

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

MAY 16, 2018

APPROVED MINUTES

1. Call to Order & Roll Call

Chair Peters 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, May 16, 2018, 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 8:47 p.m.)
David Burns
Jill Danly
Elliot Miller
James Murray
George Russell
Gary Peters, Chair

Also Present: Ben Schuster, Village Attorney
Kathleen O'Hara, Village President
Drew Irvin, Village Administrator
Glen Cole, Assistant to the Village Administrator (AVA)
John Scopelliti, Administrative Intern (AI)

2. Oaths of Office for New Members

President Kathleen O'Hara administered the oath to Members Jill Danly, James Murray, and George Russell then congratulated everyone on their appointment. She said it is her wish that RIO (Institutional Zoning) and Comprehensive Land Use Plan be completed soon, and that the PCZBA will have serious discussions regarding housing diversity because there is a need for more residential housing options for Lake Bluff.

Chair Peters welcomed the new PCZBA Members and thanked former PCZBA Chair Steven Kraus and Members Leslie Bishop and Mickey Collins for their service.

3. Non-Agenda Items and Visitors (Public Comment Time)

Chair Kraus stated the PCZBA allocates 15 minutes during this item for those individuals who would like the opportunity to address the PCZBA on any matter not listed on the agenda. Each person addressing the PCZBA is asked to limit their comments to a maximum of three minutes.

There were no requests to address the PCZBA.

4. Approval of the April 18, 2018 PCZBA Regular Meeting Minutes

Member Murray moved to approve the April 18, 2018 PCZBA Regular Meeting Minutes as amended. Member Burns seconded the motion. The motion passed on a unanimous voice vote.

5. Approval of the April 3, 2018 PCZBA Special Meeting Minutes

Member Murray moved to approve the April 3, 2018 PCZBA Regular Meeting Minutes as amended. Member Russell seconded the motion. The motion passed on a unanimous voice vote.

6. Continuation of a Public Hearing for 431 Green Bay Road

Chair Peters continued the public hearing noting the applicant has requested additional time to complete the review and study request by the PCZBA.

Member Russell moved to continue the public hearing to the June 20, 2018 PCZBA meeting. Member Burns seconded the motion. The motion passed on a unanimous voice vote.

7. Pre-Application Workshop with Representatives of Kings and Convicts Brewing Company Regarding 927 North Shore Drive

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

AVA Cole said this is a proposed new use for 927 North Shore Drive located in the L-1 Light Industry District. If amenable to this use, the principal issue will be whether the PCZBA establishes it as a permitted (“by right”) use that can proceed without further PCZBA review or a special use where further review would be required.

Brendan Watters said Kings and Convicts Brewing Co. is a craft brewery currently located in Highwood Illinois then provided background information on the company and its products. Currently, the company has approximately 200 active accounts and distributes to bars, restaurants, supermarkets and retail outlets throughout Lake and Cook counties. At the current growth rate the brewery will be at its full production capacity at the existing site within the next 12 months. As a result the brewery is seeking a larger facility to expand operations and create a destination brewery experience.

Chris Bradley introduced himself and provided background information on the company. He said proper expansion is important because these are long term growth plans.

Mr. Watters said a destination brewery is important for business growth. The proposed 60,000 square feet facility can feasibly accommodate the next stage production brewhouse as well as a larger taproom, kitchen, outdoor area and catering event space. The proposed facility will consist of a taproom with a brewpub atmosphere, 150 seat internal taproom bar/kitchen, 150 seat outdoor patio/deck, 200 person capacity event space and 4 bay internal golf simulator area. The taproom will highlight the beer as well as allowed them to serve bar food such as pizza and burgers.

Mr. Bradley reviewed the proposed site plan for the establishment placing emphases on the proposed outdoor deck area.

Mr. Watters showed and commented on various out-of-state breweries with indoor/outdoor taproom. He explained the project overview associated with buildout cost, employment opportunities and operation completion timeline of 2019.

Chair Peters opened the floor to questions from the commissioners.

Member Russell asked if parking was reviewed with Staff because there is not much space to expand parking and on-street parking is not allowed. Mr. Watters said he does not think parking

will be an issue during the weekdays and he has spoken with the landlord regarding valet parking to accommodate the peak times on the weekends. The plan is to ensure the proposal is feasible before exploring any other parking options.

In response to a question from Member Russell, Mr. Watters said rear parking would not be allowed because they prefer to keep the area green space. Mr. Bradley said the marked loading zone areas could be used for additional parking because all loading will be done through the front bay doors. The current parking arrangement should be adequate for day to day use as well as Staff parking.

Member Russell said the Racquet Club of Lake Bluff have addressed the possibility of constructing four outdoor courts west of the proposed outdoor seating area and asked if the area would have sound implication for music. Mr. Watters said their exploring the possibility of planting trees/landscaping to screen the area and in terms of sound implication he thinks the proposed tree line will be sufficient.

AVA Cole said the Lake Bluff Police Department and Lake Bluff Craft Brewing Company have viewed the proposal and neither expressed any concerns. The parking regulations recognizes the need to encourage parking sharing, valet parking, amongst other ways to maximize parking through the Village. AVA Cole said it has been while since Staff have heard from the Racquet Club regarding an expansion and noted this could be in their long range plan but it does not seem evident.

In response to a question from Member Miller, AVA Cole said this was the former site of Catarina Foods but is now vacant and the landlord is seeking a long term lease.

Member Miller inquired of the location for the kitchen. Mr. Watters said it would be a 700/800 sq. ft. kitchen located within the existing interior footprint. The proposed taproom and kitchen will be used primarily for food preparation for on-site events.

Member Danly said there are a lot of communities that have embraced a destination brewery then commented on an article written about small communities and what can be done to enhance the experience. She asked if the company would be satisfied in Lake Bluff. Mr. Bradley said the proposed location would make them the second largest brewhouse in the Chicagoland area as well as allow for continued growth.

In response to a question from Member Danly regarding loading times, Mr. Bradley said there will be approximately 3 truck deliveries per day between the hours of 8:00 and 11:00 a.m. and he does not think there will be any problems because the loading docks are located in front of the building.

In response to questions from Member Murray regarding funding and employees. Mr. Watters said the existing group of investors have secured the \$4 million construction cost and he anticipate approximately 15 to 20 full time employees.

Member Burns asked if loading times could be managed. Mr. Bradley said they have specific suppliers and he believes they can do a reasonable job of managing the interior loading docks.

In response to a comment from Member Burns regarding the barrel system. Mr. Bradley said the ceiling height will allow for approximately 300 barrel in the facility. The plan is to start with 60 barrel and increase to a 120 barrel system.

Member Burns asked if the long term plan of 25,000 barrels is achieved, will the grain be kept internally, and if so, where will the silos be installed. Mr. Bradley said grain silos could be placed inside the interior loading dock area and the building height is sufficient enough to manage splitting the grains.

Member Murray asked if there were any plans to feature Lake Bluff on the product. Mr. Watters said currently everything is advertised with Highwood, Illinois but once the move occurs it will be Kings and Convicts Brewing Company, Lake Bluff, Illinois. Member Murray said he thinks this is an opportunity to associate the company with the Village branding and send a signal that Lake Bluff is pro-business in terms of rapidly growing entrepreneurs company.

Member Miller asked if the Village has received any objections. Village Administrator Drew Irvin said the proposal has been communicated and he has received two emails in support of the proposal.

President O'Hara said the Village is looking for destination points for the community that will drive other areas of interest and she thinks the industrial park can be this type of location. The opportunity could identify people that have not discovered what Lake Bluff has to offer.

In response to a questions from Chair Peters regarding lunch crowds and brewing times, Mr. Watters said the plan is to open the facility at 11:00 a.m. but he does not think there will be large lunch crowds. The brewing process will be done between the hours of 6:00 – 7:00 p.m., 5 days a week, 12 hour periods, in the production area.

Member Murray asked if the taproom and brewhouse would be separate uses. AVA Cole said it is typically considered as one use per property.

Chair Peters asked if there were any environmental issues associated with brewing. Mr. Bradley said they use whole grain for brewing and the areas are properly sanitized.

Chair Peters asked if there have been discussions with the surrounding business owners. Mr. Watters said they had a positive discussion with a representative from Bernie's Book Bank but have not spoken with anyone from the Racquet Club. It was requested that the Racquet Club be contacted before the applicant comes back before the PCZBA.

AVA Cole reviewed the options available to the applicant, denial, special use process or permitted use ("by right"). The major component of this business is the sale of alcohol which is controlled by the Village Liquor Commissioner pertaining to the structure of liquor sales. AVA Cole said the Waukegan Road Corridor Study is the most concrete vision for this site and it recommends making group hubs a "permitted use."

Member Russell said this is a special use activity as a permitted use would not allow the PCZBA an opportunity to view the outdoor site plan unless there is a variation request.

Member Murray said he would be interested in hearing the Village's viewpoint regarding this particular area. He said clear rules of engagement for economic development in this area could be arranged in manner to consider this a permitted use. This has the potential to be a great neighborhood in terms of creating economic traffic through the Village. He would be interested in understanding how this could be framed to telegram a clear set of rules that would invite other businesses to consider the L-1 District.

Member Miller expressed his agreement with Member Murray but said he believes the framing would exceed the applicant's timeframe, therefore, he would consider a special use permit based on the current proposed site plan.

In response to a comment from Chair Peters, AVA Cole said there are no major changes unless the applicant was to consider future modifications to the site that would change their exterior site plan. The proposed modifications would have to go through the Advisory Board process and require an amendment to the special use permit. He said exterior modification is where you would see the difference in burdens. The PCZBA should recommend that the same minimal conditions (hours of operation, outdoor dining, parking, etc.) be required to go through the Advisory Board process.

In response to a question from the PCZBA, AVA Cole said the Lake Bluff Brewing Company is operating pursuant to a special use permit. Member Murray said that should be the precedence for these type of establishments.

Village Administrator Irvin said the Waukegan Road Corridor Study was a comprehensive study discussed at the PCZBA. The initial study was to reduce the number of business uses or types of land use activities that would require a special use permit. It was to expedite a process for a vision for this particular area in the community that seem to be going in a certain direction by market activity. The idea was to make it a smoother process. At that time, the PCZBA as a governing body, desired to keep it in a more controlled element, special use permit, so the PCZBA did not change a lot of uses to "as of right" uses. He said Member Millers comment regarding the strict timeline, that these particular applicants, probably would not want to wait through that dialogue. He said there are a number of uses in the Central Business District that are special uses such as the Pilates Studio.

Member Burns expressed his agreement with Member Murray in concept. He commented on the ongoing Comprehensive Land Use Plan discussions and said he thinks a special use permit is the right direction to go at this particular time.

Member Danly said she thinks this is uncharted territory for the applicant and the special use permit is probably the best way to ensure a win/win for everyone involved.

In response to a comment from Member Danly regarding food trucks. Mr. Watters said they would like to explore the opportunity to have food trucks on the weekend to give patrons a change of venue. AVA Cole said he understands the Village position has been not to allow food trucks on public property as food trucks are controversial in some corridors for being a transient competition for moral businesses. He said the special use permit granted to Prairie Espresso was structured in a manner which allows them to bring in an outside vendor to operate in their area.

Chair Peters said he is more inclined to pursue a special use permit because he thinks it gives the Village time, if approved, to work through the process and possibly grant the relief sought by the applicant. He said at some point if such a use becomes a permitted use perhaps it may convert over for all the properties within the L-1 District. Chair Peters said conceptually from the commissioners he asked if there was any opposition to this approach. It appeared the PCZBA was onboard with the requested approach.

Chair Peters inquired of the next steps and timeframe for the proposal. Mr. Watters said the plan requires due diligence on their part which includes speaking with the landlord to continue mapping out their next steps in the process.

Chair Peters said this is a fascinating opportunity and recommended the applicants consult with Staff, if they decide to move forward, regarding the special use permit process and thanked them for the presentation.

AVA Cole mentioned Member Badger will represent the applicant, Kings and Convicts Brewing Company, as a commercial broker and he intends to rescue himself from the discussions.

8. RIO (Institutional Zoning) Workshop Discussion

Chair Peters asked Staff to provide an overview for the new PCZBA Members.

AVA Cole gave an overview on the history and ongoing discussions/work associated with RIO Institutional Zoning. He said Staff have prepared a draft ordinance based on a modified form of a Planned Development (PD) tool which are traditionally used for innovative residential and commercial developments but the PCZBA should also consider alternative approaches.

Village Attorney Ben Schuster commented on the common tools used in the area for institutional zoning noting most areas have created zoning districts to address issues such as bulk regulations. He said institutional uses are more intense uses in residential areas on sizeable properties, therefore, many communities have developed a PD to address the uses. He reviewed the draft PD presented in the packet and two-step process (preliminary and final) associated with a PD as well as the site plan review process.

Chair Peters said the institutional zoning issue is a top priority for the Village and noted that it is important to keep the process moving forward.

Member Burns commented on Exhibit A new draft Chapter 16 of Title 10, Paragraph 10-16-7 Long Range Development Plans in the “RIO” District, Subsection A- PCZBA Recommendation. He asked if the section was consistent with “it may depend” or if it was stating “when you do a development it will for all circumstances go through the Village Advisory Boards (PCZBA, ABR and Village Board) review process.” AVA Cole said the paragraph offers an applicant a different way of doing this and then are some very specific exclusions of things that does not have to go through the PCZBA process. These are some tools which other peer communities uses without making it be a preliminary plan, or binding on the applicant or Village, without being prescriptive on what it should look like. The applicant may come to the PCZBA workshop and more importantly get a vote from the PCZBA, ABR and Village Board. The applicant can dry run the process and get a vote on records at the end. He said this is more a political consequence not so much a legal consequence.

In response to a comment from Member Burns, Village Attorney Schuster said Chapter 16 of Title 10, Paragraph 10-16-7 is a slightly more formal pre-application process which will give the applicant an opportunity to request a vote from the respective Advisory Boards but it is not binding. He said Chapter 16 of Title 10, Paragraph 10-16-8 RIO Development Review Required – Outlines the formal review process.

Member Burns expressed his understanding that the prior ordinance allowed both informal and formal review processes and the applicant could request to go down the shorter path minus the exceptions. AVA Cole said there are some significant changes associated with concept, grandfathering, lot size, etc. that covers various exemptions. He said the individual concepts were grouped to make it simpler to understand the list of exemptions.

Member Burns said there are two issues at hand, one is the concept of institutional zoning and getting that put in place and other the efficiency of the process by which planning takes place. He thinks the institutional zoning process should be expedited because it would be beneficially. Also, he thinks it would be a good idea to have a planned development ordinance, in conjunction with the one step option, with these exceptions to allow project to be processed expeditiously. Member Burns said he do not like that the one step process does not address in many ways the inefficiencies of what have been seen through the applicants that have to keep coming back for this and that. He said this is a good first step but he do believe that the right thing to do is to come up with some combined one step processes. A discussion regarding a more extensive process followed.

Member Miller expressed his agreement with Member Burns and said he thinks institutional zoning should be established for the existing properties. Member Miller said he believe there may be a place for a master review, maybe a long range goal, but the plan should be to simplify the process.

Member Russell said he feels that the primary benefit of the proposed creation of the institutional zoning classification is to eliminate the possibility of Village, church, school and park district properties being converted to residential development as a matter of right. Lake Bluff is a well-developed town and if other governmental entities were forced to develop a master plan, the change within each of the properties will not occur rapidly. Also, the master plan will be outdated as soon as each committee changes members. It seems to him that a master plan could increase the level of bureaucracy for each governmental entity and asked if a master plan should be required for each development. He said the plan is to simplify the process and the short document will give the Village that protection. A discussion followed.

Member Murray agreed that simplicity should be maintained because the longer version of the document is complex. He said there is clearly a need to have institutional zoning and this could give the Village, if needed, a procedural process review at a later date.

Chair Peters said he is in favor of the second draft because the first draft was rather challenging. He thinks efficiency is critical and if needed the review processes could be revisited. He said based on the comments it appears the PCZBA is ready to move forward with this matter.

Village Attorney Schuster reviewed the next steps in the process should the PCZBA desired to move forward. The process would require a text amendment to create the RIO District, selection

of the appropriate properties, a map amendment to the zoning ordinance is needed to move those properties from the current zoning in the residential district into the new RIO District.

In response to a question from Member Miller, AVA Cole said each governmental entity, except the Churches, have been contacted. The Lake Bluff Park District expressed a major interest in institutional zoning but the other governmental entities said they have no desire to build anything soon but likes the idea of having a tool in place. A discussion regarding the process followed.

Member Burns asked if there was a reason not to pursue all three processes instead of piecemealing the review process especially if the PCZBA elected to pursue the simplified version.

Chair Peters said that seems to be the most efficient approach and if needed when we conduct a public hearing, if there is great public input, it can be continued. He said this could be an efficient process because a resolution could be reached sooner.

In response to a question Chair Peters, AVA Cole said the next steps for Staff would be to notice the text and map amendment, provide exhibits pursuant to the bulk regulations, prepare a final exhibit of the zoned properties, draft ordinance and examples of the bulk regulations.

Chair Peters commented on the exception in Chapter 16 of Title 10, Section 10-16-8, Paragraph A, subparagraph C, regarding removal of Class D Trees or any exotic and invasive species. He asked if the section could be modified so the Village will not have to address loss of screening/buffering as a result of clear cutting of invasive species. He commented on activities on Greenbay Road, north of IL 176, east side of the road noting there have been a fair amount of clear cutting of buckthorn which has adversely impacted some of the neighbors.

Member Murray said he would encourage the removal of invasive species and that the list needs to be reviewed in detail at the scheduled public hearing to ensure everyone understand what will occur.

In response to a comment from Member Burns, AVA Cole used the golf course/blair park properties as an example to explain how the exemptions listed in Section 10-16-8, Paragraph A, subgraphs a thru g, will currently apply to properties. He said the ABR discussed the site plan review process and it should come to the PCZBA as a text amendment.

Village Attorney Schuster said it is important to scrutinize the exemptions to make them as good as possible. He thinks the institutional zoning, based on the direction from the Village and PCZBA, will be a win/win for each respective governmental entity and lead to a better control process.

Member Russell said he cannot envision how a change to institutional zoning could result in the PCZBA reviewing more applications than what is currently reviewed under the residential zoning classifications now in place for Village, school, church, and parking district properties. Village Attorney Schuster said some projects could come forward on a special use permit, depending on the project. The institutional zoning is beneficial because it would allow the governmental entities flexibility to do projects that are more consistent with an institutional use without having to worry about residential standards.

Member Russell said there needs to be some type of equation tampered to lot size to provide some rational level of protection because he would be uncomfortable with a Village regulation that would allow an 80 acre structure on properties such as Blair Park which is how the proposed regulation is worded.

Staff Report

AVA Cole reported on the ongoing Comprehensive Land Use Plan discussions noting there is a draft list of goals, objections, and action steps reflecting the PCZBA’s scope of thinking at that time. The two track parallel process moving forward will consist of Staff providing documentation with statics, maps, etc. The PCZBA orientation of new members and educating the public to ensure the plan will reflect everyone’s vision. He provided information on the discussion regarding hiring a consultant to assist with public engagement. AVA Cole said the plan is to bring the draft back to the PCZBA before hiring a consultant or moving forward.

Chair Peters said it is important to maintain the momentum because the goal is to have the Comprehensive Land Use Plan completed by 2018.

9. Commissioner’s Report

AVA Cole said the PCZBA will be informed if there are any application received prior to the deadline for the next regular PCZBA meeting.

In response to a comment from Member Badger, AVA Cole said Village Administrator Irvin provided the Village Board with a report regarding the ongoing Stonebridge forestry restoration/management plan developed with the Roanoke Group. A discussion followed.

10. Adjournment

As there was no further business to come before the PCZBA, Member Burns moved to adjourn the meeting. Member Russell seconded the motion. The meeting adjourned at 9:25 p.m.

Respectfully submitted,

Glen Cole
Assistant to the Village Administrator