MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE VILLAGE OF BUFFALO GROVE HELD IN THE COUNCIL CHAMBERS, 50 RAUPP BOULEVARD, BUFFALO GROVE, ILLINOIS ON WEDNESDAY, NOVEMBER 2, 2022

Call to Order

The meeting was called to order at 7:30 PM by Chairman Frank Cesario

Public Hearings/Items For Consideration

1. Consider Variation Requests to the Fence Code, Pertaining to Residential Districts for the Purpose of Installing a 3-Foot Open Style Fence and a 5-Foot Semi-Open Style Fence that Extends Beyond the Front Line of the Building, Within 45 Feet of an Intersection and Within the 4-Foot Required Corner Side Yard Setback for a Fence at 151 Weiland Road (Trustee Pike) (Staff Contact: Kelly Purvis)

Mr. Binder, Associate Planner for the Village, provided a brief description of the fence variations requested from the fence code and showed various photos of the property.

He indicated that a 3-foot open-style fence is proposed in the front yard of the subject property and a five-foot semi-open style fence is proposed in the corner side yard and rear yard.

Mr. Binder noted that the fence would be located within the corner side yard setback (nearer than four feet from the property line) and would be within 45 feet of the intersection.

He indicated that the proposal has been reviewed by engineering staff which does not have any concerns and that there would not be any sightline issues.

Mr. Binder indicated that staff is in support of the variances requested.

The petitioner, Mr. Chandippa, was sworn in. He spoke about the expansion of Weiland Road, and the installation of the sidewalk in his front yard. He noted that people trespass on the property and pick the fruit from his trees. He also showed photos of the protective covering on the bathroom windows that was recently scratched off and indicated that his property has been vandalized recently.

Mr. Chandippa indicated that he and his wife are requesting the fence to prevent trespassing and vandalism on the property. He also mentioned that they wish to keep their son away from Weiland Road, which is very busy.

Com. Khan noted that he went by the house before the meeting and that he agrees that the area has changed since expansion of Weiland Road. He stated that the petitioner's property has an open view from Armstrong and that he can see how it would be a "cut through". He also asked questions about the transition height of the fence and why they are not closing access to the back yard.

The Petitioner responded that the trees do a pretty good job of keeping people out from the front.

Com. Khan stated that he wants to make sure that the proposed fence will indeed solve the issues described by the Petitioner.

Com. Weinstein asked questions about the style of fence and how it will be treated. He also mentioned that the fence would be within the easement and could conflict with utilities.

Com. Worlikar asked what the purpose of bringing the fence right up to the sidewalk is.

The Petitioner responded that it provides a move level surface and avoids existing landscaping.

Com. Richards asked if the Petitioner has spoken to the neighbors.

Chairman Cesario asked for clarification from staff that the 3-foot fence would not create a sightline issue.

The public hearing closed at 7:53 pm

Com. Weinstein made motion that the PZC grant variations to Section 15.20 of the Buffalo Grove Fence Code to allow a 3-foot open style fence and a 5-foot semi-open style that extends beyond the front line of the building, within 45 feet of an intersection and within the 4-foot required corner side yard setback at 151 Weiland Road, provided the fence shall be installed in accordance with the documents and plans submitted as part of the petition.

Com. Richards seconded the motion.

Com. Worlikar suggested it would be helpful to know how far back the fence could be moved from the corner side property line and away from the sidewalk.

Chairman Cesario asked the petitioner if he would be comfortable with pushing the fence back four feet from the property line to comply with the Fence Code.

Mr. Chandippa indicated that he would be ok with moving the fence four feet from the property line, to comply with the Code.

Com. Moodhe indicated that this situation is unique because the property fronts on Weiland Road. He noted that it will be easier to see through the proposed picket fence than board on board and that he appreciates that the petitioner was open to that.

Com. Spunt indicated that he would also like to see the fence pushed back 4-feet from sidewalk and asked if the fence would interfere with drainage patterns on the property.

Chairman Cesario commented that there is commercial activity adjacent to the property and that there is no question that he is entitled to the taller fence along the corner side property line. He acknowledged the change in the space around the property due to the expansion of Weiland Road. He agreed that the open style fence in the front yard is safer and will make people feel more comfortable but, will still give the property owner the privacy they need.

Com. Worlikar indicated that he is sympathetic and supportive to the Petitioner and glad he is ok with the 4 -foot additional setback from the corner side property line. He indicated that the fence being closer to the property line may create a hazard for the neighbor backing out of their driveway.

The motion was amended to remove the four-foot variation from the corner side yard setback.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Moodhe, Spunt, Cesario, Khan, Weinstein, Au, Richards, Worlikar, Davis

2. Petition to the Village of Buffalo Grove for an Amendment to the Restated Annexation Agreement and Planned Unit Development Approved by Ordinance No. 2003-10, an Amendment to the Preliminary Plan, and Approval of an Off-Street Parking Facility Use at 325 N Riverwalk Drive (Trustee Ottenheimer) (Staff Contact: Kelly Purvis)

Associate Planner, Andrew Binder showed the proposed site plan and reviewed the approvals necessary for the construction of the 360-stall parking lot on the property.

The Petitioner, Mike Rolfs of Hamilton Partners, was sworn in.

Mr. Rolfs indicated that negotiations on the land lease started right after Covid, and that CVS/Caremark made a decision to move their offices out of Northbrook. He indicated that CVS/Caremark thought they would need more parking than is currently available in the parking structures. He noted, per their lease agreement, they have the right to give the property owner notice upon a need for more parking, and the property owner (Hamilton Partners) will build the parking lot that is presented tonight. Mr. Rolfs indicated that CVS/Caremark have consolidated most of their operations here in Buffalo Grove and that he hopes they will expand.

Com. Au asked why they want to expand parking now. She indicated that she used to work in Riverwalk-2 pre-covid, and there was always parking. She asked why they are speculating for this need for parking before it has been determined that it is needed.

The Petitioner responded that he is not requesting final approval and that they would still need final engineering approval, etc. before they would be able to build the parking lot. He noted that he would like to be able to move quickly should the need arise for the parking.

Com. Davis asked if there is a specific occupancy trigger or data that would trigger the need for the parking lot to be constructed.

The Petitioner responded that nobody really knows what is going to happen with hybrid and work from home models, but CVS/Caremark have a use/person calculation that they use to determine the parking need. Based on the number of anticipated employees, they think they may need more parking than what is available.

Com. Davis indicated that he drove through the garages the day before and they were pretty empty. He asked what the occupancy of the garages are.

The Petitioner responded that a lot of larger companies have not fully come back to the office yet. He estimated that the parking structure is only 25% occupied at this time.

Com. Moodhe asked staff, if this proposal is approved, what part of the original PUD approval would be off the table for future development.

Staff indicated that this proposal would supersede the prior approval. The previously proposed office building with structured parking would no longer be part of the approved PUD. Staff noted that in the future, if they wished to build the office building and parking structure, they would need to come back for approval of another amendment to the preliminary plan and PUD.

The Petitioner indicated that they are looking at this as a temporary measure and that the most likely future use on the site will be residential. He indicated that he would like to reserve the right to construct the office building/and or residential in the future.

Com. Moodhe asked if they had given any thought to constructing a parking deck.

Mr. Rolfs responded that a parking deck would be far too expensive.

Mr. Rolf spoke about the topography on the property and indicated that the existing berms will provide good screening of the parking lot.

Com. Spunt asked if the parking would only be for CVS employees.

The Petitioner responded, yes.

Chairman Cesario confirmed with staff that there are no variations being requested for a use that is permitted by right.

Staff agreed with Chairman Cesario.

There were no public comments.

The public hearing was closed at 8:31pm.

Com. Weinstein made motion that the PZC recommends approval of the Amendment to the Restated Annexation Agreement and Planned Unit Development approved by Ordinance No. 2003-10, an Amendment to the Preliminary Plan, and approval of an off-street parking facility use at 325 N Riverwalk Drive, subject to the following conditions:

1. The proposed development shall be developed in substantial conformance to the plans attached.

2. The Petitioner shall comply with all applicable Village codes, regulations, and policies.

3. Any incidental or directional signage proposed will be reviewed by Village staff.

4. Prior to the issuance of any building permits for construction of the new off-street parking facility, the total parking count for the office uses will be reviewed and accommodations shall be made to the parking lot at 2100 - 2150 Lake Cook Road in compliance with the Illinois Accessibility Code (regarding the number of accessible parking spaces and location of the accessible spaces).

Com. Moodhe seconded the motion.

Com. Moodhe noted that there was a letter from a resident included in the PZC packet. He noted that even though a parking lot is not his favorite use for the site, it is probably better than an 8-story office building. He indicated that he is supportive of the request if it brings potential for more corporate business to the Village.

Com. Davis stated that he is struggling with the request because it is based on speculation of what the need might be. He noted he doesn't think it makes a lot of sense in our current environment and that there is a reason why those buildings haven't been constructed - there is no need.

Com. Weinstein agreed with Com. Davis and noted that he is also a little hesitant. He noted the property has been sitting undeveloped this long and that they would be replacing vacant green space with potentially vacant concrete. He also noted that the parking lot will be well screened and will not be very visible and that he trusted that CVS/Caremark know their business and their need for the parking.

Chairman Cesario stated that approval of the parking lot tonight removes the owner's right to build the eight-story building. He noted, they can leave here tonight, and construct that project. He suggested that the current proposal for overflow parking is a more acceptable proposal and is better for the Village and tenant. Hard stated it is hard to argue with better for everyone.

RESULT:	**APPROVED [8 TO 1]**
AYES:	Moodhe, Spunt, Cesario, Khan, Weinstein, Au, Richards, Worlikar
NAYS:	Jason Davis

Regular Meeting

Other Matters for Discussion

Approval of Minutes

1. Planning and Zoning Commission - Regular Meeting - Aug 17, 2022 7:30 PM

RESULT:	**ACCEPTED [8 TO 0]**
AYES:	Moodhe, Spunt, Cesario, Weinstein, Au, Richards, Worlikar, Davis
ABSTAIN:	Zill Khan

Chairman's Report

Chairman Cesario gave his chairman's report.

Committee and Liaison Reports

Com. Moodhe reviewed the Village Board meeting he attended and the PZC items that were approved by the Village Board.

Staff Report/Future Agenda Schedule

Staff indicated that there are two upcoming cases for November 16, 2022, agenda.

Public Comments and Questions

Adjournment

The meeting was adjourned at 8:40 PM

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Kelly Purvis

APPROVED BY ME THIS __2nd____ DAY OF __November__, 2022