

**VILLAGE OF BANNOCKBURN
PLAN COMMISSION/ZONING BOARD OF APPEALS
MARCH 4, 2014
MEETING MINUTES**

1. 01-03/04: Call To Order. Chairman McShane called the meeting of the Plan Commission and Zoning Board of Appeals to order at 7:02p.m.

Chairman: James McShane

Commissioners Present: Robert Borden, David Elston, William Montgomery

Commissioners Absent: Louise Feeney, Susan Knaack, Richard Peters

Also Present: Village Manager Maria Lasday, Village Attorney Betsy Gates,
Assistant to Village Manager Ryan Mentkowski

Visitors: Bruce and Susan Nelson (1665 Meadow)

2. 02-03/04: Pledge of Allegiance. Chairman McShane led everyone in reciting the Pledge of Allegiance.

3. 03-03/04: Visitors Business

None. Chairman McShane reopened Visitors Business later in the meeting (Item 6).

4. 04-03/04: Approval of the February 3, 2014 Plan Commission & Zoning Board of Appeals Regular Meeting Minutes.

Commissioner Borden moved, seconded by Commissioner Montgomery, to approve the February 3, 2014 minutes. On a roll call vote, motion unanimously approved. Ayes: Four (Borden, Elston, McShane, Montgomery); Nays: None; Absent: Three (Feeney, Knaack, Peters).

5. 05-03/04: Continued Public Hearing for the Consideration of a Proposed Update and Amendments to the Comprehensive Plan for the Village of Bannockburn.

Chairman McShane noted the public hearing was continued from the February 3, 2014 PCZBA meeting to obtain public comment of the draft 2014 Comprehensive Plan. The public hearing was conducted in accordance with Section 11-303 of the Zoning Code, which is in the same manner as public hearings on variations, special use permits, and text amendments.

Manager Lasday noted the only change in the document before the PCZBA Commissioners was to page 13, the date of 1960.

Susan and Bruce Nelson of 1665 Meadow Lane provided comment on the public hearing item. They provided a handout on their views, which in essence states that the Village's zoning code is

too restrictive as it pertains to the B lots. They stated that it would be very difficult to build an upscale home with the current bulk regulations.

Mr. Nelson noted that the process of updating the comprehensive plan is an opportunity to reflect on the current zoning. The comprehensive plan is a forward looking document intended to anticipate change. He felt that the comprehensive plan says we are complacent with *the current* zoning.

Chairman Mc Shane indicated that Mr. and Mrs. Nelson's issues are with the Village's zoning code. He noted that should the PCZBA vote to recommend adoption of the updated comprehensive plan, the zoning code would not be affected. He additionally noted that he disagreed with Mr. Nelson about changing the wording of the plan because changes should be changes to the zoning code not the comprehensive plan.

Mr. Nelson stated the comprehensive plan is an unusual document. It sets out the vision of the village. If an ordinance is challenged in court one of the factors considered would be the consistency between the ordinance and the comprehensive plan. The comprehensive plan is a source of guidance for the zoning.

Assistant Village Counsel Betsy Gates noted that the comprehensive plan is a longstanding commitment but does not preclude the Village Board from making text amendments or changes to the zoning code.

Mr. Nelson requested that the following paragraph on page 36 be removed:

“Rural and Natural Types: These character types are common to the agricultural areas of Lake and McHenry Counties, but have long disappeared in southeast Lake County. The vast majority of the land is open and devoted to planting. Development is limited to the rural ecology such as barns, homes of agricultural workers, and other businesses and buildings needed to produce agricultural products.”

Mr. Nelson noted that there is a distinction between rural and countryside. He noted that “the Village is not rural; we are countryside.” The Commissioners agreed to remove the provision.

Mr. Nelson noted that on page 49-50 there is no language included to allow for residential development, consistent with the A district, on the Village's 12 acre lot. The PCZBA agreed and noted that the Village Board can change the language if they wanted to.

Mr. Nelson felt there were too many references to rain gardens in the comprehensive plan. The Commissioners disagreed and indicated that the language would not be changed.

Mr. Nelson said that there were too many ugly pictures unrelated to Bannockburn. Chairman McShane explained these pictures are included as counter examples. Mr. Nelson noted that although the comprehensive plan is not a selling document, the overall impression from the pictures is negative. He additionally pointed out that on page 40, a picture was used twice.

Chairman McShane noted that the Commission does not have to hold off their vote because the issues presented by the Nelsons are all about zoning. He further stated that the PCZBA can recommend approval with certain amendments or continue the public hearing. Assistant Village Counsel Betsy Gates concurred with Chairman McShane's statements. She indicated the PCZBA would need to make a decision within 15 days once the public hearing is closed.

The PCZBA considered the following proposed amendments to the plan:
Changing the 1978 date on page 13 to 1960; removing the "Rural and Natural Types" paragraph on the top of page 36; and replacing picture 37 on page 40 with another picture in the spring.

Commissioner Elston moved, seconded by Commissioner Borden, to recommend approval of the Comprehensive Master Plan for the Village of Bannockburn to the Village Board of Trustees, subject to changing photo 37 on page 40, changing the 1978 date to 1960 and removing the top paragraph on page 36. On a roll call vote, motion unanimously approved. Ayes: Four (Borden, Elston, McShane, Montgomery); Nays: None; Absent: Three (Feeney, Knaack, Peters).

6. 06-03/04: Visitors Business

Bruce and Susan Nelson from 1665 Meadow Lane provided additional comments for the Commissioners:

- Mrs. Nelson ~~They~~ noted that there was no mention of the Mary Black and Beeson plantation properties in the plan. Chairman McShane noted that no provisions were provided for future zoning and the Plan Commission and Zoning Board of Appeals ("PCZBA") Commissioners noted that those properties are already in the Village.

- Mr. Nelson noted it was important to start the discussion to modify the zoning as it affects smaller lots. He referred to a map of Bannockburn Park that was submitted and noted that 28 out of the 29 lots in Bannockburn Park are Legal Non-conforming, including 6 out of 7 "Aitken houses" located there.

- Mr. Nelson noted the Comprehensive Plan as well as the zoning have too much focus on lot size. Everything is top down. While the Comprehensive Plan specifically mentions the importance of addressing tear downs, current restrictions on the smaller lots make such an undertaking undesirable. Aitken was about nice looking houses not large lots. The original zoning in the Village was 1/2 acre and acre lots. He felt that the history on the Village's website and Wikipedia are wrong.

- They referenced an article on all new construction in Northfield, Kenilworth, Wilmette, Winnetka, and Glencoe which showed the average home size of 4,753 sq. ft. in 2003 increasing to 5,784 sq. ft. in 2013. Chairman McShane asked what the average lot size was. Mr. Nelson suspected the average size was at most a half acre but the article did not include this statistic.

Commissioner Elston asked if Mr. Nelson wanted the changes described so he could sell his house for more money, although there are no plans presently for them to build a bigger house. It was noted that the changes proposed would likely help a future buyer.

The PCZBA Commissioners requested that Mr. Nelson develop a plan that would show why it would be best for the Village to change the bulk regulations as they pertain to smaller lots. The commissioners noted that the Nelsons would need to have a landscape plan that deals with opacity issues.

Mr. Nelson noted that opacity in concept is great. However, the present regulations are too onerous. The Village's 1996 plan on which the current ordinance is based called for one-sixth of the current levels of plant material. Many plantings are too tight because of the amount of material required. This will become more evident as the plants mature and compete for space. Chairman Mc Shane said that the opacity regulations are not onerous. Those changes were made in response to citizenry concerns. When public hearings were held in the past regarding the opacity regulations there was a real push to have opacity limits be higher.

Mr. Nelson noted that a combination of changes to the setback and opacity regulations are needed. Chairman McShane noted that the Village has their current rules for a reason and should Mr. Nelson want text amendments to the Village's zoning code, the request would need to originate with the Village Board. He felt that more detailed plans/specifics are needed and that he shouldn't be so general.

The PCZBA Commissioners noted that the Nelsons had some good ideas but they need to go to the Village Board first. They noted the Nelsons need to advocate for their proposed text amendments and need to state why the community is better off with their proposal

7. 07-03/04: Other

Chairman McShane noted they he did not like the broadness of the information requested in the Economic Interest Statement and inquired whether others agreed. No response was given by the other Commissioners.

Adjournment.

Commissioner Borden moved, seconded by Commissioner Elston, to adjourn the meeting. On a voice vote, the motion was unanimously approved. Ayes: Four (Borden, Elston, McShane, Montgomery); Nays: None; Absent: Three (Feeney, Knaack, Peters). The Meeting was adjourned at 8:21 PM.