



**PLAN COMMISSION REGULAR MEETING
WEDNESDAY, NOVEMBER 17, 2021 - 7:00 PM
WINNETKA VILLAGE HALL COUNCIL CHAMBERS – 510 GREEN BAY ROAD**

AGENDA ITEMS

1. Call to Order.
2. Community Development Report.
3. Public Comment.
4. Approval of October 27, 2021, meeting minutes.
5. **Case No. 21-36-SU: 1054 Gage Street – Mathnasium:** An application for Special Use Permit approval submitted by Schoolhouse 4 Math, LLC, a franchisee of Mathnasium, as the prospective lessee of the property located at 1054 Gage Street to allow the expansion of an existing math learning and tutoring center into the Subject Property. The property is currently owned by John C. Dini. The Village Council has final jurisdiction on this request.
6. Other Business.
 - a. Comprehensive Plan Status Update.
 - b. December 15, 2021, Meeting - Quorum check
7. Adjournment.

Note: 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 Rd, Winnetka, IL 60093.

NOTICE

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). **Also, in accordance with the CDC guidance, the Village is requiring everyone to wear a face covering upon entering any Village facility, including the Village Hall. If you are unable to safely wear a face covering due to a medical condition or disability, please contact the Village ADA Coordinator by 3:00 p.m. the date of the meeting to request reasonable accommodations.**

**WINNETKA PLAN COMMISSION
MEETING MINUTES
OCTOBER 27, 2021**

Members Present:

Bridget Orsic, Chairperson
Jonathan Alt
Matthew Bradley
Mamie Case
Layla Danley
John Golan
Liz Kunkle

Members Absent:

John Swierk
Jay Vanderlaan

Village Staff:

David Schoon, Director of Community Development
Ann Klaassen, Senior Planner

Call to Order & Roll Call:

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

Approval of September 22, 2021 meeting minutes.

Mr. Bradley moved to approve the September 22, 2021 meeting minutes. The motion was seconded by Ms. Case. A vote was taken and the motion unanimously passed, 7 to 0:

AYES: Alt, Bradley, Case, Danley, Golan, Kunkle, Orsic

NAYS: None

Case No. 21-32-SU: 470 Maple Street – Christ Church Winnetka: An application submitted by Myefski Architects, on behalf of Christ Church Winnetka, seeking approval of an amendment to an existing special use permit, which allowed a pre-school as an additional special use in the Christ Church chapel-parish house building. The requested amendment would allow a one story vestibule addition to the existing church building. The Village Council has final jurisdiction on this request.

Ms. Klaassen described the one story addition request by Christ Church and identified the building's location, zoning classification and explained certain uses which are allowed in the R-4 zoning district. She then described the church's features and use by the Willow Wood pre-school as well as the prior special use and zoning variations approved for the property. She identified the stair revision, elevator components and interior renovations of the project. Ms. Klaassen informed the Commission a zoning variation is needed to allow the proposed addition due to the maximum permitted floor area for the property, noting the existing church far exceeds the permitted GFA since the property is required to conform to residential zoning standards. She then identified the location of the proposed addition noting the church's use of the building would not change and the intent is to provide an ADA accessible church entrance. Ms. Klaassen then informed the Commission the ZBA and DRB considered the request and unanimously recommended approval. She noted one email regarding the request was received and included in the agenda packet. She then asked if there were any questions.

Ms. Case referred to page 4, Figure 4 and asked if the existing ramp is used for accessibility. Ms. Klaassen responded the applicant can answer that question.

Chairperson Orsic then swore in those speaking to this matter. Michael Karkowski of Myefski Architects introduced himself to the Commission and described the church's features built in 1930. He stated their goal is to modernize the building including bathroom renovation and ADA accessibility and identified the front and east elevations. Mr. Karkowski then referred to the stairs leading to the chapel which would be reconstructed to be code compliant. He informed the Commission they considered several options and chose the option which worked best for the building. Mr. Karkowski then referred the overall site plan and area for the proposed addition which would mimic the bay on the opposite side. He also referred to the proposed addition's size and scale on the front elevation along with material details to match the existing architecture as well as the proposed addition's cross sections and rendering.

Chairperson Orsic asked if there were any questions. No questions were raised at this time. Chairperson Orsic then asked for public comments. Chris Powell introduced himself as Rector of the church and clarified the ramp is never used for pedestrian traffic. He stated the building needed to be made ADA accessible to provide services currently not available which also included upgrading the bathrooms.

Chairperson Orsic asked if there were any other comments from the audience. No additional comments were made at this time. She then called the matter in for discussion. Mr. Bradley described the project's zoning relief discussed by the ZBA. He then stated all six standards have been met and the use would not change and he would approve the request. Ms. Kunkle agreed with Mr. Bradley's comments and described the proposal as thoughtful and mindful, which would blend in with the building. She stated it met both the special use standards and referred to storm water detention which would be handled by the Village engineers. Mr. Golan referred to the Comprehensive Plan's five criteria which would be satisfied. He then stated he would also recommend approval. Ms. Danley agreed with the comments made and referred to ingress/egress and current lack of ADA accessibility and that standard is not currently being met. She then stated it met the Comprehensive Plan goals and special use standards and she is in favor of the request. Mr. Alt commented the architecture would be beautiful and result in a win for the entire community. Ms. Case agreed with the comments made and commended the architects on the proposal and modernizing the building. Chairperson Orsic agreed with the comments made and that ADA accessibility is important.

Chairperson Orsic then asked for a motion. Ms. Case moved to recommend approval of the requested amendment to the existing special use granted by Ordinance 507-97 to allow construction of a one story vestibule addition to the existing church on the subject property based on the findings of fact included in the agenda packet. Ms. Danley seconded the motion. A vote was taken and the motion unanimously passed, 6 to 0:

AYES: Alt, Case, Danley, Golan, Kunkle, Orsic

NAYS: None

NON-VOTING: Bradley

Case No. 21-33-SD: 644 Pine Lane – Plat of Consolidation: An application submitted by Doug Minahan, the owner of the property located at 644 Pine Lane which currently consists of two lots, seeking approval of a Final Plat of Subdivision to consolidate the two existing lots into a single lot of record. The Village Council has final jurisdiction on this request.

Ms. Klaassen stated the applicant is also requesting to maintain the existing coach house and needs a finding of no increased material adverse impact on its existing nonconforming north side yard setback. She identified the property's location, zoning classification and described the improvements on the two existing lots. Ms. Klaassen stated the property is consistent with the Comprehensive Plan and outlined the applicant's plans for the property to demolish the structures, consolidate the two lots and build a new home, pool and pond utilizing the existing Lot 2 for storm water detention. She then identified the four

1 lots using the private road and stated the proposed consolidation complied with the zoning ordinance
2 measurements outlined in Figure 2. Ms. Klaassen noted the existing vacant lot is nonconforming with
3 regard to the minimum required lot depth and width at the front street line which would be eliminated
4 with the consolidation with no zoning nonconformities being created. She described the coach house's
5 setbacks and stated the Commission is to determine whether the nonconformity would result in an
6 increased material adverse impact to the public health, safety and welfare.

7
8 Ms. Klaassen stated last November the LPC found that the home's demolition would result in the loss of
9 a significant structure and issued the maximum 60 day delay which expired January 1, 2021. She identified
10 easements requested by the Village and stated after public comment and Commission discussion, a
11 Commission Member may wish to make a motion to recommend approval or denial of the request as
12 indicated on page nos. 8 and 9. Ms. Klaassen noted the draft motion included relevant Comprehensive
13 Plan objectives as well as two conditions relating to the utility easement and for the Village Attorney to
14 approve the plat prior to its recordation. She added no public comments were received and asked if there
15 were any questions.

16
17 Mr. Bradley asked why the Village Attorney is required to approve the plat of subdivision and Ms. Klaassen
18 explained the reasoning for attorney review. Mr. Golan asked if the coach house is the only remaining
19 structure on both properties and Ms. Klaassen identified the existing parcels on Figure 3 and identified
20 the structures to be torn down and replaced with a new home. Mr. Golan asked if the north neighbor
21 expressed concern relating to the coach house and Ms. Klaassen responded that staff has not received
22 any comments. Ms. Kunkle asked if one of the four lots using the private lane is a vacant lot and Ms.
23 Klaassen confirmed that is correct, that the site is currently under construction and referred to Figure 3
24 for clarification.

25
26 Doug Minahan informed the Commission with regard to the pool's prior location, there was never a home
27 on that property which was previously owned by one owner. He also stated the home to the west on
28 Hibbard would like to see the consolidation occur and as the current westerly lot would otherwise be
29 accessed through the south side of that neighbor's lot. Mr. Minahan stated the new home would be in
30 the same general location with the same footprint. He informed the Commission drainage could be
31 achieved on the separate lot and referred to the property's natural drainage flow which would be
32 maintained on the current path. Mr. Minahan informed the Commission he is using the same builder as
33 the north neighbor who has not expressed any concern. He also stated the existing home is not livable in
34 connection with today's standards while the coach house is in better condition.

35
36 Chairperson Orsic asked if there were any questions. Mr. Golan asked for a description of the proposed
37 pond which Mr. Minahan described for the Commission which met code requirements and would serve
38 to assist with drainage. Mr. Alt questioned how water would move from the combined lot to Hibbard and
39 Mr. Minahan explained to the Commission how drainage would function and slow down the water's flow.
40 Mr. Minahan also described the engineering addressing the water flow on the site.

41
42 Chairperson Orsic asked if there were any other questions from the Commission or the audience. No
43 additional questions were raised at this time. She then called the matter in for discussion.

44
45 Mr. Alt stated his biggest concern related to water and the applicant's plan is to beautify the area as
46 opposed to having water affect Hibbard. Chairperson Orsic stated the pool's removal resulted in a lot of
47 permeable surface being put back in its location and commented the consolidation would benefit the
48 neighborhood and help the area in terms of water. Ms. Case stated the consolidation would clean up a lot

1 of inconsistencies resulting in one buildable lot. She commented the consolidation would result in a better
2 use of the land as opposed to selling the land which may result in a home being built and stated she is in
3 favor of the request. Ms. Danley agreed with the comments made and stated the consolidation would
4 formalize the two lots' prior use, met the criteria and she is in favor of the request. Mr. Bradley stated the
5 consolidation would eliminate existing nonconformities and agreed the standards have been met. He
6 stated he is in favor of the request.

7
8 Mr. Golan referred to finding no. 2 which the Commission needs to address relating to whether the coach
9 house should be allowed to remain. Mr. Minahan noted the photos in the LPC report included the coach
10 house. He added they are proposing a traditional white brick house. Chairperson Orsic stated there would
11 not be an increased adverse impact since the new home would be in a similar location and size as the
12 existing home with the coach house having had no impact. Ms. Kunkle stated given the surrounding lots,
13 it would not have an increased material adverse impact for it to remain and thanked the applicant for
14 being mindful of the surroundings. Mr. Bradley stated imposing conditions on the applicant to preserve
15 the structure would be in opposition to the goal of attempting to retain historic structures and the no
16 material adverse impact condition should be granted. Mr. Golan agreed with Mr. Bradley's comments.

17
18 Chairperson Orsic then asked for a motion. Ms. Danley made a motion to recommend approval of the
19 proposed final plat consolidating the two existing lots known as 644 Pine Lane into a single lot of record
20 which meets the subdivision code's standards for approving such final plat and to recommend approval
21 of the proposed lot's consolidation subject to the approval of the two conditions noted on page 9. The
22 motion was seconded by Mr. Alt. A vote was taken and the motion unanimously passed, 7 to 0:

23 AYES: Alt, Bradley, Case, Danley, Golan, Kunkle, Orsic

24 NAYS: None

25 26 **Public Comment**

27 Elijah Gray, 1125 Spruce Street, stated in connection with the Village's review of the Comprehensive Plan,
28 he referred to the allocation of funds on planning the improvement of the Green Bay Trail. He asked for
29 the Commission to consider the full amount to be spent for the consultants and planning in order to get
30 the full value for what is spent.

31 32 **Other Business.**

33 **a. Comprehensive Plan Status Update.**

34 Mr. Schoon informed the Commission since their joint meeting with the Village Council, the consultant
35 has been busy engaging with the community and meeting with other boards and commissions and plans
36 to meet with the EFC in a couple of weeks. He also referred to the focus groups and community Open
37 House which took place last week. Mr. Schoon stated the information obtained will be summarized as
38 part of the State of the Village report. He informed the Commission their next engagement in the process
39 would be to review that document and a special meeting would be scheduled with the Commission and
40 the consultant on either December 1 or December 2, 2021, depending on a Commission quorum. The
41 Commission Members discussed their availability and confirmed the meeting would take place on
42 December 1st. Mr. Schoon then stated an online version of the community Open House would be made
43 availability to provide input. He asked if there were any questions.

44
45 Mr. Golan questioned the Walden project's status and Mr. Schoon responded the applicant submitted for
46 final plan approval and they are waiting on the applicant's resubmittal to incorporate the comments
47 received. He stated the Village Council would then consider final plan approval.

48

1 b. November 17, 2021 Meeting – Quorum check.
2 The Commission Members confirmed their availability.

3
4 **Adjournment:**

5 A motion to adjourn was made by Mr. Bradley and the motion was seconded by Ms. Kunkle. A vote was
6 taken and the motion unanimously passed, 7 to 0:

7 AYES: Alt, Bradley, Case, Danley, Golan, Kunkle, Orsic

8 NAYS: None

9
10 The meeting was adjourned at 8:03 p.m.

11
12 Respectfully submitted,

13
14 Antionette Johnson

15 Recording Secretary

DRAFT



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: PLAN COMMISSION
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: NOVEMBER 10, 2021
SUBJECT: 1054 GAGE STREET - MATHNASIUM - SPECIAL USE PERMIT (CASE NO. 21-36-SU)

INTRODUCTION

On November 17, 2021, the Plan Commission is scheduled to hold a public hearing to consider an application submitted by Schoolhouse 4 Math, LLC (the "Applicant"), a franchisee of Mathnasium, as the prospective lessee of the property located at 1054 Gage Street, Winnetka, IL (the "Subject Property"), **to allow the expansion of an existing math learning and tutoring center into the Subject Property.** The property is currently owned by John C. Dini.

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 tutoring center in the C-2 General Retail Commercial Overlay District at the Subject Property. The Applicant would be expanding its current math tutoring center at 1060 Gage Street to include the Subject Property.

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 not received any written comment from the public regarding this application.

PROPERTY DESCRIPTION

The Subject Property is one of the first floor commercial spaces located in the multi-use building at 1054-1062 Gage Street, located on the south side of Gage Street between Green Bay Road and Tower Court. The approximately 900 square foot space at 1054 Gage Street has been unoccupied since early September 2021 and was most recently occupied by *The Laundry Mutt*. The Applicant currently occupies the commercial space immediately west of the Subject Property. Neighboring businesses include *Kyoto Japanese Restaurant* and *Once Upon a Bagel*. Figures 2 through 4 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, including educational uses, such as tutoring centers; however, the Zoning Ordinance requires that they be evaluated by the Plan Commission and Village Council as a special use.



Figure 1 – Subject Property – 1054 Gage Street



Figure 2 – Subject Property – 1054-1062 Gage Street



Figure 3 – Neighboring Business - Once Upon a Bagel



Figure 4 – Neighboring Business – Kyoto Japanese 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. The amendments went into effect on July 4, 2019 and did not impact an educational service business such as the Applicant’s proposed use of the Subject Property, such use previously required approval of a special use permit, as it does today.

HUBBARD WOODS BUSINESS DISTRICT OVERLAY BOUNDARIES

A map depicting the zoning classifications of the Hubbard Woods Business District is included below as Figure 5. The Subject Property is highlighted yellow.

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.

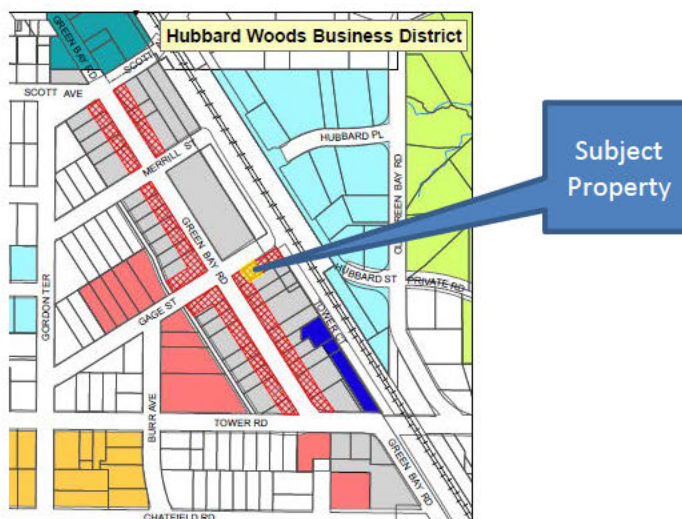


Figure 5 – Hubbard Woods Business District

DESCRIPTION OF REQUEST

As previously stated, the Applicant is proposing to expand its current location at 1060 Gage Street to include the Subject Property, an approximately 900 square foot space with 17.5 feet of street frontage. The Applicant's current space is the mirror image of its proposed space, 900 square feet and 17.5 feet of street frontage. If approved by the Village Council, the Applicant would occupy 1,800 square feet and 35 feet of street frontage.

Currently, the Applicant has 15 to 25 students per day, with 5-7 staff members. The hours of operation are 3:00pm until 7:00pm on weekdays and 10:00am until 4:00pm on weekends. As described by the Applicant in the attached application materials (Attachment A), the existing location has grown quickly but is limited in serving the growing demand due to the size of the existing space. With the additional space the Applicant is proposing to occupy, they expect approximately 30-50 students a day. Sessions are scheduled for an hour and start and end every 15 minutes to minimize the number of students turning over at any given time. The Applicant also anticipates 6-8 staff on site, during the busiest times.

The Applicant has provided a floor plan representing the proposed layout of the space (Figure 6). The two spaces would be connected by an existing hallway towards the rear of the spaces. The main entrance to the space would remain in its current location, with additional means of egress through the rear and front doors of the proposed space.

In lieu of a professional parking study prepared for Mathnasium, the Applicant has submitted a narrative description of their existing and proposed use, together with a copy of a September 2017 study prepared for Figueroa Orthodontics at 1075 Gage Street, which is included in Attachment A. The Applicant submitted the same 2017 study for their initial special use permit application to occupy their current space. The Applicant states that staff has been directed to park in Village-designated spots for employees of businesses (Zone A spaces) in the Hubbard Woods parking structure. According to Village records, two "Zone A" parking passes have been purchased by Mathnasium. The Applicant states that their clients do not park for extended periods of time, and generally require a parking space for 5-10 minutes to drop-off and pick-up students.

On March 20, 2018, the Plan Commission considered the Applicant's initial special use permit application to operate in its current location. After hearing from the Applicant and the property owner, by a vote of 6-0, the Commission recommended approval of the special use permit subject to the condition that employees are required to purchase Village-issued parking passes and park in the upper level of the Hubbard Woods parking structure. Subsequently, the Village Council adopted Ordinance M-8-2018 approving the special use permit. The Ordinance includes a condition that the Applicant purchase and maintain employee parking passes for the upper level of the Village's Hubbard Woods parking structure and require all of its employees to park in the parking structure. For additional details, the minutes of the September 2018 Plan Commission meeting and Ordinance M-8-2018 are included in this report as Attachments B and C.

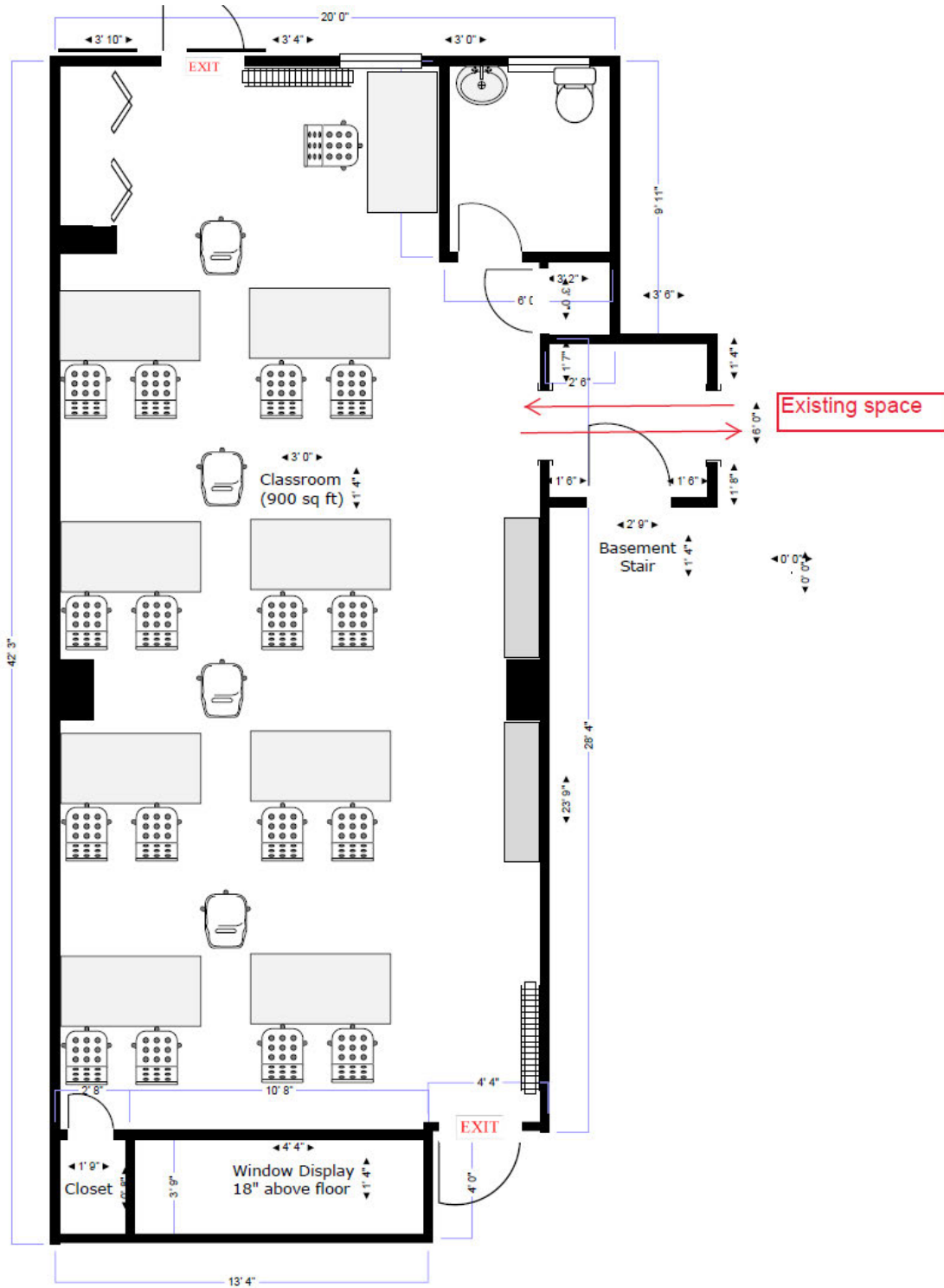


Figure 6 – Excerpt of Proposed Floor Plan

DESIGN REVIEW BOARD REVIEW

Any changes to the exterior of the commercial space or the addition of permanent signs or awnings to the front of the proposed space will require approval of a certificate of appropriateness by the Design Review Board. The Applicant has yet to submit such applications.

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.

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, Schoolhouse 4 Math, LLC, a franchisee of Mathnasium, to expand and operate its existing math learning and tutoring center at 1060 Gage Street into the space at 1054 Gage Street within the C-2 Commercial Overlay District, based on the following findings of fact:

“The proposed expanded tutoring center (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 **the following condition(s)**:

1. The Applicant purchase and maintain employee parking passes for the upper level of the Village's Hubbard Woods parking structure and require all of its employees to park in the parking structure.
2. [Insert any additional 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.

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

ATTACHMENTS

Attachment A: Application Materials

Attachment B: Excerpt of March 20, 2018 PC meeting minutes

Attachment C: Ordinance M-8-2018, adopted April 17, 2018

ATTACHMENT A

Village of Winnetka
SPECIAL USE PERMIT – C2 COMMERCIAL OVERLAY APPLICATION

VILLAGE OF WINNETKA, ILLINOIS DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL USE PERMIT APPLICATION C-2 COMMERCIAL OVERLAY

Case No. 21-36-SU

Property Information

Site Address: 1054 Gage Street

Proposed type of occupancy: Math Learning Center

Applicant Information

Name: Schoolhouse 4 Math, LLC

Address: 222 Northfield Road - Suite 201

City, State, ZIP: Northfield, IL 60093

Applicant Signature: Javier Steve Santacruz
Digitally signed by Javier Steve Santacruz
Date: 2021.10.08 08:59:57 -05'00'

Primary Contact: Javier Steve Santacruz

Phone No. 847-868-9620

Email: javier@mathnasium.com

Date: 10/08/2021

Attorney Information

Name: N/A

Primary Contact: _____

Address: _____

City, State, ZIP: _____

Phone No. _____

Email: _____

Architect Information

Name: N/A

Primary Contact: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Email: _____

Property Owner Acknowledgment

I hereby certify that I am the owner of the property located at 1054 Gage Street, and have provided the attached proof of ownership.
(address)

I consent to the filing of an application for a Special Use Permit by Schoolhouse 4 Math, LLC.
(Applicant name)

Property Owner Signature: _____

Date: 10/08/2021

Printed Name: John Dini



Proposed Business:

J. Steve and Karen Santacruz have been a franchisee of Mathnasium – The Math Learning Center since 2010. They operate under the name Schoolhouse 4 Math in Northfield, IL. Schoolhouse 4 Math is a top franchisee in the Mathnasium system with its locations in Glenview and Kenilworth among the top centers across the US and Canada. In addition to Winnetka, Steve and Karen own seven Mathnasium centers in Illinois (Barrington, Glenview, Kenilworth, Lake Forest, Libertyville, Naperville and South Barrington) and three in California (Dana Point, Laguna Niguel, San Anselmo and San Clemente).

Schoolhouse 4 Math opened in Winnetka in 2018 due to the success of our location in Kenilworth. Through mapping of our customers, we determined that many Winnetka residents were students at Kenilworth and we were underserving the north Winnetka/south Glencoe community. The Winnetka location has quickly grown but it is limited in serving the demands of the community due to the size of its space (900 square feet). Mathnasium is applying for a Special Use to permit the expansion of its operation of a math learning center in approximately another 900 square feet at 1054 Gage Street.

Mathnasium is an after school supplemental education math learning center that provides individualized curriculum to every student based on detailed diagnostic assessments. Winnetka is now a self-standing location (not a satellite of Kenilworth) and operates from 3:00 pm until 7:00 pm during the week and on weekends from 10:00 am until 4:00 pm. With proximity to Hubbard Woods Elementary, Skokie, Washburn, Crow Island and Sacred Heart, it is our hope to provide a more convenient location for many of our customers.

Standards:

- 1. That 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;**

Mathnasium, one of the fastest growing franchise operations with over 900 centers in North America, offers customized math tutoring services helping kids in grades K-12 develop math skills through homework lessons and tutorials. The Mathnasium Method is a time-tested, personalized program, that employs diagnostics, instruction, worksheets, manipulatives, and games to build Number Sense, and with it, confidence and a deep understanding and lifelong love of mathematics. Our program and services should be a benefit to the community.

- 2. That 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;**

A special use permit was granted to Mathnasium back in 2018 for the space it currently occupies at 1060 Gage Street (adjacent to the subject space). The special use granted to Mathnasium for 1054 Gage to permit an expansion of its business will continue to have a positive impact on its neighbors. Since we opened, we have worked to establish partnerships with local businesses (such as Graeter's Ice Cream) for prizes stocked in our reward cabinet for the students. As projected during our initial 2018 application, many of our families are walking to and from the center providing an increase in foot traffic resulting in more business for our neighbors. Mathnasium's

business model involves one-hour appointments in which parents drop-off their children and pick them up after an hour. Accordingly, many parents have and will use the one-hour session time to relax at Hubbard Woods Park and/or patronize local businesses. As we many of our students will be departing shortly before or at dinner time, several of the local restaurants may be seeing an increase in dining or carryout business.

While Mathnasium provides a social learning environment for its students, we do not have loud noises that would be a disturbance to the other businesses or residences. Our environment will continue to be bright and colorful adding positive family traffic that will only improve the value of the building we will occupy benefiting properties in the immediate vicinity.

- 3. That 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;**

The initial special use granted Mathnasium in 2018 has not resulted in a disruption to other business in the area. It is expected that the special use permit being sought here will not impede the normal and orderly development or improvement of the other property in the immediate vicinity since all the planned renovations will take place on the interior of the property. In addition, Mathnasium will be doing very nominal work consisting primarily in light demolition and decorating.

- 4. That 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;**

There will be no changes to the walkway and no changes to the roadways. There will be no change to the location of the entrance of the building. Further, there is sufficient street parking to accommodate the short-term visits of our families that will only need 5-10 minutes of parking time to drop off and pick up their children. There is also significant available parking in the village parking structure one block away for any customers planning to spend more time and for our employees to park.

- 5. That adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the Special Use exists or are to be provided;**

As we have done since we first opened in 2018, we plan to use the Hubbard Woods parking garage for our staff of 5-7. Our families and families can either utilize the same garage or use the available street parking on Gage St. and around Hubbard Woods Park. As our center primarily operates after school (3:00 pm until 7:00 pm), we will operate a time when the big traffic generator (Once Upon a Bagel) has already slowed down. Since we were originally granted a special use permit in 2018, we have not had any concerns about parking or traffic in the area resulting from our business.

- 6. That the Special Use in all other respects conforms to the applicable regulations of this and other village ordinances and codes;**

It is our understanding that the nature of our business as a tutoring/learning center is permitted under the Village ordinances and codes. In addition, our professional contractor will work with the Village of Winnetka to ensure that our use of the property conforms to the Village ordinances and codes. The minor demolition in the space and the decorating consistent with the requirements of our franchisor will be pursuant to national, state and local 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 of a comparison shopping nature;**

Mathnasium serves families in the community providing math learning and tutoring for students from 2nd through 12th grade. As previously noted, after dropping off their child at the center, many parents patronize nearby retail establishments such as Graeter's Ice Cream, Once Upon a Bagel, and Reprise Coffee Roasters. We also know that many of our families enjoy Hubbard Woods Park while they wait for their child's session to finish.

- 8. Proposed street frontages providing access to or visibility for one or more special uses shall provide for a minimum interruption in the existing and potential continuity and concentration of retail uses of a comparison shopping nature;**

There will be no change to the existing street frontages.

- 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 of a comparison shopping nature;**

Mathnasium has no plans to alter the façade of the property other than to install a sandblasted wood sign consistent with the sign over the 1054 Gage Street side of the building. We are excited to use our second display window to bring out the fun learning environment of Mathnasium and to do so in a seasonal way.

- 10. If a project or building has, proposes or contemplates a mix of retail, office and service type uses, and the retail portions of the project or building shall be located adjacent to the sidewalk. The minimum frontage for each retail use adjacent to the sidewalk shall be twenty (20) feet with a minimum gross floor area of four hundred (400) square feet. In addition, such retail space shall be devoted to active retail merchandising which maintains typical and customary hours of operation;**

Mathnasium offers supplemental educational services. The building itself is pre-existing and there will be minimal change to the exterior other than the installation of signage as previously described.

11. 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 of a comparison shopping nature.

As our center primarily operates after school (3:00 pm until 7:00 pm), we will operate a time when the big traffic generator (Once Upon a Bagel) has already slowed down. Many of our students walk from school (Sacred Heart and Hubbard Woods Elementary). For those driving to the center, it is primarily for the purpose of drop off and pick up with the anticipated parking time limited to 5 or 10 minutes. Our one-hour appointments are and scheduled to start every 15 minutes to spread out the drop off and pick up periods and to control our student overturn to 4 or 5 every 15 minutes. Between walking parents and students and ride sharing (consistent with our other centers), we would have no greater impact on parking as any other retail business would which is consistent with our current operations.





Direct Line: 847-868-9620
Email: jsteve@mathnasium.com

October 28, 2021

Village of Winnetka
Community Development
510 Green Bay Road
Winnetka, IL 60093

RE: Special Use Permit Application
Mathnasium of Winnetka

To Whom it may concern:

As part of our Special Use Permit Application, we would ask the Village to consider the evidence submitted in 2018 with our Special Use Permit Application for the adjacent space 1060 Gage Street that was previously approved for our math learning center. At this time, we are looking to expand our operation into 1054 Gage Street. During our initial process, we had reviewed the Gewalt Hamilton Associates, Inc. (GHA) parking occupancy and demand study that was submitted to the Village for consideration in another Special Use Permit application for Figueroa Orthodontics just down the street at 1075 Gage Street in Winnetka, Illinois. While there have been new businesses opened along Green Bay Road, we do not believe that their traffic and parking impact the analysis we provided in 2018 for the Gage Street and the Hubbard Woods Park area. I offer the following thoughts for your consideration.

To begin, it may be helpful to consider that the parking practices of our customers is not dissimilar to the business previously occupying 1054 Gage Street –the Laundry Mutt. That business involved the short-term parking to drop-off and pick-up their four-legged family members. The drop-off and pick-up of the dogs at this business required a customer to park their vehicle for 10 to 15 minutes in the Hubbard Woods Park parking spots. Mathnasium's impact to the parking in this area is far less as many of our parents drop-off and pick-up without parking which limit the use of a parking space to the time it takes for their children to exit or enter their vehicle. Unlike the Laundry Mutt, Mathnasium will decrease the impact on the parking of the previous occupant.

In addition, due to the Hubbard Woods park being a perfect spot for a parent to wait for their child, when arriving early (many times to allow their younger children to play), Mathnasium provides awareness to families during the enrollment process of the availability of the Hubbard Woods parking structure. In addition, due to the sharing of rides and the multiple family members enrolled at Mathnasium, the doubling of our space will not result in a doubling of traffic but should provide for more efficiency in scheduling to increase the ability of ride sharing among families.

Mathnasium – The Math Learning Center Practice Characteristics:

- The Learning Center is open after school Monday through Friday from 3 pm to 7 pm and either Saturday or Sunday from 10 am until 4 pm.



- We currently have 15 to 25 students per day. We expect approximately 30 to 50 students a day. (The new space will allow us to spread our students to provide a better learning environment and provide better distancing between our students.)
- We schedule our appointments to make sure they are evenly dispersed through the day. Sessions are scheduled for an hour. We schedule our sessions to start and end every 15 minutes to minimize the number of students turning over at any given time
- During the busiest times, there will be 6 to 8 staff members working. Our staff members have been instructed to use the parking garage to allow street parking for the customers of the shopping district.
- Most importantly, our customers do not park for an extended period of time (unless they are shopping or taking advantage of the park). Customers will be dropping off and picking up students requiring a parking space for 5 to 10 minutes.
- Many of our customers are arriving and leaving with more than one student as a result of siblings being enrolled and ride sharing arrangements between parents.

Key Finding:

Based on the above considerations, the maximum peak parking demand from 3 PM to 7 PM will involve up to 8 parking spaces for the staff. The staff is required to park in the Hubbard Woods parking structure. Due to the challenges of meeting with parents during sessions, most of our parent consultations occur between 1 pm and 3 pm when the parking needs slow down after the lunch hour. Our customers will need up to 4 parking spaces every 15 minutes for a short term of five minutes while they drop their children off or pick them up. Please note that during our 3 years of operating in Winnetka, we have yet to hear a complaint from a parent or neighbor about parking or traffic challenges on Gage Street and in the Hubbard Woods Park area.

GHA Parking Survey:

- The parking supply and demand survey was conducted on Wednesday, September 20, 2017 from 3 PM to 6 PM. These times match the anticipated busiest parking demands for Mathnasium of Winnetka.
- The weather was good during the survey, which helped ensure that the on-street and off-street parking facilities serving the Hubbard Woods businesses were busy.
- The study area was bounded by Scott Avenue on the north, the railroad tracks on the east, Tower Road on the south, and the alley behind the businesses on the west. The survey included both on street and off-street parking spaces.

Exhibit 1 summarizes the parking study findings. As can be seen, the study area has plenty of available parking. Pertinent comments include:

- On-street parking on Gage Street from Green Bay Road west to the alley (Area L) and on Green Bay Road from Tower Road to Merrill Street (Areas I and J) was busiest, especially at the 3 PM and 4 PM counts.
- There were always several parking spaces open on Gage Street east of Green Bay Road (Area M) and on Merrill Street both east and west of Green Bay Road (Areas D and E) during the entire time



period. In fact, these three locations could accommodate the entire peak orthodontics practice patient and employee demands.

- To minimize the impacts on the prime on-street parking areas, employees should be directed to park in the deck, which has a considerable amount of supply available. At most, the 221 spaces were only about 50% filled. Since the deck is only about a one-block walk and across the park from the proposed Mathnasium of Winnetka, vehicles could use the deck if they need to spend time patronizing neighboring businesses or using the park while they wait for their child.

It is important to note that the GHA parking study did not include the parking spaces on Gage Street east of Green Bay Road to Tower Court. This location immediately serving the proposed Mathnasium of Winnetka adds another 10 parking spaces on the north side of the street and 12 on the south side.

Concluding Remarks:

There is ample parking available to accommodate the anticipated peak customer and employee parking demands of the proposed Mathnasium – The Math Learning Center at 1054-60 Gage Street in the Hubbard Woods portion of Winnetka, Illinois.

Sincerely,



J. Steve Santacruz

Encl.



Exhibit 1 • Hubbard Woods Parking Study; Winnetka, Illinois

Date: Wednesday September 20, 2017

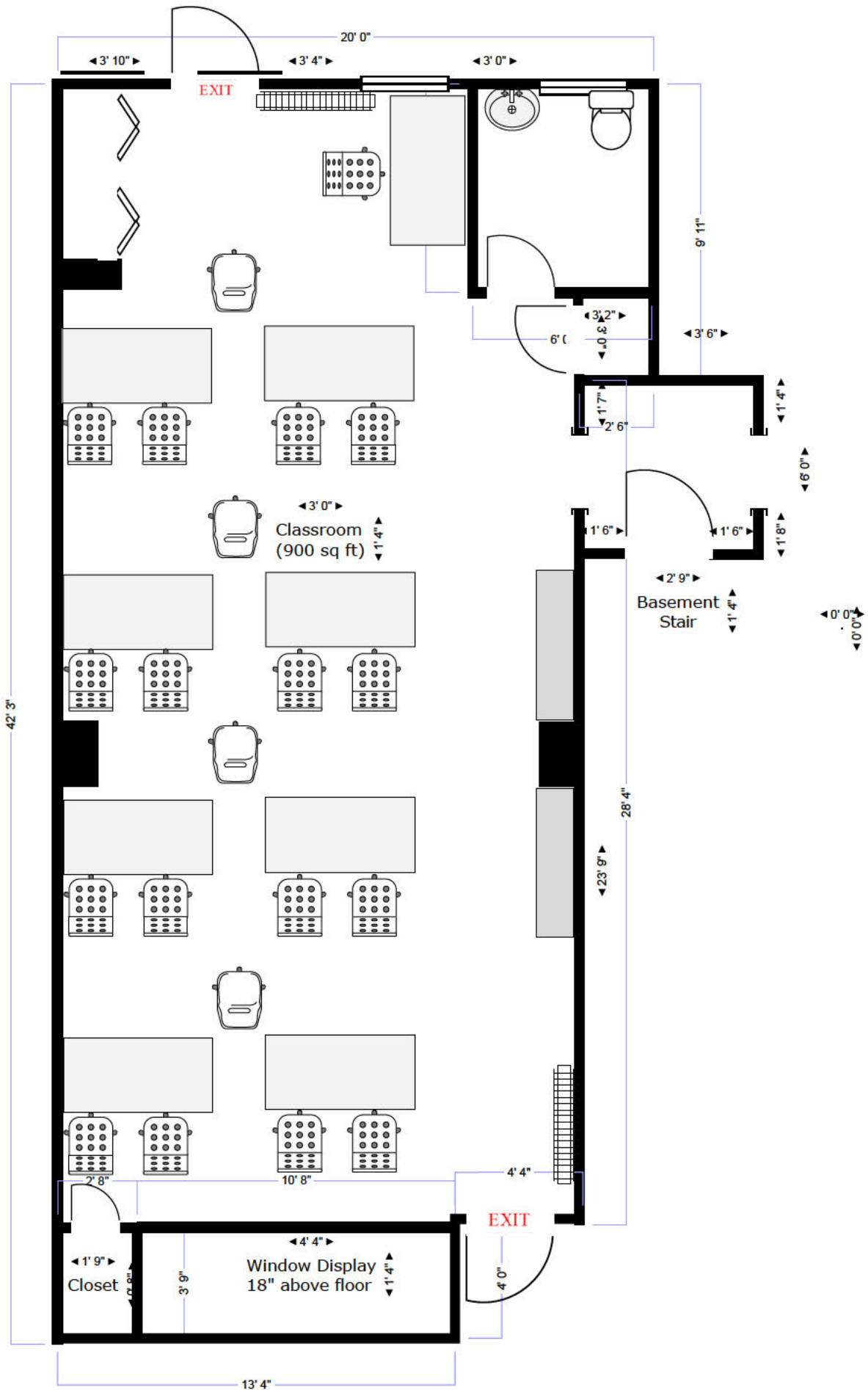
Parking Description	Parking Type	Parking Supply	3 pm	4 pm	5 pm	6 pm
N. Scott - Green Bay Rd east to parking deck (upper level only) Signage note #5	Regular	10	3	3	1	3
O. Scott - Green Bay Rd west to bank Signage note #5	Regular	4	2	2	0	0
P. CBIC Banking Center parking lots (2) Scott entrance - signage note #5	Regular	7	4	3	1	2
	Handicap	1	0	0	0	0
Green Bay Rd entrance - signage note #13	Regular	5	2	0	0	0
Q. Parking Deck (east of Green Bay Rd) Lower Level - only accessible from Merrill east of Green Bay Rd Signage note #14						
Row 1 (farthest east)	Regular	24	18	17	15	15
	Handicap	1	0	0	0	0
Row2	Regular	22	13	13	12	11
Row3	Regular	22	11	10	9	7
Row4	Regular	27	18	17	15	14
North end East-west row	Regular	7	2	2	1	1
South end East-west row	Handicap	3	0	0	0	0
Total =		106	62	59	52	48
Upper Level- only accessible from Scott east of Green Bay Rd Signage note #15 and #16						
Row 1 (farthest east)	Regular	28	3	5	7	7
Row2	Regular	22	11	9	3	3
Row3	Regular	22	11	6	5	6
Row4	Regular	27	13	11	9	7
North end East-west row	Regular	7	3	3	2	1
South end East-west row	Regular	9	5	2	0	0
Total =		115	46	36	26	24
Parking Occupancy Summary						
Study Area Totals =		579	329	295	223	204
Percentage Parking Spaces Occupied =			57%	51%	39%	35%

Signage notes:

- #1: Zone A, Permit parking only 8a-5p M-F, 24-hr limit
- #2: 90 min parking, Strength Time for clients only between 5:00am - 11 :00am
- #3: Zone A-C, Permit parking only 8a-4p M-F, 24-hr limit
- #4: 4 Hour parking, 8a-6p
- #5: 90 min parking, 8a-6p
- #6: 2 Hour parking 8a-6p
- #7: No customer parking, parking by sticker only unauthorized vehicles will be removed
parking residents only violators will be towed; Warning unauthorized
- #9: Jos A Bank parking only
- #10: Reds towing sign
- #11: Parking for Village Carpets only
- #12: Employee parking only
- #13: Bank client parking only
- #14: Zone C, Permit parking only 8a-1030a M-F, 72-hr limit
- #15: Zone A, Permit parking only 8a-10:30a M-F, 72-hr limit
- #16: 2 Hr parking 10:30a-6p without decal

Key

	100%-85% occupied
	85%-60% occupied
	60%-0% occupied



ATTACHMENT B

Adopted 6.25.18

**WINNETKA PLAN COMMISSION
EXCERPT OF SPECIAL MEETING MINUTES
MARCH 20, 2018**

Members Present:

Tina Dalman, Chairperson
Mamie Case
Jack Coladarci
Layla Danley
Bridget Orsic
Joni Johnson

Members Absent:

Chris Foley
Louise Holland
John Golan

Non-Voting Members Absent:

Kirsten Ziv

Village Staff:

Brian Norkus, Assistant Director of Community
Development

Case No. 18-04-SU: Consideration of Special Use Permit Request by Mathnasium of Winnetka to Permit a Tutoring Center on the Ground Floor within the C-2 Commercial Overlay District at 1060 Gage Street

Chairperson Dalman swore in those that would be speaking to this matter.

Steve Santacruz introduced himself as the owner of Mathnasium of Winnetka and a resident of Wilmette. He informed the Commission they established their first location 8 years ago, explaining that the business is a math tutoring service. Mr. Santacruz noted they started off with the Glenview location and have always had the idea serve the North Shore community they live in. Mr. Santacruz stated that 5 years ago, they searched the Winnetka area for a location, which would have been centrally located within their territory but it did not work at that time. He noted that after their first attempt at Winnetka location fell through, they established a location in Kenilworth, and it became their number one store in the system and they have served 350 children at that location. Mr. Santacruz described the business as a math foundational learning center and they teach subjects that students have not mastered yet including numerical fluency without calculators.

Mr. Santacruz stated that during a process of looking at where students are coming from, and stated that they serve all of Wilmette, Kenilworth, Northfield, Winnetka and part of Glencoe from the Kenilworth location, and that their next location is Highland Park. He stated that there are challenges serving the entire area between the Highland Park and Kenilworth locations, and their mission with the new proposed location on Gage Street is to create an annex center, wherein the

1 2000 square feet in Kenilworth would be supplemented by the additional 900 square feet on
2 Gage Street. He explained that the Gage Street location would be for educational purposes only
3 and their hours are much more limited. He also stated it would be staffed only by the center
4 director prior to 3:00 p.m. He noted all of the testing, enrollment and marketing activities take
5 place at the Kenilworth location.

6
7 Mr. Santacruz with the Gage Street location, most parents would drop off the children and either
8 go home or stay in the community and shop. Mr. Santacruz stated for parking, people typically
9 want the closest space to let the children in and out, and that parents will likely not want to use
10 anything along Green Bay Road, likely opting to park on Gage Street.

11
12 Mr. Santacruz stated the space at 1060 Gage is great for them, and that they had previously
13 talked to the landlord at 1075 Gage, formerly JC Licht paint store, but that space ended up going
14 to someone, and that it was too large for their needs.

15
16 Mr. Santacruz added their hours of operation would be from 3:00 to 7:00 p.m. and they have yet
17 to decide the hours for weekends. He then stated they would operate five days a week to start
18 with no longer than a 4 hour shift.

19
20 Mr. Santacruz informed the Commission the hours would be longer in the summer and would
21 include morning hours from 10:00am to 2:00pm, and would begin again at 3:00 to 7:00 p.m.

22
23 Ms. Johnson stated that the morning hours are not noted in the application.

24
25 Chairperson Dalman asked if staff had any additional comments on the application.

26
27 Mr. Norkus stated that the meeting was noticed in accordance with the zoning ordinance with a
28 sign posted on the site as well as notices being mailed to owners within a 500 foot radius. He
29 noted no written communications have been received. Mr. Norkus then stated the building was
30 previously occupied by the Rib and Stitch Yarn retail specialty store. He noted the property is
31 located in the retail overlay district and referred to the fact there have been numerous
32 amendments to the retail overlay district in terms of boundaries and uses permitted since it was
33 established in 1987. He noted that staff recently provided the Village Council with a report
34 outlining the history of the overlay district, and comparison with neighboring communities'
35 efforts to promote an active downtown district. Mr. Norkus indicated it is too early to predict the
36 outcome of possible amendments and that it is at the top of the Village Council's list of projects.
37 He added they would see more discussion in the weeks and months to come.

38
39 Mr. Norkus stated that in lieu of performing their own parking study, the applicant has provided
40 a copy of a recently completed parking study for Figueroa Orthodontics at 1075 Gage, and
41 addressed parking demand with a letter referencing the previous parking study from late 2017.
42 He stated that agenda materials include a memo from Village Engineer Steve Saunders, who
43 reviewed the proposed operation and data provided with regard to available parking in the area.
44 Mr. Norkus noted Mr. Saunders reviewed the submittal and submitted favorable comment for

1 the Commission's consideration. He then asked if there were any questions.

2
3 Ms. Johnson asked for additional detail on the Village Council retail overlay district discussion.
4 Mr. Norkus stated that the first meeting on the topic was held on March 13, and that there will
5 be additional discussion needed before any changes are considered. He then stated that the
6 March 13 meeting was more informational in nature. He stated the Village Council is interested
7 in making adjustments but it is too early to know what they will be. Mr. Norkus added the Village
8 staff was directed to give them more alternatives and they would consider amendments.

9
10 Chairperson Dalman stated with regard to the traffic study, she asked if it is a requirement of a
11 special use to have it or if it is nice to have or was it deemed by Mr. Saunders to be adequate.
12 Mr. Norkus stated they evaluate the need on a case-by-case basis and that it depends on the
13 nature of the operation and location being considered. He indicated you can tell from the
14 submittal they were comfortable reviewing the data from Figueroa Orthodontics since it is
15 nearby and recent. Mr. Norkus then referred to the applicant's time crunch in turning around the
16 application material for it to be submitted with details to be on this agenda.

17
18 Chairperson Dalman asked it was found to be acceptable from the Village staff. She added the
19 turnaround for drop-off would be faster here. Mr. Norkus stated that if there is some additional
20 information the Commission would like before taking action, it can request additional
21 information to make its recommendation.

22
23 Ms. Danley stated parking would occur for 10 to 15 minutes, unless the parents are staying in the
24 area. She then stated in terms of Figueroa Orthodontics and other uses, she referred to Minos
25 restaurant in the evening and for this case, she asked if the parking study was completed prior to
26 Minos opening. Ms. Danley indicated it might not be big a deal and added the restaurant is
27 popular.

28
29 Chairperson Dalman stated anytime they can drive more parkers to the garage, the better it will
30 be, and that people go to surface first and lastly to the garage. She also stated Minos' customers
31 could park in the garage but they take up street parking first out of convenience.

32
33 Ms. Johnson stated the applicant stated they will require their employees to park in the lot and
34 asked if it would be on the honor system. Mr. Norkus stated that if the Commission feels it is
35 important in order to make a favorable recommendation, it could condition its recommendation
36 on a specific condition that employees park in a specific location. He then stated from the
37 administrative standpoint it will likely be easy to achieve here given the proximity of the parking
38 structure and the affordable cost of employee parking passes.

39
40 Chairperson Dalman stated retail employees seem to park on Lincoln Avenue downtown, as an
41 example, and run to their vehicles every two hours. She stated that the parking garage is a hike
42 from Gage, and stated that they may want to take steps to make the employees use the parking
43 structure.

1 Mr. Santacruz noted in Kenilworth and Lake Forest, they purchase parking passes for their
2 employees and they purchase 6 or 7 permits for Kenilworth. He then referred to Green Bay Road
3 parking.

4
5 Chairperson Dalman noted her children have gone to the center in Kenilworth for 5 years and it
6 is dangerous for instructors crossing Green Bay Road at the Kenilworth location.

7 Ms. Johnson noted her son worked for their competitor.

8
9 Chairperson Dalman asked if there any other questions or concerns.

10
11 Mr. Coladarci asked Mr. Norkus if the Village monitors the parking structure.

12
13 Mr. Norkus stated that there is generally parking available throughout the day. He stated that
14 the upper level of the parking deck where employees park is not as heavily utilized as the
15 commuter parking on the lower level, so there would be no issue with the 6 employee spaces
16 which would be needed for this use.

17
18 Mr. Coladarci stated the employees on Lincoln are parking on Lincoln and it is also true in
19 Hubbard Woods. He indicated it sounded like the employees use the parking structure.
20 Chairperson Dalman stated the biggest issue would be the noon-time workers going to
21 McDonald's or Once Upon a Bagel who cannot find a place to park. She then indicated you see
22 the employees of Material Possessions and Paul Rader go to the garage and that street parking
23 is taken by contractors going to Hubbard Woods for lunch.

24
25 Mr. Norkus stated additional employees use the parking lot south of Tower Road, with the
26 Hubbard Woods parking garage used by employees of the northern edge of the district.

27
28 Mr. Santacruz stated that they also have some parents who do ride sharing with neighbors. Mr.
29 Santacruz added they also encourage customers to use parking and the neighborhood businesses
30 and there are enough spots during lunch for drop-off and pickup.

31
32 Ms. Johnson referred to the two spaces with 15 minute parking on the eastern south side of the
33 lot in front of the cleaners. Mr. Norkus indicated requests for short term parking tend to come
34 from businesses which have the shortest customer visit such as dry cleaners. He stated that such
35 spaces are not for the exclusive use of the business requesting them, and that parents of
36 Mathnasium students and students would be equally welcome to use them.

37
38 Chairperson Dalman suggested that the short term parking might be better located at the middle
39 of the block than on the far east end.

40
41 Chairperson Dalman again asked if there were any other questions. Ms. Johnson referred to the
42 window display. Mr. Santacruz informed the Commission his sister is working on that project and
43 there would be their mascot in the window and paper mache numbers to decorate space. He
44 also stated they would look for ways to utilize the space and there would also be bean bag chairs

1 for the children while they are waiting, as well as a railing system for safety. Ms. Johnson
2 commented the application is well done.

3
4 Mr. Santacruz informed the Commission the landlord is here to answer questions.

5
6 Ms. Johnson stated currently they plan for a satellite center with only instruction taking place at
7 the Hubbard Woods location, and questioned if that might change. Mr. Santacruz responded that
8 would only occur if they could find 2,000 square feet in town. He then stated there are locations
9 in Manhattan which operate in 700 to 900 square feet which he described as very tight and they
10 would like to have a more open center. Mr. Santacruz also stated they would have a scheduling
11 system like that in Kenilworth and there would be 15 minute scheduling for the amount of center
12 space.

13
14 Chairperson Dalman described it as a positive addition to Winnetka and there are high quality
15 employees at the Kenilworth location. She also stated she could see the benefits of the
16 concentration of businesses providing multiple services to parents, such as the orthodontist,
17 restaurants and ice cream shop, but acknowledging that it may be harder to park in the summer.
18 Chairperson Dalman then stated that it would be a good use and not require further discussion
19 but for the location in the retail overlay district. She described it as a good location for children
20 and it would be safe to cross at the traffic light and coming from school.

21
22 Mr. Santacruz stated the Kenilworth location has a lack of synergistic uses in that area and they
23 looked at the park and Graeter's Ice Cream which made this is a great location.

24
25 Chairperson Dalman stated it would enhance business, with some traffic issues in the summer
26 from 10:00 to 3:00. She stated that the park can help and force people out of vehicles and allow
27 for the use of parking on the full perimeter of the park. Chairperson Dalman added that her
28 children going there would not impact her vote.

29
30 Mr. Coladarci asked John Dini, 1054-1060 Gage, as the owner, how many other businesses are
31 there. Mr. Dini responded that the space to the east is occupied by a dog groomer, with the only
32 other space being the subject location. Mr. Coladarci asked how long had the previous tenant,
33 Rib and Stitch Yarn, been there. Mr. Dini responded 1½ to 2 years and the space has been empty
34 since January 1, 2018. He noted she had a difficulty due to the time and lack of sales although
35 she made a great effort to get a lot of people interested in her business but the foot traffic lacked
36 since people buy online. Mr. Dini informed the Commission the operator of the yarn shop talked
37 about leaving due to the lack of business. He informed the Commission he owned the building
38 for about 6 years and other tenants were pursued and it was previously an accessory store, as
39 well as another similar type of store before with that all being short lived.

40
41 Mr. Coladarci then asked what kind of business would be successful in the two storefronts. Mr.
42 Dini responded it seemed to be service business and people cannot buy dog grooming or tutoring
43 online. He also stated it is because service businesses are most often the type of businesses which
44 come to look at the spaces. Mr. Coladarci asked Mr. Dini what the effect of the retail overlay

1 district had on his ability to market the property. Mr. Dini responded it has made it very difficult.
2 He referred to the stretch near Chase and there are so many vacancies. Mr. Coladarci asked Mr.
3 Dini what the effect of changing the retail overlay district would be and allows more service
4 businesses like they have in Hubbard Woods. Mr. Dini responded it would help business with foot
5 traffic which makes a viable and strong business community when they have well operated and
6 thought out stores and locations. He stated people would be excited with full occupancy and
7 overall, it would be a good thing. Mr. Dini indicated he realized there are parking issues and they
8 want people to shop and they are also saying the parking structure is very underutilized. He
9 informed the Commission he has a business on the second floor as well as the fact they would
10 get parking permits for their employees and the police do a good job of enforcement. Mr. Dini
11 added you see a lot of people who have been in business for 28 years and a thoughtful and
12 organized type of business owner is what Hubbard Woods needs. He then stated although it is a
13 service business, it brings educated shoppers to the area in the afternoon and early evening
14 hours which would help the Japanese restaurant and that people in the business would patronize
15 the restaurants.

16
17 Mr. Coladarci stated the Commission has expressed concern with the failure to enforce or have
18 the retail overlay district affected and the end result is that they have blocks of tax preparation
19 services, bank branches, and real estate offices which are uses a landlord likes but which are not
20 necessarily positive for the Village as a whole. He stated they do see that as a potential problem
21 for Hubbard Woods and the Village as a whole to allow a service business in. Mr. Dini agreed he
22 saw the concern and stated first, you cannot deny the kind of changing structure of retail sales in
23 the world and it would be great to have an accessory store but the need is just not there and
24 people are shopping on Amazon. Mr. Dini described it as an uphill battle and you can see it with
25 the stores that have left and also the people currently coming in to look at the space which he
26 described as a great space. He also referred to parking and the most important thing is to have a
27 strong vibrant business of educated people going to shops and restaurants which help businesses
28 in the area.

29
30 Mr. Coladarci referred to the kinds of shops Winnetka would like to have such as those in
31 Evanston and Andersonville, and asked Mr. Dini if the lack of population density in the Village
32 is affecting them. Mr. Dini responded he thought so and there have been some shops like that
33 further west on Gage and the businesses did not survive there. He referred to the combination
34 of people who want to open those types of stores in Evanston and Oak Park as having built-in
35 clientele going to those neighborhoods looking for those types of shops. Mr. Dini asked if there
36 were any other questions.

37
38 Chairperson Dalman asked if there were any comments from the audience. No comments were
39 made by the audience at this time. She stated the Commission would now hold its deliberation.
40 Chairperson Dalman stated since the request is for service needs in the community, she is
41 surprised to hear there is no one in the audience. She then stated the request would serve the
42 demographic of people living in the community as well as serve the demographic and target
43 market spending money that would likely spend money at ancillary businesses. Chairperson
44 Dalman also stated although there would be the erosion of the retail overlay district, she would

1 support the request because it is similar to Figueroa Orthodontics. She added it is not on the
2 main street of Green Bay Road and they are not seeing a lot of applications for Green Bay Road
3 properties which represented the heart of the retail overlay district.

4
5 Ms. Orsic stated if the request was for tax preparation service, she would be far less excited and
6 referred to the children's business with children's things there like the park. Ms. Orsic also
7 referred to the limited hours and that for anyone bringing people to Graeter's Ice Cream, they
8 would see an uptick in their business. She then stated the community members always say they
9 do not want empty storefronts and a lot of children go to Mathnasium and it would be great to
10 have them closer.

11
12 Mr. Coladarci stated he also thought it would be excellent for business and a good idea. He also
13 stated the presentation was good and he understood the need for the space and the need for
14 the landlord to fill the space. Mr. Coladarci stated the applicant established how hard it is to fill
15 the space and there is certain economy difficulty being faced as a landlord. He stated the ultimate
16 concern is that at some point as they say often, applicants say people go to the other businesses
17 in the area and they do not know if they actually do. Mr. Coladarci stated he is not suggesting the
18 Commission deny them this business.

19
20 Mr. Coladarci referred to the stores which used to be there and that he missed the fact they
21 cannot do that anymore. He described it as very difficult to recover from that aspect and he
22 would like for people to spend money in the Village rather than elsewhere. Mr. Coladarci
23 questioned whether there is a way to respect the retail overlay district but still fulfill the need of
24 the people in the Village, which he described as a very difficult conflict. He concluded by stating
25 he is in favor of the special use permit.

26
27 Ms. Danley informed the Commission that her friend's children go to the Kenilworth location and
28 referred to the amount of time spent at drop-off where they are running errands. She also
29 referred to the fact it would only be for 30 minutes and with regard to adding business to
30 the community, they feed into that. Ms. Danley also stated that people would go to Walgreen's
31 and for this type of business, the problem was that everything was real estate offices but she saw
32 this as a very different business and service.

33
34 Mr. Coladarci also referred to the turnover of people coming through in a short time period for
35 children in the business which means they may stay in the area.

36
37 Ms. Case stated she is in favor of the request and all of the points raised by Mr. Coladarci were
38 well spoken. She stated they would give an overview for the Village Council to look at in terms of
39 what they would support. Ms. Case stated the only question now is Walgreen's is crazy with
40 parking. Ms. Case added the end of Hubbard Woods has become less active.

41
42 Chairperson Dalman noted Walgreen's has a parking lot.

43
44 Ms. Johnson stated she had nothing to add and for the Commission to make a recommendation

1 that the Village Council require the applicant to purchase parking passes and to use the parking
2 garage. Chairperson Dalman confirmed the applicant stated in the application they were willing
3 to do that which would give everyone comfort. She added she spent a fair amount of time in the
4 knitting store and the Commission did a good job of channeling and addressing the types of
5 questions Ms. Holland would have raised. Chairperson Dalman also stated the previous owner of
6 the store did everything including outreach to schools, etc. and it was still hard which she wanted
7 to make sure was in the record for the Village Council. She then referred to Ms. Johnson's
8 suggestion of making it a condition to the recommendation to the Village Council that employees
9 of the business be required to park in the upper deck of the parking structure at Hubbard Woods.

10
11 Chairperson Dalman then referred to Attachment A in the packet of materials and stated Case
12 No. 18-04-SU contained draft findings of fact of the Winnetka Plan Commission. She then stated
13 the suggestion is for a motion for the adoption of the draft findings with the additional condition
14 which goes to the Village Council for the recommendation that the employees of the business be
15 required to purchase parking passes and for employees to be required to park in that parking
16 structure and asked for a motion.

17
18 A motion was made by Ms. Case to make a positive recommendation to the Village Council
19 subject to the condition that employees are required to purchase parking passes for their
20 employees, and that they are required to park in the upper level of the Hubbard Woods parking
21 structure. Ms. Orsic seconded the motion. A vote was taken and the motion was unanimously
22 passed.

23 AYES: Case, Coladarci, Dalman, Danley, Orsic, Johnson (6)

24 NAYS: None (0)

25
26 **Draft**
27 **Findings Of The Winnetka Plan Commission**
28 **Mathnasium Of Winnetka**
29 **1060 Gage Street**
30 **Special Use Permit**
31

32 After considering the application and testimony, the Plan Commission makes its findings as
33 follows:

34
35 That the proposed tutoring center to be located within the C-2 Commercial (Retail) Overlay
36 District is consistent with the eleven (11) standards of Chapter 17.44 of the Zoning Ordinance, as
37 outlined below:

38
39 1. The establishment, maintenance and operation of the special use will not be detrimental to or
40 endanger the public health, safety, comfort, morals or general welfare;

41
42 2. The special use will not be substantially injurious to the use and enjoyment of other property
43 in the immediate vicinity which are permitted by right in the district or districts of concern, nor
44 substantially diminish or impair property values in the immediate vicinity;

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

4
5 4. Adequate measures have been or will be taken to provide ingress and egress in a manner which
6 minimize pedestrian and vehicular traffic congestion in the public ways;

7
8 5. Adequate parking, utilities, access roads, drainage and other facilities necessary to the
9 operation of the special use exist or are to be provided;

10
11 6. The special use in all other respects conforms to the applicable regulations of this and other
12 Village ordinances and codes;

13
14 7. The proposed special use at the proposed location will encourage, facilitate and enhance the
15 continuity, concentration and pedestrian nature of the area in a manner similar to that of retail
16 uses of a comparison shopping nature;

17
18 8. Proposed street frontages providing access to or visibility for one or more special uses shall
19 provide for a minimum interruption in the existing and potential continuity of retail uses of a
20 comparison shopping nature;

21
22 9. The proposed special use at the proposed location will provide for display windows, facades,
23 signage and lighting similar in nature and compatible with that provided by retail uses of a
24 comparison shopping nature;

25
26 10. If a project or building has, proposes or contemplates a mix of retail, office and service-type
27 uses, and the retail portions of the project or building shall be located adjacent to the sidewalk,
28 the minimum frontage for each retail use adjacent to the sidewalk shall be twenty (20) feet with
29 a minimum gross floor area of four hundred (400) square feet. In addition, such retail space shall
30 be devoted to active retail merchandising which maintains typical and customary hours of
31 operation; and

32
33 11. The proposed location and operation of the proposed special use shall not significantly
34 diminish the availability of parking for district clientele wishing to patronize existing retail
35 businesses of a comparison shopping nature.

36 37 **RESOLUTION**

38
39 NOW, THEREFORE BE IT RESOLVED, that the Winnetka Plan Commission finds that the
40 proposed Special Use Permit application for the property at 1060 Gage Street is consistent with
41 the standards for Special Use Permits.

42
43 Passed by a vote of six (6) in favor and none (0) opposed.
44

1 Date: March 20, 2018

2

3

4

ATTACHMENT C



1817716049

VILLAGE OF WINNETKA

Doc# 1817716049 Fee \$58.00

COOK COUNTY, ILLINOIS

RHSP FEE:\$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 06/26/2018 04:11 PM PG: 1 OF 11

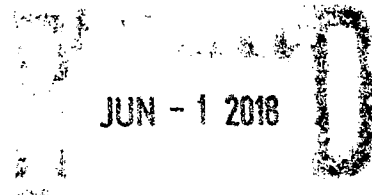
ORDINANCE NO. ORDINANCE NO M-8-2018

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
AN ORDINANCE GRANTING A SPECIAL USE PERMIT
FOR THE OPERATION OF A TUTORING CENTER
WITHIN THE C-2 RETAIL OVERLAY DISTRICT OF THE VILLAGE
(1060 Gage Street)**

PASSED AND APPROVED by the
President and Board of Trustees
of the Village of Winnetka,
Cook County, Illinois, this
17th day of April, 2018.

PUBLISHED IN PAMPHLET FORM

by authority of the President
and Board of Trustees of the
Village of Winnetka, Cook
County, Illinois, this 20th day of
April, 2018.



**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
FOR THE OPERATION OF A TUTORING CENTER
WITHIN THE C-2 RETAIL OVERLAY DISTRICT OF THE VILLAGE
(1060 Gage Street)**

WHEREAS, Schoolhouse 4 Math, LLC ("*Applicant*"), is the lessee of the property commonly known as 1060 Gage Street, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("*Subject Property*"); and

WHEREAS, 1054-1060 Gage Street, LLC ("*Owner*"), is the record title owner of the Subject Property, and Owner consents to the operation of a tutoring center by the Applicant at the Subject Property; and

WHEREAS, the Subject Property is located within the C-2 General Retail Commercial District and the C-2 Commercial Overlay District of the Village (collectively, "*C-2 Retail Overlay District*"); and

WHEREAS, the Applicant desires to operate a tutoring center at the Subject Property, which qualifies as a business educational use pursuant to the table of uses set forth in Section 17.46.010 of the Winnetka Zoning Ordinance ("*Zoning Ordinance*"); and

WHEREAS, pursuant to Section 17.44.020 and the table of uses set forth in Section 17.46.010 of Zoning Ordinance, the operation of a business educational use is not permitted within the C-2 Retail Overlay District without a special use permit; and

WHEREAS, on February 19, 2018, the Applicant filed an application for a special use permit pursuant to Section 17.44.020.B and Chapter 17.56 of the of the Zoning Ordinance to allow the operation of a tutoring center at the Subject Property ("*Special Use Permit*"); and

WHEREAS, the Owner of the Subject Property has consented to the application for the Special Use Permit filed by the Applicant; and

WHEREAS, on March 20, 2018, after due notice thereof, the Plan Commission conducted a public hearing on the proposed Special Use Permit and, by a vote of 6 in favor and 0 opposed, recommended that the Village Council approve the Special Use Permit, upon certain conditions; and

WHEREAS, the Village Council has determined that approval of the proposed Special Use Permit for the operation of a real estate office at the Subject Property satisfies the standards for the approval of special use permits within the C-2 Retail Overlay District set forth in Chapter 17.56 and Section 17.44.020.B of the Zoning Ordinance and is in the best interest of the Village and its residents;

NOW, THEREFORE, the Council of the Village of Winnetka do ordain as follows:

SECTION 1: RECITALS. The foregoing recitals are hereby incorporated into this Section 1 as the findings of the Council of the Village of Winnetka, as if fully set forth herein.

SECTION 2: SPECIAL USE PERMIT. Subject to, and contingent upon, the terms and conditions set forth in Section 3 of this Ordinance, the Special Use Permit is hereby granted, pursuant to Chapter 17.56 and Section 17.44.020.B of the Zoning Ordinance and the home rule powers of the Village, to allow the establishment and operation of a tutoring center by the Applicant at the Subject Property within the C-2 Retail Overlay District.

SECTION 3: CONDITIONS. The Special Use Permit granted by Section 2 of this Ordinance is subject to, and contingent upon, compliance by the Applicant with the following conditions:

- A. **Employee Parking.** Applicant must: (i) purchase from the Village and maintain employee parking passes for the upper level of the Village's Hubbard Woods parking structure ("***Parking Structure***"); and (ii) require all of its employees, contractors, and agents working on the Subject Property to park on the upper level of the Parking Structure while working on the Subject Property and not in other public parking spaces.
- B. **Commencement of Operation.** The Applicant must commence operation of the proposed tutoring center no later than 12 months after the effective date of this Ordinance.
- C. **Compliance with Regulations.** The development, use, and maintenance of the Subject Property must comply at all times with all applicable Village codes and ordinances, as they have been or may be amended over time.
- D. **Reimbursement of Village Costs.** In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes, ordinances, resolutions, rules, or regulations, the Applicant must pay to the Village, promptly upon presentation of a written demand or demands therefor, of all fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance. Payment of all such fees, costs, and expenses for which demand has been made shall be made by a certified or cashier's check. Further, the Applicant must pay upon demand all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.
- E. **Compliance with Plans.** The development, use, and maintenance of the real estate office at the Subject Property must be in strict accordance with the Floor Plan submitted by the Applicant, consisting of one sheet, a copy of which is attached to and, by this reference, made a part of this Ordinance as **Exhibit B**, except for minor changes and site work approved by the Director of Community Development (within his permitting authority) in accordance with all applicable Village codes, ordinances, and standards.

SECTION 4: RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Recorder of Deeds. This Ordinance and the privileges,

obligations, and provisions contained herein inure solely to the benefit of, and are binding upon, the Applicant, the Owner, and each of their heirs, representatives, successors, and assigns.

SECTION 5: FAILURE TO COMPLY. Upon the failure or refusal of the Applicant or the Owner to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, in addition to all other remedies available to the Village, the Special Use Permit granted in Section 2 of this Ordinance will, at the sole discretion of the Village Council, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the Special Use Permit granted in Section 2 of this Ordinance unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. In the event of revocation, the development and use of the Subject Property will be governed solely by the regulations of the applicable zoning district and the applicable provisions of the Zoning Ordinance, as the same may be amended from time to time. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 6: AMENDMENT OF SPECIAL USE PERMIT. Any amendments to the Special Use Permit granted in Section 2 of this Ordinance that may be requested by the Applicant after the effective date of this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Ordinance.

SECTION 7: EFFECTIVE DATE.

A. This Ordinance will be effective only upon the occurrence of all of the following events:

1. Passage by the Village Council in the manner required by law;
2. Publication in pamphlet form in the manner required by law; and
3. The filing by the Applicant and the Owner with the Village Clerk of an Unconditional Agreement and Consent in the form of **Exhibit C** attached to and, by this reference, made a part of this Ordinance, to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance and to indemnify the Village for any claims that may arise in connection with the approval of this Ordinance.

B. In the event that the Applicant does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 7.A.3 of this Ordinance within 60 days after the date of passage of this Ordinance by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Ordinance null and void and of no force or effect.

[SIGNATURE PAGE FOLLOWS]

PASSED this 17th day of April, 2018 pursuant to the following roll call vote:

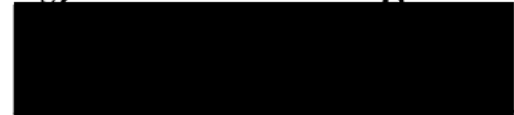
AYES: Trustees Cripe, Dearborn, Lanphier, Myers, Swierk and Ziv

NAYS: None

ABSENT: President Rintz

APPROVED this 17th day of April, 2018.

Signed



Village President

Countersigned:



Village Clerk

Published by authority of the
President and Board of Trustees of
the Village of Winnetka, Illinois, this
20th day of April, 2018.

Introduced: Waived

Passed and Approved: April 17, 2018

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

THE WEST 46.83 FEET OF THE EAST 96.83 FEET OF LOT 1 IN BLOCK 5 IN JARED GAGE'S SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF FRACTIONAL SECTION 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF FRACTIONAL SECTION 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

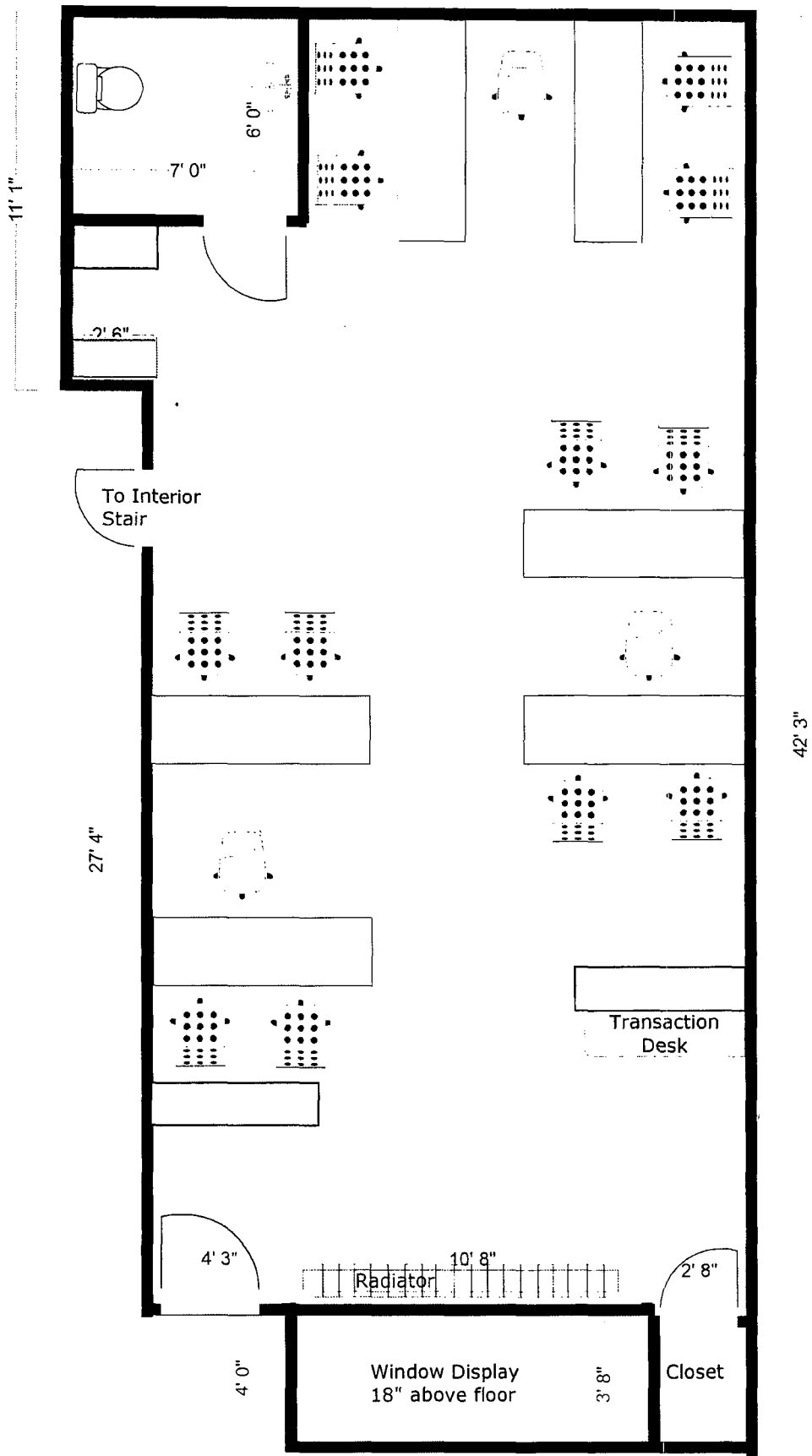
Commonly known as 1056-1062 Gage Street, Winnetka, Illinois.

PIN: 05-17-123-002-0000

EXHIBIT B
FLOOR PLAN
(SEE ATTACHED EXHIBIT B)

EXHIBIT B

20' 2"



13' 4"

EXHIBIT C
UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Winnetka, Illinois ("*Village*");

WHEREAS, Schoolhouse 4 Math, LLC ("*Applicant*"), desires to operate a tutoring center located at 1060 Gage Street in the Village ("*Subject Property*"); and

WHEREAS, 1054-1060 Gage Street, LLC ("*Owner*"), is the record title owner of the Subject Property and consents to the operation of a tutoring center by Applicant at the Subject Property; and

WHEREAS, Ordinance No. M-8-2018, adopted by the Village Council on April 17, 2018 ("*Ordinance*"), grants a special use permit to the Applicant for the operation of a tutoring center at the Subject Property within the C-2 General Retail Commercial District and the C-2 Commercial Overlay District of the Village; and

WHEREAS, Section 7 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant and the Owner have filed, within 60 days following the passage of the Ordinance, their unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the Applicant and the Owner do hereby agree and covenant as follows:

1. The Applicant and the Owner do hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.
2. The Applicant and the Owner acknowledge that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, have considered the possibility of the revocation provided for in the Ordinance, and agree not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The Applicant and the Owner acknowledge and agree that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of a special use permit for the Subject Property or its adoption of the Ordinance, and that the Village's approvals do not, and will not, in any way, be deemed to insure the Applicant or the Owner against damage or injury of any kind and at any time.
4. The Applicant and the Owner do hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting the special use permit for the Subject Property.

5. The Applicant and the Owner hereby agree to pay all expenses incurred by the Village in defending itself with regard to any and all of the claims mentioned in this Unconditional Agreement and Consent. These expenses will include all out-of-pocket expenses, such as attorneys' and experts' fees, and will also include the reasonable value of any services rendered by any employees of the Village.

Dated: 5-7, 2018

ATTEST:  SCHOOLHOUSE 4 MATH, LLC

By:

Its:

SECRETARY

By:

Its:

MANAGER

ATTEST:

1054-1060 GAGE STREET, LLC

By:

Its:

By:

Its:

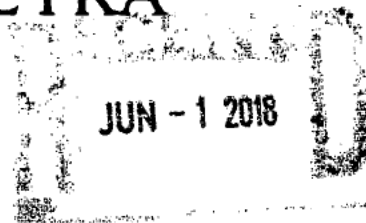
MANAGER

JUN - 1 2018



VILLAGE OF WINNETKA

Incorporated in 1869



STATE OF ILLINOIS)
)
COUNTY OF COOK) SS

I, the undersigned, do hereby certify that I am the duly appointed, qualified and Deputy Village Clerk of the Village of Winnetka, Cook County, Illinois (the "Village") and as such officer I am the keeper of the official journal of proceedings, books, records, minutes, and files of the Village and of the Council (the "Village Council") thereof.

I do further certify that attached hereto is a full, true, and complete copy of the following:

ORDINANCE NO. M-8-2018

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR THE OPERATION OF A TUTORING CENTER WITHIN THE C-2 RETAIL OVERLAY DISTRICT OF THE VILLAGE (1060 Gage Street)

Adopted by the Winnetka Village Council on April 17, 2018.

I do further certify that the deliberations of the Council on the adoption of said Ordinance were taken openly; that the vote on the adoption of said Ordinance was taken openly; that said meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all of the news media requesting such notice of said meeting; that said meeting was called and held in strict accordance with the provisions of the Open Meetings Act of the State of Illinois, as amended; and that the Council have complied with all of the applicable provisions of said Act, their procedural rules and the Village charter in the adoption of said Ordinance.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the seal of the Village this 20th day of April, 2018.

[SEAL]

By:

[Redacted Signature]

Kathleen Scanlan
Deputy Village Clerk