MEETING MINUTES
ZONING BOARD OF APPEALS
Tuesday, May 19, 2020
7:00 PM
Via Virtual Meeting

Members Present: Mary McAuley, Violetta Cullen, Myrna Arevalo, Kiril Mirintchev, Jill Zordan, Max Puchtel

Members Absent: Lisa Dziekan

Staff Present: S. Mangum, M. Klotz, C. W. Sterling

Presiding Member: Violetta Cullen

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Declaration of Quorum
With a quorum present, Chair Cullen called the meeting to order at 7:01 p.m.

Suspension of Rules for digital meeting
Ms. McAuley motioned to suspend the rules to permit members to convene via virtual meeting. Second by Ms. Arevalo and approved 6-0.

Minutes
Ms. Arevalo motioned to approve the meeting minutes of February 18, 2020. Second by Ms. McAuley and approved 6-0.

1607 Chicago Avenue
Happy Le Inc., lessee, applies for a special use permit for a Type 2 Restaurant, in the D4 Downtown Transition District (Zoning Code Section 6-11-5-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

M. Klotz read the case into the record.

Trinh Le, lessee and operator, briefly explained the proposed use
- Takeout service for a tea shop with waffles as a food option
- Plans to open when construction is completed in August or September
- Most employees will be Northwestern University students that walk to work
- Mostly takeout service, but will do curbside service during Covid-19
- Will have 2-3 part time employees and one full time owner/operator
- Will inquire with building owner if the turnaround area at the Merion can be used for curbside pickup

Deliberation:

Ms. McAuley stated her support for this business in this location.
Ms. Cullen stated agreement and noted there was minimal replication in the downtown.

Mr. Putchel noted that the proposal was in keeping with the goals of the Comprehensive Plan but was concerned for the business if students don’t return in the Fall

Ms. McAuley stated that she felt there was enough demand and foot traffic, even without students, to support this type of business.

Chair Cullen read the standards and noted them being met.

Ms. McAuley made a motion for a positive recommendation to Council. Seconded by Ms. Arevalo and passed 6-0 with the following conditions:

- Hours of operation shall not exceed 6am to midnight
- The applicant shall implement a sustainability plan for food waste, composting, and recycling
- The proposal be implemented in substantial compliance with the documents and testimony on record

2678 Green Bay Road

Dylan Johnson, lessee, applies for a special use permit for Indoor Commercial Recreation, Total Sona Fitness, in the C2 Commercial District and Central Street Corridor Overlay District (Zoning Code Section 6-15-14-5). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

M. Klotz read the case into the record.

Dylan Johnson, owner and operator, briefly explained the proposal:

- Provide small group fitness classes including cardio, yoga, and high intensity training supplemented with personal training.
- Average class size will be about 6
- Will follow all COVID-19 guidelines
- Plans to implement a pod system where no shared space is offered.
- Has six dedicated spaces and notes most of the cliental live nearby. All classes are separated by a 30 minute buffer to ensure turnover of spaces and when PetPeople is not open, they have additional spaces that can be utilized.
- Peak hours of PetPeople and the gym do not overlap
- No deliveries are anticipated.
- Plans to install a bike rack
- Two full-time employees and three part-time trainers
- No use of balls or ropes, looking toward quieter classes. No microphones.
- Plans to create a unique, calm, and intimate experience for users that isn’t replicated in this area.

Deliberation:
Ms. McAuley stated that this was an excellent proposal, one which was responsive and well suited to the current conditions (COVID). It is located in an area that will draw people for this type of fitness class and the area is well served by transit.

Mr. Puchtel stated support for the project noting its compliance with the Comprehensive Plan and occupying a vacant storefront.

Ms. Zordan agreed, stating it was a perfect use for this location which has low visibility for traditional retail.

All additional members voiced support for the project

Chair Cullen read the standards and noted them being met.

Ms. McAuley made a motion for a positive recommendation to Council. Seconded by Ms. Arevalo and passed 6-0 with the following conditions:

- Proposal to be implemented in substantial compliance with the documents and testimony on record.

1717 Simpson Street

Stefan Cucu, applicant, applies for a special use permit for a Detached Single-Family Dwelling in the B1 Business District (Zoning Code Section 6-9-2-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

M. Klotz read the case into the record.

Ms. Cucu, property owner, briefly explained the proposal

- The property is an existing single-family home which was purchased about a year ago
- Undertook some renovations for a new enclosed porch in the same footprint and was told by the City that a Special Use Permit was required
- Reiterates that nothing is changing, the home is residential, was residential, and will be residential. Looking for approval to simply rebuild what was existing and make it more attractive and useable.

M. Klotz explained that in this instance a Special Use Permit was more appropriate than seeking Major Variations. Receiving a Special Use Permit would also allow for improved lending options or future sale of the property in the future.

Deliberation

Ms. McAuley stated that the construction is a nice improvement to the home and that there was an existing mix of residences and businesses along this corridor.

All additional ZBA members agreed.

Chair Cullen read the standards and noted them being met.
Ms. Arevalo made a motion to recommend approval, seconded by Ms. McAuley and passed 6-0 with the following condition:

- The proposal be developed in substantial compliance with the documents and testimony on record.

1906 Main Street
Gabrielle J. Aguilar, lessee, applies for a special use permit for a Type 2 Restaurant, 4 Suns Fresh Juice, in the C1 Commercial District (Zoning Code Section 6-10-2-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

M. Klotz read the case into the record.

Ms. Aguilar, lessee and operator, provided a brief summary of the proposed use

- Offering a vegan focus on whole food, plant based diets.
- Will have limited seating, one four-top table, a few options to go, grab and go smoothies and juices.
- Wants to offer residents in these neighborhoods more healthy food options. Notes the lack of options currently
- Sees this as a small space with a big impact on the community, boosting immune systems and infusing health and vitality in residents diets.
- Planned to open in the spring but is now hopeful for summer due to COVID
- Will have three family employees and five or so part time employees.
- Plans to hire local employees living in the surrounding neighborhoods.
- Ms. Aguilar will be the only full-time employee
- Anticipates all types of traffic to the store, particularly being near the new Robert Crown Center, foot, bike, and car. There is a large parking lot behind the strip mall that accommodates about 60 vehicles.
- The parking lot is also where deliveries will be accepted.
- Customers who drive will have to park in the lot and walk around to the main entrance.
- Interested in delivering to the Robert Crown Center in the future

Deliberation:

Ms. McAuley stated her approval of the proposal. This is a great option and will do well here because there is a lack of healthy options.

Ms. McAuley agreed that foot and bike traffic is likely, particularly bikers riding from James Park.

Chair Cullen stated that this is a great proposal for the 9th Ward.

Mr. Mirintchev stated that this location needs something like this and he is supportive. This is a high caliber proposal.
Mr. Puchtel stated he was in favor of the use and his appreciation for a passionate business owner.

Ms. Arevalo stated her support.

Ms. Zordan stated she was supportive. This is an exciting and unique offering in a good location. Stated her appreciation for the care that has been put into the business model.

Chair Cullen read the standards and noted they were met.

Ms. Arevalo made a motion for a positive recommendation, seconded by Ms. Zordan and passed 6-0 with the following conditions:
- Hours of operation not to exceed 6am to midnight.
- Proposal be developed in substantial compliance with the documents and testimony on record.

Adjourned 8:00pm