

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

JANUARY 16, 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, January 16, 2019, at 7:00 p.m. in the Village Hall Board Room (40 E. Center Avenue).

The following members were present:

Members: Sam Badger
David Burns
Jill Danly
Elliot Miller
James Murray
George Russell
Gary Peters, Chair

Also Present: Ben Schuster, Village Attorney (VA)
Glen Cole, Assistant to the Village Administrator (AVA)

AVA Cole announced that Administrative Intern John Scopelliti is not present because he have resumed classes and thanked him for his work on the PCZBA.

2. Approval of the December 19, 2018 PCZBA Regular Meeting Minutes

Member Burns moved to approve the December 19, 2018 PCZBA Regular Meeting Minutes as presented. Member Russell seconded the motion. The motion passed on a unanimous voice vote.

3. Approval of the November 12, 2018 PCZBA Special Meeting Minutes (Waukegan Road Corridor)

Member Russell moved to approve the November 12, 2018 PCZBA Special Meeting Minutes as presented. Member Miller seconded the motion. The motion passed on a voice vote with Member Russell abstaining.

4. 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.

There were no requests to address the PCZBA.

5. Chair Peters Administered the Oath to Those in the Audience

6. A Public Hearing for 752 Moffett Road

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

AVA Cole said the request is for a reduction in the required front yard setback to allow for the construction of an open wrap around porch. He stated that the variation is subject to final action by the PCZBA, and that no referral to the Village Board is required.

AVA Cole said publication of the public hearing notice was delayed due to a malware attack earlier this month against the Chicago Tribune printing facilities. The public hearing notice has since been published and was mailed on-time to neighbors within 300 ft. of the project. The Applicant has elected to proceed with the hearing at their own risk. He continued, stating that the Village Engineer has reviewed the variation request and recommends the following conditions: (i) the applicant shall provide a minimum of 1,000 gallons of stormwater detention on-site, and (ii) the applicant shall not permit sump pump drainage onto the public street.

VA Schuster commented on the revisions to the draft approval order and said an unconditional agreement to consent has been incorporated in the order. In response to a comment from Member Burns, VA Schuster said the unconditional agreement to consent is not unique to this variation. It is consistent with current practice and will ensure the Village is protected.

Chair Peters invited the Petitioner to the podium.

Scott Streightiff, architect for the Petitioner, said the primary intent of the petition is to request a zoning variance to the existing front yard setback to allow for an open wrap around porch to the existing residence located at 752 Moffett Road. The existing front yard setback is 30 ft. and the Petitioner is requesting relief of 7.5 ft. to allow for a single-story open porch. The proposed project will conform to all zoning, building and floor area ratio (FAR) standards. Mr. Streightiff showed photographs of the surrounding area and of the homes existing condition. The home was built in 1956 and the zoning variance request is part of a larger conforming renovation project for a new addition, interior modifications and exterior façade improvements. Mr. Streightiff reviewed the proposed site plan and elevations showing the setbacks and daylight plane. He said this section of Moffett Road is characterized by a moderately wooded streetscape with larger homes on larger lots. Also, the lot abuts the R-4 Zoning District which has lesser restrictive front yard setback requirements along Woodland Road. He addressed the standards for variation as followed:

- Practical Difficult or Hardship – Strict application of the zoning code would result in a negative impact to the residents along Woodland Road. Granting the open porch will soften the elevation, provide more consistency with the neighboring properties to the west, and mitigate the appearance of mass with a pedestrian friendly, one story eave line;
- Unique Physical Condition – This is a unique physical condition given that this is a corner lot and directly abuts another zoning district (R-4) with a less restrictive front yard setback (20 ft.). The neighbor directly to the west of the subject property is in the R-3 zoning district; however the home is built approximately 20 ft. off the front yard setback line. The streetscape photographs presented represents the average set back of the neighboring properties to the west of the subject property;
- Special Privilege – The request will not offer the owners a special privilege that other like property owners do not enjoy. The proposed project conforms to all other zoning and FAR regulations;
- Code Purposes – The request will not adversely impact the surrounding properties. The purpose of the request will enhance the neighborhood character and increase property values; and

- Public Health and Safety – The request will not impair the public health, safety or welfare of the surrounding neighborhood.

Mr. Streightiff shared information regarding one of his firm's previous projects (210 East Center Avenue) and noted the home received a preservation award and enhances the fabric of the street. Mr. Streightiff said the proposed design will not impact the neighborhood character. The proposed design exemplifies an understated historic character and uses high quality traditional materials and details. The property owner reviewed the petition with the surrounding neighbors and have their support on the proposed improvements.

Chair Peters opened the floor to comment from the commissioners.

Member Badger said he thinks the improvements will greatly enhance the neighborhood and commented on a similar variation request that was approved for 105 West Washington Avenue.

In response to questions from Member Badger, Mr. Streightiff said the distance from the house to the edge of the porch is 7.5 ft. and noted the house was built up to the 30 ft. setback. Also, the applicant is proposing to install a French door in the dining room leading to the porch area. Member Badger said he would be in favor of the request because the precedent for this type of variation has been established.

Member Russell explained why he would be in favor of the variance. He provided background information on how the R-3 Zoning District was created and said the proposal will have no impact whatsoever on the neighborhood.

Member Murray said he favors the proposal, agrees with Member Russell, and thinks the general aesthetic improvements seems like a terrific addition to the neighborhood.

Member Burns said he is in favor of the proposal because it transitions well between the two zoning districts, fits well within the neighborhood and the addition is nicely done. Although, it extends beyond what is allowed on paper he thinks it is an improvement and will make the neighborhood look better.

Member Danly said she is definitely in favor of the variance because she thinks it clearly represents the character of Lake Bluff. Also, all the neighbors are in favor of the proposal and that speaks highly towards a positive outcome.

Member Miller expressed his concern regarding stormwater and hardship. He said not that it should be an excluding factor but to him this is not a hardship but part of the design. He had no other significant objections to the proposal.

In response to a question from Chair Peters, Mr. Streightiff said based on preliminary calculations the project is under the maximum FAR and the Petitioners does not plan on enclosing the porch.

Chair Peters asked if the Petitioners were aware of the proposed conditions. Mr. Streightiff said he believes the Petitioners just because aware of the conditions and that he may have misinterpreted the conditions. After speaking with Staff he thought they would be allowed to connect to the Village storm sewer system with the storm ejection but he knows now that there needs to be an actual detention tank placed on the property. A discussion regarding the detention tank followed.

Member Russell said onsite stormwater detention requirement is imposed on all new construction in single-family zoning districts and all major addition projects, not just this particular parcel.

Chair Peters commented on the recommendation regarding sump pump discharge. A discussion followed. AVA Cole said there are two separate requirements, the Petitioner may choose to discharge into the tank but the Village Engineer’s recommendation is that the applicant shall not permit sump pump drainage to discharge on the public street.

Chair Peters said he thinks from an aesthetic perspective that the Woodland parcel located in the R-3 Zoning District will meet Village standards. He asked that the correspondence submitted from the neighbors on behalf of the project be formally submitted into the record.

Member Russell made a motion to approve the variations as requested with the conditions recommended by the Village Engineer. Member Danly seconded the motion. The motion passed on the following roll call vote:

Ayes: (7) Burns, Murray, Danly, Russell, Miller, Badger and Chair Peters
Nays: (0)
Absent: (0)

7. Work Planning Discussion

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

AVA Cole provided an update on the RIO Ordinances and noted the Village Board favorably approved the ordinances and extended its compliments to the PCZBA. The next step for the PCZBA is to consider its approach in regards to the following ongoing agenda items:

- Comprehensive Plan;
- Parking Consolidation Ordinance; and
- Architectural Board of Review Site Plan Amendments.

A discussion regarding the order of priority ensued.

Chair Peters said he would like to make the best use of the Committee’s time. The Comprehensive Plan will take a considerable amount of time and he would prefer to address some of the smaller issues in the next couple of months.

Member Burns inquired on the scope of work needed for the parking consolidation ordinance. As he recalls the Smedbo project wanted variations to the dimensions so he does not understand how the parking study spawned from that discussion. The scope for the Smedbo property would be a smaller discussion and he does not see the direct benefit of redoing a complete parking study.

AVA Cole said the individual changes needed for the Smedbo site were incorporated in the ordinance and he believes the dimensional changes applies to the L-1 District. There is still the organizational administrative piece which can be reviewed but it is not his recommendation that the PCZBA should take a deeper look at how it wants parking to work. A discussion regarding parking followed.

Member Russell said the existing Village Code is very restrictive in terms of parking especially for the L-1 and L-2 Districts. He explained the parking restrictions that were implemented when the Industrial Park was developed. Member Russell said he thought what Staff previously presented when the PCZBA decided to do the Smedbo element was essentially the work. The recommendations with the exception of the property being zoned into the RIO District are all incorporated in the ordinance. It is his belief that Staff was planning on waiting until the RIO District was formally adopted before presenting the parking changes to the PCZBA for consideration. Member Russell explained why he believes the PCZBA should proceed with its discussion regarding the parking consolidation ordinance. A discussion followed.

Member Russell said it was suggested that the residential design standards be reviewed by the Residential Building Ad Hoc Committee and explained why he personally recommends the matter not be referred to another Ad Hoc Committee. This could be a controversial discussion and the ABR would have the best thoughtful responses to questions from the real estate community, architects and builders on how the design standards should be imposed. A discussion followed.

Member Danly commented on what she understood as the reasoning for the design standards. She said implementing these types of standards will give the Village an opportunity to determine what may or may not be appropriate for the community. A discussion followed.

8. Staff Report

AVA Cole had no further report.

9. Commissioner's Report

In response to a question from Member Russell, AVA Cole provided an update on the Stonebridge Development (no new developments) and potential zoning applications.

In response to a question from Member Miller, VA Schuster said it is incumbent upon the applicant to meet the burden and the PCZBA's decision should be based on the record, evident and testimony presented. Prior variation approvals could be a useful review tool but the PCZBA must evaluate each application based on standards because "precedent" is not a standard for variation. A discussion followed.

In response to a comment from Member Badger, AVA Cole provided an update on the Block Three property (no new developments).

10. Adjournment

As there was no further business to come before the PCZBA, Member Russell moved to adjourn the meeting. Member Danly seconded the motion. The meeting adjourned at 7:56 p.m.

Respectfully submitted,

Glen Cole
Assistant to the Village Administrator