

## ZONING BOARD OF APPEALS/PLAN COMMISSION

### MEETING MINUTES

**Thursday, February 21, 2019, at 7:30 PM**  
**Village Hall, 1 N. Prospect Avenue, Clarendon Hills, Illinois**

I. **CALL TO ORDER.** Chairman Greg Kuhn called the meeting of the Zoning Board of Appeals/Plan Commission to order at 7:30 pm. The Commission welcomed the ZBA/PC's newest member, Andriy Striltschuk. Mr. Striltschuk was recently appointed by the Village Board to fill the vacancy left by Joe Tobolski.

II. **ROLL CALL.**

Present: Chairman Greg Kuhn, Karin Hanke, Jim Scheer, Martha Kanter, and Andriy Striltschuk

Absent: Tom Szurgot, and Jeff Keiner

Others Present: Community Development Director Dan Ungerleider  
Arista Strungys, Principle at Camiros

III. **APPROVAL OF MINUTES.**

a. **November 15, 2018.** Mrs. Hanke made a motion, seconded by Mrs. Kanter, to approve the minutes from the Special ZBA/PC meeting held on November 15, 2018. The motion unanimously passed by a voice vote.

IV. **NEW BUSINESS.** None

V. **OLD BUSINESS.**

a. Case No 486 / Zoning Ordinance Modernization Project - Chairman Kuhn explained that this is a continuation of the ZBA/PC's November 15, 2018 discussions. The ZBA/PC has been reviewing the proposed comprehensive amendment to the zoning ordinance section by section. Mr. Ungerleider reported that the ZBA/PC had received the copy of the Public Hearing Zoning Ordinance, a draft document incorporating the Commission's comments raised during prior ZBA/PC workshop meeting. During this evening's meeting they would be presented the entire document with a summarized description of each section's objectives and proposed changes. Once the ZBA/PC has completed its review, staff will ask the ZBA/PC transmit the Public Hearing Draft to the Village Board for direction to proceed toward public hearing review and adoption.

Ms. Strungys explained that each Article contains notes summarizing the changes made and commentary. Parsing the text of the ordinance to show "new" versus "existing" regulations would have been confusing. The Public Hearing Draft ordinance is an "update" rather than a "revision" of existing policy. The new document incorporates graphics/illustrations, tables/charts, logical organization and new terms addressing modern issues not present when the existing zoning ordinance was drafted and amended.

A summary of the ZBA/PC's discussion is outlined as follows:

**ARTICLE 1. TITLE, PURPOSE, AND APPLICABILITY** – This article is substantively the same as the current ordinance. Section 1.4 Transitional Rules has been added to address application of old and new regulations during the adoption and application of the new ordinance.

**ARTICLE 2. DEFINITIONS AND RULES OF MEASUREMENT** – This article contains some new definitions as well as additional content. Rules of Measurement, previously located throughout the ordinance, have been moved and organized into this article. Importantly, the definition of terms from the current ordinance have been carried over to the new ordinance. *A definition for medication cannabis distribution facilities and the like will be added before the ordinance is presented in public hearing form. Based on ZBA/PC discussion, some definitions will be retitled (vehicle, commercial to commercial vehicle) and duplicated with reference (vehicle, commercial: see commercial vehicle). Definitions and rules of measurement in Article 12 Sign Regulations will be moved to this Article, as well.*

**ARTICLE 3. ZONING DISTRICTS** – *The zoning district structure has been reorganized. Residential districts include R-1 through R-3. Business Districts include L-O Limited Office (fka R-1A), O-T Office Transitional (fka O-R Office Research, and B-1 through B-3. The I Industrial district has been removed. A P-I Public-Institutional district has been created for government, education and religious uses.*

**ARTICLE 4. RESIDENTIAL DISTRICTS** – *A purpose statement has been added for each district. A table has been provided to establish dimensional standards for each district. Impervious surface incentives to promote stormwater control offsets. Front yard requirements in the R-1 district will be based on average block face, rather than set variables. Government and Institutional uses have been relocated to a new zoning district. Section references are provided for site development standards (Article 9), off-street parking and loading (Article 10), and landscape requirements (Article 11).*

**ARTICLE 5. BUSINESS DISTRICTS** - *A purpose statement has been added for each district. A table has been provided to establish dimensional standards for each district. L-O Limited Office District, formerly R-1A, and O-T Office Transitional District, formally O-R Office Research District are better defined. Dimensional standards, provided in table format, are substantially the same as the current ordinance. Section references are provided for site development standards (Article 9), off-street parking and loading (Article 10), and landscape requirements (Article 11). Reference to building height as measured in stories will be removed per ZBA/PC comments.*

**ARTICLE 6. PUBLIC AND INSTITUTIONAL DISTRICT** – *This is a new district provided to accommodate public and institutional uses in the community, such as schools, government facilities, places of worship, and fraternal organizations. This designation will protect existing P-I developments while protecting neighborhoods for their expansion without public hearing review.*

**ARTICLE 7. D – O DOWNTOWN DESIGN REVIEW OVERLAY DISTRICT** – *This Article is substantively the same as the current Downtown Design Overlay District. The scope of design review was expanded to allow departures in yard standards without the need for a variation.*

**ARTICLE 8. USES** - *Use controls for all districts have been organized into this article, listed in table format. Principal and Temporary Use Standards have also been moved into this article. Standards for specific uses are defined and referenced in the uses table at the beginning of the table. Rather than listing prohibiting uses, a legally problematic practice uses not listed in this article are prohibited. Garage and Estate Sales, and Medical Cannabis Distribution Sales will be added to the listed on conditional uses permitted in the O-T Office Transitional District. Public Safety Facilities will be removed from the R-1 and R-3 districts and added as a permitted use in the P-I Public Institutional District.*

**ARTICLE 9. SITE DEVELOPMENT STANDARDS** - *This Article is substantively new. Site development standards previously located throughout the ordinance are now incorporated into this Article. For instance, permitted encroachments and fences have been relocated into this article. The Article provides a centralized location regarding exterior fences, accessory structures and uses, and permitted encroachments and environmental performance standards.*

**ARTICLE 10. OFF-STREET PARKING AND LOADING** – *Parking requirements have been reorganized in table form without any substantive regulatory changes. Standards are now provided for bicycle facilities, electric vehicle charging stations.*

**ARTICLE 11. LANDSCAPE** – *The current ordinance has very limited provisions for landscaping. This is a new section establishing a comprehensive treatment of site landscaping for multiple-family and commercial developments. Specifically, as requested by the ZBA/PC, standards for building foundation and parking lot perimeter landscaping is now defined.*

**ARTICLE 12. SIGN REGULATIONS** – *This Article represents a substantial upgrade of the Village's current sign regulations. Regulations from the current ordinance have been carried over to the new ordinance. Illustrations of sign types and measurement standards have been developed and relocated to Article 2: Definitions and Rules of Measurement. The blade sign illustration will be revised to reflect the desired characteristics envisioned by the ZBA/PC during the original adoption for this type of sign.*

**ARTICLE 13. ADMINISTRATIVE BODIES** – *This Article is substantively the same as the current ordinance with enhanced formatting to provide clarity in combination with Articles 14 and 15.*

**ARTICLE 14. ZONING PROCEDURES** – *This Article is substantively the same as the current ordinance with enhanced formatting to provide clarity in combination with Articles 13 and 15.*

**ARTICLE 15. ZONING APPLICATIONS** – *This Article is substantively the same as the current ordinance with enhanced formatting to provide clarity in combination with Articles 13 and 14.*

**ARTICLE 16. NONCONFORMITIES** – *The nonconforming regulations of the existing ordinance were carried over to this new ordinance. Regulations for nonconforming site elements have been added to all the Village to bring existing uses into conformance relative to landscaping and lighting when existing uses are expanded.*

**ARTICLE 17. ENFORCEMENT** - *This Article is substantively the same as the current ordinance.*

Mr. Ungerleider asked the ZBA/PC to consider directing the Staff to present the current draft, with noted revisions, to the Village Board at an upcoming meeting before moving forward with the required public hearing review process. A motion was made by Mr. Scheer, seconded by Karen Hanke, to direct staff to present the draft document to the Village Board in consideration of proceed forward with the required public hearing review process. The motion was unanimously passed by a vote of 5-0.

- VI. **COMMENTS FROM THE AUDIENCE.** Lad Kucera, of 2 Arthur Ave, asked that the ZBA/PC consider providing a sample calculation for determining permitted impervious surfaces. Mr. Ungerleider agreed to create a separate information document that would be available on the Village website.
- VII. **DISCUSSION ITEMS.** Mr. Ungerleider provided an update on the upcoming Downtown Revitalization Project.
- VIII. **ADJOURNMENT.** A motion was made by Mr. Scheer and seconded by Mrs. Hanke, to adjourn the meeting at 9:40pm. The motion passed unanimously by a voice vote.

Respectfully Submitted,



Dan Ungerleider  
Community Development Director