

MINUTES OF THE PLAN COMMISSION & ZONING BOARD OF APPEALS OF THE VILLAGE OF SOUTH BARRINGTON

Held December 28, 2017

CALL TO ORDER

The meeting was called to order at 7:50 p.m. by Chairman Mr. Michael McCombie. Roll call was taken.

PRESENT: Commissioners Kwasek, Abri, Gillis, White and Chairman McCombie.

ABSENT: Commissioners Murarka and Fox.

A quorum was present. Also in attendance were Village Building Officer Michael Moreland and Village President Paula McCombie.

PUBLIC COMMENT: None.

APPROVAL OF MINUTES

Chairman McCombie asked for a Motion from the Board to approve the Minutes of the meeting held September 25, 2017. Commissioner Gillis made a Motion. Commissioner White seconded. By unanimous vote the Motion was passed.

Chairman McCombie introduced new Commissioner Tony Abri to the Board. Chairman McCombie stated that Commissioner Abri has many years of experience in the construction field and will be a welcome addition to the Board. Commissioner Abri thanked Chairman McCombie and stated he was looking forward to serving on the Board.

AGENDA ITEMS

Chairman McCombie stated that the first item on the agenda was the Landscape Plan dated 11/6/17, Photometric Plan dated 11/6/17, and the Overall Lighting Fixture Details from 7/27/2007 that included the fixtures A, B, & D noted on the photometric plan for The Arboretum for South Barrington.

Representing The Arboretum were Ms. Cory Born, General Manager of The Arboretum, Mr. Todd Shaffer of Haeger Engineering and Mr. Joseph Davito of Davito Design.

Chairman McCombie stated that the first item will be the Landscape Plan dated 11/6/17. Mr. Davito stated that he had been associated with The Arboretum since the beginning in regards to the landscaping and maintenance of the property. Mr. Davito stated that the proposed landscaping will match what is currently on the site and will keep with the original plan for the property. The Board received an updated letter dated 12/26/17 which addressed outstanding issues.

Chairman McCombie stated that when looking at the plan, there seems to be several plantings by the front door of building C-1. Mr. Shaffer stated that the entrance is an egress for the patio and is an emergency egress only. Chairman McCombie stated that there did not seem to be a great deal of landscaping by the side of the patio area for Rascal Flatts. Mr. Davito stated that is because the Hampton will be on the east side. Chairman McCombie stated that the patio area for the Hampton restaurant also does not show any landscaping. Mr. Shaffer stated that the Hampton has a fenced patio and they cannot have landscaping by the door openings. Mr. Shaffer further stated that they do have some landscaping on the north and south side of the patio and there will be hanging flower planters on the patio fence.

Chairman McCombie stated that the Hampton building does not appear to be very heavily landscaped. Mr. Shaffer stated that the Hampton building has more architectural features to compensate for the lack of landscaping. Mr. Davito stated that the parking islands are heavily landscaped with trees, shrubs, and flowers. Chairman McCombie still felt that the buildings themselves were very limited on landscaping but had no problem with the report that was submitted to the Board. Chairman McCombie asked if the Village Landscape Consultant will review the comments sent back in the letter dated 12/26/17. Building Officer Moreland stated that the comments will be sent to the Village Landscape Consultant for review.

Commissioner Gillis asked if the area between the parking and the patio are going to be sidewalks? Mr. Shaffer yes. Commissioner Gillis asked what was the distance between the building wall and the parking lot on the right side. Mr. Shaffer stated that there is a six foot side walk from back of curb and structure.

Commissioner White asked why there was an eight foot overhang at the front entrance. Mr. Shaffer stated that it is a canopy overhang just for the front entrance.

Commissioner Kwasek stated that by doing several plantings on two parking aisles that come together could make it difficult to see when the plantings mature in the future.

Being no further comments, Chairman McCombie asked for a Motion to approve the Landscape Plan as presented with the caveat that the Village goes back to Davito Design and confirm that the modifications are satisfactory. Commissioner Kwasek made a Motion. Commissioner Gillis seconded. Roll call was taken. Commissioner Kwasek - yes, Chairman McCombie - yes, Commissioner Abri - yes, Commissioner Gillis - yes, Commissioner White - yes. By unanimous vote the Motion was passed.

Chairman McCombie stated that the next item on the agenda was the Photometric Plan dated 11/6/17. Mr. Todd Shaffer stated that The Arboretum has contracted Aurora Lighting Design who solely do site lighting and photometrics on a private level. Their submittals are showing that they are using the exact same light poles and fixtures that are currently on the site. Mr. Shaffer stated that some of the light poles on the west side are being shifted and will stay consistent with what is currently on the site. Chairman McCombie asked when this lighting will be done? Mr. Shaffer stated that there are interim light poles currently on Lot B. Mr. Shaffer stated that the plan being submitted is an interim plan and a detailed plan will be submitted to the Village as part of their building permit process.

Commissioner White asked if they are having down lighting in the parking area? Mr. Shaffer stated that they are proposing 30 foot down lights and they are proposing three decorative coach lights for the west side of Rascal Flatts.

Officer Moreland asked if the restaurants will be adding lighting. Mr. Shaffer stated yes by the building and in the patio area. Mr. Shaffer further stated that it will be mainly decorative lighting.

Commissioner Gillis asked if there will be two light poles for the parking area between the two buildings? Mr. Shaffer stated yes and they will have one head on each pole which will be adequate lighting and will meet what was originally proposed.

Commissioner Abri asked what is the distance between the light poles? Mr. Shaffer stated that they will match the distance of what is currently on the site which is 1,150 feet. Mr. Shaffer stated that they will be incorporated in the submittal to Village for the permit process. Chairman McCombie stated that the Board is checking to make sure that they are in compliance before they come back to the Village.

Being no further comments, Chairman McCombie asked for a Motion from the Board to recommend to the Board of Trustees that the Photometric Plan dated 11/6/17 and the overall lighting fixture details be approved for additional areas being built at The Arboretum. Commissioner Kwasek made a Motion. Commissioner Gillis seconded. Roll call was taken. Commissioner Kwasek - yes, Chairman McCombie - yes, Commissioner Abri - yes, Commissioner Gillis - yes, Commissioner White - yes. By unanimous vote the Motion was passed.

Chairman McCombie stated that the next item on the agenda was the Text Amendment to Zoning Ordinance - Short Term Rentals. Chairman McCombie stated that he assumed there may be some problems in the Village with homes that are requesting short term rentals. Building Officer Moreland stated that the Village has had some issues, one being a home in Lakeshore Estates that was being operated and advertised as a bed and breakfast which has since ceased operation. The Village has also received requests from potential home buyers to purchase a home for the purpose of using it as a rental or using it as a bed and breakfast. Building Officer Moreland stated that these issues had initiated the Village in pursuing changing the Zoning Ordinance and they had contacted other BACOG communities to see their Ordinances concerning this matter. The proposed Amendment does closely follow the language used in current Ordinances in the BACOG community.

Chairman McCombie stated that he felt it was a good idea because their Homeowner's Association had been approached with a request to purchase a home for a short term rental. The Homeowner's Association stated that it would not be allowed and the potential home buyer asked where did it say short term rentals are not allowed, so there is a need to address this issue.

Chairman McCombie asked if this would also pertain to short term rentals for commercial? Building Officer Moreland stated that the intent was for residential. Commissioner Kwasek asked if commercial and residential could be separated? Building Officer Moreland stated that they really did not discuss commercial short term rental but they could separate the two. Mayor McCombie stated that she also agreed that commercial and residential should be separated. Mayor McCombie further stated that the individual HOA's can also have rules, but the Village has had more complaints from residents and the Village felt they needed to get this issue addressed.

Commissioner Kwasek asked if the rental term should be longer than 3 months? Building Officer Moreland stated that they felt 3 months would be long enough to solve most of the problems that would arise.

Commissioner Kwasek and Commissioner Gillis stated they would also like to see a term longer than 3 months. Commissioner Abri asked if the Village could legally implement this if it were challenged in court? Chairman McCombie stated that the Ordinances are reviewed by the Village attorney and they will confirm that they can legally defended and are enforceable. Chairman McCombie stated that if the Board felt the term should be longer, then they could make their recommendation to that effect to the Board of Trustees.

Building Officer Moreland stated that the Village has not noticed this issue with a Public Hearing and therefore will contact the Village Attorney to see if this will be necessary.

Chairman McCombie and the Board were in full agreement that the length of the short term rental should be longer than stated in the Amendment. It was the consensus of the Board to increase the length of time from three months to four months.

Chairman McCombie asked for a Motion from the Board to recommend to the Village Board of Trustees to approve the Text Amendment to the Zoning Ordinance for Short Term Rentals be adapted as written with a modification that the minimum three month rental time be changed to four months.

Mayor McCombie asked if the Board wanted to add anything for commercial properties? Commissioner Kwasek stated that he felt there is much more flexibility with commercial properties and should be left up to the retail centers for short term rentals. Commissioner Gillis asked if there had been any problems with short term rentals for commercial properties? Mayor McCombie stated there have not been any problems and there was no intention for the Village Committee to monitor anything for short term rentals for commercial properties. Chairman McCombie recommended that the Text Amendment should confirm that it is for residential only and not commercial properties along with changing the length of the rental term to four months.

Chairman McCombie asked the Board for a Motion to recommend to the Board of Trustees that the Text Amendment to the Zoning Ordinance for Short Term Rentals be adapted as written with the following modifications: 1) That it should specify that it is for residential properties only and not commercial properties. 2) That the term of the Short Term Rental be changed from three months to four months. Commissioner Gillis made a Motion. Commissioner Kwasek seconded. Roll call was taken. Commissioner Kwasek - yes, Chairman McCombie - yes, Commissioner Abri - yes, Commissioner Gillis - yes, Commissioner White - yes. By unanimous vote the Motion was passed.

OLD BUISNESS - None

NEW BUSINESS

Mayor McCombie stated that the Board will be receiving documents with stronger language addressing the issue of detached garages in the Village at a later date for their review.

ADJOURNMENT

Being no further business, Chairman McCombie asked for a Motion from the Board to adjourn the meeting. Commissioner Kwasek made a Motion. Commissioner White seconded. By unanimous vote the meeting was adjourned at 8:45 p.m.

Respectfully Submitted,

Christine Latoria, Secretary

These Minutes were approved this 1st day of February, 2018.

