

Approved

**Village of Gurnee  
Planning and Zoning Board Minutes  
June 25, 2014**

**1. Call to Order and Roll Call**

The meeting was called to order at 7:00 p.m.

Planning & Zoning Board Members present: Chairman James Sula, David Ohanian, Edwin Paff, Richard McFarlane, Thomas Drake, Sharon Salmons, and David Nordentoft

Other Officials present: David Ziegler, Community Development Director; Tracy Velkover, Planning Manager; Molly Booth, Associate Planner; and Brian Winter, Village Attorney

**2. Pledge of Allegiance**

**3. Public Comment**

Mr. Sula asked if anyone from the public had any questions or comments regarding anything not on the evening's agenda. As there were no responses, Mr. Sula then closed the floor to the public.

Mr. Sula explained that this was not a regularly scheduled meeting of the Planning and Zoning Board, and elaborated that it was a public workshop to review the latest draft of the Zoning Update with the Village's professional consultant, Camiros.

**4. Public Workshop: Zoning Ordinance Update**

*The Village's Planning Consultant, Camiros, Ltd. will present a draft of the updated Zoning Ordinance that identifies areas of change from the existing Zoning Ordinance. The purpose of this public meeting is to allow the Planning and Zoning Board an opportunity to review and discuss the draft ordinance. Public comment will also be taken after the Planning and Zoning Board discussion.*

Mr. Sula introduced Ms. Arista Strungys, of Camiros, who began her presentation.

Ms. Strungys explained that this is a review of the draft, for the purpose of collecting feedback and, perhaps, making any changes that need to be made. She added that major changes have been summarized, and will be reviewed.

Ms. Strungys noted the Ordinance has been re-organized into distinct categories and groups: 1) *Introduction* (Title, Purpose, & Applicability, Measurements & Definitions); 2) *Zoning Districts* (Residential, Commercial, Office & Industrial, Special Purpose); 3) *Uses*; 4) *Planned Unit*

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*Developments; 5) Development Standards (Site Development Standards, Off-Street Parking & Loading, Landscaping & Screening, Signs); and 6) Administration (Ordinance Administrators, Application Procedures, Zoning Approval Processes, Nonconformities, Enforcement).*

Ms. Strungys began with Organization of the Ordinance, outlining ARTICLE 2. RULES OF MEASUREMENT & DEFINITIONS:

Part I. Definitions – General Terms

Use definitions in Use Article

Part II. Rules of Measurement

Clarify various dimensional measurements

Moving on to Districts, Ms. Strungys noted major changes:

#### RESIDENTIAL

- District structure maintained
- Eliminated Floor Area Ratio (FAR)
  - Lot coverage adjusted
  - Maximum impervious surface coverage added
- Eliminated minimum unit sizes
- Lot area per dwelling unit simplified for multi-family
- Minor adjustment to minimum yard requirements
- Basic design standards
- Added Building Height Setback Plane

#### COMMERCIAL

- New districts for Six Flags (C-5) & Gurnee Mills (C-6)
- New height for amusement devices in C-5 (200' unless within 500' of residential, then 125')
- Front setback allows buildings closer to the street
  - C-1 thru C-3: 15'
  - C-4: 30'
- No setback for abutting nonresidential
  - C-1 thru C-3 interior & rear setback: 0'
  - C-1 thru C-3 transition yard: 20'
- Basic design standards

#### OFFICE AND INDUSTRIAL

- O-1 Restricted Office District: Formerly C/O-1
- O-2 Office Campus District: Formerly C/O-2
- Office Districts allow supporting commercial uses

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- Rear setback aligned with former transition yard
- Basic design standards for structures & campuses

## SPECIAL PURPOSE DISTRICTS

- EGG East Grand Gateway Overlay District: Formerly C/B-2-EGG
- P Public Lands District
- EGG Overlay:
  - Applies over C-2
  - Allows self-storage facilities
  - Design standards for new buildings
  - Brings new structures closer to the street (0' to 10' setback)
  - Parking to the rear
  - Orientation to East Grand

Then, Ms. Strungys elaborated on revisions to Use List, such as:

- Provision of a Generic Use Approach
- Eliminated specific use approach
- Certain uses that have external impacts are called out separately

## Organization

1. Use Matrix
2. Principal Use Standards
3. Temporary Use Standards
4. Use Definitions

## How to Use

- One use matrix – all districts
- Principal & temporary uses
- Principal uses by major land use category
- The section for any use standards are referenced after specific use

Then, Ms. Strungys proceeded to present on changes to the PUD section:

## PLANNED UNIT DEVELOPMENT APPROVAL

### Streamlined PUD Process

- Eliminated Concept Plan; optional pre-application review
- Allow district exemptions with provision of public benefits/amenities – examples listed
- Preliminary Plan: Planning & Zoning Board public hearing, Village Board final approval

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- Final Plan: Zoning Administrator review, Village Board final approval
- List of permitted modifications to approved PUD: administrative, minor & major

Next, Ms. Strungys presented on SITE DEVELOPMENT STANDARDS

## ARTICLE 10. SITE DEVELOPMENT STANDARDS

### Organization

1. General Requirements for Development
2. Exterior Lighting
3. Accessory Structures & Uses
4. Permitted Encroachments
5. Environmental Performance Standards

### General Requirements

- Number of Structures on a Lot: In R-1, R-2, R-3 & R-4 - no more than one principal building per lot
- Non-residential properties, all activities within an enclosed structure, unless in listed exceptions
- Frontage Required on a Public or Private Street: Alley or limited access highway does not meet requirement
- Applicability of Bulk Requirements & Use Restrictions
- Sight Triangle: Structures limited to 3'

### Exterior Lighting

- Simplified to only horizontal measurement
- Footcandle at lot line simplified to 1 Footcandle maximum
- Special standards added for non-residential canopy lighting, including gas stations – permitted up to 35 footcandles; 36 – 50 footcandles special use

### Accessory Structures & Uses/Permitted Encroachments

- Placement: Yard versus Setback
- Refined sliding setback of accessory structures – setback stops when aligned with principal building wall
- Accessory structure coverage limited to 50% of specific yard
- Limit on one detached garage
- Building permit required unless specifically exempted
- New accessory structures/uses: apiaries, chicken coops, donation/drop boxes, carports, etc.
- Current standards refined: fences, garages, etc.
- May desire to add limitations for client-oriented businesses: No more than 4 clients permitted

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at any given time. Visits allowed only between 8:00 a.m. and 9:00 p.m. and by appointment only.

--Permitted encroachment table – allowances for encroachment into required setbacks

## OFF-STREET PARKING

### General Requirements

- Establishment of rules for change in use and intensity of use
- Residential driveways one foot off from lot line & restrictions on width
- New parking maximums: Commercial, office, or industrial use over 15,000sf in GFA limit number of spaces to 115% of required minimum (exceptions: C-6 District & restaurant use)
- Allowances for car-share facilities: May count toward minimum parking requirements
- Allow for valet parking

### Required Off-Street Parking Spaces

- Number of required spaces tied to uses
- C-6 District (Gurnee Mills): Current requirement maintained
- EGG Overlay District: Spaces deemed conforming for existing structures until the structure is demolished
- Multi-Tenant Commercial: 5 spaces per 1,000sf of GFA

### Parking Pads

- Allowed for single-family, two-family, and townhouse
- Not allowed in front or corner side setbacks and must be behind front building line
- Maximum of 400sf
- Must be connected to driveway

### New - Shared Parking Permission

- Mixed-use developments, multi-use office parks, and similar
- Multi-tenant commercial not eligible

### New - Land-Banked Parking Permission

- For non-residential districts
- Land-bank up to 25% of required parking spaces
- Zoning Administrator authorized to require the conversion

### Commercial Vehicles in Residential Districts

- Current standards maintained

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#### Recreational Vehicles in Residential Districts

- New: Stored in the rear yard & 5' from any lot line
- Parking areas improved with hard surfaced, all-weather dustless material
- New: Solid fence of 6' height required along rear & side lot lines
- May be stored in enclosed permanent structure – does not include temporary storage tents
- Maximum recreational vehicles or utility/haul trailers stored outside:
  - SF or 2F residential less than 40,000sf of lot area: One
  - SF or 2F residential 40,000sf or more of lot area: Two
  - MF residential: No limit – cannot occupy required parking spaces

#### Required Bicycle Parking

#### Required Off-Street Loading Spaces

#### LANDSCAPE REQUIREMENTS

##### New Requirements

#### Required Setback Landscape

1. Front & Corner Side Setback Landscape
2. Rear & Interior Side Setback Buffer Yard Landscape

#### Required Parking Lot Landscape

1. Parking Lot Landscape Abutting Street Lot Line
2. Parking Lot Interior Landscape

#### Front & Corner Side Setback Landscape

- Townhouse development, multi-family dwelling, or nonresidential/mixed-use development
- Where building is setback is 10' or more
- Five plant unit options
- One plant unit per 100 linear feet
- Shrubs may be substituted for required trees
- Allow wet bottom detention ponds in front setback

#### Rear & Interior Side Setback

#### Buffer Yard Landscape

- Minimum 10' in width
- One shade tree every 25'

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- One shrub for every 3'
- Solid fence or wall required for non-residential against residential
- Maintained C-6 Buffers

When Required:

- MF dwelling abuts SF or 2F
- Non-residential use within residential district
- Non-residential district abuts residential district
- O-2, I-1, I-2, or I-3 abuts commercial district

Parking Lot Landscape Abutting Street Lot Line

- Where a parking lot abuts public right-of-way
- 25' along major roadways; 5' all other areas
- One shrub every 3' & trees for larger setbacks
- Alternatively: 1) pedestrian wall; 2) variety of plantings; 3) stormwater management techniques

Parking Lot Interior Landscape

- Parking lots with 10 or more spaces
- One parking lot island every 10 parking spaces
- Minimum total landscape, including parking lot islands: 10% of total parking lot area
- One shade tree for every parking lot island or landscape area

SIGN CODE

Signs incorporated into Zoning Ordinance

- Reorganization of current sign code with minor adjustments
- Definitions & sign measurement calculations moved to Article 2
- Nonconforming sign provisions moved to Article 17
- Illustrations updated
- New sign types added:
  - Attention getting devices
  - A-frame signs
- Special sign regulations for C-5 (6 Flags) & C-6 (Gurnee Mills)
- Additional master sign plan requirements
- Additional minor exception permissions

Lastly, Ms. Strungys presented on the Administrative process:

REORGANIZATION OF ADMINISTRATIVE PROVISIONS

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Three sections

1. Ordinance Administrators

- Village Board
- Planning & Zoning Board
- Zoning Administrator

2. Application Procedures

- Application process: pre-app conference & completeness
- Notice requirements
- Public hearing

3. Zoning Approvals

Text & Map Amendments

- Approval standards reflect Illinois case law

Special Use

- Modifications to approved special uses: administrative, minor, & major

Variation

- Eliminate limitations on types of variations to be applied for

Administrative Exceptions

- Approved by Zoning Administrator
- Smaller notice requirement
- If written protest, becomes a variation
- Limited applicability:
  - Reduce lot width to within 95% of required
  - Reduce required setback by 10% or 2', whichever is less
  - Reduce required setbacks for accessory structures by 10% or 2', whichever is less
  - Reduce required off-street parking by 10% or two spaces, whichever is greater
  - Reduce required bicycle parking by 50%
  - Modify loading area location requirements & design

New – Site Plan Review

- Zoning Administrator convenes Technical Review Committee, comprised of the Village Staff
- Approval standards related to site design
- Zoning Administrator may approve minor modifications to approved site plans
- Required:
  - New townhouse, multi-family, non-residential and mixed-use construction
  - Additions to existing townhouse, multi-family, non-residential and mixed-use that increase total floor area by 10% or more



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- Building permits for construction of parking lots of 20 or more spaces
- Any use with a drive-through facility, including a freestanding automated teller machine

#### NONCONFORMITY REGULATION

Specifically address the variety of nonconforming situations

1. Nonconforming use
2. Nonconforming structure
3. Nonconforming site characteristic
4. Nonconforming lot
5. Nonconforming sign

Nonconforming structure

New permission for vertical extension of nonconforming wall in side or rear yard

In summary, Ms. Strungys noted the major changes.

#### Major Changes

- FAR eliminated; impervious surface maximum added
- Reduced setbacks in C-3 and C-4: front setback reduced; no setback in interior and rear when adjacent to non-residential
- Build-to zone (0'-10') in EGG Overlay
- Final plan for PUD goes before Village Board; no review by Planning & Zoning Board
- Special standards for non-residential canopy lighting
- Driveway setback
- Residential parking pad
- Revised RV parking standards
- Potential additions to home occupation standards
- New landscape requirements
- New site plan review process

After her presentation, Ms. Strungys asked if there were any questions.

Mr. Ohanian asked about if the prohibition of aluminum siding applied to single-family homes.

Ms. Strungys responded it did not as it only applies to commercial uses. There are no building material prohibitions for single family.

Mr. Paff inquired as to the reasoning for 0-10 feet setbacks for business' parking in the EGG district and if it means that parking must be in the rear of buildings.

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Ms. Strungys responded that parking opportunities will be on both side and rear of buildings, and that the intent is to create a more pedestrian-friendly environment by bringing buildings closer to the street.

Mr. Paff asked if notification would be sent out if there is a protest to minor exceptions.

Ms. Strungys responded that it would go to adjoining neighbors who would be directly affected.

Ms. Salmons expressed disagreement with the allowance of chickens and bees within the Village. Mr. Sula and Ms. Strungys clarified that the draft ordinance regarding chickens and bees meets best practices and for bees the draft is in conformance with the Illinois Department of Agriculture. Ms. Strungys added this is a Village policy issue to allow chickens and bees. Also, the Village currently allows 4 chickens per the Municipal Code.

Mr. Ohanian asked what happens to nonconforming structures.

Ms. Strungys responded that such a structure is allowed until it is voluntarily demolished or damaged to the extent of 50 percent or more of its value.

Mr. Ohanian asked about upgrades to such structures.

Ms. Strungys responded that none would be allowed that would increase the nonconformance.

Mr. McFarlane asked a similar question--in regards to signs. He asked, for instance, if the pole of a nonconforming sign could be replaced.

Ms. Strungys responded that if such a sign was voluntary taken down, it would have to be replaced with a conforming sign. Ms. Velkover added that you cannot make structural changes to a nonconforming sign without bringing it into conformance.

Mr. Drake inquired about the limit to the number of clients serviced at home-based occupations.

Ms. Strungys responded that the point is to consider any issues that may be related to home-based businesses in regards to traffic. She also clarified that businesses related to daycare is regulated by the state, and that some businesses--such as auto repair--are not allowed to be home-based.

Ms. Velkover added that businesses such as auto repair have been deemed incompatible with home-based business practice and undesirable in residential neighborhoods.

Mr. Nordentoft asked for clarification in regards to changes in parking setbacks on Grand Avenue.

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Ms. Strungys responded that the current proposal is that the setback be reduced to 25 feet. She also added that the draft ordinance lists specific streets that will have minimum 25 foot setback requirements, making it a single consistent setback number.

Mr. Sula asked if, in the dimensional standards section, the trend is to move from the practice of units-per-acre.

Ms. Velkover stated that the draft ordinance remains consistent on the approach of density, with a specific square footage requirement per unit, which staff translates into units per acre for the board.

Mr. Ohanian asked if exceptions are made in cases of extreme weather in regards to the timely removal of holiday decorations.

Ms. Velkover responded that the Village is usually pretty considerate of such concerns.

Mr. Ohanian stated that he would like to see such provision made in the ordinance.

Mr. Ohanian also asked about balloons used for commercial establishment advertising.

Ms. Strungys responded that the provisions on these items remains the same as existing; balloons two feet or under in diameter are allowed, but that balloons over two feet in diameter--or, the "wavy arm" type of balloons--are not allowed.

Mr. Nordentoft asked for clarification on the regulations for increasing the bulk of structures.

Ms. Strungys explained that rather than use floor area ratio, the draft ordinance proposes a building height setback plane. She explained the setback lines are relative to the height of the building so that the volume of the building fits in within the surrounding structures.

Mr. Drake inquired as to whether or not the prohibition of auto repair as a home-based business would mean that rebuilding an engine for one's own car or as a hobby would not be allowed.

Ms. Strungys responded that such activity is not disallowed. The restriction is only for operating this type of business from a home.

Mr. Ohanian asked about parking pads on residential property.

Ms. Strungys responded that such a pad must be sit behind the building line of the property, and--that any such pads replacing those nonconforming (but, "grandfathered" in) must be situated behind building lines.

Approved

Mr. Sula clarified that, in general, any structure that becomes nonconforming as a result to new code can remain so long as no substantial change is made to it.

Ms. Strungys and Mr. Winter confirmed this to be true.

Mr. Sula then opened the floor to the public for any comments and/or questions in regards to the Zoning Ordinance Update.

A member of the audience asked when the new ordinance would be implemented, and when it would be available to the general public. Mr. Sula responded that the next step would be for the draft ordinance to be presented at a public hearing, which will happen after due process is followed.

Ms. Strungys added that the draft of the update is available online at the Village website.

An audience member also asked if any resources would be available if one were to purchase a building for use different than what it had been previously used for.

Mr. Ziegler responded that staff would be available to help.

Mr. Sula asked what the purpose of "block face" is within the legend.

Ms. Strungys responded that it is to define the "one side of a block."

Mr. Sula also asked about the description of vehicle dealership, specifically--in regards to whether or not all vehicles on a car lot would actually be unlicensed.

Ms. Strungys clarified that the correct term used should be "untitled."

Ms. Velkover asked about the recreational vehicles regulations that are in the draft ordinance, as these draft regulations are substantially different than the current ordinance, and whether or not the Board is comfortable with the draft regulations in that regard.

Mr. Sula responded he is comfortable with the draft regulations. He stated there are flaws in the current code with people placing RVs in side setbacks which he feels is a public safety issue. Mr. Ohanian agreed.

Mr. Paff stated there will be a lot of people who do not agree with the draft RV regulations.

Mr. Sula asked if the board members felt the update was ready for public hearing.

It was discussed that whatever lingering concerns could be forwarded to the Village Board.

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Ms. Velkover stated that there are a few points that need to yet be addressed, and that it would be several months before a public hearing could be advertised.

Ms. Velkover stated that changes from the prior draft can be highlighted.

Ms. Sula asked if the Planning and Zoning Board could be changed to "Commission" rather than "Board" to avoid confusion between boards and add distinction.

Ms. Velkover responded that is could be considered, but that in doing so--many changes would need to be made throughout the Gurnee Municipal Code.

## **5. Future Meeting Dates**

Ms. Velkover noted that there are no public hearing items scheduled for the Board's July 2nd meeting, and that it would likely be cancelled.

## **6. Adjournment**

Mr. McFarlane motioned, seconded by David Nordentoft, to adjourn the meeting.

Voice vote:

All "Ayes", no "Nays", none abstaining

Motion carried: 7-0-0

The meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

Joann Metzger  
Planning and Zoning Board Secretary