

**VILLAGE OF LAKE BLUFF
BOARD OF TRUSTEES
REGULAR MEETING
OCTOBER 22, 2018**

APPROVED MINUTES

1. CALL TO ORDER AND ROLL CALL

Village President O’Hara called the meeting to order at 7:00 p.m. in the Lake Bluff Village Hall Board Room, and Village Clerk Joy Markee called the roll.

The following were present:

Village President: Kathleen O’Hara

Trustees: Barbara Ankenman
Mark Dewart
Eric Grenier
Paul Lemieux
William Meyer
Aaron Towle

Also Present: Joy Markee, Village Clerk
Drew Irvin, Village Administrator
Peter Friedman, Village Attorney
Bettina O’Connell, Finance Director
David Graf, Fire Chief
Gregg Marsh, Assistant Fire Chief
Jeff Hansen, Village Engineer
Mike Croak, Building Codes Supervisor
Glen Cole, Assistant to the Village Administrator (A to VA)

2. PLEDGE OF ALLEGIANCE

President O’Hara led the Pledge of Allegiance.

3. AWARDS AND PROCLAMATIONS

President O’Hara read the proclamation designating the month of October 2018 as *Dysautonomia Awareness Month*.

President O’Hara read the proclamation designating October 23 – 31, 2018 as *Red Ribbon Week*.

4. CONSIDERATION OF THE MINUTES OF THE SEPTEMBER 24, 2018 VILLAGE BOARD MEETING

Trustee Ankenman moved to approve the September 24, 2018 Board of Trustees Regular Meeting Minutes as presented. Trustee Lemieux seconded the motion. The motion passed on a unanimous voice vote.

5. NON-AGENDA ITEMS AND VISITORS

President O’Hara stated the Village President and Board of Trustees allocate fifteen minutes for those individuals who would like the opportunity to address the Village Board on any matter not listed on the agenda. Each person addressing the Village Board of Trustees is asked to limit their comments to a maximum of five (5) minutes.

Sue Raymoure (resident) shared information regarding rodenticide pesticide and commented on how it effects the local wildlife, specifically owls.

President O’Hara thanked Ms. Raymoure and said Staff will reach out to wildlife animal expert, Rob Carmichael and explore other communication media to help increase community awareness.

Two unidentified ghouls appeared at the meeting and provided information regarding the Lake Bluff History Museum event, the *Ghost Walk*, scheduled for October 27 and 28, 2018.

6. ITEM #6 – VILLAGE BOARD SETS THE ORDER OF THE MEETING

At the request of those present, Trustee Meyer moved to take Agenda Items #17, #18, #24, #20, #21, #22, Consent Agenda, #14 and #19 then return to the regular order of the meeting. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

7. ITEM #17 – A RESOLUTION APPROVING A SIGN EXEMPTION REQUEST AT 303 WAUKEGAN ROAD

President O’Hara reported El Norte is proposing to open a restaurant in the space formerly occupied by Noodles and Company, next to Panera. They are proposing to erect a rooftop sign over the entrance on the south side of the building in location where previous tenants of this space have had signs. The proposed sign requires a sign code exemption because rooftop signs are listed as prohibited signs in the Sign Code. Noodles and Company and Washington Mutual have previously received sign code exemptions for rooftop signs in this location. She further reported in preparation for the Village Board’s consideration of the request, the neighboring property owners have been notified of the meeting date and a resolution has been prepared transmitting the Architectural Board of Review (ABR) recommendation.

As there were no questions from the Board, Trustee Dewart moved to adopt the resolution. Trustee Towle seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Ankenman, Dewart, Grenier, Lemieux, Meyer and Towle
Nays: (0)
Absent: (0)

8. ITEM #18 – AN ORDINANCE AMENDING PROVISIONS OF TITLE III OF THE LAKE BLUFF MUNICIPAL CODE CONCERNING THE NUMBER OF LIQUOR LICENSES (El Norte)

President O’Hara reported El Norte, a northern Chicagoland Mexican restaurant with locations in Libertyville, Vernon Hills, and Highwood, intends to occupy the former Noodles and Company tenant space in the Carriage Way Shopping Center (adjacent to Panera Bread). El Norte seeks a Class V liquor license, which allows the sale of liquor incidental to a meal indoors or outdoors, as well as sale of liquor not incidental to a meal at a bar (occupying <10% of the square footage of the restaurant). Note that Noodles and Company previously held the same license. Also, the applicant has submitted a request to waive second reading of the ordinance. She further reported Section 3-2-10 of the Village’s liquor regulations establish the maximum number of liquor licenses (by classification) available for issuance (liquor licenses are valid from May 1 to April 30th annually). To allow El Norte to start liquor sales, the Board must amend the liquor regulations to allow an additional Class V license to be issued. If the Ordinance is adopted, the schedule of liquor license holders would read as follows:

License Class:	Maximum No. of Licenses:	License Holder:
Class A	4	Heinen’s Inc Target Corporation Winebrokers of Illinois, LLC Tempehl Co. (d/b/a/ Be Market)
Class B	0	-
Class C	0	-
Class D	0	-
Class L	No limit	Qualifying non-profit organizations
Class P	1	Park District
Class R	2	Bangkok Tokyo Chipotle Mexican Grill, Inc
Class S	0	-
Class T	0	-
Class U	1	Prairie Espresso
Class V	<u>4</u>	Donati’s Pizza 4, Inc Inovasi Restaurant, LLC MAE’s at 20, LLC (<i>Maeverly Public House</i>) <u>El Norte</u>
Class W	2	Inovasi Restaurant, LLC Tempehl Co. (d/b/a/ Be Market)
Class X	2	Inovasi Restaurant, LLC Donati’s Pizza 4, Inc
Class Y	1	Lake Bluff Craft Brewing Co.
Class Z	2	Heinen’s Inc Tempehl Co. (d/b/a/ Be Market)

As there were no questions from the Board, Trustee Grenier moved to approve first reading of the ordinance. Trustee Towle seconded the motion. The motion passed on a unanimous voice vote.

Trustee Lemieux inquired of the request to waive second reading. El Norte representative Diego Laso introduced Liz Vazquez then stated the lease is contingent upon approval of the liquor license. He also explained how the opening date would be affected if second reading was not waived.

Trustee Dewart moved to waive second reading of the ordinance. Trustee Towle seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Dewart, Grenier, Lemieux, Meyer, Towle and Ankenman
Nays: (0)
Absent: (0)

9. ITEM #24 – AN ORDINANCE AMENDING ORDINANCE 2008-14 REGARDING THE HOURS OF OPERATION OF THE PADDLE TENNIS FACILITY (Blair Park – 355 West Washington)

President O’Hara reported at its regular meeting in October, the Joint Plan Commission and Zoning Board of Appeals (PCZBA) held a public hearing to consider an amendment to the special use permit governing operations at Blair Park (355 West Washington Ave.). Specifically, the Park District requested that, one night per week from October 1 to March 31, they be permitted to extend the hours of on-court lighting of the District’s paddle tennis courts from 10:15 p.m. to 10:30 p.m. to accommodate scheduled league matches.

President O’Hara reported the PCZBA voted 5-1 to recommend approval of the amendment. The dissenting vote expressed concern that, due to 2018-2019 league play already underway, the timing of the Park District’s request meant that the PCZBA would cause hardship were it to take the time to further investigate light and noise issues that would affect surrounding residential property. The other members of the PCZBA expressed similar concerns, and recommend that approval of the request be:

- For only one year in duration, with the expectation that the Park District would research alternatives and continue neighborhood outreach before resubmitting in 2019, and;
- Conditioned upon the Park District providing a written report regarding neighborhood outreach on or before January 31, approximately halfway through the League play season.

Trustee Towle stated he is a member of the paddle club but it will have no impact on his opinion regarding this matter.

In response to a question from Trustee Dewart, Lake Bluff Park District Executive Director Ron Salski, stated the neighborhood outreach written report will be provided to the Village Board and PCZBA.

Trustee Ankenman asked if any responses have been received. Mr. Salski said there were no comments at the PCZBA public hearing. There was concern expressed at the Park District meeting, specifically regarding the original request for 4 days a week and as a result of the concern expressed the request was shortened to one day a week.

In response to additional questions from Trustee Ankenman, Mr. Salski explained the request in relations to the “Series 3” matches and noted the Park District would lose substantial revenue if it loses the series. Also, he stated the league start times are a sanction governed by the Paddle Association.

In response to a question from Trustee Grenier, Ms. Salski stated normally there are no other activities schedule on Wednesday nights during league play.

As there were no further questions from the Board, Trustee Grenier moved to approve first reading of the ordinance. Trustee Lemieux seconded the motion. The motion passed on a unanimous voice vote.

10. ITEM #20 – AN ORDINANCE DESIGNATING THE BUILDING LOCATED AT 415 EAST PROSPECT AVENUE AS A LAKE BLUFF HISTORIC LANDMARK

President O’Hara reported on August 27, 2018, the Village of Lake Bluff received an application from the Owner to designate the building located at 415 East Prospect Avenue as a Historic Landmark. The Historic Preservation Commission (HPC) held a public hearing on October 10, 2018 and voted unanimously to recommend the Village Board approve the application, as it found that the building and site met the criteria for landmark designation as set forth in the attached Resolution. She further reported the property is associated with the Camp Meeting Association and was noted by the 1998 Architectural Survey as a “fine example” of French eclectic architecture owing to its irregular shape, cylindrical entrance tower, and half timbering. Should the Village Board approve the Ordinance, this would represent the 28th home designated as a landmark in Lake Bluff since the Historic Preservation Ordinance was established in February 2001.

President O’Hara stated she is very pleased to see more interest in landmarking Lake Bluff homes. This is a first step in educating the community as well as new members on the value of preservation and how it fit in with the uniqueness of Lake Bluff.

Village Administrator Drew Irvin stated it was mentioned at the HPC public hearing that the property could have possibly been an original cottage.

Following a brief discussion, Trustee Dewart moved to approve first reading of the ordinance. Trustee Towle seconded the motion. The motion passed on a unanimous voice vote.

11. ITEM #21 – AN ORDINANCE DESIGNATING THE BUILDING LOCATED AT 400 RAVINE AVENUE AS A LAKE BLUFF HISTORIC LANDMARK

President O’Hara reported on September 4, 2018, the Village of Lake Bluff received an application from the Owner to designate building located at 400 Ravine Avenue as a Historic Landmark. The HPC held a public hearing on October 10, 2018 and voted unanimously to recommend the Village Board approve the application, as it found that the building and site met the criteria for landmark designation as set forth in the attached Resolution. She further reported according to the application, the property was part of the original 1836 Cloes homestead. The structure is associated with both William F. Cochran, former Village President, and the Lake Bluff Camp Meeting Association, among others. Should the Village Board approve the Ordinance, this would represent the 29th home designated as a landmark in Lake Bluff since the Historic Preservation Ordinance was established in February 2001.

As there were no comments from the Board, Trustee Towle moved to approve first reading of the ordinance. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

12. ITEM #22 – AN ORDINANCE DESIGNATING THE ORIGINAL STRUCTURE LOCATED AT 419 EAST PROSPECT AVENUE AS A LAKE BLUFF HISTORIC LANDMARK

President O'Hara reported at its September regular meeting, the HPC voted 4-1 to consider designating the property located at 419 East Prospect Avenue as a Historic Landmark. The Historic Preservation Commission held a public hearing on October 10, 2018 and voted 6-1 to recommend the Village Board approve the application, as it found that the building met the criteria for landmark designation as set forth in the attached Resolution. She further reported a petition circulated among residents, presented to the HPC, and used as the basis of nomination notes the property's association with notable figures including the Cloes family; the Camp Meeting Association; Rev. Edward W. Jeffries; and Abner Scranton. The petition also noted a possibility that the bricks in the structure are originally from the Cloes' brickyard, as well as various distinguishing architectural features. Should the Village Board approve the Ordinance, this would represent the 30th home designated as a landmark in Lake Bluff since the Historic Preservation Ordinance was established in February 2001.

Trustee Ankenman stated she works for the property owner's architecture then recused herself from the discussion.

Trustee Lemieux stated he served on the Board which approved the historic preservation ordinance. He said he is uncomfortable with moving forward with the proceedings without the property owners consent as the action would be dangerously close to a taking of the property. He advised of his intent to vote "no."

Trustee Towle agreed that having the property owner's support would make the decision easier, but he is comfortable with approving the request because there are no Village regulations that prohibit a property owner from demolishing a landmarked home.

Trustee Dewart expressed his agreement with Trustee Towle and said the Board has been on record for considering similar actions in the past. It is important to recognize the need for historic preservation because it is an important part of the Village heritage. Trustee Dewart said the property owner will have the ultimate decision regarding the disposition of the home and the Board is not depriving the homeowner of that right.

Following a request from Trustee Meyers, Village Administrator Irvin explained the landmark designation process. He clarified that this particular request is to designate the original structure, not the entire structure, as a landmark.

Trustee Meyer expressed his understanding that if the original structure is designed as a landmark that the homeowner would still be able to remodel or demolish the home pursuant to Village regulations.

President O'Hara opened the floor for public comments.

Ed Wynn (resident) said he was responsible for presenting the information to the HPC regarding 419 East Prospect Avenue. The historic preservation ordinance has two type of landmarks (designated and certified). He said a designated landmark can be nominated by the homeowner, Village Board, Lake Bluff History Museum and HPC then commented on the advisory review process. Mr. Wynn said the only nominator for a certified landmark status is the homeowner and it is his belief the process requires approval from the HPC to complete the demolition. Village Attorney Peter Friedman clarified that the HPC would make a recommendation to the Board regarding demolition.

Mr. Wynn said there were questions raised at the public hearing regarding the age of the original structure then provided information showing the original home was built in the 1870s. A discussion followed.

As there were no further comments from the Board, Trustee Dewart moved to approve first reading of the ordinance. Trustee Grenier seconded the motion. The motion passed on the following voice vote.

Ayes: (4) Grenier, Meyer, Towle and Dewart
Nays: (1) Lemieux
Abstain (1) Ankenman
Absent: (0)

13. ITEMS #11, #12 AND #13 – CONSENT AGENDA

President O’Hara introduced the following Consent Agenda items for consideration:

11. Correspondence Delivered in the September 21, 28, and October 5 and 12, 2018 Informational Reports;
12. Second Reading of an Ordinance Designating the Building Located at 406 East Prospect Avenue as a Lake Bluff Historic Landmark; and
13. Second Reading of an Ordinance Designating the Building and Site Located at 502 East Prospect Avenue as a Lake Bluff Historic Landmark.

Trustee Meyer moved to approve the consent agenda. Trustee Grenier seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Grenier, Lemieux, Meyer, Towle, Ankenman and Dewart
Nays: (0)
Absent: (0)

President O’Hara thanked the property owners for going through the landmark designation process then presented each property owner with a copy of the ordinance and landmark designation plaque.

14. ITEM #14 – A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL MUTUAL FIRE PROTECTION AGREEMENT BY AND BETWEEN THE VILLAGE OF LIBERTYVILLE AND THE VILLAGE OF LAKE BLUFF

President O’Hara reported despite a long history of successfully working together in a mutual aid capacity, the Village of Lake Bluff Fire Department and the Village of Libertyville Fire Department have never had an automatic aid agreement but the recent dissolution of the Knollwood Fire Department necessitated the development of such an agreement between the two agencies. The attached agreement, commencing on November 1, 2018 Lake Bluff and Libertyville agree to furnish to each other, on request, the immediate response of certain apparatus and assigned personnel (if available) to reported structure fires, emergencies or disasters, and certain designated automatic fire alarms in either the Lake Bluff or Libertyville designated stricken areas. She further reported the agreement is for an initial one year period with automatic renewal and includes a 30-day written notice of termination by either party. The Village had an automatic aid agreement with the Knollwood Fire Department and presently maintains a similar automatic aid agreement with the City of Lake Forest.

Fire Chief David Graf stated following the demise of the Knollwood Fire Department, he met with the Fire Chiefs from the City of Lake Forest and Village of Libertyville to review the changes in the automatic response agreement and they determined it would be appropriated to do a formal agreement for this stage of the mutual aide agreement.

In response to a question from Trustee Lemieux, Fire Chief Graf said a “quint” is a multi-function fire truck with a ladder on top.

As there were no questions from the Board, Trustee Dewart moved to adopt the resolution. Trustee Towle seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Lemieux, Meyer, Towle, Ankenman, Dewart and Grenier
Nays: (0)
Absent: (0)

15. ITEM #19 – AN ORDINANCE AMENDING ORDINANCE NO 99-30 TO DESIGNATE CERTAIN VEHICLES AS AUTHORIZED EMERGENCY VEHICLES AND VEHICLES OF THE VILLAGE OF LAKE BLUFF FIRE DEPARTMENT

President O’Hara reported the Village maintains a volunteer Fire Department to provide fire protection and other related services to areas within and around the corporate limits of Lake Bluff. Since the Village’s Fire Department Officers respond to Fire and EMS calls with their private vehicles, the Village has designated (pursuant to the Illinois Vehicle Code, 625 ILCS 5/1-100 et seq.) the private vehicles operated by the Fire Chief, the Deputy Chief, and Assistant Chiefs as “emergency vehicles.” When the Village Fire Department Officers change their personal vehicles, the Village updates the list of emergency vehicles.

Trustee Lemieux asked why the Board was considering this agenda item because it seems more of an administrative matter not a legislative matter. Village Attorney Friedman stated currently the Village Administrator does not have the administrative authority to consider this type of action.

A discussion ensued and it was the consensus of the Board to amend the ordinance to allow the Village Administrator the authority to designate certain vehicles as authorized emergency vehicles.

As there were no questions from the Board, Trustee Towle moved to approve first reading of the ordinance. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

16. ITEM 7A – WARRANT REPORT FOR OCTOBER 1-31, 2018 AND SEPTEMBER 2018 PAYROLL EXPENDITURES

President O’Hara reported expenditure of Village funds for payment of invoices in the amount of \$305,948.47 for October 1-15, 2018, payment of invoices in the amount of \$194,557.89 for October 16-31, 2018, and Village funds for payroll in the amount of \$283,124.78 for September 2018, which resulted in total expenditures of \$783,631.14.

As there were no questions from the Board, Trustee Dewart moved to approve the Warrant Report. Trustee Meyer seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Meyer, Towle, Ankenman, Dewart, Grenier and Lemieux
Nays: (0)
Absent: (0)

17. ITEM 7B – SEPTEMBER 2018 FINANCE REPORT

At President O’Hara’s request, Finance Director Bettina O’Connell provided a brief summary of the September 2018 Finance Report highlighting major revenue sources and expenditures for the period.

- Sales tax revenue for July 2018 of \$260,279 is \$8,093 less than July 2017 revenue of \$268,372;
- Home rule sales tax revenue for July 2018 of \$78,088 is \$941 less than July 2017. The State continues to charge an admin fee, the May-July 2019 fees total \$3,967;
- Building permit revenue for FY19 May-Sept is \$167,945 compared to \$367,460 for FY18 May-Sept;
- FY19 expenditures of \$4,060,271 are \$616,011 greater than the expenditures for the same period in FY18. Capital expenditures year to date are \$957,642 or \$806,162 greater than the year to day expenses from FY18, this can be attributed to train station improvements, the audio/video equipment in the boardroom, and non-MFT paving expenses; and
- Current expenditures are consistent with or less than the budget.

Trustee Lemieux moved to accept the Finance Report. Trustee Ankenman seconded the motion. The motion passed on a unanimous voice vote.

President O’Hara moved to take agenda item #16. There were no objections from the Board.

18. ITEM #16 – A RESOLUTION APPROVING A SIGN EXEMPTION REQUEST AT 917 SHERWOOD DRIVE

President O’Hara reported the owners of 917 Sherwood Drive are proposing to add a wall sign consisting of the address numbers. Per Section 10-10-19(A)1 of the Village Code, address signs two square feet or smaller are exempt from permit, but larger address signs are not. The proposed sign will be the third wall sign on this building. A sign code exemption is required since only one wall sign is permitted. She further reported the Architectural Board of Review (ABR) considered the proposed sign at their September 11 meeting and voted 5-2 to recommend that the Village Board approve the sign exemption on the condition that the size of the proposed numbers be reduced to 15” from the original proposal of 30” and that the spacing be such that the overall height of the sign would be no more than 53.”

President O’Hara reported Charlie Portis, leasing agent for the owners, came to the October 2 ABR meeting to request a recommendation in favor of a sign with 20” letters. A motion to make that recommendation was made, but died for lack of a second, with four members present. She further reported in preparation for the Village Board’s consideration of the request, the neighboring property owners have been notified of the meeting date and a resolution has been prepared transmitting the ABR’s recommendation.

In response to a question from Trustee Towle, Building Codes Supervisor Mike Croak stated the numeric portion of a building address counts as a sign if it is larger than 2 sq. ft. Presently there are two wall signs on the building for Lake Forest Pediatric and Westmoreland.

As there were no questions from the Board, Trustee Towle moved to adopt the resolution. Trustee Grenier seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Towle, Ankenman, Dewart, Grenier, Lemieux and Meyer
Nays: (0)
Absent: (0)

President O’Hara moved to allow comments regarding agenda item 3a. There were no objections from the Board.

Ashley Rippentrop (resident) thanked the Board for designating October as “Dysautonomia Awareness Month” and helping to increase awareness regarding this uncommon disease.

President O’Hara moved to take agenda item #15. There were no objections from the Board.

19. ITEM #15 – A RESOLUTION APPROVING A SITE PLAN FOR THE CENTRAL LAKE COUNTY JOINT ACTION WATER AGENCY AT 200 ROCKLAND ROAD

President O’Hara reported the Central Lake County Joint Action Water Agency (CLCJAWA) is proposing to replace their existing exterior light fixtures with LED fixtures. The fixtures being replaced are 6 high pressure sodium pole lights and 61 high pressure sodium bollard lights. The proposed fixtures will be bronze in color, as are the existing. She further reported the ABR considered the fixtures at their October 2 meeting. An ABR member had discussed the proposed fixtures with Brian Rener, who recommended a different bollard light which provides a full cutoff to reduce light pollution and eliminate glare. CLCJAWA agreed to use that full-cut off bollard and the ABR unanimously recommended approval. The new lights provide similar level of lighting as the existing, with less than 0.1 footcandles at the property line.

President O’Hara reported Bill Soucie, JAWA Operations Director, also requests a permit fee waiver. The request will be scheduled for the Board’s consideration after the Finance Committee has had an opportunity to formulate a new policy on permit fee waivers, per the discussion at the last Village Board meeting.

Following a brief discussion, Trustee Grenier moved to adopt the resolution. Trustee Lemieux seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Ankenman, Dewart, Grenier, Lemieux, Meyer and Towle
Nays: (0)
Absent: (0)

20. ITEM 8B – VILLAGE ADMINISTRATOR’S REPORT: REQUEST FOR WAIVER OF DEVELOPMENT RELATED FEES (Lake Bluff Park District)

Village Administrator Irvin said there is a request within the Park Districts application to waive development related fees associated with the paddle tennis facility in the amount of \$1,200.

In response to a question from Trustee Lemieux, Village Administrator Irvin stated the out of pocket expenses incurred by the Village consists of the public hearing notice and legal fees.

Trustee Towle said he would be comfortable waiving fees which the Village charge for this type of matter, however, if a cost is incurred the fee should be borne by the applicant. The Village is here to provide services but if such services requires outside cost the Village should recoup the fees. A discussion regarding out of pocket cost followed. Following the discussion it was the consensus of the Board to refer this matter to be addressed by the Finance Committee as part of their planned conversation about requests of this nature.

21. ITEM 9 – VILLAGE ATTORNEY’S REPORT

Village Attorney Peter Friedman had no report.

22. ITEM 10 – VILLAGE PRESIDENTS REPORT

President O’Hara reported on the upcoming Ghost Walk and Halloween events and commented on the book “Furnace Girl” noting WGN9 News will air a segment regarding the mystery. Also, she reported that the Veteran’s Day ceremony, sponsored by the Village and Lake Bluff History Museum, will be observed on Friday, November 9th at 9:00 a.m. on the Village Green and encouraged everyone to attend the ceremony.

23. ITEM #23 – SECOND READING OF AN ORDINANCE AMENDING THE LAKE BLUFF ZONING REGULATIONS RELATING TO SWIMMING POOLS

President O’Hara reported at its regular meeting in August, the PCZBA held a public hearing to consider amendments to the Lake Bluff Zoning Ordinance that would relax the standards applicable to swimming pools in residential areas. At the conclusion of the public hearing, the PCZBA recommended unanimously that the Village Board, by text amendment:

- Replace the current location restrictions for swimming pools with new regulations prohibiting pools:
 - Within the front yard of a lot;
 - Within 10 feet of any lot line; or,
 - Within any minimum corner lot side yard setback.
- Remove swimming pools from the calculations for maximum permissible lot coverage or floor area ratio.
- No longer prohibit swimming pools on lots where any other non-conformity exists.
- Eliminate language applicable to commercial swimming pools, as this section is in the residential chapter of the Zoning Ordinance.

President O’Hara reported as directed by the Board in conjunction with first reading approval at its September 24 meeting, the Ordinance has been amended to incorporate the following changes:

- Above-ground swimming pools are subject to an additional setback of 1 foot for each 1 foot they protrude above grade; and,
- Above-ground swimming pools are included in calculating lot coverage and floor area.

As there were no questions from the Board, Trustee Lemieux moved to approve the ordinance. Trustee Grenier seconded the motion. The motion passed on a unanimous voice vote.

24. ITEM #25 – AN ORDINANCE AMENDING THE LAKE BLUFF ZONING REGULATIONS REGARDING BUILDING HEIGHT IN THE L-1 LIGHT INDUSTRY DISTRICT, L-2 LIMITED LIGHT INDUSTRY DISTRICT, AND SERVICE DISTRICT, AND OFF-STREET PARKING STANDARDS IN VARIOUS DISTRICTS

President O’Hara reported at its October regular meeting, the PCZBA held a public hearing to consider changes to height and parking regulations in the Village’s L-1 Light Industry District, which is generally the area bounded: to the north by Route 176; to the west by Waukegan Road; to the east by Route 41; and to the south by Lake Forest. At the conclusion of the public hearing, the PCZBA recommended unanimously that the Board adopt the attached text amendments. She further reported the changes were requested by the PCZBA as a result of a preliminary workshop for a medical office development at the Smedbo property (999 & 1001 Sherwood Drive) at its September regular meeting. The changes include:

- **Height.** Increase the height of buildings in the L-1 district from 25’ to 32’, and decrease the maximum height of an exception for above-roof additions from 15’ to 10’. Other buildings in the district, such as 75 Albrecht Drive and the Target development, already reach 32’ in height. (The 2011 Waukegan Road Corridor Study recommended an increase to 40’ to accommodate modern light industrial uses.)
- **Parking Near Waukegan Road.** Allow parking within 50’ of Waukegan Road, reduced from 100’. This change was recommended by the Waukegan Road Corridor Study. Today, within this rear 50’ area, Pasquesi Home and Gardens has outdoor storage and the Carriage Way shopping center has parking.
- **Parking Areas.** Adjust the parking regulations to be more permissive of front yard and side yard parking. Many developments within the District already include parking in these areas under allowances for “visitor and executive” parking. This change was recommended by the Waukegan Road Corridor Study.
- **Parking Dimensions.** Adjust the parking regulations to mirror the aisle and stall dimensions in effect in the Central Business District. The district’s current regulations require larger stalls than typical, which increase the difficulty of providing adequate parking on-site and promotes impervious surface.

President O’Hara reported as noted in the Ordinance, as written, these changes would have spillover effects in other zoning districts including the O&R District (Terlato Wines) and the Service District (Mariani’s Landscaping). While the PCZBA has indicated a desire to revisit parking and height regulations more comprehensively at a later date, it desired to allow the proposed development to continue in the interim without seeking further zoning relief.

Trustee Lemieux stated he is fine with parking in front of the building but concerned about parking between a building and Waukegan Road, and between IL176 and the Mariani building. He said he does not support the proposed parking change and prefers that the ordinance be amended.

Trustee Towle asked would the Smedbo site project be hindered if the height increase was allowed but the parking aspect of the ordinance was defer back to the PCZBA for further consideration. A to VA Glen Cole stated during the PCZBA comprehensive plan discussions there have been no desire to allow buildings closer to Waukegan Road. The current market is driving a more intense need for parking but this particular site is not large enough to allow additional parking. The Smedbo site project would not work without additional parking in the intermediate space even if greater density for parking is allowed.

A to VA Cole said developer are seeking a minimum 4 parking spaces per 1,000 sq. ft. for medical office buildings and this request exceeds the threshold because of the four sided design.

Trustee Lemieux expressed his preference to remove the parking specification from the proposed ordinance and not allow parking to extend south along Waukegan Road.

In response to a comment from Trustee Dewart, A to VA Cole said there are other avenues that could be pursued regarding the Smedbo site proposal such as moving the building toward Waukegan Road. A discussion followed.

Trustee Dewart expressed his preference to review the Smedo proposal on its own merit and recommend the PCZBA present a more general approach for the Waukegan Road Corridor.

In response to a question from Trustee Meyer, Village Administrator Irvin stated a developer is proposing to demolish the existing improvements at the Smedbo site and construct a two-story, 30,000 sq. ft. medical office building upon the site. A discussion followed.

Trustee Meyer said the market has driven a developer to make a significant investment in a new medical building, which obviously means there is a demand within this community for medical services. He asked that the Board be mindful not to inconvenience what could be an important service to the community.

Trustee Lemieux expressed his understanding there was an issue with medical facilities in the industrial park because this type of use does not generate sales tax revenue. It is his hope that the Board will review the Ad Hoc Committees view regarding desired uses for this area. Village Administrator Irvin stated the desired uses discussed in the 2011 Waukegan Road Corridor Study were mainly retail and entertainment. The purpose of the study and recommendations was to ensure the buildings would remain viably economically as long as possible and maximize the tenancy in the area.

Trustee Meyer stated achieving benefits and sale tax revenue will benefit the Village but he is hesitant to interfere with the free markets desire to have medical facilities at this location.

Following an extensive discussion regarding parking, Trustee Dewart made a motion to defer the matter to the November 12th Committee of the Whole meeting. Trustee Meyer seconded the motion. The motion passed on a unanimous voice vote.

25. ITEM #26 – AN ORDINANCE AMENDING SECTIONS 10-10-8 AND 10-10-14 OF THE LAKE BLUFF ZONING REGULATIONS

President O’Hara reported at its regular meeting in October, the PCZBA held a public hearing to consider various changes to the Village’s sign code recommended by the Architectural Board of Review. At the conclusion of the public hearing, the PCZBA recommended unanimously that the Village Board, by text amendment, adopt changes that would:

- Minimize harmful effects of light pollution generated by sign lighting;
- Remove certain restrictions regarding awning signs, but require that awning signs on a multi-tenant building have a uniform color scheme approved by the Architectural Board of Review;
- Allow door and window signs more generally with certain restrictions as to area coverage;

- Clarify the treatment of ground signs for multi-tenant buildings (one per property, not per tenant); and
- Clarify the calculation of maximum permissible area of ground signs in industrial districts.

President O’Hara reported these changes were previously reviewed by the Board at its February 7, 2018 Committee-of-the-Whole meeting.

As there were no questions from the Board, Trustee Towle moved to approve first reading of the ordinance. Trustee Lemieux seconded the motion. The motion passed on a unanimous voice vote.

26. ITEM #27 – TRUSTEE’S REPORT

Trustee Grenier reported that local acting legend Tom Beck will be appearing at Be Market as part of the *Ghost Walk*.

27. ITEM #28 – EXECUTIVE SESSION

At 8:47 p.m. Trustee Meyer moved to enter into Executive Session for the purpose of discussing Personnel (5 ILCS 120/2(c)(2)) and Minutes (5 ILCS 120/2(c)(21)). Trustee Lemieux seconded the motion. The motion passed on the following roll call vote:

Ayes: (6) Dewart, Grenier, Lemieux, Meyer, Towle and Ankenman
Nays: (0)
Absent: (0)

There being no further business to discuss, Trustee Towle moved to adjourn out of executive session. Trustee Lemieux seconded the motion and the motion passed on a unanimous voice vote at 9:07 p.m.

28. ITEM #29 – CONSIDERATION OF THE MINUTES OF THE SEPTEMBER 24, 2018 EXECUTIVE SESSION MEETING

Trustee Ankenman moved to approve the September 24, 2018 Board of Trustees Executive Session Meeting Minutes as presented. Trustee Lemieux seconded the motion. The motion passed on a unanimous voice vote.

29. ITEM #30 – ADJOURNMENT

Trustee Meyer moved to adjourn the regular meeting. Trustee Grenier seconded the motion and the motion passed on a unanimous voice vote. The meeting adjourned at 9:08 p.m.

Respectfully Submitted,

R. Drew Irvin
Village Administrator

Joy Markee
Village Clerk