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\_\_\_\_\_ REPORT OF THE PROCEEDINGS OF A MEETING  
BEFORE THE VILLAGE OF NORTHFIELD  
PLAN AND ZONING COMMISSION

COMMISSION

REPORT OF PROCEEDINGS had before the Village of  
Northfield Plan and Zoning Commission taken at the  
Northfield Village Hall, Board Room, Northfield, Illinois on  
the 7th day of January, 2008, at the hour of 7:00 o'clock  
p.m.

MEMBERS PRESENT:

GEORGE WARGA, Chair  
ROBERT CALDWELL  
JOHN DOLAN  
DAN deLOYS  
JOANNA STEIN  
WILLIAM HIELSCHER  
BILL VASELOPULOS

MEMBERS ABSENT:

PHILIP JONES  
E. LEONARD RUBIN

ALSO PRESENT:

ANNE E. KANE, Community Development Director

1 CHAIRMAN WARGA: Good evening, everybody. This is the Plan &  
2 Zoning Commission. I am George Warga, the Chair of our Commission.  
3 The members of our Committee will now introduce themselves.

4 COMMISSIONER VASELOPULOS: Bill Vaseloopulos.

5 COMMISSIONER DOLAN: John Dolan.

6 COMMISSIONER CALDWELL: Bob Caldwell.

7 COMMISSIONER HIELSCHER: Bill Hielscher.

8 COMMISSIONER STEIN: Joanna Stein.

9 COMMISSIONER deLOYS: Dan deLoys.

10 CHAIRMAN WARGA: The purpose of this meeting is to hold a  
11 public hearing to review development proposals and provide a form  
12 for public input. This Committee then makes a recommendation, and I  
13 emphasize a recommendation only, to the Village Board of Trustees.  
14 The Board will review the items being discussed tonight at their  
15 next meeting which is scheduled for January 15th, 2008. That's  
16 Tuesday.

17 When a public hearing is opened for a particular case, all  
18 petitioners, objectors and any interested parties wishing to be  
19 heard on a case will be asked to be sworn in. All parties will then  
20 be given an opportunity to speak after the petitioner and the  
21 Commission have completed their discussion. Prior to speaking, all  
22 parties must give their name and address or interest for the record.

23 You are asked to please speak only when you have been given a

1 microphone.

2 We have two items tonight on our agenda. One, 310 Happ Road,  
3 Case No. 2007-0375, and number two, Village Center Zoning District,  
4 and this is a consideration and discussion of amendments to  
5 Ordinance Nos. 06-1313 and 07-1339.

6 Our first business item tonight is approval of Summary Notes of  
7 the Plan & Zoning Commission - October 1, 2007.

8 COMMISSIONER HIELSCHER: Motion to approve.

9 CHAIRMAN WARGA: We have a motion to approve. Do I have a  
10 second?

11 COMMISSIONER STEIN: Second.

12 CHAIRMAN WARGA: All in favor?

13 (Chorus of ayes.)

14 CHAIRMAN WARGA: Any opposed?

15 (No response.)

16 CHAIRMAN WARGA: So moved. **So, our first Board item, 310 Happ**  
17 **Road, consideration and discussion of a request for approval of a**  
18 **Special Use for Tapas Gitana restaurant located at 310 Happ Road,**  
19 **submitted by Andre Novak, Case 2007-0375.**

20 And who is here to speak on behalf? And we'll have you step  
21 up. And are there any other people who would like to speak on this  
22 particular case? This is the 310 Happ Road. Okay. So, we'll have  
23 you sworn in first please.

1 (Witnesses sworn.)

2 MR. NOVAK: Hello, my name is Andrew Novak. I'm the chef and  
3 soon-to-be owner of Tapas Gitana located at 310 Happ Road. I just  
4 want to say thank you for your considerations and I'm really excited  
5 to be part of this community and hope to bring some really nice  
6 things to the community.

7 CHAIRMAN WARGA: Thank you, Andrew, for being here. Is there  
8 anything you wanted to say? You've presented us with a great  
9 packet. We really appreciate all the effort you went to.

10 MR. NOVAK: Thanks.

11 CHAIRMAN WARGA: And I know you worked hard at it.

12 MR. NOVAK: I'm a -- myself. If there's anything you need  
13 answers for, I'll try to answer them but I'm not a speaker by any  
14 stretch of the imagination.

15 COMMISSIONER HIELSCHER: The food is as good as his packet.

16 CHAIRMAN WARGA: Yes, right, right. Well, I think it's a fine  
17 representation of your abilities of cooking.

18 MR. NOVAK: Thanks. I'm sure you'll be pleased.

19 CHAIRMAN WARGA: Yes, you have a great reputation in our  
20 community. We appreciate it.

21 MR. NOVAK: Thank you.

22 CHAIRMAN WARGA: Any questions by the Commission? Okay. Do we  
23 have a motion?

1           COMMISSIONER HIELSCHER:    Yes.    I would move that the Plan &  
2   Zoning Commission approve and recommend to the Village Board for  
3   approval of a Special Use to allow the continued operation of Tapas  
4   Gitana, if I'm pronouncing that correctly, a 2,100 square-foot  
5   restaurant located at 310 Happ Road in the Northfield Village Center  
6   retail center, in accordance to the Petitioner's application and  
7   supporting materials date stamped received November 28th, 2007,  
8   subject to the following conditions:

- 9   1.   The Special Use shall be personal and limited to the  
10       Petitioner, Andrew Novak, pursuant to Article XVI, Section 4(9)  
11       of the Zoning Ordinance of the Village of Northfield.  Upon  
12       change in or transfer of ownership of the restaurant, the  
13       Special Use shall lapse.  Change in ownership shall occur when  
14       the Petitioner and any corporation, partnership or other  
15       business entity in which the Petitioner owns 100 percent of the  
16       stock and/or assets, shall in the aggregate own less than 51  
17       percent of the restaurant.  The 51 percent minimum ownership  
18       requirements shall apply regardless of whether the restaurant  
19       is owned by a corporation, partnership or other business  
20       entity.
- 21   2.   An approval pursuant to any requested review by a Village  
22       consultant, staff member, Board or Commission shall be an  
23       approval of only those items specified in any motion,

1 resolution and ordinance or written report. Under no  
2 circumstances shall such an approval be deemed to be the  
3 approval of any other matter by virtue of the fact that those  
4 other matters may appear on the supporting documents such as a  
5 site plan, engineering plan, or plat that was the subject of  
6 the review. Neither shall any such written approval be deemed  
7 to be an approval of any matter, which is within the  
8 jurisdiction of any other Village consultant, staff member,  
9 Board or Commission or any County, State or Federal Agency.

10 3. The Petitioner shall clean out the restaurant's grease traps on  
11 an annual basis, and submit documentation to the Public Works  
12 Department for verification.

13 4. The sale and consumption of liquor on the premises shall be  
14 subject to the Petitioner securing the necessary liquor  
15 licenses from the Village.

16 5. No vending machines, video games or other coin-operated  
17 amusement devices will be permitted on the subject property.

18 6. The hours of operation shall be limited to 11:00 a.m. to 12:00  
19 midnight Sunday through Thursday and 11:00 a.m. to 1:00 a.m.  
20 weekends.

21 7. The restaurant shall not expand beyond the proposed 2,100  
22 square-foot tenant space as illustrated on the Petitioner's  
23 floor plan. The actual seating capacity for the interior shall

1 not exceed 85 seats.

2 8. Carry-out service shall be limited to food and non-alcoholic  
3 beverages only. Alcoholic beverages shall not be carried or  
4 consumed off the premises at any time.

5 9. Relative to the outdoor dining area, the following provisions  
6 shall apply:

7 a. Seating capacity shall not exceed 40;

8 b. The Village shall retain the right to require table  
9 configurations to be modified if necessary to ensure safe  
10 access on the premises;

11 c. The restaurant and operation shall provide the Village  
12 with a hold harmless, in a form satisfactory to the  
13 Village Attorney, which shall include the Village of  
14 Northfield as an additional insured on their liability  
15 policy, which shall provide for a minimum of \$1,000,000 in  
16 coverage;

17 d. At the request of the Village Public Health Sanitarian,  
18 outdoor service stations shall be required;

19 e. Outdoor tables shall not be pre-set and serviceware,  
20 napkins, glassware, food, or drinks shall not be stored in  
21 the open;

22 f. Outdoor hours shall be limited to 11:00 a.m. to 12:00  
23 midnight;

- 1           g.    There shall be no outdoor food preparation;
- 2           h.    The outdoor dining area shall be kept clean and free of  
3           litter and/or food debris at all times;
- 4           i.    Music may be played in the outdoor café area as long as it  
5           is not audible beyond the café area.  If complaints are  
6           received with respect to the volume of the music, the  
7           Village Manager may at her sole discretion require that  
8           the volume be lowered or discontinued altogether;
- 9           j.    Excessive noise emanating from the outdoor café shall  
10          constitute a nuisance and shall be considered sufficient  
11          cause to terminate the Special Use provided by this  
12          ordinance.  The Village shall not terminate said Special  
13          Use without providing warning to the Petitioner in writing  
14          that if the noise is not abated within seven (7) days, the  
15          permit to operate the outdoor café portion of the business  
16          shall terminate.
- 17    10.   All waste and disposal containers shall be rodent-proof and  
18          leak-proof and shall be located in an enclosed, screened area  
19          approved by the Village.  Such area shall be maintained and  
20          cleaned on a daily basis by the Petitioner.
- 21    11.   The owner shall employ a licensed pest control exterminator to  
22          inspect and treat the premises on at least a monthly basis.  
23          Documentation of said treatment shall be provided to the

1 Village's Public Health Sanitarian on a monthly basis.

2 12. The Village of Northfield Health, Fire, and Building Officials  
3 shall be granted access to the subject property at any  
4 reasonable time for purposes of conducting inspections for  
5 compliance with the Village Codes and Ordinances.

6 13. The Petitioner shall require that all employees use the  
7 municipal parking lot facilities in the area.

8 14. Ordinance No. 98-939 is hereby repealed upon the granting of a  
9 new Special Use.

10 15. Violation of any condition of this Special Use Ordinance shall  
11 be cause to revoke said permit by the Corporate Authorities  
12 upon ten (10) days proper notice to the Petitioner.  
13 Alternatively, the Village Manager shall have the right to  
14 assess fines, not to exceed \$500 per violation, for violation  
15 of this Special Use Ordinance. Such assessment of fines may be  
16 appealed to the Corporate Authorities by filing written notice  
17 of appeal within three (3) days of the assessment.

18 16. Changes in the project may only be made as follows:

19 a. Minor Field Changes. Minor changes in locations or sizes  
20 shown on exhibits may be approved, in writing, by the  
21 Director of Community Development. Typically, a minor  
22 field change will not involve a percentage change greater  
23 than 3 percent. However, not all changes of less than 3

1 percent shall necessarily be deemed to be minor. The  
2 determination of the Director of Community Development as  
3 to whether a change is a minor field change shall be  
4 final.

5 b. Village Board Approval Changes. The Village Board may  
6 approve, without referral to the Plan & Zoning Commission,  
7 such other changes as it believes are in the best  
8 interests of the Village and which do not have a  
9 substantial, direct impact on adjacent properties. The  
10 determination of the Village Board as to whether a  
11 requested change shall be referred to the Plan & Zoning  
12 Commission shall be final.

13 c. Changes Requiring a Public Hearing. Any change involving  
14 a number found in the text of the Ordinance or any change  
15 having substantial, direct impact on adjacent properties  
16 shall not be made except after a public hearing before the  
17 Plan & Zoning Commission. Additionally, the Village Board  
18 or the Director of Community Development may refer any  
19 requested change to the Plan & Zoning Commission for  
20 public hearing when either believes it would be in the  
21 best interest of the Village to do so.

22 CHAIRMAN WARGA: Do we have a second?

23 COMMISSIONER STEIN: Second.

1 COMMISSIONER CALDWELL: Second.

2 CHAIRMAN WARGA: And all in favor?

3 (Chorus of ayes.)

4 CHAIRMAN WARGA: Any opposed?

5 (No response.)

6 CHAIRMAN WARGA: So moved. Thank you very much and good luck.

7 MR. NOVAK: Thank you.

8 CHAIRMAN WARGA: Have a great new year. Our second, and by the  
9 way, if you want your packet -- does he care? The packets?

10 MS. KANE: You know what, we reuse those for the Village Board  
11 meeting.

12 CHAIRMAN WARGA: You would use it? Okay, great.

13 MS. KANE: So, if you're going to leave them at your place,  
14 that would do wonderful.

15 CHAIRMAN WARGA: Such a nice packet.

16 COMMISSIONER STEIN: Just the whole thing as it is?

17 CHAIRMAN WARGA: All right. **The second item will now come to**  
18 **discussion. Village Center Zoning District, consideration and**  
19 **discussion of amendments to Ordinance Nos. 06-1313 and 07-1339 to**  
20 **amend the existing development moratorium in the Village Center**  
21 **Zoning District to:**

22 **1. Allow for changes of use provided there is no increase in**  
23 **parking requirements;**

- 1     **2. Permit exterior modifications that impact less than 25 percent**  
2         **of the building facade; and**
- 3     **3. Exclude properties designated as "Neighborhood Commercial" in**  
4         **the Northfield Vision Plan, that is, those properties zoned VC-**  
5         **Village Center located east of Edens Expressway.**

6         MS. KANE: I've got a few things I could just summarize.

7         CHAIRMAN WARGA: Yes, go ahead.

8         MS. KANE: I'll just kind of back up and just let the Plan  
9         Commission know that the moratorium that was put in place in  
10        December 2006 already has two existing exemptions. As you know,  
11        we've heard many cases, not only tonight's Tapas Gitana but  
12        Hausmann Brasserie and Penny's Noodles, which have all gone through  
13        the Special Use process since the moratorium was in place. Those  
14        requests all fell under the umbrella of like for like, no change in  
15        use. If it was a retail, it could go retail. If it was a  
16        restaurant for full service, sit-down service, then a similar  
17        special use could be requested.

18        The second exemption on the current moratorium is affordable  
19        housing that is inclined to follow the applicable Zoning Code  
20        regulations. We have not had any such request brought forward, but  
21        certainly if someone wanted to come tomorrow and propose affordable  
22        housing in the Village Center District, that would be something that  
23        we could process under the current moratorium.

1           Tonight's public hearing is to consider three additional  
2 exemptions from the moratorium within the Village Center District.  
3 And I'll say that each of these were initiated by different property  
4 owners for tenants who are interested in properties located within  
5 the Village Center District who went through a process of attending  
6 Committee of the Whole meetings, expressing their concerns to how  
7 the moratorium was affecting them to the Village Board who in turn  
8 directed Staff to prepare the proper ordinance and schedule  
9 tonight's public hearing. And I guess as Staff's report outlines,  
10 there are the three exemptions that are up for your consideration  
11 this evening as well.

12           The first is probably the easiest for us to deal with. Well,  
13 it's -- no, that's not fair to say. Staff is recommending approval  
14 of two of the exemptions up for consideration this evening. And  
15 we're not certain, we're not supportive of the change in use because  
16 it's difficult to gauge the impact of allowing all of the retail  
17 possibly in the Village Center to change to office. Obviously that  
18 will change the dynamics of the Village Center and undermine the  
19 purpose of the moratorium that's currently in place.

20           Fortunately, I'm happy to report that the person who initiated  
21 that request were the sellers of the Glass Works building at 320  
22 North Frontage Road. And as you have a copy of the email  
23 correspondence from an attorney representing the new buyers of that

1 facility, they intend to use it as the same use. So, actually, the  
2 reason for investigating that type of exemption has really gone away  
3 by its own, the market forces, because they do intend to use that  
4 space as a retail showroom for a very similar end product as Glass  
5 Works was using it.

6 The second exemption that's up for the Plan Commission's  
7 consideration this evening are exterior modifications. Currently,  
8 under the moratorium, the only exterior modifications permitted to  
9 any building within the Village Center is signage. And awnings are  
10 considered part of the signage package of Haussmann Brasserie. The  
11 requested or the proposed exemption would allow exterior  
12 modifications up to 25 percent of the building facade.

13 Again, this was initiated by the same building at 320 Frontage  
14 Road which currently has non-traditional retail windows. The round  
15 window, I think, gets a lot of notice from passers by on Edens, but  
16 I think the new users of that space would like a more traditional  
17 retail showroom and would like to make some window modifications to  
18 that structure.

19 Staff doesn't anticipate that that level of investment in the  
20 building facade would be so significant to make the moratorium, the  
21 purpose of the moratorium null and void. So, we are supportive of  
22 allowing minor modifications to the exterior up to 25 percent of the  
23 building facade.

1           And finally, the third category of exemptions up for your  
2 consideration this evening would be to exclude those properties  
3 which are located east of the Edens Expressway which are still in  
4 the Village Center Zoning District as somewhat of an appendage that  
5 continues out along Willow Road. And even in 1999 when the  
6 Village's Comprehensive Plan was updated, I think that this  
7 community saw that those properties functioned very differently than  
8 the rest of the Village Center District which about 90-95 percent of  
9 it is located west of the Edens.

10           And I'll say in working with the Task Force over the last  
11 several, you know, year -- 15 months, the focus has been nearly a  
12 hundred percent on those properties west of the Edens Expressway and  
13 kind of the pedestrian orientation and dynamics of this area on the  
14 west side of the Edens Expressway. So, that particular category was  
15 initiated by someone who is interested in re-leasing the Reagan  
16 Meats building which, when the moratorium went into effect, Reagan  
17 Meats was up and operation. They have since decided to close that  
18 second location, and now the property owner is hoping to find a  
19 tenant to release that space.

20           So, that summarizes the three categories that are up for your  
21 debate this evening.

22           CHAIRMAN WARGA: As a, I'll add to the discussion, as a member  
23 of the Village Task Force, that I do think Option B does undermine

1 what we have been working at significantly and will create a lot of  
2 undue paperwork and confusion if we open up that door. We have, the  
3 moratorium currently, I believe, expires as of May --

4 MS. KANE: May 6th.

5 CHAIRMAN WARGA: May 6th of 2008, and we are on track.

6 MS. KANE: Yes.

7 CHAIRMAN WARGA: To lift it at that time. I mean, everything  
8 has gone well from the Village Task Force point of view as far as  
9 we're moving along. We're having some public meetings regarding  
10 that. And I think we're on track to be able to get back to business  
11 as normal after that. Any other discussion from the Commission?  
12 Discussion with Anne?

13 COMMISSIONER HIELSCHER: I would just agree. I think the whole  
14 purpose of the temporary moratorium would be completely undermined  
15 by allowing this use just as Anne very well stated. I think it just  
16 opens up a -- and we're talking about until May at this point, just  
17 a short period of time.

18 COMMISSIONER deLOYS: Are we still on for May as an end date?  
19 Or is that being stretched out past?

20 MS. KANE: No, in fact we hope that it will be able to be  
21 concluded in April. And we are on track with that. I think --

22 CHAIRMAN WARGA: I didn't want to --

23 MS. KANE: We are on a --

1 CHAIRMAN WARGA: Maybe we'd be done with it, it's possible.

2 COMMISSIONER deLOYS: So, we're talking a three-month period  
3 approximately. It may not be worth going through that effort for  
4 three months. And I agree that it's not so worth it.

5 COMMISSIONER HIELSCHER: Yes.

6 CHAIRMAN WARGA: Is there other discussion among the Commission  
7 before we open it up for public input? Okay. Would anybody, is  
8 anybody here on behalf to speak regarding this? And is anybody  
9 else? Because we're going to have anybody who would like to speak  
10 to be sworn in at this time. Okay, so we'd like you please to be  
11 sworn in and then if you could identify yourself?

12 (Witness sworn.)

13 MR. KARCAZES: George Karcazes. My address is 2932 Iroquois  
14 Road in Wilmette. I'm the Corporate Secretary of Edens Bank which  
15 I'm sure you are familiar with the impact that your moratorium had  
16 had on our development. And you're probably familiar with the  
17 history.

18 We have not, as far as I know, we haven't been notified of any  
19 of the meetings of the Task Force. I don't know if they're open.  
20 We'd certainly like to be informed of any public meetings or any  
21 meetings that we could attend, if there are any.

22 CHAIRMAN WARGA: If I could state, they have definitely been  
23 posted as they should be. Those meetings have been properly posted.

1 MR. KARCAZES: Okay.

2 CHAIRMAN WARGA: Certainly on our website and also on the cable  
3 outlet. And other ways we post that?

4 MS. KANE: At the front of the Village Hall. And certainly I  
5 think the website is where a lot of  
6 our --

7 MR. KARCAZES: Okay. Can you tell me when the next meeting is?

8 MS. KANE: Thursday night at 6:00 p.m. here. And then a  
9 community presentation meeting on January 23rd which is a Wednesday  
10 evening at 7:00 p.m.

11 MR. KARCAZES: As you probably all know, when we bought the  
12 property, it was zoned the permitted uses for a bank. So, we  
13 expected that we --

14 CHAIRMAN WARGA: I am going to interrupt you here at this time.  
15 I do not believe that's correct.

16 MR. KARCAZES: You do not believe that the Zoning Ordinance  
17 permitted a bank?

18 CHAIRMAN WARGA: Allowed for a bank? No, I do not believe so.

19 MS. KANE: Not with the drive-through.

20 CHAIRMAN WARGA: Yes.

21 MR. KARCAZES: I didn't say a drive-through.

22 CHAIRMAN WARGA: Okay.

23 MR. KARCAZES: I just said a bank was a permitted use under

1 your Zoning Ordinance when we bought the bank.

2 CHAIRMAN WARGA: Okay.

3 MR. KARCAZES: I think. Well, in any event, you probably are  
4 familiar with the fact that we did come before your Commission and  
5 you did approve a development that had much more than a bank because  
6 that was what the Village Planners wanted. They wanted retail. I  
7 think the night that the moratorium was voted in was the same night  
8 that our petition was turned down by the Village.

9 CHAIRMAN WARGA: Sir, what I'd like to try to stick to is what  
10 we're proposing tonight. And so, to go into the --

11 MR. KARCAZES: Well, yes, I'd like to know  
12 why --

13 CHAIRMAN WARGA: Excuse me. Excuse me while I'm speaking.  
14 Thank you. So, what we'd like to direct your questions to and  
15 anything is what we're discussing tonight. And this does not, we're  
16 not going to go into the past history of what happened. We're  
17 talking about what we're doing in going forward in time.

18 MR. KARCAZES: All right. Well, has there been any  
19 consideration in exempting our property the same as you're exempting  
20 the property east of the Expressway from this moratorium so we could  
21 put up our bank?

22 CHAIRMAN WARGA: The issue there is that what the Village Task  
23 Force is centering its focus on is within a confined area. We have,

1 you're welcome to come Thursday night and you'll have a better  
2 understanding of that.

3 MR. KARCAZES: Sure.

4 CHAIRMAN WARGA: So, that is, where your business is that  
5 you're representing does fall within the area that we are centered  
6 on with our Village Task Force.

7 MR. KARCAZES: But it could easily be exempt just as easily if  
8 you're exempting the property just east of the Expressway since  
9 we're the only property between the Expressway and Village Hall and  
10 this property.

11 CHAIRMAN WARGA: We're not here to debate that issue. We're  
12 here is to talk about --

13 MR. KARCAZES: Well, I'm just asking if you would consider  
14 amending the moratorium to include excluding the bank's property so  
15 they can go ahead and put their bank up.

16 CHAIRMAN WARGA: No, that's not on our agenda tonight.

17 MS. KANE: I guess I would just add that you certainly could go  
18 through the same process that the other property owners who came to  
19 the Committee of the Whole meetings to express their concern to the  
20 Village Board about the moratorium.

21 MR. KARCAZES: The Committee of the Whole meeting, you mean the  
22 Task Force?

23 MS. KANE: No. Committee of the Whole would be our elected

1 Board meeting on the third Tuesday of each month prior to the  
2 Village Board meeting at 7:00 p.m. The previous meetings at which  
3 the petitioner or the property owners' pleas were heard to exempt  
4 them, the moratorium was on the agenda of that Committee of the  
5 Whole meeting.

6 MR. KARCAZES: I see.

7 CHAIRMAN WARGA: So, just to direct it, I don't want to say no,  
8 you don't have options. But at this meeting tonight, we're focusing  
9 on what we've got here on our agenda. And you're welcome to bring  
10 more things to get them on to our agenda, but this isn't the time to  
11 get something on to the agenda.

12 MR. KARCAZES: All right. So, I think that I had heard earlier  
13 that the report of the, or the final results of the Task Force are  
14 going to be some time in April?

15 MS. KANE: That's what we anticipate.

16 MR. KARCAZES: Is there any consideration so far as to what's  
17 going to, what the recommendation is going to be with respect to the  
18 bank's property?

19 CHAIRMAN WARGA: That isn't for me to discuss tonight at this  
20 point. I mean, we have --

21 MR. KARCAZES: Well, you're the Chairman of the Task Force.  
22 You yourself --

23 CHAIRMAN WARGA: Excuse me, I'm not Chairman of the Task Force.

1 I'm a member of that and this is not a Task Force meeting.

2 MR. KARCAZES: Okay.

3 CHAIRMAN WARGA: So, tonight we're talking about what we have  
4 on our agenda. I'm just directing you to that.

5 MR. KARCAZES: Well, at the next meeting, will there be any  
6 discussion as to what the bank, what we can do with our property?

7 CHAIRMAN WARGA: It's a public forum. You're welcome to have  
8 input there to discuss that. I'm sure your voice can be heard at  
9 that meeting. But you'll also, to have proper process, I believe  
10 you have to go through the channels as whatever has been done on  
11 this agenda to create it, you go through those same channels.

12 MR. KARCAZES: In other words, we have to come through you  
13 first before we can go to the Task Force to ask questions there?

14 CHAIRMAN WARGA: I will let Ann restate what she said.

15 MS. KANE: Regarding the Task Force meeting, I think if you  
16 come this Thursday, you'll see a lot of the plans that have been  
17 developed that incorporate not only the Edens Bank site but several  
18 of the properties that surround it certainly. And you do not need  
19 to go through the Plan & Zoning Commission just to clarify to get to  
20 that.

21 MR. KARCAZES: Okay. Well, that's helpful. That's really  
22 helpful.

23 MS. KANE: Okay.

1 MR. KARCAZES: I mean, I don't want to be, you know.

2 CHAIRMAN WARGA: Yes. There is no point in wasting your time.

3 MR. KARCAZES: I'm just trying to get information because we're  
4 sitting here for, you know, we were told that nine months it would  
5 take for the Task Force, it's 15 months and that's in the  
6 transcript. Now, you mentioned what the purpose of the moratorium  
7 was. Could you tell me what that was? What it was? For not  
8 letting us put a bank there?

9 MS. KANE: I don't think that you should be interpreting --

10 CHAIRMAN WARGA: That's not part of our discussion tonight.

11 MR. KARCAZES: Well, you mentioned it four times, you know,  
12 that this would contradict the purpose of the moratorium. I just  
13 don't know what the purpose of the moratorium was other than to  
14 prevent us from putting a bank up on our property.

15 CHAIRMAN WARGA: We're a Plan & Zoning Commission and it helps  
16 us do our job better. That's the purpose of the moratorium.

17 MR. KARCAZES: Okay. Thank you.

18 CHAIRMAN WARGA: And that's my opinion, not the Commission's.

19 MR. KARCAZES: I'm sorry?

20 CHAIRMAN WARGA: I said that's my opinion.

21 MR. KARCAZES: I'm sure it counts for a lot. Thanks.

22 CHAIRMAN WARGA: Thank you, George. Is there anybody else?  
23 Okay. Any other discussion?

1 COMMISSIONER VASELOPULOS: So, before we vote on it, let's  
2 clarify what the Option B and Option A are. Otherwise --

3 MS. KANE: Would you like me to? I'm sorry --

4 CHAIRMAN WARGA: Yes, Anne. Go ahead.

5 MS. KANE: Option A Ordinance before you this evening allows  
6 for the exterior modifications up to 25 percent of the building. It  
7 also excludes those properties east of the Edens Expressway and the  
8 affordable housing use, and like for like uses as we've had up until  
9 this date, retail for retail, full service restaurant for full  
10 service restaurant, et cetera.

11 Option B before you -- I'm sorry. Option A does not allow for  
12 a change in use by right. It does not allow retail to become  
13 office. Does not allow office to become retail. I think that's  
14 where the --

15 CHAIRMAN WARGA: The only difference.

16 MS. KANE: The only difference. Option B allows exterior  
17 modifications, excludes those properties east of the Edens and does  
18 allow by right a change in the use from retail to office or service  
19 to retail.

20 COMMISSIONER STEIN: -- parking.

21 MS. KANE: As long as there is no increase in parking  
22 requirements. And I'll say that most retail has one parking space  
23 per 250 square feet, and office has a lower parking ratio of one

1 parking space per 300. So, under our parking requirements of our  
2 Zoning Code, really you couldn't see a conversion of retail space to  
3 office without having to go through a detailed review.

4 COMMISSIONER STEIN: So, on the surface it seemed it would be  
5 nice to have more office because you could have a parking issue.  
6 But perhaps this isn't the objective of the Task Force.

7 MS. KANE: I don't know if, yes, I don't think that the parking  
8 -- I think we'd love to see even more parking problems as long as it  
9 forces pedestrians to get out on our roads and make multiple stops  
10 instead of driving from destination to destination in the Village  
11 Center.

12 CHAIRMAN WARGA: Any other discussion? Do we have a motion?

13 COMMISSIONER HIELSCHER: **I would move that the Plan & Zoning**  
14 **approve and recommend to the Village Board for approval of the**  
15 **following amendments to current development moratorium on**  
16 **development in the VC-Village Center Zoning District, as presented**  
17 **in the attached draft ordinance identified as Option A in our packet**  
18 **which would not allow a change in use.**

19 COMMISSIONER deLOYS: Second.

20 CHAIRMAN WARGA: We have a second. And all in favor?

21 (Chorus of ayes.)

22 CHAIRMAN WARGA: Any opposed?

23 (No response.)

1           CHAIRMAN WARGA:  So moved.  And again, just to remind everybody  
2   that this is a recommendation that will be forwarded to the Village  
3   Board of Trustees for their next meeting which is January 15th,  
4   2008.

5           And do we have any other discussion tonight?  Do we have a  
6   motion to adjourn?

7           COMMISSIONER HIELSCHER:  Yes, motion to adjourn.

8           CHAIRMAN WARGA:  Second?

9           COMMISSIONER deLOYS:  Second.

10          CHAIRMAN WARGA:  All in favor?

11          (Chorus of ayes.)

12          CHAIRMAN WARGA:  Opposed?

13          (No response.)

14          CHAIRMAN WARGA:  So moved.

15          Whereupon the above meeting concluded    at 7:25 p.m.