

**VILLAGE OF LAKE BLUFF
ARCHITECTURAL BOARD OF REVIEW
REGULAR MEETING
APRIL 2, 2019**

APPROVED MINUTES

1. Call to Order and Roll Call

The meeting of the Architectural Board of Review (ABR) of the Village of Lake Bluff was called to order on April 2, 2019 at 7:00 p.m. in the Village Hall Board Room (40 E. Center Avenue) and the following were present.

Present: Tim Callahan
 Neil Dahlmann
 Matthew Kerouac
 Carol Russ
 Bob Hunter, Chair

Absent: Edward Deegan
 Julie Wehmeyer

Also Present: Mike Croak, Building Codes Supervisor (BCS)
 Glen Cole, Assistant to the Village Administrator (AVA)

2. Consideration of the February 5, 2019 ABR Regular Meeting Minutes

Member Dahlmann made a motion, seconded by member Kerouac, to approve the minutes of the February 5, 2019 ABR meeting as presented. The motion passed on a unanimous voice vote.

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

Chair Hunter asked if anyone would like to address the ABR on any matter not on the agenda. There were no requests to address the ABR.

4. Consideration of a Sign Permit Application for Tenant Sign Criteria for 910 Sherwood Drive and 42 Sherwood Terrace

Chair Hunter introduced the agenda item and invited the petitioner to the podium.

Robert Zgonena of 111 Associates, LLC (Building Owner) said Staff recently contacted him regarding unapproved window signage for several tenants at the Lake Bluff Commerce Center, a multi-tenant commercial property at 910 Sherwood Drive and 42 Sherwood Terrace. The variety of door and window elements across the façade of the building was created to break-up monotonous façade typical of single-story commercial developments and provide a pleasant and unique viewing experience. However, tenants consistently identify the building's façade construction as a hardship for typical door signage because suite doors either setback from the façade, or obscured by the alcove glass, and it can be difficult to see smaller signage.

At the request of Staff, Mr. Zgonena said he is proposing tenant sign criteria for the buildings that would allow tenants to place signage on their door and on the alcove glass, with text to fit into a 30" by 13" rectangle and a graphic element up to the same size. Mr. Zgonena briefly reviewed Section I (Existing Conditions and Hardships) and Section II (New Signage Policy) of the proposal. Any new tenant would have to comply with the proposed new signage policy and any tenant not in compliance with the new policy after two years could directly petition the ABR, but the campus would be dictated by the master signage policy. He commented on the provision in the Sign Code, specifically, Chapter 10-10-14D2 and

Section II and expressed his understanding that the provisions does not particularly limit a sign to 5” inches just the lettering on the signage and he is requesting the letters be expanded to 13” inches.

Mr. Zgonena reviewed the proposed general governing principles of tenant signage. He noted tenants shall limit alphanumeric signage to an area 30” x 13” which will allow for two to three courses of alphanumeric information. Tenants may choose to add a graphic above, below, or centered within the alphanumeric block the maximum dimensions of such graphic shall be 30”x13”. Mr. Zgonena said any new signage would be limited to non-opaque treatments for security and general inspection purposes. There is a variety of door signage (see-through and opaque) throughout that area, most of which will fit within his proposal for 26” height x30” width. Mr. Zgonena recommended the existing signage remain in place and allow a two year grace period for tenants to comply with Section II of the proposal or request a variance from the ABR.

Chair Hunter thanked the Petitioner and expressed his opinion that the signage issues are noticeable on the building.

Member Russ thanked the applicant and said this is a nice visual presentation. There are some good ideas that will help improve the building then she explained why this would not be described as a hardship situation. Member Russ said it does not make sense to allow non-conforming signage to remain for two years and if the signage conforms to the current regulations there is no need for a sunset provision. A discussion followed.

In response to comments from Mr. Zgonena, Member Russ said the proposal is good except for the two year provision.

In response to a comment from Chair Hunter regarding the proceedings, Member Russ said she is okay with the format as presented and she thinks this proposal expresses clarity regarding signage.

Member Kerouac said the tenants are being given fair sign dimensions and he likes the proposal.

Member Dahlmann said as he toured the site he noticed there are a lot of office, retail and automobile dealerships which is not consistent with the original zoning for the L-1 District, and he wonders if it is time to rewrite the zoning and sign code for that area.

In response to a question from Member Dahlmann, Mr. Zgonena said he would like to see non-conforming signage removed sooner, but it would not bother him if it took two years because many of the tenants such as O’My Goodness have occupied their space for years.

Member Dahlmann asked if the dimension could be 30”x26” rectangle and tenant allowed to do whatever they desire within the top half of the rectangle. Mr. Zgonena said that was in deference to the 5” requirements in Section 2.2 of the Code. The idea was to just limit the four corners of the signs to something consistent. A discussion followed.

Member Dahlmann commented on Section 2(6) of the proposal and said the proposed natural and muted colors sound boring and he would not mind if tenants are allow to do what they desire. This is not an exciting building and maybe there are some things that could be done to help make the building interesting.

In response to a comment from Member Dahlmann, Mr. Zgonena said the missing letters on the building are on the repair list.

Member Callahan said the applicant did a great job on the draft proposal and he thinks the proportions are sufficient for the signage area. He expressed concern regarding the two year grace period for non-conforming signage.

Chair Hunter agreed with Member Dahlmann regarding the proposed colors. He said he does like the fact that there is a boundary established because the ABR would not have to worry about the message or graphic as long as it fits within the boundary. Chair Hunter disagreed with the two year grace period and recommended tenants be given one year to replace non-conforming signage. He commented on the space identification and suggested that a permanent metallic number be placed on the masonry above or next to the opening. A discussion followed.

In response to a question from Member Kerouac, Mr. Zgonena said many of the tenant have nice signage and he figured the two year grace period would provide tenants a natural attrition.

Following an extensive discussion, Member Russ suggested the two year variance not be approved because this is not the intent of the ABR.

Member Kerouac made a motion to recommend the Village Board approve the tenant sign criteria with the following conditions (i) allow each tenant to have a 30” wide by 26” tall door sign, provided the sign does not have a solid opaque background (ii) tenants whole front door is recessed into an alcove with glass in front of the alcove would be allowed to have the same sign on the alcove glass and (iii) tenants with existing non-conforming signs will have one year to bring their signs into conformance with the new sign criteria. Member Callahan seconded the motion. The motion passed on the following roll call vote:

Ayes: Russ, Kerouac, Callahan, Dahlmann, and Chair Hunter
Nays: None
Absent: Deegan and Wehmeyer

5. Consideration of a Sign Permit Application for Wine Brokers of Illinois at 910 Sherwood Drive, Unit 20

Chair Hunter introduced the agenda item and invited the applicant to the podium.

Mark and Monica Miara, Owners of Wine Brokers of Illinois, introduced themselves and the landlord. Mr. Miara described the 48” wide x 96” tall window wraps and said the wraps are changed annually and have helped clients find the location. Staff recently informed him that window signs are not permitted in the L-1 Zoning District and he expressed his desire to keep the signs.

Chair Hunter opened the floor to questions from the commissioner.

In response to a question from Member Callahan, Chair Hunter said window signs are not permitted in the L-1 Zoning District.

Member Callahan said the sign obviously allows clients to find the place. Mr. Miara said the vinyl wrap is applied to the glass to advertise the product. He commented on other business that use this type of modern technology for advertising.

In response to a comment from Member Dahlmann, Ms. Miara said the area have changed since they occupied the space. At the present there are many different businesses (personal training, retail shop and dentist) and she like the idea of possibly rewriting the zoning regulations that apply to this specific location.

In response to a comment from Mr. Miara, BCS Croak said the tenants of the flower shop have been asked to apply for a permit.

Member Kerouac asked if window wraps would be allowed, if hypothetically, the area was rezoned commercial. BCS Croak said the sign code allows 15% window coverage for the Central Business District and the tenant sign criteria for Target Outlots allows the same.

Chair Hunter said Bluffington's Café had a similar issue which was resolved by allowing a variance for an interior hanging sign. Chair Hunter said the L-1 Zoning District is changing and there have been discussions on how to make the area more retail/business friendly. A discussion followed.

Member Russ said the variance for Bluffington's was approved because the hanging signage was considered artwork of a specific nature. She said to place all of the burden on signage is not appropriate because there are other ways to identify the location such as an interior lite display. A discussion followed.

Member Russ commented that one of the wraps is actually an advertising billboard and larger than any signage allowed. There are other options available and she does not think this is an excellent example. Mr. Miara said the transparent vinyl film provides security and curbs theft. He said the window wraps were installed approximately three years ago then explained why.

In response to a question from Member Kerouac, Mr. Miara said the wraps are installed on two of the three door windows. A discussion followed.

Chair Hunter recommended allowing the window wraps to remain for one year. This should be sufficient enough time for the applicant to consider other options and the Village to pursue other alternatives for the entire industrial park.

In response to a question from Mr. Miara, BCS Croak said window tint is not considered signage. A discussion followed.

Mr. Miara said he established his retail business in Lake Forest and Lake Bluff but if he cannot advertise he might have to look elsewhere but he would prefer to stay on the North Shore.

Chair Hunter said business should be allowed to advertise, if the intent is to make the industrial park a retail area. An extensive discussion regarding window signage followed.

Member Kerouac said many great points have been raised but window signage is not allowed in the L-1 Zoning District. A discussion followed.

Member Russ said the hubcap in the windows along IL176 would be considered advertisement pursuant to Village ordinance. She agrees that further review of the area is needed because there is no clear direction. A discussion followed.

Chair Hunter said there will be no action taken on this matter this evening but an alternative must be considered. A discussion followed.

Member Russ said the mirrored image may improve security but it is not the kind of image that should be projected, and she is not sure everything can be solved with signage. A discussion followed.

Member Kerouac said the Village wants businesses and landlords to be successful but the renters/buyers are aware of Village regulations and it is not up to the ABR to redeem a contract.

BCS Croak said the applicant would be allowed to keep the existing window sign up, assuming the Village Board approves the tenant sign criteria for the Lake Bluff Commerce Center.

It was the consensus of the ABR and applicant not to take any action on the proposed window signage.

6. Discussion Regarding Site Plan Review Code Amendments

Chair Hunter introduced the staff report, Site Plan Review Code Amendments, then invited AVA Cole to the podium.

AVA Cole reviewed the changes to the draft ordinance per the ABR's direction:

- Extend site plan review to all non-residential properties;
- Rename the site plan process to “design review” and remove contrary language that implies the ABR reviews traditional zoning or subdivision items such as drainage or public utilities;
- Clearly define the ABR's involvement in reviewing other elements of site design such as street furniture, landscaping, and parking lots;
- Allows many projects to proceed directly following review by the ABR (without action by the Village Board of Trustees) except the construction of a new building, enlargement of an existing building by more than 400 sq. ft. or if a site plan includes a variation or special use permit; and
- Creates a limited path for the Building Commissioner to approve minor design adjustments during the course of construction pursuant to the following criteria (i) its mid construction, (ii) a percentage requirement for elevation changes, (iii) do not move any building circulation elements by a significant amount 20 ft. or 25% between buildings and circulation elements in the lot line.

He said key items the ABR may wish to discuss include:

- Enforcement of landscape details approved for private property without being burdensome; and
- Consider under what circumstances, approvals by the BC would be warranted or property given the other changes to the ordinance.

A discuss ensued.

Chair Hunter expressed his concern regarding the percentage of change on elevations and said it should read “any fundamental changes to the appearance of the building.” BCS Croak said the language appeases lawyers because percentage to the façade is measurable. A discussion regarding the language for percentage requirements/minor design adjustments ensued.

Member Dahlmann suggested Section 4 read “The Building Commissioner may approve minor adjustments to a design approval that are requested during the timely completion of the subject development upon his determination that the adjustment is consistent with the purpose of this Section.”

AVA Cole said if that is the desire of the ABR we can try to move forward with that suggestion. A discussion followed.

BCS Croak asked if it was possible to combine the two to read “if the Building Commissioner is confident that it is consistent with the purpose of this chapter and prior approvals, and if it is less than 20%. It would emphasize that the 20% is not the only consideration. A discussion ensued.

Chair Hunter said it is important to consider future Staff, specifically the Village Administrator, because Building Commissioner qualifications are not required for this position. A discussion followed.

In response to a question from Member Kerouac, AVA Cole said it is important to know that the draft ordinance as written, the percentage would be on one elevation not the entire building. The ABR would have assurance of a design approval as future Staff is unknown.

BCS Croak said the 20% applies to adjustments to an approval that has been made by the ABR it does not apply to a new project that will alter an existing building. Currently, the draft ordinance states “the Building Commissioner may approve minor adjustments to a design approval that are requested during the timely completion of the subject development upon his determination that all the following conditions are satisfied.” AVA Cole said this is a guardrail that the ABR can remove which were put in anticipating these concerns and he explained the associated idea. A discussion followed.

Chair Hunter strongly objected to the language and said it flies in the face of what we are trying to do which is create better architecture than what we have now. A discussion followed.

In response to a comment from AVA Cole, BCS Croak said is it seems more logical because 20% could give someone a false suggestion of how they should determine the boundary. It is the significance of the change, which does not necessarily relate to the percentage of the façade. A discussion followed.

Chair Hunter said the draft ordinance does not specifically address the site plan.

Member Russ said people respond to non-subjective language and design is a weak adjective. She would prefer “Site Assessment Review Guidelines”. A discussion followed.

Chair Hunter said the existing Code, as written, states “the ABR is responsible for the similar/dissimilar” and to him should have never been written because it is bogus. He asked if the purpose of the draft ordinance was to replace the introductory purpose of the ABR. AVA Cole said it will replace a section of the Zoning Code that addresses how to conduct a site plan review.

Chair Hunter said the entire heading in the Village Code regarding the ABR purpose is bogus and should be deleted. A discussion regarding precedence order ensued.

Chair Hunter said it should be clearer that the ABR looks at new buildings or buildings that have an addition, the language as written can be confusing.

AVA Cole said #2 would be rewritten to read “construct a building or structure, alter the exterior appearance of a building or structure and enlarge a building or structure or remodel in any manner that

affects the exterior appearance of any building or structure.” He said #1 can be discussed because it seem a little opaque. He used Block Three as an example for his comments relating to the Village site plan review process.

BCS Croak said that Section should be tweaked because if a tenant moves into a third floor office space in Block One, they would not have to appear before the ABR because there will be no exterior changes. AVA Cole said it applies to change in use not change in occupancy.

Chair Hunter said one of the most important things the ABR does is look at construction and he recommended reversing numbers #1 and #2. A discussion followed.

Member Kerouac said if he was a new architect to Lake Bluff and read “that a design review shall be required before any person may commence any new or additional use” it would seem a little clumsy. He asked if the word “Project” could be used instead of “Person” because the ABR usually discuss the project not a person. AVA Cole said it is written as such because a cease notice or citation is issued to a person not a project. A discussion followed.

Member Kerouac said he would prefer exemptions be moved to the front of the Code.

In response to a comment from Chair Hunter, BCS Croak commented on where to find exemptions regarding residential developments and noted single family is exempt. A discussion followed.

Member Kerouac suggested that three dimensional rendering not be required but something with enough descriptive information. A discussion followed.

In response to a comment from Member Dahlmann, a discussion regarding Section C(2) – Exempt Activities “painting or refinishing of existing surfaces” followed.

In response to a comment from Member Dahlmann, AVA Cole explained Section C(3) Exempt Activities, changes to signage subject to review by the ABR pursuant to Chapter 10 of this title.

BCS Croak said the significance of that is most of the site plan reviews go to the Village Board whereas some of the sign approvals does not so you do not want to require both approvals of the same thing. Member Dahlmann said the section should be reworded for clarity.

In response to a comment from Member Kerouac, AVA Cole explained Section C(4) Exempt Activities, total demolition of the principal improvements upon a site. He said it is difficult to justify that a property owner should not be able to demolish a building without additional facts. A discussion regarding demolition followed.

In response to a comment from Chair Hunter regarding landscape, AVA Cole commented on previous site plan discussions and said he is hopeful that the site plan ordinance will provide a firmer foundation. He said this clarifies that, although there is a site plan, the landscape improvements must be maintained and/or replaced. A discussion followed.

Member Callahan said a grace period should be attached to the landscape and he thinks it should be okay as long as the design intent does not drastically change. A discussion followed.

In response to a question from Member Kerouac, BCS Croak said the Village requires 3” inch drip line protection during construction. Member Kerouac suggested Section D(1) be changed to reflect a three inch trunk diameter. A discussion followed.

In response to a question from Member Russ, BCS Croak said he thinks the changes addresses particular onerous enforcement issues.

In response to a question from Member Kerouac, AVA Cole said Section F, Landscape Maintenance Required, is not an active enforcement but the section can be used to write enforcement letters or violation notices.

Chair Hunter said this does not state “that the individual must conform to what was approved” which is what the ABR is responsible for and he recommended the language be clarified to reflect it must comply with what was originally approved. A discussion followed.

In response to a question from Member Dahlmann, AVA Cole reviewed the next steps in the process. He said he wants the ABR to feel comfortable with what the Village Board should approve and what the ABR should be empowered to look at on its own. Currently, the Village Board has to approve all actions.

Member Russ suggested Section E(ii) read “enlargement or modification of an existing building, etc.”

Chair Hunter said except for signage, he does not think the Village Board has gone against the ABR recommendations.

Following a comment from AVA Cole, an extensive discussion regarding Section 4, Minor Adjustments by Building Commissioner ensued. AVA Cole said the draft ordinance will be revised and presented at a future ABR meeting.

In response to a question from Chair Hunter, AVA Cole said the proposed plan for a two-story office building, geared toward medical office use, will not move forward because there was not a tenant secured for the building.

7. Adjournment

There being no further business to consider a motion was duly made and the meeting adjourned at 9:06 PM.

Respectfully submitted,

Mike Croak, CBO, CBCO
Building Codes Supervisor