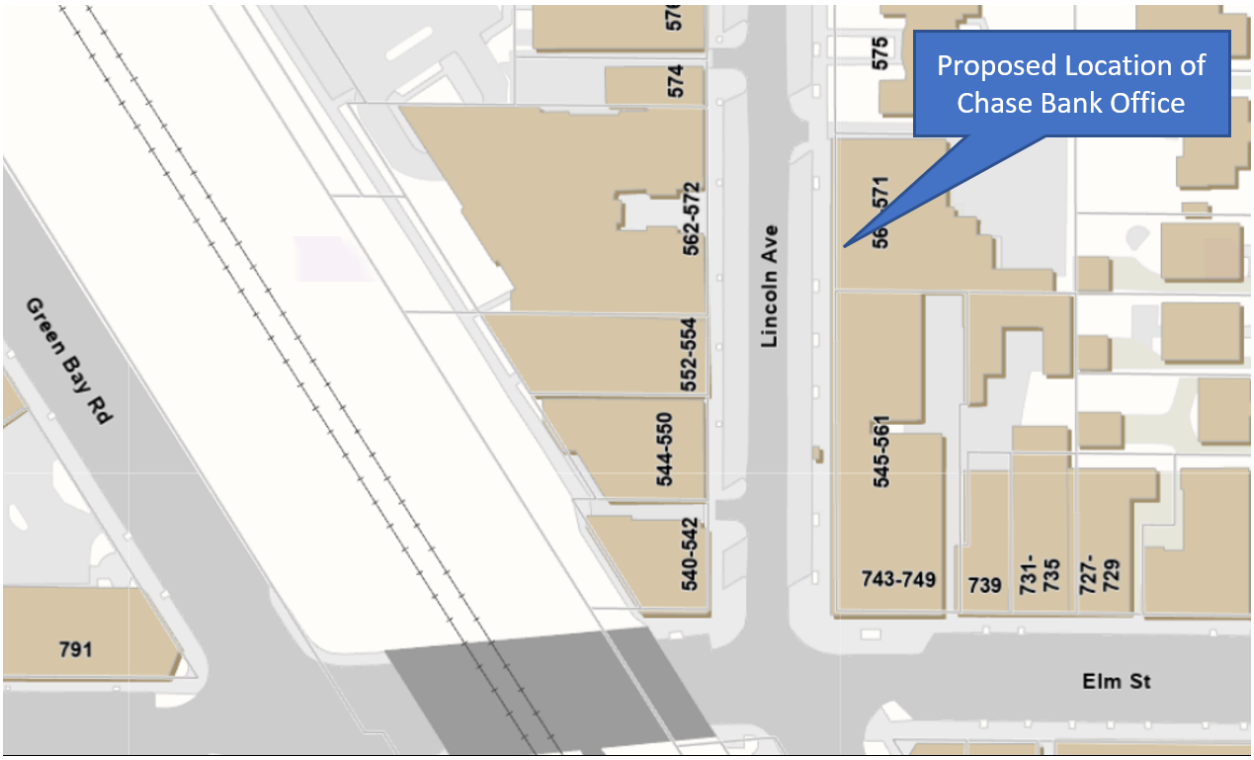


Figure 1 – Subject Property – 565 Lincoln Avenue

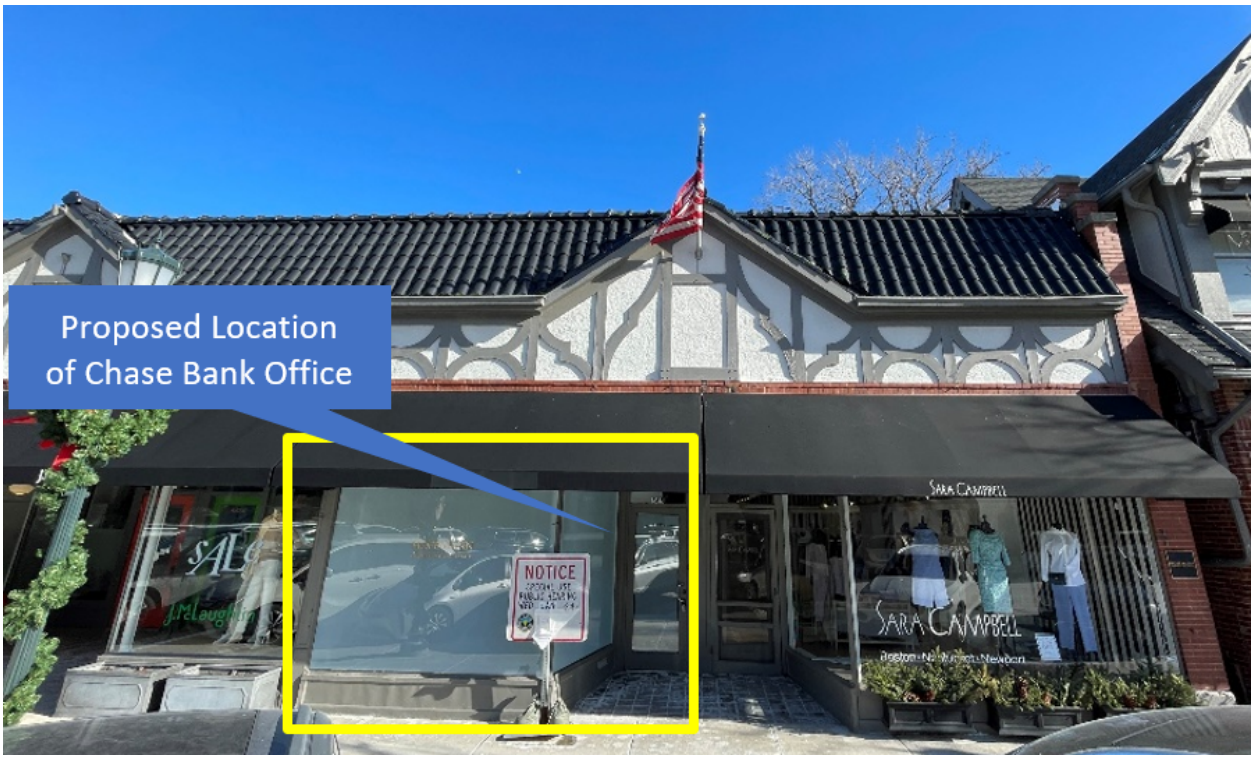


Figure 2 – Subject Property – 565 Lincoln Avenue

Figure 3 – Subject Property – 565 Lincoln Avenue

Figure 4 – Neighboring Businesses to North – *J. McLaughlin*, *Mirani's*, *Stefanich Antiques*, and *Skyline Windows*

Figure 5 – Neighboring Businesses to South – *Sara Campbell* and a new Asian carryout restaurant

COMMERCIAL OVERLAY DISTRICT BACKGROUND

The Overlay District was established in 1987 out of concern about the viability of the business districts as a whole if non-retail occupancies were allowed to proliferate and occupy significant areas within retail shopping districts. At the time of adoption there was a concern about the possible proliferation of real estate offices and financial institutions.

The Village Zoning Ordinance describes the purpose of the Overlay District and its restrictions on non-retail uses as being:

> *"to encourage retailing of comparison shopping goods and personal services compatible with such retailing on ground floor in order to encourage a clustering of such uses, to provide for a wide variety of retail shops and expose such shops to maximum foot traffic, while keeping such traffic in concentrated (yet well distinguished) channels throughout the district."*

Since its adoption in 1987, the Overlay District has been revised on more than one occasion to alter district boundaries, or to modify the types of uses which are permitted within each district. The most recent amendment occurred on April 4, 2019, when the Village Council adopted MC-01-2019, amending the Zoning Ordinance regarding uses and regulations in the three commercial districts, including amendments to the Overlay District and the standards used to evaluate a special use. This request to allow a financial counseling office would have required a special use permit under the former zoning regulations.

ELM STREET BUSINESS DISTRICT OVERLAY BOUNDARIES

A map depicting the zoning classifications of the Elm Street Business District is provided below as Figure 6. The Subject Property is highlighted with a black outline.

Gray areas indicate the underlying C-2 General Retail Commercial zoning, which permits by right a relatively broad array of uses, including various retail uses, along with a number of non-retail uses such as professional offices, financial service firms, medical offices and the like.

Red crosshatch areas represent those areas subject to the restrictions of the Commercial Overlay District. The boundaries of the Overlay District are established along certain public streets and extend for a depth of 50 feet from the front property line.

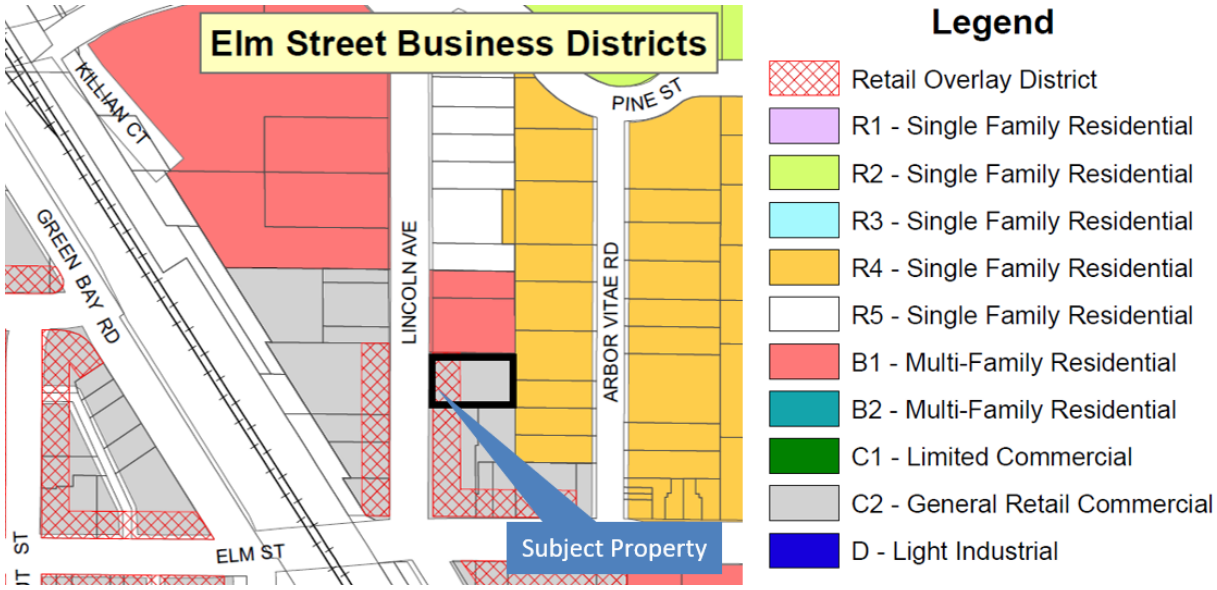


Figure 6 – Elm Street Business District

DESCRIPTION OF CURRENT REQUEST

The Applicant is proposing to temporarily use the 1,500 square foot space as a financial counseling office associated with their private wealth service businesses while it reconstructs its building at 791 Elm Street over a two-year duration. The proposed space would not be used for typical consumer banking services or an ATM. The offices will be used for wealth counseling to the bank's clients with appointment visits made between 8:00 am to 5:00 pm on weekdays. Four to six employees will use the space for client consultations, which will consist of four to six consultations with clients each day, and on many days only some of those employees will use the space. The Applicant also states that on many days fewer than three client meetings would occur at any one time, and if no client appoints are scheduled on a given day, generally none of its employes would use the space. The Applicant also states that small gatherings of clients with a group of about 10 to 15 people might happen on an infrequent basis. The space buildout would consist of three conference rooms for client meetings along with a main reception entrance, restrooms, maintenance areas, and employee centered work areas. The Applicant states that there would be no changes to the exterior façade except for new signs to identify the business. The commercial space comes with two exclusive off-street parking spaces for the Applicant's use and access to other off-street spaces on the Subject Property (Figure 7). A full description of the proposed use can be found in the application materials of **Attachment A.**

Figure 7 – Aerial View of Subject Proeprty

The Applicant has provided a floor plan representing the layout of the space below in Figure 8.

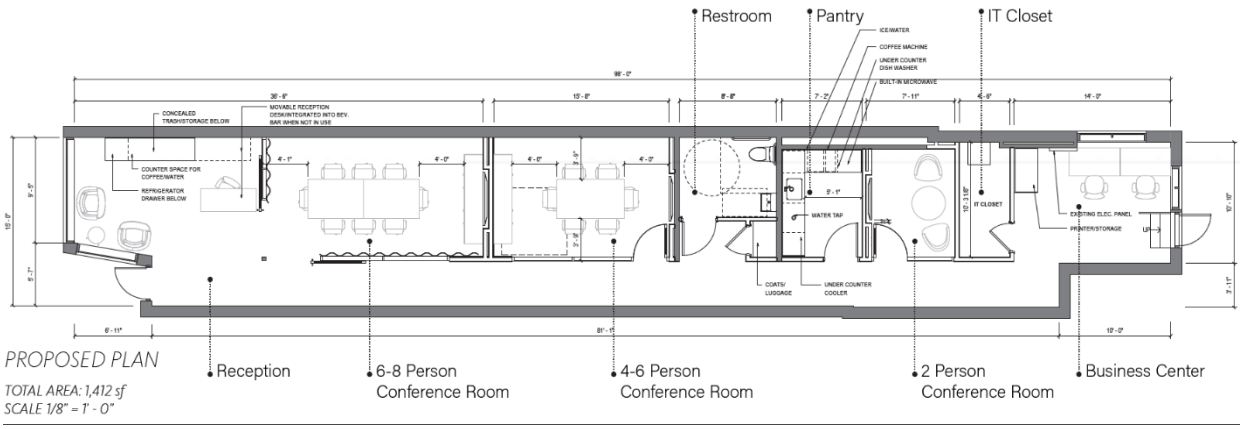


Figure 8 – Excerpt of Proposed Floor Plan

DESIGN REVIEW BOARD REVIEW

The Applicant had applications for signage on the windows and awning approved by the Design Review Board at their December 21, 2023, meeting.

STANDARDS FOR REVIEW / FINDINGS

The "Purpose" section of Chapter 17.56, Special Uses, states the following regarding special uses:

It is recognized that there are special types of uses which because of their specific characteristics in relationship to uses permitted by right in a particular district, or the services which they provide, cannot be properly permitted by right in a particular district without consideration, in each case, of the impact of such uses upon neighboring land, or of the public need for such uses at a particular location.

A land use classified as a special use is an allowed land use as long as the Applicant can demonstrate that the proposed use in its proposed specific location meets the applicable standards for granting special use approval.

Section 17.44 of the Zoning Ordinance provides a series of twelve (12) standards for the evaluation of Special Use applications within the Commercial Overlay District, which provides a framework for evaluation by the Plan Commission. The Applicant has supplied as part of their application materials a narrative addressing how this proposal complies with the twelve (12) standards. **(See Attachment A)**

Following conclusion of public comment and Commission discussion, a Commission member may choose to make the following motion:

I make the motion that:

The Plan Commission recommends **approval [denial]** of the requested special use to allow the Applicant, Chase Bank, to temporarily operate a financial counseling services office at 565 Lincoln Avenue within the C-2 Commercial Overlay District, based on the following findings of fact:

"The bank office (the "Special Use") **is [is not]** consistent with the Standards for granting of Special Use Permits in the Commercial Overlay District, which are as follows:

1. The establishment, maintenance, and operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare;
2. The Special Use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;
3. The establishment of Special Use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;
4. Adequate measures have been or will be taken to provide ingress and egress in a manner which minimize pedestrian and vehicular traffic congestion in the public ways;
5. Adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the Special Use exists or are to be provided;
6. The Special Use in all other respects conforms to the applicable regulations of this and other village ordinances and codes;
7. The proposed special use at the proposed location will encourage, facilitate and enhance the continuity, concentration, and pedestrian nature of the area in a manner similar to that of retail uses;
8. The location of the proposed special use along a block frontage shall provide for a minimum interruption in the existing and potential continuity and concentration of the retail uses along the block's frontage;
9. The proposed special use at the proposed location will provide for display windows, facades, signage and lighting similar in nature and compatible with that provided by retail uses;

10. If the proposed special use provides multi-use areas, such as retail merchandise areas, restaurant dining areas, general office space, private offices, reception areas, or employee work areas, any proposed retail merchandise area or restaurant dining area shall be concentrated and located immediately adjacent to the sidewalk and clearly visible from the street in such a fashion as to invite customers to browse or dine;
11. If a proposed new building contemplates a mix of retail, office and service type uses, the minimum frontage for each retail use adjacent to the sidewalk shall be 20 feet with a minimum gross floor area of 400 square feet. In addition, such retail space shall be devoted to active retail merchandising which maintain typical and customary hours of operation; and
12. The proposed location and operation of the proposed special use shall not significantly diminish the availability of parking for district clientele wishing to patronize existing retail businesses."

The Commission's recommendation is subject to **no conditions [the following conditions]**:

1. [Insert conditions…]

As noted above, the Commission may also wish to consider if there are any additional conditions it may want to place on the facility's operation. Given the Applicant has stated the use of the space is temporary while it constructs a new building in place of its existing building at 791 Elm Street, the Commission may wish to recommend a term be placed on the special use approval.

This request is subject to final approval by the Village Council.

ATTACHMENTS

Attachment A: Application Materials
Attachment B: Public Correspondence

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL USE PERMIT APPLICATION
C-2 COMMERCIAL OVERLAY

Case No. _____

Property Information

Site Address: 565 Lincoln Avenue, Winnetka, Illinois 60093

Proposed type of occupancy: Financial counseling office

Applicant Information

Name: JP Morgan Chase Bank, National Association

Address: 1111 Polaris Parkway

City, State, ZIP: Columbus, Ohio 43240-2050

Applicant Signature: [redacted] Vice President

Primary Contact: Brendan Ard

Phone No. [redacted]

Email [redacted]

Date: November 15, 2023

Attorney Information

Name: Taft Stettinius & Hollister LLP

Primary Contact: Karl Camillucci

Address: 111 East Wacker Drive, Suite 2600

City, State, ZIP: Chicago, Illinois 60601

Phone No. [redacted]

Email: [redacted]

Architect Information

Name: Gensler

Primary Contact: Angela Harper

Address: 11 E. Madison Street, Suite 300

City, State, Zip: Chicago, IL 60602

Phone No. [redacted]

Email: [redacted]

Property Owner Acknowledgment

I hereby certify that I am the owner of the property located at 565 Lincoln Avenue, Winnetka, Illinois *(address)*, and have provided the attached proof of ownership.

I consent to the filing of an application for a Special Use Permit by JP Morgan Chase Bank, National Association *(Applicant name)*.

Property Owner Signature: [redacted]

Date: 11/13/23

Printed Name: Dan Burns

Statement in Support of Special Use Application
Submitted by JPMorgan Chase Bank, National Association
565 Lincoln Avenue, Winnetka, Illinois

1. Background.

JPMorgan Chase Bank, National Association (the "**Applicant**"), has submitted a special use permit application to operate a financial counseling office on the ground floor of an existing building (the "**Building**") located on the property commonly known as 565 Lincoln Avenue (the "**Property**") in the Village of Winnetka, Illinois (the "**Village**"). The Property is located in the Village's C-2 General Retail Commercial District (the "**C-2 Retail District**") and the Village's C-2 Commercial Overlay District (the "**C-2 Overlay District**"). Pursuant to Sections 17.44.020.B.2.b. and 17.46.010 of the Winnetka Zoning Ordinance (the "**Zoning Ordinance**"), a financial counseling office located on the ground floor in the C-2 Overlay District is a special use. This Statement in Support of Special Use Application (this "**Statement**") describes how the proposed financial counseling office satisfies the applicable standards set forth in Section 17.44.020.B.2.b. of the Zoning Ordinance.

The Property is owned by 563 Lincoln Avenue LLC (the "**Property Owner**"). A true and accurate copy of a special warranty deed evidencing ownership of the Property is attached to this Statement as **Exhibit A**. The Property Owner has consented to the Special Use Application. The Property is depicted on the Plat of Survey attached to this Statement as **Exhibit B**.

The ground floor of the Building has been divided into multiple retail and office spaces. The Applicant intends to lease, as lessee, from the Property Owner, as lessor, approximately 1,513 square feet of divided space within the ground floor of the Building (the "**Premises**"). The Premises is currently vacant and unused. Previously, a real estate company used the Premises as office space.

The Applicant's private wealth services business will use the Premises as a financial counselling office while the Applicant redevelops its property located at 791 Elm Street in the Village (the "**Elm Street Development**"). The Premises will not be used as a bank and will not have an ATM. After the Elm Street Development is complete, the Applicant will stop using the Premises and will move its private wealth services business to the Elm Street Development. The Applicant estimates that the Elm Street Development will be complete, and use of the Premises as a financial counselling office will end, after approximately two years.

The Applicant will have the exclusive right to use two parking spaces on the Property located adjacent to, and to the east of, the Building. The Applicant will also have the non-exclusive right to use other parking spaces located on the Property that are not exclusively reserved for other tenants of the Building.

The Applicant proposes to make alterations to the interior of the Premises, as depicted on the current and proposed floor plans attached to this Statement as **Exhibit C** (the "**Floor Plans**"). The Applicant does not intend to alter the exterior of the Building except by affixing new signage on the existing awning outside of the Premises and the existing door providing access to the

Premises from Lincoln Avenue. The proposed signage is depicted on the elevations attached to this Statement as **Exhibit D** (the "**Elevations**").

The Applicant will use the Premises primarily as a space for its employees to host consultations with clients. Consultations will be held by appointment only, mostly during the hours of 8:00 a.m. – 5:00 p.m. on week days. The Applicant estimates that its employees will host approximately four to six consultations with clients each day. Approximately four to six total employees will use the Premises for client consultations, but on many days only some of those employees (*i.e.*, fewer than the total of four to six employees) will use the Premises. In general, each employee will use the Premises only on days during which that employee has scheduled appointments with clients. If no appointments are scheduled on a given day, generally the Applicant expects that none of its employees would use the Premises on that day.

As shown on the Floor Plans, the Applicant proposes to construct three conference rooms within the Premises to be used for client consultations. The Applicant expects, however, that on many days fewer than three client consultation meetings would occur at any one time. Typically, client consultation meetings consist of one or two clients and one or two employees of the Applicant. The Applicant also proposes to construct a small, two-desk "business center" within the Premises so that the Applicant's employees may perform office work and hold internal employee meetings before or in between appointments with clients. Infrequently, the Applicant may also host small gatherings of clients within the Premises consisting of approximately 10-15 people.

2. <u>Standards</u>.

For the reasons described below, the proposed financial counseling office within the Premises satisfies the applicable standards set forth in Section 17.44.020.B.2.b. of the Zoning Ordinance.

A. The establishment, maintenance, and operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare.

The proposed financial counseling office will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of the community. Rather, the proposed financial counseling office will enhance the general welfare by improving and occupying the Premises, reducing vacancies along Lincoln Avenue and returning the Premises to productive use.

The Applicant's activities within the Premises will not cause noise, odors, light, vibration, or other impacts that would adversely affect public health, safety, and the general welfare. The Applicant's use of the Premises will be low intensity and limited in scope. Client meetings will be by appointment only and will not involve large numbers of people. On days when the Applicant's employees have not scheduled client meetings, in general those employees will not use the Premises.

The Applicant does not expect the proposed financial counseling office to create significant parking demand or materially increase traffic, especially compared to retail uses that are permitted as of right at the Property and may have a greater parking and traffic impact. Assuming four to six client consultations on an average day, each with approximately four participants (two employees and two clients), only 16-24 people would visit the Premises per day. On some days, fewer people would visit the Premises. Visitors to the Premises will arrive and depart throughout the day, with not more than three client consultations occurring at any one time. The Applicant expects that some clients will walk to the Premises, while others will drive. Of the clients who drive, many will be members of the same household and travel in the same car. Similarly, when the Applicant's employees are travelling to the Premises from the same location, some of them will car pool. Based on these assumptions, the Applicant estimates that the financial consulting office would generate a modest number of vehicular trips to and from the Premises, spread throughout the day. That number of trips will not materially impact parking demand and traffic.

This conclusion is consistent with Village policy. Section 17.46.110.B. of the Zoning Ordinance exempts from the Village's off-street parking requirements all non-residential uses located on the ground floor within the C-2 Retail District and occupying less than 2,500 square feet of space. This exemption reflects a policy determination by the Village that commercial uses smaller than 2,500 square feet do not create sufficient parking demand to justify a requirement to provide off-street parking. The Premises is only 1,513 square feet of space, far smaller than the 2,500 square foot exemption threshold. Under the Zoning Ordinance, therefore, the proposed financial counseling office is not required to provide off-street parking because a commercial use of that size is not likely to create substantial parking demand.

Nevertheless, the Applicant has exclusive access to two off-street parking spaces on the Property, along with nonexclusive access to additional off-street parking spaces that are not exclusively used by other tenants. Public off-street parking exists within a public parking lot located north of the Property on Lincoln Avenue. Public on-street parking also exists along Lincoln Avenue. The Applicant expects that existing parking supply will be sufficient to accommodate the modest parking demand created by the proposed financial counseling office.

B. The special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity.

The proposed financial counseling office will not be substantially injurious to the use and enjoyment of other properties in the immediate vicinity or substantially diminish or impair property values in the immediate vicinity. As described in Section 2.A. of this Statement, the proposed financial counseling office will not: (i) cause noise, odors, light, vibration, or other impacts that would adversely affect the use and enjoyment and property values of nearby properties; and (ii) materially increase vehicular traffic or parking demand in a manner that would be injurious to the use or reduce the property values of neighboring properties.

If anything, the proposed financial counseling office will enhance the use and enjoyment and market value of area properties. The Premises is currently vacant and unused, which may

negatively affect the desirability of nearby properties. By occupying and improving the Premises, the Applicant may help to improve the overall use and enjoyment and value of properties in the vicinity of the Property.

C. The establishment of the special use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern.

The proposed financial counseling office will not impede the normal and orderly development or improvement of other properties in the immediate vicinity. The surrounding area is already fully developed and is a healthy commercial district. The Applicant acknowledges that the Village prioritizes retail uses, rather than office and service uses, within the C-2 Overlay District, but the proposed financial counseling office will not impede the development and improvement of retail uses. First, use of the Premises for the proposed financial counseling office will be temporary and will end after the Elm Street Development is complete. Second, the Premises is only 1,513 square feet. Third, the Premises previously was used as office space for a real estate company. Temporary use of the Premises for such a small financial counseling office, which is similar to the previous office use, will not have a material adverse impact on the existing retail character of the C-2 Overlay District, retail activity within the C-2 Overlay District, or future retail development within the C-2 Overlay District.

D. Adequate measures have been or will be taken to provide ingress and egress in a manner which minimizes pedestrian and vehicular traffic congestion in the public ways.

Existing ingress and egress is sufficient to minimize pedestrian and vehicular traffic congestion in the public ways. As discussed in Section 2.A. of this Statement, the Applicant does not expect the proposed financial counseling office to create significant parking demand or materially increase traffic. The Applicant believes that existing off-street parking and means of ingress and egress along Lincoln Avenue have adequate capacity to accommodate pedestrian and vehicular traffic without causing unreasonable congestion in the right-of-way.

E. Adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the special use exist or are to be provided.

Existing parking, utilities, access roads, drainage, and other facilities necessary for the operation of the proposed financial counseling office are adequate. As discussed in Section 2.B. of this Statement, the Applicant expects that existing on-site and off-street parking is sufficient to satisfy the modest parking demand that the proposed financial counseling office may create. As discussed in Section 2.D. of this Statement, the Lincoln Avenue right-of-way is sufficient to provide access to the Premises. The Premises is already served by all utilities and drainage that are necessary to operate the proposed financial counseling office. The operation of the proposed financial counseling office does not require any additional utilities or facilities.

F. The special use in all other respects conforms to the applicable regulations of the Zoning Ordinance and other village ordinances and codes.

The proposed financial counseling office will conform to all applicable regulations of the Zoning Ordinance and other Village ordinances and codes.

G. The proposed special use at the proposed location will encourage, facilitate and enhance the continuity, concentration, and pedestrian nature of the area in a manner similar to that of retail uses.

Compared to existing conditions, the proposed financial counseling office will encourage, facilitate, and enhance pedestrian activity in the area. The Premises is currently vacant and, therefore, does not contribute to the pedestrian nature of the area. Although the number of visitors to the financial counselling office will be modest, the Applicant will occupy and improve the Premises, creating greater pedestrian activity that will benefit retail uses in the C-2 Overlay District.

The Applicant acknowledges that the Village prioritizes pedestrian-oriented retail uses, rather than office and service uses, within the C-2 Overlay District, but the proposed financial counseling office will not alter the retail and pedestrian character of the area. As discussed in Section 2.C. of this Statement, temporary use of the Premises for such a small financial counseling office, which is similar to the previous office use, will not substantially affect existing retail and pedestrian activity in the C-2 Overlay District. After completion of the Elm Street Development, the Applicant will stop using the Premises as a financial counseling office, after which the Premises will become available again for potential retail uses.

H. The location of the proposed special use along a block frontage shall provide for a minimum interruption in the existing and potential continuity and concentration of the retail uses along the block's frontage.

The proposed financial counseling office will not interrupt the existing continuity and concentration of retail uses along Lincoln Avenue. The Premises is currently vacant and was previously occupied by a real estate office. The proposed financial counseling office, therefore, will not change the existing continuity and concentration of retail uses along the block's frontage.

Moreover, the proposed financial counseling office will not materially affect the potential continuity and concentration of retail uses along Lincoln Avenue. At 1,513 square feet, the Premises is extremely small, with a narrow frontage on Lincoln Avenue. Even if occupied by a retail use, such a narrow frontage would not significantly improve the continuity and concentration of retail uses on the block. Additionally, the proposed financial counseling office within the Premises is temporary. Use of the Premises as a financial counseling office will end after completion of the Elm Street Development, at which time the Premises will become available again for potential retail use. The temporary nature of the proposed financial counseling office further mitigates its impact on the potential continuity and concentration of retail uses on Lincoln Avenue.

I. The proposed special use at the proposed location will provide for active display windows, facades, signage and lighting similar in nature and compatible with that provided by retail uses.

The exterior of the Premises will be similar in nature and compatible with adjacent retail uses. The Premises is one of multiple divided spaces within the Building. All of the spaces within the Building have similar windows, facades, awnings, signage, and lighting. The Applicant will not alter the existing windows, facades, awning, and exterior lighting of the Premises, all of which will remain consistent and compatible with those of adjacent retail uses within the Building. The Applicant proposes to alter the signage on the existing awning and door of the Premises, but that signage will also remain compatible with the signage of adjacent retail uses within the Building. Please refer to the Elevations for a depiction of the proposed exterior elements of the Premises.

J. If the proposed special use provides multi-use areas, such as retail merchandise areas, restaurant dining areas, general office space, private offices, reception areas, or employee work areas, any proposed retail merchandise area or restaurant dining area shall be concentrated and located immediately adjacent to the sidewalk and clearly visible from the street in such a fashion as to invite customers to browse or dine.

This standard does not apply to the proposed financial counseling office. The financial counseling office will not have a retail merchandise area or a restaurant dining area. The requirement that such areas be located adjacent to the sidewalk and visible from the street, therefore, does not apply.

K. If a proposed new building contemplates a mix of retail, office and service type uses, the minimum frontage for each retail use adjacent to the sidewalk shall be 20 feet with a minimum gross floor area of 400 square feet. In addition, such retail space shall be devoted to active retail merchandising which maintains typical and customary hours of operation.

This standard does not apply to the proposed financial counseling office. The Applicant does not propose construction of a new building. Rather, the Premises is located within the existing Building.

L. The proposed location and operation of the proposed special use shall not significantly diminish the availability of parking for district clientele wishing to patronize existing retail businesses.

The proposed location and operation of the proposed financial counseling office will not materially diminish the availability of parking for people wishing to patronize existing retail businesses. As discussed in Section 2.A. of this Statement, the Applicant does not expect that the proposed financial counseling office will substantially increase demand for off-street parking and believes that adequate off-street parking exists. Additionally, the Applicant has exclusive access to two on-site parking spaces and non-exclusive access to other on-site parking spaces that are not exclusively used by other tenants of the Building. Additional parking is available along Lincoln Avenue and within a public parking lot on Lincoln Avenue The Applicant anticipates, therefore,

that the proposed financial counseling office will not substantially diminish the supply of parking available to people who wish to patronize retail businesses within the C-2 Overlay District.

EXHIBIT B
PLAT OF SURVEY

PLAT OF SURVEY

H.R. SMITH
R.R. HANSEN
MEMBERS:
ILLINOIS PROFESSIONAL
LAND SURVEYORS
ASSOCIATION

B.H. SUHR & COMPANY, INC.

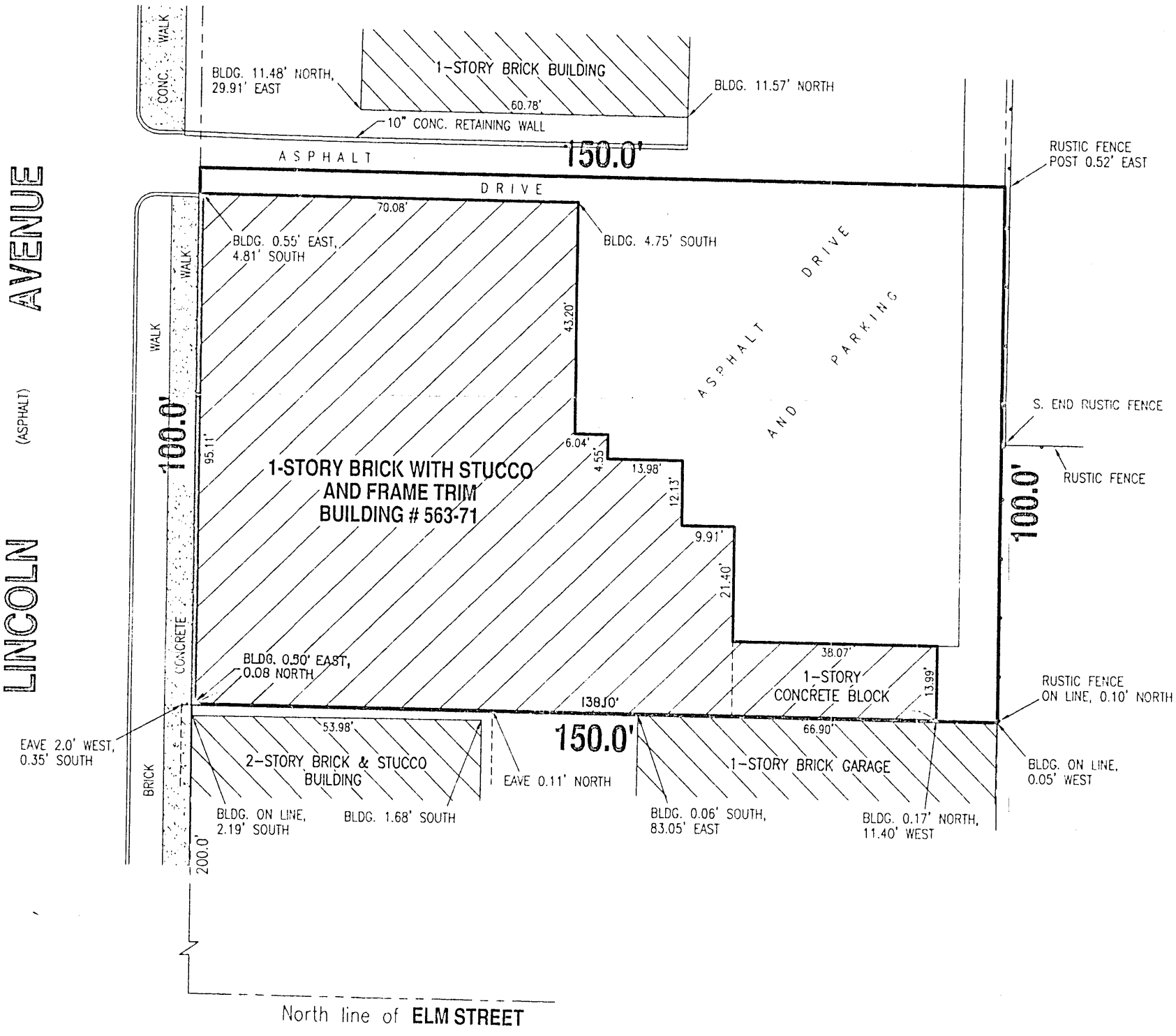
ESTABLISHED IN 1911
840 CUSTER AVENUE, EVANSTON, ILLINOIS 60202
TELEPHONE (847) 864-6315 WWW.BHSUHR.COM / E-MAIL: SURVEYOR@BHSUHR.COM TELEPHONE (773) 273-5315

BOOK 01 PAGE 83 ORDER NO. 01-83 EVANSTON, FEBRUARY 12, 20 01

ORDERED BY DOWS, MOHL & CO. FOR

LOT 3 IN McGUIRE AND ORR'S ARBOR VITAE ROAD SUBDIVISION, BEING A SUBDIVISION OF BLOCK 4 AND PART OF BLOCK 5 IN WINNETKA, A SUBDIVISION OF THE NORTHEAST QUARTER OF SECTION 20 AND THE NORTH HALF OF FRACTIONAL SECTION 21, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: **563-71 LINCOLN AVENUE, WINNETKA, ILLINOIS.**



SCALE, 1" = 25 ft.
TOP OF PLAT IS NORTH

STATE OF ILLINOIS } ss.
COUNTY OF COOK }

EVANSTON, FEBRUARY 12, 20 01

We hereby certify that the buildings on lot shown are within property lines and that the adjoining improvements do not encroach on said premises, unless noted hereon.

SURVEYOR

STATE OF ILLINOIS } ss.
COUNTY OF COOK }

EVANSTON, FEBRUARY 12, 20 01

This is to certify that we have surveyed the above described property and the above plat correctly represents said survey.

B.H. SUHR & COMPANY, INC.
SURVEYORS

By

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All rights reserved

The description on this plat was provided to us by the client, and does not guarantee ownership, and should be compared to your Deed, Abstract or Certificate of Title. All building restrictions, building lines and easements may or may not be shown, check your Deed, Abstract, Title Report, and local ordinances, no responsibility is assumed by Surveyor. This survey has been made for the use in connection with a mortgage loan transaction or real estate transfer and is not to be used for any improvements unless corners are monumented and shown on plat, also compare all points before building by same and report any discrepancy at once. Dimensions are shown in feet and decimal parts thereof, no dimension is to be assumed by scaling.

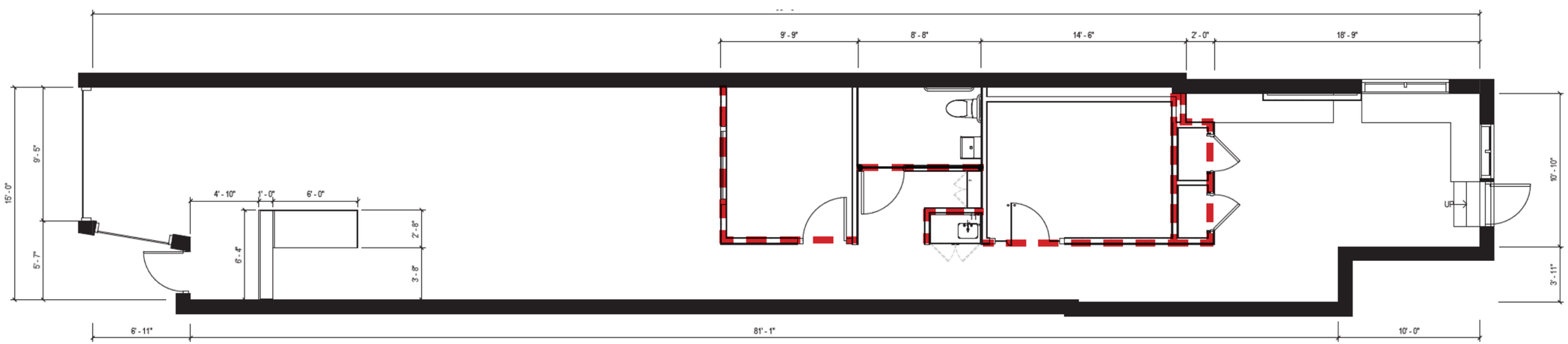
RR111

4

EXHIBIT C
FLOOR PLANS

FLOOR PLANS

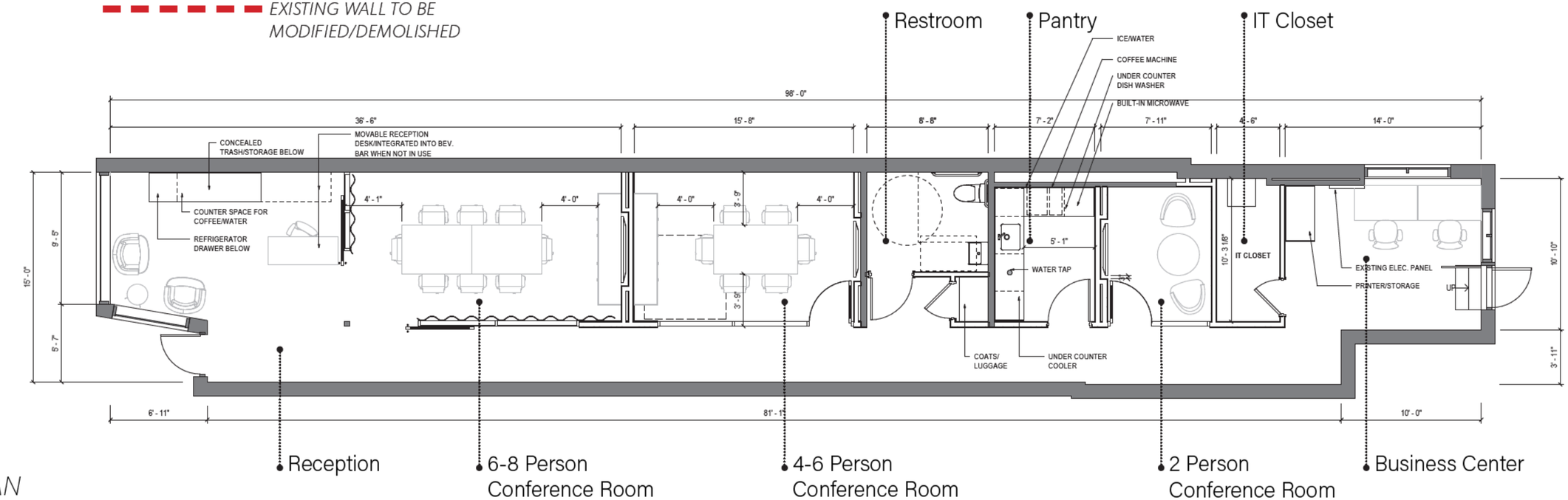
565 Lincoln Avenue



EXISTING PLAN

TOTAL AREA: 1,412 sf
SCALE 1/8" = 1' - 0"

EXISTING WALL TO BE MODIFIED/DEMOLISHED



PROPOSED PLAN

TOTAL AREA: 1,412 sf
SCALE 1/8" = 1' - 0"

EXHIBIT D
ELEVATIONS

STREET VIEW

16′ - 0″
3′ - 6″
J.P.Morgan
8″
9′ - 0″
J.P.Morgan
J.McLaughlin
SARA

J.P.Morgan
1′ - 10″
J.P.Morgan
5 1/2″

From: [redacted]
To: Planning
Subject: Case No 23-22-SU
Date: Wednesday, January 17, 2024 10:52:59 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I write in support of the Special Use Permit as it will provide residents an important service.
I hope the location allows for sufficient coffee and snacks on Saturday :)

Peter Tyor
[redacted]
Winnetka, IL 60093