



MEETING MINUTES

ZONING BOARD OF APPEALS

Tuesday, December 18, 2018

7:00 PM

Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Lisa Dziekan, Violetta Cullen, Mary McAuley, Kiril Mirintchev

Members Absent: Mary Beth Berns, Scott Gingold, Myrna Arevalo

Staff Present: Scott Mangum, Melissa Klotz

Presiding Member: Violetta Cullen

Declaration of Quorum

With a quorum present, Vice Chair Cullen called the meeting to order at 7:00 p.m.

Minutes

Ms. McAuley motioned to approve the meeting minutes of October 16, 2018, which were seconded by Ms. Dziekan and approved 3-0 with one abstention.

New Business

705 Main St.

ZBA 18ZMJV-0097

Sean Curry, lessee, applies for a special use permit for a ground floor Medical Office, Evanston Family Chiropractic and Wellness Center, in the B2 Business District and the oDM Dempster-Main Overlay District (Zoning Code Section 6-15-17-5). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record.

Dr. Sean Curry, applicant, explained the proposal:

- Medical chiropractic office.
- Front windows will stay clear and the front will feature the reception desk and a retail component.
- 15-20% of the space is for retail.
- There will be one massage room (current site plan shows 2 massage rooms but one is eliminated).
- Dr. Curry already has a local client base in the neighborhood.
- Office will feature one employee for the first 6 months and then one additional employee who will be dropped off.
- Clients will be encouraged to use public transit and patronize nearby businesses.

Nicholas Ehrlich, 1117 Main St., was a patient of Dr. Curry's in the past but his current location is inconvenient to get to so he currently is not a patient. Mr. Ehrlich will utilize the Evanston location since it will be located in his neighborhood.

Sean Chinsky, owner of the building at 710-716 Main St., would like the special use permit declined. Mr. Chinsky is opposed to repurposing a retail space to office. The Overlay requirement was enacted for this reason - offices do not encourage a vibrant retail corridor. The retail base on Main St. has been shrinking over the years. Stores that are adjacent to offices lose visibility with fewer people walking by. There has been progress in recent years since the Overlay was enacted; this use would deter that.

Ms. McAuley noted Evanston Lumber previously operated in the space and closed approximately 7 months ago.

Ms. McAuley asked Mr. Chinsky if he would support a hybrid retail/office where there is a retail component so the space operates as a wellness center as opposed to straight offices, which is a more active use. Mr. Chinsky responded the current plan does not have enough of a retail component for him to support. The eyeglass store nearby is largely retail with little medical office space in the very back.

Shawn Decker, owner of Sketchbook Brewing Co., and lives at 1324 Ashland Ave., stated Dr. Curry's current practice is thriving and has a strong following within Evanston. There is a mixture of professional practices and retail in the area. The clients who frequent Dr. Curry's practice will walk through the business area and frequent other businesses including Sketchbook Brewery.

Joe Kochke, owner of Virag building at 701-709 Main St., supports Dr. Curry. The space has been vacant for 7 months with little interest in that time. 30-40 people will be brought into the neighborhood every day, which will benefit the business district. This business will enhance the business district even though it is not substantially retail.

Josanna Ali, with Dave's Rock Shop, notes the building at 705 Main St. does not have a dry basement so it does not have ample storage for a retail business. That was a major concern when Dave's Rock Shop moved and required storage area. However, allowing a medical office at this location could set a precedent that would allow other offices in the area that would hurt the business district.

Cesar Marron, 1630 Madison St., owner of Sketchbook Brewing Co., supports Dr. Curry and the use of the space since it would bring 30-40 people to the neighborhood that will then frequent other businesses such as Sketchbook. This business will bring new people to the neighborhood.

Mike Noonan, 1440 W. Flarkey St., Chicago, is a patient of Dr. Curry's and also a zoning attorney. With Dr. Curry's Chicago location, a typical Saturday would be to go to Dr. Curry's, get a coffee next door, and do some light shopping in the area. The same would be done at this new location.

Dr. Rediet, 923 Ridge Ct., is a rheumatologist and neighbor of Dr. Curry, and believes he is a good doctor and supports the medical office proposal.

Ason Efticary, 701 Main St. above the space in question, notes he originally wanted to locate his law office at 705 Main St. but ultimately chose to locate on the second floor due to the zoning restriction. After hearing the issues stated and contemplated, Mr. Efticary believes the medical office will bring a lot of people to the area and provide a needed use.

James Ali, owner of Dave's Rock Shop at 711 Main St., was unsure of which side to support, but is leaning towards not supporting the medical office because there are already some medical offices in the area and a retail business would be more beneficial in supporting the other existing retail businesses.

Allan Price, owner of 704 Main St. building that houses La Principal and Wine Goddess, is conflicted because it is difficult to find good tenants for retail spaces. Evanston Lumber did not enhance the retail corridor when they were located in that space. Mr. Price explained his commercial tenants are not supportive of the medical office in the area.

Terry Clumky, landlord, has tried very hard to find a retail tenant for the space but has not been able to find one. The space does have a dry basement, but even so a good retail tenant has not been found. A chiropractor will bring in a lot of foot traffic; a lot more than Evanston Lumber. Those clients will frequent other businesses like Virag Jeweler.

Ms. Dziekan asked Ms. Clumky what efforts have been taken to find a retail tenant and Ms. Clumky responded she has worked with the City's Economic Development staff, the Main-Dempster Mile business group, and has even contacted other local businesses such as FoodStuffs to see if they knew anyone who wanted to expand or relocate, but nothing worked out. The space has poles on the interior that deter certain types of uses such as a dance school.

Ted Perez, 1231 Asbury Ave., co-founder of Sketchbook Brewery and client of Dr. Curry's, supports the business and frequents nearly all of the businesses on Main St. At Dr. Curry's Chicago location, before or after an appointment Mr. Perez waits at a coffee shop or store until the train comes.

Amy Wilkinson, 1630 Madison St., notes a lot of people who have appointments at the dentist next door to Sketchbook go to Sketchbook before or after. The medical office will enhance the business district.

Dr. Curry explained that his business is family oriented, and that includes the business family along Main St. and Chicago Ave. Dr. Curry plans to stay at this new location for the next 20 years. Patients who cannot be seen right away will be encouraged to visit surrounding businesses.

Ms. McAuley asked about hours of operation and noted very limited hours are proposed on Saturdays, which are big shopping days. Expanded hours on Saturdays are strongly encouraged. Also, the retail portion should be expanded - maybe with stand up desks, special pillows, etc. The ZBA recommendation should include an expanded retail

component as a condition and hours of operation that align more with the retail businesses.

Dr. Curry clarified he anticipates 80-120 patient visits per week, with visits of 20-25 minutes each. The retail component will include immune support, probiotics, vitamins, pillows, pain management items, items for children/adults/geriatric. The retail will be available for point of sale, not just for patients.

Deliberations:

Ms. Dziekan noted there is a difference in foot traffic between a professional office vs. medical office. Given the changing face of retail, it is difficult to consider how to keep retail alive and if other uses would be beneficial in helping retail. This use will be beneficial to the area since it will bring in potential customers.

Ms. Klotz and Zoning Administrator Mangum clarified Athletico did not require a special use because it was classified as a retail service since the business does not typically require medical doctors or prescriptions. Ms. Klotz also clarified how another office business in the future would need a Substitution of Special Use or new Special Use approval. The current Special Use in question would only carry over if the chiropractic office was a change in ownership only.

Mr. Mirintchev supports the project but would like to see more retail at the space. Also, the site plan and retail component should be more clearly done.

Ms. McAuley agreed with Mr. Mirintchev and specified the retail component should include more than just vitamins - it should include retail goods that will draw people in. Hours of operation should be more aligned with retail hours to create a more activated business.

Chair Cullen noted the retail component should draw other people in besides the current customer base.

The Standards were addressed:

1. Yes
2. Yes
3. Yes (Ms. McAuley - if there is an expanded retail component)
4. Yes
5. Yes
6. Yes
7. Yes
8. NA
9. Yes

Ms. McAuley motioned to recommend approval of the special use with the condition a well-designed plan of the space is submitted with an expansion of the retail component, and that within a reasonable time frame hours of operation be expanded to align with the business district, and substantial compliance with the documents and testimony on record and as revised.

The motion was seconded by Ms. Dziekan and approved 4-0.

Ms. McAuley motioned to approve the 2019 ZBA schedule, which was seconded by Ms. Ms. Dziekan and approved 4-0.

The meeting adjourned at 8:18pm.