

PLAN

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 9th day of July, 2007, at the hour of 7:00 o'clock p.m.

MEMBERS PRESENT:

GEORGE WARGA, Chair
DAN deLOYS
BOB CALDWELL
PHILIP JONES
E. LEONARD RUBIN
JOANNA STEIN
WILLIAM HIELSCHER
BILL VASELOPULOS

MEMBERS ABSENT:

JOHN DOLAN

ALSO PRESENT:

ANNE KANE, Community Development Director

1 CHAIRMAN WARGA: Good evening. I would like to call to
2 order our July 9th, 2007 meeting of the Plan and Zoning
3 Commission. I am George Warga, the Chairman of our
4 Committee. And now we'll have our members introduce
5 themselves.

6 COMMISSIONER RUBIN: I am Len Rubin.

7 COMMISSIONER CALDWELL: Bob Caldwell.

8 COMMISSIONER HIELSCHER: Good evening, Bill Hielscher.

9 COMMISSIONER deLOYS: Dan deLoys.

10 COMMISSIONER JONES: Philip Jones.

11 COMMISSIONER STEIN: And Joanna Stein.

12 CHAIRMAN WARGA: The purpose of this meeting is to hold
13 a public hearing to review development proposals and provide
14 a forum for public input on proposed projects. This
15 Committee then makes a recommendation and a recommendation
16 only to the Village Board of Trustees. The Board will review
17 the items being discussed tonight at their next meeting which
18 is scheduled for July 17th, 2007.

19 When a public hearing is opened on a particular case,
20 all petitioners, objectors, and any interested parties
21 wishing to be heard on a case will be asked to be sworn in.
22 All parties will then be given an opportunity to speak after
23 the petitioner and the Commission have completed their

1 discussions. Prior to speaking, all parties must give their
2 name and address or interest for the record. We'll ask you
3 only to speak when you have a microphone. We appreciate your
4 cooperation.

5 Tonight, the first matter we have is to approve our
6 Summary Notes from June 4th, 2007. Do we have a motion?

7 (Motion moved to approve.)

8 CHAIRMAN WARGA: Do we have a second?

9 (Motion seconded.)

10 CHAIRMAN WARGA: All in favor?

11 (Chorus of ayes.)

12 CHAIRMAN WARGA: Any opposed?

13 (No response.)

14 CHAIRMAN WARGA: So moved. We have three items on our
15 agenda. 332 Eaton Street, consideration and discussion of a
16 Special Use request for a detached garage greater than 600
17 square feet allowed in the R-4 Single Family Dwelling
18 District for the property located at 332 Eaton Street,
19 submitted by Elizabeth Crown, Case No. 2007-0122.

20 Item Number 2 is 305 Happ Road, consideration and
21 discussion of a Special Use request to allow the
22 establishment and operation of a full service restaurant with
23 outdoor seating located at 305 Happ Road, submitted by

1 Haussmann Brasserie Northfield, LLC, Case 2007-0144.

2 The third item is 700 & 770 Frontage Road,
3 consideration and discussion of a request for approval of a
4 Preliminary and Final Plat of Subdivision to consolidate the
5 lots located at 700 and 770 Frontage Road, submitted by
6 Fields BMW of Northfield, Case 2006-38.

7 And our first item is 332 Eaton Street. And who is
8 here on behalf to speak? Good evening. Please step forward.

9 And is anybody else going to speak on this subject matter
10 tonight? On 332 Eaton Street? If you are going to, if you
11 think you will, it's time to be sworn in. That's why I
12 asked.

13 Okay. All right. So, we'll have Greg, our court
14 reporter, swear you in.

15 (Witness sworn.)

16 MS. MEEHAN: I'm Karen Meehan of Gould & Ratner. We're
17 representing Elizabeth Crown and Bill Wallace in connection
18 with this matter.

19 Ms. Crown had purchased the adjacent property, 338
20 Eaton, in 2005. She took down the improvements on that lot.

21 We then subsequently consolidated both lots into one large
22 lot. Unfortunately, in that residential district where this
23 property is located, she's limited to a two-car garage.

1 So, we're asking permission to construct a three-car
2 garage, basically in the same footprint area where her
3 existing garage is now, it would just simply be expanded a
4 bit using the same driveway from the street. It won't be
5 visible from the street. I don't think it will impact the
6 neighborhood as far as looking at, you know, three doors
7 right on the street side.

8 I understand from the agenda notes that there was some
9 concern about drainage. And I think that can be addressed in
10 the permit process with grading plans and engineering plans.

11 I don't think that affects what we're deciding here tonight.

12 I think there is a way to address that problem.

13 Does anyone have any questions?

14 CHAIRMAN WARGA: From mine, you absolutely answered it
15 regarding obviously there is the neighborhood concern of the
16 draining issues.

17 MS. MEEHAN: Correct.

18 CHAIRMAN WARGA: And it will be addressed during --

19 MS. MEEHAN: Whenever you add more impervious surface,
20 and that obviously does need to be addressed. But I think
21 the architect can do that.

22 CHAIRMAN WARGA: Right, sure.

23 MS. MEEHAN: And the garage isn't going to be huge.

1 It's just a three-car garage in basically the same area where
2 it's at right now.

3 CHAIRMAN WARGA: Do you have a question?

4 MS. MEEHAN: Yes?

5 COMMISSIONER STEIN: Are you tearing down the existing
6 garage?

7 MS. MEEHAN: In connection with the construction?

8 COMMISSIONER STEIN: Yes.

9 MS. MEEHAN: Yes, we are. So, it will be a brand new
10 garage in the back, basically where the existing two-car
11 garage is now.

12 COMMISSIONER STEIN: Have you considered increasing the
13 setback from the lot line?

14 MS. MEEHAN: We have not. If that's a requirement, we
15 can certainly do that.

16 COMMISSIONER STEIN: It would help the drainage issue
17 as far as keeping the water on the property. Will it have
18 footings and drain tiles?

19 MS. MEEHAN: I believe so, yes. Yes.

20 CHAIRMAN WARGA: Any other questions by the Commission?
21 Are you okay?

22 COMMISSIONER STEIN: It's a thought, you know. It's
23 pretty close to the line.

1 MS. MEEHAN: So is the existing one.

2 COMMISSIONER STEIN: Right.

3 MS. MEEHAN: Actually, you know, before, we had a two-
4 car garage in this property and a two-car garage in the
5 adjacent property. So, we're eliminating one car --

6 COMMISSIONER STEIN: Well, they all seem to be lined up
7 at the same level.

8 MS. MEEHAN: Correct.

9 COMMISSIONER STEIN: Up and down that street. But that
10 doesn't mean you have to keep it that way. Just a thought,
11 it's workable just even a couple of feet off from that lot
12 line.

13 COMMISSIONER JONES: Is that an issue for the Zoning
14 Board? Are they going to need a variance if they're close to
15 the lot line?

16 COMMISSIONER STEIN: I used to think that if you tore
17 down a building, you have to --

18 MS. MEEHAN: Well, the existing --

19 COMMISSIONER STEIN: Don't garages have to
20 be --

21 MS. KANE: Five feet.

22 MS. MEEHAN: The existing garage --

23 COMMISSIONER STEIN: Not the whole setback?

1 MS. KANE: No, not detached accessory structures.

2 COMMISSIONER STEIN: So, five feet is --

3 MS. KANE: Five is our setback, minimum setback for
4 this district for accessory structures. And I think with the
5 drain tiles, an engineer can make it work with that five-foot
6 setback.

7 MS. MEEHAN: And just as a comment, the existing garage
8 is about 6 feet 10 inches from the lot line right now. So,
9 the new garage would be going up in basically that same
10 location.

11 COMMISSIONER STEIN: Okay.

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

14 COMMISSIONER HIELSCHER: Yes. I would make a motion.

15 That the Plan and Zoning Commission approve and recommend the
16 Village Board for approval a Special Use to allow a garage up
17 to 900 square feet for the property located at 332 Eaton
18 Street, in accordance with the garage plans and
19 specifications, prepared by Johnston Architects, Inc., dated
20 May 21, 2007, subject to the following conditions:

21 1. The garage shall only be used for the storage of
22 vehicles associated with the residential use of the
23 home. No commercial operations or storage of

1 commercial vehicles shall utilize the garage, except as
2 may be permitted by the Village's home occupation
3 regulations.

4 2. The total amount of impervious surface upon the
5 property shall not exceed 50 percent of the total lot
6 area.

7 3. Prior to issuance of a Grading Permit for the
8 construction of the detached garage, the Village
9 Engineer shall review and approve an engineered design
10 solution (i.e., natural swales, berming and/or roof
11 drains) to retain all surface runoff attributable to
12 the new garage onsite.

13 4. An approval pursuant to any requested review by a
14 Village consultant, staff member, Board or Commission
15 shall be an approval of only those items specified in
16 any motion, resolution, and ordinance or written
17 report. Under no circumstances shall such an approval
18 be deemed to be the approval of any other matter by
19 virtue of the fact that those other matters may appear
20 on the supporting documents such as a site plan,
21 engineering plan, or plat that was the subject of the
22 review. Neither shall any such written approval be
23 deemed to be an approval of any matter, which is within

1 the jurisdiction of any other Village consultant, staff
2 member, Board or Commission or any County, State, or
3 Federal Agency.

4 5. Changes in the project may only be made as follows:

5 a. Minor Field Changes. Minor changes in locations
6 or sizes shown on exhibits may be approved, in
7 writing, by the Director of Community Development.

8 Typically, a minor field change will not involve
9 a percentage change greater than 3 percent.
10 However, not all changes of less than 3 percent
11 shall necessarily be deemed to be minor. The
12 determination of the Director of Community
13 Development as to whether a change is a minor
14 field change shall be final.

15 b. Village Board Approved Changes. The Village Board
16 may approve, without referral to the Plan & Zoning
17 Commission, such other changes as it believes are
18 in the best interests of the Village and which do
19 not involve changes in numbers found in the text
20 of the Ordinance and which do not have a
21 substantial, direct impact on adjacent properties.

22 The determination of the Village Board as to
23 whether a requested change should be referred to

1 the Plan & Zoning Commission shall be final.

2 c. Changes Requiring a Public Hearing. Any change
3 involving a number found in the text of the
4 Ordinance or any change having substantial, direct
5 impact on adjacent properties shall not be made
6 except after a public hearing before the Plan &
7 Zoning Commission. Additionally, the Village
8 Board or Director of Community Development may
9 refer any requested change to the Plan & Zoning
10 Commission for public hearing when either believes
11 it would be in the best interest of the Village to
12 do so.

13 CHAIRMAN WARGA: Do we have a second?

14 COMMISSIONER CALDWELL: Second.

15 CHAIRMAN WARGA: All in favor?

16 (Chorus of ayes.)

17 CHAIRMAN WARGA: Any opposed?

18 (No response.)

19 CHAIRMAN WARGA: So moved. Thank you very much.

20 MS. MEEHAN: Thank you very much.

21 CHAIRMAN WARGA: Take your time. And good luck.

22 Our second item on the agenda is 305 Happ Road. This
23 is the Haussmann Brasserie Northfield, and we have one

1 gentleman setting up. Do we have any other people here who
2 want to speak on this subject matter tonight? We'll have you
3 identify yourself and be sworn in.

4 (Witness sworn.)

5 MR. KAHN: Good evening. My name is Glenn Kahn. I'm
6 the attorney for Hausmann, LLC, the principal of which is
7 Jackie Platon who is unfortunately out of the country right
8 now on a family emergency medical issue. So, he is
9 unfortunately not able to be here and he wants to let you
10 know his regrets in not being here.

11 As you're aware, this is essentially requesting a full
12 service restaurant be able to go in in the location at 305
13 Happ. A couple of items that I just wanted to mention with
14 respect to the request is that on the back of page 1, or it
15 would be page 2, there is, in the chart, there is an
16 indication that the Hausmann Brasserie will be using 6,000
17 square feet. That's at the main level. There's a 2,000, I
18 believe roughly 2,000 on the second floor that in the past
19 has been used for office and storage. We would also be
20 looking to use that space as well.

21 And then, the other comment I would make is that for
22 hours of operation, the 11:00 a.m. to 10:00 p.m. is the
23 kitchen hours if you will. The restaurant might stay open a

1 little bit later than 10:00, but in terms of kitchen and food
2 service, 10:00 o'clock would cut it off.

3 COMMISSIONER STEIN: When will you close? You've got
4 to put the hours in.

5 MR. KAHN: I'll be honest. I'm not sure exactly what
6 the closing time that's anticipated would be, but certainly
7 no later than midnight. And if there is any objections to
8 that, I'm sure, you know, 11:00-11:30 would be fine. I just
9 wanted to clarify that the 10:00 o'clock was when the kitchen
10 would close and, you know, it's not necessarily doors locked
11 and shut at 10:00 o'clock.

12 COMMISSIONER HIELSCHER: If I could interrupt you for
13 one second? Anne, when staff indicates hours of operation, is
14 your understanding of that hours of operation of the kitchen?

15 MS. KANE: No. Per restaurant, no. It would be
16 closing. I mean, the previous special use, it allowed until
17 1:00 a.m., I'll let the Commission know.

18 COMMISSIONER HIELSCHER: Right.

19 MS. KANE: Point that out. And as far as the square
20 footage, staff doesn't have a concern with adding that
21 impact. I haven't been through the restaurant but Stacey who
22 is familiar with this said, you know, it would be impossible
23 for this restaurant to operate without that back office space

1 and the storage space for their dry goods that are moved up
2 there.

3 COMMISSIONER HIELSCHER: But staff's recommendation is
4 clearly 11:00 a.m. to 10:00 p.m.?

5 MS. KANE: No, that's based on their letter of request
6 which outlines those hours of operations. So, if they wanted
7 to say until midnight, you know, based on later hours, staff
8 won't have an objection to that. Based on the previous
9 special use.

10 COMMISSIONER HIELSCHER: Thanks. I'm sorry to
11 interrupt you.

12 MR. KAHN: No, that's quite all right.

13 COMMISSIONER STEIN: No, but that is fairly important.

14 MR. KAHN: I'm sure.

15 COMMISSIONER STEIN: Because if you decide you want to
16 stay open until 1:00 o'clock, you have to come back.

17 MR. KAHN: Right. Well, if there is no objection then
18 and since the prior use was 1:00 o'clock, then I would ask
19 that it indicate 1:00 o'clock.

20 COMMISSIONER STEIN: I would.

21 MR. KAHN: Yes, I should.

22 COMMISSIONER HIELSCHER: This moves it up until 1:00.

23 MR. KAHN: Yes.

1 COMMISSIONER STEIN: What is a normal liquor license,
2 until 1:00?

3 COMMISSIONER deLOYS: Depends on where you are.

4 MR. KAHN: Yes, it varies from --

5 COMMISSIONER deLOYS: There is no such thing as --

6 COMMISSIONER deLOYS: The rule says to have all liquor
7 gone by 1:00 o'clock.

8 COMMISSIONER RUBIN: But it's probably later than 1:00,
9 the liquor license?

10 COMMISSIONER deLOYS: No, not in Northfield.

11 COMMISSIONER RUBIN: The requirement? Pardon me?

12 COMMISSIONER deLOYS: -- you have to have everything
13 gone, emptied gone by 1:00 o'clock.

14 COMMISSIONER STEIN: And everybody out of there.

15 MR. KAHN: If there are any other questions, I
16 certainly would do my best to answer them.

17 COMMISSIONER STEIN: Will Jackie stay open in Evanston?

18 MR. KAHN: Yes. I mean, actually that's separate and
19 apart from Jackie Platon at this point. He's not had an
20 interest in that in some time. So, as far as I know, it will
21 stay open but I can't speak to that because he's not
22 interested.

23 COMMISSIONER STEIN: Good.

1 CHAIRMAN WARGA: What is the 2,000 square feet on the
2 upper level? Is that just for storage?

3 MR. KAHN: Storage and office.

4 CHAIRMAN WARGA: Yes.

5 MR. KAHN: You know, general use. Not serving or
6 seating patrons.

7 CHAIRMAN WARGA: Any other questions by the Commission?

8 COMMISSIONER RUBIN: Yes. I noticed that, as long as
9 we're on the hours subject, the staff suggests that the
10 outdoor dining area, the outdoor hours shall be limited to
11 11:00 a.m. to 9:00 p.m. Is there any reason for an earlier
12 limit for the outdoor seating? Is there any sort of
13 ordinance we should be aware of?

14 MS. KANE: No. The previous ordinance did allow for
15 the outdoor dining to be extended until 9:00 p.m. However,
16 in reviewing a recent special use for across the street, the
17 Tapas Restaurant today with a new owner who is coming in
18 possibly, that is allowed until 10:00 p.m. So, the
19 Commission may even want to consider about extending those
20 outdoor dining hours so that at least two seatings could
21 maybe get accommodated with an earlier and a later.

22 COMMISSIONER HIELSCHER: The only thing I would make a
23 comment on is clearly, while I wouldn't say that the Tapas

1 Restaurant is relatively close to condominium property, this
2 property is relatively close to, I forget if it's, isn't that
3 close to --

4 MS. KANE: Yes, it is close to it.

5 COMMISSIONER HIELSCHER: But I'm unaware of any
6 complaints in the past of noise problems from the outdoor
7 dining, either of the Tapas Restaurant or the old restaurant
8 at this location.

9 MS. KANE: That's correct. We're not aware of any
10 complaints.

11 CHAIRMAN WARGA: I think it would be better to extend
12 that.

13 MR. KAHN: I was going to say I would assume that
14 Haussmann would love to have it extended to later because
15 obviously that's a big draw in the summertime. I assumed
16 that that was a Northfield, you know, guideline if you will
17 or requirement to 9:00 p.m. But if that could be extended
18 whatever amount, I know it would be appreciated.

19 CHAIRMAN WARGA: That's under number 8, item f. May I
20 suggest we either strike that or rewrite that?

21 COMMISSIONER HIELSCHER: I'm certainly comfortable with
22 10:00 p.m. I don't think I'm comfortable at this point to
23 extending it past what is the operation --

1 COMMISSIONER RUBIN: I would agree, 10:00 would be
2 good.

3 COMMISSIONER CALDWELL: 10:00 would be.

4 COMMISSIONER STEIN: 10:00.

5 COMMISSIONER JONES: I'm just looking at the aerial
6 map. Right across Mount Pleasant, is that commercial or is
7 that residential?

8 MS. KANE: Residential.

9 COMMISSIONER JONES: So, that would be right across the
10 street.

11 COMMISSIONER STEIN: Well, this is right in the middle
12 of the building.

13 CHAIRMAN WARGA: This is --

14 COMMISSIONER STEIN: It's really right in the middle of
15 the building.

16 COMMISSIONER JONES: It's pretty far away.

17 COMMISSIONER HIELSCHER: You've got Three -- and then
18 the Peach Tree Place, and then --

19 COMMISSIONER STEIN: The clothing store.

20 MR. KAHN: Right. And the outdoor dining doesn't
21 really extend hours at all. It's really within, almost
22 within the building itself, yes. Pretty well protected.

23 CHAIRMAN WARGA: So, do we want to amend the hours of

1 operation also on item number 6? To make it --

2 COMMISSIONER STEIN: 6, from 11:00 a.m. to 1:00 a.m.

3 CHAIRMAN WARGA: To 1:00 a.m.

4 COMMISSIONER HIELSCHER: And 8(f) would go from 11:00
5 a.m. to 10:00 p.m.

6 CHAIRMAN WARGA: Okay. All right. Any
7 other --

8 COMMISSIONER STEIN: And then, you're happy with the
9 seating capacity?

10 MR. KAHN: Yes, that's actually pursuant to a plan that
11 we've provided in terms of the layout that includes some
12 private, an optional private dining room that can be opened
13 or closed as needed.

14 CHAIRMAN WARGA: Any other discussion? Questions? Do
15 we have a motion?

16 MS. KANE: Excuse me, Chairman? We do have an audience
17 member who would like to speak.

18 CHAIRMAN WARGA: Okay. You'll have to be sworn in then
19 first please. Thank you.

20 (Witness sworn.)

21 MS. ANDREASON: I'm sorry to interrupt. My name is
22 Ursula Andreason and I own the beauty salon in the mall since
23 19 years. And I would just like to address to your Committee

1 that the restaurant is now empty for two years. And it has
2 harmed my business to quite an extent. And by listening to
3 the public in Northfield, everybody is wondering why we don't
4 have a restaurant in there. When is a restaurant coming?
5 When is it going to be? Like the Glen.

6 This is only my feedback as a salon owner in that mall.
7 And I would be more than happy to vote on the issue that you
8 come in there and your hours will be like there on the Glen.

9 And as a business, and I know my partners all in the mall,
10 we all feel the same way. We all feel how come there is no
11 business in Northfield and it's such a beautiful area to be
12 in. It might help you make a decision on the positive issue
13 of having a restaurant a little bit longer than 9:00 o'clock
14 at night.

15 This is a young country and this is an area where
16 people do like to go out. And actually, I'm across from the
17 residential area because my salon faces where the
18 condominiums are on Pleasant, I believe, while this location
19 really faces the parking lot. And in all the years that I'm
20 there, I've never had people sitting out there and drinking
21 and dancing at midnight. So, maybe you'll take the
22 consideration and thank you for listening to me.

23 COMMISSIONER STEIN: Thank you for coming.

1 CHAIRMAN WARGA: Thank you.

2 COMMISSIONER HIELSCHER: Perhaps we should ask Officer
3 -- have you noticed any drinking and dancing going on over
4 the parking lot?

5 AUDIENCE MEMBER: I just walked in, I'm sorry.

6 COMMISSIONER STEIN: That was very unfair.

7 MS. KANE: Which lot?

8 COMMISSIONER HIELSCHER: I do have a question for you
9 if I could?

10 MS. ANDREASON: Yes?

11 COMMISSIONER HIELSCHER: Sit down please. You don't
12 need to stand. You said you've owned for 19 years?

13 MS. ANDREASON: Yes.

14 COMMISSIONER HIELSCHER: Did you ever feel when the
15 restaurant existed previously particularly as it would relate
16 I think to the lunchtime hour that there was a negative
17 impact on your business as far as parking was concerned?

18 MS. ANDREASON: No. Never really because there's
19 really -- for my business there is -- We lost business since
20 there is no restaurant there --

21 COMMISSIONER HIELSCHER: Thank you.

22 CHAIRMAN WARGA: Do we have a motion?

23 COMMISSIONER RUBIN: Sure. I move that **the Plan and**

1 Zoning Commission approve and recommend to the Village Board
2 for approval a Special Use to allow the establishment and
3 operation of a 6,000 square-foot restaurant at 305 Happ Road
4 in the Northfield Village Square retail center, to be
5 operated as Haussmann Brasserie, in accordance with the
6 Petitioner's Application and Supporting Materials, date
7 stamped received June 4, 2007, subject to the following
8 conditions:

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

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

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

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

17 5. No vending machines, video games or other coin
18 operation amusement devices will be permitted on the
19 subject property.

20 6. The hours of operation shall be limited to 11:00 a.m.
21 to 1:00 a.m., Monday through Sunday.

22 7. The restaurant shall not expand beyond the proposed
23 6,000 square-foot tenant space, and the interior dining

1 area shall be limited to 2,150 square feet illustrated
2 on the floor plan. The actual seating capacity for the
3 interior shall not exceed 205 seats.

4 8. Relative to the outdoor dining area, the following
5 provisions shall apply:

6 a. Seating capacity shall not exceed 36;

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

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

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

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

22 f. Outdoor hours shall be limited to 11:00 a.m. to
23 10:00 p.m.;

- 1 g. There shall be no outdoor food preparation;
- 2 h. The outdoor dining area shall be kept clean and
3 free of litter and/or food debris at all times;
- 4 i. There shall be no live outdoor entertainment and
5 any music played in the outdoor dining area shall
6 not be audible beyond the property lines of the
7 subject site.
- 8 9. All waste and disposal containers shall be rodent-proof
9 and leak-proof and shall be located in an enclosed,
10 screened area approved by the Village. Such area shall
11 be maintained and cleaned on a daily basis by the
12 Petitioner.
- 13 10. The owner shall employ a licensed pest control
14 exterminator to inspect and treat the premises on at
15 least a monthly basis. Documentation of said treatment
16 shall be provided to the Village's Public Health
17 Sanitarian on a monthly basis.
- 18 11. The Village of Northfield Health, Fire, and Building
19 Officials shall be granted access to the subject
20 property at any reasonable time for purposes of
21 conducting inspections for compliance with the Village
22 Codes and Ordinances.
- 23 12. Changes in the project may only be made as follows:

- 1 a. Minor Field Changes. Minor changes in locations
2 or sizes shown on exhibits may be approved, in
3 writing, by the Director of Community Development.
4 Typically, a minor field change will not involve
5 a percentage change greater than 3 percent.
6 However, not all changes of less than 3 percent
7 shall necessarily be deemed to be minor. The
8 determination of the Director of Community
9 Development as to whether a change is a minor
10 field change shall be final.
- 11 b. Village Board Approved Changes. The Village Board
12 may approve, without referral to the Plan & Zoning
13 Commission, such other changes as it believes are
14 in the best interests of the Village and which do
15 not involve changes in numbers found in the text
16 of the Ordinance and which do not have a
17 substantial, direct impact on adjacent properties.
18 The determination of the Village Board as to
19 whether a requested change should be referred to
20 the Plan & Zoning Commission shall be final.
- 21 c. Changes Requiring a Public Hearing. Any change
22 involving a number found in the text of the
23 Ordinance or any change having substantial, direct

1 impact on adjacent properties shall not be made
2 except after a public hearing before the Plan &
3 Zoning Commission. Additionally, the Village
4 Board or Director of Community Development may
5 refer any requested change to the Plan & Zoning
6 Commission for public hearing when either believes
7 it would be in the best interest of the Village to
8 do so.

9 COMMISSIONER HIELSCHER: Second.

10 CHAIRMAN WARGA: And all in favor?

11 (Chorus of ayes.)

12 CHAIRMAN WARGA: Any opposed?

13 (No response.)

14 CHAIRMAN WARGA: So moved. Thank you, good luck. And
15 we wish good health to your employer.

16 And now we come to our final item, 700 & 770 Frontage
17 Road. And who is here to speak on behalf of Fields BMW?

18 MR. McCULLOCH: I think he's upstairs, I guess there's
19 no time but --

20 CHAIRMAN WARGA: You were bouncing between rooms, Dave?

21 MR. McCULLOCH: Dave McCulloch, Fields BMW.

22 CHAIRMAN WARGA: Dave, we'll have you be sworn in
23 first. And is anybody else here speaking to this issue or

1 concerned about it? Okay.

2 (Witness sworn.)

3 MR. McCULLOCH: And I don't really have a lot to
4 present. Our counsel tonight is unavailable. But I was
5 hoping that we could get through this without her tonight.
6 And we're presenting our final plat for subdivision that we
7 promised that we were going to get done as part of our
8 requirements I think to the Village Board.

9 So, I'm assuming you've all got that in front of you.
10 So, I'll certainly try to answer any questions you have
11 though.

12 CHAIRMAN WARGA: How's your golf game, Dave?

13 MR. McCULLOCH: It's not bad this year actually.

14 COMMISSIONER RUBIN: It may be simple ignorance on my
15 part but I just need to know why this is necessary. Why do
16 you need to consolidate the two lots? For identification
17 purposes only? Or, you have the two lots now, right?

18 MR. McCULLOCH: Correct, but --

19 COMMISSIONER RUBIN: So, they're just identified
20 separately.

21 CHAIRMAN WARGA: I think Anne can address that.

22 MS. KANE: I'd be happy to answer that. As proposed
23 with the building expansion, it would go over the lot line

1 and you can't have a portion of a building straddling the lot
2 line. It's just for cleaner purposes that you have one lot,
3 one principal building. And for the short term, this PUD
4 amendment allowed for the existing office building at 770
5 Frontage Road to remain. However, in the future, it's likely
6 whether it's a new building is constructed there, it's very
7 possible they'll come back and re-subdivide this. But
8 they'll shift where the dividing line is right now.

9 If you recall, this has a, the lot line that these two
10 parcels share is the directly north-south lot line that's
11 remnant from when this was actually part of the Forest
12 Preserve on the east side of the Edens. And it leads to very
13 awkward designed lots by today's standards for land planning.
14 You'd much rather have a rectangular shaped lot with 90-
15 degree corners rather than these triangular lots that lead to
16 funnier land configurations, less effective use of parking
17 lot layouts and setbacks.

18 COMMISSIONER RUBIN: That answers my question. Thank
19 you.

20 COMMISSIONER STEIN: Yes, because I couldn't remember,
21 so the building that's 700 will be extended to the --

22 MR. McCULLOCH: Onto the north and to the west.

23 COMMISSIONER STEIN: Northeast.

1 MR. McCULLOCH: Northwest.

2 COMMISSIONER STEIN: Northwest?

3 MS. KANE: North and west.

4 COMMISSIONER STEIN: Okay. To go over where there's a
5 current lot line. But you're leaving that 770 Building for
6 the time being?

7 MR. McCULLOCH: Yes, we have tenants there for up to
8 two-and-a-half years I believe left. Yes.

9 COMMISSIONER STEIN: Yes, I certainly remember this.
10 We talked about it.

11 CHAIRMAN WARGA: Any other questions? Discussion? Do
12 we have a motion?

13 COMMISSIONER HIELSCHER: Yes. I move that **the Plan &**
14 **Zoning Commission approve and recommend to the Village Board**
15 **of Trustees for approval of the Fields Imports Northfield Re-**
16 **subdivision to consolidate the parcels commonly known as 700-**
17 **770 Frontage Road, prepared by Edward J. Molloy & Associated,**
18 **Ltd., dated May 24, 2007.**

19 COMMISSIONER deLOYS: Second.

20 CHAIRMAN WARGA: All in favor?

21 (Chorus of ayes.)

22 CHAIRMAN WARGA: Any opposed?

23 (No response.)

1 CHAIRMAN WARGA: So moved. And I'd like to
2 reemphasize, we are delighted to see the additional
3 investment Fields is making in the Northfield community.

4 MR. McCULLOCH: We appreciate it very much. Thank you
5 all again. We appreciate it. My game isn't as good as
6 Terry's over there, by the way.

7 CHAIRMAN WARGA: Okay. Any other matters to discuss
8 for our Committee tonight?

9 MS. KANE: No, just a reminder that we're taking a
10 break in August and we'll see you in September.

11 CHAIRMAN WARGA: Okay. And for those who didn't hear
12 this before, these matters that we approved tonight will
13 appear before the Village Board meeting on Tuesday, July
14 17th, 2007. Do we have a motion to adjourn?

15 (Moved and seconded.)

16 CHAIRMAN WARGA: All in favor?

17 (Chorus of ayes.)

18 CHAIRMAN WARGA: Any opposed?

19 (No response.)

20 CHAIRMAN WARGA: So moved. Thank you everybody.

21 (Whereupon the above meeting concluded

22 at 7:28 p.m.)

23

24 **Approved 10/1/07**