



**MEETING MINUTES
OF THE
PLAN COMMISSION
September 28, 2022 – 7:00 P.M.**

**LINCOLNWOOD VILLAGE HALL
6900 NORTH LINCOLN AVENUE
LINCOLNWOOD, ILLINOIS 60712**

Present: Chairman Mark Yohanna, Commissioners Suzanne Auerbach, Mark DeAngelis, , Adi Kohn
Don Sampen (7:04 pm), Steven Jakubowski (7:06 pm)

Absent: Commissioner Henry Novoselsky

Staff Present: Community Development Director Scott Mangum, Planning and Zoning Manager
Doug Hammel, Community Development Coordinator Marcos Classen

I. Call to Order

Chairman Mark Yohanna noted a quorum and called the meeting to order at 7:03 p.m.

II. Pledge of Allegiance

III. Approval of Minutes

*Motion to approve September 7th Plan Commission Minutes was made by Commissioner
DeAngelis and seconded by Commissioner Kohn.*

Aye: DeAngelis, Kohn, Sampen and Yohanna

Nay:

Abstain: Auerbach

Motion Approved: 4-0

IV. Case #PC-07-22: Zoning Code Text Amendment – Temporary Structures

*This public hearing was previously continued during the April 6, May 4, and June
1, 2022, and August 3, 2022, meetings*

Request: Referral by the Village Board to consider potential Zoning Code
Text Amendments related to the establishment of a definition of “temporary
structures”, as well as related standards for the approval and installation of

temporary structures on residential and commercial properties. During this Hearing, the Plan Commission may consider any additional Text Amendments related to this case.

Planning and Zoning Manager Doug Hammel went over history of this case, including summarizing previous discussions from the Plan Commission at previous meetings and going over updates since the September 7th meeting.

Mr. Hammel went over a proposed regulatory framework including two proposed amendments:

- Amendment to Section 2.02 to establish a definition of “structures, temporary”
 - STRUCTURE, TEMPORARY: any *accessory* building or structure installed or erected on a property for a duration of less than 14 days
- Addition of a new Section 3.09 Temporary Structures to establish applicability of zoning code and standards for temporary structures

Commissioner Jakubowski stated that he thinks 14 days would not be long enough for a temporary structure, he believes that 21 days would be more appropriate.

Commissioner DeAngelis is also in favor on increasing the maximum time from the proposed 14 days threshold.

There was discussion as to how these provisions would be applied to religious institutions.

Mr. Hammel stated that as currently constructed, religious institutions would be required to obtain approval before erecting a temporary structure.

There was some discussion about seasonal displays at various local businesses and if the proposed maximum time allotment would be sufficient.

The consensus from the commission to change maximum time allowed for a temporary structure from 14 days to 21 days

Mr. Hammel went over the changes Village code which would add a new section 3.09 relating to temporary structures and how the zoning code would apply depending on the context of the temporary structure and the standard use of the property in question.

Commissioner Jakubowski talked about having issues with the requirements of the Illinois Accessibility codes for temporary structures

There was discussion about the need to include State of Illinois regulations in the Lincolnwood Village code.

There was consensus is to remove reference to the Illinois Accessibility Code from Village code

There was some discussion about the fire department requirements for temporary structures.

Commissioner Jakubowski requested that the language be changed in Section 3.09(2) section E. Line 4 from “*The temporary structure must feature or be equipped with fire extinguishers, paths of egress, and other fire safety provisions and equipment*” to “*The temporary structure must feature or be equipped with fire extinguishers, paths of egress, or other fire safety provisions and equipment*”

Mr. Hammel went over other changes including which included which districts / uses would be exempt from getting Village approval prior to erecting a temporary structure. He went on the address how the Village code would be updated to reflect how the Village itself erects seasonal tents at Proesel Park.

Commissioner Jakubowski stated that religious institutions should be added to the list of exempt uses.

There was consensus among the commissioners to add religious institutions to the exempted uses.

Commissioner Kohn suggested increasing the number of instances a temporary structure can be erected.

There was some discussion about creating more flexibility in the caps such as a total of up to 6 events, totaling no more than 60 days with no one event being more than 21 days.

Commissioner DeAngelis suggested adding nonprofit companies to the list of exempted uses.

There was some discussion about how this issue was generated and why the need for an update to the code.

Mr. Hammel stated that this was more of an attempt to account for something that is currently overlooked in the Village Code to prevent any future issues from arising.

A Motion was made by Commissioner Jakubowski to recommend approval of text amendments as proposed by staff with the following changes:

- 1) Editing the definition of a temporary structure to increase the maximum allowed threshold to 21 days***
- 2) Strike the provision specifically referencing the State of Illinois Accessibility Code***
- 3) To change the word “and” to “or” in section E-4 in regards to the Fire Chief’s discretion on requirements***
- 4) In provision E change the reference in section 3.09(F) to 3.09(2)F***
- 5) Instead of limiting temporary structures to 3 event a 365 day period, allow a maximum of 6 events totaling no more than 60 total days per 365-day period***
- 6) Add religious institutions to the list of types of properties exempt from Village approval***

The motion was seconded by Commissioner Sampen.

Aye: DeAngelis, Kohn, Auerbach, Sampen, Jakubowski, and Yohanna

Nay:

Abstain:

Motion Approved: 6-0

This item is scheduled to go to the Village board on Oct 19th.

V. **Case #PC-11-22: Zoning Code Text Amendment – Fence Regulations Pertaining to Properties Abutting Prominent Street or Arterial Streets**
This public hearing was previously continued during the June 1, 2022 and August 3, 2022, meetings

Request: Referral by the Village Board to consider potential Zoning Code Text Amendments related to fence regulations found in Section 3.13(11) for portions of residential properties abutting prominent streets or arterials, specifically focusing on 1) the permissibility of six-foot tall solid fencing in the rear yard, 2) the permissibility of six-foot tall solid fences along corner side yards, and the permissibility of fencing to encroach into the corner side yard. During this Hearing, the Plan Commission may consider any additional Text Amendments related to this case.

Planning and Zoning Manager Doug Hammel went over what was previously discussed in the June 2022 meeting. He spoke about what the Plan Commission did approve that evening but how that the side yard question required more discussion.

Mr. Hammel spoke about how the focus of the discussion at this meeting is specifically about corner side yards that abut prominent corridors, not all corner side yards in the Village.

There are a total of 64 lots affected by the discussion, with the 40 lots on Pratt Ave being the most abundant, other corridors include Touhy Ave, Cicero Ave, Devon Ave, Crawford Ave, McCormick Blvd, and Spaulding Ave)

He spoke about the current fence regulations and how fences are generally treated in side yards.

Mr. Hammel went over 3 different options using diagrams

- A) The current regulations – 4 foot high fence that is flush with the side façade and does not encroach into the side yard
- B) Encroachment into the corner side yard between the rear corner of the home and rear lot line at the lot line
- C) Encroachment for the entire length of the corner side yard at the lot line

Mr. Hammel further went over the different heights and styles of fence under consideration.

Mr. Hammel spoke about how in the 64 lots included the lot line would generally be the sidewalk and how that would be different from other corridors where there would typically be some sort of buffer between the sidewalk and a potential fence

Commissioner Auerbach stated that she believes that all properties included in this list should be allowed to go to their property line. There should be a 4-foot height limit on Pratt and a 6-foot limit on height on other streets.

There was discussion about how this would impact Pratt Ave differently from the other areas being discussed at the meeting. Generally, Pratt Ave was considered to be more of a strictly residential corridor and there was some trepidation about changing the character of that specific corridor.

There was some discussion about how landscaping is allowed and how it could be incorporated with this provision

Commissioner Jakubowski asked how much of an issue this is, how many requests have been received for fence variations.

Mr. Hammel spoke about some recent instances these types of requests.

Commissioner Auerbach spoke about how she can see how needed to keep a fence flush with the side of the home could be a hardship but doesn't think a fence should be higher than 4 feet on Pratt. She did state that more privacy could make sense on Touhy Ave, where there is more truck traffic

No public comment was provided during this hearing.

A Motion was made by Commissioner Auerbach to recommend approval of a text amendment to the following:

For properties with a corner side yard that abut a prominent streets on Touhy Ave, Cicero Ave, Devon Ave, Crawford Ave, McCormick Blvd be allowed a 6 ft high semi private fences to the corner side lot line on along the entire length of the rear and side yard (option C in the packet), on Pratt Ave specifically only 4 ft high semi private fence to the corner side lot line behind rear the façade of the home (option B in the packet).

The motion was seconded by Commissioner Sampen.

Aye: DeAngelis, Kohn, Auerbach, Sampen, Jakubowski, and Yohanna

Nay:

Abstain:

Motion Approved: 6-0

This item is scheduled to go to the Village board on Oct 19th.

VI. Case #PC-10-22: Zoning Code Text Amendment – Permissibility of Certain Use in Various Zoning Districts Throughout the Village
This matter is continued from the June 1 and July 6, 2022, Plan Commission meeting

Planning and Zoning Manager Doug Hammel started his presentation going over where mixed use developments are allowed in the Village. They are allowed outright in the B-3 district and can be allowed in the B-1 district with the approval of a special use permit. They currently are not allowed in the B-2, O and M-B districts.

Mr. Hammel spoke briefly about the 2016 Comprehensive Plan and the 2014 Devon-Lincoln TIF Plan then went over some recent Mixed-Use project requests.

Mr. Hammel stated that this discussion should be looking at not only if Mixed-Use developments should be allowed in more areas, but also what standards might be needed to mitigate potential impacts these types of developments could have to the surrounding uses of rights-of-way.

Commissioner Auerbach noted that she is worried about Mixed-Use developments being built with the focus only being on residential spaces and with the commercial spaces never being leased or used.

There was some talk about not having too much residential implemented and changing these areas to being more residential than commercial and thus changing the identity of the corridor

Commissioner Sampen asked why Village is looking to implement more Mixed-Use spaces.

Mr. Hammel stated that with recent trends showing less demand for brick and mortar commercial spaces, developers are looking to build more Mixed-Use developments to diversify project sites.

Commissioner DeAngelis stated that if you look at the data, mixed use offers just as much in tax revenue as a standalone stores, if not more. He also stated that he believes that Lincolnwood needs more housing as a whole and adding more Mixed-Use offers greater opportunities to developers. He went on to speak about bonus developments to combat the potential of unused first floor commercial spaces and feels that with the correct incentives Lincolnwood can help foster a higher caliber of commercial tenants at potential Mixed-Use locations.

There was some discussion about how the different districts were created and the differences between B-1, B-2, B-3, O, and M-B Districts.

Mr. Hammel spoke about the 2020 NEID TIF conceptual plan and broke down how different areas could be re-envisioned keeping the same regional detail.

There was some talks about if the Village should look to get a consultant to help navigate rewriting the Village Code in this manner.

Commissioner DeAngelis feels that the Commission is up to the task and thinks that creating an adhoc committee would help.

Mr. Hammel summarized the discussion as well as looking for feedback as to how staff can help commission make a decision, he spoke about Commissioner Sampen's questions about why mixed use was initially allowed in the B-1 and B-3 districts.

Commissioner DeAngelis spoke about researching the incentive to build for developers in areas where Mixed-Use is permitted versus in areas where a special use permit is needed.

Commissioner Auerbach asked about requirements for affordable housing in potential Mixed-Use projects. Mr. Hammel stated that he would need to check with the Village attorney to determine those requirements.

Commissioner Auerbach, asked if staff needs feedback from the Economic Development Committee (EDC). Community Development Director Scott Mangum spoke about some discussions that EDC has recently had during a tour of the Village which included some conversations about the Whistlers Restaurant site (on Devon Ave.) and how the current the zoning ordinance may cause issues for potential future development.

Commissioner DeAngelis spoke about how incentivizing developers to build in Lincolnwood is key.

Commissioner Jakubowski suggested the need to create sub-districts in existing zoning districts similar to how the area around District 1860 currently is.

Commissioner Auerbach suggested determining a list of unbuildable sites throughout the Village specifically along Lincoln Ave.

A Motion was made by Commissioner Sampen to continue this item to the November 2nd meeting to allow for staff to incorporate discussion from September 28th meeting and do additional research.

The motion was seconded by Commissioner DeAngelis.

Aye: DeAngelis, Kohn, Auerbach, Sampen, Jakubowski, and Yohanna

Nay:

Abstain:

Motion Approved: 6-0

VII. Case #PC-14-22: Zoning Code Text Amendment – Permissibility of Electronic Message Center Signs in the P Public Open Space-Recreation-Park Zoning District

Request: Referral by the Village Board to consider potential Zoning Text Amendments to Section 11.04(10) and Section 11.10(1)v to permit electronic message center signs in the P Public Open Space-Recreation-Park zoning district. During this Hearing, the Plan Commission may consider any additional Text Amendments related to this case

Planning and Zoning Manager Doug Hammel spoke about how in 2019 the Village ordinance was amended to account for Electronic Message Center (EMC) Signs. As a part of this ordinance Mr. Hammel spoke about monument sign regulations as they are a requirement for any EMC signs.

Due to the way the ordinance was updated in 2019 EMC signs would not be allowed in the P (Parks) district. Based on current discussions this would not be intended for all parks throughout

the Village but would mainly be for potential signage at Proesel Park. The intent of the signage would be to advertise community and municipal events, activities, services, or alerts.

Mr. Hammel also noted that current regulation exempts monument signs in the P district from landscaping and setback requirements. Mr. Hammel suggested that the Plan Commission consider if EMC signs should not be exempt, due to the size of the properties they would be on and the prominence of the signs.

Commissioner Jakubowski asked if advertising would be sold by the Village for the potential signage at Proesel Park.

Mr. Hammel stated that currently as written the Village code does not allow off premise signage so advertising of this nature would not be allowed.

There was some discussion about the location and number of signs that would be allowed in Proesel Park.

Mr. Hammel stated that as currently written only one sign would be allowed and that sign would need to face Lincoln Ave.

No Public comment was provided on this matter.

*A Motion was made by Commissioner Sampen to recommend approval to allow EMC signs in the P District and to remove the landscaping exemption from any related monument signs for the EMC signs based on the recommendations of staff.
The motion was seconded by Commissioner Auerbach.*

Aye: DeAngelis, Kohn, Auerbach, Sampen, Jakubowski, and Yohanna

Nay:

Abstain:

Motion Approved: 6-0

VIII. Discussion: Plan Commission Rules and Regulations

*A Motion was made by Commissioner DeAngelis to continue to Nov 2
The motion was seconded by Commissioner Kohn.*

Aye: DeAngelis, Kohn, Auerbach, Sampen, Jakubowski, and Yohanna

Nay:

Abstain:

Motion Approved: 6-0

IX. Next Meeting

The next meeting of the Plan Commission is scheduled for Wednesday October 3, 2022.

X. Public Comment

Chairman Yohanna announced the opportunity for additional comments from the public. Let the record show that no one came forward.

XI. Adjournment

Motion to recommend adjournment was made by Commissioner Auerbach and seconded by Commissioner Kohn.

Aye: DeAngelis, Kohn, Auerbach, Sampen, Jakubowski, and Yohanna

Nay:

Abstain:

Motion Approved: 6-0

Meeting adjourned at 9:19 p.m.

Respectfully submitted,

Marcos Classen
Community Development Coordinator