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**Village of Gurnee
Planning and Zoning Board Minutes
August 3, 2022**

1. Call to Order and Roll Call

The meeting was called to order at 7:30 p.m.

Planning and Zoning Board Members Present: Chairman James Sula, R. Todd Campbell, Dane Morgan, David Nordentoft, Edwin Paff, and Liliana Ware

Planning and Zoning Members Absent: Josh Pejsach

Other Officials Present: Tracy Velkover, Planning Manager; Clara Gable, Senior Planner; and Bryan Winter, Village Attorney

2. Pledge of Allegiance

3. Public Hearing: Petition by Olaf and Sandra Eide for a Zoning Map Amendment to rezone the property located at 4236 Old Grand Avenue from C-4, Village Center District, to C-2, Community Commercial District

The subject property consists of approximately .15 acre (6,700 sq. ft.) and is located at 4236 Old Grand Avenue. Olaf and Sandra Eide are petitioning to rezone this property from C-4, Village Center District, to C-2, Community Commercial District. The Village's Comprehensive Land Use Plan reflects Village Center zoning for the subject property.

Ms. Gable introduced this item by stating that Olaf and Sandra Eide are seeking a Zoning Map Amendment to rezone approximately .15 acre (6,700 sq. ft.) located at 4236 Old Grand Avenue from C-4, Village Center District, to C-2, Community Commercial District. The applicant also owns the property immediately west of the subject property (4242 Old Grand Avenue), which is zoned C-2, Community Commercial District. The Comprehensive Land Use Plan designation for both of these properties is "Village Center". The applicant is in attendance to present their request. On this matter, the Planning and Zoning Board will make a recommendation that will be forwarded to the Village Board for their determination.

As this was a Public Hearing, Mr. Sula asked that anyone wishing to speak on the matter be sworn in. Mr. Winter conducted the swearing-in.

Mr. Sula then turned the floor over to the Petitioner.

Mr. Tory Eide introduced himself as the son of the Petitioners and gave a brief overview of their plans to develop a single use business office, adding that they feel the project will fit into the overall residential look of the Old Grand area.

Mr. Sula asked if there were any question or comments from members of the Board.

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Mr. Nordentoft asked why they felt the need to rezone the property, as their intended use could be approved in other ways, such as through the Special Use process. Mr. Eide answered that they were advised to seek such rezoning to match their property at 4240 Old Grand, as opposed to sort of “watering down” (so to speak) their existing C-2 zoning on their western property. Mr. Nordentoft acknowledged this, but expressed concern over the idea that such change in zoning is “forever,” whether the proposed project moves forward or not. Mr. Eide assured that, as long-term members of the community, their intent is to maintain a professional presence within the area.

Mr. Paff concurred with Mr. Nordentoft, asserting that the goal is to lessen the amount of C-2 in the area, and—reminded that such change in zoning is not necessary for this project anyway. When Mr. Eide countered that they have no plans for anything much different than what’s already in the area, Mr. Paff then reminded him that—in regards to rezoning—it’s not just about their plans, but also the potential plans of anyone else who could own the property in the future.

Mr. Campbell expressed that he is also hesitant in regards to rezoning.

Ms. Ware suggested that, if the Petitioners can “reach their goals” without rezoning, why would they not just do so. Mr. Eide answered that they trust the advice of those (lawyers, builders, architects, etc.) who suggested they seek this rezoning.

Mr. Sula stated that he is generally in favor of neighboring parcels being of the same type of zoning as it is cleaner. He felt that the existing C-2 in this area is somewhat of an “island”, and that C-4 fits more into the character of the area.

Mr. Sula then opened the floor to the public.

Mr. Bill Hume, who built and owns the building at 4156 Old Grand Avenue, asked what the necessity is of having a village center, as what he was told it would be is not really what is present; he noted, specifically, the departure of the police department leaving the area. He expressed concern with restrictions due to such a designation—specifically related to lighting. He asked for elaboration as to the difference between C-2 and C-4.

Mr. Sula asked if there were any more questions/comments, and explained that they would be addressed after all were made. As there were no more to be made, he closed the floor to the public.

At this time, he deferred to Village staff to address the expressed concerns.

Ms. Velkover responded that residential homes were allowed by right under C-4, and that, eventually, some businesses were allowed in the area, but—through the Special Use process, as it was primarily a residential area. She noted that the area is still primarily residential. The

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intent is to protect the residents in the area, and to ensure harmony between businesses and those residents.

Mr. Sula then asked if there were any more questions/comments from members of the Board.

Mr. Paff asked Village staff if there has been any type of survey offered, asking if residents wished this area be preserved. Ms. Velkover reminded that—during updates to the Village zoning ordinance—such complications involving businesses entering the area almost led to doing away with C-4 zoning altogether. Mr. Sula also brought up that, during updates to the Village Comprehensive Plan, it was made clear that the intent was to maintain the character of that area.

Mr. Paff confirmed with Ms. Velkover that the Police Department had left the area due to it being on a flood plain.

Mr. Sula summarized the overall consensus of the Board as a desire that both parcels be zoned the same, but—preferably, as C-4. He then asked Mr. Eide to return to the microphone, and then presented the option of voting on the request, or discussing potential modification of the request. However, after guidance from Mr. Winter, he retracted. Mr. Winter elaborated on options the Petitioners may have in the future, but advised a vote on the request made at this time.

Mr. Paff asked Village staff if the Petitioners' plans could be developed while both parcels were zoned differently, and Ms. Velkover answered that—while it is not preferable, it can be done, but it would involve a Special Use Permit.

Mr. Eide offered that their plans were always to make this rezoning request, but that they were advised not to bring that up right from the start, and to listen to what the Village suggested. Mr. Winter, however, advised that—as this has now advanced to a Public Hearing, that now is the time to make all requests (and any information to support them) known.

Mr. Paff, after stating that he had not finished with his questions to Village staff, asked: if these two parcels were joined together, could they be again separated, then sold as they are zoned now? Ms. Velkover responded that they would have to be unified under a plat of consolidation or deed restriction and that could not be separated again without Village consent (which would be unlikely, as the parking would need the building and the building would need the parking); she also confirmed with Mr. Sula that they would still be in two different zoning districts.

Mr. Sula then asked if there were any more questions/comments, and suggested that—if not—a motion would be in order.

Mr. Campbell motioned, seconded by Mr. Nordentoft, to forward a favorable recommendation to approve a Zoning Map Amendment to rezone the property located at 4236 Old Grand Avenue from C-4, Village Center District, to C-2, Community Commercial District.

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Mr. Sula then asked if there was any discussion to be had on the motion. As there was not, a vote was taken.

Roll Call Vote:

Ayes: None

Nays: Campbell, Nordentoft, Paff, and Sula

Abstain: Morgan, Ware

Motion Failed: 0-4-2

Mr. Sula advised the Petitioner that Village staff would guide them through the next steps in the process.

4. Next Meeting Date: August 17, 2022

Mr. Sula asked if there items on the agenda for the next meeting, and Village staff responded that there is a Public Hearing item scheduled for that meeting.

5. Public Comment

Mr. Sula opened the floor to comments regarding any issues not on this evening's agenda. As there was no one in the audience, he then closed the floor to the public.

6. Adjournment

Mr. Campbell motioned, seconded by Mr. Paff, to adjourn the meeting.

Voice Vote:

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

Motion Carried: 6-0-0

The meeting was adjourned at 8:01 p.m.

Respectfully Submitted,

Joann Metzger,
Recording Secretary, Planning and Zoning Board