

**VILLAGE OF LAKE BLUFF
RESIDENTIAL BUILDING AD HOC COMMITTEE
MEETING**

May 18, 2017

APPROVED MEETING MINUTES

1. Call to Order and Roll Call

The Village of Lake Bluff Residential Building Ad Hoc Committee (RBC) met on May 18, 2017 in the Village Hall Board Room (40 E. Center Avenue) at 6:30 p.m. and the following members were present:

Present: Brad Andersen
 Jennifer Beeler
 Leslie Bishop (arrived at 6:32 p.m.)
 Deb Fischer
 Matthew Kerouac
 Cheri Richardson
 George Russell
 Scott Streightiff
 Jim Moss, Chair

Also Present: Drew Irvin, Village Administrator (VA)

2. Non-Agenda Items and Visitors

Chair Moss stated the RBC allocates 15 minutes for those individuals who would like the opportunity to address the RBC on any matter not listed on the agenda.

There were no requests to address the RBC.

3. Discussion Regarding Committee Work Plan

Chair Moss commented that the Village Hall may not be the best setting for all of these discussions and that should be discussed. Following a suggestion by Chair Moss, each Member introduced themselves and shared their interests in serving on the RBC.

Chair Moss offered his appreciation to the Committee members for their service and stated that he welcomes the establishment of the RBC. His goal is to keep the residential development process simple while finding ways to make the process more efficient, effective and more transparent. The RBC should try to avoid addressing Lake Bluff's character and focus on the non-exhaustive list of "perceived problems" with the current residential regulatory environment as outlined by Staff. Chair Moss said that he views the RBC as a representative form of government and his goal is to define issues that could be addressed by the standing advisory bodies such as the PCZBA, ABR and HPC.

Chair Moss said it would appear that zoning regulations and historic preservation are the two broader categorical items on the non-exhaustive list of "perceived problems" with the current residential regulatory environment list and suggested the group begin with a conversation regarding specific preservation efforts which the RBC should address.

Member Richardson provided information regarding ongoing Historic Preservation Commission discussion noting the committee recently held a workshop meeting and discussed the historic preservation ordinance, landmark process and historic districts. The HPC was directed by the Village Board to review the historic preservation ordinance because under the current regulation the HPC may delay a demolition request but cannot deny the request. Member Richardson stated that she was enthusiastic about the professional background and training of the RBC members and looks forward to hearing from both the real estate and architectural perspectives surrounding the Village's preservation ordinance.

Member Fischer said Lake Bluff currently has a balanced market in comparison to the City of Lake Forest which has a longer delay period and historic districts. The perception is that developers do not want to work with the City of Lake Forest because of the more rigorous tear-down prohibitions and Member Fischer said Lake Bluff should be cautious when considering imposing stricter prohibitions so as not to drive away potential reinvestment.

In response to a question from VA Irvin, Member Fischer stated that the market balance bench mark for the more expensive homes in Lake Forest is close to 36 months and noted real estate can be more about perception than reality.

Member Andersen asked what specifically defines a historic structure under the Village regulations. Member Richardson reviewed the criteria for landmark historic home designation, noting the HPC surveyed homes on the east side of Lake Bluff which were designated either contributing or non-contributing to the historic value of Lake Bluff. She noted a home that is 50 years old cannot be demolished until it goes through the significant demolition application process.

Member Bishop commented on what could be built on the vacant lot noting maybe the Village should consider having a bulk ordinance for different size lots. She offered that it is easy to build a larger home on a small lot and maybe this would solve some of the problems.

Member Richardson commented on the concerns expressed during the recent public meetings regarding the home on Sunrise Avenue and how the demolition would change the streetscape of one of the most recognizable and iconic streetscapes in town. Member Andersen said it would be helpful to have a list of contributing homes in town. He further commented that current zoning would not allow many homes which he deems historically relevant to be rebuilt in their current state. Member Anderson stated that the Village must be careful not to make the zoning so restrictive that a home build today would not be considered or valued as historic 50 years from now.

Member Richardson said the current group of young home buyers are not necessarily looking for a fixer-upper house, but would rather demolish a house to have an open floor plan and other modern conveniences.

In response to a comment from Member Beeler, VA Irvin said the inventory that was completed of historic structures and their rating of contributing/non-contributing is available on the Village's website. He said that there is no specific inventory of homes over 50 years. Those are reviewed when a demolition permit is submitted.

Member Beeler clarified that there are the people that have to go through the zoning process and those that do not because of the design or renovations and questioned if we are changing the structure of Lake Bluff by not requiring them to go through a design review Board process.

Member Bishop said the homes on the east side of Lake Bluff would fall into this category because their big homes built on small lots and it's common for developers to submit a variation requesting to make the home even larger. It is difficult for the PCZBA to deny the request because the only other alternative is to demolish the home. She said you would feel terrible if you vote no to someone who is going to demolish a structure that you want to keep so you vote yes to cover up more land in East Lake Bluff. She said as a Village we have to come to grips with the fact that we have to be realistic with the buyers.

Member Richardson inquired if one of the questions presented to buyers is “do you know the house is landmarked?” before they purchase it and they must seek approval from the Advisory Boards to renovate the home. Member Fischer commented on the Lake Forest housing contract application process noting relators may not be aware and it would be beneficial to inform potential buyer of any obligations involved with purchasing a landmarked home. Member Fischer said she was not aware of any official local studies comparing homes sales with historic districts and those outside of historic districts.

Member Bishop inquired of the percentage of homes torn down by private owners versus developers. VA Irvin said when projects come through the front door we will know generally if it is a spec home or new home. He said spec homes are still happening at a low volume, and that there is more custom home activity. VA Irvin said one matter discussed by the Architectural Board of Review (ABR) was the question of design review for every newly constructed single-family home in town and, ultimately, the ABR decided not to recommend this. The ABR discussed for a period only reviewing spec homes and he said, informally, that happens right now. It is done very informally and the Village has had some success but we do not do it with a very heavy hand because, again, it is being done very informally. VA Irvin stated that the conversation at the ABR now involves the possible legislation of material standards and this is the path they are going down to focus on quality materials to push/perhaps result in design improvements.

Member Kerouac said the ABR chose not to look at new single family homes which to him constitutes an intrusion on the rights of the property owner. The ABR do not want to tell people how to design their home but would love to be able to create a level of integrity on the projects.

In response to a question from the RBC, Member Kerouac said currently there are no design guidelines for new single-family homes. VA Irvin said not in the residential area but in the Central Business District there are special design guidelines that are codified and some informally discussed that are not yet finalized.

Member Fischer asked if the Village has the ability to require design review for spec builds only. VA Irvin said he would need to confirm with the Village Attorney on this question.

Member Andersen said maybe it would make sense to require design review when zoning relief is sought, and that might trigger a second level of oversight so that the home addition they put on is architecturally appropriate. As an example, he continued, the request would be subject to an ABR review process so they can have some insight in regards to the architectural features. This would not apply to something by right because, again, he is sensitive to taking away property owners rights but if they want a variance there could be tools available. Member Andersen asked if comments or conditions related to design were outside the purview of the PCZBA and HPC. He stated that the petitioner needs to know what they are applying for, and he does not believe that the PCZBA is supposed to be telling people how to design their house. VA Irvin said from the PCZBA

perspective that is a bulk control, the appearance of bulk is the volume which that structure is occupying.

Member Russell asked if there was an analysis done on the Sunrise Avenue property, the house itself on the existing lot, to determine if the home could actually be larger. VA Irvin said no one has determined the size of the home that could be built on the lot.

Member Bishop said the PCZBA does not see people that are building homes that meet the criteria of the lot, only the people that are asking for more than the code allows.

Member Russell expressed his opinion the town is pretty much where it should be and he is personally opposed to developing a regulation that would give a group or individuals the ability to say to a homeowner they have to save their home. He said homeownership to a vast majority of people is a big part of the lives and wealth, and that is a huge imposition on people to make that kind of decision. Generally, he is opposed to the Village going in that direction and noted that with the preservation regulations in place right now, the Village could possibly delay a demolition for one year right now.

Member Richardson said awareness is one of the challenges faced by the Village. She added that most of the people in town do not pay attention to this until it is the house next door to them being demolished. She said significant demolition information should be provided to potential buyers of older homes. She said homes that do not require significant demolition should be reviewed by Staff and not come before the Boards. The HPC does want to maintain the character of Lake Bluff but be thoughtful in a way that will allow vibrant growth in the community.

In response to a comment from Chair Moss, Member Richardson said the HPC has not discussed the 50 year trigger.

Member Fischer asked if there was information on the Village's website regarding the home buying process. Member Richardson said the landmark application and preservation ordinance are available on the website.

Chair Moss said there were multiple issues to consider when landmarking a home and if this caused the HPC any challenges. Chair Richardson said the HPC does not find that challenging but the application we are looking at making easier for homeowners to complete. The challenge is getting homeowners to want to landmark their home. VA Irvin said certifying a landmark home is the most powerful tool available now to the Village that prescribes that certified landmark owners must come in to seek approval of proposed modifications to the home.

Member Fischer asked how the current owner and future buyers would be impacted if the home is a certified landmark. She asked if incentives might be considered rather than punitive regulations or processes.

Member Streightiff said he is a big fan of historic preservation and embracing change. Should the RBC decide to support historic preservation it should decide which features (size or age of the home) needs to be preserved. VA Irvin said the Village's ordinance and HPC goal regarding the preservation efforts they are trying to achieve for the Village is included in the application. The HPC recently discussed heritage lots, this might be a win-win situation where the Village could achieve one of its long term objectives by making those lots somehow maintain their buildability

over time. The idea that these smaller lots are our heritage and have served the purpose of providing an opportunity for smaller housing, which could increase the Village's housing stock and possibly create value for the owners.

Member Andersen said should someone apply for a building permit to build a new structure on a small "heritage lot", they could not construct what is currently there because of the existing setbacks, bulk regulations and daylight plane regulations. Certain homes on East Prospect Avenue could not be replaced, which in his mind contributes to the existing streetscape, could not be rebuilt in their current location because of their proximity to the ravine. He suggested that the Village somehow needs to preserve the ability for these homes to be replaced to contemporary standards and building types if they are demolished.

Member Russell said all those lots on Prospect Avenue are really small lots, you can tear the house down and put a new home up but the homes will have to be smaller than the existing homes.

Member Andersen said on a 25 ft. lot the minimum setback is 5 ft., so you are left with a 15 ft. wide structure. Member Russell provided background information associated with the development of the original bulk regulations.

Chair Moss said one thing that should be put on the RBC agenda is what could be done with certain lots to change zoning to allow more flexibility. Chair Moss said the issues with the bulk ordinance includes the definition of FAR; we have daylight plane, more recently the attic floor area conversation, impervious surface and the garage bonus, etc. His view is the RBC will not be able to address each issue and asked the RBC to figure out a way to come up with some more realistic recommendations about what we think could be built in a regulation from a zoning perspective to simplify the process.

Member Andersen said the discussion should be limited to a finite number of areas but one area that he hopes the RBC can look at, which is one of the biggest issues with the zoning code, is regulations for the R-5 zoning district. He said multi-family district is virtually unbuildable under the current zoning and he think one of the larger problems we have in town is diversity of housing types. The multi-family zoning district is there in place in town yet the single-family zoning codes dictate what can be built, so if you want to build a two story building on a lot in the R-5 District you have to have four parking spaces, meet the requirement for impervious surface and setbacks that are designed for single-family homes.

Member Fischer said currently there is no differentiation between new construction and renovations in term of bulk. As we are trying to incentivize people to keep some of the older homes could we have the bulk limitations be in their favor as opposed to a new development. Member Russell said for the most part there is no difference and there is one related to the bigger homes that were built further out on the grounds, so we developed a modification to the code to not penalize the home for not having a basement approximately 4 ft. out of the ground. Whereas, with a newer home, we count the entire basement as first floor above grade, but we do not have anything beyond that.

Chair Moss said are the rules around a new build versus new construction are not clear. He has heard of homes where it looks like a tear down, but a certain wall and some of the structure is preserved so it is technically not all new construction. Member Russell said that those types of project are a percentage of what occurs but it is a challenge.

VA Irvin noted that certain Village regulations utilize different definitions that can cause confusion such as when does it trigger fire sprinkler installation versus when does it trigger preservation controls.

Member Kerouac said when he works with a client they try to maximize the use of the space, such as an attic, the current zoning is prescribing the issues that we are fighting. We have two competing regulations and we need to balance the code such as how to control size but allow for a variety of home designs.

Chair Moss said the most common criticism associated with the previously discussed attic regulation is that it will make all the roofs flatter. He continued that every roof line looking the same is a fear and what is it about that particular standard that creates those fears. Member Kerouac answered that in the Code an attic space is anything below a roof rafter and 7 ft. and above count toward FAR. Therefore, why make a taller attic which no one is going to live in, just for the aesthetics if it is going to penalize me, so you flatten out the roof to stay at 6 ft. 7 in. inside the area or the tallest point in the attic.

Member Russell provided clarity to Member Kerouac's comment by noting that the PCZBA was proposing to change it to the area below the roof rafter. The current regulation also states that you have to have natural light, ventilation and a stair well access. He states that should you just want to architecturally make a home with a 12 ft. peak but you do not provide a stair case up into that space, it is truly a pull down attic space used for storage, and the height regulation may prevent you from doing this at the attic regulations. Several months ago there was a proposal considered that would make it hardline for all that space to be considered and that would dramatically change what has happen over the past 20 years. He said architecturally maybe there is a way to look at some of the ridge line regulations where they could be soften to allow steeper roof lines.

Member Bishop explained why the PCZBA discussed attic space calculation noting consideration should be if we want huge houses on these lots in our town. Member Andersen asked what is the harm if the space is being used as an office and does not change the streetscape.

Member Kerouac said it seems like you are not minimizing bulk but living space and maybe this should be discussed.

Member Streightiff expressed his understanding that attic space is not counted as FAR for pull down access as opposed to a stair well. Member Bishop asked why we have a bulk ordinance if we are going to play games and maybe the bulk ordinance should be bigger so we are not playing all the games to make it work.

Member Andersen said from a real estate perspective the Village has to be competitive with other communities as it is the last outpost on the North Shore; therefore, it needs a product that potential buyers want to move into. Currently, areas outside of Lake Bluff that offer different products are selling at a more rapid pace.

Member Bishop asked if the older historical homes were really the problem. Member Fischer said they are more challenging because they are more vintage and more of the buyers are afraid to invest in vintage homes because the possible improvements could be a challenge.

Member Andersen said many of the existing older homes are non-conforming so they automatically

require a variance which needs to be considered on a case-by-case basis by the PCZBA to determine how it will impact the neighborhood.

In response to a comment from Member Richardson, Member Andersen said it would be great for Staff to provide the RBC with the Glencoe bulk rules. VA Irvin asked what is the score card or instrument for comparing such regulations or deeming one better than the other. Member Andersen said builders have said that it is a lot easier to build in the Village of Glencoe and the regulations are less stringent. There is a lot of really interesting historic architectural there than tends well with the new construction. A discussion followed.

Chair Moss asked for comments regarding impervious surface limitations.

Member Russell provided background information on the impervious surface regulations noting anytime of gravel surface or patio is counted as impervious under the limit. The east side of town has smaller lots and neighbors fight a lot about stormwater water impacts from adjacent or nearby properties.

Chair Moss recommended scheduling a meeting next week and asked the RBC members to submit 5 to 8 issues to discuss.

Member Russell asked for clarification on item #6 (Subdivision and zoning regulations promote large, single-family homes on large lots) because he does not understand this. The Village has zoning districts where there are small lots and the bulk limits require small homes. VA Irvin said the intent is that the Zoning Code and Subdivision Regulations tend to default to detached single-family in favor of any other form of housing product type and also the idea that for example the heritage lot concept, it does not allow that to remain as a buildable lot but create a larger lot for a bigger home. A discussion followed.

Member Bishop said there is nothing on the list of discussion regarding natural scape in the Village and asked if the landscaping/tree ordinance might be discussed.

VA Irvin asked the RBC member to provide him with their availability to schedule future meetings. He also noted he has done a group tour with other Advisory Boards and noted this is an option for the RBC. The goal is to televise all meetings but you can conduct workshop meeting in other venues such as the PSBCR.

4. Village Staff Report

VA Irvin advised of the resources available for the RBC such as zoning maps and electronic resources.

5. Chair's Report

Chair Moss had no report.

6. Committee Member's Report

There was no report

7. Adjournment

There being no further business to consider and upon a motion duly made by Member Richardson and seconded by Scott Streightiff, the meeting was adjourned.

Respectfully Submitted,

R. Drew Irvin
Village Administrator