

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

**APRIL 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, April 17, 2019, at 7:00 p.m. in the Village Hall Board Room (40 E. Center Avenue).

The following members were present:

Members: Jill Danly  
Elliot Miller  
James Murray (via phone)  
George Russell  
Gary Peters, Chair

Absent: Sam Badger  
David Burns

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

Chair Peters reported that a notice was received from Member Murray in accordance with the Village's Electronic Attendance at Meetings Policy. Member Murray will be deemed authorized to attend the meeting electronically unless a motion objecting to his electronic attendance is made. There were no objections and Member Murray was deemed present.

Chair Peters thanked former Member Sam Badger for his 12 years of exceptional service on the Plan Commission and PCZBA. He said Member Badger brought an excellent work ethic and tremendous professional expertise to both committees which he found to be invaluable and wished him well on future endeavors.

**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 March 20, 2019 PCZBA Regular Meeting Minutes**

Member Miller moved to approve the March 20, 2019 PCZBA Regular Meeting Minutes as presented. Member Russell seconded the motion. The motion passed on a unanimous voice vote.

Chair Peters said the Applicant for Agenda Item #5-Public Hearing has not arrived and recommended taking Agenda Item #6-Staff Report. There were no objections.

**4. Staff Report (L-1 Use History)**

AVA Cole said the PCZBA discussed the history of use regulations in the L-1 Light Industry District and efforts to review and revise the zoning use table to be more permissive in the district. Excerpts of minutes provided show key points in the consideration of the use changes recommended by the Waukegan Road Corridor Study in 2011. The discussions did not result in any comprehensive amendments or direct changes to the use table.

In response to a question from Chair Peters, AVA Cole said at the discretion of the PCZBA the discussions this evening could include matching up the permitted uses in the Central Business District (CBD) to those in the L-1 District, use table restructure, amongst other approaches. Chair Peters said it could be beneficial to explore whether permitted uses in the CBD could be adopted in the L-1 District. A discussion followed.

Member Russell said he would be in favor of reviewing all uses in the L-1, L-2 and CBD Districts as the general sentiment of previous discussions was to make the process easier for businesses, such as the florist consultant, to operate in the L-1 District without having to endure application cost. However, prior to moving forward he would prefer the PCZBA focus on discussions regarding the Comprehensive Plan.

Chair Peters said from a timing perspective this may be a good approach because he thinks there might be some Comprehensive Plan related activities and the L-1 Use history should be revisited at a later time.

Member Miller asked if the pre-application workshop, similar to the one for the Smedbo Property, could be applied to simple businesses that desire to operate in the L-1 District. Chair Peters said maybe this approach should be adopted in the short term, if it works out from a Staff perspective then address it more globally when an opportunity is presented. The intent should be to make it as efficient as possible for everyone involved.

Member Danly commented on how often the word “simplify” was used in previous minutes and questioned how to make the process easier and give tax breaks for the Village. She said she feels this approach could be one step toward simplifying the process.

AVA Cole reported on potential zoning applications for a fitness facility in the L-1 District and variations for 101 Waukegan Road as the plan is to expand rear parking into the 50 ft. setback. A discussion followed.

**5. A Public Hearing for 49 & 51 Sherwood Terrace**

Chair Peters stated VA Ben Schuster advised him that the PCZBA may proceed with Agenda Item #5, A Public Hearing for 49 & 51 Sherwood Terrace, on behalf of the Applicant. He does not know why the Applicant is not present but he thinks this would be the efficient way to proceed.

VA Schuster reviewed the legality regarding this type of proceedings.

Chair Peters opened the public hearing and asked that the record reflect that the PCZBA adopted and incorporated by reference the Petitioner’s filing. The PCZBA may proceed to discuss the merits of a possible text amendment and/or special use permit.

Chair Peters opened the floor for comments from the commissioners.

Member Danly had no comments but said she would encourage the PCZBA to consider how to simplify the process and allow businesses of this statute/standard to operate in the L-1 District. In response to a question from Chair Peters, Member Danly said she would prefer a special use permit (SUP) then asked for clarification regarding a SUP and text amendment.

Following a request from Chair Peters, AVA Cole explained the text amendment and SUP process. Following his explanation, Member Danly said she did not see anything in the application that would require a SUP and she recommended it be considered a permitted use.

Chair Peters explained why it was necessary for the PCZBA to contemplate how to define “Florist.”

In response to a comment from Member Miller, VA Schuster said the PCZBA can make the text amendment “florist” and leave it open and broad to include retail and non-retail businesses. If the PCZBA desires, the text amendment could be defined as “florists not primarily engaged in retail activities”. He stated that while this particular applicant describes the business as non-retail, nothing would prevent another applicant from operating a retail shop, if the text amendment is defined as “florist”. A discussion followed.

Member Miller said he thinks it should be a text amendment defined as a “florist” rather than wholesale or retail florist.

Member Russell asked for clarification regarding the type of business and services for this particular applicant. He asked what information was relayed that would require this discussion and not allow the applicant to operate as of right pursuant to the “general office” designation.

AVA Cole described his understanding of the business and services described in the application. In this particular case there is a provision that says “florists” are not allowed in the L-1 District as well as a SIC Code reference that includes both wholesale and retail florists. Pursuant to Village regulations, florists are not a permitted use in the L-1 District.

Member Russell said given the manner which previous bodies have discussed the possibility of allowing retail businesses and if all requirements of the Zoning Code are met, he would highly favor a text amendment to allow florist operations because this use might attract people and it will have no negative impact on the area.

Member Danly commented on the purchase transition for a similar Lake Bluff floral business, Designs by Jody, and said she does not think the wording should be so specific as to prevent these type of transactions from occurring because transitions will inevitably occur in consultant, distributors and wholesale businesses. AVA Cole noted for clarity that Designs by Jody is actually located within the corporate boundary of the Village of Green Oaks.

Member Murray said he would support a text amendment and a permitted use.

Chair Peters commented that the applicant would have flowers delivered to the facility at periodic intervals and noted he is not opposed to temporary storage. He asked, for the purpose of clarity, how

long the flowers will be stored onsite prior to shipment. AVA Cole said it would be conjecture for him to answer that question. A discussion regarding the floor plan ensued.

Member Russell commented on non-related maintenance items for the facility which included existing tenant signage and an erected storage building fronting Route 41 and asked if Staff could address the issues.

Following a comment from Chair Peters regarding the PCZBA authority, Member Miller made a motion to recommend to the Village Board allow florists as a permitted use in the L-1 District. Member Danly seconded the motion. The motion passed on the following roll call vote:

Ayes: (5) Danly, Miller, Murray, Russell, Peters  
Nays: (0)  
Absent: (2) Badger, Burns

**6. Commissioner's Report**

There was no report.

VA Schuster extended an invite to 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 2<sup>nd</sup>. VA Schuster provided information on the seminar.

**7. Adjournment**

As there was no further business to come before the PCZBA, Member Miller moved to adjourn the meeting. Member Danly seconded the motion. The meeting adjourned at 7:29 p.m.

Respectfully submitted,

Glen Cole  
Assistant to the Village Administrator