



MEMORANDUM

TO: Village President and Village Board
FROM: James M. Hogue, Village Planner
DATE: September 9, 2016
RE: Board & Commissions Report for 9/13/16

This memo is intended to update the Village Board as to the status of projects and activities of the Long Grove Plan Commission & Zoning Board of Appeals (PCZBA), Conservancy & Scenic Corridor Committee (CSCC) and the Architectural Commission (AC).

PCZBA- Regular Meeting; 7.18.16 (2 Action Items)

1. PUBLIC HEARING: CONTINUATION - Consideration of a request for a Special Use Permit to allow an 8 lot Planned Unit Development/ subdivision to be known as the Steinbach Subdivision including; 1) a variation of the 100' foot scenic corridor easement along the proposed Rt. 53 extension right-of-way (NE side of the property) to 15' at the least dimension; 2) lot sizes of less than 33,000 sq. ft; 3) setback relief from the underlying R-2 District regulations in excess of the 20% maximum provided for in the Village Code; 4) text amendments to the Village Code to allow the Planned Unit Development as proposed (w/lot sizes, setback & scenic corridor relief) and/or additional relief necessary and/or appropriate under the village code to allow the planned unit development on property zoned under the R-2 PUD district classification as proposed submitted by Addison Real Estate LLC.

Chairman Phillips read the request into the record and swore in the witnesses to testify.

Planner Hogue summarized the staff report distributed to the PCZBA. He noted as proposed the property in question is being considered for PUD development to allow an 8 lot PUD subdivision. No density bonus is being requested as part of this proposal. The densities and land uses as proposed in this development are consistent with the existing and proposed comprehensive for the area. The proposal is also consistent with the character of the area being very similar to the existing "Indian Creek Club" development to the west. This is only portion of this area to develop in the Village.

The petitioner proposes a "conservation design" type development which serves to protect environmentally sensitive features of the site while maximizing open space. The concept of clustering of lots, to preserve open space and minimize impacts to the land, is supported by the comprehensive plan as well. This has been a long standing goal of the village also. As the property is capable of being serviced by sanitary sewer and public water, smaller lot sizes is an option at this location in the village.

Proposed density is also substantially less than previous development proposals considered for the site. Site density more or less consistent with the density envisioned for this portion of the site per the Annexation Agreement approved for the 400 acres to be known as the "Indian Creek Club". A density bonus **is not** being requested as part of the PUD proposal. Traffic and site access do not appear to be issues as well.

A more complete landscaping plan (requiring AC review) needs to be submitted per the “Required Street Improvements” section of the subdivision code. Consultation with the Village Arborist is encouraged in plan formulation.

Minor corrections to the preliminary PUD plat and preliminary engineering need to occur. These corrections do not substantively affect the plat as submitted.

For the project to proceed however, relief from certain development regulations via text amendment is requested and required. The PCZBA should consider the consistency of the design of the PUD with the character of the area, comprehensive plan and preservation of open space in the area as proposed. The availability of sewer and water should also be considered. The availability of these services allows the potential for smaller lots which is not available with well and septic systems.

Attorney Gates reviewed the proposed language for the text amendments. She noted this language was crafted to be restrictive in nature, particularly as it relates to the scenic corridor relief requested.

Mr. Eric Steinbach, property owner, introduced himself to the PCZBA and explained how he acquired the property. Initially he planned to build his “dream house” at this location, but upon learning of proximity of the Route 53 extension to the property those plans were scrapped and development of the property was explored.

Mr. Mark Eiden, Attorney for the petitioner, indicated notice had been sent to property owners and the petitioners have met with neighbors to explain the request. He then explained the project and its relationship to the existing and proposed comprehensive plans, the character of the area, particularly Indian Creek Club. He then did an analysis of zoning in the area, the site layout and environmental features of the property. He noted the design of the site was done to be minimally intrusive to the property, avoid wetlands and wetland buffers and preserve trees on-site to the greatest extent possible. This was, in part the rationale, for the requested relief as well. He noted the isolated nature of the property, scenic vistas, and compact nature of the design. Hopefully this would appeal to those wishing to downsize and stay in community. Architectural styles would be similar to Ravenna and Indian Creek Club and in the 2,500 to 3,500 sq. ft. range. Housing prices were anticipated to be in the \$400,000 to \$600,000 price range.

He incorporated the standards for Special Use and PUD by reference to the documentation provided in the application packet and asked the Commission to favorably consider the request.

Mr. Bill Jacob, in his capacity as HOA president for the Indian Creek Club development, indicated he attended the “open house” meeting held by the petitioners and there were no complaints or objections from the Indian Creek Club regarding the development.

The PCZBA then considered the request. Overall the PCZBA indicated the plan was good and consistent with the plans and character of the area. There was some concern with the relaxation of the scenic corridor requirement; however restrictive nature of the language of the proposed amendment was satisfactory to the PCZBA.

A motion was made by Commissioner Smith, seconded by Commissioner Peltin to recommend approval of the requested text amendments as created by Village Attorney Gates and presented to PCZBA for consideration. On voice vote; all ayes.

A second motion was made, seconded by Commissioner Peltin to recommend approval of the preliminary plat as submitted. On a voice vote, all aye.

2. PUBLIC HEARING: Consideration of a request submitted by Buffalo Creek Brewing LLC to modify the previously approved Red Oaks special use permit (“SUP”) and planned unit development (“PUD”) and/or grant a new special use permit to allow a brewery/taproom, banquet facility, outdoor dining and outdoor beer garden, the production of beer & ale, parking relief, a zoning code text amendment to include the production and sale of beer & ale in the B-1 District, amendments to the Class “O” liquor license definition to allow beer & ale production, sizes of containers for off-site consumption, to permit sample sales w/o being part of a facility tour and a sample size of 4 oz instead of three and/or additional relief necessary and/or appropriate under the zoning code to allow the proposed use of the property.

Chairman Phillips read the request into the record and swore in the witnesses to testify.

Planner Hogue summarized the staff report distributed to the PCZBA. He reviewed the history of the approvals for Lot 5 of the Red Oaks PUD noting they have been amended many times to permit additional uses on the property since first created in 1986. As initially approved, this site was targeted for office purposes. As proposed a brewery/taproom, banquet facility, outdoor dining and outdoor beer garden, the production of beer & ale, parking relief, a zoning code text amendment to include the production and sale of beer & ale in the B-1 District are now contemplated for this site.

In 2005, pursuant to Ordinance No. 2005-O-33 the PUD was amended to include a banquet facility, wine cellar, and tasting bar on the lower level, outdoor dining on the upper level terrace and main level deck, the construction of a roof enclosure over the existing lower level patio, relief from the parking requirements of the Zoning Code, and operation of the restaurant facility. Renovations to the structure pursuant to this approval were started but never completed due to insufficient funding of the project.

The structure has been vacant since work on this project stopped in 2006-2007. This has been the first proposal to be bought before the PCZBA regarding reuse of that structure since the 2005 approvals. There are similarities (and differences) between the proposed use of the structure and the 2005 approvals.

The property is zoned B-1 Historic Business District. The B-1 District does not allow a brewery/taproom staff is recommending a text amendment to consider such uses as a special use in the B-1 Historic Business District. Beer and Ale would be produced and sold on-site as well as distributed for off-site consumption.

Thirty-three (33) spaces are presently required to be located on “The Studio” property (Lot 5) per Ordinance 95-O-10. The petitioner requests relief from this requirement and the removal of landscape planters and as many a 10 existing parking spaces as the proposed use will generate less demand than the restaurant use, interfere with the with truck access to the structure for the distribution of product and delivery of supplies, and presently, parking supply exceeds demand in the Stemple Parking lot.

Save the condition established in the approval granted by Ordinance 95-O-10 (which pre-dates the 2007 Update to the Village Code) no additional parking would be required for this change in use as the petitioner proposes no expansion of the existing structure

The petitioner is amenable to an easement across this property which could potentially connect a future extension of Archer Road to the Stemple Parking lot in exchange for the relief for the parking required per Ordinance 95-O-10. Such a connection is contemplated in the "Downtown Master Plan" for the Village and serves to further implement that plan.

Services also appear adequate to accommodate the proposed use. No additional stormwater detention should be required as no new impervious surface is being added.

Staff considers the beer garden use to be identical to "outdoor dining" (as was the case with "Broken Earth Winery). Given the location of the structure and proposed beer garden minimal impact to surrounding properties is anticipated with this proposed use. The "standards" for permanent outdoor dining should be considered by the PCZBA and the proposed use conditioned accordingly.

Mr. Larry Freedman, attorney for the petitioner, explained the request and gave testimony to the standards for Special Use. He concurred the text amendment was the better avenue for considering such a request.

Mr. Mike Marr, contract purchaser and proprietor of the brewery, indicated they had been looking for a site in various community and contacted Village Staff concerning this site. He likes Long Grove and the building lends itself to this use. Interior modification to the structure will be made but exterior will remain as is save the installation of the truck dock to receive inventory for the operation and ship product to other locations for sale. There is both a retail and wholesale component to the brewery operation.

He indicated the 33 parking spaces required for the site were not conducive to his operations or long term vision for the site. The truck access will be required in this area and he would like to make landscape and pathway improvements to clean up this area as well. He is amenable to the Archer Road easement across the property in exchanged for this relief. Approximately 10 parking spaces in the Stemple Lot as well as a landscape planter will need to be removed to accommodate truck traffic onto the site. Per the traffic study conducted to the site parking should be more than adequate for the area even with the relief requested and reduction of existing spaces.

In general, the Commission was in favor of the proposal and noted it was a good use for the building and downtown Long Grove as well.

Commissioner Dvorak asked about truck traffic to the site. Mr. Marr responded approximately 4 to 6 deliveries/pick-ups per week was anticipated.

Commissioner Cohn asks if there was food service component to the development. He had concerns about an establishment manufacturing and selling alcoholic beverages without selling food. Mr. Marr indicate no food service is proposed as part of the brewery as is it; 1) conflicts with Illinois law regarding microbreweries; and, 2) is a different type of business than the brewery; his focus and experience is with the brewery. Food from outside establishments could be delivered and consumed on-site however.

Commissioner Smith has a concern with the amendments to the liquor license regarding the 2oz. to 4oz. sample site. She thought this was in conflict with state law and did the Village have the authority to make such a change. Attorney Gates responded state statute will control in this situation.

Commissioner Dvorak then made a motion, seconded by Commissioner Kazmer, to recommend approval of the text amendments to the Long Grove Zoning Code to allow a brewery/taproom use, which may include the production, retail and wholesale sale of beer and ale for both on-premise and off-premise consumption as a special use in the B-1 District. On a voice vote, 6 ayes; 1 nay. Motion carries.

Commissioner Dvorak then made a motion, seconded by Commissioner Rubin, to recommend approval of amendments to the existing special use permit and PUD approvals for the property known as Lot 5 in the Red Oaks PUD to: (i) authorize the establishment of a brewery/taproom use, including the production, retail and wholesale sale of beer and ale for both on-premise and off-premise consumption, a banquet facility, outdoor dining and outdoor beer garden (the "Proposed Use"); and (ii) amendment of Ordinance 95-O-10 to authorize the development and use of Lot 5 for the proposed use as depicted on the site plan submitted in the application, including relief from the off-street parking and paving requirements and removal of landscape planters. On a voice vote, 6 ayes; 1 abstains (on the grounds that food service was not a part of the proposed use). Motion carries.

PCZBA; Next Regular Meeting 10.4.16

CSCC; - Next Regular Meeting; 9.21.16

AC; Next Regular Meeting; 8.19.16