



Village of Lincolnwood Plan Commission

Meeting
Wednesday, June 3, 2015
7:00 P.M.

in the
Council Chambers Room
Lincolnwood Village Hall - 6900 North Lincoln Avenue

Agenda

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Minutes**
April 1, 2015 Meeting Minutes
May 6, 2015 Meeting Minutes
4. **Case #PC-02-15: Public Hearing: Proposed Text Amendment**
(Continued from May 6, 2015, April 1, 2015, March 4, 2015, February 25, 2015, and February 4, 2015)
Request: Consideration and review for possible Text Amendment, the Definition and Fences and Natural Screening Sections of the Zoning Code, pertaining to Open, Semi-Private, and Solid Fences; and the Bulk Regulations for Fences
5. **Next Meeting**
6. **Public Comment**
7. **Adjournment**



**DRAFT MEETING MINUTES
OF THE
PLAN COMMISSION
APRIL 1, 2015 – 7:00 P.M.**

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

MEMBERS PRESENT:

Chairman Paul Eisterhold
Irving Fishman
Patricia Goldfein
Steven Jakubowski (arrived at 7:20 p.m.)
Don Sampen
Mark Yohanna

MEMBERS ABSENT:

Anthony Pauletto

STAFF PRESENT:

Timothy M. Clarke, AICP, Community Development Director
Aaron N. Cook, AICP, Community Development Manager
Ryan Johnson, Community Development Intern

I. CALL TO ORDER

Chairman Eisterhold noted a quorum of five members and called the meeting to order at 7:03 p.m.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

Motion to approve the March 4, 2015 Meeting Minutes was made by Commissioner Fishman, and seconded by Commissioner Yohanna.

Aye: Fishman, Yohanna, Goldfein, Sampen, and Eisterhold

Nay: None

Motion Approved: 5-0

Chairman Eisterhold changed the order of the meeting to hear the Conceptual Plan Review for 6733 North Lincoln Avenue first.

IV. Workshop: Conceptual Plan Review: 6733 North Lincoln Avenue

Sue Auerbach of Auerbach Architects, 4707 Farwell Avenue, Lincolnwood, presented the proposed conceptual plan for the redevelopment of the property located at 6733 North Lincoln Avenue which was purchased by Ed and Rebeka Hoxha to build a remodeling and cabinetry business. Images of the existing

and proposed buildings were shown. The Petitioners are asking the Plan Commission for some direction on which way to go with this building moving forward.

Presently, residential uses are considered a Special Use on Lincoln Avenue. The property is zoned B-1 Mixed Use Hub in the Lincoln Avenue Overlay District. The Hoxha's would like to build a three-story, 2,500-square-foot commercial/residential building with a showroom on the first floor, an office and a residential rental property on the second floor, and two residential rental units on the third floor. The residential units will be approximately 1,400-square feet.

To accommodate 2,500-square feet of retail space, the property owners would be required to have an eight-foot landscape buffer and a twelve-foot drive aisle which would leave only seven parking spaces in the rear of the building which makes the site unusable. The existing building is set back 25 feet which aligns with Caremark to the south and Grossingers to the north. Sue Auerbach stated that bringing the structure to the build-to line would look awkward, and the property owners would like to keep the building set back.

Currently, there are parking spaces in front of the building. Tim Clarke stated that parking in the front is unsafe and the Zoning Code prohibits parking in front of buildings. They are aware that they will need Variations for landscaping, parking, and the building setback requirement.

The existing parking is accessible only through the adjoining properties' parking lots. There are no cross access agreements with the owners of the adjoining properties. Additionally, a brick wall will need to be built between the commercial and residential spaces. There is an alley that was vacated in July 1962. Sue Auerbach said that there will be a drive through to access the parking lot in the back. The large parking area in the back is owned by Great Beijing and zoned residential.

When asked if a three-story building was acceptable, Commissioners Fishman and Sampen said they were in favor of having two stories of residential above a first floor commercial space, but did not think that building to the build-to line was a good idea. Chairman Eisterhold agreed with not building to the build-to line, but have the property set back 25-30 feet. Commissioner Goldfein felt that the building was very attractive.

The plans also call for a roof deck and landscaping on the second floor in front of the building and could also include some balconies in the back. They plan on showroom windows on the second floor as well as the main floor to make the structure more attractive. The finished height will be 38 feet.

Chairman Eisterhold closed the Workshop portion of the meeting.

V. Case #PC-02-15: Public Hearing: Proposed Text Amendment

The Public Hearing is a continuation of the February 4, 2015 Plan Commission meeting to provide the requested information regarding louvered fences. Louvered fence design images were shown and are not allowed under the current definition; only vertical boards are allowed. Staff also showed images of horizontal shadow box fences as well for their consideration. Horizontal boards are not allowed, per our Zoning Code, should this fence style be considered. The issue is what is the intent of a semi-private fence. A horizontal shadow box style would not allow a view at any angle unlike a vertical shadow box fence. A horizontal shadow box fence will allow light and air through it, just not sight.

A draft definition was presented to clarify that semi-private fences include shadow box and louvered fences. The reference to the open space between vertical fence boards shall not exceed 85% of the width of the boards on the same side of the fence was eliminated.

Chairman Eisterhold asked the Commissioners if there should only be solid and open fences or keep the third option of semi-private fences. Chairman Eisterhold explained that the semi-private fence option came about in an effort to reduce the number of chain link fences in the Village or as an alternative to natural screening.

Commissioner Fishman thought the Plan Commission should recommend to the Village Board that the requirement for semi-private fences be eliminated. Commissioners Sampen and Goldfein do not believe there is a downside to semi-private fences, but actually gives the homeowner another option if an open fence is not desired.

Commissioner Goldfein thought that a louvered fence is an attractive and popular example of a semi-private fence and should be included in the definition. What needs to be discussed is how to define louvered fences and how to regulate their use. Commissioner Goldfein proposed that the open space between the louvers could be regulated. Assuming the louvers are fixed in position, a measure of the empty space from the midpoint of one louver to the next should be at least fifty percent of the width of the entire louver.

There was a discussion regarding the standards that would apply to the openness of a louvered fence. Commissioner Jakubowski mentioned that if you can see through the fence at any angle from six feet on either side of the fence, it should be considered open. This type of fence also provides some privacy.

Mr. Cook summarized the Plan Commission's desire to add louvered fences to the definition of semi-private fences with the condition that you are able to see through it. The definition should include regulating the minimum amount of open space between the louvers whether it's either a percentage amount or a measurable amount.

Chairman Eisterhold asked if anyone in the audience would like to address the Plan Commission regarding this Public Hearing. Let the record show that no one came forward.

Motion to continue to the May 6, 2015 Plan Commission meeting was made by Commissioner Sampen, and seconded by Commissioner Jakubowski.

Aye: Sampen, Jakubowski, Fishman, Goldfein, Yohanna, and Eisterhold

Nay: None

Motion Approved: 6-0

VI. Case #PC-07-15: Public Hearing: Proposed Text Amendment

Chairman Eisterhold swore in Mr. Damian Kadaros, President of the Lincolnwood Chamber of Commerce and Industry.

Staff presented an image of the types of banners being discussed. This text amendment is to allow the Village Board to authorize banners to be placed on street light poles within the public rights-of-way. This text amendment is not to approve any specific banner or program, but to amend the Zoning Code to allow these types of signs which would otherwise be prohibited. The size of the banners would not exceed eight feet in length. The Village Board will approve the size and design of the banners.

Mr. Kadaros said that this program is an effort by the Chamber to improve upon the community by adding these signs to show where Lincolnwood is located. The signs will be paid for through sponsorship by the businesses that would participate. Initially, the banners would be placed on Touhy Avenue between Crawford Avenue and McCormick Boulevard. It will be up to the Village Board whether or not these banners will be placed in residential areas.

The Chamber's proposal is to hire a company that will install and maintain the banners. The Village Board's intent is for this program to be a fundraiser for the Chamber of Commerce. There is no compensation to the Village. This is not an advertising program; it's a beautification program for the Village. The Chamber believes this is an asset to the community.

When asked about approval for installing these banners since the Village does not own the poles or the land they sit on, Mr. Clarke answered that the Public Works Department has been in contact with the Illinois Department of Transportation, and they indicated that this would be allowed.

The proposed text amendment language was presented and discussed with specific emphasis on the size of the banners. The Village Board cannot approve the banner design without the approval of the owner of the pole and the owner of the right-of-way.

Chairman Eisterhold asked if anyone in the audience would like to address the Plan Commission regarding this Public Hearing. Let the record show that no one came forward.

Motion to recommend to the Village Board to eliminate the language from Section 11.05 and 11.06 of the Zoning Code prohibiting street pole banners so as to allow the Village Board to negotiate with the Chamber for a banner program and to add the word "such" to Section 11.05(25)ii. was made by Commissioner Sampen, and seconded by Commissioner Jakubowski.

Aye: Sampen, Jakubowski, Fishman, Goldfein, Yohanna, and Eisterhold

Nay: None

Motion Approved: 6-0

VII. NEXT MEETING

Chairman Eisterhold announced that the next Plan Commission meeting will be held on Wednesday, May 6, 2015.

VIII. ADJOURNMENT

Hearing no further business, **motion to adjourn** was made by Commissioner Yohanna, and seconded by Commissioner Goldfein. Meeting adjourned at 9:10 p.m.

Aye: Yohanna, Goldfein, Fishman, Jakubowski, Sampen, and Eisterhold

Nay: None

Motion Approved: 6-0

Respectfully Submitted,

Kathryn M. Kasprzyk
Community Development Coordinator



**DRAFT MEETING MINUTES
OF THE
PLAN COMMISSION
MAY 6, 2015 – 7:00 P.M.**

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

MEMBERS PRESENT:

Chairman Paul Eisterhold
Irving Fishman
Patricia Goldfein
Steven Jakubowski
Anthony Pauletto
Don Sampen (arrived at 7:05)
Mark Yohanna

MEMBERS ABSENT:

STAFF PRESENT:

Timothy M. Clarke, AICP, Community Development Director
Aaron N. Cook, AICP, Community Development Manager
Ryan Johnson, Community Development Intern

I. CALL TO ORDER

Chairman Eisterhold noted a quorum of six members and called the meeting to order at 7:02 p.m.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

The minutes from the April 1, 2015 Plan Commission meeting will be presented for approval at the June 3, 2015 Plan Commission Meeting.

Chairman Eisterhold requested a change in the order. Case #PC-05-15 will be heard first.

IV. Case #PC-05-15: Public Hearing: Proposed Text Amendment

Tim Clarke reviewed the Public Hearing notice distribution for tonight's meeting. In addition to the required 250-foot surrounding area mailing, over 1,000 notices were mailed out to addresses bounded by Devon, McCormick, Pratt, and Lincoln Avenues per direction of the Village Board.

This Public Hearing came about relative to a proposal that initially came from the Economic Development Commission (EDC) regarding the Devon Avenue Corridor, which is a four-block area between Drake Avenue and McCormick Boulevard in the B-2 Zoning District. The R-4 Residential Zoning District is to the north of the Corridor, and the City of Chicago is to the south.

On October 21, 2014, the Village Board's Committee of the Whole requested the EDC to review a mixed-use concept for the Whistler's Restaurant site at 3420 Devon Avenue. This proposal included ground level commercial space with two levels of residential units above. Residential uses are currently prohibited in the B-2 Zoning District. A concept rendering of possible development was presented for review. The EDC reviewed current Village policies and plans at their November 19, 2014 meeting and felt that allowing residential uses as part of a mixed-use development in the Corridor could spur much needed revitalization. By a 7-0 vote, the EDC recommended a change to the Zoning Code to allow, as a Special Use, residential units above ground level in the Devon Avenue Corridor. The recommendation is limited to residential (not senior housing or assisted living). A Special Use mechanism allows specific review and approval of development proposals to ensure parking adequacy and compatibility with surrounding properties. Upon unanimous approval of the EDC, the Village Board referred this matter to the Plan Commission for a Public Hearing. This matter can be noticed as either a Text and/or a Map Amendment.

Mr. Clarke referenced letters received from Village residents. There was one letter of support from Bert Rance of Prudential Realty, 3520 Devon Avenue; and seven letters against this proposal from Marc and Terri Eiseman, 6731 Central Park; Jason and Molly Eiseman, 6736 Central Park; Richard and Judith Katz, 3453 Arthur Avenue; Dennis and Joyce Ruben, 6519 Central Park; Roberta Eisenberg, 6620 Trumbull Avenue; Kirill Vorobeychik, 6541 Drake Avenue; and Irene Spiropoulos, 6745 St. Louis Avenue.

Chairman Eisterhold asked the public for their comments. Commissioner Goldfein reiterated that this is only a consideration of residential uses and there have been no plans presented for approval. Commissioner Yohanna also noted the height restrictions would stay the same at 38 feet.

Before public comments, Commissioner Jakubowski noted the discrepancy between the EDC minutes which referenced the Urban Land Institute (ULI) report as favoring residential uses and the actual report which does not recommend residential uses at any property located on Devon Avenue. Commissioner Jakubowski believes that this Map Amendment is being rushed through without proper input from Village residents and Village staff. Commissioner Jakubowski noted that the current Comprehensive Plan does not recommend residential in the B-2 Zoning District. The Village is currently working on a new Comprehensive Plan which should be drafted before any significant changes are made in the Corridor.

Commissioner Jakubowski stated that with regards to the ULI report, the Village's vision for the Corridor is for a dynamic and safe commercial district that would complement the residential neighborhood to the north and would serve as an attractive gateway to the Village. There is no mention of a residential use in this vision. Commissioner Jakubowski asked staff to explain the significance of the studies made in the ULI report and how this applies to the area.

Mr. Clarke explained that the current 2001 Comprehensive Plan does speak about residential uses in the Devon Avenue Corridor. Mr. Clarke quoted from the current Comprehensive Plan which says "Given the shallow lot depths along the Corridor, redevelopment of obsolete commercial properties for retail use may not be practical. In such cases, consideration should be given to allowing such sites to

recycle as multi-family residential developments. Wherever possible, such uses should be oriented to the side streets which are currently residential in character.”

The Urban Land Institute is a preeminent organization comprised of development and real estate professionals. Their recommendations were made after numerous focus groups, an intensive site visit, and demographic studies. The ULI reported that more service-oriented businesses should be included. Commissioner Jakubowski agreed with the ULI report that the Whistler’s Restaurant site should stay as a restaurant and did not object to the inclusion of senior housing.

Commissioner Sampen reiterated that the issue up for discussion is whether or not to allow residential uses above commercial in the Corridor, and he would like to hear from the people in attendance.

Commissioner Yohanna asked Mr. Clarke to explain to the audience what is required for a Special Use application. Mr. Clarke explained the three different types of uses and what is required for the Special Use application process. The three uses are a Special Use, a Permitted Use, or a Prohibited Use. The matter up for discussion is whether the current Prohibited Use should be changed to a Special Use. There are no other changes that will be considered with relation to size, density, and height.

Chairman Eisterhold opened the Public Hearing for comments.

Art Ross, 6414 St. Louis Avenue, spoke about lack of enforcement by the Village with regards to traffic, street flooding, and sewer issues. Additional housing cannot be built to an already tapped system. Devon is constantly busy and cannot sustain any more development. He would be in favor of service or office businesses as long as parking is provided in the back.

Suzanne Ballew, 6720 St. Louis Avenue, said that the Village has the potential to create on Devon Avenue something that would be desirable, beautiful, and useful to the people in the community but would not infringe on the people already living there. Ms. Ballew objects to a short-term or a short-sighted decision.

Susan Port, 6427 Kimball Avenue, stated that multi-family residences and the increase in traffic and parking is going to change the entire feel of this part of Lincolnwood. Ms. Port is concerned about visitor parking since there is nowhere to park now. She is opposed to this proposal.

Bill Kohn, 6416 Trumbull Avenue, stated that other Devon Avenue mixed-use projects in Chicago are not working out. Parking and traffic will be a nightmare. He and his wife are not in favor of residential or business uses.

Bella Heching, 3420 Arthur Avenue, asked to read a letter written by her neighbor, Richard Katz. Chairman Eisterhold replied that they are in receipt of his letter and will be part of the public record. Mr. Katz was concerned about the traffic and parking. This development would have a negative impact on the Village. Ms. Heching presented Mr. Katz’s extensive property management and construction experience. Mr. Katz believes that the zoning change is detrimental long term to the two-block radius. Both Ms. Heching and Mr. Katz are opposed to this proposal.

Zvie Liberman, 6530 Kimball Avenue, said that with snow removal and street cleaning, the residents without a garage actually have less parking. This is a matter of personal comfort. He does not believe this issue makes sense.

Marla Lampert, 6431 Kimball Avenue, reiterated the concern about the parking issues. This corridor needs to be developed, but in the proper way.

Lenny Weiss, 6549 Kimball Avenue, also had concerns about the sewer system. He is opposed to any residential use. He would like to see plans to make a more informed decision. There are bigger discussions to be had with regards to business development instead of focusing on just this one area.

Mark Hartman, 6532 Trumbull Avenue, opposes this development. Devon Avenue is too busy for a multi-family development with children. This should be a big issue for consideration.

Rose Ann Cope, 6543 Monticello Avenue, said she moved to Lincolnwood for the particular ambience and milieu. Lincolnwood has a lot of great advantages. If this kind of mixed use development with apartments above is approved, this beauty and elegant feel of the Village will be lost. We should be encouraging businesses with enough parking. Ms. Cope asked to the Plan Commission to not allow any type of Special Use that would allow for this type of development.

David Hartman, 6529 Central Park Avenue, stated that with a proposal like this, the Village would lose some of its charm. Mr. Hartman would not like the Village to go forward with this proposal.

Chairman Eisterhold commented on some of the residents' concerns. With reference to developing the Bell and Howell property, this site is surrounding by an industrial area. Chairman Eisterhold noted that there are some proposals for this property coming forward in the next couple months. The size and depth of the properties on Devon make it difficult to develop. As far as children in the area are concerned, this is not an area that children would be playing in the street. One of the reasons that this issue is being raised before the Comprehensive Plan is completed is that a developer was interested in the Whistler's property and wanted to know what the Village was looking for since multi-family uses were not allowed in the current Zoning Code. Since the Comprehensive Plan will not be completed for a least a year, the Village Board decided to go ahead with this zoning change. This Comprehensive Plan is a guide and long-term plan for the Village, but it is not cast in stone.

Diane Dubey, 3405 Albion Avenue, stated that Lincolnwood schools are desirable and this development would attract families with children who would attend these schools. Ms. Dubey was concerned about children crossing Devon Avenue.

Rebecca Kohn, 6416 Trumbull Avenue, spoke about the mixed-use developments in the surrounding area with empty commercial space. A block of vacant buildings would look worse than it does now. This will change from a Village atmosphere to a vacant cityscape. The Village should work to get small businesses invested in the community unlike large developers who have no vested interest in the community.

Ms. Berk, 3450 Arthur Avenue, commented that only one person wrote in for support of this project; most of the residents are against this. Their quality of life would be impacted negatively by this development. She agreed that there is not enough information to make an informed decision. She asked if there were any feasibility studies done to determine if there is a demand for apartments, and what would be the cost to rent or own these units. It would be a disservice to make a decision without more information. Chairman Eisterhold informed Ms. Berk that an economic feasibility study would be required during the Special Use process.

Steve Dubey, 3405 Albion Avenue, stated that just because an area changes, it doesn't mean the use has to change. Lincolnwood does not have a history of ample retail stores. Devon Avenue has never been a good place for shopping. The area can be developed but not with a multi-story, mixed-use development.

By a show of hands, Commissioner Jakubowski asked the audience who is in favor of this zoning change. Let the record show that none of the audience members raised their hands. Commissioner Jakubowski then asked the audience to raise their hands if they were opposed to this zoning change. Let the record show that all members of the audience raised their hands.

Suzanne Ballew, 6720 St. Louis Avenue, readdressed the Plan Commission regarding the comprehensive view for the Village and how does the development of the Bell and Howell site fit in with this view long term. Would the residents have input into this development.

Commissioner Pauletto asked if having a residential use above commercial has been proven to spur development. Mr. Clarke answered that the view of the EDC is that having a mixed-use development can spur investment and revitalization of this corridor. The Village has engaged an engineer to prepare streetscape plans for this Corridor in partnership with the City of Chicago. The EDC was concerned about the lack of private investment in this corridor. The viewpoint expressed in 2001 with the Comprehensive Plan that this is no longer a retail corridor. The question is how do you turn this around without massive public expenditures.

Commissioner Pauletto also expressed concern that the residential units may be vacant which has happened with some neighboring developments. Commissioner Pauletto asked if staff can elaborate if there is a better answer whether or not mixed-use developments can spur development. Commissioner Sampen agreed with Commissioner Pauletto regarding authorizing mixed-use developments and said there are legitimate concerns about traffic which can be addressed during the Special Use process. The second objection was that it will cause the Village to lose its charm. Commissioner Sampen does not believe this development would have an adverse effect. The third point raised by the residents was that mixed-use properties are not good investments. Commissioner Sampen said that this may be a possibility or not, but more information would be required to make a decision to open up this corridor for a possible Special Use for residences. Commissioner Sampen does not believe that it is too early to vote on this matter.

Commissioner Pauletto agreed that the residents deserve and would welcome more information about the history of these developments. Commissioner Fishman stated that the EDC voted 7-0 that this matter be considered by the Plan Commission in a timely fashion. The Village Board voted 6-1 in favor to sending this to the EDC and the Plan Commission. This is not something that was considered lightly. If this goes forward, Commission Fishman believes this will be a success.

Commissioner Goldfein asked if there is any leeway to reduce the size of the B-2 District. Mr. Cook answered that it is a challenge to establish a smaller area to differentiates itself from other properties within the same corridor can be complicated since all the properties are on Devon Avenue and within the same B-2 District. The Village has already said that these properties are similar in character and to parse out one land use versus another land use would become complicated and would not be keeping in best zoning practice. Currently, any redevelopment of this area is allowed to build multi-story buildings. Commissioner Goldfein felt the residents would continue to have these complaints whether there was residential here or not. A multi-story office building would contribute to the sewer, water, and parking issues as well. This area needs to be redeveloped with an eye toward improving these

issues and allowing for shared parking lots along Devon Avenue instead of isolating the parking. The Village needs to move forward in that direction, and Commissioner Goldfein did not want to rule out residential uses. The Village does need to bring in new development, and it is important to have some variety to offer.

Commissioner Pauletto agreed with Commissioner Goldfein that maybe it is time to try something else. If the Village doesn't do anything, it is going to stay the way it is with the inherent problems.

Commissioner Yohanna said that this area was developed in another era, and nobody has come forward to address these problems. If nothing is done, the problems will stay the same. With the Special Use process, restrictions can be placed to start alleviating the parking issues in the immediate vicinity.

Art Ross, 6414 St. Louis Avenue, readdressed the Plan Commission as to why other villages have successful corridors like the one planned for Devon Avenue. Chairman Eisterhold answered that the shallow depth of the lots is one of the main reasons for the lack of development. Commissioner Goldfein said that the Village of Skokie, in particular, reconfigured their parking requirements to include shared parking and lifted the individual requirements for buildings there. The Village needs to broaden their ideas as to what is good for the whole strip and not the individual structures.

Chairman Eisterhold reiterated to Ms. Kohn, who again questioned why the Plan Commission could not wait until the Comprehensive Plan has been finalized, that the Plan Commission's role in this matter came from the direction of the Village Board.

Barry Bass, 6530 Central Park Avenue and a newly-elected Village Trustee, stated that the Village should wait until the Comprehensive Plan has been developed. The long-term plan should be taken into consideration along with the residents' concerns. Village staff should do what it can to retain the uniqueness of Lincolnwood. The Village should wait for all the information and take into consideration previous reports and data and from people who have a vested interest in the area.

Chairman Eisterhold again commented on some of the other concerns that were raised. The regentrification of the business community is as important as residential regentrification. Also, tax generation for the entire community is part of the responsibility of the Village Board. The industrial and commercial areas do not cover everything as in year's past. Experts say that residential taxes do not cover the expenses to their portion of the tax burden. Concern for the Village as a whole and what is happening in this area impacts the entire community, not just the residents in the immediate area. As Tim Clarke indicated, there are plans for a new streetscape along Devon Avenue from Lincoln Avenue to McCormick Boulevard, which is a big tax investment. This will help this immediate area with both traffic congestion and revitalization of the commercial areas along this corridor. This is not the area for single-family residences. Townhomes would not fit the streetscape either. If there is to be any residential, it makes more sense to have condos or apartments. A mixed-use development is preferable in that the residential use is up off the main floor which is a safer situation for the families living there. People who live in the area shop in the area which is good for the immediate area.

Commissioners Sampen and Fishman expressed their confusion regarding Mr. Bass's objection to this proposal since the Village Board voted 7-0 to move forward with this type of development. Commissioner Sampen would like to take a vote should be taken to see where the Plan Commission stands on this issue.

Mr. Dubey readdressed the Plan Commission and said that the streetscape improvements should be done first and then see what incentives could be provided to the business owners to maintain or improve their businesses.

Commissioner Jakubowski thanked the residents who came out tonight. It is too premature at this time to make a decision. Flooding issues will be exacerbated with the addition of a large scale project like this. There have been no infrastructure improvements presented. This is going to significantly change the character of the Village, enough so that many of the residents indicated they would move out of Lincolnwood. The schools in Lincolnwood are desirable and to have families with children living in such a congested area is a real safety issue. Commissioner Jakubowski is strongly against this proposal and would urge the Village Board to wait until this process has been fully developed.

Commissioner Sampen said that he agreed with many of the issues raised by Commissioner Jakubowski, but these issues can best be addressed during the Special Use process and should not hold up a recommendation.

Chairman Eisterhold explained the Special Use process. For any Special Use to be considered, there is a development review process with all Village departments to determine the feasibility of the project.

Commissioner Goldfein agreed with Commissioner Sampen regarding the Special Use process and should open the door a bit and see what happens.

Commissioner Pauletto said that it is their job to protect the people most affected by this proposal. This area cannot stay the way it is; we need to try something new.

Motion to recommend the Village Board to adopt #PC-05-15 Proposed Text Amendment or Map Overlay was made by Commissioner Yohanna, and seconded by Commissioner Pauletto.

Aye: Yohanna, Pauletto, Fishman, Goldfein, Sampen, and Eisterhold

Nay: Jakubowski

Motion Approved: 6-1

V. Case #PC-02-15: Public Hearing: Proposed Text Amendment

Motion to continue to the Wednesday, June 3, 2015 Plan Commission meeting was made by Commissioner Sampen, and seconded by Commissioner Yohanna.

Aye: Sampen, Yohanna, Fishman, Goldfein, Jakubowski, Pauletto, and Eisterhold

Nay: None

Motion Approved: 7-0

VI. NEXT MEETING

Chairman Eisterhold announced that the next Plan Commission meeting will be held on Wednesday, June 3, 2015.

VII. ADJOURNMENT

Hearing no further business, **motion to adjourn** was made by Commissioner Yohanna, and seconded by Commissioner Goldfein. Meeting adjourned at 9:40 p.m.

Aye: Yohanna, Goldfein, Fishman, Jakubowski, Pauletto, Sampen, and Eisterhold

Nay: None

Motion Approved: 7-0

Respectfully Submitted,

Kathryn M. Kasprzyk
Community Development Coordinator



Plan Commission Staff Report

Case #PC-02-15

June 3, 2015

*Continued from May 6, 2015, April 1, 2015, March 23, 2015,
March 4, 2015, February 25, 2015, and February 4, 2015*

Subject Property: N/A (Text Amendment)

Requested Action: Text Amendment to the Zoning Code to review and modify and found necessary Article II and Article III of the Zoning Code, and any additional Article/Section of the Zoning Code that may be discovered during review of this case, relative to the definitions of open, semi-private, and solid fences and associated bulk regulations.

Petitioner: Village Board

Summary

This matter was continued without discussion at the May 6, 2015 Plan Commission meeting. The summary below was provided in advance of that meeting. Staff has slightly modified Attachment 1 below from the packet sent in advance of the May 6th meeting.

At the April 1st meeting, the Plan Commission discussed the characteristics of a semi-private fence. This discussion revolved around whether the key component of a semi-private fence is to allow a view through the fence or to allow light and air through the fence. This discussion was intended to clarify the appropriateness of allowing louvered fences. It is based on this discussion that staff has prepared the following draft text amendment for consideration.

“FENCE, SEMIPRIVATE or SEMIPRIVATE FENCE A fence which is not a solid fence nor an open fence. ~~These types of fences are~~ **Examples of this fence type are shadow box and louvered fences. Louvered fences are to be designed as follows: 1) the board-length to board-gap ratio must be a minimum of 2 to 1, 2) the angle of the boards cannot exceed 45 degrees, and 3) the fence shall allow the ability to see from one side of the fence through to the other side.** ~~restricted to board on board fence (also known as "shadow box types"). The open space between vertical fence boards shall not exceed 85% of the width of the boards on the same side of the fence.”~~

Staff indicated at the April 1st meeting that sample cross-sections would be prepared to assist in illustrating how differing angles of boards may impact the “semi-private” character of a louvered fence. Please find attached the basic sketch prepared by staff.

At the February 4, 2015 meeting, the Plan Commission requested additional pictures/ images of certain fence types to assist in deliberating if the current restriction permitting only vertical fence boards is appropriate. Staff has again attached these images of louvered fences as well as horizontal shadow box fences.

Staff Research

Attached to this staff summary is a memorandum from Ryan Johnson, Community Development Intern, which summarizes several areas of research. Staff was unable to find any references regarding the legislative history of developing the current semiprivate fence definition. Based on a review of ten neighboring communities, Lincolnwood is the only community that defines three different fence styles/designs (open fence, semiprivate fence, and solid fence).

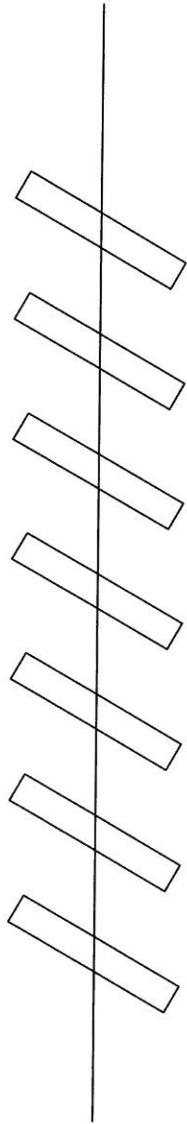
Conclusion

The Plan Commission has been referred this Public Hearing to consider fence definition and regulations, beginning with the definition of semiprivate fences. This consideration was triggered by a fence variation request in 2014. That request has since been withdrawn as the property owner has filed for a different fence design.

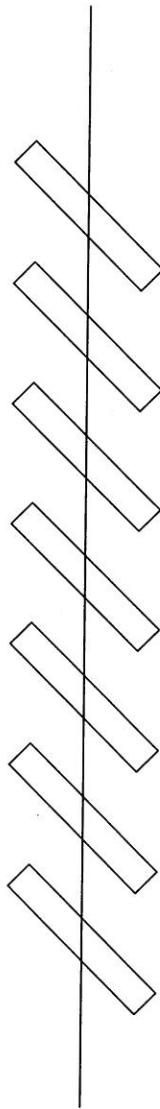
Attachments:

1. Staff Prepared Sample of 30, 45, and 60 Degree Louvered Boards
2. Images of Louvered Fences
3. Images of Horizontal Shadow Box Fences
4. Images of Shadow Box and Board-on-Board Fences
5. Memorandum from Ryan Johnson (revised 1/30/15)
 - a. "Fence Style Definitions in Neighboring Communities" Spreadsheet
 - b. A Better Fence Construction Company's "Wooden Fence Designs" Webpage
 - c. Lowe's Board-on-Board Fence Panel at Company's Webpage
 - d. Home Depot Board-on-Board Fence Panel at Company's Webpage

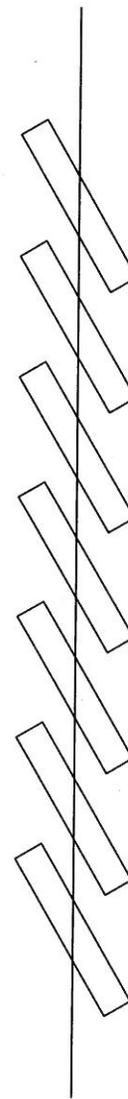
30 Degree Angle
1"x6" Boards



45 Degree Angle
1"x6" Boards



60 Degree Angle
1"x6" Boards



Louvered Fence Board Scenarios

All Examples are Drawn at a 2:1 Board-to-Space

























Shadow Box Fencing

Shadow box fencing provides a very sharp looking alternative to a standard stockade fence, however it is only semi-private. Others walking or driving by can see partially through your shadowbox fence to the backyard.



The limited privacy is often not an issue for many people since their property is shared with friendly neighbors who are more concerned about protecting your property as well. Plus, from the front, there is usually limited to no view of the back yard.



Decorative Privacy Fence

This is a board on board privacy fence design. This is a decorative privacy fence that looks very attractive, provides absolute privacy, and is slightly cheaper than the Shadowbox Fence.

If you click on the headings they will take you to more pictures of these types of fencing, and the options available.





MEMORANDUM

To: Aaron Cook, Development Manager

From: Ryan Johnson, Community Development Intern

Date: October 3, 2014 (1/30/2015 Revision)

Re: Summary of Semi-Private Fence Information

Background

The Village of Lincolnwood's zoning code includes definitions of Open, Solid and Semi-Private fence styles. Staff compared these definitions to the fence definitions utilized by neighboring communities. Staff also researched the terminology that fence contractors and home centers use in relation to fences fence styles. Staff has concluded that the terminology and definitions that organizations use to describe fencing styles varies widely. In light of this, Lincolnwood's Semi-Private Fence zoning definition could be considered ambiguous.

Semi-Private / Board-On-Board / Shadow box Fence Definitions

Lincolnwood's Semi-Private Fence definition reads:

“A fence which is not a solid fence nor an open fence. These types of fences are restricted to board-on-board fences (also known as "shadow box types"). The open space between vertical fence boards shall not exceed 85% of the width of the boards on the same side of the fence. [Amended 6-3-2014 by Ord. No. 2014-3102]”

Staff researched the history of this definition and found that this it went into effect in May of 2003. Staff researched meeting minutes from the Plan Commission, CORB and Village Board meetings that led to Ordinance 2003-185. This is the ordinance which included the Semiprivate Fence definition for the first time.

Of the 30 public hearings that the Plan Commission considered the fence item, only 16 meeting minutes documents could be found. Nothing in these meeting minutes referenced discussions about fence definitions. Staff could not find any notes related to semi-private fences whatsoever. The discussions found in the meeting minutes primarily focused on the height and security aspects of fencing.

Neighboring Community Fence Definitions

Staff has researched the zoning code of 10 neighboring communities and found that they do not have definitions for semiprivate, board-on-board or shadow box style fencing. Glenview's fence section does mention that board-on-board fencing is considered finished on both sides, but provides no definition for this style of fence.

Five of the 10 neighboring communities do not define open or solid fences, which Lincolnwood's zoning code does. Evanston regulates fences based on percentages of opacity. Glenwood and Des Plaines similarly define their requirements by percentage of fence that is considered 'open.'

Fence Industry Definitions

Staff investigated fence definitions on the Internet and contacted Tru-Link at Skokie to find common definitions for semi-private, board-on-board or shadow box fence styles. On September 25th, 2014 Steve Schneider, a sales representative for Tru-Link, explained to staff that board-on-board is not synonymous with the shadow box style. He explained that board and batten style is also board-on-board, but it is a solid privacy fence, without any gaps between boards.

Staff looked at other contractors' fence offerings on the Internet and found that some contractors do define board-on-board as synonymous with shadow box style, while others do not. Home Depot uses the term "Alternate Board" instead of shadow box. Furthermore, Home Depot and Lowe's stores both offer privacy fencing described as "board-on-board." These fences conflict with Lincolnwood's Semi-Private Fence definition because they are not a "shadow box type" fence.

Recommendations

Staff recommends that the definition of "Semi-Private Fence" in Lincolnwood's zoning code be reviewed and altered so that the term 'board-on-board' will no longer be included in the definition. The current definition conflicts with terminology that many fence contractors and home improvement stores commonly utilize.

Attachments

1. "Fence Style Definitions in Neighboring Communities" spreadsheet
2. The definitions and fence sections of 10 Neighboring Communities
3. A Better Fence Construction company's "Wooden Fence Designs" webpage
4. Lowe's board-on-board fence panel at company webpage
5. Home Depot board-on-board fence panel at company webpage

Fence Style Definitions in Neighboring Communities

Ryan Johnson 10/3/2014

Municipality:	Fence Definition	Open fence Definition	Solid Fence Definition	Semi-Private Definition	Notes:
Lincolnwood	X	X	X	X	Includes Semiprivate Fence definition. Semiprivate fences are synonymous with shadowbox and board-on-board styles.
Skokie	X				Simple definition of "Fence". Could not find any style regulations for residential districts.
Morton Grove	X		X		Definition: solid fence "effectively obstructs view from adjoining properties, streets, alleys, or public ways." Unclear from code what a shadowbox fence would be considered, because it is possible to see through one at an angle.
Glenview	X				Fence code references board-on-board and solid fences, but there are no definitions of these styles. Fences at side yards must be "at least 50 percent open." Code does not address shadowbox fencing.
Evanston	X				Definitions include "Fence Opacity". Intricate fence section includes drawing of fences. Code regulates opacity, for example, "maximum fence opacity of seventy percent" It appears that shadowbox fences would be considered a fence that has 100% opacity.
Wilmette	X	X	X		Less than 50% open space is a solid fence; more than 50% open is an open fence. The definitions are measured at "eye level at a position perpendicular to the fence", which means implies that shadowbox fences are considered a solid fence style.
Park Ridge	X	X	X		A solid fence is defined as a fence made entirely of opaque materials, which can be ambiguous. Open fences are at least 50% open space. Unclear from code what a shadowbox fence would be considered.
Niles	X		X		A solid fence, per the zoning definition, "effectively conceals" the adjoining property. A shadowbox fence would not do that. The fence section defines "Fence" as having, over its entirety at least 70% of its surface area open space, viewed perpendicular to the fence. These two definitions seem to exclude shadowbox fences.
Des Plaines					No fence definitions. The fence section regulates that certain fences be "at least fifty percent open "see-through" area of uniform distribution".
Winnetka					Could not locate any fence style regulations in their code. Most regulations are regarding height.
Highland Park	X	X	X		Code definitions describe an open fence as having 50% of "open air spaces" per square foot, which afford a direct view through the fence. The definitions describe a solid fence as having no open breaks and conceals activities from adjoining properties. Fence section also includes definitions of open and solid fences, which conflict with the previous definition. The fence section stipulates that a solid fence is less than 60% apertures; an open fence is more than 60% apertures.

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Attractive Wooden Fence Designs

We showcase here our most recent, attractive Wooden Fence Designs we've installed and constructed including Absolute Privacy designs.

Semi-Private Designs

Shadow Box Fencing

Shadow box fencing provides a very sharp looking alternative to a standard stockade fence, however it is only semi-private. Others walking or driving by can see partially through your shadowbox fence to the backyard.



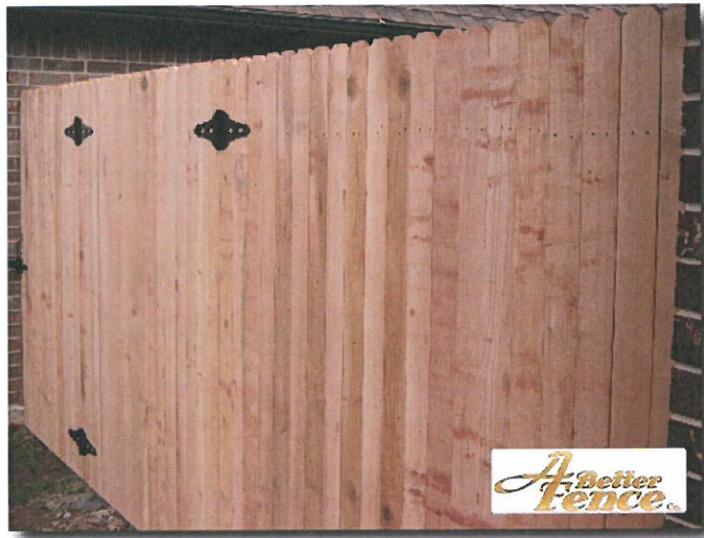
The limited privacy is often not an issue for many people since their property is shared with friendly neighbors who are more concerned about protecting your property as well. Plus, from the front, there is usually limited to no view of the back yard.

Solid Board Wooden Fence Design

Solid Board fence is exceptionally cost effective and useful in providing excellent privacy. Pickets are nailed to the back rails with galvanized nails.

Mobile Phones:

Touch to Call: **202-8580**
or touch the phone number below on main pages.



Also, check out our #1 selling fence design, the:
[7/8" x 6" Solid Board Western Red Cedar Privacy Fence](#)



Absolute Privacy Fence Styles

The "Absolute" privacy fence designs allow for absolutely no viewing through the pickets. Those here are 2-sided solid board design and board on board.

We use the term "absolute" to convey the fact that basically no one could peak anywhere through your fence!

2-sided Solid Board Privacy Fence Design

We completed a 2 sided solid board privacy fence where the pickets are installed on both side for aesthetic purposes.

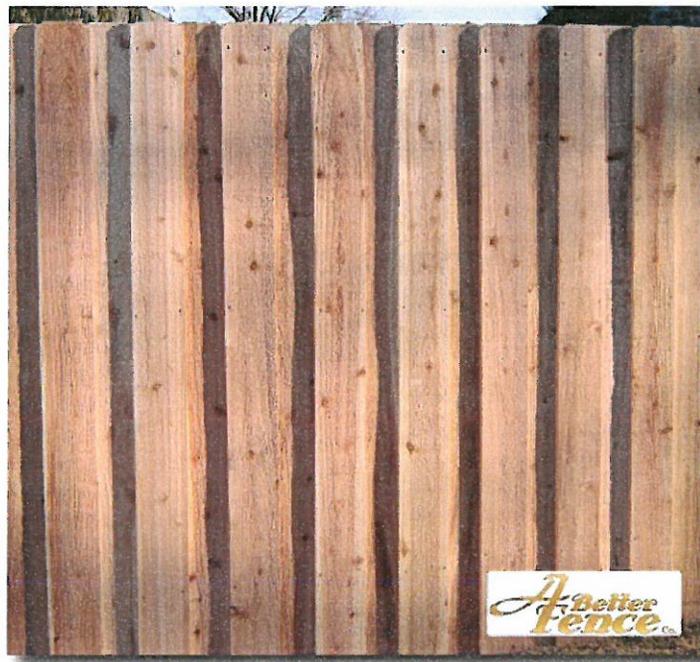
This is a picture of only the backside of the fence. The front looks exactly the same. Postmaster inline posts were used to create a true good neighbor fence.



Decorative Privacy Fence

This is a board on board privacy fence design. This is a decorative privacy fence that looks very attractive, provides absolute privacy, and is slightly cheaper than the Shadowbox Fence.

If you click on the headings they will take you to more pictures of these types of fencing, and the options available.



Decorative Privacy Fence with Full Trim

This is the board on board, decorative privacy fence with full trim added. The trim usually includes:

2"x6" inch rough cedar top cap, and

1"x2" inch cedar trim piece.

We get many compliments from this decorative type.



Even the backside of this style of fence looks pretty. We really like the board on board design and so do our customers. They get lots of compliments from their neighbors too.

The connection was



[Return HOME from Wooden Fence Designs](#)

202-8580



We are an Oklahoma City Fence Company serving the cities and communities of Edmond OK, Oklahoma City OK, OKC, Moore OK, Norman OK, Yukon OK, Del City OK, Midwest City OK, Mustang OK, Newcastle OK, Bethany OK, Choctaw OK, Warr Acres, Nichols Hills, The Village, Piedmont, and more in Oklahoma. 73139



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Enlarged Image

Wood Fencing Pressure Treated Board on Board 6' x 8' Panel ACQ

Item #: 5017 | Model #: 5017

★★★★★ Be the first to write a review!

\$47.97

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Description

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Got an update or addition to this product's details? Share it here.

Pressure Treated Board on Board 6' x 8' Panel ACQ

- 5/8" x 6' picket
- 6' x 8' panel for faster and easier installation
- Pressure treated for durability
- Doubled nailed pickets and backer rails
- Quality privacy fence

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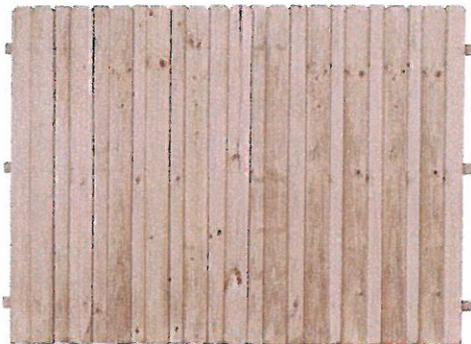
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Help

Model # 105819 | Internet # 202093942

6 ft. x 8 ft. Pressure-Treated Pine 4 in. Board-on-Board Fence Panel

★★★★★ (2)

[Write a Review](#)[Questions & Answers \(1\)](#)

PRODUCT OVERVIEW

Model # 105819 | Internet # 202093942

The 6 ft. x 8 ft. Pine Board-on-Board Pressure-Treated Fence Panel is constructed of sturdy yellow pine and can add natural beauty to your home, yard and garden. Its natural wood finish is stainable and paintable, and the wood itself is pressure-treated for long-life. Each section comes fully assembled, and installation is easy.

California residents: see [Proposition 65 information](#)

- Made from pine
- Board-on-Board style fence
- Double-nailed pickets
- Fully assembled for easy installation
- Note: Product may vary by store

SPECIFICATIONS

Actual backer rail length (in.)	96	Actual backer rail thickness (in.)	1.5
Actual backer rail width (in.)	2.625	Actual panel height (in.)	72
Actual panel thickness (in.)	1.9	Actual panel width (in.)	96
Assembled Depth (in.)	2.75 in	Assembled Height (in.)	72 in
Assembled Width (in.)	96 in	Color Family	Brown
Commercial/Residential Use	Commercial / Residential	Contact Type Allowed	Above Ground
Fence Application	Privacy, Security	Fencing Product Type	Wood Fence Panels
Manufacturer Warranty	See store for details	Material	Wood
Nominal backer rail length (in.)	96	Nominal backer rail thickness (in.)	2.0
Nominal backer rail width (in.)	3.0	Nominal panel depth (in.)	3
Nominal panel height (ft.)	6	Nominal panel width (ft.)	8
Number of pickets for panels	29.0	Number of rails for panels	3.0