

**VILLAGE OF LAKE BLUFF  
JOINT PLAN COMMISSION & ZONING BOARD OF APPEALS  
MEETING**

**JUNE 17, 2015**

**APPROVED MINUTES**

**1. Call to Order & Roll Call**

Chair Kraus called to order the regular meeting of the Joint Plan Commission and Zoning Board of Appeals (PCZBA) of the Village of Lake Bluff on Wednesday, June 17, 2015, at 7:00 p.m. in the Village Hall Board Room (40 E. Center Avenue).

The following members were present:

Members:     Leslie Bishop  
                  Michael Goldsberry  
                  Elliot Miller  
                  Gary Peters  
                  Steven Kraus, Chair

Absent:        Sam Badger  
                  Mary Collins

Also Present: Andrew Fiske, Village Attorney  
                  Brandon J. Stanick, Assistant to the Village Administrator (A to VA)

**2. Approval of the April 15, 2015 and May 20, 2015 Meeting Minutes**

Member Miller moved to approve the minutes of the April 15, 2015 meeting with comments from Member Goldsberry. Member Bishop seconded the motion. The motion passed on a unanimous voice vote.

Member Bishop moved to approve the minutes of the May 20, 2015 meeting with comments from Member Goldsberry. Member Miller seconded the motion. The motion passed on a unanimous voice vote.

**3. Non-Agenda Items and Visitors**

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

There were no requests to address the PCZBA.

**4. A Public Hearing to Consider a Variation from Section 10-4-21 of the Lake Bluff Zoning Regulations Regarding Irregular Lots to: (i) Allow an Approximate 8 ft. Encroachment into the Required Rear Yard Setback Along Sylvan Road; and (ii) Any Other Zoning**

**Relief as Required to Construct an Arbor, 6.5 ft. in Height, at the Property Located at 404 Moffett Road**

Chair Kraus introduced the agenda item and requested an update from Staff.

A to VA Stanick reported the Village received a zoning application from Vincent Flannery and Jodi Barke (Petitioner), property owners of 404 Moffett Road, requesting a zoning variation to allow for the construction of an arbor that would encroach 7 ft. 6 in. into the rear yard setback along Sylvan Road. The arbor is 6 ft. 6 in. in height and 4 ft. 2 in. wide and will be placed at the northeast corner of the house adjacent to the attached garage.

A to VA Stanick reported the lot is classified as an irregular lot and pursuant to the Zoning Code, setback requirements for irregular lots are the same as the setback requirements for immediately adjacent lots along the common lot line. The parcel is also classified as a through lot, which is a lot having its front and rear yards each abutting on a street or street right-of-way; 404 Moffett has a front yard along E. Sheridan Pl. and a rear yard along Sylvan Rd. The setback for through lots shall conform to the front yard setback requirements of the zoning district in which such lot and the lots adjoining it on either side are located. Both 404 Moffett Rd. and its neighboring lot, 421 Sylvan Rd., are located in the R-4 Zoning District. The required front yard setback is 20 ft. in the R-4 Zoning District, and because 404 Moffett Rd. is a through lot, setbacks from each street are the same at 20 ft.

In addition, he reported there is a line of tall bushes along Sylvan Rd. that screen the northeast corner of the property at the Sylvan/Moffett Rd. intersection. The existing bushes are located in the Village's right-of-way. Also, the existing bushes are located in an area that creates a public safety hazard by interfering with vehicular sight lines at the Sylvan/Moffett Rd. intersection. The Petitioner has been made aware of this existing condition which will require an alternate landscape plan, and if the Petitioner would like to continue with landscape treatments within the Village's right-of-way, Village Board approval will be required.

Village Attorney Andrew Fiske stated the Zoning Code defines irregular lots as three sided lots and noted this parcel is considered an irregular lot as opposed to a traditional corner lot because it has elements of both a corner lot and through lot.

Chair Kraus administered the oath to those in attendance and opened the public hearing regarding the matter.

Ms. Barke stated extensive interior and exterior remodeling has been done to beautify the property. The exterior construction process began last year. She stated construction of the arbor as the start of a pathway leading to the rear of the house would further enhance the exterior of the home. Ms. Barke stated the proposed arbor is purely decorative and there will be vines planted to grow over the sides.

Chair Kraus asked if there were any additional plans to encroach into the setback. Ms. Barke stated there are no further plans to change the footprint of the home.

Member Peters inquired of the approximate dimensions of the proposed arbor. A to VA Stanick stated the proposed arbor dimensions are 6 ft. 6 in. in height and 4 ft. 2 in. in width.

Andrew Orsini, Construction Manager, stated the outside post would be 4 ft. 2 in in width to allow an appropriate entryway to the rear of the house. In addition, he noted the intent is to plant vines to grow over the proposed arbor.

Ms. Barke stated positive compliments from passersby have been received regarding their existing landscape.

Member Bishop expressed her appreciation for the thoroughness of the materials presented to the PCZBA and noted the improvement will be nice.

Member Goldsberry thanked the Petitioner for the presentation and expressed his understanding the proposed arbor would not be permanent. He commented on the traffic flow along Sylvan Road and asked if the proposed arbor would create a blind spot. Mr. Orsini stated there will be no visual impairment as the arbor will be constructed immediately adjacent to the garage.

As there were no further comments, Chair Kraus closed the public hearing.

Member Miller recommended Village Board approval of a variation from Section 10-4-2I of the Zoning Code regarding irregular lots to allow a 7'6" encroachment into the required rear yard setback along Sylvan Road for the construction of an Arbor (6'6" in height) at the property. Member Bishop seconded the motion. The motion passed on the following roll call vote:

Ayes:	(5)	Goldsberry, Miller, Peters, Bishop and Chair Kraus
Nays:	(0)	
Absent:	(2)	Badger and Collins

**5. A Continued Discussion Regarding Updates to the Comprehensive Plan – Business Park**

A to VA Stanick reported the PCZBA was provided a discussion worksheet itemizing the previous 17 discussion points concerning the Waukegan Road Business Park which consists of the following sections: accessibility/connectivity, annexation and development and land use planning. He further noted links to the applicable sections of the 1997 Comprehensive Plan were provided to allow the Commissioners more convenient access to existing information.

A to VA Stanick reviewed the PCZBA Members feedback regarding the discussion points related to accessibility/connectivity.

Chair Kraus expressed interest in creating an outdoor open space area in the vacant lot north of the Chevy dealership.

Member Miller asked if an eminent domain type process could be applied to the space north of the Target Retail Center for construction of a bike/pedestrian path. Village Attorney Fiske stated eminent domains are traditionally used to widen public rights-of-way and could possibly be used for a bike/pedestrian path.

Member Bishop suggested the Village consider purchasing the land for the link and possible park area.

Chair Kraus suggested the documentation reflect the desire to link the north and south loops. A discussion followed.

Member Miller inquired about the use of eminent domain to accomplish a link between the north and south loops. Village Attorney Fiske stated he would provide a general overview of how eminent domain regulations may apply to that particular area.

A discussion ensued regarding annexation and development.

Chair Kraus stated annexation of parcels lying north of IL Rt. 176, east of U.S. Rt. 41 and west of the Union Pacific freight line tracks have been a vision in the Comprehensive Plan.

Member Bishop asked how the property would be annexed and if business had to approve annexation done by a municipality. Chair Kraus expressed his understanding the Village can only involuntary annex property where the Village completely surrounds the area. Village Attorney Fiske confirmed the statement made by Chair Kraus.

Chair Kraus stated there has been interest in the past about annexing the property on the north side of IL Rt. 176 west of the Union Pacific tracks; however, property owners at that time did not express any interest. He suggested pursuing annexation of this area as a future vision.

Member Bishop asked how much influence the Village is using regarding the north side of IL Rt. 176. Chair Kraus stated that State law gives communities a right to review areas up to 1.5 miles outside of their boundaries.

Chair Kraus stated as part of the Comprehensive Plan discussions the PCZBA should review the entrances to the Village specifically along Sheridan Road and possibly extending the appeal of IL Rt. 176 west of the Union Pacific tracks to Waukegan Road.

A to VA Stanick reviewed the land use planning section, the feedback received from the PCZBA and the discussion points. The PCZBA reviewed the future use for those parcels in the Business Park, and following a discussion of the matter, expressed its preference for “mixed use” for the Business Park which would include light manufacturing, retail/restaurant and office.

Chair Kraus noted his understanding the PCZBA reached on mixed use being the future land use of the Business Park. He also stated it’s relevant to identify subareas of the Business Park that would group the highest and best use for a specific subarea.

Member Goldsberry expressed his concern for the broad statements regarding retail use, in particular his concern about big box national retailers starting to feel like anywhere USA. A discussion ensued regarding the vision of future development in the Business Park.

Chair Kraus stated the PCZBA agreed the Business Park should be mixed use or the same “color.” He suggested, as part of the Comprehensive Plan, the vision for possible future development be identified with the following: (i) the south loop as primarily office use, (ii) the Waukegan Road Corridor as appropriately sized commercial/retail/business use (maintaining the 100 ft. setback), (iii) the northern loop as appropriately sized retail, and (iv) encourage larger retail developments along the U.S. Rt. 41 Corridor (north and south of IL Rt. 176).

Following additional discussion regarding encouraging uses for specific areas in the Business Park, A to VA Stanick stated that land use principles in the Comprehensive Plan should be used as a tool to organize the Business Park with highest and best uses that are consistent with one another instead of allowing the market place to determine where specific uses can go. A to VA Stanick reviewed the subareas of the Central Business District that is currently involved with the Downtown Visioning Project and how the concept could be applied in the Business Park.

Chair Kraus noted the underlying zoning for the subareas would be created to support the Village’s final vision.

Member Goldsberry stated this is a mature Business Park and expressed his concern regarding the vision that is taking shape. He expressed his preference to not allow signage in the 100 ft. setback from Waukegan Road and establish specific building heights for those buildings along the Waukegan Road Corridor. A discussion followed regarding future land use maps.

Member Miller expressed his preference for a multi colored land use map identifying subareas within the Business Park.

Member Peters stated the color scheme makes sense and would better protect the interests expressed regarding future development.

Member Bishop expressed her agreement with the written comments from Member Collins’ discussion points for Land Use Planning. She noted her preference for allowing mixed use throughout the Business Park and to have businesses determine the type of uses for the area.

Chair Kraus stated the overall goal is to provide future developers with the best case scenario of how the Village envisions the Business Park, as well as maximize the potential for the Village, property owners and businesses. Further discussion ensued regarding allowing mixed use or creating subareas in the Business Park.

Member Goldsberry noted that due to the expansion of the Business Park, Member Collins had suggested the Village explore the value of adding additional fire and police coverage west of U.S. Rt. 41. A discussion ensued regarding public service elements for the Business Park.

Chair Kraus provided an update to the group regarding the Park District’s Land Use Committee and its progress in reviewing and identifying certain uses (such as pedestrian connections) for parcels of land within the community. Currently, 123 parcels have been identified within the Lake Bluff and Knollwood areas and grouped to identify land use principles. He suggested the

group consider reviewing the open space element of the Comprehensive Plan following its review of the Business Park.

**6. A Continued Discussion Regarding the Review of Regulations Concerning the Subdivision of Lots and the Village's Bulk Requirements**

A to VA Stanick reviewed the residential bulk regulations primer which including details regarding building coverage, building height, building setbacks, daylight plane, floor area and impervious surface requirements.

Chair Kraus expressed interest in establishing parameters for discussion concerning the further subdivision of lots. Village Attorney Fiske stated that underlying any of the subdivision regulations is a balance of property rights as property owners cannot be denied economic use of their property.

Chair Kraus inquired if new subdivision regulations could take effect on a certain date and cover all new subdivisions after that date. Village Attorney Fiske stated should the subdivision regulations change the specifications could be written to take effect on a set date; however, the new regulations would not apply to a property owner in the process of subdivision before the regulations would change.

Following a comment from Member Miller, Village Attorney Fiske stated the subdivision aspects would be a subdivision code and the zoning aspect regarding bulk regulation is a different discussion.

Chair Kraus expressed his desire for the group to be made aware of what can and cannot be done in regards to future residential development. He stated he would like a recommendation to the Village Board be made in the fall.

Chair Kraus expressed his preference to discuss what can and cannot be done and inquired of any planning tools available for the Village to consider to slowdown teardowns and further subdivision of lots.

Member Peters expressed his interest in understanding the number of lots that have been subdivided over the past 10 years.

Chair Kraus inquired which lots within the Village can be subdivided based on the current zoning regulations. He also asked for additional data to better understand the scope of what the Village is facing.

Member Goldsberry expressed his preference to receive examples of bulk regulations from the surrounding communities.

**7. Commissioner's Report**

Chair Kraus stated the next regular PCZBA meeting will be July 15, 2015.

**8. Staff's Report**

A to VA Stanick stated the Downtown Visioning Workshop will be held on June 24<sup>th</sup> (7:00 to 9:00 p.m.) in the Village Hall Board Room to solicit the community's vision for the potential redevelopment of Central Business District Block Two and Block Three.

A to VA Stanick provided an update on the zoning petition filed by North Shore Preschool, LLC and noted the Petitioner advised the Village of their intent to withdraw the petition.

**9. Adjournment**

As there was no further business to come before the PCZBA, Member Goldsberry moved to adjourn the meeting. Member Miller seconded the motion. The motion was approved on a unanimous voice vote. The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Brandon J. Stanick  
Assistant to the Village Administrator