

APPROVED MINUTES
VILLAGE OF ANTIOCH
PLANNING AND ZONING BOARD
MUNICIPAL BUILDING: 874 MAIN STREET, ANTIOCH, ILLINOIS
September 9, 2010

CALL TO ORDER

The Antioch Planning and Zoning Board meeting was called to order by Chairman Burdick at 7:30 p.m. in the Municipal Building, 874 Main Street, Antioch, Illinois 60002.

ROLL CALL

Roll call indicated the following members were present: Karasek, Weber, Ralston, Kaiser, Dominiak and Ipsen. Also present were Chairman Burdick, Attorney Long and Deputy Clerk Folbrick.

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Member Kaiser moved, seconded by Member Dominiak to approve the July 8, 2010 Planning and Zoning Board Minutes as presented. Upon roll call, the vote was:

YES: 6: Karasek, Weber, Ralston, Kaiser, Dominiak and Ipsen.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

ANNOUNCEMENTS AND CORRESPONDENCE

No report.

OLD BUSINESS

PZB 05-06 – Request for a zoning map amendment, and special use approval for a Planned Unit Development Plat, all pending annexation, for 71-Acres at NE corner, Trevor Road and North Ave., PIN 02-06-400-005; First American Investments, Inc. by John Green; 138 single family lots. *Continued from the July 8, 2010 Planning and Zoning Board Meeting.* – Director Nilsen indicated that the attorney for the petitioner contacted him requesting a 6 month continuation for this item. Attorney Long said that he asked the attorney why he was requesting a continuance and did not get a clear response other than the petitioner does not want any added expenses at this time.

Member Dominiak asked if the petitioner planned on coming back with something different if it would be continued. Attorney Long said the petitioner seems uncertain at this time. Chairman Burdick explained that the board previously requested that the petitioner start over with the process, and since that time the board has not received anything to date. Since no new materials have been provided, members cannot be sure what will be presented if the request is extended six months.

Director Nilsen indicated that a continuance would delay the process, and a denial would be forwarded to the Village Board. Chairman Burdick asked to include a reason in the motion if the motion is to deny the petition. Attorney Long summarized the history of the request and unique circumstances surrounding this petition. Director Nilsen advised that a denial of the requested continuation should also include a recommendation to the Village Board, whether it be positive or negative. He also advised incorporating findings that the facts presented are either sufficient or insufficient to fulfill the PUD standards outlined in Section 10-14-5 of the Village Code in the motion. He asked that members consider what has been provided and whether it meets the criteria outlined in Section 10-14-5 of the Village Code. They discussed the lack of documentation, and the timeline of the project.

Member Ipsen moved, seconded by Member Weber to deny PZB 05-06 for failure to deliver enough information within the specific timeline outlined under Village Code Section 10-14-5. Upon roll call, the vote was:

YES: 6: Karasek, Weber, Ralston, Kaiser, Dominiak and Ipsen.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

PZB 10-04 – Request that the properties that fall within the designated geography defined as the Form Based Downtown Overlay be rezoned and official zoning map of the Village amended to reflect designated land use categories as shown within the proposed land use map – Petitioner Dustin Nilsen on behalf of the Village of Antioch – *Continued from the July 8, 2010 Planning & Zoning Board Meeting.* – Director Nilsen asked Board members for input, and specific questions at this time regarding the August 11 Draft of the Form Based Code.

Member Karasek asked for clarification regarding elevator requirements. Director Nilsen explained that this is an ADA requirement. He further discussed the allowance of decks/terraces on rooftops, parking requirements for apartment/condominium and office spaces, shared parking, Metra parking, and lighting and public safety of service areas. Director Nilsen replied that the purpose is to have the service area screened and out-of-sight, and he will include general language regarding crime prevention through environmental design (CPTED). Member Karasek discussed the Build-To-Zone section of the proposed code, and asked if

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the property owners would be asked to dedicate their property, at no cost, to the Village for the purpose of desirable street and streetscape width. Director Nilsen explained that they will be asked to dedicate the property. Attorney Long added that it is a fairly common practice. Member Karasek asked for clarification regarding building height in the zoning districts, and how feet measurements would be converted to building stories. Director Nilsen said that there is a maximum height regardless of how many stories the building may have. Member Karasek further discussed the Main Street View Corridor, building frontage requirements and homogeneity, and rear parking placement. Member Karasek specifically asked about the street bisection at the Orchard Street Plaza, and how the property would be acquired to build those streets. He also asked why that area would be used as through streets as opposed to a public open area walkway. Director Nilsen replied that the property would ideally be acquired through a redevelopment plan, and this document addresses the layout and not the acquisition of the property. He also stated that smaller blocks are more desirable for walking and increases the amount of corner buildings. Director Nilsen indicated that more streets increase desirability for events in the downtown area, and provide for additional traffic routes, possibly lessening the traffic. Member Karasek asked if the parking placement on Hillside would be affected by the sale of a property. Director Nilsen replied that untouched property will not be affected. He added that building use may affect certain requirements. He inquired about the inclusion of property behind Hillside that would appear to be transitional, but is not included in the area being considered. Director Nilsen replied that it should be included, however did not have the Hillside frontage where the considered area was cut-off. Member Karasek discussed the utility and service areas, and advised that there was an FCC ruling in Florida that did not allow the banning of antennae. Member Karasek asked about sign code requirements, and if the more strict sign code would be enforced, or if the Form-Based Code would need to include those standards. He asked for a definition of the LEED acronym listed on the last two pages of the document. Director Nilsen responded that it stands for Leadership through Environmental Efficiency Design.

Director Nilsen provided a comparison of the current and proposed codes, and the land use quality that will be set as standards. He discussed the historic character of the downtown that the proposed plan intends to protect and keep. Chairman Burdick asked for clarification on what would happen to current properties if the proposed code is adopted. Director Nilsen explained that existing properties would not be affected unless the use of the structure changes, or new development is considered. He added that anything destroyed beyond 50% would have to be re-built based on the proposed code. Property owners would also have a right to apply for a variance on their property.

Member Dominiak also expressed concern with potential monotony, more specifically building colors, and asked if language could be included in the code to avoid the same color buildings next to each other. Director Nilsen said that he could include a statement that each storefront will demonstrate a noticeable change in color or material. Member Dominiak asked if there could be a size limitation on big box developments, inclusion of pedestrian traffic in place of additional streets, and clarification on parking placement for off-street parking. Member Dominiak further discussed solid wall railings along terraces, sign restrictions inside store windows and dark sky lighting.

Member Karasek asked Director Nilsen to clarify if an act of God would generate a form-based change. Director Nilsen explained that if a structure which is legal and non-conforming in the Village is subject to an Act of God, and the structure is destroyed beyond 50%, then the structure would have to be built according to the current code. That is how the code is currently written, and will remain. Member Karasek asked what may be done to fortify the code for the rest of the Village, and not a specific district. Director Nilsen stated that the rest of the Village would be protected with the Urban Design Standards and Landscaping.

Member Ipsen asked for consideration for the property owners on Hillside. Board Members expressed concern with singling out specific people, and attorney Long said that he had certain issues with enforceability. Member Dominiak asked about the Southwest corner of Route 83 and Route 173, and if there was any potential to include that corner in this plan. Director Nilsen replied that it was not included in order to have a natural break that included everything North of Route 173 and South of North Avenue. He added that he wouldn't object to applying this code to Route 173 in the future.

Member Dominiak asked if the administration of the code would be included in the proposed code. Director Nilsen replied that Section 10-14 of the Village Code outlines the rules and regulations that control the administration and enforcement of zoning. He will refer to that section in the proposed code.

Deputy Clerk Folbrick administered the oath to those who wished to testify.

Mr. John Tsarpalas, Orchard Street property owner, discussed the economics of the project, and asked if a report would be made available for review. Director Nilsen stated that the report will be done, however will not affect the regulating plan being considered. The economic impact study and gap analysis will be done and presented to the Village Board.

Mr. Robert Bigelow, local business owner, expressed concern over the possibility of eminent domain, and contradictions for the basis of the decisions. He further stated his concern with the possible lack of parking created by the proposed code and the planned shared parking. He asked board members to consider the business end of the proposed plan and the burden of costs that will be placed on the business owners.

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Mr. Andrew Kennedy, local business owner, asked about parking for third shift employees in shared parking areas. He asked if basement relocation would be required when there is 51% damage to the structures. He added a concern with security and window requirements.

Member Ralston asked what the approximate percent the current downtown windows are. Director Nilsen replied that they are mostly in excess of 75%. She asked if awnings would be prohibited. Director Nilsen replied that they are not prohibited, but the materials are restricted.

Director Nilsen replied to comments stating that shared parking is encouraged, but not demanded, that windows are desirable, and basements would have to be moved in the case of damage in excess of 51%.

Members discussed the approval process, and options available for various motions.

Member Ralston moved, seconded by Member Dominiak to continue PZB 10-04 to the October 14, 2010 Planning and Zoning Board Meeting. Upon roll call, the vote was:

YES: 6: Karasek, Weber, Ralston, Kaiser, Dominiak and Ipsen.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

ADJOURNMENT

There being no further discussion, Member Kaiser moved, seconded by Member Dominiak to adjourn the Planning and Zoning Board meeting at 10:37 p.m.

Respectfully Submitted,

Lori K. Folbrick
Deputy Clerk