

ZONING BOARD OF APPEALS/PLAN COMMISSION

MEETING MINUTES

Thursday, May 16, 2019, at 7:30 PM
Village Hall, 1 N. Prospect Avenue, Clarendon Hills, Illinois

- I. **CALL TO ORDER.** Chairman Kuhn called the Zoning Board of Appeals/Plan Commission meeting to order at 7:30 pm.
- II. **ROLL CALL.**
Present: Chairman Greg Kuhn, Jim Scheer, Martha Kanter, Tom Szurgot, and Jeff Keiner
Absent: Karin Hanke, and Andriy Striltschuk
Others Present: Community Development Director Dan Ungerleider
William James, Camiros
- III. **APPROVAL OF MINUTES.**
 - a. **March 21, 2019** – Mr. Scheer made a motion, seconded by Mr. Keiner, to approve the minutes from the ZBA/PC meeting held on April 18, 2019. 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 introduced the case and noted that this item was continued from February 21, 2019. The draft working document included with the agenda represents many months of work and discussion by the Zoning Board of Appeals/Plan Commission, Village Staff, and the outside planning consultant, Camiros.

Mr. Ungerleider explained that it is Staff's hope that this would be the final review of the draft document, and that at the conclusion of the meeting the ZBA/PC would direct Staff to schedule and post notice for the public hearing required as part of the consideration of the final document. He reported that the Village Board's Land Use Committee had held a special meeting to review the draft document, provided minor housekeeping comments and expressed appreciation for the time and effort that the ZBA/PC had spent in preparation of the draft document. As a result of the Committee meeting, Camiros and Staff have made a few minor adjustments to the text and republished the document-in-whole in the Village's project website.

Mr. James, principal consultant with Camiros, presented a powerpoint summarizing the work thus far. He expressed that we are nearing the end of the ZBA/PC's work with the proposed ordinance. With this current version of the draft ordinance, we are asking the ZBA/PC to take a holistic view of the entire document to determine if the document is ready for public hearing review. He explained that he would be reviewing the process followed thus far and summarize the content of the resulting document. The memo presented in the ZBA/PC agenda packet will later be refined and used for the public hearing presentation. Tonight's presentation will not get into great detail, but rather review the document in general terms.

When asked, Mr. James explained that example of the housekeeping changes made as a result of the Land Use Committee meeting included, removal of industrial businesses from the Use Table, and removal of duplicate definitions. No substantive or policy changing modifications were made to the draft document.

Mr. James reviewed the three-phase approach followed during the development of the ordinance: the first phase being the development of a Technical Review & Approaches Report (completed in January 2018); the second being the development of a draft document used for chapter-by-chapter discussion and review (completed in May 2019); and the third being the adoption phase. During this last phase, the ZBA/PC conduct a public hearing, consisting of one or multiple meetings, to seek input from the public before forwarding a recommending for adoption to the Village Board. The Village Board would then be able to accept the recommendations as transmitted, make changes, or send the document back to the ZBA/PC with recommendations or issues needing ZBA/PC's attention.

Chairman Kuhn noted that Mr. Szurgot arrived at 7:43 pm.

Mr. James reviewed the initial goals for this process: 1) modernize the ordinance consistent with current land use law and procedures; 2) make the new ordinance user-friendly, having a logical and consistent organization using illustrations and matrices; 3) make some revision to the number of zoning districts in keeping with the current character of the community; and 4) make selected changes to the ordinance as found necessary. The proposed ordinance was drafted in keeping with these established goals.

Mr. Ungerleider noted that, in practice, the new proposed ordinance is proving to be easier to navigate. When asked, design professionals have provided positive feedback with regard to the proposed ordinance's organization and content.

Mr. James reported that the new definition section is up-to-date and comprehensive. Illustrations and references to related definitions are provided. Rules of measure are now provided, providing a solid baseline for measurement in the entire ordinance. The use of matrices and tables illuminate the need to read narrative text when searching for terms and regulations. Permitted, conditional, accessory, and Temporary uses are now defined in one place, rather than being spread throughout the ordinance. Standards are provided when warranted for specified uses.

Mr. James noted that a new R-2 Medium Density Residential District had been created to provide for attached single-family residential as is sited in the 55th Street Sub Area Plan. The R-3 Multiple-Family Residential District consolidates the use now designated R-3 Medium and R-4 High-Density Multiple-Family Districts into one zoning classification. The R-1A Residential and Limited Office District, representing a group of properties along Ogden Avenue, has been renamed to L-O Limited Office and transitioned to the Business District section of the ordinance. Residential uses in the L-O District will now be conditional uses. L-O design bulk and design standards will remain residential in nature.

The creation of a P-I Public and Institutional District represents a significant change. Properties owned by the Village, Park District, Schools, Churches, and other institutions will now be zoned P-I, rather than R-1 Single-Family Residential. This new provision will protect the legal rights of those public uses on their property, and those adjacent residential properties when public/institutional uses consider expansion. The new zoning map will clearly indicate the significance of public and institutional uses in the Village.

Chairman Kuhn asked if the Hinsdale Golf Club understood that it would be included in the P-I District. Mr. Ungerleider explained that he would be reaching out to Hinsdale Golf Club, and others affected by the P-I Zoning District. These properties will need to be rezoned by zoning and hearing. Chairman Kuhn expressed his concern regarding the Hinsdale Golf Club desire to remain in the Zoning District. Mr. Scheer

askes what the advantages and disadvantages were for making this change. Mr. Ungerleider explained that the P-I district would provide defined uses and design regulations for these public/institutional uses, where currently they do not have standards specific to their use or function. This change also allows for more public input before these public/institutional uses consider making changes: a controlled mechanism for change.

The ZBA/PC members discussed occurrences when school districts closed a school, with the desire to sell and redevelop the property in accordance with the underlying zoning. Mr. Ungerleider reiterated that this would provide a formal process for the Village and the neighboring community to intercede as needed.

Mr. James reviewed the new site development standards section. Chairman Kuhn asked if the definition for accessory structures had changed; staff responded that they had not. Mr. James noted that many definitions were modified so that they better related, and are consistent with other definitions. Mr. Kuhn asked if the new language addressed the plastic-covered garden box. Mr. Ungerleider and Mr. James explained that the ordinance clearly defines that this building is an accessory structure and subject to standards established for accessory structures.

Mr. James noted that the parking and loading section had been updated to include matrices, modern parking design standards, and bicycle parking standards. A new landscape section has been created to address commercial property landscaping. The sign section is updated in format and provides for signs previously not well defined in the existing ordinance.

Mr. James summarized the remaining articles regarding administrative bodies, zoning procedures, applications, and enforcement. The articles have been reorganized and modernized.

Mr. James noted that one of the policy changes proposed addresses stormwater management by reducing the amount of permitted impervious surfaces permitted-at-right, and providing bonuses in exchange for green infrastructure.

Mr. James concluded that the new ordinance addresses the goals established at the beginning of this exercise.

Chairman Kuhn thanked the ZBA/PC, Mr. James and Mr. Ungerleider for all their work on the project. Mr. James noted that there is no such thing as a perfect ordinance; this one is a significant improvement that will serve the community for many years to come.

Chairman Kuhn noted that we are at the conclusion of the project and asked if there was any comments from the Board. Mr. Szurgot noted that his experience working in many towns as an architect, this is a very good document. Mr. Keiner and Mr. Scheer agreed that this document is an excellent improvement. Ms. Kanter really likes the definitions. Mr. Szurgot likes the illustrations.

Chairman Kuhn asked the Board to endorse moving forward to hold public hearings for the approval of the ordinance. Mr. Szurgot made a motion, seconded by Mr. Scheer, to schedule and proceed forward with the public hearing review of the draft document. The motion unanimously passed by a vote of 5-0.

Mr. Ungerleider noted that he would continue to reach out to the community to provide the opportunity for feedback. He explained he would also be working with the Village Attorney to ensure legal processes are followed.

VI. **COMMENTS FROM THE AUDIENCE.** None

VII. **DISCUSSION ITEMS.**

- a. **Downtown Revitalization Project** – The Village will be going out to bid for the inbound train station tomorrow. Construction is expected to start in late July. The Village will be asking to go into arbitration with BNSF for the gate improvements due to higher than expected costs to be incurred by the Village. With all luck, the entire project should be completed by Fall of 2020.

VIII. **ADJOURNMENT.** A motion was made by Mr. Scheer and seconded by Mr. Keiner to adjourn the meeting at 8:47 pm. The motion passed unanimously by a voice vote.

Respectfully Submitted,



Dan Ungerleider, Community Development Director

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