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

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 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

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 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