

MEETING MINUTES



Village of Homewood
Planning and Zoning Commission
Thursday, January 27, 2022
7:00 p.m.

Village Hall Board Room
2020 Chestnut Road
Homewood, IL 60430

CALL TO ORDER: Chairman Sierzega called the meeting of the Planning and Zoning Commission to order at 7:00 p.m.

ROLL CALL: Members attended: Alfonso, Bransky, Cap, Johnson, O'Brien, and Chairman Sierzega; Present from the Village was Economic and Community Development Director Angela Mesaros, Building Department Secretary Darlene Leonard. There were eleven people in the audience. The public was able to listen and watch the meeting via zoom webinar.

Member O'Brien made a motion to read into the record a statement regarding Jim Ogden passing away on January 7. Mr. Ogden served on the Board of Appeals from September 1981 until March 2016 and he was an advocate for Homewood for over 35 years; seconded by Member Cap.

AYES: Members Alfonso, Bransky, Cap, Johnson, O'Brien, Planera, and Chairman Sierzega.

NAYS: None

ABSTENTIONS: None

ABSENT: None

Village of Homewood Zoning Code Update – Diagnostic Report & Preliminary Recommendations Framework.

Jackie Wells from Houseal Lavigne stated the report covers the first 5 Articles of the proposed ordinance. Ms. Wells stated that the code is being updated to improve and simplify it. Of the 4-Step scope, we are in the middle of Step 3 and we are doing well keeping on track. Two hundred five responses have been received to date about the questionnaire.

Member O'Brien asked if the Commission Members could receive copies of the questions. Ms. Wells stated yes.

Ms. Wells stated in Article 1 there are no major changes, just language cleanup to make it as user-friendly as possible.

Ms. Wells stated in Article 2, the M-2 district will continue, but there will be no new areas allowed. There is proposed realignment with B-1 only being the downtown core and B-2 being a downtown transition district around the downtown and a mix of residential, commercial, and businesses. B-3 will be a general business district. PL-2 will have some changes and additions and will include the non-commercial places of assembly. Ms. Wells stated that in B-1 no properties will be rezoned, but the parcels outside the downtown core will be rezoned to B-2.

Member Planera asked, regarding PL-2, for an explanation of the locations in the downtown area. Ms. Wells stated they are parcels identified by staff as non-commercial places of assembly.

Staff Liaison Mesaros stated those locations are the Homewood Science Center, the Cancer Support Center, St. Joseph Parish, and the Howe House.

Member O'Brien asked, after the ordinance is approved when there are any annexations why are they put into R-1 single-family. Ms. Wells stated that typically until the property owner asks, the property is put into the most restrictive zoning district until the proposal is heard.

Ms. Wells presented the changes in Article 3. Ms. Wells stated that the limited uses would require review and approval by Staff and could then be elevated to Special Use and review by the Planning and Zoning Commission.

Member Bransky asked if the calculated dimensions would be in the final draft for approval. Ms. Wells stated yes, they will create a graph for the final draft.

Member Planera asked if there will be a Definitions section. Ms. Wells stated yes.

Member Planera asked what the difference was in the calculation dimensions for interior and exterior side yard encroachment. Ms. Wells stated the exterior side yard is the corner side lot and that is determined by the longer lot line.

Member Planera asked, in Item C, "height," if it is existing language and what constitutes height. Ms. Wells stated that they are happy to revise the definition to use more specific language to give additional details.

Member Planera asked if bay windows are allowed to encroach all four yards up to 4 feet. Member Planera also stated that he recommends changing the side yard setback to 5 feet from 3 feet in this regard and also asked if it is regarding cantilevered or foundation bay windows. Ms. Wells stated cantilevered and that can be clarified in the code.

Member Planera asked when a fire escape is not considered a stairwell. Ms. Wells stated when it is not enclosed. Member Planera stated that should be revisited. Member Cap stated that it may need to better clarify that it is an open fire escape and not a staircase. Member Bransky stated that someone could argue that exterior stairs could be a fire escape. Ms. Wells stated that they can take a closer look at it and reduce the setback or encroachment.

Member O'Brien asked about Group Homes separated into "up to 8" and "9+" and asked what is "+"? Ms. Wells stated that she believes the State allows 16 in a single-family residence. Member O'Brien asked what the modifications are to accommodate 16 in a single-family residence. Ms. Wells stated that it could be made part of the Zoning Ordinance. Ms. Wells stated Group Homes are regulated by the State and they have stricter standards than a municipality and that the modifications are only regulated by the municipality as if it were a single-family home.

Member O'Brien stated that on Page 6 of Article 3 "Cannabis-Related Uses" shows cultivation center, but Page 11 of Article 2, Section 44-01-11 says in the use standards cannabis organization and one infuser is allowed in the Village. Staff Liaison Mesaros stated that there is no change from the existing code. Ms. Wells stated that they took out the word "medical" from the code.

Ms. Wells stated that to clarify, blank cells in the tables are prohibited uses.

Ms. Wells explained Article 4 and its changes.

Member O'Brien asked who would own the proposed community gardens. Ms. Wells stated that typically they are privately held, that some communities have municipally-run ones, but the proposal would be for them to be on private land. Member O'Brien asked if residents would have to pay for a membership or dues. Ms. Wells stated it is not in the code and it would be up to the property owner.

Member O'Brien asked what the intent is to manage them because there is no definition or detail on how they will be taken care of. Ms. Wells stated that they would be separate parcels from a residential property and the standards would limit the impacts to the neighbors. Member O'Brien asked how large they would be. Ms. Wells stated there is no minimum requirement for lot area.

Staff Liaison Mesaros asked if it would be possible to have it on a non-conforming lot that is too small to build to become a community garden. Ms. Wells stated it should be possible and that can be added to the code.

Ms. Wells discussed Accessory Dwelling Units and stated only be one per lot either detached, attached, or internal and there are differing standards for each. Ms. Wells stated that there cannot be both a detached garage and a detached ADU. The ADU would have to be located to the interior side or rear of the principal dwelling unit.

Member Planera asked about access and parking. Ms. Wells stated that it would be similar to a mother-in-law suite, but they cannot restrict the occupant. Ms. Wells stated the maximum size of an ADU would match the current code of 936 square feet and 17 feet in height. Ms. Wells stated there is an exception in height if the ADU is above a detached garage and it would be 27 feet or match the height of the primary building, whichever is less. And the ADU would have to fully be in all required yards.

Ms. Wells stated that if it is an internal ADU then the size would be a maximum of 25% of the floor area of the primary dwelling. Ms. Wells stated that all ADUs must use a common driveway, have similar architectural features as the primary residence, and the property owner must occupy either the primary residence or the ADU.

Member Planera stated he would like to see the graphic.

Chairman Sierzega stated there is nothing in the table next to 4 in the Group Home Standards. Ms. Wells stated it is a typo.

Ms. Wells stated that for short-term rentals the minimum stay would be 7 days and the maximum would be 30 days, no more than 2 guests per bedroom, a maximum of 60 days per calendar year, and it must be the primary residence of the property owner. Ms. Wells stated they will be adding definitions of short-term rental and bed & breakfast.

Member O'Brien asked if they would be owner-occupied. Ms. Wells stated yes, for short-term rentals.

Member Cap asked to clarify the distinction between B&BS and short-term rentals, B&Bs are permitted or special use. Staff Liaison Mesaros stated that they are currently allowed as a special use.

Member O'Brien asked why the wording changed from detached and attached on Page 13 in Section 2. Ms. Wells said they would correct it.

Ms. Wells explained the changes in Article 5, and stated there will be more flexibility for parking in existing buildings that can be approved by the Community Development Director. Ms. Wells stated that EV infrastructure would be installed in all new building construction.

Member O'Brien asked about charging stations. Ms. Wells asked if Member O'Brien meant like a gas station but for electric vehicles, and stated that currently there are spots that are just for 15-20 charging but they have not seen a need for dedicated stations yet. And, added that the standards for fuel stations could be used if they become needed.

Chairman Sierzega asked about requirements for multi-family residences. Ms. Wells stated that it can be required at all multi-family residences, but currently, it's for locations over a certain size.

Ms. Wells stated that a maximum parking allowance will be established and they can require bike parking and pedestrian walkways.

Ms. Wells stated that for single-family detached homes with an attached garage would be restricted to a maximum of 24 feet and restrict the width of the apron.

Chairman Sierzega stated that in the parking on page 4 there is no number for the minimum parking. Ms. Wells stated that it's on the previous page because of the page break and they can be adjusted for paper copies.

Member Bransky asked if the parking pad is extended to the lot line. Ms. Wells stated that it can go to the setback from the lot line and added that residents cannot widen the driveway and have a parking pad to the side.

Member O'Brien stated there are about 12 driveways in the Village that are shared and asked if there is any language to address them. Ms. Wells stated there is not, but it should be made a part of it. Member O'Brien stated that usually there is a legal document between owners, but not all do it. Member O'Brien stated there should probably be language to address it. Ms. Wells stated that it can be added.

Member Johnson stated that it could risk getting into property disputes.

Member Cap asked that on Page 12 #4, "Garage Access" can redirect back to 2B at the end. Ms. Wells stated that it is a good point and it can be done.

Ms. Wells discussed the Landscape and stated that there would be a 7-foot width at the parking lot perimeter and enhanced tree preservation for trees over 12" diameter.

Member Bransky asked if the screening trees would count toward the replacement trees. Ms. Wells stated yes.

Member Planera asked what the required diameter of the new trees would be. Ms. Wells stated it is listed as being not less than 2-1/2".

Ms. Wells stated that fences will be up to 6-feet in height and be 3-feet from the lot line to be opaque and have vegetation.

Ms. Wells stated visual site lines at intersections will be proposed and there will be standards for the brightness of exterior lighting when they are LED lights.

Member Bransky stated, that in the graphic showing the tree screening density level, if the trees required are counted as replacement trees, then they aren't replacing anything since the screening trees are required anyway.

Member Cap stated that some communities take the approach that the trees have to be replaced in a park or an open space elsewhere in the city.

Member Bransky stated that he would rather the code require replacement onsite unless it can be proven to not be feasible because of things like drainage swales, etc.

Member Bransky stated that it's an automatic loophole that should be looked at, or have a waiver.

Member Cap stated that he would advocate for them to be required to replacement the trees elsewhere in town if they physically cannot get them onto the lot.

Member Cap stated that most of his questions were answered with the presentation. Member Cap stated that he was impressed by the outreach to residents, not just the Planning and Zoning Commission and the Village Board, and added that it was a level of civic engagement he has not seen in a while.

Chairman Sierzega asked how many responses were received. Ms. Wells stated 145 from the map and 205 directly from the residents.

Chairman Sierzega asked if there were any questions from the audience

A female resident asked that if the developer removes trees, a minimum size is listed for the replacements. Ms. Wells stated there is a minimum caliber for what must be planted.

A female resident stated that regarding community gardens, Park Forest used vacant lots, and asked if there is any provision for community-owned or civic organizations. Ms. Wells stated there is nothing in the Zoning Ordinance, but a program could be started by the Village. Ms. Wells added that they would be for private owners.

Angela Dank asked, in Section 4 short-term rental, what is a short-term rental. Ms. Wells stated VRBO, Airbnb. Ms. Dank stated that 7 days is very restrictive. Ms. Wells stated that they didn't want to see a revolving door and wanted a minimum stay to prevent that and the 30-day max restricts that window.

Chairman Sierzega asked if the 7 days is too long or too short. Ms. Dank stated that it is too long, and asked if they looked at Airbnb's statistics to see what the average stay is.

Member Bransky stated that limiting short-term rentals to 60 days a calendar year and have it be the residence of the property owner would effectively prohibit them.

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Member Bransky stated he does not support any of these items for short-term rentals and stated that they need to be reworked. Member Bransky stated that he has less of a problem with the minimum stay, but it needs more investigation. Member Bransky stated that he understands the need to control the density and use, but we don't want to prohibit the feasibility of short-term rentals. Ms. Wells stated that it is a point for additional discussion and it can be revised.

Member Cap stated that when looking at the attributes of a "party house", the occupants, trash, and noise ordinance could be a workaround.

Chairman Sierzega asked if there would be a limit to the number of them on a street. Ms. Wells stated that it can be tricky to figure out, but there could be permitting and a limit on the number of permits for an area.

Chairman Sierzega stated it needs more research. Ms. Wells stated that they can look at how other communities are handling it.

A male resident stated that he wanted to thank the Commission for the work being put into the new code and for the presentation and for putting residential first.

Chairman Sierzega asked if anyone on Zoom had questions. Staff Liaison Mesaros stated no.

Chairman Sierzega asked if any comments had been received in the last couple of days. Staff Liaison Mesaros stated no.

ADJOURNMENT: Chairman Sierzega asked for a motion to adjourn the meeting. Member O'Brien moved to adjourn the meeting at 8:46 p.m., seconded by Member Cap.

AYES: Members Alfonso, Bransky, Cap, Johnson, O'Brien, Planera, and Chairman Sierzega.

NAYS: None

ABSTENTIONS: None

ABSENT: None

Respectfully submitted,

Angela M. Mesaros
Staff Liaison