

MINUTES
OAK PARK PLAN COMMISSION AND ZONING BOARD OF APPEALS
VILLAGE HALL- Room 101
April 17, 2013
7 p.m.

PRESENT: **Plan Commission:** Chairperson Linda Bolte; Commissioners Jeremy Burton, Mark Benson, David Mann, Gail Moran, Douglas Gilbert, Sonny Ginsberg, Steven Rouse;
Zoning Board of Appeals: Chair Michael Quinn; Members Adrienne Eyer, Alan Raphael, and Steve Ruszczyk

ABSENT:

EXCUSED: ZBA Member Maya Katznelson

ALSO PRESENT: Craig Failor, Village Planner; Mike Bruce, Zoning Administrator; Jacob Karaca, Plan Commission and ZBA Attorney

Roll Call

Chair Bolte called the meeting to order at 7:02 p.m. and roll was called for both commissions.

Non-Agenda Public Comment

None.

Approval of Minutes

Commissioner Rouse motioned to approve the minutes from March 14, 2013. Commissioner Moran seconded. Minutes were approved upon submission.

Public Hearing(s)

PC 13-02: Zoning Ordinance Text Amendment; Board Direction for a Joint meeting to review and make recommendation on a proposed amendment to the Oak Park Zoning Ordinance (Sections 3.1 Summary Use Matrix, 3.9.2 Perimeter Overlay District, 3.9.3 Transit-Related Retail Overlay District, and 2.2.4 Variations) relative to uses within the aforementioned overlay districts and to review and make recommendations on the standards and criteria for use variance applications within the Perimeter Overlay District and Transit Related Retail Overlay District.

Attorney Karaca went over the procedure for the joint meeting.

Mr. Failor explained the text amendment, saying Village Board of Trustees had indicated they wanted a joint meeting with the Plan Commission and Zoning Board of Appeals to discuss three issues (uses, standards and criteria):

- Review the uses listed in the zoning code for the perimeter overlay district and transit-related retail overlay district. He said staff had some recommendations for those uses and referred commissioners to the documents.
- Review recommendation from legal staff on the use variance standards and criteria. Mr. Failor explained the same document had been presented at the last Plan Commission meeting, which had included language regarding commission authority to hear use applications. He said that that section was off the table for discussion and up to the Village Board. The discussion should be uses, the use variance standards and the criteria for the use variances.

- A new memorandum from the legal staff which discussed the standards as well and provided a new set of standards that were more particular to use variances, and also provided a list of criteria that could be used to consider use variances.

Attorney Karaca said that both the Plan Commission and the ZBA had seen the documents in prior public meetings and held discussions on them. ZBA Chair Quinn clarified that the ZBA discussed the documents at an open meeting but did not hold a public hearing on them.

Chair Bolte said that while the Village Board did not ask for a public hearing on which commission would implement the new criteria and standards, they did indicate they would welcome any comments commissioners offered back to them on the topic outside of the public hearing. Commissioner Moran asked how they could vote on a document that indicated a certain commission had the authority if they did not know which commission that would be? Mr. Failor said it could be left blank, indicated with a question mark, and filled in later by the Board. Attorney Karaca agreed.

Mr. Failor referred commissioners to the zoning map and indicated some changes that were not updated yet on the printed version.

A short discussion ensued regarding the boundaries of each overlay district. Mr. Failor said most of the staff identified recommendations for use review were generally in the transit related retail overlay district.

Chair Bolte said there would be a presentation on each issue outlined by staff and after each section, public comment would be allowed with an opportunity to speak about the entire discussion at the end.

Mr. Failor read what the purpose of the transit-related retail overlay district was. Chair Bolte asked staff to go through each use briefly and if commissioners had questions to ask after each description. Mr. Failor read through each category in the summary use matrix of the zoning code. The following categories generated discussion:

- Financial institution, staff was suggesting it be included as prohibited in the transit-related retail overlay district for the first fifty feet of street frontage. Commissioner Burton asked if there was a distinction between a commercial bank and something like an Edward Jones. Chair Bolte said one of the issues that had come up with an application on North Oak Park Avenue was that it wasn't a regular bank with a lobby and tellers; it was more of a commercial bank with a limited amount of clients. Mr. Bruce read the definition from the zoning code. Commissioner Gilbert asked if a Chase bank would no longer be permitted in the first fifty feet. Mr. Failor agreed. Commissioner Rouse asked if the purpose of that was because it was not a sales tax generating business. Mr. Failor agreed but said that was only one of the arguments.
- Dry cleaning and laundry receiving store, staff recommended this be restricted in the transit-related retail overlay district. Chair Bolte said this would prohibit new ones in the first fifty feet as they wouldn't be on the second floor. Mr. Failor said there could be new businesses around the corner outside of the overlay district, but just not on the main strip. Commissioner Gilbert asked the difference between a receiving store and a Laundromat/ Laundromette. Mr. Bruce said a receiving store would ship the clothes out to be cleaned while the others had plants on site to clean. Commissioner Gilbert asked what the rationale was for allowing the plants on site and prohibiting the others. Mr. Failor said the plant required special uses. Mr. Failor said the dry cleaning and laundry receiving stores were a smaller footprint and could fit into a smaller storefront place, so they were more apt to look at a space along a retail corridor, while a plant on site would have a larger footprint, have more services and deliveries and create more of an impact on the neighborhood. Commissioner Benson said it would also increase foot traffic. Mr. Failor

said it could be more vehicle traffic, also. Commissioner Benson said it would restrict people who would bring in more customers, people who would stop at a restaurant while their clothes were at a Laundromat and would they want to restrict that. Mr. Failor clarified the conversation wasn't whether a Laundromat / laundromette should be a special use as that was already in the code and not up for discussion that night. Attorney Karaca pointed out that for this, the only area they were considering was the South Oak Park Avenue and Southtown area as they were the only B-1/B-2 and the other areas were special use anyway. Mr. Failor agreed.

- Drive thru service window: Commissioner Burton asked if there was a reason the drive thru service window was not recommended in the transit overlay district as it was a vehicle use rather than a pedestrian use. Mr. Failor said because it was a special use. Commissioner Burton recommended it be added as restricted in the Transit-Related Retail Overlay district as it would be in keeping with a pedestrian focus. Commissioner Gilbert said he didn't think it was a good thing to restrict all drive-thrus. Commissioner Mann said if they would restrict financial institutions without a drive-thru there shouldn't be an issue with restricting those with drive-thrus. Commissioner Gilbert said he didn't think they should restrict financial institutions. Commissioner Ginsberg said it could be any retail business with a drive-thru component. Mr. Failor said he believed drive up or drive thru facilities should not be in a walkable district and they should stay in commercial areas like Madison. Commissioner Ginsberg said he agreed, but if a company like Starbucks gets to the point where they won't consider places without a drive-thru component you might end up excluding possible tenants. Chair Bolte said there could be real issues with neighbors and traffic congestion, for example the Dunkin Donuts on Madison and that was not something they'd want to occur in the primary business districts as they were more congested. ZBA Member Raphael said he was troubled by the reference to Dunkin Donuts as the ZBA held a hearing and made a recommendation to the Village Board and the Board approved it and didn't believe it was a good example. He said a retailer may come in and indicate they could not do their business without a drive-thru component and that would be something determined in a special use hearing rather than just prohibiting it. Mr. Failor said there could be a conversation later about changing some of the uses to special uses should the Board direct it.
- Dry cleaning and laundry receiving: ZBA Chair Quinn said he had a problem with adding dry cleaning and laundry receiving to the list in reference to Southtown; there would be no place for a dry cleaner to operate. Some people take their clothes on their way to the El. He said if one of the purposes of the Transit Overlay was to promote retail services then he wouldn't include it. Mr. Failor said the properties on South Boulevard that are B-1/B-2 would still be available and also South Marion Street, only properties that front on Oak Park Avenue are in the overlay district. Commissioner Ginsberg said another reason for the retail overlay was to get uses that were synergistic to each other to encourage people to go from shop to shop and also to prevent a proliferation of the same types of stores, like beauty supply shops. Dry cleaners may be similar to that. ZBA Chair Quinn said they weren't controlling it they were pushing it out. Mr. Failor said they could go through the variance process. Commissioner Gilbert said if the variance process would be for only extreme cases. Commissioner Ginsberg said an example would be if an existing one closed, the property sat empty and then another one wanted to come in they could argue historically it was that use, so there was a variance. Commissioner Gilbert said it sounded like a special use review not a variance review. ZBA Chair Quinn agreed. Commissioner Ginsberg said there was not a large difference. ZBA Chair Quinn disagreed, saying there were different standards. Commissioner Ginsberg said the practical reality was there wasn't much difference. Commissioner Benson said the practical reality was a business looking for a small space having to jump through those hurdles would go to another community.

- Personal service uses: There was a question about the definition of personal service uses. Mr. Bruce read the definition from the zoning code. ZBA Chair Quinn asked if that included nail salons, Mr. Bruce agreed. Chair Bolte said it was a wide, hodge podge of a definition. Commissioner Moran said the definition was too broad. Chair Bolte agreed and said it could be looked at at another time. ZBA Member Raphael asked if tattoo parlors were included under personal service uses. Mr. Failor agreed.
- Restaurants with drive in or drive thru windows: Chair Bolte asked about restaurants with drive in or drive thru windows being special use only, would that impact the earlier discussion regarding drive thru windows? ZBA Chair Quinn said a special use permit was a lower bar to meet, Commissioner Ginsberg said he agreed the bar was lower legally but not on its impact practically. ZBA Member Eyer disagreed saying there had been times in the past that applicants came in and probably would've met the special use standards but did not meet the variance standards. Commissioner Burton said he would add it into the transit overlay district if they wanted to be pedestrian friendly and if there were worries about egress and safety. Any driving land use he would lump into a variance for the transit overlay, although not for the perimeter overlay.
- Fueling stations: Commissioner Burton suggested adding fueling stations to the transit overlay. Commissioner Moran said as a practical matter there wasn't enough space for gas stations in Southtown.
- Religious reading rooms: Commissioner Burton asked if including religious reading rooms in the transit overlay would impart Religious Freedom Restoration Act (RFRA) issues. Attorney Karaca said in general, no.
- Health, recreation and amusement facilities, indoors: Mr. Failor said health, recreation and amusement facilities indoors had been suggested to be added to the transit overlay district. Commissioner Moran asked if it would include Tae Kwon Do studios. Mr. Failor agreed. Chair Bolte asked if it would include yoga studios, Mr. Failor agreed. Commissioner Moran asked if it would have impacted someone like FFC going in. Mr. Failor said that was on the second floor plus they required a special use permit.

Chair Bolte suggested looking at some of the use classifications like personal uses or child recreational facilities, for example, could be considered in another discussion and maybe they could suggest to the Village Board that this was only round one- while round two was looking at what was permitted and what was considered special use. Mr. Failor agreed.

A short discussion ensued about whether the jurisdiction issue was part of the public hearing. Attorney Karaca clarified that at the end of the public hearing they could ask for public comment on the issue but that it was not part of the public hearing.

The public who wished to provide comment was sworn in by Attorney Karaca.

Mr. Dan Haley, member of the Hemingway District board and member of Business Association Council, said he was happy to hear the discussion. He said the Hemingway District had concerns over the Tae Kwon Do business opening and had had concerns about the dental office opening on Lake Street and believed that more retail and more restaurants were fundamental to their limited, fragile area. Commissioner Moran asked if Mr. Haley had any specific comments about the uses discussed. Mr. Haley did not. Chair Bolte asked about the upcoming discussion regarding the standards. Mr. Haley said he would've had liked to have seen clearer evidence on hardship.

Ms. Cathy Yen, 1021 S. Grove representing the Oak Park River Forest Chamber of Commerce, said the conversation had been difficult to follow and it was difficult for businesses who want to move into the community to realize all that was going on. She suggested getting funds from the Village Board to catalogue what the district was, the boundaries, the special uses, the variances, what was prohibited, etc., to make it easier for businesses to locate. Commissioner Moran asked if she had any comments on the discussion so far. Ms. Yen said the conversations were very good but she was concerned that decisions wouldn't stick years down the line.

Chair Bolte reviewed the areas that generated discussion. ZBA Member Raphael said it seemed to him there was no way the religious reading room prohibition would succeed under RFRA, he believed it should be eliminated in the category or broadened in the category. Chair Bolte said that would be part of the task they'd ask the Board to tackle next as it was not in the scope for the evening. Commissioner Burton said he believed any category that involved motor vehicles be reviewed for the transit overlay district. Mr. Failor suggested going through each category that involved discussion and voting on each item for inclusion. Attorney Karaca said the Plan Commission should vote and then the ZBA should vote for the record.

Commissioner Moran motioned that financial institutions be included as restricted in the first fifty feet of ground level in the TRROD. Commissioner Ginsberg seconded. A roll call vote was taken:

Moran-yes
Ginsberg- yes
Benson- no
Burton- no
Gilbert- no
Mann- yes
Rouse- yes
Bolte – yes

The motion passed 5-3.

The ZBA voted on the same motion:

Eyer-yes
Raphael- yes
Ruszczuk - yes
Quinn – yes

The motion passed 4-0.

Commissioner Burton motioned that a drive up financial institution be included as restricted in the first fifty feet of ground level in the TRROD. Commissioner Rouse seconded. A roll call vote was taken:

Burton-yes
Rouse- yes
Benson-no
Gilbert- no
Ginsberg-yes
Mann- yes
Moran- yes
Bolte- yes

The motion passed 6-2.

The ZBA voted on the same motion:

Eyer-yes
Raphael- yes
Ruszczyk - yes
Quinn-yes

The motion passed 4-0.

Commissioner Burton motioned that a drive thru service window be included as restricted in the first fifty feet of ground level in the TRROD. Commissioner Rouse seconded. A roll call vote was taken:

Burton-yes
Rouse- yes
Benson- no
Gilbert- no
Ginsberg- yes
Mann- yes
Moran- yes
Bolte-yes

The motion passed 6-2.

The ZBA voted on the same motion:

Eyer-yes
Raphael-yes
Ruszczyk - yes
Quinn-yes

The motion passed 4-0.

Commissioner Rouse that dry cleaning and laundry receiving stores be included as restricted in the first fifty feet of ground level in the TRROD. Commissioner Ginsberg seconded. A roll call vote was taken:

Rouse- yes
Ginsberg- yes
Benson- no
Burton- no
Gilbert-no
Mann- no
Moran- no
Bolte- no

The motion failed 2-6.

The ZBA voted on the same motion:

Eyer- no

Raphael- no
Ruszczyk - no
Quinn- no

The motion failed 0-4.

Commissioner Burton motioned that a restaurant with a drive thru window be included as restricted in the first fifty feet of ground level in the TRROD. Commissioner Mann seconded. A roll call vote was taken:

Burton- yes
Mann- yes
Benson- no
Gilbert-no
Ginsberg-yes
Morn- yes
Rouse-yes
Bolte yes

The motion passed 6-2.

The ZBA voted on the same motion:

Eyer- yes
Raphael- no
Ruszczyk- yes
Quinn- yes

The motion failed 3-1.

Commissioner Burton motioned that auto service and fueling station be included as restricted in the first fifty feet of ground level in the TRROD. Commissioner Rouse seconded. A roll call vote was taken:

Burton- yes
Rouse- no
Benson- no
Gilbert- yes
Ginsberg- no
Mann- yes
Moran- yes
Bolte- yes

The motion passed 5-3.

The ZBA voted on the same motion:

Eyer- yes
Raphael- yes
Ruszczyk- yes
Quinn- yes

The motion passed 4-0.

Commissioner Moran motioned that religious reading rooms be included as restricted in the first fifty feet of ground level in the TRROD. Commissioner Gilbert seconded. A roll call vote was taken:

Moran- yes

Gilbert- yes

Benson- yes

Burton- abstained – He felt compelled not to vote on it due to other legal issues but he did not have a financial conflict.

Ginsberg- yes

Mann- yes

Rouse- yes

Bolte- yes

The motion passed 7-0 with one abstention.

The ZBA voted on the same motion:

Eyer- no

Raphael- no

Ruszczyk- no

Quinn- no

The motion failed 0-4.

Commissioner Rouse motioned to approve the balance of the recommendations from staff as restrictions in the first fifty feet of ground level in the TRROD. Commissioner Moran seconded.

Rouse- yes

Moran- yes

Benson – no

Burton – yes

Gilbert- yes

Ginsberg- yes

Mann- yes

Bolte- yes

The motion passed 7-1.

The ZBA voted on the same motion:

Eyer- yes

Raphael- yes

Ruszczyk- yes

Quinn- yes

The motion passed 4-0.

Chair Bolte called for a break at 9:10 p.m. Chair Bolte resumed the meeting at 9:19 p.m.

Mr. Failor referred commissioners to the law recommendations document, specifically section 2.2.8. Mr. Bruce said creating the new section in addition to the existing variance section 2.2.4 will create confusion for applicants and he believed the amendment should be built into section 2.2.4. Commissioner Ginsberg agreed, saying there might be consistent but slightly different standards and you shouldn't change 2.2.8 without changing 2.2.4. ZBA Chair Quinn agreed saying there should be one section in the ordinance that dealt with any variance proceedings. Commissioner Rouse asked if it is both in and outside the TTROD? ZBA Chair Quinn agreed. ZBA Member Eyer said from a practical standpoint having been an applicant, you wouldn't sift through the entire zoning code and to keep it simple.

Commissioner Moran said as background, the revisions came up when the Plan Commission wanted clarifications on the standards. She said they could put it in section 2.2.4 if all were in agreement on the revisions. Chair Bolte recalled staff recommended separating as one was for a variance in the overlay district and one was in other areas of the village. Mr. Failor said the village attorney felt that two of the current seven standards did not apply and that's why there were five listed for use variances. He also agreed it should be in one section of the zoning code.

Attorney Karaca reviewed his memorandum. Commissioner Ginsberg said he believed the unusual hardship and reasonable return language was useful internally but doesn't have to be external to the applicants except for specific things that were necessary to submit. Attorney Karaca said having it in the code would compel the applicant to organize their application in a certain way and it would be more open, honest and transparent. Commissioner Moran said for the benefit of the applicant, the more that was in the code, the better for the applicant. Commissioner Ginsberg said the applicants would just hit the standards and it would just give them more standards to hit, which wouldn't necessarily be a good thing. Commissioner Moran disagreed. ZBA Member Eyer said being this specific could get them into trouble as a non-profit or a church might not fit into the same category and in their mind, they've checked off something on a list and it wouldn't allow for thinking. ZBA Chair Quinn agreed, saying if they put it in the ordinance someone will say they have a right, based on the list and it would limit special situations. ZBA Chair Quinn said he would not put section "D" standards within Attorney Karaca's memorandum in the ordinance, instead giving to commissioners as guidance and staff could review the applications to make sure it included the necessary information.

Chair Bolte said there was agreement that having one section of the code describing variations was necessary. ZBA Member Raphael said two standards would be left out and there should be a discussion on whether the standards should be removed. ZBA Chair Quinn said those standards 4 and 5 would not be removed for bulk variances, only for use variances. Commissioner Ginsberg suggested going through Attorney Karaca's recommendations to see if it made sense to incorporate any or all of it. Chair Bolte said they would go through each section.

In section two of Attorney Karaca's memorandum the definitions were separate from bulk variation standards. Commissioner Ginsberg said it wouldn't be good for combining into one section and he'd rather use the term, "reasonable return". ZBA Chair Quinn said ZBA members had a good understanding of what that meant. Commissioner Rouse said it was not a matter of meaning; it was a matter of proof-not use or bulk. Chair Bolte said the Plan Commission felt the term in the current zoning code was too vague and they had asked counsel to give more guidance on it. ZBA Chair Quinn said if there was going to be one part of the ordinance on variations, then the specific text would not work. Commissioner Rouse agreed, but said he didn't want to lose the clarification. Commissioner Gilbert suggested they could either include language that incorporates language for all of reasonable returns and unusual hardship or state for use variances reasonable return meant, "x" and break it out within the section.

Discussion ensued regarding whether legal counsel needed to rewrite the language in separate sections of the variance portion. ZBA Member Raphael said it was difficult to measure in a residential context so it

was not easy to rewrite in such a way that would satisfy both residential and commercial applications. He said it may be logical to work on the drafting on a longer period of time.

Commissioner Burton said the drafting should be left to staff, but they all agree that it should be harmonized.

Mr. Failor said the charge was to look at the TRROD and Perimeter overlay district and not to consider commercial versus residential right now. Chair Bolte asked Attorney Karaca if they gave a comprehensive recommendation to the Village Board, would they need to consider rehearing as it was expanding the scope of the initial Board direction. Attorney Karaca agreed. He suggested commissioners could vote on the standards and offer suggestions and look at them coming back, or report to the Board we like the suggestions but won't vote at this time and please send us back everything.

Commissioner Ginsberg suggested going over each component and giving Attorney Karaca more feedback. ZBA Chair Quinn said given the single section on ordinances he'd like to see 2, 3 and 4 of Attorney Karaca's memorandum reworked. Commissioner Rouse agreed. Chair Bolte said that would then be beyond the scope of the hearing. Attorney Karaca suggested voting on liking each idea but not making a recommendation at this time.

Commissioner Ginsberg said they didn't need seven standards- just keep 2, 3, 4 and 6 of Attorney Karaca's memorandum. Chair Bolte said they would need to be more cohesive. Mr. Failor said he agreed variances should be in the same section, but as there would be two different variances- one bulk, one use, why not have two avenues that an applicant would follow? He suggested keeping them separate. ZBA Chair Quinn said he wouldn't have a problem with two separate tracks but he'd like to look at it before voting.

Chair Bolte suggested a vote on whether sections 2, 3, 4 and 6 of Attorney Karaca's memorandum work for use variances only. Commissioner Rouse motioned to approve the language. Commissioner Ginsberg seconded. ZBA Chair Quinn said he'd like to clarify in section 4(E), the term should be "unusual hardship" rather than "financial hardship". Attorney Karaca suggested taking out "financial" and say just "hardship". Commissioner Rouse motioned to accept the amendment. Commissioner Ginsberg seconded. A roll call vote was taken:

Rouse- yes
Ginsberg-yes
Benson- yes
Burton-yes
Gilbert-yes
Mann-yes
Moran-yes
Bolte-yes

The motion passed 8-0.

The ZBA voted on the same motion:

Eyer- yes
Raphael- yes
Ruszczuk- yes
Quinn- yes

The motion passed 4-0.

Ms. Sara Faust, President of the Oak Park Development Corp at 104 N. Oak Park Ave., said one of the difficulties was that business type uses and characterizations change more rapidly than bodies can allow for them. She commended commissioners for putting it all in the same place and keeping it simple. She said when it came to future uses it might not fit within the chart or block to block.

Commissioner Moran asked Attorney Karaca if there needed to be a vote to change any language from Plan Commission to ZBA in terms of jurisdiction issues. Attorney Karaca agreed, saying he suggested they close the vote they just had due to public testimony and reopen the vote and substitute the commissions in the language. Commissioner Rouse motioned to rescind previous motion. Commissioner Burton seconded. A voice vote was taken. All ayes.

ZBA Chair Quinn called for the same vote for the ZBA. A voice vote was taken. All ayes.

Commissioner Rouse motioned to close testimony on the public hearing. Commissioner Burton seconded. A voice vote was taken. All ayes.

ZBA Chair Quinn called for a voice vote on the same motion. All ayes.

Chair Bolte said going back to the text to submit to the Board of Trustees, the text should revert to the original language that said ZBA instead of Plan Commission. Commissioner Burton suggested voting on sections 1-6 with the caveat that section numberings would be changed and jurisdictional issues would stay with ZBA. Commissioner Moran added to eliminate "financial" in the hardship part of 4(E).

Commissioner Burton motioned that the Plan Commission accept the legal staff memo with changes 2,3,4, and 6 folded into 2.2.4 of the zoning code; references to the Plan Commission be changed to the ZBA; and financial be stricken from the evidence standards. Commissioner Rouse seconded. ZBA Member Raphael said he'd like more discussion on section 4. He was concerned about the term, "required" and the subsequent language that indicated things "may" or "shall" be, which didn't indicate something was required. He also said many of the things wouldn't be applicable and he believed it was up to an applicant to meet the standards and present whatever evidence to meet those standards. A short discussion ensued about whether the evidence should be specific and if the language was appropriate for the evidence with members of the Plan Commission supporting the language as written and members of the ZBA disagreeing.

A roll call vote was taken:

Burton- yes
Rouse-yes
Benson-yes
Gilbert-yes
Ginsberg-yes
Mann-yes
Moran-yes
Bolte-yes

The motion passed 8-0.

ZBA Member Raphael motioned to accept the same except excluding section 4. ZBA Member Eyer seconded.

Eyer- yes
Raphael- yes
Ruszczuk- yes
Quinn- yes

The motion passed 4-0. No vote was made for section 4.

ZBA Member Raphael suggested a motion be made to ask the Board to direct the Plan Commission and ZBA to do a more comprehensive review of the variation process as it relates to bulk variances. Chair Bolte called for a voice consensus of both bodies. All ayes.

Chair Bolte said May 1, 2013 at 7 p.m. in Council Chambers would be the date to approve the Findings of Fact.

Other Business:

None.

Adjournment:

Commissioner Rouse motioned to adjourn the meeting. Commissioner Burton seconded. ZBA Member Raphael motioned to adjourn the meeting. The meeting was adjourned at 10:35p.m.

Angela Schell,
Recording Secretary