

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

November 17, 2021

APPROVED MINUTES

1. Call to Order & Roll Call

Chair Peters called to order the meeting of the Joint Plan Commission and Zoning Board of Appeals (PCZBA) of the Village of Lake Bluff on Wednesday, November 17, 2021, at 7:00 p.m.

The following members were present:

Members: Jill Danly
Deborah Fischer
Elliot Miller
George Russell
Aaron Towle
Anne Sorensen
Gary Peters, Chair

Also Present: Benjamin 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 (3) minutes.

There were no requests to address the PCZBA.

3. Consideration of the October 20, 2021 PCZBA Special Meeting Minutes

Member Fischer moved to adopt the October 20, 2021 PCZBA Regular Meeting Minutes. Member Sorensen seconded the motion. The motion passed on a voice vote.

4. Public Hearing – Final Plan & Special Use Permit – 425-429 Shore Acres Drive (Lot 1 in Arden Shore Subdivision)

At the invitation of the Chair, AVA Cole summarized the item. He stated that, in March 2021, the Village adopted Ordinance 2021-5, which approved a subdivision and a number of variations for the Arden Shore subdivision. The subdivision and variations contemplate the development of The subject lot as a single family residence complemented by two accessory dwelling units. In the absence of final plans that would typically be required before awarding a variation, the Ordinance approved the variations contingent upon the PCZBA and the Village Board approving a Final Plan that meets certain conditions. In October 2021, the Village received a proposed Final Plan for

approval. The Final Plan also proposes the construction of a residential poolhouse with light, heat, and bathing or shower facilities, which is governed as a special use under the Village's zoning regulations and requires the approval of a special use permit to construct and use. He stated that the staff memorandum contains additional analysis on certain aspects of the proposed Final Plan.

Chair Peters administered the oath to the representatives of the Petitioner participating in the public hearing. Phillip Liederbach of Liederbach and Graham, the Petitioner's architect, came forward to present the plans included in the PCZBA's agenda packet.

No members of the public asked to testify before the PCZBA.

Member Towle asked if the neighboring homes would be larger than the main house contemplated by the final plan. Mr. Liederbach replied that he believes they are.

Member Towle asked if there would only be one entrance to the gardener's cottage. Mr. Liederbach replied in the affirmative and said that it was an informal configuration that included a minimal number of features compared to other residential projects he designs.

Chair Peters noted that the location of the cottages had shifted from a central location as contemplated in the Petitioner's presentations earlier this year as part of the subdivision approval. He asked if the neighbors had been consulted. Mr. Liederbach replied that he hadn't personally communicated with either neighbor regarding the plan, but that the Petitioner has taken a neighborly approach and has presented a plan with substantially larger setbacks and reduced scale than they would otherwise be permitted to build. He said that he had previously walked the property with the southerly neighbor to discuss how the golf practice field (proposed to the west as part of the subdivision) and the subject property would co-exist. AVA Cole stated that both neighbors had received mail notice of the hearing and were not present.

Member Danly stated that other developers had come forward proposing 15-20 houses on this property. She said that this was a thoughtful and beautiful approach and a great outcome for the neighbors.

Member Fischer stated that she was the listing agent for the property when it was sold to the Petitioner and that she has had no involvement in the property since that time. She concurred with Member Danly and stated that, at one time, there were as many as 27 homes proposed. By comparison, this design felt like a David Adler or Crab Tree Farm style of design with smaller buildings and landscaping that demonstrates creativity.

Member Miller asked about the status of the fence variation. AVA Cole described the history of the fence variation and the mechanism provided in the original approval. He said that, unless the Petitioner presented the details of the fence at this time, the fence variation would expire, and that the Petitioner was awaiting more details on the design of the golf practice field to the fence before proceeding with a fence. He listed the activities the Petitioner could undertake without zoning

relief or approval along the property line. VA Schuster described the Ordinance mechanism in further detail. In response to a question from Member Miller, AVA Cole stated that the intent of this mechanism was to reduce the administrative burden for the applicant but that Staff did not anticipate that the Petitioner would not be prepared to move forward with the fence at the time they would develop the rest of the property.

Member Sorensen asked if there was any intent to convert the poolhouse into an accessory dwelling unit in the future. Mr. Liederbach replied that there was no intent whatsoever and that the heavy timber design of the structure would not lend itself to remodeling or repurposing.

Member Russell concurred with Member Danly and Fischer regarding the prior development proposals for this lot and stated that the proposal was drastically smaller in scale than would be permitted by right for this property. He expressed his strong support for the development.

Chair Peters stated that the Applicant's responses to the standards for a special use permit would be incorporated into the record and asked if there were any further comments.

Member Towle moved to recommend the Village Board grant the requested relief in the form of the draft Ordinance. Member Miller seconded the motion. The motion passed on the following roll call vote:

Ayes: (7) Danly, Fischer, Miller, Russell, Sorensen, Towle, Chair Peters
Nays: (0)
Absent: (0)

5. Public Hearing – Text Amendment – Accessory Dwelling Units

At the invitation of the Chair, AVA Cole presented the item. Throughout 2020 and 2021, the PCZBA has reviewed the concept of accessory dwelling units as a component of its alternative housing strategy and the Village's Comprehensive Plan. Today, the Village allows only one dwelling unit to be built on a single-family lot; accordingly, the Village does not allow the construction of separated areas with separate living, bathing, and cooking facilities. The PCZBA has prepared a draft set of regulations that would change these rules to allow accessory dwelling units ("ADUs") to be built within the Village.

He stated that the PCZBA developed its proposed accessory dwelling unit regulations over the past 16 months. The process included numerous public meetings; reviews of local and national examples of accessory dwelling unit regulations; the preparation of a series of example design prototypes by a licensed architect and land use planner; and consultation with the Architectural Board of Review and the Village Board.

He summarized the draft regulations as allowing ADUs as a special use subject to the following:

- ADUs must be authorized through a streamlined special use process, which requires a public hearing before approval. The draft Ordinance includes the PCZBA's

recommendations that the Village Board adopt fee reductions or waivers to facilitate the construction of ADUs as well as re-evaluate the continued necessity of regulating these units as a special use after no more than five years.

- ADUs are included in / subject to all of the Village’s typical bulk regulations and are also subject to additional restrictions on location, height, and scale. ADUs are limited to a maximum size of 800 square feet, or 1,500 in the Country Estate district; additional scale restrictions also apply relative to the principal structure.
- Short-term rentals continue to be prohibited in ADUs. There are provisions that allow ADUs to be rented, but that would prohibit an ADU from being rented separately from a rental of the principal residence.

AVA Cole concluded his presentation. No members of the public asked to testify before the PCZBA.

Chair Peters noted that the PCZBA had received a letter from Ms. Mickey Collins regarding this item. At the request of Member Miller, AVA Cole summarized the letter as well as options prepared for the PCZBA that could implement these suggestions.

Member Russell stated that he supports the letter’s suggestion that the Village not allow a second entrance along the front of a residence and described various examples. Member Towle expressed that, for public safety, it would be important not to confuse first responders as to which door is the front door as that could delay life saving measures. In response to a question from Member Sorensen, AVA Cole stated that there is inconsistent treatment among other communities they reviewed as to how ADUs are assigned addresses and that Staff would review this on a case-by-case basis. Following further discussion, the consensus of the PCZBA was to include an additional criteria about the visibility of the entranceway to the ADU among the other criteria for the PCZBA to review when considering a special use permit for an ADU.

Chair Peters stated that Ms. Collins’ letter also discussed the method for calculating the floor area of an accessory dwelling unit. AVA Cole explained the basis of the drafting decision. Following a discussion, the consensus of the PCZBA was not to adjust the method presented in the draft Ordinance.

Member Miller moved to recommend the Village Board adopt the text amendment with additional criteria regarding the visibility of the entranceway to the ADU. Member Sorensen seconded the motion. The motion passed on the following roll call vote:

Ayes: (7) Danly, Fischer, Miller, Russell, Sorensen, Towle, Chair Peters
Nays: (0)
Absent: (0)

6. Commissioner’s Report

There was no commissioner’s report.

7. Staff Report

AVA Cole stated that the Village Board would soon consider both a proposed settlement agreement concerning the Stonebridge litigation as well as recommended administrative revisions to the Village’s historic preservation ordinance.

7. Executive Session

At 8:10 p.m., Member Fischer moved to enter into Executive Session to discuss pending litigation (5 ILCS 120/2(c)(11)). Member Sorensen seconded the motion. The motion passed on the following roll call vote:

Ayes: (7) Danly, Fischer, Miller, Russell, Sorensen, Towle, Chair Peters
Nays: (0)
Absent: (0)

There being no further business to discuss, Member Towle moved to adjourn the executive session. Member Fischer seconded the motion and at 9:03 p.m. the motion passed on the following roll call vote:

Ayes: (7) Danly, Fischer, Miller, Russell, Sorensen, Towle, Chair Peters
Nays: (0)
Absent: (0)

7. Adjournment

As there was no further business to come before the PCZBA, Member Towle moved to adjourn the meeting. Member Sorensen seconded the motion. The meeting adjourned at 9:04 p.m.

Respectfully submitted,

Glen Cole
Assistant to the Village Administrator