

amendments.

VI. *Public Hearing and Recommendation*

A. PZ22-03 – 263 Blackhawk Rd – Variations related to deck height and expansion –

1. PUBLIC HEARING to consider a variation from Section 10-10-7-3(D)(2) (Accessory Structures and Uses) and Section 10-10-4-(C) (Nonconforming Buildings and Structures) of the Riverside Zoning Ordinance to allow the construction of a deck at five feet (5') above grade and the expansion of two (2) existing nonconforming stoops / deck to form a single 280 square foot deck in the rear of the house at five feet (5') from grade.

Before the meeting opened, Attorney Marrs explained to the Commission that four affirmative votes are required in order for the recommendation to be considered positive. If the four votes are not reached, the Village Board is then required to have four votes from Trustees and the President is not allowed to vote.

Chairperson Mateo opened the meeting and introduced the variation request to the Commission and introduced the homeowners. Village Planner Jimenez went into detail regarding the variation request from the property owners at 263 Blackhawk. They also clarified to the Commission that the impervious surface would not be exceeded with the proposed project. Village Planner Jimenez informed the Commission that the village inspector was consulted regarding the construction of the deck. The inspector stated that there were alternative methods of construction, but all were cost prohibitive to the homeowners. Village Planner Jimenez researched surrounding communities regarding deck requirements were in place and informed the Commission that none of them have a deck maximum height and they all follow their respective building code with regards to deck construction.

The homeowner, Laura Serge, spoke to the Commission and explained the petition and the current state of the decks / stoops in the rear of the property. She also pointed out that there is a window in the rear of the house that would need to be moved or relocated if the deck was to be built at the maximum four feet (4') from grade per code. Commissioner Brom inquired about the material that will be beneath the proposed decks and the homeowner reiterated that it will be permeable material underneath. Chairperson Mateo wanted clarification regarding stoops and the lack of a maximum height. Asst. Village Manager Monroe told the Commission that during the approval of the construction of the house, the structures were labeled as decks and for purposes of reviewing this request, staff went with that interpretation. That is what triggered need for a variation as the deck would be at the five foot height and would be expanded. Asst. Village Manager Monroe answered Commissioner Miller when asked about why staff was using the section of code to evaluate the request and whether it should even be applied here. She told the Commission that due to the nature of the construction, staff interpreted the structures as decks and would therefore follow the nonconformance variation.

Commissioner Miller made a motion to close the public hearing. Commissioner Marhoul seconded the motion.

AYES: Commissioners Marhoul, Miller, Brom, Pelletier, Mathews, Mateo.

NAYS: None

Motion Passed

2. DISCUSSION, MOTION AND RECOMMENDATION by the Planning and Zoning Commission to the Village Board regarding the request for a variation set forth in 6.A.1 above.

Commissioner Marhoul reiterated that the impervious surface percentage would not be an issue and would fall below the threshold. He also reminded the Commissioners that there was a property at 490 Uvedale that asked for a similar variation in the past few months. Commissioner Miller commented that as there had been two variations with similar proposals, she suggested that the Board might consider a discussion to review this particular portion of the village ordinance. Commissioner Marhoul made a motion to recommend approval of the variation as proposed. Chairperson Mateo went over the variation standards. The Commission found them to all be met.

Both Commissioner Miller and Commissioner Marhoul found the hardship to be the basement window that is currently at grade. They both stated that the removal or relocation would be financially prohibitive to the homeowners. They found this standard to have been met. They also found all other standards to have been met.

Commissioner Marhoul made a motion to recommend approval of the variation as proposed. Commissioner Pelletier seconded the motion.

AYES: Commissioners Marhoul, Miller, Brom, Pelletier, Mathews, Mateo

NAYS: None

Motion Passed

Chairperson Mateo informed the petitioner that the motion was recommended for approval, that the Commission was just a recommending body, and that the recommendation will go in front of the Board of Trustees at the May 5, 2022 meeting for the final vote.

- B. PZ22-04 – Text amendments to Zoning Ordinance regarding various transit-oriented development code changes, as well as other changes. Among the potential changes being considered are changes relative to the provisions regarding window signage and displays, exterior lighting, accessory structures and uses, landscaping and screening, nonconforming residential driveways, definitions, and updated sign regulations.
- 1. PUBLIC HEARING to consider proposed text amendments which include transit-oriented development code changes, and other changes affecting various sections of the Riverside Zoning Ordinance, including, but not limited to, Section 10-4 (Residential Districts), Section 10-5-7 (Business Districts), Section 10-7 (Site Development Standards), Section 10-9 (Landscaping and Screening), Section 10-10-7

(Nonconforming Residential Driveways), Chapter 11 (Definitions) of the Riverside Zoning Ordinance and Title 4 Chapter 3 (Signs) of the Village Code of the Village of Riverside. Petitioner: Village of Riverside.

Chairperson Mateo opened the discussion by going over the proposed text amendment included in the ordinance and directed the Commissioners to go through the redline text item by item.

Commissioner Pelletier had concerns about language regarding employment generating commercial uses and thought it decreased the chance for commercial properties to be regulated. The consultant, Todd Vanadilok, was receptive to striking that language and going back to the previous language. Chairperson Mateo asked for clarification regarding bulk requirements with schools, religious institutions, etc. She wanted to know why such vague language was used for zoning code. The consultant told the Commission the intent was to allow Riverside more ability to review plans in order to ensure consistency. Chairperson Mateo wanted more specificity and she did not understand how this language was any different than what a Special Use standard requires. Asst. Village Manager Monroe proposed tweaking the Special Use process in order to accommodate projects like schools that are proposing an expansion or something similar. The language is meant to be a tool the village uses in order to ensure proper development of proposals that are received. Commissioner Marhoul believed it best to adjust the language in the Special Use process at a later date.

The Commission reviewed definitions proposed for the text amendment. Language defining a co-working space was revised to better identify the use. Attorney Marrs suggested moving the term electric charging station from Other Terms Defined section to the Use table. Commissioner Miller pointed out inconsistent language regarding building height and rooflines and the consultant agreed that language should reflect language used in other parts of the ordinance.

Attorney Marrs suggested removing definitions for building height, but updating the building height table to reflect language that the Commission is comfortable with.

Commissioner Pelletier motioned to close the public hearing. Commissioner Marhoul seconded the motion.

Chairperson Mateo went over the standards. The Commissioners agreed that all standards had been met.

AYES: Commissioners Marhoul, Miller, Brom, Pelletier, Mathews, Mateo

NAYS: None

Motion Passed

2. DISCUSSION, MOTION and RECOMMENDATION to Planning and Zoning Commission to the Village Board regarding the request for text amendments set forth above in 6.B.1 above.

Chairperson Mateo went over the standards. The Commission stated that all standards had been met.

Commissioner Marhoul motioned to recommend the text amendments, with the changes discussed. Commissioner Mathews seconded the motion.

AYES: Commissioners Marhoul, Miller, Brom, Pelletier, Mathews, Mateo

NAYS: None

Motion Passed

VII. *Old Business:*

- A. Continuation of discussion on additional portions of Transit Oriented Development Zoning Code Update.

Asst. Village Manager Monroe made a long statement about the changes and topics that would be covered. Chairperson Mateo reminded the Commission that there was a proposal to create a B1- TOD district and Commissioner Miller also commented on whether the zoning district should not extend further. The consultant told the Commission that TOD standards dictate a specific distance to the nearest transit stop or transit center and this could be a reason why the proposed district was established as it was. The proposed B1 TOD district overlaps the existing B1-C district and does not show any property rezoning from a residential district to a commercial district. Attorney Marrs reminded the Commission that if a rezoning were to take place, there are other issues that those property owners may encounter. The consultant reminded the Commission members that even if a residential property is not explicitly zoned as a TOD district, it still has qualities that would closely apply to TOD districts.

Commissioners Miller and Pelletier both believed that Harlem Ave should be converted to be more commercial and business-friendly zoning. Several Commissioners wanted to know more about the possible ramifications prior to expanding the B1 TOD zoning district along Harlem Ave. The Commissioners were in agreement that language in the proposed changes should reflect the intent. Instead of changing the boundary of the proposed B1 TOD district at this time, the Commission asked for changes that ensure buffering between zoning districts and language to encourage more types of transit.

There was general agreement in using the Special Use process as a tool for the village to better review uses like an office or a dwelling in certain zoning districts. Commissioner Miller asked Asst. Village Manager Monroe if including footnotes would be useful for staff and future Commissions. Village Planner Jimenez told the Commission that footnotes can be helpful depending on how they are written and other times they add more confusion. Asst. Village Manager Monroe also said that researching the context for the ordinance can help with what is being interpreted and might give clarity. Attorney Marrs reiterated that this type of language gives the village and the Commission more ability to review certain proposals to ensure that they are appropriate.

Both Commissioners Pelletier and Marhoul agreed that striking out language pertaining to façades is appropriate. There was discussion on how to define façades, especially with how wide they tend to be, and including language to ensure that the

breaking up of wide façades is included. There was consensus among the Commissioners to ensure that façades be visually interesting and avoid blank walls for large sections. Commissioner Mathews believed it prudent to include all non-residential uses in this language along with, as Attorney Marrs stated, mixed use developments that have commercial uses on the first floor. The Commissioners all agreed to include all buildings, residential and commercial, to avoid large swaths of blank wall or large swaths of windows.

There discussed how to regulate townhome use types and uses on the ground floor. Most Commissioners agreed that not allowing dwelling uses on the ground floor in certain zoning districts was best. Clarifying language for places of worship and places of assembly was brought up. Distinguishing between vocational facilities and instructional facilities was agreed to by the Commissioners.

There was agreement that no motor vehicle service stations or funeral homes be allowed in the public use zone. There was final discussion regarding uses in the downtown business area and whether or not to allow or have as special use. Many Commissioners agreed to either leave them as prohibited uses or to include as special uses.

The discussion ended without covering all agenda item content. The Commission agreed to continue conversation at the May 25 meeting.

VIII. New Business:

- A. Site Plan Review – 28-48 Lawton Road – To consider a revised site plan proposal to add five or more parking spaces to an existing parking lot at a multi-family property in the B2 District. Petitioner: Riverside Lawton LLC

The petitioner, Alan Meltzer, representing Riverside LLC, submitted an application for a parking lot at 28-48 Lawton. Village Planner Jimenez described the proposed construction of the parking lot and also told them that all other zoning requirements had been met. Village Planner Jimenez, along with Asst. Village Manager Monroe, informed the Commission that this project was still in the preliminary stages and approval is contingent on all zoning and construction requirements being met.

Commissioner Marhoul made a motion to recommend approval of the variation as proposed, with the understanding that appropriate plans are submitted for construction review. Commissioner Pelletier seconded the motion.

AYES: Commissioners Marhoul, Miller, Brom, Pelletier, Mathews, Mateo

NAYS: None

Motion Passed

- IX. Information:* Village Planner Jimenez informed the Commission that citation letters had been mailed out to properties with existing gravel driveways that were not currently meeting maintenance standards. These properties, unless notified by staff that they do meet the

standards, are required to attend the May 19, 2022 adjudication meeting.

X. *Adjournment*

Commissioner Marhoul made a motion to adjourn. Commissioner Mathews seconded.

AYES: Commissioners Marhoul, Miller, Brom, Pelletier, Mathews, Mateo

NAYS: None

Motion Passed

Chairperson Mateo declared the meeting adjourned at 10:04 p.m.

Respectfully submitted:

Village Planner, Francisco Jimenez

Date Approved