

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

**OCTOBER 21, 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, October 21, 2015, at 7:00 p.m. in the Village Hall Board Room (40 E. Center Avenue).

The following members were present:

Members: Sam Badger (arrived at 7:02 p.m.)  
Mary Collins  
Michael Goldsberry  
Elliot Miller  
Gary Peters  
Steven Kraus, Chair

Absent: Leslie Bishop, Member

Also Present: Andrew Fiske, Village Attorney  
Michael Croak, Building Codes Supervisor (BCS)

**2. Approval of the August 19, 2015 Meeting Minutes**

Member Goldsberry moved to approve the minutes of the August 19, 2015 meeting with comments from Members Collins and Goldsberry. Member Miller seconded the motion. The motion passed on a unanimous voice vote.

**2. Approval of the September 12, 2015 Special Meeting Minutes**

Member Miller moved to approve the minutes of the September 12, 2015 special meeting with comments from Member Collins. Member Collins seconded the motion. The motion passed on a unanimous voice vote.

**2. Approval of the September 16, 2015 Meeting Minutes**

Member Collins moved to approve the minutes of the September 16, 2015 meeting as presented. Member Goldsberry 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: i) an Amendment to the Existing Special Use Permit (SUP) Pursuant to Ordinance #2012-27 to Install Additional Antennae on the Existing Monopole and Related Equipment; and ii) any Other Zoning Relief as Required to Continue the Operation of Cellular Antennae Facilities at 45 E. Center Avenue**

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

BCS Croak stated the wireless antenna facility operates pursuant to an existing Special Use Permit (SUP) ordinance for telecommunication towers located in a residential district. T-Mobile is requesting an amendment to the existing SUP to co-locate additional wireless antennae on the existing monopole, as well as install related equipment at the base of the monopole within the existing enclosure at the rear of the Public Safety Building.

Village Attorney Andrew Fiske advised that T-Mobile is a Co-Petitioner as the initial SUP was granted solely to the Village. He stated there will be no changes to the tower but the additional equipment installed at the base could expand the footprint. The requested amendment to the SUP is required to show the location of the new antennae and related equipment.

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

Elton Manion, a representative for T-Mobile, stated the request is for an amendment to the existing SUP to co-locate their antennae on the existing monopole to meet the coverage needed for this area. He stated the equipment will not impact any of the existing features such as bulk, height, width, etc. The existing tower is approximately 164 ft. tall and the intent is to install four antennae on the upper 123 ft. of the monopole. Mr. Manion provided the PCZBA with drawings of the existing and proposed coverage plans.

Member Peters asked who owns the tower. Village Attorney Fiske stated the Village owns the property as well as the existing monopole.

Chair Kraus asked if there were impact fees associated with the lease of the tower. Village Attorney Fiske stated, should this request be approved, there will be an amendment to the existing lease agreement presented to the Village Board for consideration.

Member Goldsberry expressed his understanding the additional antennae would not impact the other telecommunication services and asked if there would be a dish mounted on the monopole. Mr. Manion stated antennae will be installed and will match the existing equipment.

Member Goldsberry stated as technology improves who is responsible for changes to the existing tower. Village Attorney Fiske there are mechanisms in the existing lease agreement that hold each carrier responsible for the removal of their outdated equipment.

In response to a question from Member Goldsberry, Village Attorney Fiske stated the Village would not be liable for any illness caused by the cell tower. Federal law specifically precludes land use boards from considering those types of impacts. He also stated that any request for changes to the existing tower must come to the PCZBA for review.

Member Collins requested the color of the new antennae match the existing equipment.

Chair Kraus closed the public hearing.

Member Collins moved to recommend the Village Board approve the proposed amendment to the existing SUP (pursuant to Ordinance 2012-27) as presented with the condition the equipment is

painted to match the color of the existing equipment. Member Goldsberry seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Peters, Miller, Goldsberry, Collins, Badger and Chair Kraus  
Nays: (0)  
Absent: (1) Bishop

**5. A Public Hearing to Consider: i) an Amendment to the Text of the Zoning Regulations to Establish “Liquor Stores (SIC 5921)” as a Special Use in the Light Industry District (L-1); ii) a Special Use Permit to Operate a Liquor Store at 910 Sherwood Drive, Unit #20; and iii) any Other Zoning Relief as Required to Permit the Operation of a Liquor Store at the Property**

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

BCS Croak stated Wine Brokers of Illinois, LLC is a high-end establishment currently operating at a facility located in Green Oaks, but is seeking to relocate to the business park. The applicant is requesting a text amendment to the Zoning Code to allow Liquor Stores (SIC 5921) as a special use in the L-1 District and a Special Use Permit (SUP) to allow the operation of a liquor store at 910 Sherwood Dr., Unit #20.

Chair Kraus stated the PCZBA recently reviewed the existing zoning use list for the L-1 District and asked was this proposed use identified designed as a special use. Member Collins recalled the PCZBA wanted it to be a special use; however, the classification has not been adopted.

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

Mr. Mark Miara, owner of Wine Brokers of Illinois, LLC (Applicant), and Mr. Chris Considine, an attorney representing the Applicant, introduced themselves to the PCZBA.

Mr. Miara provided background information regarding the company and stated he is seeking a larger facility with dock access to expand the business. He stated clients place orders for wine and liquor either online, by phone or in-person by appointment and local deliveries are made with a refrigerated truck. He noted some orders are shipped via UPS.

In response to a question from Chair Kraus, Mr. Miara stated the majority of the inventory is high-end wines, as well as high-end spirits. He noted a few pallets of product are kept at the location for delivery purposes because some customers like to donate wine for various charity events.

Chair Kraus inquired of the periodic tasting events. Mr. Miara stated tasting events will happen once per month at most and are requested by clients to sample new products. Generally, the tastings are performed by a winery.

Member Collins stated this is a very specific special use and should be described in a way that it is distinct from a basic liquor store. BCS Croak stated conditions can be included in the SUP that reflect the nature of the business.

Village Attorney Fiske stated a question the PCZBA may want to consider is where to impose a regulation that best fits this type of operation. He stated the text amendment could limit the

operation so it is only by appointment. In this case the text amendment would be specific to liquor stores that operate by appointment.

In response to a comment from Member Miller, Village Attorney Fiske clarified that anyone desiring to open a liquor store would have to come to the PCZBA for a SUP.

Member Collins asked what prevents this SUP from transitioning to a totally different business model.

Member Miller asked if the approvals could allow a change to a more open retail establishment. Village Attorney Fiske stated the condition can limit operations. Any condition would bind the SUP to the zoning application. Should the Applicant decide to change the business model to a more traditional liquor store that is open to the public then a change to the SUP would be required.

Member Goldsberry expressed his concern for opening up the area for more liquor stores and further expressed his concern with parking.

In response to a question from Member Peters, Mr. Miara stated he has clientele throughout the United States, as well as operates a company based in California. He noted each business operates under a retail license specific to its respective area of operation.

Member Peters asked if the hours of operation would be Monday thru Friday (9:00 a.m. to 4:00 p.m.). Mr. Miara confirmed the operating hours and noted any weekend special delivery hours would be for pick-up orders only.

In response to a question from Member Collins, Mr. Miara stated the tasting events would be during regular operating hours (Monday thru Friday (9:00 a.m. to 4:00 p.m.)) with a maximum of 10 participants and noted there will occasionally be food served during the event.

Village Attorney Fiske inquired of any interest to condition the SUP to limit on-site food preparation.

Chair Kraus inquired of the neighboring businesses. Member Badger expressed his opinion the multi-tenant building has sufficient parking.

Village Attorney Fiske stated, from an efficiency standpoint, making the text amendment more general and the SUP more specific, would be consistent with the PCZBA's past discussions regarding retail in this area. The conditions of the SUP can be made specific to this type of operation.

Member Goldsberry expressed his concern the text amendment would allow additional businesses of this type to operate in the business park.

Member Badger stated the broader text amendment would allow another vendor to come in with a similar model; however, the SUP process would allow an opportunity to apply regulations that meet a specific business model. A discussion ensued.

Chair Kraus reviewed the conditions for approval expressed by the Commissioners: the business operates Monday through Friday, from 9:00 a.m. to 4:00 p.m.; retail sales of alcohol will only take place over the telephone, online or in-person by appointment only; and the Applicant will host no more than one tasting event per month limited to 25 people at any one tasting event.

Chair Kraus closed the public hearing.

Member Collins moved to recommend the Village Board approve a text amendment to the Zoning Code establishing “Liquor Stores (SIC 5921)” as a special use in the Light Industry District (L-1) and approve a SUP for Wine Brokers of Illinois, LLC to operate a liquor store at 910 Sherwood Drive (#20) with the following conditions for the retail sale of pre-packaged alcohol for off-site consumption: (i) operations are from Monday through Friday, 9:00 a.m. to 4:00 p.m.; (ii) retail sales are not accessible to the general public, and may only be conducted online, by telephone or in-person by appointment only; and (iii) tasting events are allowed once per month limited to 25 people at any one tasting event. Member Goldsberry seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Peters, Miller, Goldsberry, Collins, Badger and Chair Kraus  
Nays: (0)  
Absent: (1) Bishop

Chair Kraus suggested the order of the meeting be amended to take agenda item #7 in advance of agenda item #6. There were no objections from the PCZBA.

**7. A Continued Discussion Regarding the Review of Regulations Concerning the Subdivision of Lots and the Village’s Bulk Regulations**

Chair Kraus provided background information regarding this item.

Member Collins expressed her preference that the Village balance property rights with any new review process so as to not burden residents.

Village Attorney Fiske stated any new process requirements created would be codified before they go into operation.

Member Collins expressed her preference to avoid imposing cumbersome processes on property owners.

Chair Kraus stated he envisions a document similar to the HPC’s criteria for houses that are at least 50 years of age. He stated the concept regarding historic districts has been discussed. The residents involved did not want a historic district because they do not want to lose control of their property rights.

Member Badger asked if renovations that increase the square footage of a home could be included in the discussion points.

Member Miller moved to forward the draft community character discussion points regarding the review of regulations concerning the subdivision of lots and the Village’s bulk regulations to the

Village Board. Member Collins seconded the motion. The motion passed on a unanimous voice vote.

Chair Kraus suggested the order of the meeting be amended to take agenda item #8 in advance of agenda item #6. There were no objections from the PCZBA.

**8. An Update and Continued Discussion Regarding Updates to the Village’s Comprehensive Plan**

Chair Kraus suggested a workshop in November to review the documents drafted by the former Plan Commission members.

**9. Commissioner’s Report**

At the request of Chair Kraus, BCS Croak confirmed the next regular PCZBA meeting will be on November 18, 2015.

**6. A Workshop Discussion with the Architectural Board of Review to Consider Preliminary Plans for the Proposed Changes to the Lake Bluff Middle School Building (31 E. Sheridan Place)**

Following a brief intermission, the PCZBA reconvened to conduct a workshop discussion with the Architectural Board of Review (ABR). The following ABR Members were in attendance: Members Neil Dahlmann, Carol Russ and Chair Robert Hunter. Village Administrator Drew Irvin was in attendance as well.

Mark Barry, President of the Lake Bluff School District #65 School Board, Dr. Jean Sophie, Superintendent of Schools for Lake Bluff School District #65 and Members of the Facilities Committee introduced themselves to the ABR and PCZBA.

Mr. Craig Siepka of Wight & Company, the project design manager, presented the preliminary plans for the proposed changes to the Lake Bluff Middle School building.

A discussion regarding the preliminary plans followed.

**10. Staff’s Report**

There was no Staff Report.

**11. Adjournment**

As there was no further business to come before the PCZBA, the meeting adjourned at 9:23 p.m.

Respectfully submitted,

Michael Croak  
Building Codes Supervisor

Respectfully submitted,

Brandon Stanick  
Assistant to the Village Administrator