

## Long Grove Plan Commission & Zoning Board of Appeals (PCZBA) Regular Meeting Minutes --- April 1, 2014

Present: Commissioners Jeff Kazmer, Charles Cohn, Shelly Rubin, Michael Dvorak, Wendy Parr and Bill Peltin.

Absent: Fred Phillips, Chairman, Jodi Smith, PCZBA Secretary

Also Present: Village Planner James Hogue, Victor Filippini, Village Attorney.

**1. Appointment of Chairman *pro tem*.** Commissioner Parr nominates Commissioner Kazmer as Chairman *pro tem* for purposes of this PCZBA meeting. Seconded by Commissioner Dvorak. On a voice vote, all ayes: no nays.

**2. Call to Order:** Chairman *pro tem* Kazmer called the meeting to order at 7:05 p.m.

### **3. Old Business:**

Public Hearing-Continuation: Consideration of Amendments to the Zoning Code of the Village of Long Grove regarding Permitted and Special Uses in the B-1 Historic District.

All Commissioners present indicated that they had no ex parte contact on this issue being considered by the Commission this evening.

Planner Hogue explained the information presented to the PCZBA as contained in the meeting packet distributed to the PCZBA.

He noted staff had prepared a comprehensive listing of both currently allowable and potential uses as discussed at the March Meeting. While lengthy this document should serve to facilitate discussion on the land uses within the downtown district and NAICS Code. The simplest scenario would be to identify all uses within the B-1 District by the NAICS classification number as permissible (or Special Uses as the case may be). The problem with this approach is that in some cases the NAICS may include uses which are undesirable or inappropriate for the "Unique Combination Approach" to downtown Long Grove.

This model strives to retain the "destination" status of Long Grove while also incorporating uses which would be beneficial to village residents and meet more of their day to day shopping and service needs. Planner Hogue urged the Commission to keep this in mind when discussing potential uses for the downtown.

Attorney Filippini cited examples from codes of other clients he works with noting that some of these communities have a "generic" list of uses which they use while others rely strictly on the NAICS as is being discussed here. Others use the NAICS with exceptions which may be a good strategy for PCZBA to consider. Under this scenario the NAICS

code for a particular use would be referenced but those uses deemed undesirable or inappropriate are simple excluded out the use chart.

Commissioner Parr noted the discussion (per the minutes) of the last meeting and indicated more service uses should be included in the mix. She cited Veterinary Services the type of service use which could have benefit to residents and draw them into the downtown.

Commissioner Cohn noted retail uses have traditionally been considered in the downtown for the tax revenue generated to the Village. He cited Long Grove Commons which has many service businesses and does not generate much sales tax revenue for the village.

The PCZBA then began discussion of uses as presented by staff and the corresponding NAICS codes including the “comprehensive” listing of uses offered by the NAICS. For the most part the PCZBA was comfortable with using the NAICS codes to list uses as previously discussed and recommended by the LGBCP within the downtown. Exceptions to those uses are listed as follows;

- Consider allowing “Advertising Agency” uses NAICS 541810 on the second floor only; look at 541 Series “Professional, Scientific, and Technical Services”.
- Allow “Book Stores” as NAICS 451211 except “Adult Bookstores”.
- Change “Camera & Photographic Supply” stores to “Electronics Stores” with uses defined under NAICS 443142.
- Allow “Computer & Data Processing Services (NAICS citation missing) as a second floor use.
- Consider “depository institutions w/o drive-thru facilities” (NAICS citation missing).
- Allow uses under NAICS 561 “Administrative and Support Services” as second floor uses but eliminate “call centers”.
- Consider “Massage Therapy” uses (category 62) as special uses.
- Allow all uses in category 8121” Personal Care Services”
- Consider Tattoo Parlors as Special Uses.
- Consider the NAICS “444” Series “Building Material and Supplies Dealers”
- Allow Used Merchandise Stores including Antique Shops (excepting “donated charity” e.g. “Goodwill”; “Shop For Gold” and pawn shops).
- Consider Liquor Stores & Craft Beer Shops.
- Consider Educational Services; Sector 61--Educational Services
- Include Food Supplement Stores; Look at 446 Series Health and Personal Care Stores

A motion was then made by Commissioner Cohn, seconded by Commissioner Rubin, to direct staff to begin preparation of a draft ordinance for permitted and special uses in the B-1 District subject to the discussion of the PCZBA and to continue further discussion of this item to the May 6<sup>th</sup> regular meeting. On a voice vote; all aye.

**5. Approval of Minutes: February 4, 2014 meeting.**

A motion was made by Commissioner Rubin, seconded by Commissioner Cohn, to accept the March 4, 2014 minutes with corrections as noted by the Commission. On a voice vote; all aye. Motion passes.

**6. Other Business:**

Attorney Filippini noted that per state statute (the Compassion Use of Medical Marijuana Pilot Program) the Village needs to consider a text amendment to the Village Code regarding the “medical marijuana” and specifically the location of cannabis cultivation centers and dispensaries. This will likely be before the Commission at the June Meeting.

Planner Hogue noted there has been interest in several assisted living facilities (i.e. “nursing homes”) in the Village. To date no applications have been submitted but there has been interest in placing such facilities in the Village.

**7. Adjournment**

Commissioner Kazmer made a motion to adjourn, seconded by Chairman Cohn. On a voice vote; all ayes. Meeting was adjourned at 9:00 pm.

**8. Next Regular Meeting: May 6, 2014**

Respectfully Submitted,

*James M. Hogue*

James M. Hogue, Village Planner\ PCZBA Secretary Pro-tem

See Attached Addendum

### **Addendum to march 4, 2014 regular meeting minutes of the PCZBA**

The board along with comments from Ms. Perkal discussed the permitted uses listed in the comparison matrix with yellow highlights. The highlighted items are not currently permitted uses but the LGBCP recommends that they be added as a permitted use.

1. Advertising services. Add as a permitted use, however, Commissioners Cohn and Kazmer recommend that this should be a second floor use only.

2-5. Uses already permitted.

6. Auto and home supply stores without service bays. A discussion ensued regarding the interpretation of this use. What is a home supply store? Could it be an Ace hardware? There is some disagreement as to whether this would be a good thing or bad thing for downtown. It is agreed that Long Grove needs to attract residents to the downtown and this might have that effect.

Attorney Filippini stated that we could put caps on the size of the store, which would limit the type of business that would come in. All are in general agreement that the village would want to encourage restoration hardware stores and we can use the special use tool if we do not want it to be a permitted use.

7-14. Uses already permitted

15-17. These uses should be allowed with added restrictions of precious metal dealings as previously discussed.

18. Computer and data processing services. This should be a second floor use.

19-20. Use already permitted.

21. Banks. The village does not want any banks with drive through windows and therefore, we may want to exclude this use as generally permitted.

22. Drugstores. No objection to mom and pop type drug stores. Might want to permit with special uses.

23. Use already permitted

24. First, second, third floor residential uses. It is agreed to keep second and third floor residential uses and eliminate first floor residences.

25. Florists. Add as a use.

26-27. Uses already permitted.

28. Cleaners. No

29. General offices. Allow on second floors only.

30-31. Uses already permitted.

32-36. Add as permitted uses with the exception that the lighting stores be limited in square footage.

37. Mailing, reproduction, stenographic services. This had much discussion. The village would not want a large mailing business, but a substation or a gas station mini store or even a small UPS type store would be acceptable. Need to clarify this as a use.

38. Massage therapy. Needs to be clarified. The village could permit a small licensed business subject to permitting and licensing. Attorney Filippini noted that this could be a special use permit, which would be a good additional backstop.

Attorney Filippini interjected at this point that there will be a list of special uses available in addition to our permitted uses, so that anyone looking at our lists will see that certain uses are allowed with a special use permit. Right now our special use list is very limited but we can expand it.

39-42. Uses already permitted, however, number 41, nail salon, which is already permitted, should be specifically added as a permitted use.

43. Offices of health practitioners. Already a permitted use, but there was a discussion as to how to include such services such as electrolysis while excluding less desirable uses such as tattoo parlors.

44. Use already permitted.

45. Optical goods store. Would like to add this use.

46. Paint glass and wallpaper stores. Would like to add this use with limited square footage.

47-49. Add as permitted uses.

50. Use already permitted.

51. Retail nurseries and garden stores. No yards. Add as permitted use.

52. Use already permitted.

53-54. These uses could be possible second floor uses.

55-58. These uses should be added as permitted uses with the clarification that number 58 does not include the sale of live animals.

59. Use already permitted.

60. Stationary store. Add as a permitted use.

61. Use already permitted.

62. Add as a permitted use as we already have a successful cigar shop.

63. Used merchandise store. Antiques yes, resale no.

64. Videotape rental. Remove as a permitted use.

65. Add as a permitted use.

66. Use already permitted.

Other uses listed in the NAICS retail codes and attached to the matrix were discussed. Regarding grocery stores and convenience stores, a reference was made to the service station with the mini market. A convenience store is not already a permitted use but the mart within the gas station is allowed as a special use and an accessory to the gas station. A mini mart is okay but not a 7-11 type store.

Regarding specialty food stores and markets, we already have/had markets such as the Farmstand and Olive Tap, which are successful. Planner Hogue said we do allow markets and delis, etc. but we should spell them out in our list of uses.

Regarding liquor stores, Commissioner Cohn takes expectation to these with respect to hard liquors and packaged goods like six packs. The village wants to keep the wine stores. Commissioner Kazmer suggested that we make it a special use so that it can be controlled, and all agreed.

Finally it was agreed to add cosmetics, beauty supplies and perfume stores as permitted uses.