MEETING MINUTES
Joint Meeting of the PLAN COMMISSION & ZONING BOARD OF APPEALS
Tuesday, August 8, 2018
7:00 PM
Civic Center, 2100 Ridge Avenue, Council Chambers

Plan Commission Members Present: Colby Lewis, Jennifer Draper, Carol Goddard, George Halik, Peter Isaac

Plan Commission Members Absent: Terri Dubin, Andrew Pigozzi, Patrick Brown

ZBA Members Present: Kiril Mirintchev, Violetta Cullen, Mary Beth Berns, Mary McAuley, Lisa Dziekan, Myrna Arevalo,

ZBA Members Absent: Scott Gingold

Staff Present: Michael Griffith, Johanna Leonard, Scott Mangum

Presiding Member: Colby Lewis

Declaration of Quorum
With a quorum of both the Plan Commission and Zoning Board of Appeals present, the meeting was called to order at 7:00pm.

Election of Joint Meeting Chair
Ms. Berns motioned for Mr. Lewis to serve as Chair of the joint meeting, which was seconded by Ms. Goddard and approved 9-0 with one abstention.

New Business
A. 2119-2125 Ashland Avenue

Mike Chookaszian, operator, requests a text amendment to permit brewpubs as a Permitted or Special Use in the MXE Mixed-Use Employment District (Zoning Code Sections 6-13-4 & 6-18-3, Title 6 of the City Code). The City may propose additional modifications to alcohol producing uses within the Business, Commercial, Downtown, Transitional Manufacturing, and Industrial Zoning Districts (various Zoning Code Sections 6-9 through 6-15) and within Definitions (Section 6-18-3). The applicant also requests a special use permit for a brewpub and a banquet hall in the MXE Mixed-Use Employment District (Zoning Code Section 6-13-4-3), and zoning relief to reduce the required front yard setback from 10’ to 0’, to reduce the required north interior side yard setback from 5’ to 0’ and to reduce the required rear yard setback from 5’ to 0’ (Zoning Code Section 6-13-4-6), and to eliminate 1 required short loading dock (Zoning Code Section 6-16-4-5) in order to construct additions at the first floor to an existing building. The Plan Commission and Zoning Board of Appeals make recommendations to the City Council, the determining body for this case.
Mr. Griffith presented an overview of the requested text amendment, special use, and major zoning relief.

- Proposed hours: 11:00am to 12:00am Monday-Thursday; 11:00am to 1:00am Friday-Saturday.
- Approx. 10-30 staff members
- Banquet hall use to be largely catered.
- Parking to be handled with valet or self-parking at off-site locations for events
- 2-5 events with 20-300 people per event.
- 29 Parking spaces

Mike Chookaszian, applicant, introduced Nick Hines and Scott Frank who are partners in the proposed project. Mr. Chookaszian then went on to explain the proposal:

- Have built 3 successful restaurants in the area, 2 in Chicago, 1 in Wilmette. Additional restaurant to open later this year.
- Purchased the building approximately one year ago. Previous tenant, CrossFit E-town, has since left that location.
- Restaurant in front open 7 days a week for lunch and dinner. Event space in the rear can operate separate events, concurrently with restaurant operations. Area holding vehicles could also hold additional customers for events.
- Microbrewery size – 15 barrel brewing system.
- Bike racks, electrical vehicle charging stations and solar panels as the building can support.
- Options considered to recycle the spent grain.
- Have talked to neighbors in the immediate area and have received support for the proposed project.

Chair Lewis opened up the hearing to questions from the public for the applicant.

Kelly Ann Alcott, 1519 Simpson St, expressed concerned about the noise level of customers leaving the property, where customers and valet vehicles will be parked, how the unpaved alley will be maintained with additional traffic, and church services adding to additional parking concerns. She also asked if the applicant would commit to hiring residents within the 5th Ward.

Mr. Hines responded that there are 29 parking spaces on the property for regular restaurant operations and that the team has spoken with Pastor Dillard regarding a shared parking arrangement and will speak with other churches in the immediate area. The restaurant hours will aim to not be open during church service hours. Regarding valet, the operators have worked with companies in the past and should not have an issue with those operations. No outdoor area is intended, no loud outdoor music, and proposed customer base does not lend itself to rowdiness all of which will contribute to noise reduction. Do not intend to use the alley outside of once a day deliveries. Would like to hire within the 5th ward, have spoken with alderman and have ideas regarding having apprenticeship program where residents can learn the brewing process.

Chair Lewis invited questions from the Plan Commissioners.
Commissioner Isaac asked about the definition of brewpub, specifically what hand-capped sealed containers were. Mr. Hines stated that those are typically crowlers or growlers that are sealed onsite.

Commissioner Isaac then asked if the proposed definition would accurately show what the brewpub does over time. Mr. Hines stated that it is difficult to say as technology changes. Mr. Frank added that the hand-capped definition applies more for growlers which have a heat seal; there is some movement to aluminum cans that have a manual press seal.

Commissioner Goddard asked for clarification on what other areas would be affected. Mr. Mangum showed where restaurants/brewpubs are currently permitted and where the changes would be within the cumulative M districts.

Chair Lewis asked if brewpubs are allowed in these areas, why it is not proposed to let restaurants have the same allowance. Mr. Mangum responded that that change could be taken into consideration.

Chair Lewis then invited the Zoning Board of Appeals to ask questions.

Ms. Cullen asked how many seats there are in the restaurant. Mr. Hines stated that there will be between 65-75 seats, including the bar. Event space will be up to 300 people and business hours are dependent on amount of business. Mr. Frank stated that the operations will consist of packaging beer, with wine being served within the restaurant. Specialty bags for leftover beer would be going out. Customers will be able to purchase heat sealed containers of beer without eating in restaurant. Targeting 500 barrel production in first year going up to 800.

Chair Berns inquired what portion of business consists of non-dine-in customers. Mr. Hines replied approximately 15%. Most packaging comes from dine-in customers who wish to take beer home.

Ms. Dzielen inquired about parking arrangements anticipate formal agreements? Could be a formal agreement but would be up to churches. Dzielen then inquired about hours of operation in comparison to restaurant hours then regarding music and live bands and if sound dampening would be considered. Yes. Daily deliveries? Generally 2 deliveries a day but would like get 3 deliveries due to beer centric use. 6 -10 deliveries over the week. Largely events catered off-site with kitchen acting as a staging area. Will follow the City’s sustainability practices, partner with local farmers regarding use of brewing by-products, and intend to have bike parking in front of facilities. Valet will be queued up and use parking lot as part of operation. Additional lots will be used for larger events.

Ms. Arevalo indicated that football practice in area also needs to be considered. Mr. Hines stated that a safety plan can be put in place if any conflicts arise.

Mr. Mirintchev inquired about garbage location. Mr. Hines stated that there are containers outside off of alley and there will be daily pick-up.
Chair Berns inquired about a plan for alley maintenance. Mr. Hines stated that the team works with a company in Skokie for gravel fill and could use them for this alley when needed or on an annual basis. Chair Berns then asked about the length of deliveries. Mr. Hines responded that they last approximately 5 minutes. Space exists behind building to pull in off of alley so as not to block as much of it.

Chair Berns asked how noise will be mitigated for customers who may come outside to smoke and where employees will be parking. Mr. Hines responded that a staff member could be used to monitor noise. Parking spaces will be rented as needed. Water Reclamation District lot could also be used as an additional option.

Chair Berns asked what the hardship was and what other options had been considered. Mr. Chookaszian stated that the existing building is largely built to lot lines. Would not be able to house the full brewing operations without the addition. Currently have minimum amount needed for both restaurant, brewing and banquet facility. Chair Berns asked if any other designs had been considered. Bowtruss ceiling would not allow for a second level. Ms. McAuley stated that if the building were constructed with permitted setback, it would actually be inconsistent with other buildings in the area and would be a very small addition. Did not feel there would be a customer draw if reconfigured. Banquet space likely to be 30 % of revenue.

Public Comment:
Kelly Ann Alcott- alley always has holes is a significant issues. Deeply concerned about the amount of traffic, and stated that the brewpub would still likely need to use the alley. Semi banquet facility nearby Feast & Imbibe-partnering with them? Glad smoking has been brought up and appreciates the design of the building.

John Leineweber, property owner in the area, stated that there are now over 70 businesses in the area and have been waiting for a restaurant to come into the area for multiple decades. Facility will make a big difference in the area and provide a space for employees of businesses to have someplace to eat and have meeting space. Supports proposed business.

Mr. Chookaszian emphasized that the parking lot does not have access to the alley so it alley use will likely not be an issue. Mr. Hines stated that the alley will be repaired if it falls into disrepair.

Chair Lewis closed the Public Comment.

The Plan Commission entered Deliberation:

Chair Lewis reiterated that the Commission was being asked to consider text amendments for a definition of a brewpub, allowing brewpub as permitted use in M Districts and in the same zoning districts as type-1 restaurants, combining definitions for craft-distillery and craft-brewery and allowing type-1 restaurants as an accessory use to micro-brewery/micro-distillery.

Commissioner Goddard stated that this seems like a legitimate condition to the code but still has concerns regarding areas that may be affected.
Commissioner Isaac expressed concerns regarding allowing restaurants in what is otherwise a manufacturing district. He believes the use is a good fit in this particular area and can benefit other businesses however there is not a lot of area covered by these manufacturing districts and this could negatively affect the amount of space set for that use. Chair Lewis added that there is a benefit to have restaurants within a manufacturing district brewpub with accessory restaurant but restaurants are not permitted by right.

Mr. Mangum differentiated between Industrial Districts and the M Districts and pointed out that the area in which the proposed brewpub is located in the largest M District in the City.

Chair Lewis asked if it was beneficial to have that type of use within the Mixed Use and Industrial areas and if restaurants should also be allowed by right as brewpubs are proposed to be. Should they be allowed as Special Use instead?

Commissioner Draper stated that it is interesting that it is allowed in Industrial areas but not the transitional areas and that if it is allowed there it should be allowed within the transitional district.

Chair Lewis stated that an issue with the use is the proposed hours of operation and asked if there were restrictions within the code. Mr. Mangum responded that within the zoning ordinance there are none but liquor licensing does have restrictions. Chair Berns stated that Special Uses could have that control placed on them.

Isaac stated that there is no need for two separate definitions and combining them makes sense. A brief discussion followed regarding how to regulate standards on amounts that could be produced. It was clarified that the proposed text amendment would still be compliant with local and state regulations and specifically references state regulations.

The definition of brewpub was discussed with the phrase “for consumption on or off site in sealed containers” being reviewed. Commissioner Draper stated that adding “on premises” is important so that the use does not change. Staff can work on exact language.

Ms. Goddard made a motion to accept staff’s recommendation for a text amendment with a definition change and brewpub definition with on premise sealing and allowing restaurants and brewpubs as special uses in the M Districts. Seconded by Commissioner Isaac.

1. Yes
2. Yes
3. Yes
4. Yes

A roll call vote was taken and the motion was approved 5-0 to recommend the text amendment as amended to City Council.
Ayes: Goddard, Draper, Isaac, Halik, Lewis
Nays: none.

_The ZBA then entered into deliberation:_
Chair Berns stated that with the Plan Commission’s recommendation there is a new Special Use to consider with regards to the proposed brewpub use, a Special Use for the banquet hall, and the requested variances.

Ms. McAuley stated her support of the project due to the need for more economic development in the Hill Arts District and is consistent with the City’s Comprehensive Plan.

Mr. Mirintchev stated his support with concerns for the parking, requesting that there is some written agreement for shared parking. He also expressed that the project would spur on more economic development in the area and believes that the financial model would not survive without requested variances. He then noted that the bathrooms should be moved to a different part of the building and not be along the front façade where a storefront appearance should be.

Ms. Dziekan asked how MWRD could be a part of the parking solution. Ms. McAuley stated that the Park District leased space to serve the park and the business district. She stated that it is also typically full during regular business hours. The City prohibits overnight parking and would typically be more available after regular hours for the brewpub. Ms. Dziekan then asked if approval could be predicated on the applicant providing written parking agreements with Churches or other entities in the area so that there is no cumulative negative affect on the neighborhood.

Ms. Arevalo expressed her support for the project and the needed special use and variances adding that the applicant should consider the nearby residents and the children that use the nearby playing field.

Ms. Cullen agreed that the project is needed in that location. She then expressed support of the project and requested that the applicant work closely with residents as it would be a big change in the area.

Chair Berns expressed agreement with the comments provided and stated that she would like to see conditions added to approval of the project, those being: a formal parking agreement, regular hours being 11:00am to 10:00pm Sunday through Thursday and 11:00am to 1:00am on Friday and Saturday which special events having late hours, noise abatement, employee parking offsite, alley maintenance and designated smoking area.

Ms. McAuley questioned if it was appropriate to require one business to be responsible for the upkeep and repair of an alley that multiple businesses currently use. Chair Berns stated that if the business does not cause additional issues with the alley then the extra maintenance would not be needed.

Standards for Special Use –brewpub in MXE District and banquet use
Ms. Dziekan motioned to recommend approval of the special use with conditions, which was seconded by Ms. Cullen. With a vote of 6-0 for approval, the special use was recommended for approval.

Conditions:
1. Employees must park off-site and not on the street.
2. Hours of operation shall not exceed 11:00am – 10:00pm Sunday through Thursday and 11:00am – 1:00am Friday and Saturday with special event times to go no later than 1:00am
3. Formal parking agreements must be in place prior to City Council review
4. Substantial compliance with the documents and testimony on record including Sustainability Plan
5. Noise abatement must be considered in the addition so that noise does not carry into the neighborhood
6. Applicant must coordinate with businesses along the alley to maintain the alley annually as needed
7. A designated parking area shall be monitored by staff so that it does not become a nuisance in the neighborhood.

Standards for Variations:
1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes

Ms. McAuley motioned to recommend approval and was seconded by Ms. Dziekan. With a vote of 6-0 for approval, the requested variations are recommended for approval.

B. 1108 Dodge Avenue 18PLND-0040 & 18ZMJV-0061

Steve Tuszynski, property owner, requests a text amendment to permit auto and recreational vehicle sales as a Permitted Use and auto storage lots, auto body repair, auto towing, and auto salvage as Special Uses in the C1 Commercial District (Zoning Code Section 6-10-2, Title 6 of the City Code). The applicant also requests a special use permit for auto sales with accessory auto repair and towing in the C1 Commercial District (Zoning Code Section 6-10-2-3). The Plan Commission and Zoning Board of Appeals make recommendations to City Council, the determining body for
Chair Berns moved to adjourn the ZBA meeting, seconded by Mr. Mirintchev.

Chair Berns moved to adjourn the joint Plan Commission and ZBA meeting. Commissioner Goddard seconded.

The meeting adjourned at 8:58pm.