1. Call to Order

2. Pledge of Allegiance to the Flag.

3. Roll Call

4. Roll Call
Members present (in the Board Room) at 7:00 p.m. were Chairman Kozor, Member Verdun, Member Hand, Member McGary, Member Stanly, Member Foley and Member Zarebszan. Also present were Planning and Zoning Director Gadde, Senior Planner King, and Assistant to the Village Manager Matt Walsh. The minutes were recorded by Matt Walsh and transcribed by Plan Commission Secretary Gia Cassin.

Absent Members: None

4. Minutes
September 3, 2020 Minutes. Member Verdun made the motion to approve the minutes as written, seconded by Member McGary. All in favor, zero (0) opposed. The motion carried.

5. Public Comment.
None

6. New Business
a) Case No. HG-201-A, Zoning Code Text Amendment (Public Hearing): Consideration of numerous text amendments to Chapter 220, Zoning, of the Code of the Village of Homer Glen including the following Attachments and Articles:

   a. Attachment 1: Use and Bulk Tables for Residential Districts
   b. Attachment: 2: Use and Bulk Tables for Nonresidential Districts
   c. Article III: Rules and Definitions
   d. Article VI: Residence Districts
   e. Article VII: Nonresidential Districts
   f. Article VIII: General Provisions
   g. Article X: Site Development Regulations
   h. Article XII: Administration and Enforcement

In addition, Chapter 83, Business Operations, Article VII: Liquor will be amended.

Director Gadde explained that each year zoning questions come up and codes need to be looked at to be updated. Also, with in concert with the Comprehensive Plan update this year, staff broke down the top items from the past year, to look to update the code.

Starting off, Director Gadded stated that, in addition to the code updates presented to the Village Board in March 2020, Sr. Planner King noticed that the current zoning code does not address the use of a Special Use permit on a Single-Family Home in the A-1 Zoning District, for lots that are more than five (5) acres, and less than ten (10) acres. If someone applies for a single-family home permit on a seven (7) acre versus a four and a half (4.5) acre lot, staff cannot process a Special Use permit because it is not allowed. It appears the sizes were an error by omission. This is not an urgent matter but rather a house-keeping issue.
Proposed Amendment: Remove Special Use required for extended hours of operation and introduce a new “extended hours of operation license”
The Zoning Code item referring to removing the Special Use required for extended hours of operation and introduce a new “extended hours of operation license” was discussed. There is a discrepancy between the current zoning hours of operation (6 am – 11pm) and the operation hours of service allowed through the liquor license, (operations extend beyond the 11pm restriction) there are a number of businesses currently working outside of these business hours. Currently, a 24-hour establishment will require a Special Use Permit.

Discussion was held to clarify the two (2) changes to the current code for Zoning Use and Bulk Tables are the following:

(1) The current liquor license holders do not need to apply for a special use permit for operating outside the hours of 6:00 a.m. and 11:00 p.m.

(2) In the case of nonresidential uses open for business outside the hours of 6:00 a.m. and 11:00 p.m., such uses may apply for an extended hours of operation license with the Village Clerk. Establishments seeking twenty-four (24) hour-operation must be approved as a Special Use as set forth in § 220-711(A)11, Hours of Operation.

The Plan Commission didn’t have any issue with the twenty-four (24) hours but clarification will be needed for which cases will go to the Plan Commission.

Chairman Kozor asked for a motion to open the public hearing. Member Foley made the motion to open the public hearing seconded by member Hand. All in favor, zero (0) opposed. The public hearing was opened.

Now that the public hearing was opened, Director Gadde restated the discussion of the Zoning Code Bulk Tables, a brief synopsis of the update as listed above, and moved on to the next topic.

Proposed Amendment: Increase the total allowable detached structure square footage in R-2
Director Gadde introduced the next zoning code change for the detached structure square footage in the R-2 zoning district. Currently, R-2 parcels are an acre in size, and allowed an eight-hundred (800) square foot detached structure, where an R-1 parcel is one and a half (1.5) acres and is allowed an eighteen hundred (1800) square foot detached structure. Based on cases heard by the plan commission, and to make the process more logical, the new code would seek to increase the detached structure in the R-2 zoning district from eight hundred (800) square feet to twelve hundred (1200) square feet. The Plan Commission didn’t discuss or have any comments as this was very clear.

Proposed Amendment: Create a new Open Space Zoning District
Senior Planner King discussed the biggest zoning change for the Open Space Zoning District. She discussed the three (3) lots that the Village just purchased. The Environment Committee along with the Village Manager, discussed putting in an Open Space Zoning District to allow for open space, parks and recreation. Orland Park, Oak Park and Aurora all have an Open Space Zoning District.
Plan Commission held some discussion. The Plan Commission asked staff what would happen to the Open Space land that's currently in Homer Glen but that belongs to the Township. Staff replied that those pieces of land would be changed to the Open Space Zoning District. Staff also added that these newly zoned properties would still need to adhere to current lighting ordinance.

Plan Commission asked staff what the vacant space will look like. Will the lots be mowed, or will they have tall grasses planted and be called prairies like they do on the south side of Chicago and wanted to know if this is something to address. Staff replied it's likely these spaces would be looked at on a case by case basis. For example, with respect to the lots on Onondaga, there isn't any program for any plantings of any kind so the thought process would be that the Village will mow them and keep them maintained, unless something else is eventually decided for that space.

Plan Commission asked staff what the advantages and disadvantages would be to having this new zoning district. Staff stated that one positive reason would be study the land of the open spaces because it doesn't currently show on the zoning map. Eventually when we look at conservation subdivisions, this information will be important. A disadvantage is that these properties would be locked in and a zoning change would be needed again – rezoning would be needed if a different use is requested. The purpose however, is not to put civic buildings on these lots. The Plan Commission also asked why the Village bought those lots. Assistant to the Village Manager Walsh, who was present, indicated that the impetus was the drainage and those lots are not buildable. Now the Village can complete a drainage project and once complete, could possibly consider a playground or path with natural grasses. *No further discussion on this section.*

**Proposed Amendment: Prohibit chain link fencing**
Senior Planner King stated that corner yard fences was brought to the workshop and chain link fences came up. There was a consensus among the board to not allow chain link fences in residential zoning districts any longer. There is a way to allow it with some restrictions, not allowing chain link fencing beyond the front building line, currently allowed. *More homework is needed on this topic – staff and Plan Commission in agreement to table this item for the time being.*

**Proposed Amendment: Update setback for driveways that extend into the side yard**
Senior Planner King discussed next item which was an update to the driveway setback that extend to the side yard. The consideration is to restrict the width of driveways based on the number of bays. Current code requires a five (5) food setback and a maximum with at the property line of twenty (20) feet. The discussion is to increase the setback to ten (10) feet only where the driveway extends past the side building line and into a side yard.

Plan Commission discussed this and they are open to this for new construction and redevelopments and for administrative approval. If it is something contentious, then bring to plan commission to allow for public testimony.

Senior Planner King added that she reads the nonconformance section regularly for various items that come up. So long as the driveway is not in an easement, or blocking drainage, the
Village will allow you to replace grandfathered driveways. Also, the driveway cannot be expanded to encroach on easement, block drainage or be in flood plain. If any of those scenarios exist – those would be a hard no. Enlargements can happen, so long as they meet code and setbacks and lot coverage, etc. Side load drives are also still five (5) foot setbacks. Based on the number of potential variances that will still come through, the Plan Commission discussed revisiting this at another plan commission meeting before taking this to the Village Board.

**Proposed Amendment: Allow six (6) foot privacy fences in corner side yards**
The next code topic discussed was the corner fence and allowing the six (6) foot privacy on corners. Fencing is currently restricted to four (4) foot high and required to be fifty (50) percent open.

Staff feels it’s ok to permit six (6) foot corner privacy fences ONLY if clear vision is still met, and is so long as the orientation that the rear of the yard abuts a rear yard, in other words, the corner yards are directly back to back. The only question remaining is should there be setbacks from the property lines.

The Plan Commission has seen many of these come before them and they nearly always granted variances. *The Plan Commission was in support of the six (6) foot privacy fence on the corner. If it abuts a front yard, then it reverts to old code at the four (4) fence and open. The Plan Commission supports the staff’s recommendation.*

**Proposed Amendment: Allow administrative review of outdoor seating areas associated with permitted restaurants**
Director Gadde presented the next item which was the administrative allowance of outdoor seating areas associated with permitted restaurants. The proposed code update would allow fifty (50) percent of outdoor seating subject to administrative approval without applying for a special use permit. Staff started to look at other communities and found that they are encouraging outdoor seating and allow dining and drinking establishments permitted accessory use without going through the special use permit based on specific seating capacity requirements. There would be safety standards, material standards, and waste disposal items included in the administrative review. Railings and fences must be metal or wood, outdoor seating shall not exceed store front width, shall not be located within five (5) feet of an accessibility ramp or hydrant, if adjacent to parking, bollards and barriers are required, and furniture design should be consistent and compliments with umbrellas or awnings and landscaped planters.

Up to an outdoor seating capacity of nine (9) or less shall be approved by the Zoning administrator, subject to all the listed requirements. All other seating requests require the approval a special use permit. *Staff indicated that we can add conditions, such as allowing three hundred (300) feet to think about a business-friendly distance from residential, where applicable. There was discussion about making recommendations for site plans to allow for outdoor seating for future new establishments.*

**Proposed Amendment: Require cross access for new development**
Director Gadde discussed the next item, to update the cross access for new developments. Cross connections reduce traffic and allow vehicles to move between retail and community developments within and between residential subdivisions. Currently nothing is required,
but has come up regularly in Plan Commission. Staff is proposing a traffic study to be completed for traffic and cross access. Site to site access shall be granted through cross-access easement agreements. The Plan Commission supported this. This would be the hope for eventual 159th street commercial growth – connecting the frontage.

**Proposed Amendment:** Require a preliminary site plan at the time of application for a re-zoning

Director Gadde presented the next item of requiring a preliminary site plan at the time of application for re-zoning. This discussion came up recently with respect to 15029 W. 143rd Street case. Currently preliminary site plans are not required. Staff is emphasizing that rezoning is one of the most powerful tools and the Village should require preliminary site plans. The recommendation by staff is All rezoning applications should be accompanied by preliminary site plans, professionally drawn. No further discussion.

**Proposed Amendment:** Update A-1 single family home, special use

Senior Planner King presented the next code update regarding A-1 Single Family Home Special Use permit. Staff recently received requests about constructing an addition on an existing, legal non-conforming single-family homes in the A-1 Zoning district. Both properties are larger than five (5) acres but less than ten (10) acres. The code doesn’t address this lot size, the homeowners would be required to re-zone their properties in order to create conforming uses.

Staff is proposing to address those properties that are between five (5) and ten (10) acres and include these as a special use permit. The Special Use permit also indicates that it can only be allowed “when topographic or other geographic considerations make the active farm use of the property impractical. Staff is recommending that this portion of the code be considered for removal, if it’s the Villages intention to allow existing single-family homeowners to expand or add on to their homes without the need to re-zone. The code will need to be streamlined and it needs to read fluidly. The Plan Commission did comment that they like the removal of the code that indicated proof was needed to show one cannot farm this land.

**Proposed Amendment:** Scrivener’s Errors

Senior Planner King introduced the next section called Scrivener’s Errors. These are considered to be any form of error in content, formatting or grammatical on non-substantive regulations.

Staff is bringing forward just five (5) errors requiring correction: One to correct sight vision to read twenty-five (25) feet from twenty (20) feet. Another was to amend the word order from Terrace, Open and Patio to Terrace and Patio, Open. Also, there were some code changes that should have been corrected and removed when building code was re-written and at this time staff is recommending to remove them from the Zoning code with direction to reference the Building Code. The next one references wording the A-1 rear yard setback to clarify the setbacks refer to agricultural structures. Finally, the last one is to correct the wording in the swimming pool section to change the wording from lot surface to impervious surface coverage. *All of the scrivener’s errors were supported by the Plan Commission. This concluded the Zoning Code Text Update.*
Chairman Kozor asked for a motion to close the public hearing. Member Verdun made the motion, seconded by member McGary. All in favor, zero (0) opposed, the motion carried and the public hearing was closed.

No motion is made at this time until a revised draft is created and the other items that were on hold are finalized. The Plan Commission didn’t want to hold anyone up if any permits were waiting on changes just discussed. Staff indicated the timeline as is will be ok – nothing needs to be motioned and approved tonight.

Chairman Kozor asked for a motion to direct staff to complete the homework pieces of the Zoning Code Text Amendments for further review. Member Foley made the motion, seconded by Member McGary. All in favor, zero (0) opposed, the motion carried.

7. Reports of Plan Commissioners and Staff
Director Cadde stated that no cases were submitted for the October 1, 2020 Plan Commission. next Plan Commission Meeting set for September 17, 2020.

Senior Planner King mentioned that the Branding is moving forward for the October 14, 2020 Board Meeting. Then discussed the timing of the zoning code updates. The goal would be to have this prepared for October 28, 2020 so we will revisit the zoning code on October 15, 2020 for Plan Commission. No other reports by any of the Commissioners.

10. Adjournment
Chairman Kozor asked for a motion to adjourn. A motion was made to adjourn the meeting at 9:00 pm by Member Stanly, seconded by Member Zarebczan. All in favor, zero (0) opposed, the motion passed and the meeting was adjourned.

Minutes transcribed and respectfully submitted by Gia Cassin.

Gia Cassin (Plan Commission Secretary):

Approved Date: 10-15-20