

**WINNETKA PLAN COMMISSION  
MEETING MINUTES  
JULY 22, 2015**

**Members Present:** Tina Dalman, Chairperson  
Caryn Rosen Adelman  
Jan Bawden  
Jack Coladarci  
Dana Fattore Crumley  
Paul Dunn  
Louise Holland  
John Thomas

**Non-voting Members Present:** Carol Fessler  
Chris Blum

**Members Absent:** John Golan  
Keta McCarthy  
Jeanne Morette

**Village Staff:** Brian Norkus, Assistant Director of Community  
Development  
Peter Friedman, Village Attorney

**Call to Order:**

The meeting was called to order by Chairperson Dalman at 7:00 p.m.

**Adoption of June 24, 2015 Meeting Minutes**

Chairperson Dalman stated that the Commission would review the minutes of the June 24, 2015 meeting prior to beginning the first case. She then asked if there were any comments or corrections to be made to the June 24, 2015 meeting minutes.

Ms. Adelman stated that she provided clarifications with minor details to her comments to Mr. Norkus.

Chairperson Dalman asked if there were any other comments. No additional comments were made at this time.

A motion was made by Mr. Thomas and seconded to approve the Plan Commission meeting minutes from June 24, 2015, as amended. The meeting minutes were unanimously approved.

**Case Number 15-18-SU: Consideration of Special Use Permit for Yoga and Fitness Studio to Locate Within the Retail Overlay District at 549 Lincoln Avenue**

Chairperson Dalman asked Mr. Norkus to do a Village staff presentation of the application.

Mr. Coladarci arrived at the meeting at this time.

Mr. Norkus stated that he would provide a brief introduction to Case No. 15-18 as mentioned which is a special use permit application to establish a yoga and fitness studio within the C-2 commercial overlay district at 549 Lincoln Avenue. He stated that the application materials described the proposed boutique fitness studio which conducts yoga and related classes together with the incidental sale of fitness apparel and accessories.

Mr. Norkus stated that the use is permitted in the C-2 overlay district due to its similarity to a health club under the zoning regulations on permitted uses in the C-2 district and that the proposed use would be permitted as a special use. He stated that the application also describes the anticipated operation of a business which would open at 6:45 a.m. on weekdays and at 9:15 a.m. on the weekend. Mr. Norkus stated that the classes would average 8 students per class lasting 50 minutes. Mr. Norkus also stated that there would be retail fitness and accessory sales which are described in the plan and shown on the floor plan located approximate to the front entrance and which would be visible through the storefront window. He described the location as the former dining room of D's Haute Dogs. Mr. Norkus informed the Commission that they would occupy the southerly half of the former restaurant.

Mr. Norkus then stated that the applicants did a parking study as is required under the special use process. He stated that the conclusion was that there would be a minimal impact on parking due to the small class size as well as the hours of operation. Mr. Norkus informed the Commission that the Village Engineer has reviewed the application and the parking study, and have issued a memorandum explaining that he is in agreement with the parking study and conclusions of minimal impact.

Mr. Norkus stated that the application materials submitted address the application's meeting of the 11 standards of the granting of a special use which are listed on page 3 of the agenda report. He then stated that as a side note, he informed the Commission that this application is the first one within the retail overlay district under the recently streamlined review process for non-retail uses in the overlay district. Mr. Norkus stated that the Commission's recommendation would go directly to the Village Council and that the ZBA is no longer required to review a special use application in the overlay district in order to streamline the approval process for uses like this. He then stated that the applicants can walk the Commission through the application and that he can answer any questions the Commission may have.

Chairperson Dalman stated that anyone who planned to speak to the matter is to be sworn in and that they would swear in those speaking on the One Winnetka matter separately.

Joann Noche and her partner, Jessica Gonzales, introduced themselves to the Commission.

Ms. Noche stated that they would like a special use permit application to be approved for parking. She stated that that in the memorandum, the major concern related to parking on Lincoln and Elm. Ms. Noche informed the Commission that she resided in Lincoln Park and grew up in Lincolnwood. She also stated that she has worked in marketing management in Elmhurst and that fitness has always been a major passion for her. Ms. Noche then stated that she taught for 4 years and would like to see her clients have the same benefits as those which were gotten in the city. She stated that she has helped many people outside of the studio and that as they have more confidence, they feel like the studio would bring the community together.

Ms. Noche informed the Commission that they looked at different towns and described Winnetka as a great place. She noted that she spent a lot of time over the months in Winnetka and commented that the people are warm and supportive. Ms. Noche stated that they have both been working on this for the past two years and that they like everything about Winnetka. She then stated that she can answer any questions or any doubts the Commission may have with their planning.

Jessica Gonzalez informed the Commission that she also lives in Chicago and taught in various studios in Chicago. She stated that she has background with yoga and that Ms. Noche has background with barre. Ms. Gonzales also stated that she taught aerial fitness and that they planned to bring that component as well as the retail component to the studio. She then distributed handouts to the Commission to provide a visual to see the studio and what they want to implement.

Ms. Gonzales then stated that with regard to her background, she has three children and worked full time as an IT Project Manager. She stated that she has a lot of organizational, financial and business skills and that Ms. Noche has a marketing background. Ms. Gonzales then stated that there would be a strong business background backed by a varied fitness program. She also stated that in going through the documentation, the Commission can see the visuals as well as the retail component. Ms. Gonzales informed the Commission that they would operate primarily as retail before 9:00 a.m. classes for the Metra riders and that starting at 9:15 a.m., the classes would benefit stay at home moms, etc. and that there would be a lunch time hour class as well as in the evening. She noted that there would be no disruption in the parking situation. Ms. Gonzales also stated that they planned to partner with the other fitness studios in the area and that it is their hope to have one-stop membership service with all of the members. She stated that they are committed to implement wellness, fitness and building the community. Ms. Gonzales added that they have spent a lot of time with people they have talked to in the area who felt that they are lacking and it is their hope to push that out there. She concluded by stating that they are very excited and asked the Commission if they had any questions.

Chairperson Dalman asked if they have an existing studio in the city.

Ms. Noche and Ms. Gonzales responded that they did not.

Chairperson Dalman asked if there were any other questions.

Ms. Fessler referred to the floor plan and asked if the front would be retail.

Ms. Noche and Ms. Gonzales confirmed that there would be retail merchandise in the front, with classes held in the back. Ms. Noche added that you would be able to see the retail and that the front desk would be barrier-like with the back area containing the fitness studio. She stated that they would primarily act as a retail component.

Chairperson Dalman asked if there were any other questions.

Ms. Bawden indicated that it appears that right on the street, there are three other fitness facilities. She asked what would make them different from them and whether they think that one more is needed or would possibly be viable.

Ms. Gonzales stated that the other fitness centers offer personal training centers and that they offer fitness classes and retail. She stated that they would be a boutique fitness center selling high end fitness apparel and accessories.

Ms. Bawden asked if they had contracts with apparel vendors.

Ms. Gonzales confirmed that they have accounts with several vendors.

Ms. Bawden then asked for clarification on the nature of aerial fitness, and whether there is anything similar on the north shore.

Ms. Gonzales stated that the technique takes place on silk hammocks suspended from the ceiling, and that while there are several yoga studios in the area, there is only one similar concept located in Wilmette.

Ms. Fessler asked if there is insurance specific to cover aerial fitness.

Ms. Gonzales responded that it is covered by business insurance which is specific to the business they are running.

Ms. Noche informed the Commission that the hammocks would not be located high off of the ground. She also stated that they both teach aerial fitness in the Chicagoland area.

Ms. Gonzales added that it is safe.

Chairperson Dalman referred to showers and whether you would be able to see the lockers. She asked if it is intended to have no showering in the facility.

Ms. Gonzales responded that there is no current plan to include showers in the facility.

Ms. Noche stated that there would be a bathroom. She added that the classes would last 50 minutes.

Mr. Blum asked if the class schedule would match retail hours.

Ms. Gonzales stated that they would be open selling retail when there are no classes.

Chairperson Dalman stated that she assumed that with the client class, she would be able to buy grippy socks before class. She then asked if there were any other questions. No additional questions were raised by the Commission at this time. She then asked if there were any questions from the audience.

Kaveh Mirani, 1022 Dinsmore Road, asked what percentage of the total revenue they expected to be retail sales.

Ms. Gonzales responded that most of the revenue would be from memberships and that it is their hope that it would be 50% retail since they would offer higher end apparel lines.

Mr. Mirani commented that his concern is not about this business, but about the generosity of the Village to grant special use permits. He stated that the C-2 business district and requirements are there for a reason since they do not want to spoil the retail areas in Winnetka by letting realtors, banks, construction people and others occupy what is supposed to be retail space. Mr. Mirani then stated that there has been a loophole if an applicant has certain merchandise, they can get away and pertain for it to be a retail store. He referred to the construction establishment in Hubbard Woods and that he doubted that they sold any retail. Mr. Mirani stated that they want to know when there is a lot of empty space in the Village, for landlords and the Village, the incentive is easy on new commerce. He urged the Commission to think about the long term consequences of having a business other than retail and reiterated that his comments did not relate to this particular business.

Chairperson Dalman asked if there were any other questions. No additional comments were made by the audience at this time. She then asked the Commission if they had any questions. No questions were raised by the Commission at this time. Chairperson Dalman stated that the Commission would deliberate at this time.

Chairperson Dalman then stated that the Commission has received the Village staff report giving the Commission the context for special use approval criteria and asked Mr. Norkus if the C-2 overlay district was recently amended with standards to permit these types of uses.

Mr. Norkus responded yes and no. He then stated that the 11 standards in the packet have been established for many years, since the establishment of the retail overlay district in the late 1980's, but are new to the Plan Commission. He stated that the 11 standards in question had previously been the jurisdiction of the ZBA. Mr. Norkus stated that when the Village Council adopted the ordinance amending the retail overlay special use process, the 11 standards stand as the criteria for special use approval. Mr. Norkus noted that the Commission had previously reviewed special use applications in the context of conformity with the Comprehensive Plan. He also stated that the 11 standards applicable today overlap to a large degree with the findings based on the Comprehensive Plan, with the result being that the Plan Commission's review is essentially the same, albeit to differently worded standards.

Chairperson Dalman asked for clarification on criteria # 10, which states a minimum frontage for each retail use adjacent would be 20 feet with the minimum GFA and stated that this is not 20 feet.

Mr. Norkus explained that the standard is an expression of a preference for a “substantial” retail presence adjacent to the street, and the applicants are not required to seek any specific relief in the form a zoning variation. He stated that criteria # 10 speaks to the situation where a mix of retail and non-retail uses exist, with the goal being to locate the retail activity at the street when it is to be provided.

Chairperson Dalman asked if there were any other questions. No additional questions were raised by the Commission at this time. She then asked for the Commission’s comments.

Ms. Holland began by stating that she is a proponent of the retail overlay district’s goals. She then stated that when going over this application and other special uses given in the overlay district, it appeared to her as more of an advantage to have a business which would be selling high quality equipment and clothing as opposed to nail polish. Ms. Holland stated that she saw no problem with the application. She then suggested that in the special use, there be some consideration to say that the retail items should be fairly generous in number so that they do not have an inventory of one t-shirt, one pair of socks and one mat and that there really be a retail selection. Ms. Holland indicated that the Commission can do that within their recommendation and she concluded by stating that she is in favor of the use.

Mr. Blum stated that he agreed with Ms. Holland’s comments in that he appreciates the intent and need for the retail overlay district. He commented that it is a very well put together application. Mr. Blum indicated that it seemed as though the applicants are committed to retail and that it is early and without a business in play now, it sounded as though they would be committed to it. He also stated that this would be great and that with regard to other things which have gone through, this use seemed to fit the bill more than other things that have gone through. He then stated that with regard to hours of operation, sometimes these places have limited hours and that this application has a wide range of hours which could drive additional foot traffic which he stated is part of the reason behind it and that it made sense.

Ms. Bawden stated that she also agreed with Mr. Blum’s and Ms. Holland’s comments. She stated that they are still waiting for the master planning process to kick in. Ms. Bawden stated that they have to consider this application in the retail light and stated however, it looked like retail. She then stated that for the Commission, she referred to the default position of whether it would look like retail. Ms. Bawden also stated that she had concerns with another fitness facility on the street. She then stated that it while it would look like retail, she did not care what goes on in the back room. Ms. Bawden concluded by stating that it would be great and that it is a well put together presentation for which she would be in favor.

Ms. Crumley noted that there is a wide variety of vendors listed here and that the concern of Ms. Holland is a valid one which has been addressed. She also stated that having something else besides retail will help retail and that when people are already out, they would be induced more to shop at other neighboring business when taking a class whereas shopping is not as much of a destination anymore.

Chairperson Dalman commented that she liked this and that she is concerned about personal training taking place in the front window. She stated that it would be nice if in having class, there would be some foot traffic which she commented would create a nice synergy and create foot traffic and provide some retail. Chairperson Dalman stated that her concern is that the applicants should think about the hours of operation with commuter traffic. She suggested that they look at the One Winnetka Metra data which was submitted that as part of their presentation. Chairperson Dalman indicated that 6:30 might be too late. She then stated that other than that, she described it as risky and that they were willing to explore how to put on that parameter, if there are successful classes, it would drive more retail to other businesses. Chairperson Dalman indicated that she is curious as to what the balance would be.

Ms. Holland stated that her concern related to the amount of retail goods which would be available.

Mr. Blum stated that they pointed out that they planned to operate as a store.

Ms. Fessler commented that the application is fine as is. She then stated that the applicants have clearly made the case that they want to have retail and that it would be in a very limited footprint in the retail overlay district and that whatever retail they have would fill the window. She also stated that it gave her all of the elements that fit the 11 criteria to be approved.

Chairperson Dalman then asked for a motion recommending the approval of the special use permit.

Mr. Thomas moved to recommend approval of the special use permit for Case No. 15-18-SU. The motion was seconded. A vote was taken and the motion was unanimously passed.

AYES:	Adelman, Bawden, Coladarci, Crumley, Dalman, Dunn, Holland, Thomas
NAYS:	None
NON-VOTING:	Fessler, Blum

### **Plan Commission Findings**

1. That the establishment, maintenance, and operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare;
2. That the Special Use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;
3. That the establishment of Special Use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;

4. That adequate measures have been or will be taken to provide ingress and egress in a manner which minimize pedestrian and vehicular traffic congestion in the public ways;
5. That adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the Special Use exists or are to be provided;
6. That the Special Use in all other respects conforms to the applicable regulations of this and other Village ordinances and codes;
7. The proposed special use at the proposed location will encourage, facilitate and enhance the continuity, concentration, and pedestrian nature of the area in a manner similar to that of retail uses of a comparison shopping nature;
8. Proposed street frontages providing access to or visibility for one or more special uses shall provide for a minimum interruption in the existing and potential continuity and concentration of retail uses of a comparison shopping nature;
9. The proposed special use at the proposed location will provide for display windows, facades, signage and lighting similar in nature and compatible with that provided by retail uses of a comparison shipping nature;
10. If a project or building has, proposes or contemplates a mix of retail, office and service-type uses, and the retail portions of the project or building shall be located adjacent to the sidewalk. The minimum frontage for each retail use adjacent to the sidewalk shall be twenty (20) feet with a minimum gross floor area of four hundred (400) square feet. In addition, such retail space shall be devoted to active retail merchandising which maintains typical and customary hours of operation;
11. The proposed location and operation of the proposed special use shall not significantly diminish the availability of parking for district clientele wishing to patronize existing retail businesses of a comparison shopping nature.

**Continuation - Case Number 15-10-PD: Preliminary Review of Planned Development Application by Stonestreet Partners and Winnetka Station LLC, for the Properties at (a) 511 Lincoln Avenue, (b) 513-515 Lincoln Avenue, (c) 710-732 Elm Street, (d) 740 Elm Street and (e) a Portion of the Adjacent Lincoln Avenue Right-of-Way**

Chairperson Dalman stated that there would be continuation of the public hearing which opened in March 2015. She then stated that based on the last Commission meeting on June 24, 2015, an updated application was submitted by the applicant who walked through the differences and changes which affected the zoning criteria and the variations sought. Chairperson Dalman stated that they had the opportunity to hear from the public who gave public comment. She also stated

that there was an opportunity for the Commission to ask questions of the applicant and for preliminary questions and discussion, as well as a Village staff presentation. Chairperson Dalman noted that they did not get to the individually represented groups or organized individuals who wanted to cross-examine the applicant.

Chairperson Dalman then stated that as they continue the public hearing, with regard to fairness, the Commission would take public comment on the substance of the application revision. She informed the audience for those who spoke on June 24<sup>th</sup> on the revised application, while that is great, unless there are new questions which have arisen over the last month, she asked for them to submit their comments in writing. Chairperson Dalman stated that the public hearing was continued to give an opportunity for those who did not attend the June meeting to comment or if they have comments to present them. She then stated that after the general public comments which would be limited to five minutes, there would be presentations from interested parties and cross examination of the applicant if there is time for that. Chairperson Dalman stated that would then end the public comment portion of this meeting and that they would get into the discussion of the revised application.

Chairperson Dalman also stated that there are a couple of things which were submitted that she would like to address right away and which would not be discussed at today's meeting. She stated that the first item related to a request or demand that Holland & Knight and the Village attorney recuse themselves over a conflict of interest. Chairperson Dalman stated that another issue related to a request that she recuse herself. She informed the Commission that both demands were submitted to the Village and the Village Council as well as the Village Manager and that they are under review. Chairperson Dalman noted that it is not within the purview of the Commission to make a decision. She stated that it is in the jurisdiction of the Village Council to hear those issues and to make a determination and decision on conflicts of interest.

Chairperson Dalman then stated that she wanted to clear the air in that Holland & Knight says that there is no conflict of interest or as Chairperson, there is no conflict of interest, but that the Commission is not the decision maker. She noted that she wanted to go on record to clarify something else which was raised and referred to her participation on the ULI panel as a land use lawyer. Chairperson Dalman stated that there were 15 of them in the Chicago area including Wilmette.

Chairperson Dalman stated that the Winnetka endeavor had two phases, the first of which was getting community input and looking at zoning code issues. She stated that with regard to the second half to that, it convened six months later and that she participated in the first part and focused as a practicing land use lawyer to look at the zoning code. Chairperson Dalman noted that she has not formed an opinion prior to tonight and that they rely heavily on public comment and the comments of the Commission. She then stated that her recusal is not necessary and that they would take no public testimony on that issue. Chairperson Dalman also stated that parties have demanded that she and Holland & Knight step down have submitted the proper paperwork and stated that process has an independent consideration. She asked the Commission if they had any questions. No questions were raised by the Commission at this time.

Chairperson Dalman then stated that for those who intended to speak, the Commission would like

to swear them in.

Mr. Coladarci stated this his opinion for people speaking who do not like something or thought that something looked nice, he stated that while they have done this in the past, they have not done that ever before on the Commission with witnesses testifying to their opinions of what they feel and think about things. He indicated that it can get intimidating to someone who is going to speak in a public body to have to swear to tell the truth, the whole truth and nothing but the truth when they are talking about how the feel about something. Mr. Coladarci then stated that he would ask that they not swear witnesses in and reiterated that he has not seen that practice with the Commission before and added that they are not swearing a fact witness. He also stated that they are not asking if someone is going to testify about how tall or wide a building is, but that they are only going to give their opinions about it. Mr. Coladarci then stated that he did not know that it is necessary or appropriate to do that. He asked for the Village attorney to give them an opinion as to whether it is required or appropriate and reiterated that he would ask that the Commission not swear anyone in.

Chairperson Dalman commented that is a good point. She then stated that the problem is that they do not know when the people are going to speak fact or opinion. Chairperson Dalman stated that they expect people to represent the facts truthfully.

Mr. Coladarci stated that they are not asking people to testify as experts and that it is not a legal proceeding. He then stated that no one here is going to be held for perjury or for violating a certification or a verification of a pleading. Mr. Coladarci also stated that because there is no penalty for saying something that someone did not agree with, he stated that it gives the wrong impression for someone who would stand up and say it is an ugly building and another person who liked it can say, "No it is not. You lie." He again asked that the Commission not swear anyone in.

Mr. Thomas stated that six years ago, with regard to the minutes of the planned development of NTP, this point was discussed at length. He stated that it is better that they swear all of the speakers in because they do not know ahead of time what a person is saying is opinion or fact and that it is better that they be sworn in at the outset.

Chairperson Dalman stated that they also did not want to create a chilling effect. She stated that they do not know how many people spoke in the past and that it is her hope that people did not feel intimidated. Chairperson Dalman stated that there is an opportunity to submit comments in writing which becomes part of the record. She noted that she has read every single piece of email and letters which have been submitted. Chairperson Dalman also stated that in her experience, most jurisdictions did swear in anyone who is making a presentation and that they can turn to the Village attorney for his perspective from having represented multiple municipalities in the State of Illinois.

Peter Friedman stated that he agreed with Mr. Coladarci and to add one particular reason why these hearings have become formal, he referred to the *Klaeren* decision of the Illinois Supreme Court which provided that these public hearings where you have a right to cross examine and that they are more than they were before a much more formal process. He indicated that it has become very standard to swear in everyone. Mr. Friedman then stated that he agreed with Mr. Coladarci in that

someone who gets sworn in and they issue an opinion, they should be under the fear at all that a difference of opinion would be a violation which is not the case. He stated that it is impossible sometimes to distinguish in advance as someone is speaking what is opinion and what is fact and that the hearing record is based on the *Klaeren* decision if there is an appeal or ultimate litigation, this entire hearing record goes up on appeal and that then the court which is looking at it will note whether or not people were sworn in in deciding what weight or how to view the evidence. Mr. Friedman stated that the Supreme Court decision did add a formality to these proceedings.

Mr. Coladarci stated that at the first hearing under planned development, there was no explanation that this would be a more formal hearing and the rules. He then stated that given that explanation, it makes sense. Mr. Coladarci also stated that it since it was not explained that it would be a more formal proceeding for this applicant, he wanted to make sure that people are not intimidated.

Mr. Friedman added that the Village code says that the Commission and the ZBA receive evidence and sworn testimony.

Chairperson Dalman commented that is a good point and reiterated that they did not want to create a misimpression.

Ms. Holland asked Mr. Friedman with regard to the *Klaeren* opinion, the Village of Lisle held a joint meeting with planning and zoning and questioned why the Supreme Court is saying that they are swearing people in. She informed the Commission that the Historical Society was faced with the *Klaeren* opinion when it purchased the Lincoln Avenue building.

Mr. Friedman responded that is correct and that represented an example of that law. He also stated that the court did not limit its ruling to joint meetings and that it is for all public hearings.

Chairperson Dalman asked if there were any other questions. No additional questions were raised at this time. She then swore in those that would be speaking on this matter.

Toby Nicholson, 554 Arbor Vitae, stated that it is rumored that all of the services including garbage and traffic flow would come off of Elm and that it concerned them since they are right across the street. He noted that their home is the first one off of Elm and that he wanted to be clear about that.

Chairperson Dalman stated that the applicant can address the question. She then referred to the additional detail provided by the applicant.

Frank Petrek, 711 Oak, informed the Commission that he has a copy of the current train schedule. He stated that it addressed the rush hour comment submitted in the new materials. Mr. Petrek then stated that it is contrary to the applicant's statement of rush hour in Winnetka in the p.m. being between 5:00 and 6:00 p.m. and that the schedule showed trains leaving Chicago between 5:00 and 6:00 p.m. and also described the various trains which did not stop in Winnetka. Mr. Petrek stated that he would like to dispute that finding in the report and that he wanted to bring it to the Commission's attention.

James Marran, 711 Oak, introduced himself to the Commission along with his wife, Barbara. He stated that while the developers have made an effort to make modifications to the original plan, he commented that less is still more. Mr. Marran stated that even with the proposed changes, the building would be a massive structure with rental units, townhouses, commercial space, underground parking and a plaza which would occupy the 1.6 acre site. He described it as the equivalent of 1½ football fields. Mr. Marran then stated that density, scale, congestion and increased traffic volume remained issues which are significant with regard to the style, tone and tempo of the business district.

Mr. Marran referred to the purpose of transit-oriented development (“TOD”) which is the model driving the One Winnetka project. He stated that in 1990, scores of TODs were built across the country and that none of them were in a community as small as Winnetka. Mr. Marran stated that as commercially attractive as a TOD would seem, there is no real evidence to date as to how TOD affected the quality of life in the areas where they exist. He indicated that meant that the very model itself is a gamble at a time when demographics change as well as the shopping patterns and the way people use the business district in the wake of big box stores and the internet.

Mr. Marran then commented that while the new renderings of the project on Lincoln are attractive, it raised the question about the aesthetics of the exterior with an imposing turn at the corner of Lincoln and Elm and the brick facing the orange exterior on the buildings themselves. He stated that it would not be complementary to the Tudor and brick buildings in the district. Mr. Marran referred to the class of architectural styles and color.

Mr. Marran stated that another concern related to the response to item no. 4 on Attachment C in the materials and that it affected commuters crossing from the garage at One Winnetka to the Green Bay Trail to access the Metra station. He indicated that posting signage as a remedy and for bicyclists to yield to pedestrians is unrealistic. Mr. Marran described the Green Bay Trail as a much used right-of-way by many people and that it is one of the greatest assets of the Village attracting people throughout the year. He stated that there would be significant safety concerns.

Mr. Marran stated that finally, the purpose of any development in any community is the obligation to plan wisely in anticipation of future needs. He stated that keeping sustainability as a priority is essential if environmental limits are to be respected. Mr. Marran also stated that it included a sense of proportion and relationship of one to another in terms of size, use of space and it being complementary of all parts to the whole. He concluded by stating that the One Winnetka project challenged all of them to make hard choices and that it is a difficult decision. Mr. Marran added that the overarching reality is once it has begun, there is no turning back.

Zave Gussin introduced himself as the attorney representing Conney's. He stated that he would like to address one issue which is the vacation of Lincoln. Mr. Gussin stated that he did not want to address it from a legal standpoint since it was fully covered by his correspondence. He then suggested to the Commission that in terms of the visual effect on Lincoln that the sketches not be relied on, but for the Commission members to go out and measure off 39 feet from the building where the new building would extend to and then 8 feet to the sidewalk and to put a barrier there and see what is left. Mr. Gussin also stated that when you look at it on the ground, you would find that it would not be a desirable thing for the Village and the relocation of Lincoln which according

to photograph distributed contained a beautiful park one block east of the subject location.

Chairperson Dalman stated that she is seeing some familiar faces and reminded the audience that the goal is to give people who haven't spoken to have a chance to speak.

Rhonda Miller, 460 Green Bay Road, informed the Commission that she is a member of a three generation family in Winnetka and commented that she believed the One Winnetka project is ill conceived and is not in the best interests of the Village. She then stated that she circulated a sign-up sheet of concerned residents advocating against the One Winnetka project.

Chairperson Dalman reminded the audience to limit their comments to new information and for the comments to be on the revised application.

Marcy Hulzer of Highland Park stated that stated that in moving to Winnetka, she is an empty nester grandparent of a home on two acres. She described Highland Park as very empty and that she also has a residence in Florida. Ms. Hulzer informed the Commission that it is her dream to find a rental property and not have another mortgage as retirees in a high end luxury building.

Ms. Hulzer then stated that she has had the distinct privilege of having in-laws living at 2550 Lakeview in a condominium and referred to the construction, ambience and amenities there. She informed the Commission that her daughter worked at the Park Hyatt of a Lucien Lagrange project. Ms. Hulzer then referred to the new project in Highland Park and that in the press, a lot of it this week related to the 6 story multi-unit and multi-use building which has been approved for ground breaking in the spring. She stated that she saw those plans compared to Winnetka and referred to the fact that she has served on many boards, she stated that she has friends who live there and that it is closer for commuters to get to those meetings as opposed to Highland Park. Ms. Hulzer then stated that downtown, where you can live with luxury amenities, the community is lacking and did not have that to offer. She stated that the building would fill a beautiful niche and that they are responsible people. Ms. Hulzer indicated that they should take a leap of faith and revitalize downtown and fill the empty nester market. She concluded by reiterating that she did not want a mortgage but a beautiful rental.

Jane Dearborn, 585 Arbor Vitae, stated that she raised concerns with regard to Elm and Arbor Vitae and the mechanic elements there. She informed the Commission that she met with Steve Saunders and raised questions. Ms. Dearborn stated that she was told that they would get answers to her. She then stated that she would like to run through some of the questions which are outstanding.

Ms. Dearborn then stated that with regard to the plan, it appeared that there would be one curb cut and one driveway into the commercial parking garage and into the garbage collection area and into where the commercial trucks would drop off. She stated that her question to Mr. Saunders was how would all of those vehicles come in and out of one driveway during the day. Ms. Dearborn stated that she also asked if the trucks would come in and circle around. She stated that question was answered in that there would be no pulling in and backing out. Ms. Dearborn described it as very tight and a residential spot and that it would be problematic.

Ms. Dearborn stated that she also asked if garbage would be stored in the interior or exterior of the building, how would it be picked up and how often. She stated that she also asked whether it would be stored in an air conditioned space to avoid the smell wafting through the area. Ms. Dearborn informed the Commission that she also learned that the electric transformers for the entire building would be located there. She referred to noise pollution and the constant 24 hour hum of the transformers and air pollution. Ms. Dearborn stated that she hoped that they think about them. She then stated that since it is early on in the process, they have been told not to worry and that she knew that in the blink of an eye, it can be too late in the process. Ms. Dearborn described the project as a jig saw puzzle and indicated that it would be challenging to move things around when things are already in place. She concluded by stating that along with mass, height and density, to also consider the day-to-day operations which are very important to the success of the project.

Susan Mundy, 703 Elm, informed the Commission that she lived across from where the pickup of garbage and vehicles would be and that she lived in the townhouses. She stated that they have people in the community who think that it is commercial space and hundreds of people turn in their driveways. Ms. Mundy stated that when you add all of this and traffic with the building and commercial space right there, the traffic congestion would add so much stress to that corner.

Shelly Sack, 699 Elm, introduced herself to the Commission as an associate teacher in Hubbard Woods and that she lives in an area which she identified on the sheet. She asked the Commission if they would want this across from where they live. Ms. Sack also asked the Commission if they wanted the smell which would be across from where they live and stated that they would not. She concluded by stating that they do not want to be right in the middle of the Winnetka business district.

Maureen Schwab, 554 Orchard Lane, stated that she read through the materials and that information is not there that she expected to see. She stated that in particular, she would like to see an analysis of the rental demand in Winnetka. Ms. Schwab then stated that she looked online and that there are eight empty units in Winnetka and that she believed it would be hard to fill 70 additional units. She indicated that it would also be interesting to see an analysis of whether there is a demand for the demographics One Winnetka is targeting. Ms. Schwab referred to the woman who spoke previously described living there a few months out of the year. She then stated that there would be a large building with full occupants four months a year which she commented is not appealing.

Ms. Schwab stated that with regard to her last point, the materials assume that the residents of the building would have half the number of children than the average Winnetka residents do. She stated that she did not see support for that assertion. Ms. Schwab then stated that the proposal analyzed the impact on school use and that there would be an incremental cost. She stated that she did not find support for the incremental cost. Ms. Schwab stated that she wondered if it would be fair to discuss the incremental cost per pupil when adding classrooms full of children. She concluded by stating that they should consider the cost of adding facilities and structures.

Richard Sobel informed the Commission that he has a new point and referred to a letter from Landmarks Illinois.

Chairperson Dalman noted that they have a copy in the record.

Mr. Sobel stated that the letter is from Lisa DiChiera who is the Director of Advocacy of Landmarks Illinois with regard to the Fell store. He stated that in August 2008, they reached out to the Commission with regard to its review of the NTP development and that Landmarks Illinois urged the Commission to request the developer explore ways to incorporate the Fell store into the development plan. Mr. Sobel stated that their position remained the same today with regard to the currently proposed development.

Mr. Sobel stated that the Fell company store architect, his father, Walter Sobel, designed the building to allow for future expansions and specifically for the possible addition of up to three stories as residential units. He stated that in addition, there have been many public comments in the current Beaux-Art design and scale. Mr. Sobel stated that the Fell store is representative of high end modern commercial design and that it is still desirable today in many new developments. He stated that the building has clean lines and the fine use of details and materials that would be cost exorbitant to replicate today. Mr. Sobel stated that they hoped that the Commission will urge Stonestreet to consider the alternative design options of incorporating the Fell store and which would also reduce the cost and construction time of the project by reusing the existing structure and using its modern design as inspiration for a larger project.

Mr. Sobel then stated that Walter Sobel was a well-known North Shore architect and that the Fell store was completed in 1968 and in 1970, won an outstanding merit award for the planning and design of a small department store from the Institute of Store Planners and National Association of Store Fixture Manufacturers. He stated that this high quality building deserved a second look. Mr. Sobel then stated that they hoped that the Commission would request Stonestreet to consider this approach which could provide a win-win situation for everyone. Mr. Sobel then stated that as always, Landmarks Illinois is willing to assist in any possible way. He commented that it is important that a distinguished public agency has articulated some of the issues that they have brought up.

Mr. Sobel then stated that secondly, there has been a lot of publicity in Winnetka and the North Shore about the hiring of a master planner for Winnetka which he commented is an interesting development. He stated that he and a number of other people have been asking whether there is a contradiction here in doing the master planning after potentially approving a large scale development. Mr. Sobel stated that he would ask the question of whether all of the bodies addressing this issue and whether the master planning should go forward before making a major decision.

Don Falloon, 799 Foxdale, informed the Commission that he spoke before. He then stated that he has not seen the revised plan. Mr. Falloon stated that the project is beautifully scaled to downtown and that it represented a very positive step forward from the vacancies which have been in existence for many years. He stated that vacancies are symptomatic of the problems in retail. Mr. Falloon then referred to the study addressing the retail issues in Winnetka which was done and stated that the project would be a positive step to make it the most beautiful project in any suburb of Chicago. He then described the remarkable statement of faith, energy and vitality downtown

for the developer to bring a renowned architect on this scale to the project. Mr. Falloon concluded by stating that it is a wonderful opportunity.

Gwen Trindl commented that she is so impressed by what the Commission is doing. She referred to their patience and the invitation to the community to speak and give them an opportunity to talk about a very important project which she commented is great. Ms. Trindl then stated that with regard to her questions, it seemed that when the ordinance was written, one of the points is that there had to be distinct benefits to the Village in order to give the developer a huge amount of leeway. She stated that the benefits you see are nonexistent except for the wonderful architecture and big building that others might like.

Ms. Trindl stated that with regard to her first question, she stated that there are three non-benefits, one of which is to give the developer part of the street for the building along the park in an area on the street. She indicated that she has never heard of that. Ms. Trindl stated that second, she is very concerned in connection with the actual cost to the Village and that it is not in their plans to have customer parking. She then stated that there would be a high cost to parking and that the Village has to bear and maintain the lot and make sure that it is patrolled.

Ms. Trindl then stated that third, she referred to the very first standard to be met which is to ensure that commercial, institutional and residential development is appropriate to the character of and minimizes the adverse impact on its surrounding neighborhood.

Chairperson Dalman asked if there were any other comments. No additional comments were made at this time. She then stated that there would now be cross examination. Chairperson Dalman indicated that it would be helpful if the applicant could address the questions first to help with the cross examination and to address the list of questions raised as part of the public comments.

George Kisiel of Okrent Associates stated that he would address some of the issues which were brought up in the comments, particularly starting with the treatment along Elm and the parking, loading and building systems. He then referred the Commission to an illustration of the east parking lot and stated that the view which was studied by the architects who presented this exhibit which is a section through Elm which illustrated what the view angles are from the street and from both sides of the street with regard to not only the loading area which he identified for the Commission along with the height of a trailer. Mr. Kisiel stated that they would be setting the loading dock from each of the perspectives and that there is a wall which he identified for the Commission which would screen the view from the street not only of the loading area which is where the trash pickup would occur as well as for the additional level of parking. He referred to the rendering of the intent with regard to the materials and landscaping there.

Mr. Kisiel then identified the entrance into the east lot. He referred to the small building which would house the stair enclosure and the wall with masonry, planting and trees in front. Mr. Kisiel indicated that there would be a decent amount of screening of elements. He informed the Commission that the parking lot inclined 5 feet or so and that the grade changed at Elm to a point south adjacent to 711 Oak.

Mr. Kisiel also stated that with regard to the transformers and other mechanical equipment, it would be located behind that wall and screened from the public in terms of sound and vision. He then identified the site circulation in order to clarify how it would work. Mr. Kisiel stated that the diagram was circulated in their prior submittal.

Lucien Lagrange stated that the trucks would go in and back up to the docks. He also stated that the docks would be linked with the corridor which would connect all of the retail. Mr. Lagrange noted that all of the garbage collection would take place inside of the building. He also stated that the loading dock would be enclosed and air conditioned. Mr. Lagrange reiterated that the trucks would back into the dock and drive out and that the noise and smell would be contained in the loading dock.

Mr. Coladarci asked the applicant to show the slide which gave the impression that garbage would be outside.

Mr. Lagrange reiterated that the garbage would be inside. He informed the Commission that there would be a private garbage collector and contractor.

Mr. Coladarci asked how high would the slide walls be.

Mr. Lagrange responded that the wall would be 8 feet and that with the planters, you would not see the trucks. He noted that the garbage containers would be inside.

Ms. Fessler asked whether the transformers would be visible just to the right of the entryway. She also asked what would they look like.

Mr. Kisiel responded that they have yet to be determined with regard to the screening which would be provided.

Ms. Fessler asked what is the magnitude of the transformers for the entire building.

Mr. Kisiel assumed that the masonry would screen them.

Ms. Fessler asked how large would they be.

David Trandel stated that with regard to the relocation, there are transformers already on the site and that part is relocating them. He indicated that there would be a fair amount of infrastructure and electrical elements that they would be doing. Mr. Trandel then stated that there are two logical places for them, one of which is southern on the property by the driveway or to have a utility area which can easily be served off of Elm and added that it would be easy to shield and screen.

Ms. Fessler stated that it is a significant question and asked the applicant to get more information on the size of the transformers in connection with noise so that they would know whether it would be a concern or not.

Mr. Coladarci stated that in terms of noise, when he walked down the streets, there are green boxes and that on a quiet night from 20 to 50 feet away, he can hear them hum. He stated that there would also be air handling units. Mr. Coladarci then described the noise of his next door neighbor and stated that with regard to giant transformers noise which would be generated, the decibels would go through the walls and windows.

Mr. Trandel stated that to be clear, they are not here to inflict pain or noise pollution. He informed the Commission that the team has conquered more challenging tasks than a trash chute or how to mask the sound from transformers. Mr. Trandel then stated that the devil is in the details and that they would work together and solve the problems for the neighbors. He referred to the 8 or 10 homes on Arbor Vitae and stated that this perspective versus what is there now would be a huge improvement. Mr. Trandel reiterated that they would work through the details.

Mr. Coladarci stated that at New Trier High School, the air conditioning units are on top and that you can hear them blocks away. He also referred to their best intentions but that it did not shield noise.

Mr. Trandel stated that New Trier has zones which are 10 times the size of this proposal. He indicated that there would be individual units which would be managed in terms of heating and air conditioning separately. Mr. Trandel then referred to the technology which would be employed and stated that there would not be one big furnace. He also referred to a project in Arlington Heights which has a poly glycol veritable flow system which is hugely efficient and that there is zero noise. Mr. Trandel stated that what they can address for the neighbors would be solved by technology.

Mr. Coladarci commented that he would love for there to be zero noise at the tallest point in the Village broadcasting noise.

Mr. Trandel stated that they have to understand that there is a lot of detail and that it is a very manageable process. He also stated that it is also a commercial area. Mr. Trandel then stated that to one extent for those who lived there are blessed by vacancy since there has been no noise, that is part of what they are trying to address. He stated that in connection with how to manage it, they are far better equipped as a developer and referred to the technology which has changed over the last six years. Mr. Trandel noted that he lives in the Village.

Mr. Lagrange stated that in term of serving the unit and what was mentioned as commercial equipment as being very noisy and the various mechanical components, he stated that usually you would try to minimize noise. He then stated that each unit would have its own hot water heater and furnace. Mr. Lagrange stated that the only thing would be the cooling units which will be screened and which would make a minimum amount of noise. He then stated that everyone would be able to control their own systems. Mr. Lagrange also stated that there would be other equipment such as sprinklers which would be located in the basement along with everything else. He reiterated that it would not be visible and that it would not be noisy because it would be a residential unit and not commercial.

Mr. Lagrange then stated that the transformers would be located on the south side of the site and

referred to 711 Oak. He informed the Commission that they would not be huge units and that they would not be noisy and that the units at 711 Oak do not make noise. Mr. Lagrange noted that the size of the units would be 5 x 5 x 5 [feet] which is the maximum.

Ms. Fessler commented that would be a better location since she was the one who brought up the issue.

Mr. Lagrange stated that otherwise, they could be located in the basement which would require access.

Mr. Trandel stated that they would put them wherever they needed to put them.

Mr. Lagrange stated that they have the same concern as everyone else has and added that they would be careful no matter what.

Chairperson Dalman stated that Ms. Dearborn brought this to the attention of Mr. Saunders. She asked everyone to remember that this is a conceptual plan which is before the Commission for recommendation and that there has to be final engineering in order to figure out the loads, etc. Chairperson Dalman then stated that it is probably difficult for the Commission to get all of the details now but that the important thing is that the Village Engineer is very aware of the concerns. She then stated that there were still more issues on the list and referred to the Metra schedule, etc.

Mr. Blum stated that Ms. Dearborn asked about egress and ingress with regard to trucks, how wide the road would be and whether there could be two vehicles at the same time, safety issues with the fence, etc.

Ms. Fessler stated that they can address those issues now or raise them later as an issue.

Ms. Bawden asked if there would be backing out onto Elm.

Mr. Trandel responded that the trucks would back into the loading dock.

Ms. Fessler asked if the trucks can make a right turn and that it looked tight. She asked if there would be enough turning radius.

Mr. Lagrange described the garbage truck turning radius.

Ms. Holland asked that they go back to the rendering of the east parking lot. She then asked are they looking at this at grade. Ms. Holland also questioned the elevator down. She also asked if there is there any level of this on grade and stated that the rendering did not jive with the next slide.

Mr. Kisiel responded that the height of the wall and landscaping screened the upper level parking level from the street on the south and north sides.

Mr. Lagrange stated that as you enter from Elm, the driveway went up 3½ to 4½ feet to meet the level of Lincoln. He noted that the street sloped 5 feet to the east.

Ms. Fessler asked if there is an exit on the southeast corner of the parking lot.

Mr. Lagrange confirmed that is correct. He then stated that as you enter Elm, you can turn right and then go down another 5 feet and then turn right against the scissored parking. Mr. Lagrange also stated that what helped is the slope on Elm and that they would be using the slope to their advantage. He added that there are 63 vehicles and that now, there would be at 51 so that it is not a huge parking lot.

Mr. Kisiel stated that the illustration described what Mr. Lagrange is talking about.

Mr. Trandel stated that the idea is from a street perspective and from a pedestrian view, the screening would keep visibility away from the 10 foot maximum height. He indicated that the grade and ramp may be approximately 6% or 7% and that the code may be 12%.

Mr. Lagrange then stated that with regard to the upper level of the parking, they planned to screen the wall and have planters which would hide the vehicles and lights. He added that it would be 3 feet 6 inches and that you would not see the vehicles from the street.

Chairperson Dalman stated that there was a question with regard to Metra p.m. peak. She stated that she thought that that peak for return was from 3:00 to 6:00 p.m.

Javier Milan stated that the information that the Commission saw from their times explained that the p.m. peak referred to 3:30 to 6:45 p.m. which are the heaviest traveled trains which are arriving at the Winnetka station. He stated that the question was that 5:00 to 6:00 p.m. is not the real peak hour because there are more trains during the 6:00 to 7:00 p.m. time period arriving in Winnetka. Mr. Milan indicated that while that is true, he informed the Commission that there is one more train and identified a train arriving in Winnetka at 4:58 p.m. which is 2 minutes before that peak hour. He stated that by the time the people get off the train and into their vehicles, they would be impacting the peak hour. Mr. Milan then stated that there is another train arriving at 5:39 p.m. and another train at 5:56 p.m. which totaled three trains.

Mr. Milan then stated that from 6:00 to 7:00 p.m., there are four trains. He noted that after 6:00 p.m., traffic in the area started going down and that even though there are more trains, the overall traffic in the area has gone down and noted that the peak hour again is 5:00 to 6:00 p.m.

Mr. Milan stated that in terms of alighting or getting off of the train, Metra did show in their table in 2014 that the ridership during that time of 3:30 to 6:45 p.m., there were 398 people getting off of the train. He reiterated that their peak hours coincide with the people getting off the train and going to their vehicles. Mr. Milan stated that they found the same thing in the morning and that it actually matched up with the peak hour of traffic in the area, all of which was taken into account.

Mr. Milan went on to state that there were some questions with regard to traffic and congestion. He stated that everyone say the report from Mr. Saunders and stated that all of the intersections in the area today are operating at Service Level B or better with a Service Level of "F" representing failing. Mr. Milan then stated that in the future and that they analyzed the year 2020, and that they

included growth in the area in addition to the proposed development in order to take into account what else can happen in the downtown area. He stated that they based it looking at the Chicago metropolitan area agency for planning and their projected growth in the area. Mr. Milan stated that they increased the amount of traffic by 9% in order to take into account things that they are not aware of.

Mr. Milan stated that to with regard to background traffic, they added side traffic and analyzed the intersections which remained operating at Service Level B or Service Level A which represented a minimal increase in the traffic delay. He stated that it showed them that the impact that this development would have on traffic congestion would be minimal. Mr. Milan then stated that one of the reasons why it would be minimal is the TOD characteristics. He also stated that he provided data surveys of Winnetka as to how many people use public transportation and that it is 35% which is the attractiveness of being close to the train station. Mr. Milan then stated that if it were in Libertyville, it would not be 35% since not as many people would take the train.

Mr. Coladarci stated that in looking at the RTA website which was the website referred to, it said that 45% of Winnetka is getting on and off and are in walking distance and that for driving, it said only 18%. He then stated that parking uses are in the mid to high 90's when parking is used. Mr. Coladarci asked Mr. Milan if when they go to the estimate of traffic in and out of the garage, did they believe that the percentages would change. He stated that the project would be increasing parking by a lot. Mr. Coladarci also stated that in looking at the traffic report, he asked if they are making assumptions about traffic and referred to the thinking that more people would stop walking and that there would be an increase in the use of the parking garage.

Mr. Milan responded that the estimate is based on counting the surface lot and that calculations are based on the amount of trips per parking spaces. He also stated that the same applied to the parking garage.

Mr. Trandel stated that the benefit and the point of the underground parking garage is to loosen the bottle neck on retail that the commuters are taking up now with no other place to go. He stated that if there were all zoned spaces off of the surface, retailers would get a place to park in front of the stores. Mr. Trandel indicated that it is a very important aspect when they talked to retailers. He reiterated that the whole point of the garage is to free up and allow for the confidence of retailers and restaurants that they want to have.

Mr. Coladarci stated that the plans say to remove most of the parking and leaving 7 spaces on Lincoln between Elm and Oak. He asked if they are proposing to only leave 7 spaces on Lincoln where they currently have 13 spaces.

Mr. Trandel stated that it would get the vehicles which sit there for 8 hours off of the street.

Mr. Coladarci asked if it is their thinking that all retail parkers would go into the garage.

Mr. Trandel responded that it would free up street parking. He described Green Bay Road as a great example and referred to the significant percentage of the garage which is available for retail during the day. Mr. Trandel stated that the first thing it would do is to clear the street of the

bottleneck of the commuter vehicles. He stated that the solution included going underground and that while it is expensive, aesthetically, it would be more pleasing and given the age of sunken rail, it would be a smooth proposition to walk directly onto the track. Mr. Trandel then stated that in connection with the perceived hazard of crossing the bike trail, he did not know how and that it is addressed all down the Kenosha bike path, etc. and was not perceived as a major issue. He also stated that with regard to the concern with striping, bikers know the rules of the road and that with striping and warnings, they would use common sense.

Mr. Coladarci referred to all of the traffic exiting on the same level along with the Green Bay Trail. He then asked whether Metra agreed with them.

Mr. Trandel noted that it is not Metra land, there is no Metra involvement and that they have met with Metra.

Chairperson Dalman stated that the applicant is to answer the questions raised from the public comments. She then asked if there are any other questions raised by the public to be answered.

Mr. Blum referred to the request for either a model or drawings to be done to scale was brought up before. He stated that although they have received additional views, he referred to the view south looking north of the building that was not in the rendering.

Chairperson Dalman stated that point was not raised tonight but that it is a good point. She then asked Mr. Petrek to begin his cross examination of the applicant.

Mr. Petrek asked Mr. Kisiel to go to the drawings which were distributed in this week's packets and identified a specific drawing on page 23.

Mr. Kisiel responded that he did not have it on a slide but that they have a 3D version.

Mr. Petrek asked if they have any evidence showing the transformers on 711 Oak property.

Mr. Kisiel referred the Commission to an illustration.

Mr. Petrek stated that Mr. Kisiel pointed the cursor to four transformers which are located on 711 Oak property which are just south of the property line with their project property.

Mr. Kisiel confirmed that is correct.

Mr. Petrek stated that he would suggest to the applicant that those are Village transformers and are not transformers for 711 Oak and asked Mr. Kisiel if that sounded fair.

Mr. Kisiel responded that he had no specific knowledge of what they are as it related to the property.

Mr. Petrek then stated that one of the things that the architect attempted to do in designing the overall site plan is to show some sensitivity to the largest neighbors that live next door to the

project which are the 38 homeowners of 711 Oak.

Mr. Kisiel responded that is fair.

Mr. Petrek stated that as far as the noise that the transformers would make, he asked if there would be the same amount of noise or less noise than the transformers which are already there.

Mr. Kisiel responded that he had no knowledge or opinion about that.

Mr. Petrek stated that he would encourage the Commission members in order to get a sense of what they would sound like at grade, to walk down the driveway at 711 Oak and stated that there are four Winnetka transformers right there. He noted that there are two Winnetka transformers by the driveway at the Oak entrance and that there are already six transformers on the property. Mr. Petrek stated that he would really appreciate their sensitivity to the neighbors to the south.

Mr. Petrek then stated that with regard to garbage pickup, he asked if part of the reason that the developer located the garbage pickup inside of their building was out of consideration for the neighbors immediate next door to them.

Mr. Kisiel confirmed that is correct.

Mr. Petrek asked the applicant if it is their understanding that the largest amount of people next to the project are the people who live at 711 Oak.

Mr. Kisiel confirmed that is correct.

Mr. Petrek asked the applicant as far as they know, would the garbage placement on Elm have any impact on the people who live on the Village Green.

Mr. Kisiel responded that he expected that it would have no impact.

Mr. Petrek asked if the same would be true for the transformers.

Mr. Kisiel stated that they would be designed such that any impact would be minimal.

Mr. Petrek asked if there is a park on Arbor Vitae location across the street from the applicant's property at the northwest corner.

Mr. Kisiel confirmed that is correct.

Mr. Petrek asked if there is commercial property all along Elm to the north going west from Arbor Vitae.

Mr. Kisiel responded that they are primarily commercial properties.

Mr. Petrek asked the applicant how many six story penthouse units are there by the current design.

Mr. Kisiel referred to Mr. Lagrange to answer the question.

Mr. Lagrange responded that there would be two or one and that most likely, there would be one unit.

Mr. Petrek asked if there would be one penthouse unit on the west tower and one penthouse unit on the east tower.

Mr. Lagrange responded not on the east tower.

Mr. Petrek asked with regard to the height of the turret on Elm and Lincoln, he asked how high it would be at its highest point.

Mr. Lagrange stated that it would be the same as the west building at five stories.

Mr. Petrek asked if it is 71 feet.

Mr. Lagrange confirmed that is correct. He also stated that the top of the turret would be the lower of the penthouse.

Mr. Petrek asked hypothetically, if they were to take all of the six story units off of the building so that the building would now be a five story structure, he stated that there are 71 units now and asked how many units total would there be if they removed all of the six story units.

Mr. Lagrange noted that there is only a penthouse on the sixth floor and that it is only one unit.

Mr. Petrek asked if there would then be 70 units.

Mr. Lagrange confirmed that is correct.

Mr. Petrek asked if that would not have a large economic impact if the building then was only five stories instead of six stories.

Mr. Lagrange responded that it is not meant as an economic impact, but an architectural impact in terms of it making a big difference in the design. He added that as an architect, he really did not care and that he wanted the building to look good.

Mr. Petrek asked for the benefit of some of the folks who are concerned about a six story building, a five story building would not be that different significantly in terms of the net revenue which would be generated.

Mr. Trandel stated that much of it is compatibility with the other buildings and that if you look at part of Mr. Lagrange's genius is to take into account the natural look of the Village Hall and how in the center, there is the cupola and commented that there is a very nice mirror between Mr. Lagrange's design and the Village Hall. He also stated that while it is expensive, Mr. Lagrange

did not care and stated that while it is expensive to provide these subtleties in terms of setback and some height, they attempted to minimize that. Mr. Trandel stated that it is also to avoid a flat, institutional style look and to dovetail the Village Hall. He also stated that those two bookend the five acres.

Mr. Lagrange stated that it related to only 3,000 square feet versus 14,000 square feet and that it is not even 25% and added that what it did architecturally made a big difference.

Mr. Petrek went on to state that he has heard different comments and noted that he missed one meeting since he was out on trial, he stated that he wanted to find out with regard to the garage on Lincoln which has been the subject of a lot of discussion, he referred to the fact that the tunnel project is going to cost approximately \$15 million and stated that the Village has a limited amount of money and stated that the question is if they do not get to build the garage, can they still make the project work with the parking deck to the east which is a two deck garage.

Mr. Trandel responded that they are pretty indifferent with regard to how they want to go about paying for it as to whether the Village wanted them to own it or whether they did structured financing in some form to make it easier on the Village. He stated that while it may not be directly impacting to their residents, it would monumentally impact the retail if they did not address the parking shortfalls. Mr. Trandel then stated that it is rare and that while they have a very large site relative to the rest of Winnetka, it would take a certain amount of scale and size to make something like the parking garage even remotely a discussion. He also stated that to be in the ground and to do so much activity already, he stated that the Village would never get a better deal from a pure cost side. Mr. Trandel stated that they would be happy to own it and that they did not want to be presumptuous and that he thought that it is a long term asset that the Village should own speaking as a citizen. He then stated that how that got paid for and who pays, they would sit down and roll up their sleeves in order to get to a public/private partnership to make it work.

Mr. Trandel stated that it also related to why they needed density and described Winnetka as far better off than 98% of other villages in the world. He then stated that complacency is not a great thing either. Mr. Trandel stated that as the state is pulling more and money away from them, they need to be ahead of the curve and that they keep talking about the economic impact.

Mr. Trandel stated that with regard to the discussion of height, cupolas, transformers, etc., at the end of the day, for the Village, it is incumbent upon the officials to go look at what this would mean in the long term financially. He then stated that none of them like their taxes as they stand and referred to them going up and down, it is incumbent upon their officials to find some ways for the private enterprise and businesses and referred to \$1 million a year of tax revenue, the other businesses would profit as well.

Mr. Petrek stated that the applicant is getting good traction and feedback and asked the applicant if it would be frustrating if they could not do the project with the garage. He stated that they have done a lot of work so far and that a lot of people would be pleased with regard to the improvement in the area. Mr. Petrek also thanked the applicant for their submission tonight in showing that they have already moved the staging area to their own property as opposed to on 711 Oak property.

Mr. Petrek stated that he had additional questions with regard to the rush hour testimony and the fact that it is almost over at 6:00 p.m. He asked the applicant if they had done any studies as to what time people in the city leave their offices.

Mr. Trandel responded that they have not.

Mr. Petrek stated that if he were to suggest to the applicant that the distance from the loop to Winnetka on the Edens Expressway is approximately 17½ miles, if he would agree that in rush hour traffic at 5:00 p.m., you would not be able to get to Winnetka in one hour.

Mr. Milan stated that you would not.

Mr. Petrek then asked if they did not have data as to how many people are actually entering Winnetka from the Edens Expressway between 5:00, 6:00 and 7:00 p.m.

Mr. Milan responded that is fair.

Mr. Petrek then asked the applicant if they had any data as to how many train commuters are picked up every day by their spouses or significant others or children.

Mr. Milan responded that he did not.

Mr. Petrek asked Mr. Milan if he has observed on the west side of the train station how many vehicles are cued up in the parking lot in the Village on Oak in both directions and on Elm in both directions.

Mr. Milan confirmed that he has seen it several times.

Mr. Petrek then asked if he had taken any data points as to how many vehicles are in that square between 4:30 and 6:30 p.m.

Mr. Milan confirmed that the counts included all of those people that Mr. Petrek is talking about. He noted that the counts are from 4:00 to 6:00 p.m. and that all of the vehicles you see lined up and waiting to pick up commuters are included in the counts.

Mr. Petrek asked if the counts were taken manually by New Trier students or with a computer model.

Mr. Milan responded that they used video cameras.

Mr. Petrek asked if the raw data available.

Mr. Milan stated that they can provide the raw data.

Mr. Petrek asked Mr. Trandel for a point of clarification for the record, as far as Stonestreet is concerned and One Winnetka, if Michael Klein had an economic interest in the development.

Glen Udell stated that he objected to the question and that the issue had already been addressed. He also stated that they have complied with everything as far as their submission and that he would instruct the applicant not to answer the question.

Mr. Petrek stated that if you were to look at the minutes from the last meeting, it was quoted by Mr. Gussin in his submission to the Village there is an indication in the record of testimony that Michael Klein is a real party in interest to Stonestreet.

Chairperson Dalman stated that they would have to interrupt Mr. Petrek and stated that the Commission is trying to get to the consideration of the application of the standards that the Commission is to consider. She stated that she wanted to make sure that everyone understood that there conflict of interest issues and that they are not a part of the Commission's jurisdiction. Chairperson Dalman stated that the questioning should relate to the application only and that they are not going to get into this discussion tonight. She then stated that they needed to get to the deliberative process of the Commission and that is an issue to take up with the Village Council.

Mr. Petrek stated that all he wanted to establish is that if the developer were allowed, to provide this Commission, the Village Council \_\_\_\_.

Chairperson Dalman interrupted Mr. Petrek and reiterated that it is not relative to the standards of review that the Commission is to take into consideration and that they are wasting time and taking away from the Commission's deliberation process. She reiterated that it is not relative to the consideration of a recommending body to the Village Council and that they are not the body that made that decision. Chairperson Dalman then stated that while the Village Council may differ on that, she wanted to make sure that they have enough time to talk about the merits of the proposal.

Mr. Petrek stated that with regard to his last line of questioning, with all due respect, he referred the Commission to the Village code and the Village Code of Ethics that stated that "any official appointed or employed shall not participate in any decision where that official has an economic interest in the outcome." He then stated that with all due respect, if anyone on the Village Council or this Commission or on any other board of this Village has an economic interest in this development, that person should not be participating and that the people of Winnetka have a right to know who the investors are.

Chairperson Dalman responded that it is standard procedure for all of the members of the recommending boards as well as the Village Council to make those disclosures of conflict of interest or economic interest to recuse themselves before the process started in March. She then stated that if Mr. Petrek is suggesting that someone sitting on the Commission has an economic interest, for him to make that claim right now. Chairperson Dalman then stated that she would not entertain the discussion of potential conflict of interest or economic benefit because to her knowledge, no one sitting here tonight taking into consideration as a Commission member has any economic interest in this project.

Mr. Dunn stated that Mr. Petrek asked for 10 minutes and that he has had 17 minutes and for him to sit down in order for the Commission to deliberate.

Mr. Petrek stated that he still wanted his question answered.

Mr. Trandel noted that no one on the Commission has any economic interest in the project.

Chairperson Dalman stated that with regard to questions as to whether there is an economic interest of anyone on the Commission, she wanted to make it clear now and noted that there is no one. She stated that with regard to the best thing to do, the goal is for there to be enough deliberation so that they can discuss whether they think or not to make a recommendation to approve the request with conditions or to not make a recommendation of approval with or without conditions. Chairperson Dalman stated that they would go around the table to determine what sort of motion should be made and indicated that they may not have time. She stated that they should see where they are at 10:00 p.m. and determine whether to continue the deliberation in August. She noted that there has been a very generous amount of public comment and thanked everyone for their patience. Chairperson Dalman noted that the public hearing is not closed and that it is still open for those who want to submit written comments. She added that there would be no more public comment tonight.

Ms. Fessler stated that in looking at the standards on page 3 in the packet of materials whether they feel as though they can come to some sort of agreement on the nine criteria as a basis. She also stated that they did not have the issues like the DRB.

Chairperson Dalman confirmed that is correct and commented that the Village staff did a good job of outlining the criteria. She then stated that with regard to the zoning exceptions and standards for considering those and within that, there are nine criteria. Chairperson Dalman stated that there would be a full discussion by the Commission of all of that. She then stated that she wanted to get a sense of whether or not they would need another meeting.

Mr. Coladarci asked if the only the portion of what the Commission is to consider and then planned development. He stated that there are 35 findings.

Chairperson Dalman stated that potentially, there were 35 findings but it is not required to be 35 findings. She stated that was the issue in the previous matter where 35 findings were considered and that the mandatory criteria are the context of the three zoning exceptions and the nine criteria.

Ms. Adelman suggested that they take a straw poll as to what they want to happen or not.

Chairperson Dalman agreed that would be fine.

Ms. Adelman stated that they should get a sense of whether the Commission wanted it to happen or not.

Chairperson Dalman stated that they should find out if there are conditions or if they cannot make more conditions of approval, then they would have to go through all 35 findings.

Ms. Trindl stated that the audience cannot hear the Commission's comments.

Mr. Friedman agreed that is a good suggestion. He also stated that it is a good idea for the Commission members to express their views generally as to whether they would be inclined to support the recommendation of approval or denial. Mr. Friedman stated that once they get that sense, if there is a consensus one way or the other, that would dictate what comes next. He then stated that if there is a recommendation of approval, the Commission can talk about any conditions that the Commission would want to recommend. Mr. Friedman noted that nothing would be final tonight and that there would be an informal consensus taken. He then stated that the Village staff and the Village Attorney, based on the consensus, would put a written document together for findings of fact and where the standards would be written out to see if they are comfortable with the findings as opposed to trying to go through the standards now orally.

Mr. Coladarci asked if there is a way to divide the discussion to say for example that there are five areas that they should talk about or if they should focus on one area at a time. He then questioned whether they should talk about one area only until they are done and then go on to the next area.

Chairperson Dalman stated that she would rather get a sense of where they all are personally. She then stated that for instance, she has no idea what the others are thinking. Chairperson Dalman indicated that it is important to get it on the table and that it is an important discussion. She stated that it would be in fairness to the public and the applicant to get a sense of where they are and whether they would make any recommendation.

Ms. Holland suggested each Commission member take three minutes.

Chairperson Dalman responded whatever it takes.

Mr. Blum stated that to have a substantive discussion in 25 minutes now seemed fast.

Chairperson Dalman stated that is not realistic.

Ms. Adelman began by stating that she had a sense like she would be able to approve the request.

Ms. Holland began by stating that she has thought long and hard about the project and that she has had a lot of years of looking at projects in Winnetka over her 45 year residence and nine years of Village Council activity. She then stated that with regard to the architecture, Beaux-Art did not provide any connection with the elegant, restrained classicism of the Edwin Clark building that they are sitting in. Ms. Holland stated that it is a claim which is not shared by many residents. She then stated that the One Winnetka project is too massive, and to quote Penny Lanphere who was a co-author of the Winnetka 2020 Plan, it is too inward facing and that it would look like a separate entity from the surrounding neighborhood. Ms. Holland also stated that the project would open to 711 Oak with a drive around and asked what happened to the rest of the Village. She stated that a fortress façade and no entry to the interior contributed to the mass of stone rising to six stories and 70 feet.

Ms. Holland then stated that the zoning ordinance was changed two weeks before this project became public. She stated that the planned development negotiation is not part of the public

record yet. Ms. Holland asked at what point did the developer negotiate with the Village to provide public benefit versus additional height, setback at the upper story or rear yard setback. She stated that there has been no tradeoff. Ms. Holland then stated that One Winnetka stated that this massive structure would collect and reduce surface water flowing onto the Hadley School parking lot and referred to Attachment C and the benefit to the Hadley School property. She stated that statement is not valid and that the Hadley School has no problems with their parking lot and that if they did, the Hadley School would work out their own problems.

Chairperson Dalman asked Ms. Holland would she vote yes or no.

Ms. Holland stated that her last concern is that this came first circle to them all and that to give into this project with its multitude of issues would change their Village to an Evanston, Arlington Heights, Highland Park or Des Plaines. She then stated that with the 1.6 acres intact, a new developer or a serious change in the expectations of One Winnetka would result in development and that they must not confuse careful use of their laws and the desire to do the best for the Village with the fear that nothing would happen with this property. Ms. Holland concluded by stating that she is very much against this project as it stood today.

Chairperson Dalman stated that she appreciated Ms. Holland's comments and that she wanted to make sure that Ms. Holland read all of her comments into the record.

Ms. Bawden stated that she too would be against the project as it stands. She also stated that she has serious questions with regard to height being that the fact that zoning was changed right before the applicant's presentation and that they knew what they were dealing with when they came in with the massive structure. Ms. Bawden then stated that they have deliberated long and hard with regard with regard to keeping 2½ stories and going to four stories as a point of negotiation. She stated that they lost the battle and that the height became four stories with a stipulation that four stories would be it with no negotiation on height. Ms. Bawden then stated that retail is a big problem and that she did not think that skill in the game with regard to filling that retail and that the applicant can make their numbers on rental, parking and subsequent condominium conversions. She stated that left her with the big fear that they are going to be faced with more blank eyeballs as that retail did not get filled. Ms. Bawden concluded by stating that those were her two main concerns and that she had other concerns which may be brought up by other Commission members.

Ms. Crumley stated that she would be inclined to support the project and referred to the fact that she has not been a resident as long as others and that she has lived in the Village for 13 years. She stated that you see stagnation here. Ms. Crumley referred to an analogy in that they look at the standards of the Commission which they are to focus on and that she has heard things which did not focus on the standards. She also stated that this would not be the only level of review.

Ms. Crumley then stated that she loved her first home which she described as a tiny home. She stated that because she liked it a certain way, she would like others to like it here. Ms. Crumley commented that she is not sure that the Village is lovable for future generations and referred to the obligation to keep people coming to the Village and to raise children. She stated that even if that meant change and commented that it is difficult to take a risk and explore.

Mr. Coladarci stated that he is against making further changes to the plan. He stated that there are factors that they have to examine and that they have not reached the factors to allow the Commission to approve. Mr. Coladarci then stated that the applicant can make changes to the plan and get it into a doable project to fill the need that the Village has.

Ms. Fessler stated that as a Village trustee, she has no vote on the Commission but the other members are not here for her opinion. She indicated that she would like to see them move on with whatever the Commission recommended. Ms. Fessler stated that there are concerns which would be addressed by the DRB or the Village Council in negotiations with the developer. She reiterated that she would like to see the Commission be on its way to pass the request on to the Village Council to look at the full picture and work with the developer.

Mr. Blum stated that his position is 50-50 and that it could be changed. He referred to the fact that there was such a change from this plan. Mr. Blum referred to it being reduced down to three stories and approved. He noted that he is a non-voting Commission member since he is on the ZBA. Mr. Blum then stated that he wanted to support the project and that is different than stating that the request met the standards. He stated that he did not see how it met them.

Mr. Blum then referred to the tradeoffs and benefits and questioned what is the public benefit which they have heard to be commuter parking. He stated that the project represented the opportunity to go down. Mr. Blum then stated that if there is no relation between the building and parking per se, public parking should be an option regardless of the size or height of the building if there is no direct link between the two.

Mr. Thomas informed the Commission that he polled the Park Board and that they all have the same opinion in that they would love to see something move along. He stated that they are aware of the stagnation over at least 10 years. Mr. Thomas then referred to the possibility 7 or 8 years ago in connection with the NTP approval and that they did not pull it off. He stated that there were pluses and minuses of both discussions. Mr. Thomas informed the Commission that he recommended for it and that the Commission recommended against it. He stated that the matter is going to pass on to the Village Council for final decision and who knew whether the Village would agree with it or not.

Mr. Thomas then stated that he and the Park Board are not fond of the design but that it is a DRB problem. He also stated that they did not think that the Village is so heavily loaded with Tudor and that for this building, they should not think about it being Tudor. Mr. Thomas noted that they are concerned with regard to the Green Bay Trail and the fact that it disappeared and reappeared obliterated. He stated that they are also worried about the way it was presented as a safety issue, but that it may be fixed.

Mr. Thomas then referred to the major points raised by Ms. Holland and the fact that they do not see a tradeoff or benefit to the Village which is supposed to occur when there is a tradeoff with regard to the ordinance like height. He indicated that maybe the developers should think about that and say that they do not recognize it as a tradeoff. Mr. Thomas stated that they do not see the Lincoln plaza as a tradeoff and that narrowing it would not be good for the Village. He stated that

is an issue that the Village Council is to look at. He then stated that if the Commission was to vote now, he would vote in favor of the request together with five or six conditions which may be impossible to meet. Mr. Thomas concluded by stating that he would love to approve the plan and see what happens.

Mr. Dunn stated that he is a huge supporter of the project and that it needed tweaks and work. He then stated that there have been quite a few emails from other members of the BCDC and described some of them as insightful. Mr. Dunn informed the Commission that they surveyed some of the merchants downtown and pointed out that that Village Council and the Village have spent very little money on the downtown areas over the last 30 or 40 years. He stated that it needed rejuvenation and that if there is time at the next meeting, he would read some of the quotes from some of these smart people. Mr. Dunn concluded by stating that he is definitely for this project and that Winnetka needed to make it work.

Chairperson Dalman stated that to her, it is a tough decision. She then stated that they have had passionate opinions and very good points. Chairperson Dalman also stated that the developer has done a remarkable job of accommodating the interested parties of the building and that they have largely reflectively tried to address the 711 Oak concerns and issues raised with regard to Arbor Vitae.

Chairperson Dalman described it as a tug of war. She then stated that ultimately, it is hard and that they also know that getting projects approved and developed is very difficult. Chairperson Dalman also stated that she looked at a lot of the NTP approval and heard testimony although they were comfortable with it, the market did not allow it. She then stated that she is very troubled and that she has a sense of how and that they do all know all of the concerns such as height and that the same height is somewhat necessary in connection with density, storm water, etc.

Chairperson Dalman also described it as a very difficult decision for the Commission. She referred to the public benefit in that the site remained undeveloped. Chairperson Dalman also stated that Ms. Holland's comments were weighing on her. She stated that when they do make some concessions as the planned development ordinance allowed. Chairperson Dalman referred to the height limit but that for mechanical for exceptions and that there is a process for that. She stated that the question is when do they make those exceptions. Chairperson Dalman also questioned how do they know if they held the developer to the four or five standards, that would make the project financially impossible to do in dealing with the current market.

Chairperson Dalman stated that in the end, she is on the side given the intense amount of scrutiny on this level and that the Village Council would add even more along with the DRB and the ZBA, she would be in favor of it. She stated that it is a leap of faith and that this is the best project they can get which is economically viable and would not harm. Chairperson Dalman referred to them quarterbacking it too much. She added that the recommendation would have conditions.

Ms. Bawden stated that with regard to context, she asked how many Commission members visited a site of a four story planned development.

Chairperson Dalman replied that she has seen many.

Ms. Bawden then asked how many of them have stood beside a seven story planned development.

Several of the Commission members indicated that they have.

Ms. Bawden stated that with regard to Evanston, Wilmette and Glenview, she questioned do they know what the scale would be like. She then stated that on Elm, she proposed that they at least do a site visit in order to determine what it would feel like.

Chairperson Dalman stated that is part of the job all of the time and indicated that Ms. Bawden's point is well taken. She stated that there are good projects and bad projects and that scale is important. Chairperson Dalman noted that they weighed heavily on that. She then stated that while they would like to see a fourth or fifth story be four stories, she questioned whether financially, it would be viable.

Ms. Bawden stated that it is not up to them financially.

Ms. Adelman suggested that the Commission take a straw poll. She stated that she had the sense that the vote would be split and that there would be people who would never change their mind along with the fact that there are some or none of them would feel totally comfortable. Ms. Adelman stated that they have been reminded over and over that this is one step in a long process. She then stated that with regard to scale, she informed the Commission that she was a Village trustee a long time ago and has lived in the Village for 40 years. Ms. Adelman commented that she found Winnetka painful to look at with regard to Hubbard Woods on one side of the tracks compared with the other side of the tracks.

Ms. Adelman then stated that she knows the Village and that with regard to scale, she referred to her street. She referred to expecting something from the commercial district and the community. Ms. Adelman also stated that in connection with the July 4<sup>th</sup> parade, that is where people come from. She stated that if they want a community, they need to have a lot more.

Ms. Adelman also stated that with regard to height, she stated no and yes and that she did want something to happen. She referred to the willingness to sacrifice personal taste for the greater good. Ms. Adelman stated that it is her hope that something happens in the commercial district. She then stated that the question is that if there is no movement, with regard to other meetings, transformers or garbage pickup, she could not approve that and she did not know what their role would be.

Chairperson Dalman stated that these are all good comments and referred back to Mr. Coladarci's point. She then stated that it comes down to height and that there are also other issues.

Mr. Blum referred to both setbacks and the sidewalk.

Chairperson Dalman stated that there is only 10 feet on the upper story setback which is a variation and that now, it has been designed to code.

Mr. Coladarci stated yes and no and that it related to a huge chunk to Lincoln.

Chairperson Dalman agreed with Mr. Coladarci's comment.

Ms. Fessler referred to whether they made the right compromise, it related what the applicant could do as of right. She then stated that at that degree of square footage, she referred to whether it is redistributed in a way which met their needs. Ms. Fessler also stated that there are a lot of accommodations and that it may take the Commission a while to feel comfortable with what has been proposed and what needed to be done to get the project to a point to be passed on to the Village Council with recommendations.

Ms. Holland stated that it is the duty of the Commission to consider the overall view of what is good for the Village. She also stated that it is the mission of the Commission to give their overall view and to determine whether is this a good plan for the Village. Ms. Holland then referred to what their decision should be. She also stated that they are not to worry about the return to the developer or the bank situation in the world and reiterated that they are to consider what is good for the Village.

Chairperson Dalman stated that everyone wanted to see development on the site and agreed as to what is in the best interest of the Village.

Mr. Dunn stated that they should take two minutes to talk about the process and that the developer deserved to move on to the next body. He suggested that for the August meeting, there be a finite time for public comments for 30 minutes for those who have not spoken. Mr. Dunn then suggested that they allocate 30 minutes for the developer and for the rest of the evening to be for the Commission's deliberation so that they can focus and drill down on the three, four or five meaningful topics and put conditions and make a vote so that the request can move on to the Village Council. He stated that this matter needed to move forward.

Chairperson Dalman stated that since the Village staff would have to prepare findings based on the conversation they have had and referred to whether there is sufficient information for the Village staff to put together findings. She indicated that there is a split on the Commission and that there is no consensus. Chairperson Dalman stated that would give them a basis on which to talk in order to keep moving the matter forward. She then stated that she is not sure if Mr. Norkus can do it or if there are other comments.

Ms. Fessler asked for a read on the Commission members' attendance for August.

Chairperson Dalman noted that the next meeting date is August 26, 2015 and that someone requested that there be a special meeting which is not going to work. She questioned whether there would be an issue with attendance.

Mr. Norkus stated that they have three Commission members who are not here and that there is a split discussion this evening. He then stated that with some additional discussion, he and the Village Attorney can work on drafting findings for consideration at the August meeting.

Chairperson Dalman suggested that the findings be drafted both ways. She stated that they have to get focused and discuss the issues.

Mr. Coladarci stated that the building would become a defining building in the entire Village. He then stated that while he agreed that the developer would like to move forward faster, there is a lot at stake here in terms of what they would end up with. Mr. Coladarci also stated that although the Commission is the first body to deal with the request, it is important in terms of scope with regard to what they talk about, look at and consider in terms of the of Village. He then suggested that there be no findings at the next meeting. Mr. Coladarci stated that they have to be careful to address everything within the scope of the building and that it would be here for 100 years and mark the Village for as long as it is there. He stated that they should take their time to finish. Mr. Coladarci then stated that they are at the point now of considering what they have heard and seen and that they have only heard public testimony at this point. Mr. Coladarci reiterated that there should be no rush to do it at the August meeting and that it can be done in September.

Chairperson Dalman stated that she agreed that it would be a landmark property and define the entry point of the Village, etc. She then stated that they have deliberated after every meeting although the project has changed. Chairperson Dalman stated that the question is how much more new information would they have. She noted that there would be far more scrutiny of this project than most and that they want to make sure that they are not creating a process for process's sake.

Mr. Coladarci stated that for those who do not deal with these issues every day, the discussion is helpful to help him understand the project and added that he has heard things today which changed his mind. He referred to everyone's level of understanding as a developer, real estate attorney, etc. and stated that given the size of the project, he referred to the importance of working through the issues and having it explained which would make a big difference to the Village Council.

Mr. Blum stated that a lot of factors are neutral that they may vote down fast and that with regard to discussion, the Commission should talk about what they have to make findings.

Ms. Adelman stated that the structure should be to come prepared to the next meeting with the areas of identified concerns which are germane to the Commission so that they would not be going on inefficiently with discussion. She asked if structure can be provided without drafting findings.

Chairperson Dalman and Mr. Friedman confirmed that is correct.

Mr. Thomas stated that he presumed that it is unlikely that they are hearing there would be any change in what was presented with the applicant and that the Commission would be dealing with what they have in front of them.

Chairperson Dalman confirmed that is correct

Mr. Friedman stated that the discussion would mostly be about any conditions on a recommendation for approval or denial.

Chairperson Dalman stated that for Mr. Norkus and Mr. Friedman, to be clear with regard to the

structure for the next discussion. She noted that the next Commission meeting would be on August 26, 2015 and asked if they could move the meeting time to 7:00 p.m. rather than have a special meeting.

Ms. Adelman asked if it would be inappropriate to invite members of the Village Council to hear the discussion.

Chairperson Dalman responded that a lot of them came and went.

Mr. Coladarci stated that they would have the meeting minutes.

Chairperson Dalman commented that it is not a bad idea to extend the offer.

Chairperson Dalman asked if there were any other matters.

Ms. Adelman suggested that Ms. Holland's comments be included in the minutes.

Chairperson Dalman agreed that would be fine.

Chairperson Dalman asked if there were any other comments. No additional comments were made at this time. She noted that the next Commission meeting would be at 7:00 p.m. on August 26, 2015.

**Public Comment**

The meeting was adjourned at 10:14 p.m.

Respectfully submitted,

Antionette Johnson