

**REGULAR MINUTES OF THE PLAN COMMISSION OF THE VILLAGE OF KENILWORTH  
HELD AT THE KENILWORTH VILLAGE HALL,  
419 RICHMOND ROAD  
AT 7:30 P.M. ON MONDAY, JUNE 4, 2007**

A regularly scheduled meeting of the Plan Commission of the Village of Kenilworth was held at 7:30 p.m. on Monday, June 4, 2007. Chairman Smietana called the meeting to order at 7:33 p.m. The following Commissioners were present:

Present:	Robert Smietana	Chairman
	Susan Hoopes	Member
	Tim Dugan	Member
	Henry Mawicke	Member
	Elizabeth Bannon	Member
	Gwen Sommers Yant	Member
	Frank Cavalier	Member
	Dirk Degenaars	Member
	Tom Feeney	Member
Absent:	Tolbert Chisum	Member
	Jim Junewicz	Member
Other Village Officials Present:	Bradly Burke	Village Manager
	Susan Criezis	Community Development Director
	John Houseal	Consultant, Houseal Lavigne
	Devin Lavigne	Consultant, Houseal Lavigne
Others Present:	Don Stephani	538 Melrose Avenue
	Henry Gaunard & D. Karr	543 Park Drive
	Grace & Tom Terrill	122 Woodstock Avenue
	Pinky Minhas	542 Wayland Avenue
	Bill Sethness	546 Melrose Avenue
	Carol Schulz	84 Robsart Road
	Jackie Bossu	614 Earlston Road
	Sam Davis	604 Green Bay Road
	Ken Davis	716 Kent Road
	Mary Remien	542 Kenilworth Avenue
	Ann Dumler	645 Melrose Avenue
	John Barriger	155 Melrose Avenue
	Elicia Tippens	532 Kenilworth Avenue
	Albert Tippens	532 Kenilworth Avenue
	Kathy Kirrish	534 Melrose Avenue
	Vivian Vahlberg	530 Melrose Avenue
	Eric Miller	522 Melrose Avenue
	Jim Hughes	538 Kenilworth Avenue
	John Mangel	205 Melrose Avenue
	Eric Durdov	647 Brier Street
	Katie Swanson	531 Melrose Avenue
	Cary Johnson	722 Roger Avenue

Stephen Calk	329/336 Raleigh Road
Julia Szafranski	38 Brier, Winnetka
Richard Nicolaides	240 Essex Road
Cristy Laier	306 Oxford Road
Paul O'Connor	550 Melrose Avenue
John McDonough	545 Ridge Road
Katie White	721 Kent Road

Due to the size of the crowd in attendance and other business to be considered at the meeting, Chairman Smietana suggested the Plan Commission change the order of the agenda to consider the May 7, 2007 meeting minutes at the end of the meeting. It was the consensus of the Plan Commission to consider the meeting minutes at the end of the meeting.

Chairman Smietana explained the next item for discussion by the members of the Plan Commission was the continued discussion of the Green Bay Road Corridor Plan. Chairman Smietana noted the Village's planning consultants, John Houseal and Devin Lavigne, were in attendance and prepared to present shadow studies depicting the Green Bay Road and Park Drive commercial areas at various building heights and the shadows cast by those buildings.

Commissioner Gwen Yant presented a gift from the Plan Commission to Village Manager, Brad Burke, in celebration of his new son.

Chairman Smietana noted at the conclusion of the last meeting, the Plan Commission had finished its comments on the Draft Comprehensive Plan Document through to the start of Section 7. Chairman Smietana suggested he would like the Commission to complete its review and comments on the draft plan document and consider the Ad Hoc Committee's recommendations and suggestions at tonight's meeting and save a discussion of the Green Bay Road corridor design guidelines until the June 25, 2007 meeting.

Commissioner Bannon stated she had some information she would like to present to the other members of the Plan Commission. Commissioner Bannon displayed two boards showing a variety of photographs of buildings at three and four stories to illustrate the types of buildings that could be built along the Green Bay Road corridor depending on the height contemplated in the Comprehensive Plan. Commissioner Bannon expressed her opinion it is important for the members of the Plan Commission to acknowledge permitting four-story structures along the corridor would be a move to a more urban feel away from the suburban feel currently found along the corridor. Commissioner Bannon expressed her concerns regarding residential uses situated above first floor retail uses. Commissioner Bannon stated she felt there would be noise issues from retail uses and odor issues from restaurants if they were allowed to be located on the first floor and residential uses were built on the upper floors. Commissioner Bannon urged the rest of the Plan Commission to think about the residents who may live above the retail areas.

Commissioner Cavalier noted he was surprised when he read the minutes of the previous meeting, which he was unable to attend, indicating the Commission was considering the possibility of 4-story buildings being permitted along the corridor. Commissioner Cavalier expressed his opinion it would be beneficial to understand how the Plan Commission came to consider this change.

Chairman Smietana said the Plan Commission realized that to make potential redevelopment of parcels along the corridor economically feasible, we must allow more than two stories in the buildings.

Commissioner Cavalier asked John Houseal about sales tax revenue anticipated from any corridor redevelopment activity. Village Manager Burke noted the Village's annual sales tax revenue is approximately \$50,000. A discussion of the corridor redevelopment and anticipated increases in sales tax followed. Commissioner Cavalier suggested the Plan Commission should consider if it should stop discussing the anticipated sales tax benefit that may result from any corridor redevelopment as a best case scenario for redevelopment may only generate an additional \$50,000 in revenue.

John Houseal explained that since the planning process began, community input received through various outreach activities has indicated residents want economic development and amenities such as shops and restaurants; goods and services in the corridor.

Commissioner Mawicke said maybe the Commission should not make a decision precluding residential uses on the first floor in this area. Commissioner Mawicke expressed his opinion prohibiting residential uses on the first floor may be shutting down a possible redevelopment opportunity.

Commissioner Degenars said his understanding was that in the April meeting the Commission had specifically not prohibited residential uses on the first floor.

Commissioner Mawicke asked if there would be purchasers interested in living above retail.

Chairman Smietana asked the members of the Commission to think about what it would mean if residential uses were permitted on the first floor. Chairman Smietana asked the Commission to consider what residential uses on the first floor would do to the pedestrian orientation of Green Bay Road, and noted many first floor residential developments include courtyards on the first floor that may or may not be fenced, which would disrupt the corridor and pedestrian flow.

Commissioner Degenars said his recollection is that the Commission previously agreed not to prohibit residential on the first floor but did not want to preclude retail. Commissioner Degenars suggested by increasing the building height limit allowed in the corridor, the Village is saying we want to redevelop the entire corridor. Commissioner Degenars expressed his opinion that the decisions made by the Plan Commission may predispose the type of redevelopment realized along the length of the corridor.

Chairman Smietana said his fear was that if the Plan Commission did not do something to encourage redevelopment, the corridor would remain the same as it is today.

Commissioner Cavalier said the issue is not the height of buildings; rather the issue is the parking problem. Commissioner Cavalier expressed his opinion a parking study is needed to resolve the current situation.

Commissioner Hoopes said in response to Commissioner Degenars' comments; the community feedback was that condominiums and town homes are not wanted. John Houseal agreed and stated the community has expressed a strong desire for revitalization of the Green Bay Corridor. John Houseal noted condominiums and townhouses were the least wanted use in terms of redevelopment based on feedback received.

Commissioner Degenars agreed residential is the path of least resistance, and the easiest product to build. Commissioner Degenars expressed concern that by the Plan Commission getting into specifics regarding uses, it may be precluding any redevelopment from happening.

John Houseal asked the Plan Commission to consider at what point the Village takes steps to preserve its commercial district. John Houseal asked the Commission if they want to protect the four blocks as a commercial district.

Commissioner Yant noted there is a tax differential between residential and retail property taxes paid which is important for a village the size of Kenilworth. Commissioner Yant wondered if any commercial redevelopment would work consisting of only four blocks that may have big stretches and possibly even entire blocks of residential buildings along the corridor.

Commissioner Degenars said he agreed with the comments made, but noted his concern was that the Commission was prohibiting or discouraging certain development.

Commissioner Dugan said based upon the discussion and what he is hearing from the members of the Plan Commission, it appears the Commission wants residential on the ground floor to be an exception.

John Houseal said the Village could have that level of control in this zoning district, but this type of control would need to be included in the Zoning Ordinance. John Houseal noted residential uses could be permitted under certain circumstances as long as specific standards as outlined by the Zoning Ordinance are met. John Houseal suggested the Village would not want a zoning ordinance that is overly cumbersome and difficult to administer or an ordinance that does not provide a fair amount of certainty for potential developers. He suggested the use of a Planned Unit Development (PUD) ordinance which would give the Village more control and prevent over-development in this district. Mr. Houseal said he would suggest a PUD approach for any development in the district.

Mr. Stephani said he saw the pictures of 3 story structures and asked the Commission if they were able to see how 4 story structures would impact the adjacent neighbors. He said the Ad Hoc Committee had recommended limiting the height of structures adjacent to residential areas. He said neighbors have asked the Commission not to put height of the commercial area higher than adjacent properties.

Mr. Mangel said he thought the idea of retail in the Corridor to serve residents and provide ambience is a great idea. Mr. Mangel said service uses do not provide sales tax revenues. He said the average size store along the length of the corridor is approximately 1,000 square feet. Mr. Mangel stated he believe a 1,000 sf store would generate approximately \$1 million worth of business, which would result in \$10,000 in sales tax revenue to the Village. Mr. Mangel went on to say that for the Village to generate any real income, the corridor needs jewelry stores, antique stores and art galleries. Mr. Mangel suggested the broader concept at play is for the Plan Commission to consider the overall mix of uses along the corridor and to find a balance to give Kenilworth an old world feel.

John Houseal noted the market study conducted by the Goodman Williams Group did reflect store size along the corridor could be between 1,000 to 5,000 square feet. Mr. Houseal noted the redevelopment of the Green Bay Road corridor is about ambience and character and not solely revenue.

Eric Durdov said we are talking about quality of life improvement, and expressed his opinion the Commission needs to look at the impact to the infrastructure. Mr. Durdov said he thought 3 to 4 stories was too high.

Vivian Vahlberg said she filled out the survey, and noted many of the responses to certain questions depended on other answers provided. Ms. Vahlberg said we all want Green Bay Road to look nicer but at what cost. Ms. Vahlberg asked what would work without any decent parking, and noted any redevelopment efforts are difficult given the constraints of this location. Ms. Vahlberg said there is not enough depth in the lots along the corridor to support better quality retail. She said we all want to drive to stores but do not want to drive here for one item and to another location for another item. Ms. Vahlberg noted she would prefer to go farther to shop in order to preserve and not impact the existing nice residential quality area. Ms. Vahlberg said the Commission needs to look at the depth of the property, and noted Winnetka decided their swatch of Green Bay Road, like Kenilworth, was too shallow for retail. She said unless the Commission can figure out parking, nothing will happen. She agreed with Commissioner Cavalier that a parking study is needed.

Chairman Smietana said that is exactly what the Plan Commission is wrestling with to find balance. Chairman Smietana noted the Plan Commission needs to develop a Comprehensive Plan that will do enough to realize a change.

Cary Johnson said he did not know what is different about the Village of Kenilworth compared to Wilmette and Winnetka, and their retail first floor with two residential stories above. He said he thought there was a market for the housing being discussed. Mr. Johnson said he did not think parking was an issue with retail only on one side of Green Bay Road.

Commissioner Mawicke said Kenilworth did not have the ability to attract strong retail, and asked what kind of rent a 1,000 square foot retail shop could anticipate paying to locate in the corridor.

Chairman Smietana said his only concern is that the Comprehensive Plan serve as a visioning plan for the Village. Chairman Smietana noted the Plan Commission has been charged with developing a plan to be aired by a public hearing and decided upon by the Village Board. Chairman Smietana expressed his opinion he did not like the way the corridor is right now, and noted this is an opportunity for the Commission to create an environment that may result in a variety of uses residents would patronize via walking and vehicle. He noted that people both walk to and drive to Homer's. Chairman Smietana said if we allow residential on the first floor, we will, no doubt, have it.

Ken Davis said the drive for more commercial buildings does not make sense. The northwest quadrant of the Village is being negatively impacted by the proposed redevelopment plan.

Chairman Smietana said the owner of RRB Cycles is asking for what the Village wants in terms of a redevelopment of the corridor, and this plan document is the Village's opportunity to create a vision for what the community wants.

Mr. Mangel said the Commission needs to come up with a vision and then turn it loose to the private sector to see what will happen. The Commission should figure out ways to create incentives, and noted the Kenilworth Comprehensive Plan should tell the private sector what the Village wants.

Bill Sethness said the Village fathers did not want commercial development in Kenilworth. He did not understand the Plan Commission forcing change that is not wanted in the northwest quadrant of the community. Mr. Sethness expressed his opinion the Village is spending money to force a plan down people's throats.

Eric Miller disagreed with Mr. Mangel. He said the vision he sees is not the same as Mr. Mangel's. He suggested improving the gateway or entrances to the Village along Green Bay Road and development would follow. He mentioned several possible approaches that would pay tribute to and respect the history of the area and the Village including the use of Indian trail trees and relocation of the Sears cottage.

Commissioner Hoopes asked if we could keep the current mix of uses and retail with their current rent so tenants could still afford it. She asked if we just do façade improvements and beautification, could the tenants still afford the leases.

John Houseal discussed façade improvement programs, and noted part of the difficulty with the Green Bay Road corridor is that several of the existing buildings and existing spaces are obsolete in terms of modern uses and needs. John Houseal noted the Village will not be successful in redevelopment of the corridor and attracting new businesses by simply zoning it commercial and planting more trees.

Commissioner Cavalier said the parking problem needs to be solved. Commissioner Cavalier noted the parking regulations currently in the Zoning Ordinance are inhibiting development. He again called for a parking study.

Chairman Smietana noted once the Comprehensive Plan is approved, then the code and ordinance would have to be adjusted to help the plan be realized.

John Houseal said four parking spaces per 1,000 square foot of retail, as currently required by the Kenilworth Zoning Ordinance, is the standard for retail for development with no on street parking. Mr. Houseal said there is no question parking is going to drive the density or success of commercial development and noted the Village does not want to become involved in trying to provide additional public parking spaces along the corridor. John Houseal explained it will be incumbent on any developers wishing to redevelop a property to show how parking can be addressed.

Chairman Smietana asked if a parking study is needed before the Comprehensive Plan is approved. John Houseal said he has never seen a community do a parking study before the Comprehensive Plan is approved. John Houseal noted the question is what the Village wants along the corridor.

Mr. Stephani said parking is already an issue along the corridor and noted this is not a simple problem. Mr. Stephani suggested taking the R-1 and R-2 Zoning Districts and making them available for condominium and urged the Plan Commission to consider the increase in property taxes.

Vivian Vahlberg expressed her opinion it is a little too easy to think about doing parking later. She discussed the use of alleys and the need for alley access for truck traffic. She said she has not seen a compelling vision for the redevelopment of the corridor.

Tom Davis suggested this should be broad planning and should include a reference to the need for a parking study.

John Houseal said the Comprehensive Plan is not a regulatory document. It should explain the vision, not solve the problem. Mr. Houseal noted the parking issue can be solved, and stated there are developmental and design solutions available.

Commissioner Bannon said she was concerned the Commission is creating a Plan that may demand something that could never be accomplished by a developer in terms of parking regulations.

Chairman Smietana asked for a motion from the Plan Commission that suggests changes in building height and first floor use. He noted currently first floor residential is prohibited, and the Plan Commission had previously agreed to include a reference to four stories with compatible architecture along the corridor.

Commissioner Hoopes discussed regulations in terms of height in neighboring communities.

Chairman Smietana said the current draft of the Comprehensive Plan contemplates the entire corridor being a PUD for review of design, signage, architecture, landscaping, and parking.

Commissioner Degenars said he would like to consider a motion moving height down to 35 feet, and require any developer to make a case to the Village for a taller building.

John Houseal suggested a clarification be made to the motion to permit buildings in the corridor to be 2½ to 3½ stories; however, provide developers with an avenue to try to convince the Village to permit a structure that may go up to 3 ½ stories.

Commissioner Yant asked if we are looking for higher quality buildings via this recommendation. Commissioner Degenars expressed his opinion such a recommendation gives more opportunity for higher density, not necessarily a better quality building.

John Houseal said such an approach would put the Village in a position of demanding more of the developer that is requesting to construct a taller structure. John Houseal suggested the Village should permit structures to be 2½ to 3½ stories along the corridor and urged the Plan Commission not to limit the height to a specific measurement. Mr. Houseal noted such strict regulations regarding size of structure should reside in the Zoning Ordinance.

**Commissioner Degenars made a motion that the Comprehensive Plan include a height limit of between 2½ and 3½ stories with no more than 3 habitable stories in total.**

John Houseal noted his firm had prepared shadow studies along the corridor to reflect the shadows cast by the buildings along the corridor at 4 different times a day at various times of the year. The studies were created based upon buildings in the corridor at the existing zoning height limit of 35 feet and of buildings stepped back off the alley by 20 feet at 24 feet high and the rest of the building extending to 48 feet tall. John Houseal noted the studies show that shadows recede from residential properties sooner with a stepped back architecture off of the alley than the height regulations the Zoning Ordinance currently allows.

**Commissioner Degenars withdrew his motion to allow the consultant present the shadow studies.**

John Houseal explained the shadow studies. He explained that current zoning versus a taller building with a step back in height of 20 feet off of the ally.

Devin Lavigne pointed out the shadow studies were developed based upon a solid building wall and it is doubtful there would be a solid wall of high buildings.

John Houseal explained that the shadow studies were created based upon the height of buildings permitted in the corridor currently and with a 48 foot tall building with a 20 foot step back at the 24 foot height off of the alley. John Houseal noted the studies were conducted at four different times of the year for both building heights.

Commissioner Dugan said these studies are very helpful, and noted requiring these buildings to be designed properly with good architectural elements and step backs could be a huge improvement. The studies show that there is potential for redevelopment of the corridor.

**Commissioner Degenars restated his motion as originally stated.** He said by squeezing 3 to 4 levels, it is just a question of density. Commissioner Degenars said he thought it came down to bulk not just shadows. **Commission Degenars noted the motion was for buildings 2½ to 3½ stories but no more than 3 habitable stories and stated he was comfortable with the previous discussion as to type of use allowed on the first floor.**

Commissioner Hoopes asked how to address the stepping back of buildings as depicted in the shadow studies. John Houseal said the Plan could easily incorporate step backs as a way to control straight walls at the rears of buildings.

Commissioner Bannon asked if the Commission can specify that they are talking about buildings with a residential scale. John Houseal stated the scale of the buildings is generally stated in direction given as to number of stories and the intent can be explained within the plan document.

Commissioner Mawicke expressed his opinion he did not think the Commission should get into such detail of dictating story height. Commissioner Bannon said we are talking about residential scale and building height at a residential scale. John Houseal suggested the Plan Commission consider providing a range of story heights and provide direction regarding the residential scale of the buildings.

Chairman Smietana asked for a second to the motion on the floor.

John Houseal asked for clarification regarding the Plan Commission's discussion and inquired if the half story above the third floor was intended to be ornamental and not habitable space. Commissioner Degenars agreed that the half story above the third should not be habitable space.

**Commissioner Cavalier seconded the motion.**

Commissioner Degenars noted it was his intent, by the motion, to have the development community come justify the need for more than 3 habitable stories.

Commissioner Yant asked if we need to include Commissioner Bannon's phrase about residential scale in the original motion. John Houseal noted the area along the Green Bay Road corridor is not a residential neighborhood.

**A roll call vote was taken as follows:**

<b>Yea:</b>	<b>Smietana, Hoopes, Dugan, Yant, Cavalier, Degenaars, Feeney, Mawicke</b>
<b>Nay:</b>	<b>Bannon</b>
<b>Absent:</b>	<b>Chisum, Junewicz</b>
<b>Abstain:</b>	<b>None</b>

**The motion carried 7-1.**

Chairman Smietana asked for a motion regarding first floor use.

A discussion regarding the first floor uses along the corridor followed. Commissioner Mawicke expressed concern the Plan Commission may be attempting to force commercial development along the corridor. John Houseal explained the proposals considered by the Commission are that any use other than residential will be allowed on the first floor of buildings in the corridor. John Houseal explained the Village is not expecting four full blocks of retail and noted there will be service uses and office uses included in the mix.

Community Development Director Criezis noted the current zoning regulations do permit residential on the first floor for multi-family development.

A discussion regarding uses on the first floor and the use of PUD regulations by the Village to control the type of development on the first floor throughout the corridor followed. Commissioner Mawicke suggested the Commission should make residential development on the first floor in the corridor difficult to execute, but not completely prohibit the possibility of this type of development.

Commissioner Bannon expressed her opinions she is fearful the corridor cannot support the mixed use/non-residential on the entire length of the corridor, and reiterated her feelings that residential should be located in the block adjacent to Pee Wee Park.

Chairman Smietana said he would not want to see first floor residential on the Corridor since it is the Village's only opportunity for commercial development.

Commissioner Bannon asked when the Commissioner would be provided an updated draft Comprehensive Plan.

John Houseal said the idea is that after design guidelines are considered and the Commission's review is complete, then his team will create a revised draft for public review. At the end of summer or beginning of fall, the Commission should schedule a Town Hall meeting. The Plan Commission will then take any feedback from the Town Hall meeting, make any changes to the draft Plan, then forward a formal recommendation to the Village Board. The Village Board would receive the recommendation and then most likely remand the Draft Comprehensive Plan back to the Plan Commission to conduct a public hearing on the final version of the document.

Commissioner Bannon asked if it would be possible for full revision to incorporate the Ad Hoc Committee's recommendations into the Plan for review by the Commission. John Houseal said he would rather not incorporate the Ad Hoc Committee's suggestions prior to the Plan Commission's discussion of the recommendations. John Houseal stated he would rather take the Plan Commission's recommendations on the comments from the Ad Hoc Committee and then make changes to the draft plan.

Commissioner Bannon expressed her opinion she was concerned that the Ad Hoc Committee's recommendations were based upon the first draft of the Comprehensive Plan document and may not mesh with the Plan Commission's work to date, and noted a concern that the Ad Hoc Committee may not be in existence after the end of the month.

Chairman Smietana said the Ad Hoc Committee's recommendations will be discussed at the beginning of the next Plan Commission meeting, and noted the Commission will also receive information on the history of the Ad Hoc Committee at that time. Chairman Smietana noted once the consideration of the Ad Hoc Committee's recommendations was complete, the Commission would move on to design guidelines.

John Houseal explained that based upon feedback given to date, his team will create a hybrid of the Green Bay Road Corridor plan, and noted this plan will fall somewhere between the improvement plan and the redevelopment plan.

Chairman Smietana urged the Plan Commission to continue moving the consideration of the draft plan forward.

Commissioner Yant suggested some books that Plan Commission members may want to read including: "Retail 1-2-3", "Sensible Tools for a Healthy Community", and "Planning 1-2-3".

Commissioner Dugan suggested the members of the Ad Hoc Committee be notified that their recommendations will be discussed at the beginning of the next Plan Commission meeting on June 25, 2007.

The minutes of the May 7, 2007 meeting were placed before the Commission. There were a few minor corrections noted.

**Commissioner Cavalier made a motion to approve the May 7, 2007 minutes as corrected. Commissioner Dugan seconded the motion, which was unanimously approved upon a voice vote.**

There was a motion and a second to adjourn the June 4, 2007 Plan Commission meeting, and upon a voice vote the meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Bradly Burke