

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, 361 Happ Road, Northfield, Illinois
on the 6th day of September, 2011, at the hour of 7:00
o'clock p.m.

MEMBERS PRESENT:

BILL VASELOPULOS, Chair
GREG REKETT
DAN deLOYS
JOANNA STEIN
WILLIAM HIELSCHER
KATHY ESTABROOKE
JOHN DOLAN
CHRIS BROCCOLO

MEMBERS ABSENT:

E. LEONARD RUBIN

ALSO PRESENT:

STEVEN GUTIERREZ, Community Development Director
LINNEA O'NEILL, Community Development Planner

1 CHAIRMAN VASELOPULOS: I'd like to call to order the
2 meeting of the Plan and Zoning Commission. My name is Bill

1 Vaselopulos, and I'm the Chairman of the Commission. At this
2 point, before I have the Commissioners introduce themselves,
3 I'd like to first introduce and welcome Kathy Estabrooke to
4 the Commission. She's brand new, this is her first meeting,
5 and we thank you for your service and your time and look
6 forward to working with you.

7 COMMISSIONER ESTABROOKE: Thank you. I do too.

8 CHAIRMAN VASELOPULOS: Great. If the Commissioners can
9 introduce themselves, starting with Chris.

10 COMMISSIONER BROCCOLO: Chris Broccolo.

11 COMMISSIONER DOLAN: John Dolan.

12 COMMISSIONER ESTABROOKE: Kathy Estabrooke.

13 COMMISSIONER HIELSCHER: Bill Hielscher.

14 COMMISSIONER STEIN: Joanna Stein.

15 COMMISSIONER deLOYS: Dan deLoys.

16 COMMISSIONER REKETT: Greg Rekett.

17 CHAIRMAN VASELOPULOS: Thank you very much. The
18 purpose of tonight's meeting is to conduct a public hearing
19 to consider a request for approval and consideration and
20 discussion for a special use, at the location of 195
21 Northfield Road. The petitioners' names, Shane Edwards and
22 Lisa Loomis, on behalf of Work in Progress Fitness, LLC.

23 The public hearing format will provide an overview of
24 this proposal, and a form for public comment and input. This
25 Commission is a recommending body only, and we will forward
26 our recommendations to the President and the Board of
27 Trustees, for the final determination whether or not to grant
28 these items before us today. The Board will then consider
29 these items that are being discussed this evening at the next
30 Board meeting, which is scheduled for Tuesday, September
31 20th, 2011, 7:00 o'clock, right here in this board room.

32 Tonight's meeting requires that all persons wishing to
33 be heard and to enter testimony on this case today, to be
34 sworn in. This includes all petitioners and individuals, in
35 addition to petitioners, and any interested parties or other
36 property owners. Following the petitioner's presentation, and
37 after the Commission has had an opportunity to ask questions
38 or discuss amongst ourselves, then all interested parties
39 will be given an opportunity to speak. Prior to speaking, we
40 request that all parties step forward to the microphone and
41 be sworn in, provide their name, address and their interest
42 in this matter, for the record. These proceedings are being
43 recorded, and that's why we are requesting that you speak
44 only at the podium where the microphone is located.

45 Before we continue, I also want to introduce Steve
46 Gutierrez, he is our new Community Development Director,
47 taking the place for Anne Kane. He has a lot of experience,
48 coming from the Village of River Forest and a number of other
49 locals. So, Steve, congratulations on your appointment.

50 MR. GUTIERREZ: Thank you.

51 CHAIRMAN VASELOPULOS: And we look forward to working
52 with you.

53 First of all, before we start, our first order of
54 business is to pass the minutes from our last meeting of July
55 5th, 2011. Is there a motion?

56 COMMISSIONER BROCCOLO: Motion to approve.

57 COMMISSIONER DOLAN: Second.

58 CHAIRMAN VASELOPULOS: All those in favor?

1 (Chorus of ayes.)

2 CHAIRMAN VASELOPULOS: Opposed? Motion carries. Okay,
3 thank you very much. Before we have the petitioners step up,
4 Steve, do you have anything that you want to say about the
5 petition before us?

6 MR. GUTIERREZ: Yes, I'd like to just give you a brief
7 overview of the petition, and then just go over a couple of
8 issues, particularly related to parking that we need to kind
9 of expand upon tonight.

10 Again, this is a special use application for the 195
11 Northfield Road. The building is actually 195-197, but the
12 space is for 195 Northfield Road. The petitioners Shane
13 Edward and Lisa Loomis are here, to present their application
14 for you, so I'm not going to go into a lot of detail, really
15 any detail about their operation or business plan. I won't
16 steal their thunder in that regard.

17 We have a memo which we presented, sent out last week,
18 to the Commission, outlining the zoning review that we did,
19 and some of the history of the property, its use and some of
20 the, and particularly the parking issues that we have to
21 address.

22 The business is Work in Progress. This is an existing
23 business that occupies 2,000 square feet of that building at
24 195 Northfield. This has been categorized as a personal
25 training facility. I understand a few years back, this was a
26 category that we created with certain requirements for
27 parking, in response to a petition very similar to this, down
28 at Northfield Road.

29 But, they are not proposing any expansion of the
30 existing space, the 2,000 square feet that they occupy. They
31 are not, it is my understanding, proposing an expansion of
32 the business activity. It's simply coming in, really after
33 the fact, and to get the special use permit that actually
34 should have been required, prior to their use.

35 I just want to talk about that really quickly, just for
36 your peace of mind going forward. In many villages business
37 licenses are required for every type of business and the
38 process of obtaining a license is used to check if a business
39 is a permitted use, is it a special use, is it a prohibited
40 use.

41 Our previous non-home rule status limited our ability
42 to license all businesses. To make a long story short, that
43 safety net, if you will, wasn't in place. We may be
44 exploring expanding the use of business licenses in the
45 future. Now, that's another issue.

46 The main thing is we also, already have adjusted some
47 of our inspectional procedures, to make sure that we're
48 keeping our eyes a little bit beyond our individual silos
49 when we're in a facility doing an inspection unrelated to the
50 zoning use. We'll ask ourselves what the land use that
51 happens to be there.

52 So, but again, I think the simple adjustments that
53 we've already made and perhaps a more formal adjustment, in
54 terms of business licenses, will mitigate the chances this
55 would happen again.

56 I think Linnea was out at this property investigating
57 another potential tenant for the vacant space in the back of
58 the building when she recognized Work in Progress was in the

1 front of the building without a special use permit.

2 Regarding parking, the approach we've taken in the past
3 and approach we are taking here is to note the off-street
4 parking requirement for the entire building, including any
5 vacant spaces.

6 In this case, we have 15,000 square feet of vacant
7 space, and a 27,000 square foot building, and we decided to
8 apply the parking requirement for a warehouse use for that
9 vacant space. A warehouse use requires one space per
10 thousand square feet. The table I provided you mistakenly
11 notes the warehouse space as requiring 10 spaces while the
12 actual requirement is 15 spaces. So, that basically, rather
13 than 37 spaces being required, the real requirement should be
14 42 spaces. I apologize for the mistake.

15 Now, what I would suggest is a couple things. I've
16 looked at, Linnea actually, and I have been looking at the
17 lot carefully, and we think that there are some creative
18 things that could be done, in conjunction with the landlord,
19 to create more parking spaces.

20 What I'm going to suggest to the Commission is that if
21 you ultimately decide to recommend approval of the special
22 use, that you add a condition to that approval, that the
23 landlord be required to come up with a comprehensive approach
24 to the parking for the entire building within 120 days.
25 You've given him some time, essentially, to flesh out the
26 other tenants and what's going to happen with the other
27 tenant spaces. This would put the onus on the landlord, who
28 really has the capability of taking a comprehensive approach
29 to the parking for this property.

30 The individual tenants and this petitioner, they have a
31 very limited authority or capability to take a more global
32 approach to the parking. And so, again, my suggestion is to
33 the onus on the landlord to come up with a plan that's
34 satisfactory to staff and meets the codes. And if they don't
35 meet the code, then the landlord would file for a variation
36 to the off-street parking requirement.

37 CHAIRMAN VASELOPULOS: Steve, can we attach that
38 suggestion to a specific use of one portion of the property?

39 MR. GUTIERREZ: I think so. But I have not vetted that
40 with the Village Attorney. We were initially thinking that
41 if they didn't have adequate parking, that the onus would be
42 put on the applicant, to seek a variation for the entire
43 building essentially. So, practically speaking today, there
44 is plenty of parking, even with 10 required spaces. We're
45 assuming they use 10 spaces at the peak.

46 But the issue down the road is what that final tenant
47 space going to be and whether there will be enough parking
48 left. I am suggesting

49 COMMISSIONER BROCCOLO: Steve, how did you come up with
50 that requirement of 10, but in the application it talks about
51 only needing 8 parking spaces.

52 MR. GUTIERREZ: Yeah, thank you for asking that. As I
53 was going through the ruminations of the parking
54 requirements, I called the tenant and confirmed he might have
55 8 clients at one time at their peak time. The requirement is
56 1 per employee and they have will have 2 staff members. Plus
57 1 parking space for every client, up to the maximum capacity

58 --

1 COMMISSIONER BROCCOLO: That seems so subjective --
2 MR. GUTIERREZ: In some codes parking requirements are
3 based on square footage, several years ago this particular
4 parking requirement was developed after considering a very
5 similar use. This was before my time here, so I can't give
6 you a lot of insight as to the reasoning on this requirement.
7 So, it's not based on the square footage. I pointed
8 out to the petitioner that his application mentioned having
9 no more than 6 client in your application, but warned him we
10 have to hold him to, whatever it is that's being represented
11 here. In other words, if we find out later on that you've
12 got 10, then we have an issue. I told him that some
13 limitation on the number of clients would probably be a
14 condition placed on this permit if it is approved.
15 COMMISSIONER BROCCOLO: I was getting 17 for Tick-Tock
16 Child Care.
17 MR. GUTIERREZ: 17 was described in their special use,
18 which was done several years ago. Again, unfortunately, I
19 can't give you too much insight on that. I don't know,
20 Linnea, if you can. My guess is, it was what was required of
21 child care, of a child care center, day care facility.
22 COMMISSIONER BROCCOLO: Based on the staff.
23 MS. O'NEILL: No, it's based on code, under parking
24 regulations, which --
25 MR. GUTIERREZ: That requirement goes again to staff
26 and number of children, I believe. It's 1 per 6. It's 1 per
27 6 children that are there and 1 for every staff member.
28 MS. O'NEILL: That sounds right.
29 MR. GUTIERREZ: Yeah, and so, again, you depend upon
30 the applicant doing what they represent. That it's going to
31 be X size, the business is going to have X number of
32 children, X number of clients, X number of employee
33 COMMISSIONER deLOYS: Steve, can we caveat, if we do
34 come up with the 12th condition for the landlord, file the
35 comprehensive parking plan, can we caveat that it's pending
36 the Village Attorney's approval
37 MR. GUTIERREZ: Yes, absolutely.
38 CHAIRMAN VASELOPULOS: Before we have anymore
39 discussions on this, I think we should bring the petitioners
40 up, and introduce themselves, and address any issues. And,
41 if you could be sworn in, please, too.
42 Whereupon,
43 RAY PESAVENTO,
44 called as a witness herein, having been first duly sworn,
45 testified as follows:
46 MR. PESAVENTO: My name is Ray Pesavento, P-e-s-a-v-e-
47 n-t-o. My address is 1231 Greenwood Avenue in Wilmette, and
48 I am here as a representative of Shane Edwards and Lisa
49 Loomis, the husband and wife, and owners of the Work In
50 Progress, LLC.
51 I can understand the concerns that Mr. Gutierrez has
52 articulated here, but I have to respectfully disagree with
53 his suggestions on a number of bases. Although there
54 admittedly was a mathematical problem in the figures that he
55 provided to the Commission and which the Commission has in
56 the report, but I would suggest that rather than making the
57 Work In Progress's special use contingent on something over
58 which they really have no control, and that is the landlord's

1 action at some point in the future, I would recommend that
2 the Commission simply follow what is stated in the report,
3 irrespective of the fact that rather than having one extra
4 space, apparently under the calculations, it now needs 4
5 more.

6 Recognizing that though, the Commission did say in the
7 report, if and when that future tenant of the currently
8 unoccupied space requires more than 10 parking spaces, the
9 landlord would need to secure off street parking, where they
10 can seek relief from the parking requirements.

11 I think for any number of reasons, that is the
12 appropriate action to take. And I say that because although
13 Mr. Gutierrez, I think in good faith, articulated to the
14 Board, the reason he would do this was to place the onus on
15 the landlord. Practically speaking, I think the onus will
16 then be placed on Work in Progress. And I say that because
17 the landlord could take any conceivable action the landlord
18 wants to take, and perhaps in the landlord's selfish best
19 interest.

20 For one thing, the landlord may decide, if the
21 situation arises, recognizing that it's a conditional special
22 use for Work in Progress, who occupies 2,000 square feet, to
23 effectively subvert Work In Progress's tenancy, and they
24 suffer because the landlord may have 15,000 square feet that
25 the landlord could rent. And I don't know that I'd be overly
26 critical of the landlord. Perhaps any number of people in
27 that position would look to do the same thing.

28 If you have the potential of leasing a 15,000 square
29 foot space, at the expense of a tenant occupying a 2,000
30 square foot space, it's entirely conceivable. Furthermore,
31 the landlord may elect to do nothing at all, in which case,
32 the conditional approval that Work in Progress should
33 rightfully have, would be in limbo for any length of time.

34 Those, I think, are the practical reasons why I don't
35 think that Mr. Gutierrez's plan accomplishes what it wants to
36 do, that is, take the burden of onus off the tenant, and
37 place it on the landlord. It, in fact, the onus may
38 effectively be placed on the tenant, mistakenly.

39 I think legally there's another problem, although I
40 don't want to speak from a legal perspective. I am a retired
41 attorney, what my wife calls reformed attorney, so I really
42 can't speak on legal issues. But, from my perspective,
43 placing a condition within a special use permit for a
44 specific place, that relates to another location or another
45 condition, I don't think that, within the parameters of a
46 special use permit, it can be done.

47 The special use permit, by its very nature, relates to
48 a specific tenant or a specific use on a property, and to
49 make that conditional on something else, some other event,
50 some other property, I don't know that the power that the
51 Commission has within the context of a special use would
52 allow that.

53 Which again, is why I say I think the best way to
54 address this issue is to follow the suggestion that the
55 Commission does have in its plan, and that is to say if, at
56 some future point, a future tenant will need more than 10
57 parking spaces, let the landlord assume that responsibility,
58 and come before the Board and either get a comprehensive plan

1 or seek a variance. I think that's the most appropriate way
2 to handle this.

3 One other factor I think we should look at here, is and
4 the history is the best teacher, for all of us. And we know
5 that the building was built in 1969, and had a number of
6 tenants over the course of that history. The last, when it
7 was fully occupied, included the Chicago Tribune, Tick-Tock
8 Daycare Center and Work In Progress since 2008. The Tribune,
9 as I call, vacated in 2010, I think it was.

10 So, for a period of two years, there were three
11 businesses operating there, and I believe the Tribune had no
12 fewer than 15 employees. And from everything that I know,
13 there was never a problem with parking there, during the time
14 that the Tribune was there. Clearly they vacated the space,
15 and that may be another issue. As Mr. Gutierrez says, we
16 don't know what business will occupy that vacant space.

17 And again, if we're trying to discern the future, I
18 think on some level, it would be unfair to effectively place
19 the Work in Progress's special use in limbo, from which, for
20 the reasons I articulated, it may never come out of. I think
21 we should look at the fact that, in the context of a special
22 use permit, they certainly fit all the requirements, and the
23 Commission maybe should just focus on that, rather than
24 trying to discern what will happen at some time in the
25 future, or, what, if any, action the landlord would take to
26 address the issue.

27 I think, if you really want to place the onus on the
28 landlord, where it should be, follow the recommendations that
29 are in the report.

30 CHAIRMAN VASELOPULOS: Okay.

31 MR. PESAVENTO: And I'm happy to answer any questions
32 anybody has.

33 COMMISSIONER BROCCOLO: Does your lease provide you
34 with exclusive rights to a quantity of parking spaces?

35 MR. PESAVENTO: I believe there are no exclusively
36 reserved parking spaces there, but the building manager did
37 submit a letter to Mr. Gutierrez, indicating that Work in
38 Progress had 10 parking spaces available to them. And Shane
39 or Lisa can come up and perhaps describe from a practical
40 perspective, how the traffic flow occurs. Right now the
41 Tick-Tock Daycare Center, Work In Progress both occupy, and
42 there's never been a problem with parking at all. And they
43 would be in a better position to know that. I just learned
44 from them, that asking them whether there were going to be
45 problems currently with the parking, and they said no.

46 COMMISSIONER HIELSCHER: How many of these particular
47 circumstances has Shane, or Shane have you considered for
48 your client, if I can call him that, you considered
49 contacting the management, actually the landlord, and asking
50 for an execution of an addendum to your lease, which in fact,
51 guarantees you 10 parking spaces during the term of the
52 lease.

53 MR. PESAVENTO: Yeah, he did submit a letter, and I
54 don't think that he'd be adverse to doing that.

55 COMMISSIONER HIELSCHER: While we're on that topic,
56 Steve, just while it's on my mind, has the Village considered
57 sending a friendly reminder to this landlord, that when
58 they're executing leases, that they might want to remind the

1 tenant they are subject to Village code --
2 MR. GUTIERREZ: I did that late last week. I spoke to
3 the property manager.
4 COMMISSIONER HIELSCHER: Thanks.
5 MR. GUTIERREZ: I also reminded him that actually any
6 tenants, tenants in that space, were supposed to have been
7 put through with a special use.
8 COMMISSIONER HIELSCHER: But do bear in mind, we expect
9 all of our prospective tenants, whether they are reminded of
10 that or not, to be aware and to inquire what the requirements
11 of the Village are. It's not just the landlord's
12 responsibility.
13 COMMISSIONER deLOYS: Additionally, if we determine
14 that the permits for the HVAC, electrical, et cetera, have
15 been done, has any of the work been done before you guys,
16 after you guys moved in?
17 MS. LOOMIS: Not after we got in. We just -- we didn't
18 do anything --
19 COMMISSIONER deLOYS: Okay, so there was no need for
20 permits.
21 CHAIRMAN VASELOPULOS: Excuse me, I don't mean to
22 interrupt you. If you're going to speak, why don't you step
23 to the microphone, introduce yourselves, you need to be sworn
24 in also.
25 MR. EDWARDS: Sorry.
26 CHAIRMAN VASELOPULOS: That's okay. Why don't we do
27 that right now. Go the microphone, if you would, identify
28 yourselves, you'll be sworn in, and then feel free to answer
29 any questions.
30 Whereupon,
31 SHANE EDWARDS,
32 called as a witness herein, having been first duly sworn,
33 testified as follows:
34 MR. EDWARDS: Shane Edwards, S-h-a-n-e, Edwards, E-d-w-
35 a-r-d-s.
36 Whereupon,
37 LISA LOOMIS,
38 called as a witness herein, having been first duly sworn,
39 testified as follows:
40 MS. LOOMIS: My name is Lisa Loomis, L-i-s-a, L-o-o-m-
41 i-s.
42 COMMISSIONER HIELSCHER: I guess my follow-up question
43 would be, and I understand and appreciate your concerns over
44 what Mr. Gutierrez has suggested, as an additional condition,
45 if I'm hearing you correctly, you would have no problem with
46 an additional condition, within a reasonable period of time,
47 and in fact, there was tendered to the Village, an addendum
48 to their lease, which guarantees 10 parking spaces during the
49 term of their lease.
50 MR. PESAVENTO: No, I don't think we'd have an
51 objection to that, because that is something that would be
52 under the control of Work in Progress. As a lessee, they can
53 approach the landlord and initiate some action, and make sure
54 that it's completed. So, there would be no objection to that
55 condition. I think that it is something that's personal to
56 Work in Progress.
57 COMMISSIONER HIELSCHER: Just as a suggestion, that's
58 something you might want to consider, whatever happens

1 tonight between now and the Village board meeting.

2 MR. PESAVENTO: Thank you.

3 CHAIRMAN VASELOPULOS: Any other questions from
4 anybody? George Warga, Village Trustee, I think, has a few
5 questions or comments.

6 Whereupon,

7 GEORGE WARGA,

8 called as a witness herein, having been first duly sworn,
9 testified as follows:

10 MR. WARGA: George Warga, G-e-o-r-g-e,
11 W-a-r-g-a.

12 You know, to just kind of clarify some of the comments
13 made about wouldn't the power the Commission has and what
14 not, basically it's a special use permit. You could put in
15 whatever you want, as a special use. I mean, you do have
16 that authority to do that, in essence. That's why it's
17 special uses, the code is your guideline, and it's to be
18 applied. I mean, there are different uses of office space.
19 They clearly don't use that 2,000 square feet as maybe an
20 orthodontist would, where they've got a hundred kids running
21 in and out through the day.

22 So, certainly, the other thing you've been discussing
23 is, what do you do about the landlords, because they can be a
24 problem at times. And so I like the suggestion of hearing
25 that, okay, let's put a little pressure on the landlord here,
26 to make sure he understands what he's trying to negotiate as
27 future space. That he knows he's not necessarily got all, he
28 can't over use the parking. And that's important so he can't
29 come back and fight that. Hand him something right now to
30 make certain that he gets the message I think, you know,
31 these people deserve the 10 spaces and certainly there
32 doesn't seem to be a problem now, nor will be expected in the
33 future. And that's about it so, deliberations --

34 CHAIRMAN VASELOPULOS: Thank you. I'd like to discuss
35 this a little bit further, and I'll start off with the
36 discussions.

37 I understand what the petitioners are saying, and I do
38 also have questions about time, for private restrictions of
39 the property owner, to this one special use. I think we can
40 reference it in some way, but I think it really will fall,
41 unfortunately, on the third and final tenant, whenever that
42 comes forward. And the onus is going to be on that tenant,
43 to deal with their parking restrictions, which, and if my
44 math is correct, they would be subject to, there would only
45 be 11 spaces left for that tenant, and our calculations say
46 there should be 15 spaces.

47 Referencing the third vacant spaces parking problem in
48 this special use, I just, I don't know, I tend to agree with
49 the petitioner. I don't know if that's fair to the
50 petitioner, to tie a landlord problem to their special use.
51 I'm just kind of opening this up for discussion, so I can
52 hear everyone else's thoughts, really.

53 COMMISSIONER BROCCOLO: I agree.

54 COMMISSIONER deLOYS: I agree. I mean, I would love to
55 put pressure on the landlord for the striping of the lot and
56 everything that it seems like the landlord isn't doing, but I
57 don't know if that's the authority of this Commission.

58 MR. GUTIERREZ: That's being done.

1 COMMISSIONER deLOYS: That sounds like it's more Staff
2 related, to follow through on previous promises.

3 MR. GUTIERREZ: Absolutely. I think my suggestion is
4 really a conservative approach, you know, clearly.

5 CHAIRMAN VASELOPULOS: And ultimately, the burden falls
6 on the landlord, simply because his space would be less
7 desirable, less attractive, with a much larger hurdle to
8 overcome regarding parking. Any other thoughts or comments?

9 MR. WARGA: Yeah, certainly, I mean, going forward with
10 the space and keeping an eye on it, I mean, we absolutely
11 have recourse in the future leasing the empty space. So,
12 there's loads of other shopping --

13 CHAIRMAN VASELOPULOS: Because all the space is subject
14 to a special use.

15 MR. WARGA: Yes.

16 CHAIRMAN VASELOPULOS: Yeah, the third and final space
17 would be subject to special use, and they'll come before us
18 at that time.

19 MR. WARGA: Yeah, correct. And so, if he hasn't taken
20 care of it, it's just like, we're not going to approve the
21 lease, and the landlord is served notice, like to say a clear
22 notice, that they have to make sure that any perspective
23 tenant knows that, and believe me, we'll, there's actually a
24 perspective tenant out there. I don't know again how close
25 they are, depending on a lease, conditioned upon zoning or
26 otherwise. But, there won't be any excuses from the landlord
27 going forward on this.

28 CHAIRMAN VASELOPULOS: Well, we've covered parking
29 thoroughly. We haven't even talked about their business.
30 Does anybody have any questions, regarding these folks
31 conducting business in our Village? They've been doing it
32 for a few years, and they did fall under the radar a little
33 bit, and so, here's our opportunity. Any questions?

34 COMMISSIONER BROCCOLO: I want to suggest that we
35 welcome your investment in our community and hope you guys --

36 CHAIRMAN VASELOPULOS: We do appreciate that. This
37 have been, well, let me ask seriously, if you'd step to the
38 podium. Things have been going well so far? You've been
39 there for a few years now?

40 MR. EDWARDS: Yeah, we moved in spring of 2008. Three
41 months later, you all know what happened with the economy.
42 We kept on going strong, and, you know, we have the type of
43 business, it seemed like at the worst possible time, and done
44 very well, and we have good word out about our clients. So
45 yeah, things are good.

46 MS. LOOMIS: They like the area, they like being able
47 to go to lunch and hang out around here afterwards. A lot of
48 people drive from other communities and talk about how they
49 go to lunch, go over to Penney's, they go to lunch, however,
50 they take things on the -- so they do utilize lots of things
51 around here. And they like the area being not just a --

52 MR. EDWARDS: We love it here.

53 CHAIRMAN VASELOPULOS: Great. Any further questions or
54 comments?

55 COMMISSIONER ESTABROOKE: No.

56 CHAIRMAN VASELOPULOS: Well, thank you very much.
57 Without anything more, does anyone want to present the
58 motion?

1 COMMISSIONER HIELSCHER: Sure.

2 I would move that this Commission approve and recommend
3 to the Village Board, for approval of special use to allow
4 the establishment and operation of a fitness center, located
5 at 195 Northfield Road, be operated at Work in Progress
6 Fitness, LLC, in accordance with the petitioner's application
7 and supporting materials, date stamped August 11, 2011,
8 subject to conditions 1 through 11, as listed in our packet.

9 COMMISSIONER STEIN: I second.

10 CHAIRMAN VASELOPULOS: All those in favor?

11 (Chorus of ayes.)

12 CHAIRMAN VASELOPULOS: All opposed? The motion
13 carries. Thank you, very much, and good luck to you, in your
14 future endeavors. Is there any other comments or questions?

15 MR. GUTIERREZ: Just again, we sent you all a notice or
16 note indicating that hearing for 820 Frontage Road, Bluepearl
17 Animal Hospital will be postponed. We need them to spruce up
18 their application. So, October 3rd is what we're shooting
19 for, but we still haven't gotten everything I think we need
20 as of today, but hopefully by the end of the week, we'll get
21 everything squared away and we can go forward with that
22 meeting.

23 COMMISSIONER HIELSCHER: And hopefully by the end of
24 the week, Steve, would meet their deadline -- be on the
25 agenda --

26 MR. GUTIERREZ: Yes, absolutely. We have to close the
27 notice out, I believe, on Friday. That's because we publish
28 the notice on Friday, so that we have to have everything
29 squared away by that time. And there's some variations that
30 may be involved, that we weren't aware of initially. So,
31 that has to be in the notice.

32 CHAIRMAN VASELOPULOS: Okay. Motion to adjourn?

33 COMMISSIONER deLOYS: Motion.

34 CHAIRMAN VASELOPULOS: Second?

35 COMMISSIONER BROCCOLO: Second.

36 CHAIRMAN VASELOPULOS: All in favor?

37 (Chorus of ayes.)

38 CHAIRMAN VASELOPULOS: Opposed? Motion carried. Thank
39 you everyone, and good night.

40 (Whereupon, the above meeting concluded at 7:40 p.m.)

41

42 **APPROVED 10/3/11**

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

I, TONI BURRESS, depose and say that I am a direct record court reporter doing business in the State of Illinois; that I reported verbatim the foregoing proceedings and that the foregoing is a true and correct transcript to the best of my knowledge and ability.

TONI BURRESS

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF
_____, A.D. 2011.

NOTARY PUBLIC