

**MINUTES OF THE REGULAR MEETING OF THE ZONING PLANNING & APPEALS
COMMISSION OF THE VILLAGE OF METTAWA, LAKE COUNTY, ILLINOIS,**

**HELD AT THE HOUR OF 7:00P.M. ON TUESDAY APRIL 1, 2014
IN THE COTTONWOOD ROOM OF THE HILTON GARDEN INN,
26225 N. RIVERWOODS BOULEVARD, METTAWA, ILLINOIS**

I. CALL TO ORDER

Chairman Krusinski called the meeting to order at 7:00 P.M.

II. ROLL CALL

Upon a call of the roll, the following persons were:

Present: Commissioners Busscher, Hirsch, Leonard, Meluso, Miller, Pickell and
Chairman Krusinski

Absent: None

Chairman Krusinski declared a quorum present.

Also present: Commission secretary, Cathy Nelson, and Village Attorney Gregory T.
Smith of Klein, Thorpe & Jenkins, Ltd.

III. APPROVAL OF MINUTES

Minutes of the Regular Meeting of February 4, 2013

Approval of the February minutes is moved to the May 6, 2014 meeting.

IV: CALL OF CASES: None

V. DELIBERATION AND RECOMMENDATION: None

VI. COMMUNICATIONS: None presented

VII. REVIEW OF REPORTS OF COMMISSION COMMITTEES: None Presented

VIII. OLD BUSINESS: WORKSHOP DISCUSSION : CASE NO. 14-TA-1

Consideration of Proposed Zoning Code Text Amendments With Regard to Floor Area
Regulations, Creation of an Open Spaces District and Rezoning of 0 Bradley Road,
Mettawa, Illinois

Chairman Krusinski gave opening remarks regarding the purpose of this continuation of
the February 4, 2014 ZPA Workshop meeting and that the Commission will now begin to
craft an Open Space Ordinance and determine what regulation are appropriate for this
ordinance.

He informed the Commission that not all Open Spaces need be put into the Open Space
zoning. The updated open space zoning map was supplied for reference and examples of
ordinances from other municipalities has been supplied by Village Attorney Smith.
Discussion will be regarding the most expedient way to create the ordinance.

Attorney Smith gave comments to begin the discussion:

Question are: 1) does the Commission think it is a good idea to create the Open Space Zoning area and ordinance, 2) what should the ordinance look like. He recommended the Commission take a look at the Lake Zurich and Vernon Hills ordinances as parts are possibly suitable to Mettawa and 3) what items should be in the draft ordinance.

Discussion ensued. Chairman Krusinski likes the Vernon Hills ordinance because it did not get into issues such as set-backs, building heights, etc. that make it too complex for Mettawa's' situation.

Commissioner Pickell spoke to what structures should be allowable in an Open Space district and what needs to come before the ZPA for approval. Discussion Continued regarding protection if the space is sold, definition of allowable structures, site plans, special uses and variances.

Commissioner Leonard feels that anything done within the open space property should come before the ZPA for approval. She commented that she believes the Board wants the Open Space district to protect Open Space Attorney Smith suggested that a special use permit or site plan review will make the process less formal. Definition of what items would require site plan review and what items will need special use permit was discussed.

Commissioner Miller felt everything having to come before the ZPA will make it a difficult and time consuming process.

Discussion continued regarding which items should need ZPA approval, how to inform residents of any changes and how the newly formed Ad Hoc Committee will function under this new ordinance.

Commissioner Hirsch felt that protection of the Open Space as Open Space was very important.

Attorney Smith asked at what point should the ZPA become involved in approval of work done on Open Space parcels.

Commissioner Pickell felt the purpose of the Open Space district is to protect the land from change of use, or sale by future Boards or changes that the residents are opposed to. So in order to anything radical, like sell the property, for example, you would have to go thru the entire ZPA process. Chairman Krusinski agreed. He felt it was not too onerous to require planning review if the village wanted to put up a structure like a shelter which is not time critical. He also reminded the Commission that the Board, in the end, can do whatever it wants despite the recommendation of committees or will of the residents but that the residents need to be informed so they can voice their opinion.

How to describe landscape and berm changes and at what point these changes needed approval was thought to be an important point in the ordinance.
Permitted uses versus special uses need to be defined and identified.

Commissioner Leonard felt that anything built in Open Space areas need to be published and approved by the ZPA. Too few areas are involved to be a big burden for the Village to go through an approval and resident notification process.

Commissioner Hirsch agreed that approvals will protect preservation and maintain village character.

Chairman Krusinski stated that he did not see a great demand for doing things in open space areas

It was agreed that signage should be permitted following the Village Sign Code.

Discussion then turned to the relationship between the new *Ad Hoc* Panel and the Open Space ordinance and ZPA approvals. Chairman Krusinski felt it was a good idea that the Ad Hoc Panel come before the ZPA for approvals. The relationship and approval process thru Parks and Recreation Committee was then discussed. The process on recommendations would then be: *AdHoc* to Parks and Recreation to Board to ZPA to Board.

Attorney Smith suggested setting a threshold for review. Where do you draw the line on minor changes versus major land disturbance? Maintenance versus changing grade of land or erecting structures is an issue. He reminded the commission that the ZPA is traditionally a land planning body.

Commissioner Meluso questioned whether language regarding conservation would take care of maintenance issues like buckthorn removal.

Discussion continued as to what should be a permitted use or special use and how specific the ordinance should be. Chairman Krusinski felt that both permitted and special uses open space should come before the ZPA and public hearing to make sure the residents are aware and in agreement before plans are implemented. The ZPA can only recommend to the Board and the Board can do as they see fit.

Commissioner Pickell agreed that anything other than natural needs to come before the Board and ZPA and public hearing.

Chairman Krusinski directed Attorney Smith to craft the Open Space Ordinance using the Vernon Hills concepts, and add appropriate language and based on this meetings' discussions; for consideration and recommendation at the next regular ZPA meeting and Public Hearing on May 6, 2014

Attorney Smith confirmed that everything that comes before the commission, permitted or special use, goes through an informal site-plan review which requires a recommendation from the ZPA to the Board. Special Uses would also have a public hearing component. He recommended use of the word "development" for site plan

review. Items on the special use list will trigger a public hearing. The list of special uses was discussed. It was agreed that any “structures” needs to be published. Reference to Village Ordinance regarding signage and fencing, for example, can be used.

Mr. Smith informed the Commissioners that the Pegaso Special Use permit will be coming back for a second Public Hearing on May 6, 2014 and will be heard first on the agenda. Discussion ensued on this procedure.

All commissioners except Mr. Miller will be available for this meeting

IX. NEW BUSINESS:

With no further business to discuss, it was moved by Commissioner Busscher, seconded by Commissioner Leonard to adjourn the meeting.

The following voted:

Aye: All

Nay: None

Chairman Krusinski declared the motion carried and the meeting adjourned.

Cathy Nelson, Secretary