

**DRAFT SUMMARY NOTES
OF THE MEETING OF THE
PLAN AND ZONING COMMISSION
MONDAY, JANUARY 31, 2011
VILLAGE OF NORTHFIELD**

On Monday, January 31, 2011, the Plan and Zoning Commission met at 7:00 p.m. in the Village Hall First Floor Board Room located at 361 Happ Road to consider two (2) issues:

Members in Attendance:

Bill Vaselopulos, Chairperson
Dan deLoys
Bob Caldwell
Greg Rekett
Chris Broccolo

Members Absent:

John Dolan
E. Leonard Rubin
Joanna Stein
William Hielscher

OTHERS PRESENT: Community Development Director Anne Kane and others (see attached sign-in sheet).

Chairperson Bill Vaselopulos called the meeting to order at 7:00 p.m. by introducing the Plan and Zoning Commission members.

Chairperson Vaselopulos requested a motion on the consideration of the November 1, 2010, summary notes. A motion was made by Member Chris Broccolo and seconded by Member Greg Rekett to approve the November 1, 2010, summary notes.

The following vote was taken:

AYES: 5

Bill Vaselopulos, Chair
Dan deLoys
Bob Caldwell
Greg Rekett
Chris Broccolo

NAYS: 0

ABSTAIN: 0

ABSENT: 4

John Dolan
E. Leonard Rubin
Joanna Stein
William Hielscher

Motion Carried

1. **HIBBARD GARDENS OF NORTHFIELD** - Consideration and discussion of a request for approval of a Preliminary Planned Unit Development for a seven (7) unit detached single-family residential development on the property located at the southwest corner of Winnetka Avenue and Hibbard Road. The petitioner is Edward R. James Partners, LLC. The property is commonly known as the Hibbard Road Gardens site located at 62 Hibbard Road.

Chairperson Vaselopulos stated the petitioner, Edward R. James Partners, has asked for continuance to the next Plan and Zoning Commission meeting which will be Monday, February 28, 2011.

A motion was made by Member Chris Broccolo and seconded by Member Dan deLoys to continue the Hibbard Gardens of Northfield proposal to the February 28, 2011, meeting.

The following vote was taken:

AYES: 5

Bill Vaselopulos, Chair
Dan deLoys
Bob Caldwell
Greg Rekett
Chris Broccolo

NAYS: 0

ABSTAIN: 0

ABSENT: 4

John Dolan
E. Leonard Rubin
Joanna Stein
William Hielscher

Motion Carried

2. **VC - VILLAGE CENTER WORKSHOP** – Workshop discussion to consider possible amendments to the VC- Village Center zoning regulations to promote a built environment consistent with the Village Center Master Plan.

Chairperson Vaselopulos started by saying the Village is interested in discussing some ideas and thoughts are being tossed around regarding amending the Village Center Plan.

Community Development Director Anne Kane added at the Village Board annual Strategic Planning Session held earlier this month there was direction to revisit the Village Center zoning regulations in light of both the recent adoption of Home Rule designation last fall and the likely redevelopment of the two vacant gas station parcels in the next year or two.

Ms. Kane provided a status update on the two vacant gas stations:

Edens site – Parent owner Metropolitan Bank Group did not get FDIC license for the branch. Monitoring wells were recently installed to verify they have removed all the contaminated soils – it is one of the last requirements of IEPA to get a clean bill of health. To get their books in favorable balance with FDIC, it is likely they will look to sell this site in the near future.

BP Property – Finally completed the building demolition and soil excavation this past fall. BP reps had indicated a regional effort to sell off all under-utilized assets in CY 2010 – and we know it was under contract by a local McDonald's franchise for a good part of the year, but apparently that arrangement lapsed in December. Staff continues to field inquiries from the development sector – with a notable increase in calls in recent weeks.

Chairperson Vaselopulos asked what other type of developers have had an interest in the BP property. Director Kane mentioned one interested developer had done a mixed use development in downtown Wilmette. It has a full service car wash with a

coffee shop restaurant and the second floor has a wine store and yoga studio. It is an interesting mixture of uses. They benefit from a municipal parking lot in the area and the metra lot so they did not have to provide a lot of parking on site. The other interested developer is based out of Bannockburn and would like to assemble the property with Youngrens. It would be a mixture of uses to include a financial institution with a casual restaurant and retail tenant. They indicated the only way they can get the project to move forward is to have a bank on the site.

Member Rekett wanted to know if there was any feed back from Youngrens. Director Kane said she has not heard from Youngrens. When she spoke with the McDonalds representatives last summer, she encouraged them to talk with Youngrens and their quick response to her was unless they can get the site for free, it was not going to work.

First and foremost, the driving force behind the master plan is to create a downtown area that is compact and comfortable for the pedestrian. It encourages multi-purpose visits instead of the isolated destinations that we currently have in our Village Center. It aims to encourage people to get out of their cars. One of the key components of promoting that is to create a "street wall" by pulling the buildings up to the property line along the main frontage. This provides interest and sense of security for pedestrians and a more pleasant experience. While the Master Plan encourages this design feature and the parties interested in either site have agreed to incorporate this design element, the Zoning Code does not require a minimum amount of "street wall" per frontage.

Myefski Cook Architects, who helped the Village create the Master Plan, discouraged the Village from creating minimum zoning stipulation. The Zoning Code reflects the Master Plan fairly well, but this was one area that perhaps they may want to "tighten it up a little bit." On the other hand it may not allow for as much flexibility. Zoning may force a designer or architect to do something simply to meet a zoning provision and, yet, it may not be the best design. Any change in use or a new building on these properties will go through a public hearing process before the Plan and Zoning Commission. Even if the Zoning Code is amended to require it, it is something that if the Commission can consider with each future applications – one of the conditions that needs to be met, is that the proposal is consistent with the Comprehensive Plan.

Director Kane added that the Commission may want to consider changes to the drive through regulations. The off-street parking regulations were amended to tighten up the drive through regulations specifically within the Village Center district by reducing the number of allowable drive through lanes to no more than one lane. Another wise provision that our Village Attorney suggested we do was establish a 100 foot distance requirement to any residential district for an electronic device, menu board or order boxes. This is intended to provide adequate buffering from our residents. Director Kane asked whether this requirement seems appropriate or should the minimum distance be increased. Perhaps it warrants further review – Staff could explore what other communities have done. In response to concerns from communities and adjoining property owners, a number of sophisticated solutions have been created.

Chairperson Vaselopoulos asked if they could add a decibel level to the regulations. Director Kane responded that is possible and we'd have to consider carefully the unique aspects of drive-through facilities and how sounds can carry.

Member Broccolo said if you do not mention any performance standards, wouldn't the Plan and Zoning Commission still have the right to review that during the public hearing/Special Use process.

Member Rekett suggested the Zoning be more general because in this instance the 100 foot distance is measured from the start of a residential district which may not be where the house is and still leave it within the realm of the Plan and Zoning Commission to dictate what noise levels are adequate for that particular area.

Member deLoys said you have to be careful because sometimes that is a grey area. If you take a look at Fields BMW with the lighting levels, sometimes they are at the minimum levels, but yet the neighbors complain and that could be problem. It might be best not to put a specific number on it and leave it more generalized.

Director Kane clarified that the 100 foot distance for an electronic device is presently required by the Village Code.

Member Broccolo asked how do the condo's behind the BP site fall within the 100 feet. First there is a buffer of the garages and that would be zoned residential also. So it is probably 100 feet from the edge of the garages moving north and that pushes you into the middle of the lot. Director Kane added the property is about 140 feet deep.

Director Kane continued that the purpose of this discussion is for all of the Village Center zoning district not just the BP site. There are a lot of residential properties south of Mt. Pleasant. She anticipates that any drive throughs would be concentrated on Willow Road in the Village Center zoning district. If something would happen to Walgreen's, they currently have two drive throughs and is probably within 100 feet of the Middlefork Woods condominiums to the north. They would have to go through a special review if something was to happen to that structure and they wish to rebuild in its current configuration.

Member deLoys suggested hours of use for drive throughs due to some McDonalds being open until midnight or later. Director Kane said that is a great idea.

Member Broccolo does not understand why they would need to create all these provisions. Whenever an application comes in, the Plan and Zoning Commission has the right to review it and they can put whatever restrictions they feel is necessary. As opposed to having all these guidelines or rules which might box you in the Village in some circumstances. He believes the way it is set up now is they have to submit an application for review, Staff provides a recommendation and the Plan and Zoning Commission has the flexibility to follow suit or be even more restrictive.

Member Broccolo questioned if the Commission has the right to dictate to certain users of drive throughs conditions that other users of drive throughs don't necessarily have to do.

Director Kane said absolutely. The Plan and Zoning Commission has the right to put certain restrictions on a drive through and whether or not to define exactly what standards you want to be met. Someone could come in and try to meet all of the standards and say I have done it all, now approve my plans. There are zoning mechanisms to differentiate between financial institution drive throughs, pharmacy drive throughs, ATMs and fast food establishments. There is a distinct difference.

Member deLoys thought maybe they should add hours and performance standards are at the discretion of the Plan and Zoning Commission and Village Board. So it is clearly addressed and part of the code so they have the right to discuss and add restrictions on a case by case basis.

Director Kane also wanted to discuss the zoning regulations to ensure the drive through remains ancillary or accessory to the principle use of the property. Is the Commission interested in limiting the percent of business transactions attributed to the drive through lanes? This would help reinforce the pedestrian orientation prescribed by the Village Center Master Plan. Chairperson Vaselopulos said he was not sure how they would be able to monitor and enforce such a Code provision.

Chairperson Vaselopulos felt it was interesting that the code specifically says a stacking lane must be provided sufficient to accommodate a minimum of three and a maximum of five automobiles. That along with the 100 foot requirement for electronic devices to any residential district certainly impacts the BP property.

Discussion was held among the Plan and Zoning Commission members as to what would be able to go on the BP site. Including Youngren Cleaners would be the ultimate preferred option.

Chairperson Vaselopulos added there is a secondary point here, which was emphasized in the Master Plan, is to keep in mind the proximity of the river and maintain an open space to that side or utilize it some way. The ultimate goal as part of this plan is to maintain open space so that a walkway or path could be developed along the river which may never be achieved.

Director Kane felt the maximum five space stacking is helpful and would demonstrate that the Village never anticipated or envisioned such an intensive use that much more stacking would be necessary. As you may know, certain fast food uses now have dual drive through lanes which was shown on the site plan that was presented to the Village for the BP site. In her estimation, a dual drive through even if the customers end up with one lane for the payment and pick up windows, is still considered a dual lane. She just wanted to confirm that the Plan and Zoning Commission agreed with that interpretation.

The Plan and Zoning Commission agreed with Staff's interpretation. Chairperson Vaselopulos stated from the code that a site within the Village Center district may not have more than one drive in/drive through lane and no lane may have more than two service/transaction positions. You can stack them in one lane – one is usually a pay window and one is a pick up.

Member Caldwell said he cannot envision any type of drive through on the BP property off of Willow Road.

Member deLoys indicated that he believes where there is five or eight stacking lanes depends upon what site they are talking about. If you look at the BP site, then he feels a drive through does not work there. It is too compressed.

Chairperson Vaselopulos said there are other mitigating circumstances that will come into play where they may meet the specific criteria. Having a drive through at the BP site requires natural flow, in addition to parking and you also have to consider Willow Road. He does not see how that works at all on that site.

Member Rekett added a great example of what McDonalds is currently doing is the new one located on Waukegan Road in Glenview. If you look at that concept and the amount of acreage they have at that location versus the BP site – it is night and day. They have maximized the site and it works there. The in and out lanes work. He also feels that they could never make that work at the BP site.

Member Caldwell asked if the Village had a fantasy tenant in mind for the BP site. Director Kane mentioned the plans calls for mixed use, multi tenant – perhaps a family friendly price point restaurant that takes advantage of the river with possible outdoor seating. Other tenants that generate high sales tax would also be nice.

Chairperson Vaselopulos said the plan calls for residential above and garage parking underneath the building.

Director Kane continued with the other area that she would like the Commission to discuss is Special Uses in the Village Center District and if there are uses that are not identified that we would like to attract. She feels they have a nice broad range of retailers in the district. When the zoning code was comprehensively amended in 2003, she suspected what happened was that all the tenants were identified in the Village Center and made sure they were all permitted uses. For example, the sporting goods store for North Shore Soccer & More and craft store for Canvasback, Ltd. are permitted uses.

There are two areas that she would like input on. Right now all medical and dental offices are a Special Use no matter what their size. The Plan and Zoning Commission has seen some applications in recent years, like the optometrist on Waukegan Road that had to go through the Special Use process. About three or four years ago, there was a woman in health care who had an office on the second floor in the 300 Happ Building. The woman was closing her office to become a stay at home mom and a

doctor from Winnetka was coming in and had to go through the Special Use Process. It is good that we know who is operating in our community, but she has recently gotten calls from brokers who are frustrated with the process. She believes no Chicago area community is more efficient than Northfield's Plan and Zoning Commission review process. A petitioner submits an application and they are on the agenda for the next month's meeting and have a final decision from the Board two weeks later. So it is about a six to eight week submittal/review process before final decision. But in today's very competitive office market leasing, brokers indicate potential clients will go elsewhere. Highland Park is looking at making modifications to their zoning regulations to allow medical and dental offices if they are below a certain square footage threshold. It may be beneficial for businesses and landlords to allow certain medical and dental offices by right if appropriate thresholds are in place. For example, if it is a 1,500 or 2,000 square foot medical office – then it could be permitted by right.

Member deLoys recalled a few years ago, they had a business that wanted to do some sort of methadone treatment center. They were going to do a lot of that stuff so there are still medical uses that are not desirable. The Plan and Zoning Commission has to be careful as to what the medical use is and how do they decide which medical use is right and which is not right.

Member Rekett asked for clarification as to why a bakery or coffee shop would be a Special Use.

Director Kane said generally food uses have a higher intensity of parking turnover. So we want the ability to look at the parking ratio especially if they are a tenant within a multi-tenant structure. For example, the U Dawg U application in the Village Center was controversial and parking was a significant aspect of that review. She thought the perfect user for the vacant tenant space next to Subway was Caribou Coffee. But that would have tipped the balance of parking in that Center – a coffee shop can have very high parking demand and turnover. Three Tarts, with a more intense lunch time offering, probably warrants a designation as a restaurant rather than a bakery.

Trustee Warga asked if there were any current issues with the uses. He feels it would be best to keep them as a Special Use to discuss any potential parking issues. There is a big difference between some of the medical/dental offices. An orthodontic office could see 100 people a day where a dental office might see 15 patients a day.

Director Kane said there were no current issues. With as few applications that we get per year, she does not have a problem with all medical/dental uses being designated as Special Uses. However, given possible changes in neighboring communities, she did not want to have reached this conclusion without input from the Plan and Zoning Commission.

As a summary, Director Kane appreciated Member Broccolo's point on why define exactly what we want, but would like to discuss with our Village Attorney about how much discretion does the Plan and Zoning Commission has when it comes to imposing specific conditions, such as hours of operation that may not be reflected in the code.

As far as creating requirements for street walls or building lengths she got the general impression that the Commission did not want to create those hoops for people to jump through. The Plan and Zoning Commission members agreed.

Chairperson Vaselopulos added the Village Center Master Plan encourages it and the Plan and Zoning Commission can point to that and can always say it so far from the scope of the Master Plan that we do not approve it. It also provides flexibility when years from now, the demographics and geography of the area may change. The Village may have different flows of traffic for whatever reason. The Plan may work more or may work less, but if we are too specific now, it may not help us.

Director Kane said some communities want to iron out every single specific item. Fortunately so far the Northfield way has worked out well. Usually what staff has communicated to the Plan and Zoning Commission, the Commission and community also want to see.

Director Kane concluded at this point she will not schedule a public hearing before the Plan and Zoning Commission to consider text amendments to the Village Center zoning district.

Village President Fred Gougler felt it was an interesting discussion. At the strategic meeting, after the Village became home rule, it was discussed if there was something that needed to be tightened in regards to the ordinances for the BP site and Eden's site. He is confident in the Plan and Zoning Commission's decision to not do anything at this point.

Director Kane said our zoning powers did not change significantly with the home rule designation. She feels the Plan and Zoning Commission has strong ability, particularly in the Village Center, for any sort of use whether it is a permitted or a Special Use. Any new structure or redevelopment proposal will come before the Plan and Zoning Commission.

There being no further discussion upon a motion made and seconded, the Plan and Zoning Commission adjourned their meeting at 7:45 p.m.

cas 2/8/11

Approved 7/5/11