

STAFF REPORT

Community Development Department

2021-07Z: Variation

Council Chambers, 7:30 PM, January 5, 2022

To: Brian O'Donnell, Chairman, Zoning Board of Appeals
 From: Brian J. Augustine, Zoning Administrator
 Re: 4113-4125 Main Street – Parking Variation

General Information	
<i>Location</i>	4113-4125 Main Street
<i>Request</i>	Variation in order to construct an addition resulting in 18 off-street parking spaces
<i>Zoning Requirement</i>	23 off-street parking spaces minimum
<i>Petitioner</i>	Linda Z Neiman
<i>Existing Zoning & Land Use</i>	B1 Service Commercial – Zelda's Catering and vacant commercial spaces
	North R2 Single-Family – Detached residence
	South R2 Single-Family – Detached residence
	East B1 Service Commercial – Office and stores
	West B1 Service Commercial – Office and stores
<i>Assigned to</i>	

SITE INFORMATION

- The eastern portion of the spaces (4113 Main St) was constructed prior to 1964 and the western portion was constructed after 1964 and must follow current parking requirements.

PETITIONER'S SUBMITTAL

The petitioner is requesting a variation in order construct an addition resulting in 18 off-street parking spaces with 23 spaces required.

APPEARANCE COMMISSION

The petitioner's request was approved by the Appearance Commission on November 10, 2021.

STAFF ANALYSIS

Staff Comment and Review sheets were sent to all pertinent departments. The Community Development Department, Environmental Health Division and Traffic Engineering Division were the only department/divisions to comment.

Environmental Health Division

The Environmental Health Division has no objections to the petitioner's request as long as the Health Department guidelines are followed when submitting for permits.

Traffic Engineering Division

The Traffic Engineering Division is concerned about the increase in floor space and the removal of parking spaces. The Engineering Division has been made aware of concerns from residents in the area regarding employees parking off-site on residential streets in the surrounding areas.

Employees should park on site and not in the residential neighborhood on a daily basis. On street parking may be used for customers during peak times where overflow parking may be needed.

Community Development Department

The Community Development Department shares the Engineering Divisions' concerns. Staff has been approached by several residents in the area regarding Zelda's employees parking on residential streets in the area and not on site. Please see the attached emails from residents.

The proposed addition is about 696 square feet and will remove three existing parking spaces. The increase in square footage and decrease in existing parking makes up the five-space deficit (18 provided and 23 required).

STAFF RECOMMENDATION

Based on the proposed Findings of Fact, Staff recommends that the petitioner's request to construct an addition be denied.

If approved and the request is granted, staff recommends the following conditions:

1. All employees must park on site. Overflow parking should be limited to customers.
2. Any trucks or vans for Zelda's must park in the rear of the 4113 Main building to allow for customer and employee parking in the front of the west building.
3. This variation will only apply to Zelda's and any future tenant will need to meet current parking requirements.

ATTACHMENTS

1. Proposed Findings of Fact
2. Emails from residents.

Proposed Findings of Fact

Community Development Department

2021-08Z: Variation

Council Chambers, 7:30 PM, October 20, 2021

1	<i>Consideration</i>	Limitation on the use of the property due to physical, topographical, and geologic features.
	<i>Finding</i>	There are no limitations on the property due to physical, topographical or geologic features.
2	<i>Consideration</i>	The applicant can demonstrate that without a variance there can be no reasonable use of the property.
	<i>Finding</i>	Staff feels the applicant can clearly have a reasonable use of the property without a variation. If the addition is not completed the tenant will meet the parking requirement.
3	<i>Consideration</i>	The granting of the variance is not based solely on economic reasons.
	<i>Finding</i>	The variance request appears to be based on the desire to increase the floor area.
4	<i>Consideration</i>	The necessity for the variance was not created by the property owner.
	<i>Finding</i>	Staff feels the necessity for the variance is being created by the owner.
5	<i>Consideration</i>	The variance requested is the minimum variance necessary to allow reasonable use of the property.
	<i>Finding</i>	Staff feels the variance requested is not the minimum necessary to allow for reasonable use of the property.
6	<i>Consideration</i>	The granting of the variance will not be injurious to the public health, safety, or welfare.
	<i>Finding</i>	Staff feels the granting of the variance as is could potentially be injurious to public health or safety if the decrease in parking space leads to more employees and customers parking on the residential streets.
7	<i>Consideration</i>	The property subject to the variance request possesses one or more unique characteristics generally not applicable to similarly situated properties
	<i>Finding</i>	There are no unique characteristics to the subject site. The only unique thing is that the east portion of the tenant space was constructed prior to 1964 and therefore that parking is "grandfathered" in. The western portion of the space must meet current parking requirements.

Marlene Bargamian

From: Brian Augustine
Sent: Monday, December 27, 2021 8:35 AM
To: Marlene Bargamian
Subject: FW: Zelda Expansion on Main Street

Marlene,

Please add this to the case file for Zelda's ZBA case.

Thanks,

Brian Augustine, Building & Zoning Division Manager
Community Development Department
Village of Skokie
5127 Oakton Street
Skokie, IL 60077

847-933-8408 direct
847-933-8223 office

From: Chuck Quesada <chuckquesada@yahoo.com>
Sent: Friday, December 24, 2021 3:18 PM
To: Brian Augustine <Brian.Augustine@Skokie.Org>
Subject: Zelda Expansion on Main Street

Hi Brian

Thank you for meeting with us yesterday.

Here are the concerns we have with the expansion of Zelda's Bakery.

The loss of parking spaces in their parking lot will further increase the number of their employees parking on the Main, Kedvale and Karlov. Zelda's Bakery has 26 employees listed on their website not including the cooks, bakers or delivery employees. How many employees do they really utilize? That means that at least 26 employees and probably quite a bit more will be using the 18 remaining parking spots in their lot. That is not including customers that come for taste testings and meetings in their conference rooms. Their employees are already parking on Main Street and Kedvale blocking spaces for residences.

After talking to the Engineering Department, we were informed that permit parking is not an option. Permit parking is only allowed near train stations per Skokie regulations.

We are also concerned about the amount of delivery trucks that they will be using. Commercial vehicles should not be allowed to park on Main street. They need to be behind the existing building. Allowing commercial vehicles to park on Main Street will lower property values for residences on Main Street.

If you could please add this to your agenda on January 5th. Several of the Main Street residents plan on being at that meeting.

Thank you and I look forward to resolving these issues.

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Chuck Quesada
Main Street Residence

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Marlene Bargamian

From: Brian Augustine
Sent: Monday, January 3, 2022 11:30 AM
To: Marlene Bargamian
Subject: Fwd: Legal Notice of Public Hearing in regards to Zelda's....

Marlene,

Please add to the case for Zelda's?

Thank you,

Brian

Sent from my iPhone

Begin forwarded message:

From: Syed Alavi <salavi7059@gmail.com>
Date: January 3, 2022 at 11:24:50 AM CST
To: Brian Augustine <Brian.Augustine@skokie.org>
Subject: Legal Notice of Public Hearing in regards to Zelda's....

Good Morning Brian,

I really appreciate that with the short notice you gave us time to meet with you on the 23rd of December to understand the whole project for Zelda's construction and parking variations. As I always try to keep good relationships with my neighbors and I consider Zelda's to be one of them. I am happy for them that they are expanding their business here on the Main Street location. With that said, I also have some concerns and I would like to mention them as follows:

- 1) More staffing will need more parking in the area. Where in the area they will park their vehicles...
- 2) Expanding business means buying more 16 seater vans or trucks. I know they have five spots in the back side but all the current five trucks park there if they buy more where they will park them. They should be barred to park those in the front at any time.
- 3) Trucks and vans parking in the front strip at any time will make that area look more industrial than commercial. Of Course with that kind of situation my residential property value will go down as well.

I am not opposing their expansion but on the other hand we as the neighbors should also not suffer with one bad step from Skokie Public Hearing.

I will try to join the hearing on the 5th of January but cannot confirm yet.

Thank you so much for understanding our side of the situation.

Sincerely,

Zelda's Neighbors.

Marlene Bargamian

From: Brian Augustine
Sent: Wednesday, January 5, 2022 12:27 PM
To: Marlene Bargamian
Subject: FW: Zeldas catering 4113-4125 main st.

Can you send them a zoom link to tonight's meeting.

Thanks,
Brian

From: erlers4@aol.com <erlers4@aol.com>
Sent: Wednesday, January 5, 2022 11:38 AM
To: Brian Augustine <Brian.Augustine@Skokie.Org>
Subject: Zeldas catering 4113-4125 main st.

Brian,

We have lived at 8333 Kedvale since 1994. We have always had great neighbors and never any problems with previous Main street businesses.

When Zelda's 1st opened all was fine but as they expanded there have been many issues with our neighborhood.

Here are a few concerns the neighbors and we have discussed.

Blocking the alley at the T intersection which restricts us from entering our garage. We cannot access it from the other end of the alley due to a neighbor fence.

Rats..... BIG Rats (We never had Rats before Zelda's. The dumpsters have overflowed for years. That is attracting the rats.

Employees: Zelda's employees were asked numerous times to please move the trucks when they are blocking the alleys. They give us dirty looks and walk away as if I should move or wait all day. The disrespect they showed me a senior citizen, with groceries etc. when I tooted my horn for them to move was appalling and frightening. Last time I was given the finger and told to go around. I was then approached by another her employee at rear of my car to try to further intimidate me.

I called Linda to report this and her response was that "it was not seen on her surveillance camera", basically dismissing my concern.

Linda claims she wants to be neighborly, but her employees need a few lessons.

Overflowing dumpsters - I can't say enough about that. Including the garbage that litters the alleys with hair nets, masks, and food the animals have picked from the garbage. Many times they empty, ice, and other liquids as well.

Parking - This is one of the concerns that is all important to the neighborhood. Because of the parking issues, we haven't had regular leaf clean up, snow removal or street sweeping.

We feel that the request for the parking variation will make things worse. Does this mean more employees, customers, and deliveries and where will they park or drop off?

Best,

Timothy and Christina Erler
8333 Kedvale, Skokie