

Buckeye Lake Village Public Hearing Minutes  
Held in Council Chambers and streamed to the Village Facebook page  
**October 9, 2023**

**Call to Order:** By Council President Goodman at 6:30p.m.

**Pledge of Allegiance and Moment of Silence:** Led by Council President Goodman.

**Roll Call:** Present: Don Cable (0,0), Linda Goodman (0,0), Kellie Green (0,0);  
(Consecutive, Total Absences) Deb Julian (0,0), Sue Wadley (0,1), Tom Wolfe (2,2)  
Absent: John Lemmon (0,0)

**Others Present:** Mayor Jeryne Peterson; Samantha Torres, Clerk of Council;

Public Hearing on the matter of:

**Ordinance 2023-52** – AN ORDINANCE ADOPTING ARTICLE 14 (PLANNED MIXED-USE DISTRICT) OF THE ZONING CODE FOR THE VILLAGE OF BUCKEYE LAKE AND THE DECLARATION OF AN EMERGENCY.

Council President Goodman stated that council would not be voting on this tonight. The public hearing would be held tonight and council would vote on it at the next council meeting. Council did not see the language until late in the weekend and it needs some tweaking. This is a very important vote and they do not want to have to go back to keep amending and changing. Ordinance 2023-52 will be moved to the October 23, 2023 council meeting. Tonight is a wonderful opportunity to speak with Kim Littleton from OHM Advisors and have him explain what this is, what it is about, and what it will accomplish.

Comments from Kim Littleton of OHM Advisors, a planning consulting firm, as well as engineering and architectural services: Kim stated that OHM previously assisted the village in preparing a comprehensive plan for the village. One of the plan's major recommendations was to take a look at the zoning code and that process is in the works and will take some time to put together. There has been some pressure and interest for development in the community with several large tracts of land that are near Buckeye Lake, including those who are coming due to the Intel project and those who wish to spend their time near the lake, whether seasonally or all year round. One thing the village wants is to be sure that, in the interim between when the village has adopted the comprehensive plan and when it is starting the process of updating the zoning code, a set of development standards is put in place that reflect the code's recommendations and also incorporates some of the characteristics of the community that the village would like to preserve. Kim stated that the code is set up as a planned mixed-use district and that there is already a planned district in the village right now that divides the community into 3-4 different districts: residential, commercial, industrial, and multi-family districts. If anyone wants to develop as a PUD, they must submit a series of plans: concept, preliminary, and final plan. Those plans are to be negotiated with the village and the developer / property owner, which is usually a 3-to-6-month process and usually a rezoning to a particular PUD. Entitlements are earned by the developer showing what they plan to do in advance. The standards have been expanded through this to include a base set of development requirements that recognize some of the recommendations of the comprehensive plan to create a more walkable community, creating a density that allows people to live, work, and recreate in close proximity to one another, and to give the community the opportunity to direct how that will look in the future. The PUD process

should help set expectations for developers that come so they can pay attention to the detail that is laid out for the way the community wishes to be and look. This district will be incorporated into the new code once it is updated. It also gives the opportunity for infill redevelopment. There is an approval procedure that is independent of the review procedures that the village typically has in a standard district in the code that goes into a lot of details as to what needs to be submitted. This process then allows the developer to rezone the parcel of land. Rezoning can take place at the preliminary development phase. This all is here to provide the village a process to go through for reviewing developments that would qualify for these standards.

Councilor Wolfe asked Kim to refresh him about where industrial is here in the community and how it applies to what they are talking about here tonight. Kim stated that there is a separate district for industrial development that is a standard district that have entitlements with it right now. Anyone can come and request rezoning to industrial. Also, within the planned development district, there is an industrial use that could occur and can be delineated on the map if the village or a property owner wants to develop a piece of land in the community as industrial. The PMUD district is really focused on neighborhood development and it is mostly a variety of residential types and also includes a neighborhood commercial / center use. These are not meant to be Walmart or CostCo sized units, but they are meant to serve the community within a walkable area. Councilor Wolfe asked to hear about how the council plays a role in this once it is in place. If it is a major change, it goes through the Planning and Zoning Commission and then to Council for approval. The Planning and Zoning Commission is not a decision-making body and for a review to go to council, it would be recommended to Council from the Commission. Councilor Wolfe asked how iron-clad is this document for any changes to it in the future? Kim stated that the village has the option to amend the zoning code or the zoning map at any point in time. Most communities, every 6-months to a year, make a list of the things in the zoning code text that do not seem to be working. The Zoning Commission will draft some language to fix these items and recommend those to Council for their review in order to go through the process to amend the text. It is ideal to do it this way so that many changes can be made at once.

Council President Goodman asked for public comments on the matter of Ordinance 2023-52. Resident and former Planning and Zoning Commission member Karen Cookston spoke from the audience. She stated that another caveat to this is the strong-mayor Charter for the village. She stated that the Planning Commission can recommend something and Council can sign off on it, but the mayor could state that they want it a different way. Karen suggested looking at this to see if there is any strengthening language to keep that from happening. Council President questioned that if the mayor were to veto, could council come back to override the veto. Karen stated that it is not a veto when it comes to Planning Commission approval of an application. It is a sign off on an application from the mayor and is not a veto. Councilor Julian clarified that that is about the process, not the ordinance for changing zoning code.

Councilor Julian had a question about the height and stated she thought they had asked for the Fire Chief to look at that. The document says that commercial, multi-family would allow up to five stories. She wondered where the closest fire ladder truck is to Buckeye Lake because we would never have the equipment here to deal with a five-story fire. President Goodman stated it had been talked about that five stories might be too much. Kim said they could set the height to anything they want to if they think it is too high and that it is a maximum that they can set it up to. He said if they set it to 3-4 stories, that is something that may be man-able by the current Fire Department and there are already some residents that are at least that high along the lake. Kim stated it could be negotiated. Karen from the audience stated that before, a five-story hotel was proposed at one time over by the freeway where it seemed that height might be okay, but by the waterfront, it might not be okay. Code Enforcement Officer Rex Adkins asked from the audience


if this is just adding that district to our already existing article of zoning regulations but we would still be keeping that article in tact as far as industrial districts and PRD? Kim said yes. Rex continued to say that the Planning and Zoning Commission said that this would totally replace the entire article. Kim stated that they went through the legal review of this and one thing that was included in there was the fact that because there is already land that is zoned in the PDD district, they could not just ignore that because they have entitlements already that would stay in there, so they referenced that district in here. By virtue of that, if you do that then we keep that section. It replaces it in the sense that to a large extent, the commercial and residential parts of it would go to this development over being built in the general PUD, but that one can stay. That's the reasoning that the numbering went from Article 12 to Article 14. Some tweaks will be done to the document before the next council meeting.

**ADJOURNMENT:** Motion by Councilor Julian, seconded by Councilor Cable, to adjourn the public hearing.

**VOTE: IN-FAVOR ALL YEAS; MOTION CARRIED 6-0**

Meeting adjourned at 7:04pm

NEXT REGULAR COUNCIL MEETING: October 9, 2023

  
Samantha Torres, Council Clerk

  
Linda Goodman, Council President