

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

MARCH 20, 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, March 20, 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)

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.

There were no requests to address the PCZBA.

3. Consideration of the January 16, 2019 PCZBA Regular Meeting Minutes

Member Murray moved to approve the January 16, 2019 PCZBA Regular Meeting Minutes as presented. Member Miller seconded the motion. The motion passed on a unanimous voice vote.

4. A Public Hearing for 1875 Shore Acres Drive

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

AVA Cole said the request is for a special use permit (SUP) to construct an electric lift system on a bluff at 1875 Shore Acres Drive. The Village established regulations controlling construction in bluffs and ravines in March 1999, and subsequently in June 2016 allowing electric lift systems located within the bluff protection zones upon the receipt of a SUP. The Village Engineer has reviewed the plans and does not recommend against issuance of the SUP. The Petitioner has provided statements addressing the relevant standards for variations and SUP. AVA Cole stated for the record that the legal description provided by the applicant was not correct but it is correct on the survey and in the public notice.

Chair Peters invited the petitioner to the podium, administered the oath, and asked for a brief description of the project.

Brandi Purol a representative from CNM Development spoke on behalf of the property owners. She said the existing stair structure is difficult for the property owner to traverse. The request is to construct a 3 ft. wide by 4 ft. long tram system on the bluff, harnessed with airline steel cables, as a safer alternative to travel up and down the bluff. This will also include landings at the top and bottom to provide safe access to the tram. The installation of the tram will not interfere with surrounding properties but there could be some disruption during placement of the piles in the bluff.

In response to a comment from Chair Peters regarding the landing dimension. Ms. Purol said the plan is to remove a portion of the existing deck to accommodate the tram and there will be no stairs connected to the deck.

Chair Peters said for the record the PCZBA will adopt and incorporate by reference the standards for variations and SUP provided by the applicant. There were no objections from the PCZBA.

Chair Peters opened the floor for questions from the commissioners.

In response to questions from Member Badger, AVA Cole said Staff has not received any reports of damage, erosion or negative impact from the existing trams on the bluff as of to date. He also explained the statement in the memorandum that “the Village Engineer has reviewed the plans and does not recommend against issuance of the special use permit,” as Staff typically does not make positive recommendations in favor of applications.

In response to a question from Member Burns, Ms. Purol said there is an existing deck located at the bottom of the bluff because there is no beach. The plan is to remove a portion of the existing deck to make the landing but nothing else will be constructed at the bottom of the bluff. She said protective measures such as a locking mechanism or fence is needed on the tableland to prevent anyone from trespassing on the property.

In response to a question from Member Burns, AVA Cole said the applicant completed the standards for a variation, but a variation is not required. The PCZBA would only be granting a SUP.

Member Danly commented on the standards for SUP and said she was originally concerned about the destruction of significant features. She commented that the Petitioner did receive a positive response from the neighbors and other property owners have been approved to install trams on the bluff.

Member Miller had no comments.

Member Murray asked if the property owner had any plans with respect to the beach. He said that there are ideas by other parties to reclaim a majority of the lake bottom and pump a lot of sand out onto a beach. He sees this as a bit of a slippery slope because the project will increase access to the shoreline. Ms. Purol said she is not aware of any existing plans for the beach area.

Member Russell asked if the side yard setback had been confirmed because it is his understanding that the trams are treated as an accessory structure. He is concerned because it appears inside towards the center of the lot from the existing staircase, there is no reference, and it may be to close. AVA Cole said Staff did look at that and determined that adequate space was provided.

Member Russell said in the past these types of small lift systems were installed with posts driven into the bluff and were less disruptive to the bluff face. He is in favor of the proposal and thinks it meets the standards for SUP.

In response to a question from Member Miller, Ms. Purol said she does not know if the property owners plan to remove or repair the existing staircase. AVA Cole stated that should the property owner desire to replace the existing staircase, it could be done as of right without going through an Advisory Board review.

Chair Peters, noting it was not relevant to the special use permit standards, inquired of the color scheme out of curiosity. Ms. Purol said the standard is a black cart with metal rails that can be powder coated any color. Presently, neutral colors are offered (regular metal, black or brown) so it does not stand out too much.

In response to a comment from Chair Peters, AVA Cole said that site-specific environmental issues would be addressed by the Building Commissioner during building plan review.

Member Burns made a motion to recommend the Village Board approve the special use permit as presented. Member Murray seconded the motion. The motion passed on the following roll call vote:

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

5. **Staff Report**

AVA Cole said the Village Board favorably approved the RIO Ordinances and thanked the PCZBA for their diligent work. The Sustainability and Community Enhancement Ad Hoc Committee landscape playbook was approved by the Village Board and its next step is to seek a proposal for landscape designs along Route 176. AVA Cole reported that the Committee of the Whole and Historic Preservation Commission will conduct a workshop meeting to discussion the Village historic preservation goals.

VA Schuster invited the PCZBA members to the upcoming Holland & Knight Biennial Local Government Law Seminar for Illinois Local Government Officials which will be held at Ravinia Festival on May 2nd. VA Schuster provided information on the seminar to PCZBA members.

6. **Commissioner's Report**

Member Badger said he was contacted by an individual interested in operating a florist business in the industrial park. This particular business does not have a retail component but will generate sales tax revenue and be considered a special use. He suggested discussing barriers that are different than the planned zoning for the industrial park because it seems to him that many uses in the L-1 District should not be required to appear before a special meeting or pay permit fees. AVA Cole briefly reviewed the application permit fee process. A discussion ensued.

Member Badger said if a business which the Village would like to operate in the industrial park has to jump through hoops, he believes that business will select a surrounding community with lesser restrictions, and he does not believe this is what was intended for these types of uses. He understands we

do not want to open it up to much but part of the PCZBA discussion over the years has been to streamline the process.

In response to a question from Chair Peters, Member Badger said this would be a florist consultant service that will generate sales taxes revenue which will benefit the Village. A discussion followed.

Member Murray commented on a previous decision regarding the Kings and Convicts application and said he suspects that was grounded more in state taxation not local regulations. This zoning review process would be a great example of a barrier for a business to enter into the community which would create jobs, sales tax revenue, etc. The business could be positive for the community and he does not know why that sort of thing would be on the books. A discussion followed.

Member Russell said the use table was overhauled approximately 5 years ago and there were extensive discussions on all the different types of categories. He recalls the motive for revision of the use table was to try and not create stumbling blocks for the type of businesses the Village would prefer to have in the industrial park. A discussion ensued.

Member Burns commented on previous Comprehensive Plan discussions regarding the L-1 District. As he recalls the priorities were to increase revenue, improve the attraction of the industrial park, and ease development as this could be a way to leverage the area and bring in more revenue. Member Burns said he would be in favor, when the comprehensive plan is done, for the PCZBA to review and discuss any PCZBA priorities. The PCZBA should also discuss how to make the L-1 District more attractive, specifically for attracting more businesses and encouraging development in the right way. AVA Cole provided an update on the draft Comprehensive Plan. A discussion followed.

Member Danly agreed with Member Burns. She said this is an opportunity for the PCZBA to consider greater potential use for the L-1 District using the Comprehensive Plan and not just relying on a consultant. She thinks everyone should be interested in looking at a broader scope for land that has great value in many ways for the community. Member Danly said she would be in favor of spending additional time discussing the priorities moving forward.

Chair Peters said the commissioners comments will be memorialized in the meeting minutes for future discussions.

In response to questions from Member Badger, AVA Cole said the proposed plan for a two-story office building, geared toward medical office users, will not move forward because there was not a tenant secured for the building. Also, AVA Cole said there is no update on the Stonebridge or Block Three properties.

7. Adjournment

As there was no further business to come before the PCZBA, Member Burns moved to adjourn the meeting. Member Badger seconded the motion. The meeting adjourned at 7:40 p.m.

Respectfully submitted,

Glen Cole
Assistant to the Village Administrator