



**MINUTES
VILLAGE OF GLENCOE
ZONING COMMISSION
REGULAR MEETING**

Village Hall Council Chamber
675 Village Court
Monday, May 7, 2018 - 7:30 PM

1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Zoning Commission of the Village of Glencoe was called to order by the Chair, at 7:32 p.m. on the 7th day of May, 2018, in the Village Hall Council Chamber.

Attendee Name	Title	Status
Zoning Commission		
Howard Roin	Chair	Present
Deborah Carlson	Member	Present
Sara Elsasser	Member	Present
David Friedman	Member	Present
Alex Kaplan	Member	Present
Scott Novack	Member <i>(Arrived at 8:00 p.m.)</i>	Present
John Satter	Member	Present
Village Staff		
Nathan Parch	Planning & Development Administrator	Present
Stewart Weiss	Village Attorney	Present

2. CONSIDERATION OF MINUTES OF THE APRIL 9, 2018 ZONING COMMISSION MEETING

RESULT:	APPROVED
AYES:	Carlson, Elsasser, Friedman, Kaplan, Roin, & Satter (6)
NAYS:	None (0)
ABSENT:	Novack (1) <i>(Arrived at 8:00 p.m.)</i>

3. CONTINUE PUBLIC HEARING TO CONSIDER A REQUEST OF DAVID KATZ ON BEHALF OF PROPERTY OWNER CONNORMAX LLC FOR A SPECIAL USE PERMIT TO WAIVE THE OFF-STREET PARKING REQUIREMENT FOR THE COMMERCIAL BUILDING AT 662-666 VERNON AVENUE, IN THE B-1 CENTRAL BUSINESS DISTRICT, REQUIRED FOR THE CONVERSION OF EXISTING OFFICE SPACE TO A RESIDENTIAL APARTMENT UNIT ON THE SECOND FLOOR

The Chair stated that the purpose of this meeting was to conduct a public hearing to consider an application for a special use permit from the owner of the commercial building located at 662-666 Vernon Avenue to waive the off-street parking requirement of 1.5 spaces for the conversion of an existing office space to one residential apartment unit on the second floor.

Following consideration of the application, the Zoning Commission will provide a recommendation to the Village Board who will then consider the recommendation in approving, denying, or revising the request for a special use permit.

The Chair reported that notice of the public hearing was published in the March 19, 2018 issue of the Glencoe Anchor and over 15 nearby business and residential properties were notified by mail. Staff noted that no letters or inquires had been received. The Chair stated that no representatives for the applicant were in attendance at the April 9, 2018 Zoning Commission meeting, for which the matter was publicly noticed, to present testimony and, as a result, the Commission voted to continue the public hearing to May 7, 2018.

The Chair made part of the record, as additional testimony, the Agenda Supplement, which the Secretary was directed to preserve as part of the record in this matter.

Staff then swore in those in attendance expecting to provide testimony on this matter.

BACKGROUND OF REQUEST

The subject building was constructed in the 1920s as an auto storage garage. Over the years it functioned as an auto repair garage and an auto dealership (Bill Madison Motors, Subaru, c. 1973). In 1983 the building was remodeled into three first floor storefronts with Books on Vernon and Writers Theatre as long-term tenants. A building permit was recently issued to Unify Fitness LLC for the renovation of the entire first floor space (approximately 3,500 SF) into a private gym. According to Village records, the second floor office space/use dates back to the original building construction and is approximately 1,500 square feet.

The proposed change in use on the second floor from office to residential triggers the requirement to provide off-street parking per Section 5-104 of the Zoning Code. The required number of parking spaces for a multiple family dwelling in the B-1 Central Business District is 1.5 spaces for each apartment. Section 4-103 of the Zoning Code, entitled Special Uses, notes the following may be permitted in any business district subject to the issuance of a special use permit:

Relief for buildings in the business districts that do not meet the parking requirements contained in Paragraphs 5-104E1(h)(i) and (ii) of this Code; provided, however, that the Board of Trustees may, in approving a special use permit for parking relief:

- 1. Restrict the size of any proposed new building or addition to an existing building;*
- 2. Restrict the uses of the building, including without limitation restricting the use of one or more floors in the building to retail uses only;*
- 3. Require that the owner provided off-site parking; and/or*
- 4. Place any other restrictions or conditions on the special use permit as the Board of Trustees deems necessary or appropriate. (Section D adopted Feb 19, 2004)*

SUMMARY OF TESTIMONY

David Katz of Mundelein, Illinois introduced himself and stated he was the representative for property owner Connormax LLC. Mr. Katz apologized for missing the April meeting due to his wife having knee surgery.

Mr. Katz explained that the subject property has a vacant area behind (west of) the building that could be used for parking, however access to this area is restricted by a privately owned alley/driveway controlled by Friedman Properties who owns the Wienecke Court development. This alley/driveway

serves two purposes for the Wienecke Court development: (1) it provides access to/from Hazel Avenue for residents and visitors; and (2) it includes assigned parallel parking spaces for its apartment units. Therefore, due to lack of access, it is not feasible for the property owner to provide the required 1.5 off-street parking spaces on the site of 662-666 Vernon Avenue.

Mr. Katz explained that Connormax LLC also is in the process of purchasing the building next door at 668 Vernon Avenue, where the Art Store Galley is located. Unlike the 662-666 Vernon property, the 668 property has a recorded ingress/egress easement allowing use of the alley/driveway controlled by Friedman Properties and providing access to the rear of that building. Regardless of the easement, a fence installed by Friedman Properties blocks access to the rear of the 662-666 Vernon property in all directions.

Mr. Katz stated that Friedman Properties has been unresponsive to requests for discussion about access.

Mr. Katz addressed the Standards for Special Use Permits pursuant to Section 7-502 of the Zoning Code on the special use application received by the Village February 28, 2018:

1. **Code and Plan Purposes.** The remodel of existing space to a residential apartment use and the elimination of the required off street (1.5 space) parking requirement. The new unit shall be in harmony with the purposes for which the code was enacted and shall complement the existing residential units in the area.
2. **No Undue Adverse Impact.** All modifications to the existing structure shall be interior only and will not have any adverse effect on adjacent properties, utilities, or matters affecting the public health, safety, and general welfare.
3. **No Interference with Surrounding Development.** The addition of a single residential unit shall not dominate the vicinity nor will it interfere with any use of development of neighboring properties.
4. **Adequate Public Facilities.** Proposed apartment shall require no changes to any essential public facilities per Section 7-502, Subsection E1d.
5. **No Traffic Congestion.** Proposed apartment shall not cause any increase in traffic flow through downtown areas.
6. **No Destruction of Significant Features.** All construction of new apartment shall be internal with no destruction of any natural, scenic, or historic features of the area.
7. **Compliance with Standards.** Excepting the request for the waiver of the off street parking requirement, the addition of an apartment at this location shall comply with all national and local standards, regulations, and codes.

Following Mr. Katz's presentation, members of the Zoning Commission discussed the application.

In response to a question, Village Attorney Weiss clarified that the 1.5 parking space requirement would round up to two parking spaces should they be provided on site.

Member Kaplan asked what steps the applicant has taken to make contact with Friedman Properties about the fence.

Member Friedman asked what the applicant's legal counsel advised.

Chairman Roin stated he would like to see the parking waiver be subject to a condition that progress be made between the applicant and Friedman Properties to reach some sort of resolution.

Member Satter stated that he was supportive of the applicant’s hardship and the requested parking waiver.

Following additional discussion, concerns were expressed about setting a precedent for parking waivers. Several members also felt that resolution between the two property owners should be pursued in order to allow access for the required parking spaces behind the building.

Village Attorney Weiss advised the Commission to assess the special use application as though there is no access for parking at this point in time.

A motion was made and seconded to deny the special use permit as presented.

RESULT:	APPROVED
AYES:	Carlson, Elsasser, Friedman & Kaplan (4)
NAYS:	Roin & Satter (2)
ABSTAIN:	Novack (1)
ABSENT:	None (0)

The Zoning Commission recommendation for denial will be forwarded to the Village Board for consideration.

4. ADJOURN

There being no further business to come before the Zoning Commission the meeting was adjourned at 8:20 p.m.