

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

SEPTEMBER 16, 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, September 16, 2015, at 7:00 p.m. in the Village Hall Board Room (40 E. Center Avenue).

The following members were present:

Members: Sam Badger
Leslie Bishop
Mary Collins
Michael Goldsberry
Elliot Miller
Gary Peters
Steven Kraus, Chair

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

2. Approval of the August 19, 2015 Meeting Minutes

Following a brief discussion, it was the consensus of the PCZBA to defer consideration of the August 19, 2015 draft minutes to the next meeting.

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. Continuation of a Public Hearing to Consider: (i) a Variation from the Maximum Gross Floor Area Regulations of Section 10-5-6 of the Village's Zoning Regulations; and (ii) any Other Relief as Required to Convert the Existing Attic into an Office and Recreation Space for the Property Located at 403 E. Center Avenue

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

A to VA Stanick stated this is a continued discussion regarding the zoning application from Gregory and Barbara Sebolt (Petitioners), property owners of 403 E. Center Avenue, to allow for conversion of existing attic space to an office and recreation area, as well as the construction of a stairway. The proposed improvements add 398.25 square feet to the gross floor area of the house. The PCZBA discussed the matter at its meeting on August 19th and moved to defer the matter to allow the Petitioner additional time to review other alternatives and receive feedback from the neighbors. He noted feedback from the neighbors was provided through an email as well as transmitted in this evening's packet.

Chair Kraus stated the discussion last month considered whether to grant a variation for the build out of an attic where if the attic was included in the gross floor area calculation when the house was built the footprint would have been smaller. The situation has arisen where a new owner would like to build out the attic space and exceed the floor area allowed. This is something the group has struggled with for some time and discussed over the past months.

Chair Kraus invited the Petitioner to the podium.

Mr. Gregory Sebolt stated at the August meeting the PCZBA had expressed concerns regarding the neighbors support of the proposed dormers at the rear of the house, specifically the neighbor to the south. He stated the neighbors have reviewed the proposed plans and have no issues with the request. He asked the PCZBA to consider approving the requested zoning relief.

Chair Kraus requested comments from the PCZBA.

Member Badger stated he liked the concept of utilizing existing space rather than building additional space that would be noticeable from the exterior of the house. He expressed his support for this type of zoning variance.

Member Peters stated concerns were addressed by the PCZBA and the Petitioners reached out to the neighbors and obtained their support. The PCZBA now has to address at some point whether this issue needs addressed. Member Peters stated he is no longer opposed to the petition.

Member Collins stated she feels confident there is no hardship because there is a large basement that can be used to satisfy the need for space. She stated she does worry about the precedence that would be set should the PCZBA approve this request because the house is currently over bulk. There are too many houses that maximize the allowable bulk and noted she does not think the PCZBA should be setting this precedent as it could be considered a special privilege.

Member Miller expressed his agreement with Member Peters and stated he has no objection to the request as it will not increase the footprint of the house. He stated the fault is with the existing zoning regulations.

Chair Kraus stated the Zoning Code does not adequately address the issue and this type of request should not come back to the PCZBA, but should be planned into the home.

Member Miller moved to approve the 10.59% variation from the R-4 District maximum floor area regulations to allow 420.21 sq. ft. of additional floor area for the conversion of an existing attic to an office and recreation space. Member Goldsberry seconded the motion. The motion passed on the following roll call vote:

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

5. A Public Hearing to Consider a Request by Lake Effect Holdings, LLC for an Amendment to an Existing Special Use Permit to Operate a Brewery Located at 16 E. Scranton Avenue

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

Member Goldsberry recused himself and took a seat in the audience.

A to VA Stanick reported the Village received a zoning application from Lake Effect Holdings, LLC to operate a brewery/brew pub at 16 E. Scranton Avenue. Currently the Lake Brewing Company operates at this location pursuant to a Special Use Permit (SUP); however, the establishment will soon change ownership and will require a new SUP under the name of the new owner. The present owners are comfortable with allowing the property owner to take control of the SUP which would make it specific to the space and not the owner. A to VA Stanick stated the Petitioner notes that employee parking will remain the same; however, there is insufficient detail regarding the manner by which employee parking will be addressed. It is recommended the PCZBA consider a condition requiring the business owner to obtain an adequate number of parking permits (for parking at the Train Station) for the employees at this location. A to VA Stanick reported on the existing authorized hours of operation compared to new proposed hours of operation.

A to VA Stanick further stated no traffic demands or safety hazards are foreseen with this type of use. The Petitioner advises deliveries will not change from the current method; however, there is insufficient detail regarding the method by which the establishment currently receives deliveries and/or distributes product from the establishment. It is recommended the PCZBA consider a condition requiring that deliveries to and distribution from the establishment be made from the rear of the building and during early morning hours to limit the impact on traffic in the CBD.

Village Attorney Fiske commented on an example of an SUP specific to restaurant use and noted each time ownership changes the new owners must apply for a new SUP. The proposed action would tie the use to the space and not the owner.

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

Mr. Robert Douglass, Managing Member of Lake Effect Holdings, LLC, explained a similar streamlined process that was done with the Lake Forest Bank and Trust space at the corner of E. Scranton Ave. and Sheridan Rd. He noted this structure will provide some ease for the tenants without having to come back to the Village. Mr. Douglass stated he would consult the business owners regarding the number of parking permits needed. He stated the spaces at the rear of the building have traditionally used from public parking after 5:00 p.m.

In response to a comment from the PCZBA, Mr. Dave Burns, Co-Owner of the Lake Bluff Brewing Company, clarified the hours of operation for the establishment and noted their intent to keep the hours of operation the same. He stated their desire is to help support the vitality in the downtown and conform to the existing parking regulations. He stated they are willing to purchase parking permits as the establishment normally has three employees working at any one time.

Chair Kraus stated he does not have any problem with the request. He suggested the crowded outdoor dining area can make it difficult for pedestrians to use the sidewalk. Chair Kraus encouraged them to rethink the outdoor dining configuration to better manage sidewalk use without interfering with public access which is a violation of the SUP.

Member Collins concurred with Chair Kraus regarding the public access around the outdoor dining area.

Mr. Burns expressed his understanding with sidewalk access around the outdoor dining area. He expressed his opinion it is a benefit to the Lake Bluff brand to have a sense of vitality. Mr. Burns stated special events are held on Friday and Saturday nights to minimize impacts of big crowds and noted there is adequate staffing for large events such as block parties to manage the crowds. The majority of the sidewalk is on the adjacent side of the public right-of-way so it makes it challenging to set up anything structural to enforce patrons to remain in the designated area. He stated the situation is definitely on their radar and he is open to having a continued conversation to create a workable solution. Mr. Burns expressed his support for using parklets to create more public space and improve access along the sidewalk.

Member Bishop stated she has witnessed some customers extending the space by moving tables around. Mr. Burns stated the tables are within their designated store frontage.

Member Miller asked if the train station parking lot could be used on the weekend as this would allow more parking spaces. Member Miller stated there have been many delivery vehicles parked in front of Wisma and Mavery’s creating a difficult situation when driving along E. Scranton Avenue. He questioned if deliveries should occur in the rear of the building. Mr. Douglass stated there are authorized loading zones on Scranton and Walnut to accommodate.

Following a brief discussion, the PCZBA expressed their desire for the Village to address and enhance the walkability in the downtown, as well as enforce the use of loading zones.

Members Collins and Peters expressed their support for the new proposed hours of operation:

| Authorized Hours: | New Proposed Hours: |
|---|---|
| Monday through Thursday, 12:00 pm to 11:00 pm | Monday through Thursday, 11:00 am to 11:00 pm |
| Friday and Saturday, 12:00 pm to 12:00 am | Friday and Saturday, 11:00 am to 12:00 am |
| Sunday, 12:00 pm to 10:00 pm | Sunday, 11:00 am to 11:00 pm |

Member Collins moved to recommended the Village Board approve the request for a SUP to operate a brewery/brew pub at 16 E. Scranton Avenue with the condition: i) the business owner obtain an adequate number of parking permits (for parking at the Train Station) for the employees at this location, ii) authorize the new proposed hours of operation and iii) require deliveries to and distribution from the establishment be made from the rear of the building and during early morning hours to limit the impact on traffic in the CBD. Member Bishop seconded the motion. The motion passed on the following roll call vote:

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

Member Goldsberry returned to his position at the dais.

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

Chair Kraus stated the PCZBA has been asked to review bulk and massing regulations and the Village's subdivision regulations. He noted he would like to move this matter along to the Village Board for consideration. He advised the Historic Preservation Commission (HPC) has proposed increasing the demolition delay to 365 days and the Architectural Board of Review (ABR) has not completed their review, but are looking at requiring residential design review.

Chair Kraus stated the PCZBA held a workshop meeting on September 12th and provided an update on the concepts discussed during the workshop.

Chair Kraus stated while he served on the HPC, it would consider extending delays for the demolition of older homes without knowing the plans for redevelopment. The PCZBA should consider creating a delay which would allow residents to go through a site plan review process.

Chair Kraus stated there was a consensus during the workshop that any and all subdivisions should come before the PCZBA for a recommendation.

Member Miller stated the PCZBA should work on what would be allowed on a lot and not appearance which can be addressed by the ABR.

Member Goldsberry stated the PCZBA has been following the Comprehensive Plan and noted he does not feel the PCZBA is doing anything new than what it is charged with. Member Goldsberry inquired how the PCZBA can bring the Lake Bluff brand into this conversation. These are all good tools that allow us to do what is needed without creating undue burdens for homeowners.

Chair Kraus stated the HPC demolition delay is for homes at least 50 years old and there have been discussions regarding amending the review process for buildings less than 50 years old. He stated during the discussion he suggested a provision to determine if a new house should be proportional to the house that is torn down. The current trend in the Village has the builders building to the maximum allowable size for the lot and not in context of what was initially there or the existing streetscape. Chair Kraus inquired to what degree is the Village interested in having dialogue regarding managing streetscapes.

Chair Kraus stated new zoning classifications were also discussed because currently the Village, Lake Bluff Park District and the School District are not zoned for their particular use. Each entity is zoned with the underlying residential zoning. He also noted the Church properties could be subdivided into several buildable lots without Village review.

Member Goldsberry expressed his concern for larger basements that may be built in the future as this could affect the mature trees and canopy in the Village. He expressed his opinion the Village is not doing enough to protect the mature canopy. Chair Kraus advised of the Village Tree Preservation Ordinance and stated there are currently no regulations that address building too close to trees.

Member Badger expressed his agreement with Member Goldsberry. He stated he likes the concept of the institutional zoning district for the various public agencies, but expressed concern for some of the other concepts because of their impact on property rights.

Member Bishop expressed her agreement with Member Miller that focus should be on what is causing large homes to be built and focus on the regulations that manage the bulk. There are currently regulations now that need addressed to accomplish the PCZBA’s goal of minimizing bulk.

Member Collins expressed her support for “right-sizing” the bulk ordinance and new homes should be built to an acceptable scale.

Members Collins and Miller expressed support for reviewing the regulation concerning attic space as gross floor area. A discussion followed and it was the consensus of the PCZBA to review this provision.

Chair Kraus stated he would like to get something to the Village Board, ABR, and HPC so that they can see what we are doing and the direction of the PCZBA’s conversations. He stated the attic space and ravine should be added to the list as priority.

Member Badger expressed his agreement with Members Miller and Bishop regarding a review of the regulations that currently exist. He noted his preference to keep review processes as standardized as possible.

Following a discussion it was the consensus of the PCZBA to finalize the list at the next meeting and forward to the Village Board for discussion.

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

Chair Kraus stated he would like to schedule a workshop to review the documents of the former Plan Commission. Chair Kraus stated the PCZBA needs to finalize and submit a recommendation to the Village Board on the Business Park and asked it be added to next October PCZBA meeting.

8. Commissioner’s Report

Chair Kraus stated the next regular PCZBA meeting will be October 21, 2015. Chair Kraus recommended rescheduling the November meeting approximately one week sooner so as not to conflict with the Holiday. It was the consensus of the PCZBA to reschedule the November meeting.

9. Staff’s Report

A to VA Stanick provided an update on the Stonebridge Development.

10. Adjournment

As there was no further business to come before the PCZBA, Member Miller moved to adjourn the meeting. Member Goldsberry seconded the motion. The motion was approved on a unanimous voice vote. The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Brandon J. Stanick
Assistant to the Village Administrator