

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

JULY 17, 2019

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, July 17, 2019, at 7:04 p.m. in the Village Hall Board Room (40 E. Center Avenue).

The following members were present:

Members: David Burns
Elliot Miller
George Russell
Gary Peters, Chair

Absent: Jill Danly
James Murray

Also Present: Ben Schuster, Village Attorney (VA)
Glen Cole, Assistant to the Village Administrator (AVA)
John Scopelliti, Administrative Intern (AI)

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

Chair Peters 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.

Diane Sickles addressed the PCZBA on behalf of her daughter (Jamie Sickles) regarding a variation to construct a 6 ft. fence, behind shrubbery along Moffett Road and Woodland Road, prior to purchase of the property, to accommodate two Siberian husky service dogs.

AVA Cole said there has been an ongoing conversation between staff, the seller, and an interested buyer regarding a marketed residence on Moffett Road and Woodland Road. The individuals pursuing the request are interested in purchasing the property but cannot seek a variation because they have no contractual interest in the property. The perspective buyers wanted to discuss the matter with the commissioners, although zoning relief cannot be granted this evening. AVA Cole showed a picture of the proposed property and elaborated on the materials provided at the dais.

In response to a question from Member Burns, AVA Cole said this is a corner lot with essentially two front yards and the maximum fence height for front yards is 4 ft. and a 6 ft. privacy fence for side and rear yards. It is his understanding that the 6 ft. fence will be around the back and side of the house to accommodate the dogs.

Ms. Sickles said she is proposing to construct an expandable fence, 4 ft. when the dogs are indoors and 6 ft. when outside, behind the front hedges on Moffett Road.

In response to a comment from Member Russell, AVA Cole said this is a non-agenda item and anyone from the public may address the Commission. This is a good faith effort to provide the Commissioners and the potential buyer with information as the individual commenting is considering a real estate transaction.

In response to questions from Member Russell, Ms. Sickles said she is uncertain where the hedges are located in relation to the property line. She said a solid 6 ft. fence is needed for this particular breed and she believes the dogs will go through an electric fence.

In response to a question from Chair Peters, Ms. Sickles said there will be two Siberian Huskies training on the property.

Member Russell said a 6 ft. fence is allowed up to the front setback line but he does not think the setback lines on the drawings submitted are accurate.

In response to a question from Member Miller, Ms. Sickles said the request is to construct a 6 ft. fence in the front of the house, behind the hedges, not visible from the roadway. A discussion followed.

In response to a question from Chair Peters, Ms. Sickles said this species of hedges does not shed its leaves in the winter.

In response to a question from Chair Peters, AVA Cole said fences greater than 4 ft. are allowed in the Estate District to the north but not in the R-4 District. Chair Peters said this is not a formal petition but his position because of the species of dog would be to not limit the fence to the rear yard.

Following a comment from an individual in the audience, Member Miller asked if there were any problems with the height of the shrubbery. AVA Cole said landscape improvements of this nature should be constrained to within the property. The Village has occasionally done licensing agreements when significant landscape improvements extend beyond the property line, or the Village has partnered with homeowners to plant trees in the parkway.

In response to a question from Member Miller, AVA Cole said he does not think the hedges would be a problem, but he would have to research further, and noted that the plan is to maintain clear sight lines around the curve at the intersection.

Member Russell requested the individual clearly identify the location of the proposed fence because he thinks the shrubs are located in the right of way. He believes that a 6 ft. fence could be constructed to the required front yard setback but he thinks the house is setback further than the required setbacks. In response to a question from Member Russell, Ms. Sickles said they would prefer an area that will allow sufficient space for the dogs to run in the rear, side, and front of the home.

In response to a comment from Chair Peters, Ms. Sickles said she does not expect any noise issues because the dogs will not remain outdoors all day.

Chair Peters said barring any other comments from the commissioners present and as there are two commissioners absent, the committee is unable to provide any sort of definitive guidance this evening.

3. Consideration of the June 19, 2019 PCZBA Regular Meeting Minutes

Member Miller moved to approve the June 19, 2019 PCZBA Regular Meeting Minutes as presented. Member Burns seconded the motion. The motion passed on a unanimous voice vote with Member Russell abstaining.

4. Chair Peters Administers, the Oath to Those Participating in the Public Hearings

5. A Workshop for 917 North Shore Drive (Bernie’s Book Bank)

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

AVA Cole said this is a preliminary workshop with the representative of the property for Bernie’s Book Bank because events at this location have a relatively high parking demand. AVA Cole said the ownership has approached the Village seeking to expand the parking around the facility. They propose to construct parking on all four sides of the building, approximately 103 additional parking spaces, with setbacks ranging from 10 ft. off the property line to the back of the curb, and 4 ft. setbacks for other spaces. Similar to 101 Waukegan Road, any parking expansion is expected to require:

- Site plan review by the Architectural Board of Review;
- Zoning relief, as the parking will be too close to the lot line than permitted; and
- Watershed development review and the creation of adequate new stormwater storage.

Katie Bueno with Rosborough Partners, Inc. reviewed the proposed parking plans which could alleviate on-street parking for smaller events for their tenant, Bernie’s Book Bank. Ms. Bueno said the proposed project will exceed impervious surface requirements, then reviewed the stormwater management plans for a proposed stormwater basin located to the west, a swale in the area closest to the roadway, and native planting to help with aesthetics.

Member Russell said this is a multi-tenant building with two different addresses. He asked how much of the building does Bernie’s Book Bank occupy and if there was dedicated parking for the other businesses. Gary Swenson, owner of the building, said United Services currently uses the parking spaces to the right of the demising line and Bernie’s Book Bank uses the spaces to the left.

In response to a question from Member Russell, Mr. Swenson said there is a landscaped area on the southwest corner of the building but the plan is to pave that area as shown in the drawing and construct a swale along the entire perimeter of the building with native planting.

Member Russell inquired of the white curvy areas located to the west between the building and new parking. Ms. Bueno stated the area will have swaths of turf against the building with lower foundation plantings. Ms. Bueno said it was suggested that an additional hatched area be placed by the handicapped parking to allow the Fire Department access to the Knox box in that specific area.

In response to a question from Member Russell, Mr. Swenson said Bernie’s Book Bank is looking to increase their use of the building and based on his observation the additional parking spaces will be used at least once a week.

Member Russell expressed his belief that the proposal would probably double the current parking. He asked if the other businesses take up a lot of the parking shown on the site plan and if the parking could be done incrementally. Mr. Swenson said he has not reached an agreement with the tenants but this would be an ideal parking arrangement.

Member Russell expressed his concern regarding the mature trees in front of the property and requested the applicant research removal cost before moving forward with the project. Member Russell said he is not too excited about allowing a variation to protrude within 4 ft. of the property line or that would require construction of a swale in an area where there could be buried utilities. He said maintaining private plantings and a long narrow swale in the public right of way could be complicated. Member Russell said the Waukegan Road Corridor Study recommends at least a 10 ft. setback for parking in the area where 4 ft. setbacks are being proposed. He provided the applicant with a suggested sketch that would comply with the 10 ft. setback requirements. He said he is leery about voting for something that would allow parking within the four foot property line as this is a huge lot which has adequate space.

In response to a question from Member Burns, AVA Cole said 50 ft. parking setbacks are allowed along Waukegan Road, 15 ft. by right off of the interior property line, and a 75 ft. setback for structures. Member Burns said he wants Bernie's Book Bank to be successful and he is generally in favor of this type of concept, but he thinks stormwater will be a major concern and he wonders if the plan could be redone to allow for 10 ft. setbacks.

Member Miller commented on the parking configuration for the adjacent Jaguar building and inquired of their setbacks. He asked if they had considered single lane parking for the southwest side of the property. Ms. Bueno said several options were considered and the main goal was to achieve maximum parking to accommodate their tenant's needs and alleviate on-street parking.

In response to a question from Member Miller, Mr. Swenson said most of the events are held on the weekend but there are a lot of visitors throughout the week. Member Miller expressed his concern regarding the mature trees. A discussion followed.

Chair Peters said the applicant should be sure to have a very aggressive landscape plan because that is critical especially to the north side of the parcel but along the entire parcel just offset the visual impervious surface areas.

In response to a question from Ms. Bueno, AVA Cole reviewed the process and materials needed if they desire to move forward with this project.

6. A Public Hearing on Recreational Cannabis Regulations

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

AVA Cole said on June 25, 2019, Governor J.B. Pritzker signed into law Public Act 101-0027, also known as the Cannabis Regulation and Tax Act. The Act allows municipalities to impose local retailer occupation taxes and determine whether, and under what conditions, cannabis businesses may be established. Municipalities may also choose to allow, regulate, or prohibit the on-premise consumption of cannabis. The Act continues to prohibit consumption of marijuana in public places, possession by a minor, use near schools or in the presence of minors, and home delivery. He said the Act grants limited authority to municipalities to regulate commercial cannabis facilities or ban the businesses. Although the Village has home rule authority, it cannot prohibit:

- Individuals from possessing recreational marijuana;
- Consumption of recreational marijuana in private residences and/or private places; and
- Individuals with medical marijuana cards from growing a maximum of 5 plants in their home.

AVA Cole reviewed tonight's proceedings and noted that Members Danly and Murray were absent but submitted their comments via letters placed at the dais along with a newspaper article from Stephanie Bjork concerning drivers intoxicated by marijuana.

VA Schuster said tonight's discussion addresses recreational cannabis businesses not medical dispensaries. Pursuant to the Code, medical dispensaries are considered special uses but are exclusively governed by the separate medical cannabis use statute. He commented on zoning provisions and noted that, in the absence of a provision authorizing them, recreational cannabis businesses are not permitted in the Village..

VA Schuster said the Village Board directed the PCZBA to conduct the public hearing. If the PCZBA desires to prohibit recreational marijuana, it should make it explicit so there is no ambiguity, confusion, or argument that such businesses are permitted because they fits within the definition of another use. The Village Board recently adopted a Red Flag Resolution which advised of its intent to prohibit cannabis businesses within the Village limits, and prevent any possible "vested right" arguments as the Act legalizes recreational marijuana starting January 1, 2020. VA Schuster said he thinks there is some urgency for the PCZBA to take action before anyone invests and/or pursues this type of business. The PCZBA is not required to make a decision this evening but it is recommended that the committee does not prolong the process.

Chair Peters said the public hearing will start with public comments and conclude with a discussion by the commissioners.

In response to a question from an audience member, AVA Cole said the newspaper article submitted by Stephanie Bjork addresses challenges the State of Colorado has experienced when testing marijuana impaired drivers. He said Member Danly's letter shared the sentiments of the letter submitted by Member Murray regarding the process to be undertaken by the PCZBA in considering this item.

Kate Briand said she has a problem with the direction that the Village Board gave the PCZBA because it quashes public comment. She expressed her belief that Member Murray's letter alluded to: that the timing and presentation of the public hearing is disingenuous if the Village desires public comments. She understands there is a sense of urgency because of the possibility of vested rights but given the controversial nature of the matter, she would think there would be a need for more conversation not less. Ms. Briand said not everyone thinks as the Village Board and this could lead to a decision that was made without hearing from the public.

In response to a question from Member Russell, Ms. Briand said she takes a neutral position regarding recreational marijuana because she has not done her research. She is pleased that medical marijuana dispensaries are allowed because the facilities are needed and she recommended discussing the issue with surrounding communities which allow these type of businesses.

Peter McGuire said the planning element of the PCZBA is the most vital aspect in terms of the Village's future. He feels the PCZBA has been told what action to take because of the inbred nature of the advisory boards with each other and their relationships with prominent members of the community, and he believes PCZBA should not follow the Board's direction but instead do the research. Mr. McGuire expressed his concern regarding the proceedings for the Target Development because to him it focused more on traffic and less on crime. He asked the PCZBA to do its due diligence and research the financial

ramifications associated with this type of business because the committee should be able to tell its constituents why it voted to prohibit this type of establishment.

Jim Arnold said he has conducted extensive research on marijuana and he sees the medicinal aspects as the future. He read an article which states marijuana use amongst youth decreased in recreational states so to him the specious argument regarding protecting the children is not accurate. Mr. Arnold expressed his belief that legalization of marijuana is the future and he does not personally care if Lake Bluff allows a dispensary but the decision should be based on data not emotion. Mr. Arnold said maybe the L-1 District would be an appropriate location for an establishment and he thinks actual data should be used to decide because Lake Bluff could benefit financially from these businesses.

In response to a comment from Member Russell, Mr. Arnold said he is not in a position to make a decision on this matter and he does not care if Lake Bluff prohibits dispensaries and growth facilities, but if regulated in a coherent manner, he believes it would be beneficial from a monetary point of view. He thinks marijuana dispensaries decrease criminality and will provide revenue for the Village.

As there were no further public comments, Chair Peters opened the floor to questions from the commissioners.

Member Burns echoed some of the sentiments shared regarding the process. To him it was frustrating and disappointing when he learned that the PCZBA was instructed to prohibit this type of business. This type of direction frames public comments and the PCZBA's discussions in a perspective that he does not appreciate. Also, he would have loved to hear from other residents, but he is unsure why the public would come out and provide comments when this seems to be a done deal. Member Burns said at a minimum he would prefer to continue the public hearing until a future meeting.

Member Burns agreed that this is a big deal and locally the Village has no similar or analogous uses, other than medical dispensaries. He would prefer to receive feedback from other states/cities that have pursued this path regarding the risk associated with growing marijuana. He questioned if growing marijuana would damage the community and said these types of decisions are getting into determining the ethical nature of everything we make in business. Member Burns expressed his opinion that selling alcohol could be more dangerous than growing marijuana and noted that he is a founder of the Lake Bluff Brewing Company; therefore, he does not share some of the sentiments of those whom desire to prohibit these establishments in the Village. He would like to receive feedback from other municipalities and continue the public hearing.

Member Russell said he had no idea the PCZBA was given direction on how to vote regarding this matter. He assured the members in the audience that if he votes in favor of prohibition, he would not be doing it because he was directed, and he finds that direction offensive. He agreed with Member Murray that the Village should not rush any major decision-making during the summer months when residents are not around and he is in favor of continuing the public hearing.

Member Miller agreed that this is not the proper time to make a definitive decision regarding this matter. He thinks the Village Board had a knee-jerk reaction without taking into account residents' concerns and the public hearing should be continued to allow for additional public comments. Also, the community should be provided additional information regarding the matter. He would prefer to know how these types of businesses could negatively impact Lake Bluff. Member Miller said these types of businesses should not be allowed in the CBD but he thinks the L-1 District would be an appropriate area. Also, he

thinks these types of businesses could monetarily help the Village but he would like to receive input from the police department regarding this matter.

In response to a question from Member Miller, AVA Cole said each municipality and unincorporated areas of Lake County will establish their own rules. Lake County is convening a task force to create a model ordinance over the coming months for communities to use, and the task force may be used as the basis for County Staff to make recommendations to the County Board. Member Miller said he does not believe the PCZBA would be doing its due diligence if it makes a decision this evening and he proposes the public hearing be postponed. He said if these types of businesses are going to be allowed in unincorporated areas anyway then he would prefer the businesses be allowed to operate in Lake Bluff to capture the revenue.

Mr. Arnold returned to the podium and expressed his concern regarding police involvement in regards to alcohol and marijuana establishments.

Chair Peters said he has not done any extensive research with respect to impairment but it is his understanding that after legalization of recreational marijuana, the number of impaired drivers dramatically increased in the State of Colorado and he thinks there have been other medical and societal impacts. Chair Peters said pursuant to Federal Law cannabis is prohibited and is a Schedule 1 Controlled Substance and neither the Drug Enforcement Administration (DEA) nor United States Department of Justice (USDOJ) have taken any affirmative action to change this classification.

Chair Peters said he is at a loss to what the benefit would be, other than some taxation derived benefits, to the community if cannabis businesses were allowed. He does not see any negative impact on the citizenry if the businesses were prohibited because this particular endeavor will be available in other communities. Chair Peters said based on his limited research he is not sure that a marijuana dispensary would be compatible with the Village values, ideas, or general permitted commercial activities. Chair Peters said he thinks the consensus of the PCZBA members present is to continue the public hearing to a future date.

Mr. McGuire returned to the podium and said he requests to know who will do the research to provide constituents the financial benefits and negative aspects of what might be perceived. He asked if the PCZBA was actually willing to conduct extensive research on the matter for future discussion.

As there were no further comments, Member Burns made a motion to continue the public hearing to the August 21st PCZBA meeting. Member Miller seconded the motion. The motion passed on a unanimous voice vote with Chair Peters voting Nay.

7. Discussion Regarding Zoning Use Table Amendments (L-1 District)

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

AVA Cole said the PCZBA previously discussed use regulations in the L-1 District and directed staff to prepare detailed recommendations concerning (i) permitted and special uses, (ii) the interpretation of SIC codes in the use tables, and (iii) administrative interpretations of unlisted uses. The changes are intended to reduce the obstacles to establish a business within the L-1 District. Based on the PCZBA's direction, AVA Cole reviewed Staff's recommendations and materials:

- Alignment of Permitted and Special Uses to CBD – Staff’s recommendations amounted to approximately 30 to 40 use changes and intentionally omitted certain unique and residential use classifications present in the CBD;
- Alignment of Special Uses to the L-2 District – Staff recommends establishing the following as special uses in the L-2 District based on their status as special uses in the L-1 District and the inclusion of similar automotive uses (new automobile dealership; automotive repair) as special uses in the L-1 District;
- Alignment to Waukegan Road Corridor Study - the L-1 District should be at least as permissive as the CBD. The Waukegan Road Corridor Study differs from these recommendations and existing use table in certain areas. The major issue is how to handle some of these eating and entertainment establishments;
- Adjustment of Existing Special Uses in the L-1 District;
- Adjustments to Physical Fitness Facilities – Currently, physical fitness facilities are treated as a special use when greater than 500 sq. ft. in either the CBD or L-1 Districts, or as a permitted use if under 500 sq. ft. Based on a review of prior zoning relief and available space, staff recommends that the threshold be adjusted to 5,000 sq. ft.;
- SIC Codes Are Advisory – Any proposed ordinance implementing the above use changes would include the following additional language that changes the meaning of the Zoning Use Table to: “The inclusion, if any, of Standard Industrial Classification (SIC) or North American Industrial Classification System (NAICS) reference numbers in the Zoning Use Table is Illustrative only. A specific use may fall within a use category or be interpreted as substantially similar to a use category despite being classified within a different SIC major group, industry group, or industry code; or a different NAICS economic sector, subsector, industry group, or industry”;
- Administrative Use Interpretations – Currently unlisted uses in the use table require a text amendment, if adopted, a use could be permitted administratively as substantially similar to the permitted or special uses within the subject district. Specifically Section F – Standards for Use Interpretations. He said none of this is going in residential districts or permitted uses that are already allowed; and
- Zoning Use Table Amendments and Commercial Special Use Permits (Since 2011).

In response to questions from Member Miller, AVA Cole explained the Administrative Use Interpretations noting the Zoning Code involves a great deal of interpretation. The goal is not to make each and every interpretation require written finding and documentation, but to allow a more formal process for certain complex issues, such as the establishment of uses. He said the PCZBA previously talked about the idea of having prior notice of having an opportunity to object, we think it is legal and proper to do, but Staff does not recommend it. In Staff’s review, the common approach is that the PCZBA would receive notice after the fact. AVA Cole said that when the PCZBA looks at it after the fact, the PCZBA could go in and recommend a text amendment that makes it explicitly prohibited, but the person who started the use would have a vested right to continue the use in that case. A discussion followed.

VA Schuster said once an individual has invested in an operation it cannot be abruptly prohibited, but the PCZBA may amortize certain uses – which is to say, that the zoning regulations would specify a period of time after which the use would no longer be allowed to continue, even as a non-conforming use. He discussed the concept of regulatory takings using billboards as an example to elaborate on how to proceed with this type of long term process. From a planning perspective, the PCZBA must have a mechanism in place to prevent use before the operation is established.

Member Miller asked if there was any operational downside for the administrative use without the PCZBA input. VA Schuster said there could be a provision that once the building commissioner makes a determination that a notice will be provided to the Village Board and/or PCZBA in a certain amount of days, this is a policy decision, but it will allow others to consider the matter.

Member Burns said he likes the idea but he would keep an advance holding period to at least three days, send the notice via email and default through the process if no comments are received. A discussion followed.

VA Schuster said should the PCZBA desire to allow 3 to 5 days for comments, then the questions be sent to the Village Board or PCZBA and how many members need to reply. A discussion followed.

Member Burns expressed his concern regarding certain special use categories, specifically drive in/out businesses because he does not want these type of establishments constructed as of right without considering the total impact. AVA Cole commented that a corridor takes on very different texture if dominated by a drive-through and automobile corridor with parking towards the front, as opposed to a facade front and rear parking. Member Burns said these use changes are a great step in the right direction for now but needs to be reviewed in the future. A discussion followed.

In response to a comment from Member Miller, AVA Cole said hotels are considered a special use in all Districts. He said not only are these very narrow categories taken from tables and so on, but these used to be in very disparate places and were put in one table when they were codified a few years ago. For example, it says that in the L-2 District that commercial developments are only prohibited within the back or on sites greater than 2 acres. In the table, one could read it as saying that “Commercial Developments” are not permitted anywhere except in the L-2 District. That is clearly not the way the code should be constructed.

In response to a question from Member Russell, AVA Cole said after the change, the zoning use table chart (page 7) is applicable to the entire district and then he reviewed the columns in the chart. The changes in the chart involving the CBD uses carrying over are good changes but he noted that a lot of the action the PCZBA is having to take for uses that are not contemplated in the code at all. That is why Staff recommends the similar use tool in order to deal with those cases where the legislative intent is clear and the text is not as comprehensive as it could be.

In response to a question from Member Miller, AVA Cole said the use category chart (page 4) reflects newly permitted uses if carried over from the CBD.

A discussion ensued following a comment from Member Miller regarding personal fitness facilities, and it was the consensus of the PCZBA that 10,000 sq. ft. be the threshold for personal fitness facilities in the L-1 District. AVA Cole asked if the same threshold should be applied to the CBD. A discussion followed.

Chair Peters inquired of the square footage on the former PNC Bank property, AVA Cole said it is approximately 3,700 sq. ft.

Member Russell suggested the following actions:

- Low impact free-standing ATM machines be considered a permitted use. AVA Cole shared information regarding the proposed ABR site plan changes;

- Indoor sports and recreational clubs, less than 10,000 sq. feet be a permitted use in the L-1 District. AVA Cole said there could be an argument as to whether it is a membership sport, recreational sport or recreational club but this is a very fine distinction in operations which can be the switch between a permitted and special use; and
- Carpet and Upholstery Cleaning should be a special use because he is concerned how chemical air quality issues could impact adjacent permitted uses such as a daycare if a large operation were to move into town.

AVA Cole said staff is seeking a specific direction regarding bowling centers, breweries and brewpubs, drinking places accessory to permitted eating places, and eating places without drive-in or drive-through facilities. Pursuant to past practice he would leave drive-ins or drive-through on the special use permit, but eating/drinking places and some of the entertainment type uses could use some specific direction given there is a conflict in the principles.

Member Miller said he does not have a problem with eating/drinking places and drive-ins or drive-through as a special use if the traffic does not impact the surrounding businesses. Chair Peters said he would prefer to keep a little bit of additional control. AVA Cole suggested, relevant to a recent inquiry, just eating places without any drinking involved, is probably the greyest area in selecting between a permitted or special use. A restaurant is a newly listed special use as it is currently not listed in the L-1 District.

Member Burns recommend that non-alcoholic eating/drinking places be a permitted use and that drive-ins or drive-throughs remain a special use.

Chair Peters expressed his concern regarding traffic in the L-1 District particularly during evening rush hour. A discussion followed.

8. Staff Report

AVA Cole reported on the Lake County Solar Ordinance and draft model zoning approach for solar emergency facilities, RIO Update – Artesian Park (Rosenthal Field) a proposal to reorient Rosenthal Field in Artesian Park, and new zoning maps reflecting the RIO Zoning District and other updates.

In response to a question from Member Russell, AVA Cole said he thinks the Baseball Association requested the reorientation.

Member Burns thanked Staff for sharing the updates and said he thinks the proposal is a great application of the RIO District.

Member Russell commented on the maps design and said he thinks eventually the zoning designation should be printed in the middle of each respective area because the colored areas will fade/merge as the map is copied over time. AVA Cole said from a design standpoint it came down to between the building silhouettes or showing the zoning text clearer. Also, a PDF version and mapping application will be on the Village website.

AVA Cole said there are no updates on the Stonebridge or Block Three properties and provided information regarding potential future zoning applications.

9. Commissioner’s Report

Member Russell reported on the upcoming Criterium Bike Race/Block Party and said volunteers are needed as course marshals for the upcoming event.

In response to a concern from Chair Peters, AVA Cole said there have been no significant criminal incidents reported at Target.

VA Schuster said the reported retail theft crimes are not uncommon amongst big box stores. These stores tends to have more crime, specifically shoplifting, because there is a larger variety of desirable goods and people think larger stores are not monitored as closely as smaller stores.

In response to a question from Member Miller, AVA Cole said the Target store has a professional loss prevention department which documents their cases thus lessens the burden on the police department.

Member Russell asked staff to explain to Ms. Sickle the need to submit more accurate information regarding the fence variation. He is concerned because there was no information submitted explaining the need for a solid fence around the entire property which could possibly protrude into the public right of way. AVA Cole said staff will request more professional materials.

10. Adjournment

As there was no further business to come before the PCZBA, Member Burns moved to adjourn the meeting. Member Miller seconded the motion. The meeting adjourned at 9:36 p.m.

Respectfully submitted,

Glen Cole
Assistant to the Village Administrator